

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council. Special accommodations to see, hear, or participate in the public meeting should be made at City Hall within two days of the public meeting.

Vision Statement

Bonnors Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life.

AGENDA
CITY COUNCIL MEETING
Bonnors Ferry City Hall
7232 Main Street
267-3105
January 15, 2019
6:00 pm

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

To consider the recommendation by Planning and Zoning to Amend the Future Land Use Map File #AM02-18

PUBLIC COMMENTS

Each speaker will be allowed a maximum of five minutes, unless repeat testimony is requested by the Mayor/Council

REPORTS

Police/Fire/City Administrator/City Engineer/Economic Development Coordinator/Urban Renewal District/City Planner/SPOT

CONSENT AGENDA – {action item}

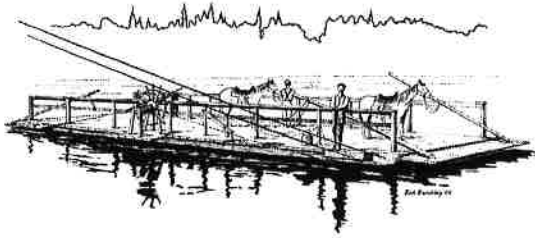
1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of the January 2, 2019 Council meeting minutes
4. Treasurer's Report

OLD BUSINESS

NEW BUSINESS

5. City – Consider Resolution #2019-01-15 to Amend the Future Land Use Map (attachment) {action item}
6. City – Consider Acceptance of the 50-foot Public Right of Way Dedication from the Boundary County School District for the Garden Lane Extension to Fry Street (attachment) {action item}
7. City – Consider a Policy for Highly Skilled and Essential Personnel (attachment) {action item}
8. City – Consider Payroll Deductions {action item}
9. Electric – Consider the Request to Authorize Advertisement for Silt Removal Project at the Moyie Dam {action item}

ADJOURNMENT



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

STAFF REPORT FOR AMENDMENT TO FUTURE LAND USE MAP BONNERS FERRY CITY COUNCIL AMENDMENT FILE #AM02-18

Prepared by: Clare Marley, AICP
City Contract Planner

Project Description: The City of Bonners Ferry has initiated an amendment to its comprehensive plan "Future Land Use Map" to designate as "Residential" those lands within the Area of City Impact (ACI) that have not been previously designated on the map. The boundary of the ACI has been mutually agreed upon by the City and Boundary County. Land within the ACI remains under the jurisdiction of Boundary County.

Publication Date: December 27, 2018

Political Subdivisions Notification: December 26, 2018

Hearing Dates: Planning and Zoning: November 29, 2018
City Council: January 15, 2019

Planning and Zoning Commission Recommendation: Recommended approval on a unanimous vote of the designation of remaining lands as "Residential," with the exclusion of certain lands, as shown in attached Exhibit A.

Hearing Packet: Current June, 2017 "Future Land Use Map," proposed "Future Land Use Map," draft resolution, P&Z Commission Exhibit A, public comment

PROJECT BACKGROUND/SUMMARY

The City of Bonners Ferry has initiated an amendment to its Future Land Use Map (also known as the comprehensive plan map and referred to here as the "Map") to provide land use categories for property within the Area of City Impact (ACI). The ACI is an area outside the city limits, but adjacent to the city. The boundaries of the ACI have been mutually agreed upon by the City of Bonners Ferry and Boundary County. The ACI is an area of city trade, potential extension of city boundaries and services, and geographic connectivity. Through adopted ordinances by the city

and county, Boundary County zoning codes and comprehensive plan continue to govern the lands within the ACI. The boundaries of the ACI are shown on the current Future Land Use Map (dated June, 2017).

Five county neighborhoods within the ACI have been assigned future land use designations by Bonners Ferry on the city map. These neighborhoods are at the north and south boundaries of the city, and the south-central area. The majority of the ACI has not been assigned future land use designations. The purpose of this proposed Map amendment is to complete the designations for the remainder of the ACI. Completing the designations for the remainder of the ACI allows the city to:

- Properly plan for those areas adjoining the city by setting forth intended uses for future development.
- Facilitate future requested annexations by providing comprehensive plan map designations. As a prerequisite to annexation, Bonners Ferry City Code 11-1-2 requires the Planning and Zoning Commission recommend proposed Map designations. Idaho Code §50-222(5)(a) requires the city to establish comprehensive plan policies and zoning classifications for lands to be annexed, involving both the Planning and Zoning Commission and Council.
- Allow greater efficiency. There are four pending voluntary annexation requests. Three of the four requests require a comp plan map amendment, since they are within ACI areas that do not have map designations. Rather than amend the Map each time an annexation request is contemplated, the proposed amendment would pre-designate the land uses. Any proposed annexation of lands for commercial or industrial uses would require a designation other than "Residential." In these situations, the applicant would be required to seek an amendment to the Map at the time of annexation application. The pre-designation speeds up the process for the applicant and reduces staff time required for the public hearing, reports, and remapping of each request.

PUBLIC COMMENTS

One written public comment has been received to the record from Terry Howe, a resident of McCall Street in Bonners Ferry. Mr. Howe objected to the designation of Residential for areas he believes are farmlands. He also suggested the proposed designations are in conflict with Boundary County's Comprehensive Plan, calling for preservation of farmland, and believes these areas should be removed from the ACI.

Staff also received a call from Cabinet Mountain Water District inquiring about possible effects of the map change on services.

COMPREHENSIVE PLAN ANALYSIS

There are three future land use designations on the Bonners Ferry comp plan map: Commercial; Industrial; and Residential. The City comp plan assigns the following potential uses to these designations:

- Commercial: The Commercial designation is intended to support zoning districts that allow commercial uses. The Commercial designation also allows for single and multi-family dwellings, public utility structures, and certain public uses such as parks, fire and police facilities and schools. Zoning districts that are appropriate for the Commercial designation are Commercial and Medical.
- Industrial: The Industrial designation is intended to support industrial, manufacturing, warehousing and wholesale business establishments. The Industrial designation also

allows for certain public uses such as parks and fire and police facilities. The zoning district that is appropriate for this designation is Industrial.

- Residential: The Residential designation is intended to support zones allowing a range of housing types and densities. The Residential designation also allows for certain public uses, such as parks, fire and police facilities and K-12 schools. The zoning districts that are appropriate for this designation are Residential AA, Residential A, and Residential B.

The choice of “Residential” for the remaining portion of the ACI is based on existing county policy and uses. The land within the ACI would remain under the governance of Boundary County, and is guided by the county’s adopted land use map and comprehensive plan. The proposed Bonners Ferry land use designation of “Residential” within the ACI is similar to the Boundary County designation. The majority of the ACI is designated as “Residential” on the county map. The county plan states: (Section 13.5.5.) **Residential:** *Areas within city areas of impact, with minimum parcel size to be determined by the availability of city services, including water and sewer, and minimum parcel size requirements established by the municipality. If city services are available, a higher density could be allowed; if no city services are available, a minimum parcel size of one acre should be required. The purpose of the designation is to provide for the systematic expansion of city and county services for residential development. High density residential development such as duplex, and multifamily residential structures would be compatible with this designation. Light uses with low impact, as well as community gathering areas or services could be considered as conditional uses. Commercial or industrial use should be prohibited so as to provide for the quiet enjoyment of residential use.*

The majority of the land uses adjoining the city limits are residential, rural residential, and agricultural/residential uses. Those areas that are within the ACI and pre-designated by the city Map are a mix of Residential, Commercial, and Industrial. (See attached 2017 map for those areas outside the dotted lines of the city limits.)

AUTHORITY/PROCEDURES

Idaho Code §67-6508 assigns the Planning and Zoning Commission the duty to prepare, review, and update the comprehensive plan. The plan includes a land use component and a “projected land uses” map or future land use map.

Idaho Code §67-6509 establishes the procedures for adoption and amendment of the plan. At least 15 days prior to the public hearing, the city must give notice of the proposed amendment to the official newspaper of record, media, political subdivisions within the city jurisdiction, school districts, and the manager of the public airport. The Planning and Zoning Commission shall make a recommendation to the City Council on the proposed amendment. The City Council may conduct at least one public hearing, in addition to the Commission decision, after it receives the recommendation from the Planning and Zoning Commission. If the City Council makes any material change in the recommendation or options contained in the Commission recommendation, further notice and a public hearing must be conducted by the Council. The Planning and Zoning Commission decision called for the exclusion of two areas from the map amendment, as shown in attached Exhibit A, and noted in the summary above.

The amendment is effective after the adoption of a resolution by the City Council. A draft copy of the resolution is attached to this report.

PUBLIC NOTICE

Notice was published in the official newspaper of record on December 27, 2018 for the Council hearing (18 days prior to the public hearing). Notice was also mailed to taxing districts, the media, school district, and airport manager December 26, 2018 (19 days prior to hearing). Legal noticing requirements have been met.

MOTIONS BY THE GOVERNING BODY:

Motion to Approve: I move to approve this file #AM02-18 as recommended by the Bonners Ferry Planning and Zoning Commission, amending the City of Bonners Ferry Future Land Use Map to designate as “Residential” those lands within the Area of City Impact that have not been previously designated and exclude those lands identified by the Commission, finding that it is in accordance with the general and specifics goals and standards of the City of Bonners Ferry comprehensive plan, as enumerated in the findings and reasoned statements below and based upon testimony received at this hearing.

I further move to adopt the following reasoned statement as written (or as amended). (READ STATEMENTS, SPECIFYING HOW THE PROPOSAL MEETS THE STANDARDS, BASED UPON THE FINDINGS OF RECORD).

Motion to Deny: I move to deny this file #AM02-18, amending the City of Bonners Ferry Future Land Use Map, finding that it is not in accordance with the general and specifics goals and standards of the City of Bonners Ferry comprehensive plan, as enumerated in the findings and reasoned statements below and based upon testimony received at this hearing.

I further move to adopt the following findings and reasoned statement as written (or as amended). (READ STATEMENTS, SPECIFYING HOW THE PROPOSAL FAILS TO MEET THE STANDARDS, BASED UPON THE FINDINGS OF RECORD).

Alternative Motion: I move to continue this hearing to allow for additional public notice and to conduct an additional public hearing to consider a material change to the Planning and Zoning Commission recommendation to [state the material change proposed].

REASONED STATEMENTS

- 1. The amendment **IS/IS NOT** supported by the City of Bonners Ferry Comprehensive Plan.

Community Design	Special Areas and Sites
Natural Resource	Recreation
Population	Housing
Economic Development	Land Use
Hazardous Areas	Public Services, Facilities and Utilities
Transportation	Implementation
Property Rights	

Findings:

1. The Area of City Impact is a planning area mutually agreed upon by the City of Bonners Ferry and Boundary County.
2. The Boundary County comprehensive plan, map, and zoning codes govern within the Area of City Impact.
3. The 2017 Bonners Ferry Future Land Use Map provides land use designations for portions of the ACI.
4. The City of Bonners Ferry has initiated a Map amendment to complete the land use designations for the remainder of the ACI.
5. The proposed “Residential” designation fits the majority of the current and potential uses with the ACI, which are residential, rural residential, and agricultural/residential in nature.

6. The current Boundary County comprehensive plan map designates the majority of the land with the ACI as "Residential."
7. The Planning and Zoning Commission has conducted a duly noticed public hearing in accord with Idaho Code §67-6509 to consider the proposed amendment and recommendation to City Council.

City Planning and Zoning Commission

File AM02-18-public

RECEIVED
NOV 20 2018
CITY OF BONNERS FERRY

Gentlemen:

The City of Bonners Ferry has announced its intention to designate all its unzoned areas in its Area of City Impact as residential.

There are two areas of farmland that should not be zoned residential. In fact, these areas should never have been included in the ACI. These prime agricultural lands are situated in Drainage District 11 between the Kootenai Indian Mission and the District 5 Road, and a less critical field in District 1 east of Mirror Lake Road and south of Sisters Road.

The ACI designation and the residential designation are both in direct conflict with the Boundary County Comprehensive Plan calling for the preservation of prime agricultural lands as open farmland. It reads as follows:

13.5.9. Prime Agriculture: Large tracts of sparsely populated land whose fertile, productive soils make them best suited for growing and raising food and fiber and which are valued for their economic contribution, scenic beauty and the role these lands play in defining the culture and heritage of Boundary County. The objective within this designation is to retain the integrity of our prime agricultural lands and to engender the continued production of the resources they provide. Land uses that are complementary to agricultural production are to be promoted to preserve this vital resource. Many uses, including intensive industrial and commercial uses may be compatible with this zone by virtue of large spaces between neighbors to mitigate noise. While these lands may be suitable for residential development, it is deemed that retaining these lands as open farmland is essential and desired. Precedence in land use decisions should weigh in favor of agricultural pursuits and discourage fragmentation. Prime Agriculture lands may utilize Transfer of Development Rights, whereby a landowner may sell the rights

to develop the property as a subdivision but retain the land for agricultural production. A minimum parcel size of not less than 10 acres should be imposed.

Please note that it favors agriculture over fragmentation and minimum property sizes of 10 acres. One doesn't have to be a rocket scientist to see that housing and farming cannot coexist; they must be mutually exclusive. Residential neighborhoods do not belong in farm areas. The many problems of mixing housing with farm uses should be obvious to anyone. Houses should be built on marginal lands while prime agricultural lands need to be reserved for food production. The Europeans have known enough to have practiced this for a hundred years. Incorporation of these lands into the City is unneeded. Ask any newcomer-they will tell you the Kootenai Valley is our finest treasure. If it is destroyed by urban sprawl we will all be sorry when it is too late.

It would be possible to zone the District 1 land as industrial to allow for future expansion of the industrial zone, and zone the District 11 land as Agriculture/Forest. This would be a bandaid solution but the real solution would be to remove these prime agricultural lands from the ACI and that is my request.

Thank you for your consideration.



Terry Howe

6335 McCall St.

Bonnors Ferry, Id. 83805

(208)597-4056

RECEIVED

NOV 20 2018

CITY OF BONNORS FERRY

Chairman Chris Rawlings called the regularly scheduled Planning and Zoning meeting of November 29, 2018 to order at 5:30 pm. Planning and Zoning members present were: Andy Howe, Sue Larson, Wally Cossairt, Dave Gray and Glenda Poston. Also present were: Contract Planner Clare Marley and Clerk Christine McNair. No members of the public were present.

Glenda moved to accept the minutes for October 18, 2018 with corrections. Sue seconded the motion. The motion passed with all in favor.

Wally moved to accept 2019 calendar as proposed. Glenda seconded the motion. The motion passed with all in favor.

Chris opened the public hearing at 5:33pm for file #AM02-18 – Amendment to Future Land Use Map. The City of Bonners Ferry has initiated an amendment to its comprehensive plan “Future Land Use Map” to designate as “Residential” those lands within the Area of City Impact (ACI) that have not been previously designated on the map. The boundary of the ACI has been mutually agreed upon by the City and Boundary County. Land within the ACI remains under the jurisdiction of Boundary County.

Clare Marley gave her presentation. She said this is not for a planned annexation. This is for voluntary annexation requests from residents. The Residential recommendation seems to be more fitting than Commercial or Industrial for the zoning recommendation. The reason for the hearing tonight is for Planning and Zoning to review the proposal and make a recommendation to Council. Council can then either hold another public hearing or proceed with the recommendation from Planning and Zoning. There are currently four annexation requests that will be brought forward next year. Clare is preparing two of the annexations requests for the January meeting. This designation is for residential zoning, which Clare believes is the majority of the future use. If someone wants commercial or industrial zoning, they will have to go through the whole process. Bonners Ferry City Code 11-1-2 and Idaho Code 50-222 require planning and zoning review the requests and recommend a land use designation and a zone change for the incoming land. Clare said the current designations for areas in the ACI will remain as designated, the proposed designation will be for the areas that do not currently have a zoning designation. The notice was sent out for agency comments, taxing district comments and public comments. City Administrator Lisa Ailport, notified Council that this will allow for quicker processing of annexation requests. A letter from Terry Howe was received in opposition with the zoning designation. Terry feels the designation differs with the County’s designation and will encourage sprawl into agricultural land.

Andy disclosed his conflict of interest. Clare said this is a legislative action, so there is not a conflict.

Glenda said she owns property in the ACI, so she may have a conflict of interest. Clare said since it is a legislative action, it is alright to acknowledge that, but it does not prevent anyone from voting.

Wally is in favor of removing the agricultural land out of the ACI, while leaving the area from Kaniksu Street to Mission Road on the East side in the ACI, along with the wooded area that Jake owns.

Clare said changing the ACI is a long process that involves the City, the County and both Planning and Zoning boards.

Sue said it seems a lot of work to renegotiate for a small piece of land that nothing is going to happen with as long as the owners do not want the designation changed.

Andy said that agricultural residential lands do not usually coexist together well.

Clare said the County designation is currently Prime Agriculture, so the owners would have to request a zone change. Andy said if the property owner requests annexation then it is automatically residential. Clare said that is correct.

Glenda commented the County designated the area around Mirror Lake Road it as industrial. She asked if that is a good area for residential, since both railroads are there.

Dave said it may not be good for housing due to flooding and the railroads.

Clare said it is possible to exclude property from the Future Land Use Map and that will not require any renegotiation with the County.

Glenda asked for clarification of the areas to be excluded. The commission drew the lines on a map and entered it as Exhibit A.

Glenda moved to recommend the approval of file #AM02-18 amending the City of Bonners Ferry Future Land Use Map to designate as "Residential" those lands within the Area of City Impact that have not been previously designated, with the exception of those shown in Exhibit A that are highlighted pink, finding that it is in accordance with the general specific goals and standards of the City of Bonners Ferry comprehensive plan, as enumerated in the findings and reasoned statements below and based upon testimony and written comments received at this hearing. I further move to adopt the following reasoned statement as amended. The amendment is supported by the City of Bonners Ferry Comprehensive Plan. Community Design, Natural Resource, Population, Economic Development, Hazardous Areas, Transportation, Property Rights, Special Areas and Sites, Recreation, Housing, Land Use, Public Services, Facilities and Utilities, and Implementation.

Findings:

1. The Area of City Impact is a planning area mutually agreed upon by the City of Bonners Ferry and Boundary County.
2. The Boundary County comprehensive plan, map, and zoning codes govern within the Area of City Impact.
3. The 2017 Bonners Ferry Future Land Use Map provides land use designations for portions of the ACI.
4. The City of Bonners Ferry has initiated a Map amendment to complete the land use designations for the remainder of the ACI.
5. The proposed "Residential" designation fits the majority of the current and potential uses with the ACI, which are residential, rural residential, and agricultural/residential in nature, with the exception of those shown in Exhibit A that are highlighted pink.
6. The current Boundary County comprehensive plan map designates the majority of the land with the ACI as "Residential".

7. The Planning and Zoning Commission has conducted a duly noticed public hearing in accord with Idaho Code 67-6509 to consider the proposed amendment and recommendation to City Council.

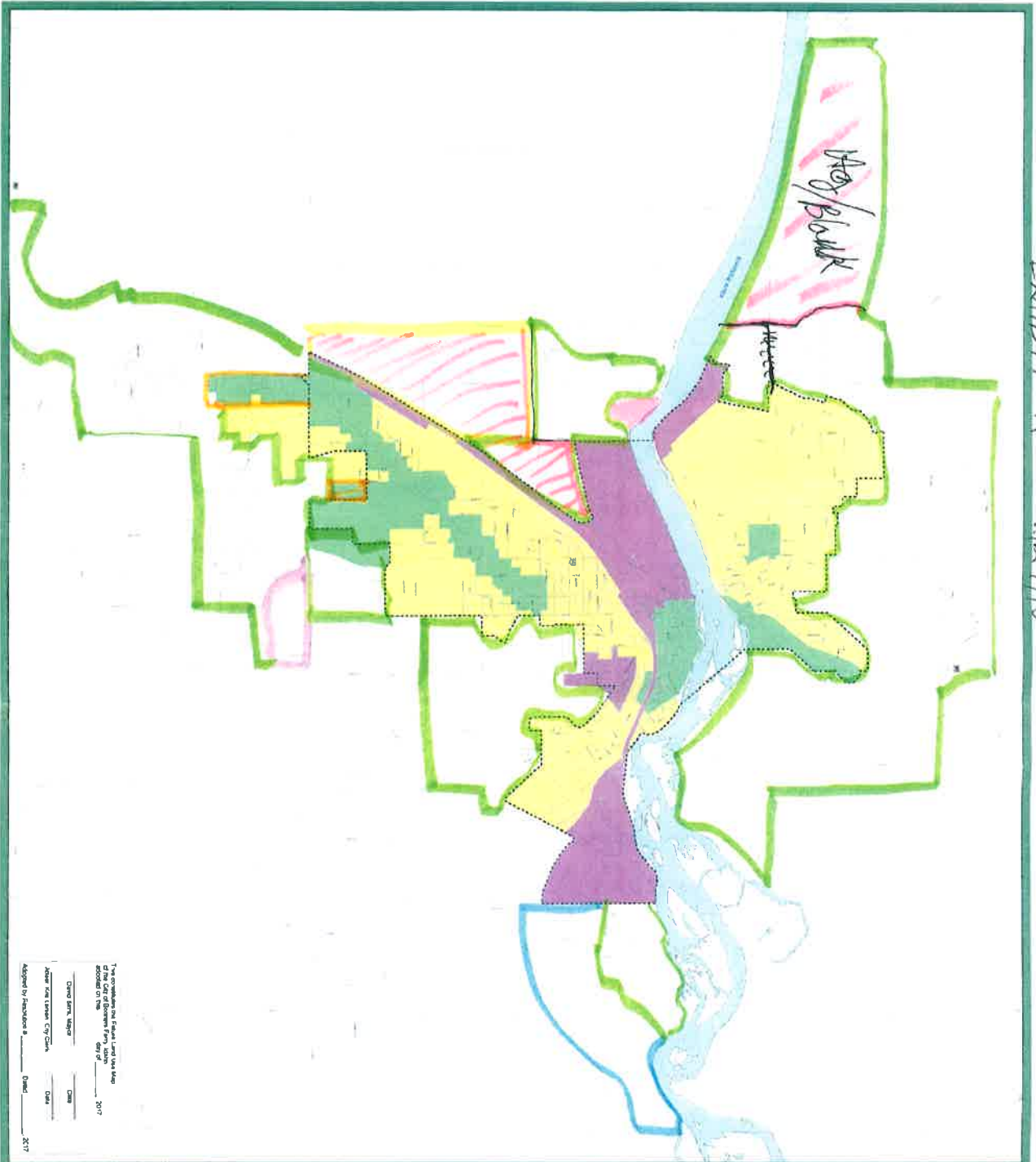
Sue seconded the motion. The motion passed with all in favor.

Chris closed public hearing at 6:23 pm

Clare said the Bike/Ped Plan will become part of the Transportation Plan. A public hearing for the Bike/Ped Plan is scheduled for January 17, 2019.

Glenda moved to adjourn the meeting. Dave seconded the motion. The motion passed with all in favor. 6:30pm

EXHIBIT A 11/29/18



This map shows the Future Land Use Map of the City of Bonners Ferry, Idaho, adopted on the day of _____, 2017.
 David Smith, Mayor
 James Paul Lippert, City Clerk
 Approved by Resolution # _____ Date: _____ 2017

CITY OF BONNERS FERRY



FUTURE LAND USE MAP

JUNE, 2017

Legend
 - - - - - CURRENT CITY LIMITS
 - - - - - ACI Boundary

Zoning
 [Green Box] Commercial
 [Purple Box] Industrial
 [Yellow Box] Residential



EXHIBIT A 11/29/18
 Residential
 Ag Foresty
 Industrial
 Prime Ag
 Prime + Industrial
 Rural Residential
 County land use map
 P/L
 Recommendations exclude from map.

Mayor David Sims called the Council meeting of January 2, 2019 to order at 6:00 pm. Present for the meeting were: Council President Rick Alonzo, Council Members Adam Arthur, Valerie Thompson and Ron Smith. Also present were: City Engineer Mike Klaus, City Administrator Lisa Ailport, Fire Chief Dave Winey, Police Chief Brian Zimmerman, City Attorney Andrakay Pluid, Economic Director Dennis Weed, and Clerk/Treasurer Christine McNair. Members of the public present were: Jerry Higgs, Jessica Tingley, Marciavee Cosette, and Denise Crichton.

Mayor Sims thanked Inland Forest Management for the \$2,000 donation for the pool project.

Police Chief Brian Zimmerman said there were 17 DUI arrests, 17 Methamphetamine arrests, 4 Heroin arrests. 4 people were charged with intent to distribute. Chief Zimmerman is hoping to double the number for 2019. Both of the new officers will be on their own within the next two months.

Fire Chief Dave Winey said there was one false call for a gas leak since the last Council meeting.

City Administrator Lisa Ailport said the total gross amount for the logging is \$134,706.95. Lisa is projecting a net income of approximately \$120,000. Lisa has started working on the platform for the quarterly newsletter. Lisa is working on a strategic plan for advertising for life guards. Ron asked about the park in Moyie. Lisa said Andrakay is working on a draft agreement for the park.

Mayor Sims said we received a revised invoice from Idaho Transportation Department (ITD) for \$3,013.72 for the Visitor's Center.

Economic Development Coordinator Dennis Weed said Shopko is going to remain open. There may be some changes with other businesses this year.

Valerie Thompson moved to approve the consent agenda. Adam Arthur seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mike Klaus said there are five annual contracts signed for 2019. The purpose is to have contractor rates already in place in case of emergency. Mayor Sims asked if the rates were the same as last year. Mike said the increase in price for backhoes and dump trucks is about \$5.00. There was also an increase in labor costs. Valerie Thompson moved to authorize the Mayor to sign contracts with Mastre Backhoe Service, Mike Kelly Excavating, KG & T Septic Service, Wink Inc. and P & O Inc. Rick Alonzo seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

City Attorney Andrakay Pluid said this is the same contract, with Jack Douglas and Tevis Hull for prosecution services that was used the last time she was on maternity leave. The rate is also the same. Rick Alonzo moved to authorize the Mayor to enter into a contract

with Jack Douglas and Tevis Hull for maternity leave prosecution services. Ron Smith seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mike Klaus said this is the last payment to Panhandle Area Council (PAC) for administrative fees for the Sewer Force Main Bridge Project. Adam Arthur moved to approve pay request #7 for the Sewer Force Main Bridge Project in the amount of \$8,233.00. Valerie Thompson seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Lisa Ailport said the contract with FCS has been reviewed and there were a few minor changes. The total for the contract is \$33,690. Ron Smith moved to enter into a contract with FCS for a Cost Of Service Analysis for \$33,690. Rick Alonzo seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mayor Sims said John Austin was going to assist with the year-end requirements, but Kris Larson will be available to assist so the contract with John Austin is not necessary at this time.

Mayor Sims said the purpose of the Special Council meeting on January 22, 2019 is to have Mike Normandaeu from Bonneville Power Administration (BPA) discuss the upcoming rate increase from BPA. Mike Normandaeu will be available January 29, 2019 instead of January 22, 2019. Council agreed to have a Special Council meeting on January 29, 2019 at 5:30pm.

Mayor Sims said the International City/County Managers Association (ICMA) dues are \$550.00. The dues are for the administrator not the City. Lisa feels this is the most beneficial association she has been involved with since becoming City Administrator. Rick Alonzo moved to pay the dues of \$550.00 for International City/County Managers Association. Adam Arthur seconded the motion. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Ron Smith said the roll call votes always start with him and he thinks it is a good idea to start at the other end some times.

The meeting adjourned at 6:22 pm.

BONNERS FERRY RESOLUTION NO. 2019-01-15

RESOLUTION TO AMEND THE CITY OF BONNERS FERRY COMPREHENSIVE PLAN FUTURE LAND USE MAP TO DESIGNATE AS “RESIDENTIAL” THOSE LANDS WITHIN THE AREA OF CITY IMPACT THAT HAVE NOT BEEN PREVIOUSLY DESIGNATED ON THE MAP, WITH CERTAIN EXCEPTIONS.

WHEREAS, Idaho’s Local Land Use Planning Act, Idaho Code Title 67, Chapter 65, requires Idaho cities to carry out planning duties necessary for the preparation, implementation, review, and amendment of the comprehensive plan; and

WHEREAS, the Future Land Use Map (Map) is a component of the comprehensive plan; and

WHEREAS, the City of Bonners Ferry initiated an amendment to the Map to designate as “Residential” all lands within the approved Area of City Impact (ACI) that have not been previously designated; and

WHEREAS, Idaho Code §50-222 requires cities to establish comprehensive plan policies and zoning classifications for lands to be annexed and Bonners Ferry City Code §11-1-2 requires the Planning and Zoning Commission recommend proposed comprehensive plan designations and zoning for proposed annexations; and

WHEREAS, the City desires to update the Map to designate lands within the ACI to allow greater efficiency when processing annexation requests and to properly plan for these areas; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on November 29, 2018, in accordance with the procedures of the Local Land Use Planning Act, Title 67, Chapter 65, Idaho Code, and recommended to the City Council approval of the Map, with the exclusion of certain lands northwest of the city limits in the area of Drainage District 11 and south of Sisters Road, southwest of the city; and

WHEREAS, the City Council held a duly noticed public hearing in accordance with the Local Land Use Planning Act, Title 67, Chapter 65, Idaho Code and approved the amendment to the

Future Land Use Map, as recommended by the Planning and Zoning Commission, on January 15, 2019.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

1: That the City of Bonners Ferry hereby adopts the amended Comprehensive Plan Future Land Use Map, titled “City of Bonners Ferry Future Land Use Map, January, 2019,” a copy of which is attached to this resolution. The adoption of the map shall supersede any previous Bonners Ferry Comprehensive Plan Future Land Use Maps; and

2. The official map shall bear the signature of the Mayor and shall bear the date of adoption, which shall be on file with the City Clerk.

3. Staff is hereby authorized to place an electronic version on the City website, which is not intended to be relied upon as the official version.

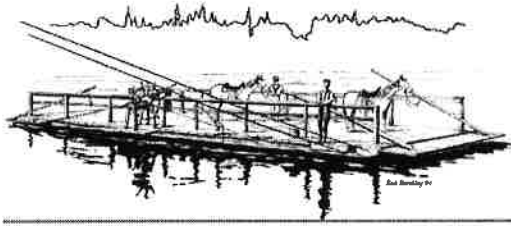
This Resolution is hereby **ADOPTED** and made **EFFECTIVE** by the City of Bonners Ferry this _____ day of _____, 2019.

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor

Attest:

Clerk, City of Bonners Ferry



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

TO: Mayor and City Council
FROM: Lisa Ailport, City Administrator
DATE: January 10, 2019
RE: Garden Lane Right-of-Way Acceptance – Attachment

The Boundary County School District, Board of Trustee's approved the right-of-way dedication of 50-feet for the Garden Lane Extension project at their Board meeting in December.

The attached public right of way dedication is signed by the Board and includes provisions for acceptance of the right-of-way in accordance with Idaho Code.

In order for the deed to be recorded, the City Council will need to make a motion to accept the Garden Lane right-of-way from Boundary County School District and authorize the Mayor to sign the deed.

Once the right-of-way is accepted, staff will record the document.

Please let me know if you have any questions.

When recorded Mail to:
City of Bonners Ferry
P.O. Box 149
Bonners Ferry, Idaho 83805

Document Title: Grant of Right-of-Way Dedication and Acceptance
Grantor: Boundary County School District
Grantee: City of Bonners Ferry
Legal Description: As described herein and as shown in the attached Exhibit "A"

PUBLIC RIGHT-OF-WAY DEDICATION DEED

The Grantor, Boundary County School District #101, herein after "Grantor" whose address is 7188 Oak Street, Bonners Ferry, Idaho 83805 in consideration of the sum of One and No/100 Dollars (\$1.00), and other valuable consideration, hereby grants unto the CITY OF BONNERS FERRY, herein after "Grantee" a municipal corporation of the State of Idaho, whose address is 7232 Main Street, Bonners Ferry, Idaho 83805 and its heirs, successors, and assigns, a public right-of-way to be used for all lawful right of way purposes, surface and subsurface, including but not limited to road right-of-way uses as well as sidewalks, plantings, right of way beautification improvements where deemed appropriate by the City, installation, operation and maintenance of utilities, stormwater and such other uses that municipalities may make of rights-of-way and easements from time to time, now or in the future, for the use and benefit of the public, over, under, upon and across the hereinafter described lands. All such uses are restricted within the right-of-way and shall not be limited in any way whatsoever by the state of being, condition or location of the street.

Grantee shall have the right to temporarily utilize such additional width as may be agreed upon by the parties, as necessary for the placing of excavated materials thereon and for initial construction and maintenance operations. Grantee agrees that it will at its own expense and to the extent reasonably practicable, restore the surface of the land to the same or better conditions than existed prior thereto.

Said lands being situated in the City of Bonners Ferry, Boundary County, State of Idaho, legally described as follows:

A tract of land lying in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-four (34), Township Sixty-two (62) North, Range one (1) East, City of Bonners Ferry, Boundary County, Idaho, said tract of land being more particularly described as follows:
Beginning at the east extent of the North line of the property described in deed number 90074; thence westerly, following said North line, to a point 295 feet east of the Northeast corner of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 34, coinciding with the Southeast corner of Lot One (1) of the Re-Plat of Kinnear's Gardens as recorded in Book One (1) of Plats, Page 16, Instrument Number 46284, records of Boundary County, Idaho; thence southerly parallel to the adjacent East line, described in deed number 90074, a distance of Fifty (50) feet to a point; thence easterly, parallel to said North line, to its intersection with said East line; thence northerly along said East line a distance of Fifty (50) feet to the point of beginning.

Said tract of land contains a total of 0.40 acres, more or less.

SW1/4 NW1/4
SEC34

AUGUSTA

1/4 1/4 LINE

1/4 1/4 LINE

NW1/4 SW1/4
SEC34

MAIN

KINNEAR'S GARDENS RE-PLAT
L1

L2

FRY

UNPLATTED
DESCRIPTION PER DEED # 90074

T62N, R1E, BOUNDARY COUNTY, IDAHO

RIGHT-OF-WAY DEDICATION

FOR VISUAL ORIENTATION ONLY
SEE LEGAL DESCRIPTION FOR METES AND BOUNDS

P.O.B.

SE1/4 NW1/4
SEC34

GARDEN

NE1/4 SW1/4
SEC34

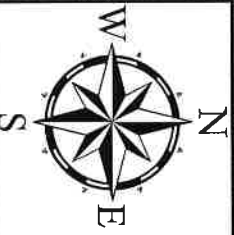
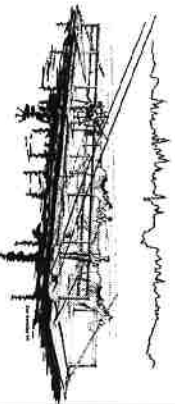
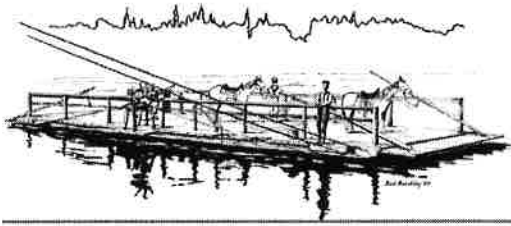


EXHIBIT A

RIGHT-OF-WAY DEDICATION DECEMBER, 2018



CITY OF BONNERS FERRY



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

TO: Mayor and City Council

FROM: Lisa Ailport, City Administrator

DATE: January 10, 2019

RE: Highly Skilled and Essential Personnel – Attachment

The attached policy recommendation has been drafted by staff in order to address certain positions that are both highly skilled and essential to the continued day-to-day operations of the City and our facilities.

Three positions have been identified as both highly skilled and essential for day-to-day operations of the City facilities. They include:

Moyie Hydro-Electric Facility Operator
Electric Lineman
Water Treatment Plant Operator

As stated within the policy, when positions within the City are both highly skilled and essential for the day-to-day operations of the City, it becomes necessary that the City acknowledge those positions and establish certain minimum expectations and requirements of such position, specifically in reference to absences by employees in that position.

The attached policy provides the expectations of those positions, including recommendations on the number of unplanned absences within a given time period. The purpose of the policy is to acknowledge these positions as critical to the operations of the city facilities and to insure those facilities have continued success.

If Council supports the policy, staff recommends a motion to adopt the policy into Section III, Personnel and Employee Policies, Subsection C.

I would be happy to discuss any questions that you may have relating to this policy.

Personnel Policy Section III

Subsection C

Essential and Highly Skilled Personnel

I. Purpose and Intent

When a position within the City is both highly skilled and essential for the day-to-day operations of the City, it becomes necessary that the City acknowledge that position and establish certain minimum expectations and requirements of such position, specifically in reference to absences by employees in that position.

The City acknowledges that a position may be either Essential or Highly Skilled and not necessarily both, thus this policy only intends to address those positions that are both Highly Skilled and Essential to every day operation of City facilities and/or City infrastructure.

II. Definitions

Highly Skilled: A Highly Skilled employee is an employee who is highly skilled in their position based on training, knowledge (either from education or on-the-job learning), and/or certifications, and is required to be skilled in order to do or fulfill certain functions of the position or City facilities.

Essential: An Essential employee is defined as an employee that is needed to report to their designated work location on a regular and predictable basis to ensure that the operation of essential functions of a facility are maintained and consistent.

A Highly Skilled and Essential Employee is one that has training, knowledge and/or certifications and is needed to report to their designated work location to ensure that their skills are present for the day-to-day operations of an essential function or functions of a City facility or City infrastructure.

III. Expectations and Requirements

The positions that the City currently acknowledges as both Highly Skilled and Essential are:

Moyie Hydro-Electric Facility Operator
Electric Lineman

Water Treatment Plant Operator

It is understood that, in the absence of these critical personnel, the City facilities or operations of public investment may be compromised. Because of this, the City has set forth minimum requirements of such positions, which are established below:

- Unplanned absences in a 12 month period shall not exceed more than 12 days. An unplanned absence is one that is not previously scheduled through the employee's department head. It shall include days utilized for unplanned illnesses where the employee does not give at least twenty-four hours notice before the start of his/her designated shift.

IV. Disciplinary Actions

Should an employee in one of the aforementioned Highly Skilled and Essential positions suffer more unplanned absences than this policy provides, the City may take the following actions:

- Job/Position reassignment to an area that is not both highly skilled and essential;
- Any other action deemed necessary or ideal at the time of considerations;
- Termination.