

## **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. We are an inclusive city that welcomes all people, regardless of race, religion, color, national origin, sex, age, disability, sexual orientation, or gender identity and encourages their participation in city government and city programs.

### **AGENDA CITY COUNCIL MEETING Bonnors Ferry City Hall 7232 Main Street 267-3105 May 5, 2020 6:00 pm**

#### **CONSENT AGENDA – {action item}**

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of the April 21, 2020 Council meeting minutes

#### **NEW BUSINESS**

4. City – Consider Approval of Ordinance # 593 and the Publication Summary Prohibiting Public Urination and Defecation and Have the First Reading by Title Only(attachment) {action item}
5. City – Suspend the Reading Rules and Adopt Ordinance # 593 {action item}
6. Electric – Consider Authorizing the Mayor to Sign the Contract with CDA Stump Grinding for Tree Removal Services (attachment) {action item}
7. Water/Sewer – Consider Pay Application #1 from Wink Inc for the Wilson – Solomon Corridor Project (attachment) {action item}
8. Pool – Discuss Wage Scale for the Lifeguards (attachment) {action item}
9. City – Consider Re-Opening Date and Requirements for City Hall {action item}
10. Executive Session Pursuant to Idaho Code 74-206, Subsection 1 (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement

#### **ADJOURNMENT**

**"Pursuant to the Governor's Emergency Declaration regarding COVID-19 and accompanying Proclamation suspending the "in-person" attendance requirement of the Idaho Public Meetings laws, the City will be providing an electronic telecommunications method to allow the public to view the workshop remotely. Public attendance in person at the workshop will not be allowed in order to help prevent the potential spread of COVID-19. More details about this electronic viewing method is forthcoming."**

**MINUTES  
CITY COUNCIL MEETING  
Bonners Ferry City Hall  
7232 Main Street  
267-3105  
April 21, 2020  
6:00 pm**

Mayor Dick Staples called the Council meeting of April 21, 2020 to order at 6:00 pm. Present for the meeting were: Council President Rick Alonzo, Council Members Valerie Thompson and Ron Smith. Also present were: City Clerk/Treasurer Christine McNair.

**CONSENT AGENDA – {action item}**

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of the April 7, 2020 Council meeting minutes
4. Treasurer's Report

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

**NEW BUSINESS**

5. City – Consider Declaring Mid-90s Club Car Golf Cart Surplus (attachment) {action item}
- Mayor Staples asked how long the cart has been abandoned. Christine said about five years. Rick Alonzo moved to declare the mid-90s Club Car golf cart that was left in the golf shed for the last five years surplus. Ron Smith seconded the motion. The motion passed. Rick Alonzo – yes, Valerie Thompson – yes, Ron Smith – yes

**ADJOURNMENT**

The meeting adjourned at 6:01pm

“Pursuant to the Governor’s Emergency Declaration regarding COVID-19 and accompanying Proclamation suspending the “in-person” attendance requirement of the Idaho Public Meetings laws, the City will be providing an electronic telecommunications method to allow the public to view the workshop remotely. Public attendance in person at the workshop will not be allowed in order to help prevent the potential spread of COVID-19. More details about this electronic viewing method is forthcoming.”



# City of Bonners Ferry

May 5, 2020 – Engineer's Report





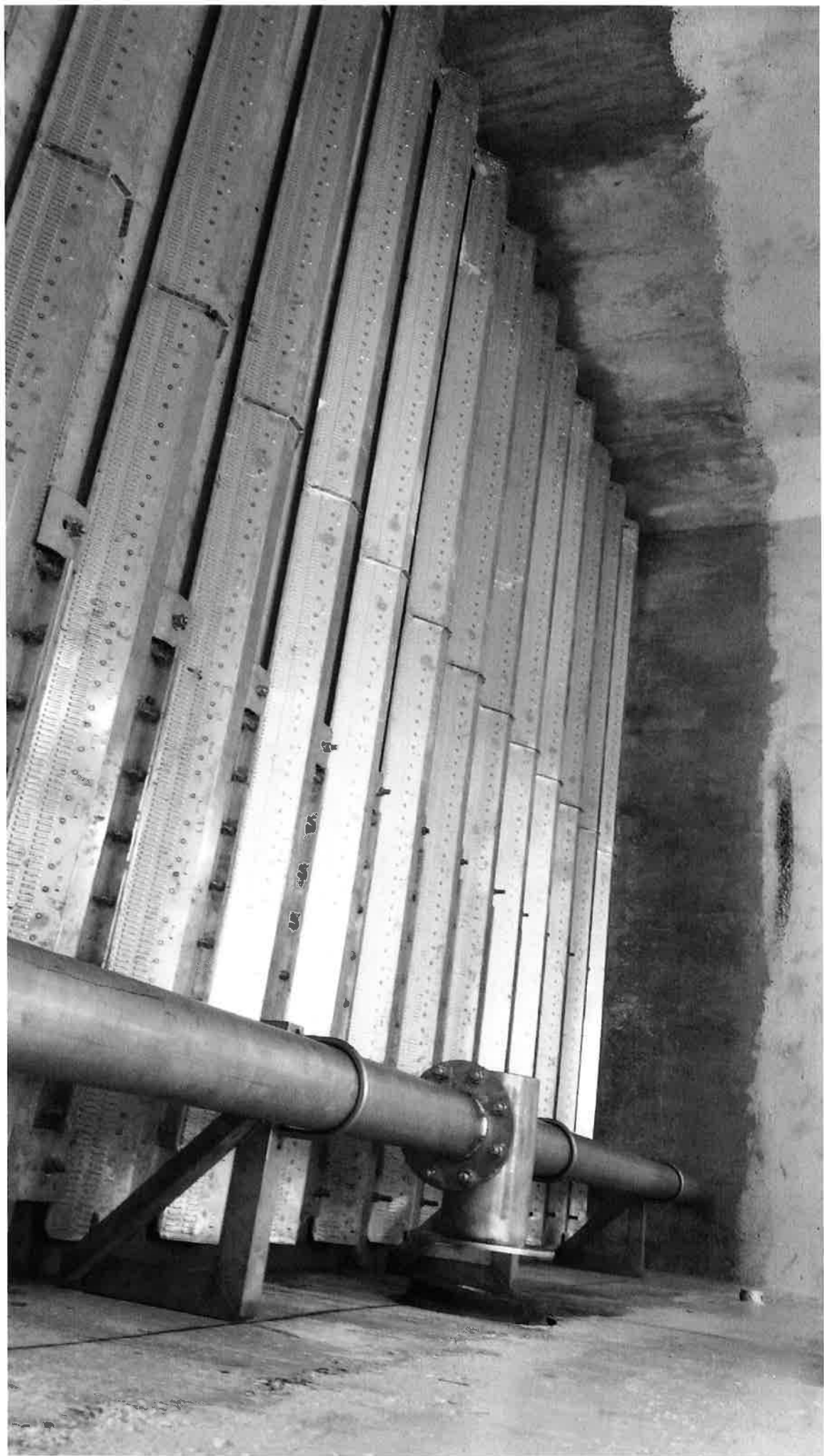
## Underdrain Project Photos

- The filter underdrain project is complete and both filters are now functional and producing water. Attached are some pictures of the stainless steel underdrain parts before the sand and other media were installed.











## Wilson Solomon Utility Project

- During construction of the sewer main, the contractor encountered approximately 300 cubic yards of engines, tractor parts and other metal objects that were buried. The next picture shows the hole that was excavated to remove the material. This material constitutes a change in conditions that warrants additional money for the work. It was not possible to leave this material in place, and still be able to install the three different utilities, as well as build a road on top some day that wouldn't settle and have void areas below.

I am working with the engineer and contractor to determine exact change order pricing for the work required. I will bring that Council when it is pinned down exactly.









## Well House Project

The crew poured the floor slab for the well house on Thursday April 30, which is the final pour of the project. During the first two weeks of May, the block walls will be constructed, and some of the inside piping will be completed as well.







## Lower Outlet Valve at the Dam

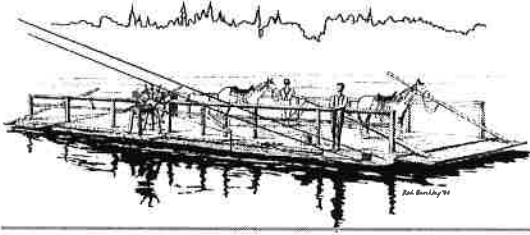
- The lower outlet valve at the dam was opened on April 30 to flush out any silt build-up that may have accumulated since the dredging project one year ago.
- The exercise went well and very little silt passed through, as little silt has built up since the project completion.
- Attached is a picture that shows the flow in the channel where the lower outlet valve flows into. At the time the picture was taken the 6' valve was 90% open.





Lower Outlet  
Location





## CITY OF BONNERS FERRY

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

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**TO:** Mayor and City Council

**FROM:** Lisa Ailport, City Administrator *LMA*

**DATE:** May 1, 2020

**RE:** **Admin Update**

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The Mayor has asked that staff provide Council with written reports for this council meeting. The following is a summary of the events and items taken place. Please let me know if you have any questions regarding the updates provided:

**Bond Election:** The ½ page ad has been published in the Bonners Ferry Herald, and by the night of the council meeting we hope to have it also up on Kootenai Valley Times website as well.

Bonners Ferry Living Local has published an article on the bond. This article has been shared on our Facebook page as well as on our website.

The full page flyer went out in the utility bills and we are fielding calls from people about the bond. I would encourage Council to reach out to people in our community and share with them the pros and cons of this bond. The attached FAQ may aid in helping inform the voters.

Please don't hesitate to ask if there is something that we need to address better or more thoroughly.

**City Pool:** Staff is moving forward with hiring a head lifeguard and our new and old guards for the 2020 season. We have five returning guard application and three new applications.

Our tentative open date is June 8th with lessons starting on June 15<sup>th</sup>.

One area we are struggling in right now is finding someone with the Water Safety Instructor certification. This certification is required in order to offer swim lessons. Our applicant for Head Lifeguard typically would seek this certificate as part of their job duties. However, places that offer these classes are either suspending or removing them all together.

Staff is hoping to find a local person who holds the WSI certification so that we may host the swim lessons this summer. I will report an update on this at the May 19<sup>th</sup> meeting.

**Broadband Provider Request:** The City has received an inquiry on a broadband provider attaching their apparatus to the city owned cell tower located at the City yard. We are currently working through contract development with the requesting company and more information will be presented to Council, should this contract become appropriate to consider.

ORDINANCE NO. 593

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADDING A NEW SECTION TO BONNERS FERRY CITY CODE TITLE FIVE, CHAPTER TWO PROHIBITING PUBLIC URINATION AND DEFECATION IN THE CITY OF BONNERS FERRY; PROVIDING FOR A PENALTY; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, it is detrimental to public health and wellbeing for persons to be urinating or defecating on public property or on private property open to public view.

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

**Section 1:** That Bonners Ferry City Code Title Five, Chapter 2, Section Forty-Four is hereby adopted as follows:

**5-2-44: URINATION OR DEFECATION IN PUBLIC PROHIBITED:**

It shall be unlawful for any person to urinate or defecate on public property or public right of way, or on private property open to public view, except in restrooms and facilities provided for such purpose. Violation of this ordinance shall be a misdemeanor subject to penalties as established by Idaho Code.

**Section 2: PROVISIONS SEVERABLE:** The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

**Section 3: EFFECTIVE DATE:** This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF BONNERS FERRY, IDAHO

BY: \_\_\_\_\_  
James R. Staples, Mayor

Attest:

\_\_\_\_\_  
Christine McNair, Clerk



**SUMMARY FOR PUBLICATION OF  
CITY OF BONNERS FERRY ORDINANCE NO. 593**

Pursuant to Idaho Code Section 50-901A, the City of Bonners Ferry, Idaho hereby gives notice of the adoption of City of Bonners Ferry Ordinance No. 593, adopted on May 5, 2020. The full title of the ordinance is:

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADDING A NEW SECTION TO BONNERS FERRY CITY CODE TITLE FIVE, CHAPTER TWO PROHIBITING PUBLIC URINATION AND DEFECATION IN THE CITY OF BONNERS FERRY; PROVIDING FOR A PENALTY; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

This ordinance adopts a new code section establishing a misdemeanor penalty for public urination or defecation.

The full text of Ordinance No. 593 is available at Bonners Ferry City Hall, 7232 Main Street, Bonners Ferry, Idaho 83805, during regular business hours.

City of Bonners Ferry, Idaho

ATTEST:

\_\_\_\_\_  
James R. Staples, Mayor

\_\_\_\_\_  
Christine McNair, City Clerk

City Attorney Statement Pursuant to Idaho Code Section 50-901A(3)

I, Andrakay Pluid, duly appointed City Attorney for the City of Bonners Ferry, Idaho, certify that the above summary is true and complete and provides adequate notice to the public.

\_\_\_\_\_  
Andrakay Pluid, City Attorney

Dated: \_\_\_\_\_

## INDEPENDENT CONTRACTOR AGREEMENT

AGREEMENT made between the City of Bonners Ferry, a political subdivision of the state of Idaho, herein "ENTITY" and CDA Stump Grinding herein "CONTRACTOR",

THE PARTIES AGREE AS FOLLOWS:

1. **CONTRACT:** ENTITY hereby employs CONTRACTOR as an independent contractor to complete and perform the following project and work: tree and stump removal on Comanche Street and Fry Street as directed by the electric department and as described in the attached quote.

CONTRACTOR agrees to provide all materials and services for the project.

2. **TIME OF PERFORMANCE AND TERMINATION:** Parties agree that:

CONTRACTOR shall complete the project by June 30, 2020.

3. **COMPENSATION:** ENTITY agrees to pay CONTRACTOR as compensation a total not to exceed \$9,300, as contemplated by the attached quote.

4. **INDEPENDENT CONTRACTOR:** The parties agree that CONTRACTOR is the independent contractor of ENTITY and in no way an employee or agent of ENTITY and is not entitled to workers compensation or any benefit of employment with the ENTITY. ENTITY shall have no control over the performance of this Agreement by CONTRACTOR or its employees, except to specify the time and place of performance, and the results to be achieved. ENTITY shall have no responsibility for security or protection of CONTRACTOR'S supplies or equipment. CONTRACTOR agrees to pay and be responsible for all taxes due from the compensation received under this contract.

5. **WARRANTY:** CONTRACTOR warrants that all materials and goods supplied under this Agreement shall be of good merchantable quality and that all services will be performed in a good workmanlike manner. CONTRACTOR acknowledges that it will be liable for any breach of this warranty.

6. **INDEMNIFICATION:** CONTRACTOR agrees to indemnify, defend, and hold harmless ENTITY, and its officers, agents and employees, from and against any and all claims, losses, actions, or judgments for damages or injury to persons or property arising out of or in connection with the acts and/or any performances or activities of CONTRACTOR, CONTRACTOR'S agents, employees, or representative under this agreement.

7. **INSURANCE:** CONTRACTOR agrees to obtain and keep in force during its acts under this agreement a comprehensive general liability insurance policy in the minimum amount of \$1,000,000 which shall name and protect CONTRACTOR, all CONTRACTOR'S employees, ENTITY and its officers, agents and employees, from and against any and all claims, losses, actions, and judgments for damages or injury to persons or property arising out of or in connection with the CONTRACTOR'S acts. CONTRACTOR shall provide proof of liability coverage as set forth above to ENTITY prior to commencing its performance as herein provided, and require insurer to notify ENTITY ten (10) days prior to cancellation of said policy.

8. **WORKER'S COMPENSATION:** CONTRACTOR shall maintain in full force and effect worker's compensation for CONTRACTOR and any agents, employees, and staff that the CONTRACTOR may employ, and provide proof to ENTITY of such coverage or that such worker's compensation insurance is not required under the circumstances.

9. **COMPLIANCE WITH LAWS:** CONTRACTOR agrees to comply with all federal, state, city, and local laws, rules and regulations.

10. **ENTIRE AGREEMENT:** This is the entire agreement of the parties and can only be modified or amended in writing by the parties.

11. **ATTORNEY FEES:** Reasonable attorney fees shall be awarded to the prevailing party in any action to enforce this Agreement or to declare forfeiture or termination of this Agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ENTITY:

\_\_\_\_\_  
CITY OF BONNERS FERRY

CONTRACTOR:

By  \_\_\_\_\_

By \_\_\_\_\_  
James R. Staples, Mayor

Its OWNER \_\_\_\_\_  
(Title or Office)

ATTEST:  
\_\_\_\_\_  
Christine McNair, Clerk

WITNESS:  
\_\_\_\_\_  
(Signature of Witness or Notary Public)

Form and content approved by Andrakay Pluid as attorney for the City of Bonners Ferry

Shawn Smith  
 1605 Crossport Rd  
 Bonners Ferry, ID 83805  
 shawnesmith@live.com



**ADDRESS**  
 City of Bonners Ferry  
 7232 Main St  
 Bonners Ferry, ID 83805

**ESTIMATE # E- 1027**  
**DATE 03/31/2020**

DESCRIPTION	AMOUNT
<b>CORNER OF COMANCHE AND BLAINE STREET</b>	
Anderson property	3,600.00
Remove 1 Ponderosa pine	
Chip limbs and haul away wood	
Full clean up	
NO stump grind	
.	
Ball property 1	3,600.00
Remove 2 Ponderosa pines	<del>7,200.00</del>
Chip limbs and haul away wood	
Full clean up	
Grind 2 stumps	400.00
.	<del>800.00</del>
.	
.	
<b>HWY 95 AND FRY</b>	
Remove dead Spruce	1,450.00
Chip limbs and haul away wood	
Full clean up	
Grind stump	250.00
<hr/>	
TOTAL	<del>\$13,300.00</del>
	\$ 9,300.00

*Note: error on estimate.  
 Only 1 tree at Ball property.  
 See adjusted price below.*

Accepted By

Accepted Date

Thanks, Shawn Smith



# MEMO

CITY OF BONNERS FERRY  
CITY ENGINEER

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Date: May 1, 2020  
To: City Council  
From: Mike Klaus, City Engineer  
Subject: **Water & Sewer Departments - Wilson-Solomon Utility Corridor Pay Application #1**

Wink Inc has been working on the Wilson-Solomon Project for a couple of weeks now, and the project is progressing well. Wink has provided the attached Pay Application #1 for your consideration. I have verified the work quantities with Century West, and recommend that Council approve the pay application amount of \$27,803.36, as requested.

Please let me know if you have any questions.

Thank you,

Mike



# Contractor's Application for Payment No. 1

City of Bonners Ferry  
 Wilson to Solomon Utility Corridor Project  
 Application for Payment  
 Work Completed Through: April 24th, 2020


OWNER: City of Bonners Ferry  
 ENGINEER: Century West Eng. Corp.  
 CONTRACTOR: Wink Inc.

BID ITEM	BID ITEM DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	CURRENT QUANTITY	PREVIOUS TO DATE QUANTITY	JOB TO DATE QUANTITY	JOB TO DATE AMOUNT	CURRENT MONTH AMOUNT
<b>BID SCHEDULE - BASE BID</b>									
2010.4.1.A.1	MOBILIZATION	1	LS	\$15,000.00	0.60	0.00	0.60	\$9,000.00	\$9,000.00
1001.4.1.A.1	SEDIMENT CONTROL AND CONSTRUCTION SITE MANAGEMEN	1	LS	\$4,500.00	0.90	0.00	0.90	\$4,050.00	\$4,050.00
301.4.1.A.1	TRENCH EXCAVATION	2680	LF	\$6.00	231.70	0.00	231.70	\$1,390.20	\$1,390.20
305.4.1.A.1	CLASS A-1 PIPE BEDDING	2680	LF	\$7.00	231.70	0.00	231.70	\$1,621.90	\$1,621.90
306.4.1.A.1	TYPE "A" TRENCH BACKFILL	2680	LF	\$14.00	231.70	0.00	231.70	\$3,243.80	\$3,243.80
307.4.1.A.7	MISCELLANEOUS SURFACE RESTORATION	1560	LF	\$1.00	0.00	0.00	0.00	\$0.00	\$0.00
307.4.1.E.1	TYPE "C" SURFACE RESTORATION (GRAVEL ROADWAY)	180	LF	\$4.50	0.00	0.00	0.00	\$0.00	\$0.00
401.4.1.A.1	WATER MAIN PIPE - 8-INCH PVC	1820	LF	\$14.00	0.00	0.00	0.00	\$0.00	\$0.00
402.4.1.A.1	VALVE - 8-INCH RSGV	7	EA	\$1,800.00	0.00	0.00	0.00	\$0.00	\$0.00
402.4.1.A.3	VALVE - AIR RELEASE VACUUM VALVE	1	EA	\$4,300.00	0.00	0.00	0.00	\$0.00	\$0.00
403.4.1.A.1	HYDRANT	3	EA	\$6,500.00	0.00	0.00	0.00	\$0.00	\$0.00
501.4.1.A.1	GRAVITY SEWER PIPE - 8-INCH PVC	860	LF	\$24.00	231.70	0.00	231.70	\$5,560.80	\$5,560.80
502.4.1.A.1	SANITARY SEWER MANHOLE - TYPE 1	4	EA	\$4,400.00	1.00	0.00	1.00	\$4,400.00	\$4,400.00
1005.4.1.A.1	TEMPORARY HYDROMULCHING	5200	SY	\$0.95	0.00	0.00	0.00	\$0.00	\$0.00
<b>TOTAL BASE BID SCHEDULE</b>								<b>\$29,266.70</b>	<b>\$29,266.70</b>

<b>BID SCHEDULE - ADDITIVE ALTERNATE A</b>									
202.4.1.A.1	ROADWAY EXCAVATION	2920	CY	\$8.00	0.00	0.00	0.00	\$0.00	\$0.00
601.4.1.A.1.1	18-INCH CMP CULVERT, CORRUGATED GALVANIZED STEEL	120	LF	\$72.00	0.00	0.00	0.00	\$0.00	\$0.00
802.4.1.B.1	CRUSHED AGGREGATE FOR BASE TYPE I (3/4 in. BASE COURSE)	1025	TON	\$18.00	0.00	0.00	0.00	\$0.00	\$0.00
802.4.1.B.3	CRUSHED AGGREGATE FOR BASE TYPE II (BALLAST)	6025	TON	\$17.00	0.00	0.00	0.00	\$0.00	\$0.00
2050.4.1.C.1	SUBGRADE SEPARATION GEOTEXTILE	4350	SY	\$1.50	0.00	0.00	0.00	\$0.00	\$0.00
<b>TOTAL BASE BID SCHEDULE</b>								<b>\$0.00</b>	<b>\$0.00</b>

<b>CHANGE ORDER</b>									
					0.00	0.00	0.00	\$0.00	\$0.00
					0.00	0.00	0.00	\$0.00	\$0.00
					0.00	0.00	0.00	\$0.00	\$0.00
					0.00	0.00	0.00	\$0.00	\$0.00
					0.00	0.00	0.00	\$0.00	\$0.00
					0.00	0.00	0.00	\$0.00	\$0.00
<b>TOTAL CHANGE ORDER</b>								<b>\$0.00</b>	<b>\$0.00</b>

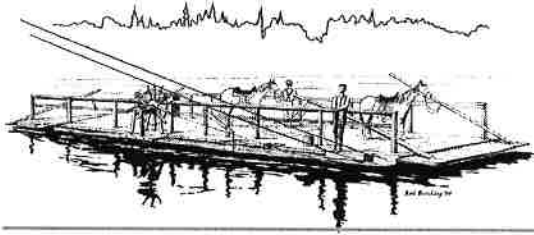
**Contractor's Certification**  
 The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is

ACCEPTED - Contractor  DATE 4-24-20

WORK COMPLETED TO DATE	\$29,266.70	\$29,266.70
CONSTRUCTION TOTAL	\$29,266.70	\$29,266.70
RETAINAGE (5%)	(\$1,463.34)	(\$1,463.34)
LESS PREVIOUS PAYMENTS	\$0.00	
<b>AMOUNT DUE</b>	<b>\$27,803.36</b>	

 DATE 4/24/2020  
 RECOMMENDED FOR APPROVAL - CENTURY WEST ENG. CORP.

APPROVED - CITY OF BONNERS FERRY \_\_\_\_\_ DATE \_\_\_\_\_



## 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 *LMA*

**DATE:** April 30, 2020

**RE:** **Head Lifeguard Pay Scale**

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In the past Council has authorized the Head lifeguard position to be paid based on certifications held by the selected candidate upon hire. Typically the head guard has possesses the Water Safety Instructor (WSI) Certification, which is required for the City to offer swim lessons to the public.

Due to current conditions around COVID-19, many training facilities have either withdrew their trainings or postponed them until an unknown date. We are now in a position where our head guard, under no fault of their own, cannot obtain the certificate because of COVID-19.

Our pay scale is tied directly to being compensated for this certificate. Based on this, it is my recommendation that the following pay scale be approved by Council so that we may offer the position this year to our applicant and for any future years where the Head guard does not contain this certificate.

### Head Lifeguard Pay Scale

Head Lifeguard	Red Cross Lifeguard Cert.	\$11.00/Hour
Head Lifeguard	WSI	\$11.20/Hour
Head Lifeguard	WSI and LGI	\$11.80/Hour

Please let me know if you have any questions.