

**MINUTES
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
July 20, 2021
6:00 pm**

Council President Rick Alonzo called the Council meeting of July 20, 2021, to order at 6:00 pm. Present for the meeting were: Council Members Adam Arthur, Valerie Thompson and Ron Smith. Also, present were: City Attorney Andrakay Pluid, City Engineer Mike Klaus, City Clerk/Treasurer Christine McNair, City Administrator Lisa Ailport and Dennis Weed. Members of the public present were: Jerry Higgs, Andrea Byers, Bob Sanborn, Marciavee Cossette, Pam Guier, Bill Guier, Dave Gray, Lisa Moline, Val Harrington, Evan Torrance, John Burrell, Carolyn Testa, David Clark, Justin Pluid, Ryan Mai and Eric Lederhos.

Join video Zoom meeting: <https://zoom.us/j/17672764>

Meeting ID: 176727634

Join by phone: 253-215-8782

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Jerry Higgs spoke regarding Avista's rate increase and the red, white and blue American flag.

Pam Guier spoke regarding the Police Department.

Dave Gray spoke regarding the Comp Plan and the Code Re-form re-write and the Boundary County Museum.

Carolyn Testa spoke regarding Kootenai River Days and the Kootenai River Run.

REPORTS

City Administrator Lisa Ailport said the Comprehensive Plan and Code Reform RFQs are due August 13th. The City was successful in acquiring the Equinox grant for \$10,000 to extend the pool season.

City Engineer Mike Klaus said the final pole was moved for the first part of Phase Two of the Highway 95 project was moved today. The Moyie Hydro Concrete Rehabilitation project is going well. The water services are also being moved for the Highway 95 project.

Economic Development Coordinator Dennis Weed said the US/Canadian border will be opening August 9th for fully vaccinated individuals. Several businesses are still looking employees.

Urban Renewal District Lisa Ailport said they will be meeting Monday, July 26, 2021.

SPOT Ron Smith said David Sims rescinded his resignation from SPOT.

CONSENT AGENDA – {action item}

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of the July 6, 2021 Council meeting minutes, July 12, 2021 Special Council meeting minutes
4. Authorize the Mayor to sign the contract with Elavon for credit card services
5. Authorize the Mayor to sign the lease with Quadient for a folder/insertor
6. Authorize the Mayor to sign pay request #1 from S & L Underground for the Moyie Hydro Concrete Rehabilitation Project

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

OLD BUSINESS

NEW BUSINESS

7. **Planning** – Hearing to consider appeal request from Robert Sanborn regarding Administrative Decision regarding a property split (attachment) {action item}

Rick Alonzo opened the hearing at 6:01 pm. Lisa Ailport gave a brief presentation of how the hearing will proceed. Bob Sanborn said he purchased the property last year. The plat says, "Not a building lot". He met with staff in February and

was told it is not a building lot. He is interested in building a small house that he will live in. He wants the land rendered buildable. Bob hired JRS Surveying to survey the property, Bob did not know Dick Staples was the Mayor of Bonners Ferry when he hired him. Bob said he is very confused when he received a call from Lisa Ailport saying if he dropped his insistence on the 1.6-acre lot, then development can be expedited on the lot across the street. He is trying to create affordable housing.

Ron Smith asked if Bob has spoken to any of the neighbors. Bob said he spoke with Evan Torrance. Evan Torrance is not in favor of the lot being developed. Bob said he spoke with Mike Woodward and Mike is in favor of using the lot. Bob also spoke with Jerry Higgs and Jerry is supportive as well. Ron Smith asked if Clare Marley told Bob Sanborn that it is a building lot. Bob said Clare did tell him it is a buildable lot, but she is hung up on the four words. Ron asked Andrakay if those four words mean anything. Andrakay feels they do, since the City accepted the plat with those four words. Andrakay said there is a remedy to help remove those words, which is a replat. Ron asked if that can be done here. Andrakay said that is a separate process.

Lisa Moline, Bob Sanborn's attorney, said the law has two different options for notes on a plat. The options are a dedication and a covenant. Lisa Moline said this lot was sold as a meets and bounds description that was not sold as part of the plat. Council has authority to interrupt the intent of the developer. Lisa Moline feels this is an invalid dedication on a valid plat. Lisa Moline is requesting that her client be allowed to build on the parcel.

Lisa Ailport gave a presentation regarding the request. Lisa Ailport said Bob Sanborn's insinuation is really disappointing because the conversations were about solving his interests and how can the City work to help Bob Sanborn solve his goals. To extrapolate that into poor management or handshake deals, is really disturbing and really uncalled for. Lisa Ailport said when plat's are annexed, any comments on the plats are accepted even if the current standards are different. Ron said since the words "not a building lot" are there, then he has to vote no. Lisa Moline said when there are notes on a plat those notes are usually in the CC&Rs so everything is crystal clear. Lisa Moline said the other remedy may not be a reasonable remedy. Lisa Moline is unclear if it has to be an entire plat replat or just a lot replat. Valerie Thompson asked if there have been any changes since the City annexed the land. Lisa Ailport said a title search was done; she is not aware of any. Rick closed the hearing at 6:39 pm. Valerie Thompson moved to deny Mr. Sanborn's request to overturn/overrule staff's determination regarding property AR05-2, since the plat map from 1978 states "not a building lot". Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

Rick called for a five-minute recess at 6:42 pm.
Rick reconvened the meeting at 6:47 pm.

8. **City** – Discuss authorizing the Mayor to sign a temporary easement across the golf course property for logging access to Mai property (attachment) {action item}

Lisa said the draft agreement has been signed by the applicant. Adam asked how long is temporary. Lisa said one year from the date of execution. Valerie asked if there will be any impact to the golf course. Lisa doesn't think there will be. Valerie Thompson moved to authorize the Mayor to sign an agreement for a temporary logging easement with Ryan Mai for property known as RP61N01E080450A and authorize the Mayor to sign and record the future easement upon the completion of the prerequisites of the agreement. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

9. **Street** – Discuss the bid from Wink, Inc for construction of Garden Lane (attachment) {action item}

Lisa said this is the final bid for construction of Garden Lane. The bid came in approximately \$40,000 greater than the funds the City has from LHTAC/Surplus Eliminator. Valerie said there has been talk about approaching the School District. Lisa said there may be some funding from the School District, but some items may need to be cut. Ron Smith moved to accept the low bid from Wink Inc. for Schedule A for \$141,570.00, Schedule B for \$127,430.00 for a project total bid of \$269,000.00. Valerie Thompson seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

10. **Electric** – Consider the quote for underground work for the Riverside Relocation Project (attachment) {action item}

Mike said this is a critical part of getting the primary line past the Davidson and Walter property. Rick asked if most of this project is reimbursable. Mike feels the chances of being reimbursed are very high. Valerie Thompson moved to approve the contract and quote with Saunders Line Construction, Inc. for \$43,144.17 and authorize the Mayor to sign the contract. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

11. **Electric** – Discuss authorizing the Mayor to sign the contract with Ripplinger Engineering for GPR replacement at the Moyie Hydro (attachment) {action item}
Mike said the GPRs are starting to fail and need to be replaced as soon as possible. The estimate for design for one GPR is \$19,000. Valerie asked how much it costs every time a GPR fails. Mike said it can be up to \$1,000 a minute. Adam Arthur moved to authorize the Mayor to sign the contract with Ripplinger Engineering for GPR replacement at the Moyie Hydro in the amount of \$19,050.00. Valerie Thompson seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

12. **City** – Consider the proposal from Hoover CPA for the Fiscal Year 2021 audit (attachment) {action item}
Christine said it was recommended changing auditors every few years and we have had the same auditor for 20 years. Adam asked if this liability insurance is lower than usual. Andrakay said we usually request one-million-dollar liability insurance. Christine will ask about increasing the liability insurance and bring this to the next meeting.

ADJOURNMENT

The meeting adjourned at 7:35 pm