#### 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 <u>Public Hearing</u> portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the <u>Public Comments</u> period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council. <u>Special accommodations</u> to see, hear, or participate in the public meeting should be made at City Hall within two days of the public meeting.

#### Vision Statement

Bonners 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 a city that welcomes all people.

AGENDA
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
October 19, 2021
6:00 pm

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

Meeting ID: 176727634 Join by phone: 253-215-8782

#### PLEDGE OF ALLEGIANCE

#### **PUBLIC COMMENTS**

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

#### **REPORTS**

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

#### CONSENT AGENDA - {action item}

- 1. Call to Order/Roll Call
- 2. Approval of Bills and Payroll
- 3. Approval of the October 5, 2021 Council meeting minutes
- 4. Treasurer's Report
- 5. Consider authorizing the Mayor to sign Pay Request #4 from S & L Underground for the Moyie Dam Concrete Rehabilitation Project (attachment)

#### **OLD BUSINESS**

City – Discuss the Christmas Party (action item)

#### **NEW BUSINESS**

- 7. **Planning and Zoning** Have the second reading by title only of Ordinance #600 Amendments to Title 11, Zoning Regulations (attachment) {action item}
- 8. **Planning and Zoning** Suspend the reading rules and adopt Ordinance #600 Amendments to Title 11, Zoning Regulations and approve the publication (attachment) {action item}
- 9. **Planning and Zoning** Consider the recommendation for the Comprehensive Plan consultant {attachment) {action item}
- 10. **City** Consider using the additional funds from the Blue Cross Foundation for the Comprehensive Plan Amendments (attachment) {action item}
- 11. **Electric** Consider authorizing the Mayor to sign the contract with Palouse Power for underground work for the Riverside Project (attachment) {action item}
- 12. **City** Consider authorizing Barb LePoidevin and assistants to decorate the Georgia Mae Plaza for Christmas (attachment) {action item}
- 13. City Consider giving the employees the day after Thanksgiving off (attachment) {action item}

#### **ADJOURNMENT**



# CITY OF BONNERS FERRY OFFICE OF THE CITY ADMINISTRATOR

TO: Mayor and City Council

**FROM:** Lisa Ailport, City Administrator

**DATE:** October 15, 2021

**RE:** Admin Update

The following update is provided to the Mayor and Council for review and consideration.

#### **COVID Absences:**

City staff members are experiencing high rates of COVID absences, with many employees having to stay home while they recover. The Superintendents have been doing a good job of keeping up with the demands of their respective areas, but there may come a time where reduced services are warranted due to lack of a healthy workforce. This includes, longer processing times for new utility hook-ups and longer return call times for customers or citizens. We are asking for the patience of the public and the understanding from Leadership while we deal with the reduced availability of staff members. Many thanks to everyone for their patience while I stayed home to assist my family as also recover from the virus.

#### Rotary

I will be presenting next Tuesday, October 19, 2021, at noon to the Bonners Ferry Rotary Club on the state of the City. As a matter of discussion, I will be covering infrastructure, policy and long-range planning.

#### Parklet Pilot

The one and only parklet was removed from Main Street within the last two weeks. The business who took advantage of the pilot program felt it was a very well received from the public and their business. They are very interested in bringing it back next spring. Staff will look to bring forward a draft ordinance to Council over the winter.

If there are any questions about the program, please feel free to contact me.

MINUTES
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
October 5, 2021
6:00 pm

Mayor Dick Staples called the Council meeting of October 5, 2021, to order at 6:00 pm. Present for the meeting were: Council Members Adam Arthur, Valerie Thompson, Rick Alonzo and Ron Smith. Also, present were: City Attorney Andrakay Pluid, City Clerk/Treasurer Christine McNair, Police Chief Brian Zimmerman, Economic Development Coordinator Dennis Weed and Contract Planner Clare Marley. Members of the public present were: Brion Poston, Dave Gray, David Clark, Robert Lavala Rose Shababy, Carolyn Testa, John Birrell and Denise Crichton.

#### PLEDGE OF ALLEGIANCE

#### **PUBLIC COMMENTS**

Carolyn Testa requested information regarding the elections.

#### REPORTS

Police Chief Brian Zimmerman said the paperwork for the E-ticket equipment was submitted yesterday, but delivery of the equipment may be delay until March 2022.

Economic Development Coordinator Dennis Weed said eve without the border being open, it was a good summer. Mayor Staples asked if Dennis knows anything regarding the border. Dennis said feels it will be after January 2022. Ron Smith asked if the Visitors Center is closed. Dennis said it is open Friday and Saturday until the end of October.

#### CONSENT AGENDA - {action item}

- 1. Call to Order/Roll Call
- 2. Approval of Bills and Payroll
- 3. Approval of the September 21, 2021 Council meeting minutes

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

#### **OLD BUSINESS**

4. **Planning** – Consider authorizing the Mayor to sign the contract with Ruen-Yeager & Associates for planning services (attachment) {action item}

Mayor Staples said he spoke with Darius Ruen. Valerie said Council appreciates the work that Clare has done and is doing for the City. Mayor Staples asked if Council wants to respond to the letter received from Ruen-Yeager. Mayor Staples asked if the current rate of \$65.00 was set in 2018. Christine said it was. Adam said the letter says it's a 25% increase. Mayor Staples said it is almost a 31% increase and if Council wants to make a counteroffer or accept the rates from Ruen-Yeager. Rick Alonzo moved to counter Ruen-Yeager's offer of \$85.00 and \$60.00 per hour for the Senior and Assistant Planner, with a counteroffer of \$75.00 for the Senior Planner and \$55.00 for the Assistant Planner and leave the Permit Technician at \$45.00 and the Clerical at \$35.00. Ron Smith seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

#### **NEW BUSINESS**

5. **Planning** – Consider accepting the recommendation from Planning and Zoning regarding File # AM015-21 Amendments to Title 11, Zoning Regulations (attachment) {action item}

Clare Marley presented a power point summarizing the recommended changes to File #AM015-21. Valerie Thompson moved to accept the recommendations of Planning and Zoning regarding File #AM015-21 amending Bonners Ferry City Code Title 11, regarding Housing and Development Standards as written finding that it is in accord with general and specific goals and standards of the City of Bonners Ferry Comprehensive Plan as enumerated in the findings and reasoned statement. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

6. **Planning** – Have the first reading by title only of Ordinance #600 Amendments to Title 11, Zoning Regulations (attachment) {action item}

Valerie Thompson moved to have the first reading of the Ordinance #600 by title only. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes. Clare read the Ordinance by Title only.

7. **Water** – Consider authorizing the Mayor to sign Change Order #3 for the Highway 95 Water Relocation Project (attachment) {action item}

Marcus with HMH Engineering said there was a meter that was not in the plans for the Highway 95 Water Relocation Project that needs to be moved. Adam Arthur moved to authorize the Mayor to sign Change Order #3 for the Highway 95 Water Relocation Project in the amount of \$3,997.52. Rick Alonzo seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

- 8. **Electric** Consider authorizing the Mayor to sign the agreement with the Federal Highway Administration for the Riverside Relocation Project {action item}

  Andrakay said we have not received the agreement.
- 9. **City** Consider the modifications to the Personnel Policy (attachment) {action item} Christine said the changes are: adding Juneteenth holiday, changes to the health insurance regarding the firefighters and changes to the Name Clearing Hearing. Ron asked what the Name clearing hearing is. Andrakay explained, the Name Clearing Hearing is when an employee has been terminated, to have their personnel file reflects that they were not terminated for reasons of dishonesty, immorality or criminal misconduct. Rick Alonzo moved to accept the modifications to the Personnel Policy. Ron Smith seconded the motion. The motion passed. Adam Arthur yes, Valerie Thompson yes, Rick Alonzo yes, Ron Smith yes
- 10. **City** Discuss the Christmas Party {action item} Christine said she spoke with the Kootenai River Inn and they are only allowing a maximum of 25 people in the banquet room. Christine spoke with Wally Barton, who has catered the last few Christmas Parties and he said beef prices have increase significantly. The Christmas Party Wally catered in 2018 was \$24.00 per plate, this year his estimate is \$40.00 per plate. Valerie requested staff contact Rusty Moose, Mugsy's and Two Tones for quotes. Mayor Staples tabled this until the next meeting.

#### **ADJOURNMENT**

The meeting adjourned at 6:50 pm.





TO:

**Mayor and City Council** 

FROM:

Mike Klaus, City Engineer

**DATE:** 

October 15, 2021

RE:

Spillway Rehabilitation Project - Pay Application #4

Attached with this memo is pay application #4 from S&L Underground for the work completed to date. The pay application has been by reviewed by JUB Engineers, and I recommend payment of \$552,900.

Please let me know if you have any questions.

Thank you,

Mike

	Contractor's Application for Payment No.	or Payment No.	Four (04)
	Application Period:	Application Date:	
	Work Accomplished Through Oct 6, 2021	Oct 6, 2021	
To (Owner): City of Bonners Ferry	From (Contractor): S&L Underground	Via (Engineer): J-L-B ENGINEERS, Inc.	
Project Mayie Dam Concrete Rehabilitation Project	Contract Moyie Dam Concrete Rehabilitation Project - Schedules A. B. C and Additive Alternate No. 1		
Owner's Contract No.:	Contractor's Project No.:	Engineer's Project No.: 20-17-072	

Application For Payment Change Order Summary

	Change Order Summary			
Approved Change Orders		1. ORIGINAL CONTRACT PRICE.	v	3.699.980.00
Number	Additions Deductions	2. Net change by Change Orders		00 000 LLS
		3. Current Contract Price (Line 1 ± 2).	0	3.776.980.00
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Contractor's Certification		1	101	10/14/21
rsigned Contractor certifies	The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress	GANGINERS, Inc.	(Date)	(e)
nt to discharge Contractor's I	payments received from Dwitter on account of work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work	Payment of: \$552,900,00		
covered by prior Applications for Payme incorporated in said Work or otherwise I	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	(Line 8 or other - attach explanation of the other amount) is annowed by:	other amount)	
wner at time of payment fre ances (except such as are co	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	City of Bonners Ferry	(Date)	te)
against any such Liens, security interest Application for Payment is in accordance	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 not defective.	Approved by:		
		Funding Agency (if applicable)	(Date)	te)
20		Approved by:		
Aller de	Date	Funding Agency (if applicable)	(Date)	te)
See there	Dunoal			

# Contract Day Summary

Feb 18, 2021 Notice to Proceed Date
The Date of Substantial Completion for Schedule A is on or before 1051/2021.
The Date of Substantial Completion for Schedule B is on or before 1031/2022.
The Date of Substantial Completion for Schedule C is on or before 1031/2023.

The Date of Readiness for Final Payment for Schedule A is on or before 11/30/2021.

The Date of Readiness for Final Payment for Schedule B is on or before 11/30/2022.

The Date of Readiness for Final Payment for Schedule C is on or before 11/30/2023.

EJCDC C-620 Contractor's Application for Payment © 2007 National Society of Professional Engineers for EJCDC. All rights reserved. Page 1

	City of Sconners Ferry Mayle Dem Concrete Rehabilitation Project - Schedules A. B., C and Additive Alternata No. 1								Application Number: Four (84)	Four (04)			
Appendion Period:	94 <b>ફ, 22</b> 2?								Application Date: Det 6, 2821	Oct 6, 2027			
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#### **ORDINANCE #600**

#### AMENDMENT TO TITLE 11, BONNERS FERRY CITY CODE

#### **ZONING REGULATIONS**

SHORT TITLE: HOUSING AND DEVELOPMENT STANDARDS

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING BONNERS FERRY CITY CODE, TITLE 11 (ZONING REGULATIONS), CHAPTERS 2, 9, 11, 12, APPENDIX A, AND APPENDIX B TO: ADD AN OPTION AND STANDARDS FOR ACCESSORY DWELLING UNITS (ADUS); ADJUST SETBACK STANDARDS FOR EAVES AND CERTAIN ABOVE-GROUND ARCHITECTURAL PROJECTIONS; ESTABLISH COMBINED SIDE YARD SETBACK STANDARDS, REDUCED SETBACKS FOR NARROW LOTS, A 1-FOOT ADMINISTRATIVE SETBACK EXCEPTION, AND COMMON PARTY WALL AGREEMENTS FOR SHARED WALL CONSTRUCTION; REQUIRE SPECIAL USE PERMITS FOR RV PARKS IN THE COMMERCIAL ZONE; ADJUST RV PARK STALL STANDARDS; PROVIDE FENCE, STRUCTURE, AND YARD DEFINITIONS; TO PROVIDE SEVERABILITY AND PROVIDE THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

#### STATEMENTS OF PURPOSE AND AUTHORITY:

**WHEREAS**, the Constitution of the State of Idaho, Article XII, Section 2, the Local Land Use Planning Act, Title 67, Chapter 65, and the Idaho Municipal Corporations Title 50, Chapters 3 and 9 provide authority for the City of Bonners Ferry, Idaho to adopt ordinances establishing land use standards; and,

WHEREAS, Idaho Code §67-6518 authorizes the City to adopt standards for building design, yards, blocks, lots, and other public and private developments; and

WHEREAS, the City of Bonners Ferry desires to revise development standards, provide options for housing, and clarify its yard and setback definitions; and

**WHEREAS**, the Planning and Zoning Commission on September 16, 2021, held a duly noticed public hearing in accordance with the Local Land Use Planning Act, Title 67, Chapter 65, Idaho Code and recommended to the City Council approval of the Housing and Development Standards ordinance, File #AM15-21; and

WHEREAS, the Bonners Ferry City Council considered the ordinance on its first reading October 5, 2021, and second reading October 19, 2021, and dispensed with the rules for reading the ordinance in full.

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

**SECTION 1: ADOPTION:** That Bonners Ferry City Code, Title 11, Zoning Regulations, is hereby amended as follows: (Text to be removed is shown with a strikethrough; new language is shown with an underline.)

#### PART A:

Title 11, Chapter 2, Section 4, Schedule of Building Height and Lot Area Regulations, Section 11-2-4, is hereby amended to provide additional notes and conditions text and new notes m, n, o, and to amend this section to read as follows:

#### 11-2-4: SCHEDULE OF BUILDING HEIGHT AND LOT AREA REGULATIONS:

Zoning District	Maximum Height <sup>c,i,j</sup>	Front Yard Setbacks	Rear Yard Setbacks <sup>f</sup>	Interior/ Side Yard Setbacks <sup>f</sup>	Corner Lot Yard Setbacks	Minimum Lot Area <sup>f</sup>	Minimum Lot Width <sup>f,h</sup>
AA	35 ft.	20 ft. <sup>a,d,e,f,g</sup>	10 ft.	10 ft. <u>Combined</u> 20 ft. n, o	20 ft. <sup>a,d,e,f,g</sup>	5,000 sq. ft.	50 ft.
A	35 ft.	20 ft. <sup>a,d,e,f,g</sup>	10 ft.	10 ft. Combined 20 ft. <sup>n, o</sup>	20 ft.a,d,e,f,g	5,000 sq. ft.	50 ft.
В	35 ft.	20 ft. <sup>a,d,e,f,g</sup>	10 ft.	10 ft. <u>Combined</u> 20 ft. <sup>n, o</sup>	20 ft. <sup>a,d,e,f,g</sup>	5,000 sq. ft.	50 ft.
С	35 ft.	See notes a, b, d, e, f, g	See note b,	See note b	See notes a, b, d, e, f, g	5,000 sq. ft.	50 ft.
M	35 ft.	20 ft. <sup>a,d,e,f,g</sup>	10 ft.	10 ft.	20 ft. <sup>a,d,e,f,g</sup>	5,000 sq. ft.	50 ft.
I	35 ft.	See notes a, b, d, e, f, g	See note b,	See note b	See notes a, b, d, e, f, g	5,000 sq. ft.	50 ft.
D	35 ft.	0 ft.b,g,k	0 ft.b,g,k, <u>m</u>	0 ft.b,g,k,m	0 ft.b,g,k	See note 1	See note l

#### Notes/conditions:

All measurements are from the closest building line to the property line, <u>except as provided at Section 11-9-1 A</u>. The Administrator may grant an exception not to exceed one foot to any setback or height standard, upon a showing of undue hardship or extraordinary physical conditions of the property or structure.

- a. In addition to the setbacks listed in the official heights and area regulations table, the front and corner lot setbacks must also be a minimum of 20 feet from the edge of street(s) and ingress/egress easements.
  - b. As per the adopted Building Code regulations for exterior wall location to property line.

- c. The stricter of the stated maximum height or the currently adopted Building Code.
- d. Additional 5 feet per story setback for apartments, condominiums or other residential multistory structures.
- e. Front yard setbacks may be less than 20 feet, provided, that in each block in which 50 percent or more of the lots on the same side of the street have been built upon in conformity with a fairly even and determinable front building line of less than 20 feet from the property line, all buildings thereafter erected, established or rebuilt may be in conformity with said front building line as shown by 50 percent of the buildings erected on any such lots. In determining whether or not a front building line has been determined or established, the fair intent and purpose shall be considered and minor irregularities ignored and where any dispute arises in the determining of any such front building line, a determination shall be made by the City Council.
- f. Exception to schedule of building height and lot area regulations: Manufactured or mobile home parks shall meet the yard setbacks in the district in which the manufactured/mobile home park will be or is located. The minimum lot size and width shall be as indicated in the manufactured/mobile home park chapter.
- g. Federal highway setback; no building shall be placed or erected within a distance of 60 feet each side of the centerline of the street variously known as U.S. Highway 95, U.S. Highway 2 and South Main Street.
- h. The minimum lot width is the distance measured from property line to property line where the front building line of the structure will be placed. The minimum distance on the front property line along the curve on a cul-de-sac is 40 feet.
  - i. Building height is measured from the highest point accessible to fire personnel.
- j. Building heights may exceed these values upon special approval from the City Council after consideration of fire safety.
- k. Buildings shall not project into or over a public right-of-way except for awnings, eaves, parapets, or signs where allowed in this title. No awning, eave or parapet shall be closer than 2 feet, measured in horizontal distance, to the curb and shall be at a minimum 8 feet above the adjacent or closest grade that the public utilize for walking, parking or other public uses.
  - l. The size of the lot or lots shall be adequate to accommodate the use.
- m. A recorded common/party wall agreement addressing construction, maintenance, repair, and rights of access is required to be filed with the city for zero setback/shared wall construction.
- n. <u>Combined side yard interior setback shall be twenty feet (20'), with neither side less than eight feet (8'), except as otherwise provided.</u>
- o. Side yard interior setbacks for lots or parcels fifty feet (50') or narrower shall be a minimum 5 feet, inclusive of all architectural projections. Structure shall be designed and constructed to retain snowshed and stormwater runoff on site.

#### PART B:

Title 11, Chapter 9, Section 1, Regulations, Section 11-9-1, is hereby amended to read as follows: The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the district use and area regulations appearing elsewhere in this act:

A. Each part of a required yard shall be open to the sky, unobstructed by other buildings or structures, except for cornices, gutters, eaves, bay windows, or other similar above-ground architectural projections, which shall not encroach more than two feet (2') into any required yard.

The structure or building shall be constructed and maintained to contain stormwater and snow shed on site.

- B. All single-family dwellings converted to <u>multiplemulti</u>-family dwellings must conform to the <u>following</u> latest edition of the <u>adopted building codes</u>. <u>Building Code</u>.
- C. No <u>Any</u> existing single-family dwelling may be so converted to a multi-family dwelling shall contain at least if it contains less than one thousand (1,000) four hundred (400) square feet of livable floor area per individual household dwelling unit.

#### PART C:

Title 11, Chapter 11, Recreational Vehicle (RV) Parks, Travel Trailer/Motor Home Parks Or Courts, Section 11-11-3 is hereby amended and a new Section 11-11-6 Paragraph B is added, to read as follows:

#### 11-11-3: SITE DEVELOPMENT:

- A. The park/court shall be adequately lighted from dusk to dawn, with lights that shall not obstruct the visibility of any oncoming traffic.
  - B. Each space shall be provided with water, sewage, and electricity.
- C. Each-lot RV stall shall contain a minimum of one thousand (1,000) square feet, and shall be at least twenty feet (20') wide. There shall be a minimum of ten feet (10') of space between RVs/motor homes/trailers.
- D. Each lot RV stall shall have one extra parking space and shall be graveled, paved or provided with other means for a dust free surface.
- E. No greater number of RVs, travel trailers or motor homes shall be allowed in any park/court than the number of lots-RV stalls permitted, based upon the standards of subsection 11-11-3 C.

#### 11-11-6: RESTRICTIONS:

 $\underline{A}$ . It shall be unlawful for any RV, motor home or travel trailer to be used as permanent living quarters.

B. Tiny homes and park model homes, as defined by Idaho Code, that are on foundations are prohibited.

#### PART D:

There is hereby added to Title 11, Chapter 12, a new Section 6, Accessory Dwelling Units, (ADUs), which shall read as follows:

#### 11-12-6: ACCESSORY DWELLING UNITS (ADUs):

- A. <u>Purpose: To provide an additional, affordable housing option that meets changing family and community needs while keeping the character of the single-family developments by setting minimum and maximum standards.</u>
- B. Eligibility: An accessory dwelling unit (ADU) is permitted in the zoning districts specified in Appendix B, Table of Uses.
- C. <u>Density</u>: One ADU is permitted per parcel or lot. Construction or placement may occur before, during, or after construction of the primary dwelling.

- D. Design: ADUs may be attached to the primary dwelling or detached, new construction or conversion of an existing structure and shall meet the following standards:
  - 1. Location shall be on a lot or parcel of not less than five thousand (5,000) square feet.
  - 2. Maximum size of fifty percent (50%) of the primary dwelling unit square footage on the lot or parcel or eight hundred (800) square feet of livable floor space, whichever is less. Livable space shall include areas for living, sleeping, eating or cooking, but exclude garages, decks, covered porches, and utility spaces.
  - 3. A minimum livable floor space of not less than four hundred (400) square feet is required for all detached ADUs. The livable floor space of an ADU attached to the primary dwelling unit may be smaller but shall meet minimum residential building code requirements for the living space.
  - 4. A maximum of two (2) bedrooms.
  - 5. Provisions for minimum of one additional on-site parking space.
  - 6. Approved building permit demonstrating construction or modification complies with applicable building and fire codes.
  - 7. Confirmation from respective agency or department that the existing utilities are adequate to accommodate the future ADU.
  - 8. Occupancy and use shall be the same standards as those applied to primary dwelling unit.
  - 9. Compliance with setback, height, and lot coverage of the respective zoning district.
  - 10. Design consistent with the primary residence, including roof pitch, siding, color, materials, and windows is encouraged.

#### PART E:

Title 11, Appendix A, Definitions, is hereby amended to provide new definitions for accessory dwelling unit, fence, and corner yard, and to amend the structure, front yard, rear yard, and side yard to read as follows:

#### **APPENDIX A DEFINITIONS**

ACCESSORY DWELLING UNIT: A smaller, secondary dwelling on the same lot or parcel as the primary dwelling that is independently habitable and provides the basic requirements of a residential shelter, including heating, cooking, and sanitation.

FENCE: An enclosure or barrier, such as wooden posts and rails, masonry, stone, wire, iron, or other such common fencing materials used as a boundary or enclosure for privacy, protection, or confinement, but not including hedges, shrubs, trees, or other vegetation. Materials such as scrap or junk materials such as tires, vehicle parts, broken glass or similar materials, shall not be used for fence construction.

STRUCTURE: Anything constructed or erected, the use of which requires a permanent location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, manufactured homes, walls, fences and billboards, but not including fences or walls used as fences not exceeding seven feet (7') in height, when measured from pre-development elevations.

#### YARD:

Front Yard: Any open unoccupied space on the same lot with a building between the front building line of the building (exclusive of steps) and the front property line. An unoccupied space extending across the full width of a parcel or lot that abuts a street or access easement that is the primary access for the property. Property fronting on parallel streets shall be deemed to have two (2) front yards. Property on intersecting streets shall have one front yard determined by the primary access point and a corner lot yard.

Rear Yard: An open unoccupied space on the same lot with a building between the rear building line of the structure and the rear line of the lot. An open unoccupied space on the same lot or parcel as the structure that is most opposite the front yard. For triangular lots, the rear yard shall be measured from the apex of the triangle.

Side Yard: An open unoccupied space on the same lot with the building between the side building line of the structure and the side property line of the same lot. An open unoccupied space on the same lot or parcel as the structure that is generally perpendicular to the front and rear yards. Any yard not defined as front or rear shall be considered a side yard.

Corner Yard: An unoccupied space on a corner lot that is not the primary access point for the property.

#### PART F:

Title 11, Appendix B, Table of Uses is hereby amended to add Accessory Dwelling Unit to the Residential Uses and to require a special use permit for Recreational Vehicle Park in the commercial district, to read as follows:

		Z	onin	g Dist	ricts		
	AA	Α	В	С	[	M	D
Residential use:				(0.000000000000000000000000000000000000	, pr		
Accessory structures	Р	Р	Р	Р	Р	Р	Р
Accessory dwelling unit	P	P	P	P		P	Р
Animals, domestic livestock	*rrificamono apara	A	Р				
Dwelling, duplex (two-family)	-	Р	Р	Р		Р	Р
Dwelling, multi-family				Р			Р
Dwelling, single-family	Р	Р	Р	Р	<i>p</i> ~	P	Р
Commercial use:				[			
Recreational vehicle park		4		PS	S		

**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, Idaho this 19th day of October, 2021.

This ordinance passed under suspens	sion of rules and duly enacted as an ordinance of the City of Bonners
Ferry, Idaho on this 19th day of Octo	ober, 2021, upon the following roll call vote:
ROLL CALL:	
Council President Alonzo	
Council Member Arthur	
Council Member Thompson	
Council Member Smith	
CITY OF BONNERS FERRY, IDA	НО
Attest:	BY: Mayor James R. "Dick" Staples
Christine McNair, Clerk, City of Bo	nners Ferry, Idaho
APPROVAL OF ORDINANCE SUPPublication of this ordinance by sum	MMARY  mary in the official newspaper is hereby approved by the Bonners
Ferry City Council on this 19th day of	of October, 2021, upon the following vote:
Council President Alonzo	
Council Member Arthur	
Council Member Thompson	
Council Member Smith	<del></del>
CITY OF BONNERS FERRY, IDA	НО
Attest:	BY: Mayor James R. "Dick" Staples
Christine McNair, Clerk, City of Bo	nners Ferry, Idaho

### SUMMARY FOR PUBLICATION OF CITY OF BONNERS FERRY, IDAHO ORDINANCE #600

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. 600, adopted on October 19, 2021. The full title of the ordinance is:

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING BONNERS FERRY CITY CODE, TITLE 11 (ZONING REGULATIONS), CHAPTERS 2, 9, 11, 12, APPENDIX A, AND APPENDIX B TO: ADD AN OPTION AND STANDARDS FOR ACCESSORY DWELLING UNITS (ADUS); ADJUST SETBACK STANDARDS FOR EAVES AND CERTAIN ABOVE-GROUND ARCHITECTURAL PROJECTIONS; ESTABLISH COMBINED SIDE YARD SETBACK STANDARDS, REDUCED SETBACKS FOR NARROW LOTS, A 1-FOOT ADMINISTRATIVE SETBACK EXCEPTION, AND COMMON PARTY WALL AGREEMENTS FOR SHARED WALL CONSTRUCTION; REQUIRE SPECIAL USE PERMITS FOR RV PARKS IN THE COMMERCIAL ZONE; ADJUST RV PARK STALL STANDARDS; PROVIDE FENCE, STRUCTURE, AND YARD DEFINITIONS; TO PROVIDE SEVERABILITY AND PROVIDE THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The ordinance amends setback standards to allow combined side yard setbacks of 20 feet, with neither side yard less than 8 feet; require common party wall agreements for shared wall construction, allow a maximum 1-foot administrative exception to setbacks or height with a showing of hardship; allow a reduced setback of 5 feet for lots 50 feet or narrower; permit eaves, gutters, cornices or other above-ground projections to encroach up to 2 feet into any required yard; clarify standards for converting a single-family dwelling into a multi-family dwelling; establish special use permit requirements for RV parks in the commercial district and adjust RV stall and uses standards; add an option, definition, and standards for accessory dwelling units; amend the definitions to add fence and clarify yard and structure definitions; amend the Table of Uses, Appendix B, to establish where accessory dwelling units are permitted and to require a special use permit for RV parks in the commercial district.

The full text of Ordinance #600 is available at Bonners Ferry City Hall, 7232 Main Street, Bonners Ferry, Idaho 83805, during regular business hours.

City of Bonners Ferry, Idaho	ATTEST:
Mayor James R. "Dick" Staples	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.



# **MEMO**

### CITY OF BONNERS FERRY OFFICE OF THE CITY ADMINISTRATOR

TO:

Mayor and City Council

FROM:

Lisa Ailport, City Administrator

DATE:

October 13, 2021

RE:

Recommendation to select SCJ for consulting services on the city comprehensive plan

and code reform.

Over the past several months, city staff has been working on preparing, soliciting, interviewing, and now recommending a consulting firm to assist the city through a comprehensive plan rewrite and possible code reform. A request for qualifications (RFQ) was developed and advertised seeking qualified firms to submit their interest in the project. The city received three submissions and a selection committee was formed of community members, staff and content matter experts to review each proposal and make recommendations on who to interview.

After careful review and interviewing consulting firms, the committee would like to recommend to council to work towards a request for proposal (RFP) and contract with SCJ consulting firm.

SCJ is a transportation, planning and engineering consulting firm with local offices in Spokane, Wenatchee and western Washington. If selected, they have a local project manager who is out of Sandpoint, Idaho. After considering the proposals, the selection committee was most impressed with the firm's local work history and the fact that there would be a local project manager. In their proposal, SCJ highlighted comparable projects done Hayden, Ponderay, Post Falls, Idaho as well as Helena, Montana and Chewelah, Washington.

A copy of the proposal is attached to this memo for review and discussion purposes. If Council authorizes the recommendations, the staff will request a proposal from SCJ that will include project scope, timeline and costs for completing the comprehensive plan update. Code reform will be something that the city will work towards after the comprehensive plan update is complete.

#### Fiscal Impact Statement

The city received from the Blue Cross Foundation a grant in the amount of \$50,000.00 to go towards the development of new comprehensive plan that folds in community health as part of the plan. At this point, the council has not authorized any additional funding towards this project. However, it is possible that the American Recovery Plan Act (ARPA) funds could be used towards the development of this project. Additionally, the Blue Cross foundation has additional funding opportunities that could be used towards covering the cost of this planning effort.

Please let me know if you have any questions.



### **MEMO**

## CITY OF BONNERS FERRY OFFICE OF THE CITY ADMINISTRATOR

TO:

Mayor and City Council

FROM:

Lisa Ailport, City Administrator

DATE:

October 13, 2021

RE:

Blue Cross Foundation funding

Staff learned on Friday, October 1<sup>st</sup> that we were awarded a grant with the Blue Cross Foundation for up to \$20,000.00 to go towards a community project. The grant was provided because I attended the Community Health Academy over the past year, hosted by the foundation. The purpose of the academy was to address the 5 determinates of community health in cities. Funds are flexible and can be used for: Physical Projects, Plan Developments, Community Assessments, Facilitation/Convenings/Technical Assistance.

While no plan for use of the funds has been proposed at this point to the foundation, staff would like direction from Council on how you feel about using the funding towards the comprehensive plan and/or code reform.

Other project ideas include, pool enhancements, sidewalk improvements/development, space making enhancements etc.

On October 26, 2021, staff will meet with the foundation executive director to build out some project ideas for consideration. If there is direction on where Council would like to see the funds used, I would gladly take those suggestions back to the foundation.

Please let me know if you have any questions.

Thank you.



# MEMO CITY OF BONNERS FERRY CITY ENGINEER

TO:

**Mayor and City Council** 

FROM:

Mike Klaus, City Engineer

DATE:

October 15, 2021

RE:

Electric - Riverside Underground Work at Davidsons and Walters

Attached with this memo is a contract signed by Palouse Power to convert sections of overhead power to underground, adjacent to the Davidson and Walter residences on Riverside road. This work will eliminate some problems that the electrical department has with tree damage to our overhead lines in these two areas. This work is also part of the work that has been planned to facilitate the Riverside roadway project by the County that is planned to start in April 2022.

If for some reason the Riverside project does not begin in April, the worked proposed by this underground work is still advantageous to the electric department. I recommend approval of the attached contract with Palouse Power for the conversion of overhead power to underground adjacent to the Davidson and Walter residences for \$110,272.80.

Since this work exceeds \$50,000, three quotes for the work were solicited. Two of the contractors solicited responded by saying they were unable to quote the work because of workload. Also attached with this memo are the primary documents used to procure quotes for the work. The plan sheets and bonding documents were omitted because of their size, but I would be glad to show Council those documents if desired.

Please let me know if you have any questions.

Thank you,

Mike

#### INDEPENDENT CONTRACTOR AGREEMENT

AGREEMENT made between <u>City of Bonners Ferry</u>, a political subdivision of the state of Idaho, herein "ENTITY" and <u>Palouse Power</u> herein "CONTRACTOR",

#### THE PARTIES AGREE AS FOLLOWS:

1. <u>CONTRACT:</u> ENTITY hereby employs CONTRACTOR as an independent contractor to complete and perform the following project and work:

<u>Perform electrical work required to convert overhead power to underground on Riverside Road as depicted in the project Plans and Scope attached in Appendix A.</u>

CONTRACTOR agrees to provide all materials and services for the project in accordance with the attached written specifications.

- 2. TIME OF PERFORMANCE AND TERMINATION: Parties agree that:
  - [x] CONTRACTOR shall complete the project by December 31, 2021.
- 3. **COMPENSATION:** ENTITY agrees to pay CONTRACTOR as compensation:
  - [X] Total not to exceed \$110,272.80.
- 4. <u>INDEPENDENT CONTRACTOR</u>: 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. <u>WARRANTY:</u> 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. <u>INDEMNIFICATION:</u> 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. <u>INSURANCE:</u> 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. <u>WORKER'S COMPENSATION:</u> 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. <u>COMPLIANCE WITH LAWS:</u> CONTRACTOR agrees to comply with all federal, state, city, and local laws, rules and regulations.
- CERTIFICATION CONCERNING BOYCOTT OF ISRAEL: Pursuant to Idaho Code section 67-2346, if payments under the Contract exceed one hundred thousand dollars (\$100,000) and Contractor employs ten

- (10) or more persons, Contractor certifies that it is not currently engaged in, and will not for the duration of the Contract engage in, a boycott of goods or services from Israel or territories under its control. The terms in this section defined in Idaho Code section 67-2346 shall have the meaning defined therein.
- 11. **ENTIRE AGREEMENT:** This is the entire agreement of the parties and can only be modified or amended in writing by the parties.
- 12. **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 October	
CITY OF BONNERS FERRY (Governmental Entity)	CONTRACTOR:  By (Name)
By	Its PLINCIPAL (Title or Office)
ATTEST:	WITNESS:
Christine McNair, Clerk	(\$ignature of Witness or Notary Public)

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

#### 2021 Riverside Electrical Underground Project - Quote Form

Item	Unit	Estimated Units	Price per Unit	Total Item Price
#1 Mob/Admin	Lump Sum	1	\$9058.85	\$9058.85
Walters Section	Lump Sum	1	\$50,038.11	\$50,038.11
Davidson Section	Lump Sum	1	\$51,175.84	\$51,175.84
			Quote Grand Total	\$110,272.80

Understanding that this lump sum price and per unit prices includes all permit fees, sales and consumer use taxes, etc. required by law or regulation.

Signed		
Name and Title	JEFF ZIMMER - PRINCIPAL	
Date	OCTOBER 8, 2021	
Company Name	PALOUSE POWER	
Company Address	4745 HWY 281 N QUINCY, WA 98848	
Idaho Public Works	License # RCE-52333	
Phone Number	(509) 237-8817	
Fax Number	(888) 344-5795	



#### **CITY OF BONNERS FERRY**

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

October 5, 2021

#### Subject: City of Bonners Ferry - Riverside Electrical Underground Project

The City of Bonners Ferry is requesting quotations to convert overhead electrical infrastructure to underground as depicted in the project plans.

Responses to this request for quotes are per Idaho Code Title 67 and Title 54 Chapter 19. If you desire to provide a quote for this project, your written quote shall be delivered to City Hall on the attached form by no later than **2:00 p.m. Friday October 8<sup>th</sup> 2021**, or provided to the City Engineer by email before that time and date.

The City desires to complete this work as soon as possible after Quotes are received. The deadline for work completion is **December 31, 2021**. The City reserves the right to reject any and all quotes and accept the quote it deems most advantageous and to waive formalities.

If you have any questions, feel free to email at <a href="mklaus@bonnersferry.id.gov">mklaus@bonnersferry.id.gov</a> or call me at (208) 946-9488.

Sincerely,

Mike Klaus City Engineer

# City of Bonners Ferry Electric Department 2021

Riverside Electrical Underground Project

#### **Project Scope**

The project scope is described in the attached plans titled "Riverside Electrical Underground Project", and includes but is not limited to the following tasks:

#### 1. Mobilization/Demobilization/Bonding

The contractor should include all administrative costs including mobilization, demobilization, bonding, and insurance. The City has already obtained the encroachment permit from Boundary County to complete the work described. Idaho Code requires that all contracted work over \$50,000 must have a performance bond and a payment bond included. It is expected that this project value is approximately between \$50,000 and \$125,000.

#### 2. Conductor Pulling and Direct Bury Installation

As the plans indicate, this project includes approximately 1000' of conductor pulling through existing conduits and 1000' of direct bury installation that will be trenched and backfilled by the City.

#### 3. Poles and Meters:

This project also includes installing two 45' poles, including dead-end arms and anchors, risers and assemblies. Two service poles will require modifications to convert to underground from overhead.

#### 4. Demo and Excavation:

The City will provide demo for all poles abandoned by this project, and will also be responsible to all trenching and backfill for direct bury sections.

#### 5. The Contractor is also responsible for the following:

- a. Contractor is responsible for all site safety. Contractor is to ensure that public is protected during the course of well construction.
- b. Coordination with the City regarding work time and schedule at least 48 hours prior to project start. Contactor to work with City to establish a time for preconstruction meeting. Below are the contacts for the project:
  - a. Kevin Cossairt or Brian Kerins, 208-267-4382
  - b. Mike Klaus, CBF 208-267-0357, 208-946-9488
- c. The Contractor must have an Idaho Public Works License prior to providing quote for work, at the appropriate monetary level for this project.
- d. The Contractor must provide a performance bond and a payment specific to this project prior to mobilization for project (forms attached), prior to

- construction. Other standard performance bond forms by EJCDC may also be used by bonding agent.
- e. Contractor must sign contract with City for work prior to mobilization. An example is provided with this packet.
- f. Project to be complete by December 31, 2021

#### 2021 Riverside Electrical Underground Project - Quote Form

Item	Unit	Estimated Units	Price per Unit	Total Item Price
#1	Lump	1		
Mob/Admin	Sum			
Walters	Lump	1		
Section	Sum			
Davidson	Lump	1		
Section	Sum			
			<b>Quote Grand Total</b>	

Understanding that this lump sum price and per unit prices includes all permit fees, sales and consumer use taxes, etc. required by law or regulation.

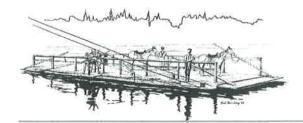
Signed	() <del></del>	
Name and Title	8	
Date		
Company Name	a <del></del>	
Company Address		
Idaho Public Works	License #	
Phone Number		
Fax Number		

#### <u>Attachments</u>

Figure 1 - Project Plans
Performance Bond Form
Payment Bond Form
Sample City Contract

List of volunteers decorating the Georgia Mae Plaza

Barb Le Poidevin Rod Le Poidevin Patrick Le Poidevin Anne Tompkins Gene Andrews



#### **CITY OF BONNERS FERRY**

7232 Main Street P.O. Box 149 Bonners Ferry, Idaho 83805

Phone: 208-267-3105 Fax: 208-267-4375

# Memo

To: Mayor and City Council

From: Rick Alonzo

Date: 10-14-2021

Day off after Thanksgiving Re:

I would like to give all City employees Friday, November 26, 2021, the day after Thanksgiving off. If the employees regular day off is Friday, they can take another day off. If the employee has to work that day it cannot be treated as overtime.

Rick Alonzo

Council President