

**MINUTES
CITY COUNCIL MEETING
May 2, 2023**

Mayor Dick Staples called the Council meeting of May 2, 2023, to order at 6:00 pm. He began the meeting with the pledge of allegiance.

Present for the meeting were: Council Members Valerie Thompson, Ron Smith and Rick Alonzo. Brion Poston

Also present were City Administrator Lisa Ailport, City Engineer Mike Klaus, Police Chief Brian Zimmerman, Clerk Treasurer Deby Garcia and City Attorney Andrakay Pluid via Zoom.

Members of the public present included: Jerry Higgs, David Sims, Emily Bonsant.

PUBLIC COMMENTS

There were no public comments.

GUESTS

There were no guests.

REPORTS

Police- No Report

Fire- Not Present

Lisa announced that the online pool registration opened yesterday. The pool will be filled on May 20th and will open June 11, 2023. The city will be hiring Lifeguards and we need 3-4 more for the season.

Lisa spoke about the city piloting a partial road closure in front of the elementary school on Augusta Street for the remainder of the school year. There will be temporary barricades placed during the school day. In discussions with Councilman Smith and the school superintendent, they hope is to have permanent barriers in by fall. This was originally part of the Augusta Street project rebuild but was taken out due to some vocal residents in the area.

Lisa spoke about AIC reaching out to the city about their achievement awards and the city felt their Comprehensive Plan warranted an application. The winners will be announced at the AIC annual conference held in Boise in June of this year.

Mike submitted a written report. There were no questions.

Mike wanted to add that the Army Corp of engineers is planning to not release water for the sturgeon from May 15th to June 15th because of low inflows coming into Lake Koochanusa. It's expected to be 74% of normal and that triggered a no release. This is the first time this has happened since 2001.

Mayor Staples asked if he knew the schedule for the highway 95 project. Mike answered that he would have to look at the long-term schedule and that Pine Island will be closed until the end of the project.

Councilwoman Val asked what kind of damage was done to the water service from the highway 95 project? Mike answered that there were several service lines hit from the carriage house inn to the forest service and they are repaired now.

Urban Renewal District- No Report

Posted at City Hall on _____

SPOT- Councilman Ron mentioned that there will be a meeting on June 7, 2023, the new director will come up and they will talk to the City of Moyie about coming on financially with SPOT.

Golf- Not Present

EDC- David is working on volunteers to get the Visitor Center open. If anyone is interested in volunteering to send them his way.

David spoke about the auction that was held for the 3 buildings two of them are downtown, local business owner purchased the Selkirk Northern Treasures building, The owner who carried the mortgage on the old Huckleberry Variety building took it back and has a buyer that is interested in it and the Hospital bought the house on Comanche.

David also talked about the Bonners Ferry FLAP project along Riverside noting that Western Federal Lands have updated the project costs which have increased from 2.7 million to 5.8, over double the original cost. The Programming Decision Committee set aside additional funds to cover the cost, but the city will be required for the match portion over the entire grant which is 7.34%. Within the original application, all of the cash match of \$75,000.00 was provided by Urban Renewal, they have that money set aside for that purpose. The rest of the match was the city relocating the power lines, as in-kind. With the new cost the match will go up \$175,000 above the cost of the poles. LHTAC has a federal aid match grant that might be a possibility for \$100,000.00. The PDC is sending up a memorandum of agreement for the city to look at to consider. David suggested that the city should try to have a game plan on how to match might work. Construction will begin in 2027, but they might move it up a year.

David wanted to add was the Moyie sewer project is waiting for the final DEQ approval on their bid package. They will probably start construction next spring.

CONSENT AGENDA – {action item}

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of minutes from the April 18, 2023, meeting
4. Contract with AGE Heating and Cooling for maintenance at City Hall and Visitor Center.
5. Contract with IDL for Cooperative Agreement for Mutual Assistance for wildland fire suppression.

Ron made the motion to approve the consent agenda. The motion was seconded.

Result:	Approved
Moved by:	Ron Smith
Seconded by	Rick Alonzo
Voted Yes	Brion Poston, Val Thompson, Rick Alonzo, Ron Smith
Voted No	
Absent	

NEW BUSINESS

6. **PLANNING AND ZONING – {action Item}**[attachment] Recommendation by Planning and Zoning for AN05-23 Deliberation only.

Lisa talked about two property owners that the city has been working with on annexations that included three properties along highway 95. Department of Lands, Grace Bible Fellowship Church and Two Brews Coffee

LLC.

Lisa went over the process of the annexation deliberation that the Planning and Zoning commission at their regular scheduled meeting in April held the Public Hearing and had public members present and those members were in support of, there was no opposition. When we see this, we won't hold another public hearing and it will go straight to deliberation.

Lisa gave a summary of the information and if there are questions, they can ask staff if it is part of the record, if it is outside the record then they must go into a public hearing process.

Lisa spoke to the council about how this is different because the city is the sponsor/applicant, and the reason is because the city is taking in lands that are currently not in the ownership of the applicant for example the state land. The lands total about 7.25 acres. When we annex any properties, you must annex any right of way adjacent to that which is the highway. The city is working with property owners to the adjoining west on another annexation that they hope to bring forward to council that will include the right of way. This application did not because it is difficult to develop the legal description. Lisa stated that a big part of the record is that the Planning and Zoning Commission did meet in April and did recommend approval to council. The recommendation coming forward was a recommended approval of a future ordinance annex, but also to zone those lands on the Comp Plan as well as the Future Land Use Map.

Lisa went through the staff report. Clare asked for agency comment and staff did meet and found there was no need for comment.

Lisa informed the council that she was closing her presentation and Council will now enter deliberation amongst the decision-making body or deliberate and move towards decision. Lisa informed the council that there are draft motions provided for them on page 8. Lisa went through the conditions of approval for the annexation.

Councilwoman, Val Thompsom, made the motion to approve the annexation of the subject lands listed in File #AN05-23 and owned by the State of Idaho (Department of Lands), Community Fellowship Church (Grace Bible Church), and Two Brews Coffee Company LLC (Stolley/Gardin) upon the completion of the conditions of approval, and further move to designate the properties as "General Commercial & Mixed Use," and zone the lands as Commercial, upon approval of the Annexation by City Council, finding that it is in accord with the goals and policies of the adopted City of Bonners Ferry Comprehensive Plan, based upon the findings as listed in the staff report.

The motion was seconded.

Result:	Approved
Moved by:	Val Thompson
Seconded by	Brion Poston
Voted Yes	Val Thompson, Rick Alonzo, Ron Smith, Brion Poston
Voted No	
Absent	

- 7. PLANNING AND ZONING- {action item}**[attachment] Authorize Mayor to sign annexation agreements with Two Brews Coffee Company, LLC and Grace Bible Fellowship Church.

Presented to council the two annexation agreements that have been signed by both property owners as provided. Lisa commented that the city is in discussions with ITD regarding the future road alignment, there is a need to work with the property owners in possibly acquiring additional right of way to make an approach more in line with the state requirements. The city is still working with the state on the final design plans. If they are willing to adopt the 50ft right of way, then we will proceed with the approach statement that meets the requirement within that right of way and are waiting for the state to get back with us. The agreements are still valid and if there are any amendments they can be brought forward. Lisa added that there was one minor note needed to make a change to the original documents to include the new clerk and we will make that change.

Val made the motion that we authorize the mayor to sign the annexation agreements with Two Brews Coffee Company LLC and Grace Bible Fellowship Church.

The motion was seconded.

Result:	Approved
Moved by:	Val Thompson
Seconded by	Rick Alonzo
Voted Yes	Rick Alonzo, Brion Poston, Ron Smith, Val Thompson
Voted No	
Absent	

8. **CLERKS OFFICE- {action Item}**[attachment] - Consider hiring Kris Larson to assist with Clerk/Treasury Duties.

Lisa provided the memo for this. The city has been working with Kris Larson on her free time and staff feels that the city needs to bring her on as an employee for the work that she is completing on the city's behalf. Staff is asking to hire Kris as a temporary employee with no benefits including medical or PERSI. Kris will be working less than 19 hours per week.

Councilwoman Thompson noted that she is not voting on this as Kris is her relative.

Councilman Alonzo made a motion to hire Kris Larson to assist with the Clerk/Treasurer duties at the rate of \$35.00 per hour.

The motion was seconded.

Result:	Approved
Moved by:	Rick Alonzo
Seconded by	Ron Smith
Voted Yes	Ron Smith, Rick Alonzo, Brion Poston
Voted No	
Absent	

9. **CITY {action Item}** [attachment] - Consider appointing a representative to the Panhandle Area Council Board.

Mayor Staples said that he has had discussions with David Sims and he was willing to do that. Andrakay informed the mayor that David brought to her attention that it may be a conflict as the PAC Director sits on the EDC board of which David is the Director. Andrakay mentioned she will need some time to work

through that and that the council may look at another candidate for that appointment. Mayor Staples asked Andrakay if they should table it and she said that is an option they can choose. Councilwoman Val asked if they should ask anyone else on council if they were interested. Councilman Ron mentioned that he sat on it before and would like to see if David is able to continue and if not, he would be able to unless someone else wanted to. Mayor Staples said he would be willing also but would also like to see David do it as he knows a lot about PAC. Andrakay thinks it will be a struggle to find a work around but will need to look at the original MOU.

Councilman Rick made the motion to appoint Mayor Staples to be our PAC representative.

Result:	Approved
Moved by:	Rick Alonzo
Seconded by	Ron Smith
Voted Yes	Brion Poston, Val Thompson, Ron Smith, Rick Alonzo
Voted No	
Absent	

10. **Executive session- {action Item}** 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.

Rick made a motion to go into 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.

Result:	Approved
Moved by:	Rick Alonzo
Seconded by	Val Thomspson
Voted Yes	Val Thompson, Rick Alonzo, Brion Poston, Ron Smith
Voted No	
Absent	

ADJOURNMENT

Mayor Staples announced that they were out of executive session and that no decisions were made. The record will reflect the time is 7:21pm, the meeting was adjourned.