

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry appreciate an involved constituency. Testimony from the public is encouraged for items listed under the Public Hearing portion of the agenda. Any individual may address the council on any issue, whether on the agenda or not, during the Public Comments period. Individuals addressing the Mayor and Council during Public Comment should refrain from using that time to address the performance of or to make complaints about a specific employee. Public participation during the business portion of the meeting will generally not be allowed, with the discretion left to the Mayor and Council. Special accommodation 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 a city that welcomes all people.

AGENDA CITY COUNCIL MEETING Bonnors Ferry City Hall 7232 Main Street 267-3105 August 20, 2024 6:00 pm

Join video Zoom meeting: <https://us02web.zoom.us/j/176727634>

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 Engineer-Administrator/Urban Renewal District/SPOT/Golf/EDC

CONSENT AGENDA – {action item}

1. Call to Order/Roll Call
2. Approval of Bills and Payroll

NEW BUSINESS

3. **Utilities- (action item)** [attachment]- Consider approval of an Ordinance 617 amending City Code Title 10 - Utilities, Section 13, to eliminate door hanger process for delinquent accounts.
4. **Utilities-(action item)** [attachment]- Consider first reading of Ordinance 617 by Title only. An ordinance to amend Title 10 Utilities, Chapter 1, Section 13.
5. **Utilities-(action)** [attachment]- Consider suspension of the reading rules and adopt Ordinance 617, by Title only and authorize publication of the ordinance summary.
6. **Utilities- (action item)** [attachment]- Consider approval of an amended Billing Policy 4B

7. **Police- (action item)** [attachment]- Consider PTO extension for Police Chief Willie Cowell.
8. **Pool- (action item)** [attachment]- Consider pay increase for Bella Sims for completing the Certified Pool Operator Certificate retroactive to July 22, 2024.
9. **City {action item}** – Consider sponsoring the homecoming parade for the Boundary County School District.
10. **Executive Session** - 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

Those who wish to address City Council during the council meetings are encouraged to adhere to the guidelines below.

Public Comment Guidelines:

Speakers are encouraged to:

- State their name and city of residence.
- Focus comments on matters within the purview of the City Council.
- Limit comments to three (3) minutes or less.
- Those who wish to speak should sign up on the sheet provided by the Clerk.
- Practice civility and courtesy.
- City leaders have the right and the responsibility to maintain order and decorum during the meeting.
- Time may be curtailed for those speakers whose comments are disruptive in nature.
- Refrain from comments on issues involving matters currently pending before the City's Planning and Zoning Commission or other matters that require legal due process, including public hearings, City enforcement actions, and pending City personnel disciplinary matters.
- Comments that pertain to activities or performance of individual City employees should be shared directly with the employee's supervisor or with the Mayor and should not be the subject of public comment.



MEMO

CITY OF BONNERS FERRY
CITY ENGINEER/ADMIN

TO: Mayor and City Council
FROM: Mike Klaus, City Engineer/Administrator
DATE: August 16, 2024
RE: Title 10 – Utility Ordinance - Modifications

Each month the city electric department delivers 30 to 40 door hangers for customers with delinquent accounts. Often, this process can take one full day for two linemen, which costs the city over \$1,000 per month.

Staff recommends that the city eliminate the door hanger process. To do so, City Ordinance Title 10, Chapter 1, Section 13, needs to be modified, as attached, to eliminate the process in code.

Please call or email with any questions you may have for me.

Mike

ORDINANCE NO. 617

TITLE 10: UTILITIES SERVICES

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO AMENDING TITLE TEN (10) CHAPTER ONE (1), SECTION THIRTEEN (13) CLOSED ACCOUNTS, DELINQUENT ACCOUNTS, DISCONNECTIONS, STRIKING SECTION THIRTEEN (13) PARTS C.2., C.3., AND C.4. REGARDING THE USE OF DOOR HANGERS FOR DELINQUENT UTILITY ACCOUNTS; 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, the Idaho Municipal Corporations Title 50, Chapters 3 and 9 provide authority for the City of Bonners Ferry to adopt ordinances; and,

WHEREAS, the city owns and operates an electric generation, transmission and distribution system, a water treatment and distribution system and a wastewater collection and treatment facility with the intended purposes to serve a public use and promote the health, safety, prosperity, security and general welfare of the citizens and customers of the city of Bonners Ferry, and

WHEREAS, the city has determined that the existing ordinance needs amended to eliminate the use of door hangers with respect to delinquent utility accounts Title 10, and

WHEREAS, this ordinance sets forth those amendments as described in section 1 of this ordinance.

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 10 Utilities, Chapters 1, Section 13, Parts C.2., C.3., and C.4., are hereby stricken and adopted as shown below.

CHAPTER 1 UTILITIES

10-1-13: CLOSED ACCOUNTS, DELINQUENT ACCOUNTS, DISCONNECTIONS:

A. Customer Requested Closure:

1. To close an account, a customer must complete a request to discontinue utility services on a form provided by the city. The account will remain in the customer's name until the city has received the completed form.

2. The customer will continue to receive a bill for account charges until the account is paid for in full or turned over to a collection agency.

3. Accounts closed due to non-use, delinquency, or at the request of the customer, may require the service to be updated to any new standards the city has adopted since the account originated.

B. Closure By Non-Use:

1. When an account has been inactive for thirty (30) days, the account will be closed and any past due balances sent to collection, pursuant to standards adopted by resolution.
2. Reconnection of an account closed due to non-use will require a new application and payment of all associated fees and deposits, including any past fees not collected or due to the city.

C. Delinquent Accounts:

1. Account or balances over an amount set by Councils (see official fee schedule) and past due by thirty (30) days, shall be considered a delinquent account.
- ~~2. If an account is not brought current or remains delinquent over the thirty (30) day time frame provided in this chapter, and a payment arrangement has not been approved by the city, then the city shall prepare a door hanger, for placement on the physical property notifying the property that the utility account that is delinquent and will be shut off on a date specified on the door hanger.~~
- ~~3. The door hanger shall note the time and place where payment shall be made before disconnecting of the property is done.~~
- ~~4. The city will charge a "door hanger fee," in accordance with the adopted fee schedule, each time city employee is required physically notice the property is delinquent.~~
- 5-2. An account that is not brought current shall be disconnected in accordance with subsection E of this section.

D. Payment Arrangements:

1. A customer may request a payment arrangement for delinquent accounts, but first must pay a minimum of twenty-five percent (25%) of the past due amount.
2. Any remaining balance of the past due amount will be due within thirty (30) days of the payment arrangement being made.
 - a. No new payment arrangements will be allowed if the previous payment arrangement was not paid or completed in the time frame accepted by the city.
 - b. If the payment arrangement is not completed by the account holder, then a door hanger is then placed on the address of the delinquent account.
 - c. Any aggrieved account holder may appeal the staffs decision in accordance with section 10-1-20 of this chapter.

E. Disconnections And Reconnections:

1. The city may immediately and without notice disconnect services for the following reasons:
 - a. Broken payment arrangements

- b. Diversion or unauthorized use of city utility services.
 - c. Discovery of a condition determined by the City to be hazardous.
 - d. Violation of and/or noncompliance with any applicable Federal, State or other local laws, regulations and codes.
 - e. Discovery of meter tampering.
 - f. Other circumstances where public health and/or safety is at risk.
2. Disconnections for routine maintenance during normal working hours by the request of the customer can be made by the account holder or customer at no cost to the customer, provided the disconnect can be completed within two (2) working hours in a single business day and can be accommodated within ten (10) working days of the request.
 3. Disconnection for routine maintenance outside of normal business hours or have to be accommodated within a ten (10) working daytime frame, or that take longer than two (2) working hours in a business day, will be charged actual costs of labor expended for such work to be completed.
 4. Delinquent accounts shall be disconnected after failure to make an account current in payment after notice is provided by the city.
 5. City staff shall cause the delinquent account to be shut off or the meter removed for accounts that remain delinquent. The city may at any time remove the meter from the property if the account is not brought current.
 6. A customer can delay termination of service for an additional thirty (30) days from the scheduled disconnect date by obtaining a certificate from a doctor or public health official stating that a medical emergency would exist if a medical condition would be aggravated if the service is turned off. The certificate must be signed by the person diagnosing the medical conditions and must name the person affected.
 7. Reconnection of a property after being disconnected for non-payment shall not be re-energized or reconnected until the service is brought up to current Idaho State or National Code requirements, or any city standards.
 8. All charges, fines or penalties shall be paid in full before reconnection or account activity is reinstated. (Ord. 608, 6-6-2023)

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 20th day of August, 2024

This ordinance passed under suspension of rules and duly enacted as an ordinance of the City of Bonners Ferry, Idaho on this 20th day of August, 2024, upon the following roll call vote:

ROLL CALL:

Council President Arthur _____

Council Member Poston _____

Council Member Thompson _____

Council Member Smith _____

CITY OF BONNERS FERRY, IDAHO

BY: _____
Mayor Rick Alonzo

Attest:

Deborah Garcia, Clerk,
City of Bonners Ferry, Idaho

**SUMMARY FOR PUBLICATION OF
CITY OF BONNERS FERRY ORDINANCE NO. 617**

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. 617, adopted on August 20, 2024. The full title of the ordinance is:

TITLE 10: UTILITIES SERVICES

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO AMENDING TITLE TEN (10) CHAPTER ONE (1), SECTION THIRTEEN (13) CLOSED ACCOUNTS, DELINQUENT ACCOUNTS, DISCONNECTIONS, STRIKING SECTION THIRTEEN (13) PARTS C.2., C.3., AND C.4. REGARDING THE USE OF DOOR HANGERS FOR DELINQUENT UTILITY ACCOUNTS; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

The ordinance amends Bonners Ferry City Code Title Ten, Chapter 1, Section 13, by eliminating the use of door-hangers with respect to delinquent utility accounts. This ordinance is effective upon enactment and publication according to law.

The full text of Ordinance No. 617 is available at Bonners Ferry City Hall, 7232 Main Street, Bonners Ferry, Idaho 83805, during regular business hours.

PUBLISH ON AUGUST 29, 2024

City of Bonners Ferry, Idaho

ATTEST:

Rick Alonzo, Mayor

Deborah Garcia, 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: _____



MEMO

CITY OF BONNERS FERRY
CITY ENGINEER/ADMIN

TO: Mayor and City Council
FROM: Mike Klaus, City Engineer/Administrator
DATE: August 16, 2024
RE: Utilities – Billing Policy 4B

Attached is the City's billing policy that has been modified to reflect changes that were proposed for Title 10, Chapter 13. Additionally, the policy has been modified to provide clarity with respect to how over/under billings will be applied to the customer's account.

Staff recommends that the Council approve the revised billing policy, assuming that the Title 10 changes are adopted beforehand.

Please call or email with any questions you may have for me.

Mike

POLICY IV. B BILLING AND COLLECTIONS POLICY

A. NEW ACCOUNTS

1. NEW CUSTOMERS: Shall request service by written/online fillable application for utility service, shall provide a copy of the warranty deed or lease/rental agreement, photo identification and pay required fees and deposits as identified in the Fee Resolution as adopted by the Bonners Ferry City Council and listed in Appendix A.
 - a. If the customer has a prior account with the City that has been closed or retired but has a balance owing or a balance in collections, the customer shall pay all past-due balances before a new account may be opened.
2. NEW SERVICES: If a service connection does not exist, the customer shall request a facilities extension, pay pre-service application fee, and pay amounts as defined in the City's Facility Extension policy IV.C.

B. SECURITY DEPOSITS

1. REQUIREMENTS: Required for all new residential electrical accounts unless a letter of credit is provided or the customer enrolls in auto-pay. Required for all new commercial and industrial accounts unless the customer enrolls in auto-pay. The deposit will be collected at the time of application. If payment arrangement is needed on the deposit, a minimum of fifty percent of the deposit amount will be collected at the time of application and the remaining amount by the due date of the first billing cycle on the account. Payment of deposit will take priority and the remaining amount will be applied to utility service balance.
2. AMOUNT: See Fee Resolution as adopted by the Bonners Ferry City Council and listed in Appendix A.
3. LETTER OF CREDIT: The security deposit will be waived on residential accounts if the customer has the previous 12 months consistent full, on-time payment history with the City or an email received from the previous electric utility company, on the company's letterhead documenting the previous 12 months of consistent full, on-time payment history. This letter must show historic payment obligations for a like sized account.
4. DEPOSIT REFUNDS: The City will credit the deposit to the customer's account after 12 months of full, on-time payments at the customer's request or when the account is closed.
5. INTEREST: Will not be paid on security deposits.
6. BANKRUPTCY: If a customer has previously declared bankruptcy while a utility customer of the City of Bonners Ferry, the security deposit required shall double. Additionally, the deposit shall not be refunded to the account until there has been 24 months of full, on-time full payments or when the account is closed.

C. BILLING POLICY

1. RATES: Billing rates are as adopted by the Bonners Ferry City Council.

POLICY IV. B

BILLING AND COLLECTIONS POLICY

2. If an error is found in billing or a mechanical meter malfunction is found, the billing will be corrected retroactively for up to a three-year period, with credits or additional billed amounts being applied to the customer's account-

D. PAYMENTS

1. DUE DATE: Payments shall be due the 30th of each month, with the exception of February, in which payments shall be due the last day of February.
2. AUTO PAY: To enroll in auto-pay the customer must complete the form available at City Hall. Auto-pay may only be withdrawn from a checking or savings account. After two consecutive months of auto-pay returned due to NSF, the auto-pay will be stopped and the customer will be required to pay the security deposit and the amount due. If a customer has been removed from auto-pay, they will not be able to re-enroll in auto-pay until they have had twelve consecutive months of full, on-time payments.
3. PAYMENT METHODS: Payments can be made with cash, check or credit cards. Credit card payments can be made through the automated phone system or the online portal.

E. BILLING PROCESS

1. Bill mailed and due 14 days later
2. On the 15th day a Payment Reminder Letter is mailed if there is a past due (30 day) balance over ~~\$20.00~~ \$20.00 letting the customer know it shall be paid within five days or an arrangement for payment is made.
3. A City of Bonners Ferry Payment Arrangement form must be filled out for the arrangements to be accepted. Payment arrangements will only be made to bring past due balances current. Current amounts due will remain due on the regular billing cycle, (example bill date April 15, due date April 30). Customers must pay a minimum of 25% of the past due amount prior to the payment arrangement being accepted. The remaining balance of the past due amount will be due within 30 days. A new payment arrangement will not be allowed if the previous payment arrangement was not paid. Each account is limited to 2 payment arrangements per year.

~~4. Door hanger is then generated if the balance is not paid or a payment arrangement has not been accepted. A door hanger fee will be charged.~~

~~5.4.~~ A customer can delay termination of service for an additional thirty (30) days from scheduled disconnect date by obtaining a certificate from a doctor or public health official stating that a medical emergency would exist or a medical condition would be aggravated if the service is turned off. Payment arrangements must be made before the thirty-day window expires. The certificate must be signed by the person diagnosing the medical condition and must name the person affected.

F. CONNECT AND DISCONNECT POLICY

1. CHARGES: Connect and disconnect charges will be made for all connects and disconnects at the rates shown in Appendix A.

POLICY IV. B BILLING AND COLLECTIONS POLICY

2. IMMEDIATE DISCONNECT REASONS: The City may immediately and without notice disconnect services for the following reasons:

- a. Broken payment arrangement.
- b. Diversion or unauthorized use of City utility services.
- c. Discovery of a condition determined by the City to be hazardous.
- d. Violation of and/or noncompliance with any applicable Federal, State or other local laws, regulations and codes.
- e. Discovery of meter tampering.
- f. Other appropriate circumstances.

3. DELINQUENT ACCOUNTS AND DISCONNECT:

~~a. A “Door Hanger Charge” will be required each time City personnel are required to make a visit to the premises on a delinquent account. The customer will be charged as identified in the Fee Resolution as adopted by the Bonners Ferry City Council and listed in Appendix A.~~

~~b.a.~~ Delinquent accounts shall be disconnected after the disconnect notice unless payment arrangements have been accepted by the City.

~~e.b.~~ Account holder shall have the right to a hearing before the Utility Grievance Board in order to show cause why the service should not be disconnected. Account holder shall be responsible for scheduling and participating in the hearing prior to the scheduled date of disconnect. The Utility Grievance Board shall be composed of one staff member from the Utility Billing Department (typically the billing supervisor) and a staff member from City Administration (typically the City Administrator).

~~d.c.~~ Accounts shall not be reconnected until the connect charges, disconnect charges, account balance and any required deposits have been paid in full.

4. RECONNECT REQUIREMENTS: After a service has been disconnected by customer request or for non-payment, the City shall require the service to be brought up to current State and National Code requirements and City standards before reconnection. Accounts shall not be reconnected until the connect charges, disconnect charges, full account balance and any required deposits have been paid in full.

5. DISCONNECT FOR MAINTENANCE: By request of the customer and when it is convenient for the City; the City will provide routine off-on service to its customers during normal working hours at no cost to the customer. If such service becomes excessive, generally more than two hours of labor per year or outside of normal working hours, the City may charge for such service. The charge will be the actual labor cost expended for such service. If a service needs to be updated, the update will be required prior to the service being re-energized. The update is the owner’s expense.

G. CLOSED ACCOUNTS

1. CUSTOMER REQUESTED CLOSURE:

POLICY IV. B BILLING AND COLLECTIONS POLICY

- a. Customer must complete a request to discontinue utility services form. The account will remain in the customer's name until the City has received the completed form.
- b. The customer receives a closing bill that is due on the due date. The customer continues to receive a statement until account is paid in full or turned over to a collection agency.

2. INACTIVITY CLOSURE:

- a. When an account has been disconnected and inactive for thirty (30) days, account will be closed and any past due balance sent to collections.
- b. Reconnection of an account closed due to inactivity will require a new application and payment of all associated fees and deposits.
- c. When an account is closed, due to inactivity meters may be removed.

H. COLLECTION POLICY FOR CLOSED ACCOUNTS

1. PROCESS:

- a. Closing bill mailed in the regular billing cycle
- b. Final collection notice mailed 30 days after final bill is due, before sending to the collection agency

I. RETIRED SERVICE

1. A service may be retired by written request of the property owner. When a service is retired, meters will be removed.
2. Request for service at a location from which a service has been retired shall be required to install a new service per the Extension Policy 4C.

J. NON-SUFFICIENT FUND (NSF) POLICY

1. When the City receives an NSF for auto-pay or a check the payment is cancelled from accounts receivable and the customer is charged a NSF fee. The City Clerk will advise the Police Department of NSF checks when appropriate.
2. NOTIFICATION: The Clerk will send a door hanger to inform them of the NSF.

K. LANDLORD/RENTAL DWELLING POLICY

1. TRANSFER OF SERVICE: Upon a tenant vacating a property the utility accounts shall revert back to the landlord's name or property manager. The landlord/property manager may contact the City at any time to request the status of the tenant's account.
2. TENANT'S LIABILITY: If the service is placed in the landlord's name and the tenant has outstanding utility bills, the tenant will be subject to the collection process.

L. METER READING

POLICY IV. B
BILLING AND COLLECTIONS POLICY

1. Meters are read monthly or when a final read is necessary.

M. ESTIMATED BILLING

1. When the City is unable to gain reasonable access to a meter or when the meter fails, the City will estimate the reading for a billing period based on the historical usage of that service.

N. WATER LEAKS

1. When a major water leak is discovered on the customer's lines the City will provide bill relief under the following conditions.
 - a. Only for the billing cycle in which the leak is detected.
 - b. The leak must be external to any structures.
 - c. Not greater than ½ of the amount in excess of the normal water usage, as estimated by the City
 - d. The consumer must notify City Hall within thirty days of the billing date.
 - e. The consumer must provide a detailed explanation, in writing, of the conditions.
 - f. If the leak is caused by customer negligence, the City will not absorb any of the loss.

POLICY IV. B
BILLING AND COLLECTIONS POLICY

Appendix A

Always review adopted fee resolution.

Schedule of Security Deposits, Connect Charges, and Disconnect Charges

A. ELECTRIC

1. Security Deposit Rates:

Residential \$200.00

Commercial/Industrial

Existing Service Two-month average of previous customer, \$200 minimum.

New Service Two-month average estimated by City, \$200 minimum.

2. Connect and Disconnect Rates

Door hanger charge \$25.00

Connect and Disconnect

During Working Hours \$30.00

Outside of Working Hours \$90.00

3. Transformers and Transformer Capacity Credit (late comers' agreement)

a. All new transformers shall be billed to the first customer as the full costs of materials.

b. If there is a capacity available on an existing transformer, then a proportionate share of the original cost of electric transformer shall be billed to subsequent customers. Staff shall then credit the first customer's account with the additional capacity charges.

B. GARBAGE

1. Security Deposit Rates:

None.

2. Connect and Disconnect Rates

None.

C. WATER

1. Security Deposit Rates:

None.

2. Connect and Disconnect Rates

Connect and Disconnect

During Working Hours \$30.00

Outside Working Hours \$90.00

D. SEWER

1. Security Deposit Rates:

None.

2. Connect and Disconnect Rates

POLICY IV. B
BILLING AND COLLECTIONS POLICY

None.



MEMO

CITY OF BONNERS FERRY
CITY ENGINEER/ADMIN

TO: Mayor and City Council
FROM: Mike Klaus, City Engineer/Administrator
DATE: August 16, 2024
RE: Pool – Consider Pay Increase

While working as a lifeguard, Bella Sims obtained the Certified Pool Operator certificate. This certification is value to the City, and the Pool Manager and I agree that it is worthy of an additional \$1.00 per hour of pay. With this memo, I requesting that the Council approve a pay increase for Bella Sims from \$16.00 to \$17.00 per hour, retroactive from July 22, 2024.

Please call or email with any questions you may have for me.

Mike