

CITY OF MOYIE SPRINGS MINUTES REGULAR MEETING May 3rd, 2017

City Council met in regular session May 3rd, 2017 at 7:00 PM at the Moyie Springs City Hall.

The meeting was called to order by Council President Steve Economu. Present were Councilmen Steve Economu, Heather Andrews, Terry Johnson, Tim Narvaez, Public Works Supervisor John Nelson, Fire Chief Ken English, City Clerk Donna Wilson-Funkhouser, and City Attorney Dan Featherston

Signed In: Ginger Perrenoud, Rosanne Smith, Meredith Keller, Dick Staples, Shasta Baisden, Dennis Weed, Toby Schnuerle, John & Grithcell Miller, Rachel Fireman and her father, Jim Ball, and Bill Maestretti

Open Meeting with the Pledge of Allegiance:

Prior Minutes Approval: Discussed the minutes of the regular meeting from April 3rd, 2017. Council President Steve Economu asked for comments, questions, and or corrections to the minutes. Steve Economu entertained a motion to approve the minutes. A motion was made by Terry Johnson and seconded by Tim Narvaez to accept the minutes. Motion carried.

Special Meeting Minutes from April 19th Approval: Council President Steve Economu asked to waive the approval of the special meeting from April 19th, 2017 as they were not completed. A motion was made by Terry Johnson and seconded by Tim Narvaez to waive the minutes from April 19th, 2017. Motion carried.

Current Financials Approval: Council President Steve Economu asked the Council to review the current financials. Steve Economu asked for comment or questions on the current financials. Steve Economu entertained a motion to approve the current financials. A motion was made by Terry Johnson and seconded by Tim Narvaez to accept the current financials. Motion carried.

129,000 Truck Permit – Resolution – Opt In: Dennis Weed said he had discussed with Susan Kiebert from ITD and ITD is planning on reducing the speed limit on Highway 2 in the City and also widening the turn out from Highway 2 on to Roosevelt Road. They are hoping to schedule the turnout road improvement for this summer. The speed reduction in the congested area should and will help with the truck traffic entering and exiting on to Roosevelt Road. Steve Economu said that the City needs to sign and move forward with the States Opt In to the 129,000 lbs. truck permit. Steve Economu explained that any truck by State law is allowed to access streets and roads within a mile radius from the State Highway's designated routes for the 129,000 lbs truck permits for loading, unloading, and fueling, and that the Idaho Forest Group Mill is within that 1 mile radius. A motion was made by Terry Johnson and seconded by Heather Andrews to go forward with signing the State's Opt – In for the 129,000 lbs Truck Permit, and to sign the Resolution 02-2017-05-03 and Finding and Facts Conclusion to allow the Truck Permits for 129,000 lbs on the City's Roosevelt Road to the Mill's access on Brink Street. Motion carried.

John & Grithcel Miller – Moyie Street – Account #430A: Steve Economu read the letter regarding terminating services for Account #430A on the Miller property. Steve Economu said that Millers would be giving up the hookons for their water and sewer services and returning them to the City. John Miller stated he was confused as to what the water and sewer hookup is for on that parcel, as it is not used and has never been used. John Miller said he is unsure why he is being billed for the hookups since it wasn't until it was discovered by Mrs. Squire, the former owner, and never before that time had they been billed for by the City. Steve Economu asked John Nelson if there is a water meter on the property and sewer connection. John Nelson said yes there is a water meter and that he is unsure of where the actual sewer service is located. Steve Economu said that it is the City's standard practices for the monthly fees on those services. Steve Economu asked the Council and the attorney for assistance. Dan Featherston stated his concerns that if John Miller wants to give up the hookups, he has to consider that when he sells, the buyer will have to have purchase both water and sewer hookups; and that the monthly billing for the water and sewer services goes for maintenance. John

Miller asked what a hookup costs. Donna Wilson-Funkhouser said \$3500 for the water service and \$700 for the sewer service. John Miller questioned whether it was better for them to give up the water right. Dan Featherston stated that if the rules change in the future for granting he services, John Miller would have to meet those requirements and they may be more difficult than the requirements now. John Miller stated that if there is no meter on his property to hook up to, then he should not be charged and also stated that no one can find the meter. John Nelson said again that there is a meter on the property. Grithcell Miller asked how they can turn the hookup back to them if they can't find it on their property. Steve Economu said that John Nelson could take and show the Millers where the water meter is, but it may take a bit to find the sewer hook on. Toby Schnuerle advised John Miller about the water and sewer services value on a piece of property and that John Miller would need to way out the added value to the property and relinquishing the services or continuing paying the monthly billing. Steve Economu then asked what the Council's thoughts were about the existing delinquent bill for the water and sewer services. Tim Narvaez asked what the amount of the bill was at, and if that balance would be waived if the Millers returned the services. Donna Wilson-Funkhouser said about \$1800. Council asked if there were any plans of developing the land. The Millers decided they would like to be shown where the meter and sewer line is before a decision is made. Steve Economu said that John Nelson would show them and that this matter would be tabled until the next scheduled Council meeting.

Jim Ball – Mobile Park on Camelot: Jim Ball discussed Camelot Park. He gave the Council maps of the proposed Park. He said that the changes proposed are to accommodate for the additional units and have it look nice. He said is working with Panhandle Health on the sewer to keep him under 2500 gallons flow per parcel per day with the sewer. Steve Economu said that he would need to get a road access application to change where the access is to the street. Council discussed several aspects of the proposal including the leach field and the visibility on the corner of Roosevelt Road and North Division Street, and the setback requirements. Jim Ball asked if the Park was approved as he had presented. A motion made by Terry Johnson and seconded by Tim Narvaez to approve the plans for expansion at Camelot Park. Motion carried. Jim Ball mentioned that he will be buying 3 water hookons to accommodate the 6 additional units in the expansion plan. Jim Ball explain a situation with one of the units that it is further away from the other 5 units and would he be only required the 3 meters and be able to hookon 3 units on to one meter because of its location to the meters. John Nelson stated that Jim Ball needed to get all 6 units on the 3 hookons and had to be approved by the Council to allow 3 units to be on one meter, 1 unit on another meter, and 2 on the last meter due to the distance and location. Terry Johnson questioned John Nelson about the location of the meters. John Nelson discussed the location and for allowing for the unit distributions of the 3 units on the one meter and this being done as was in a mobile park. Tim Narvaez said that the standards were to allow only 2 units on one meter, if they were in a mobile park. Terry Johnson asked if Jim Ball was okay paying water usage overages due to the 3 units on the one water meter. Jim Ball said yes. The Council discussed the circumstances for the request. A motion was made by Heather Andrews and seconded by Terry Johnson to allow for the 3 water hookons purchased to be used for the additional 6 units; with one meter having 1 unit attached, one meter having two units attached and a third meter having 3 units attached. Motion Carried.

Baisden – Property Division off of South Division Street– Dick Staples addressed the Council regarding the potential easements to accommodate the road access on to South Division Street. Steve Economu said the City's attorney had written a letter regarding the road access, and asked that Dan Featherston proceed with it. Dan Featherston explained the letter in layman's terms. Dan Featherston recommended that the Council not approve the conditions in the request as was a private road access that is not to road standards and that it enters a dedicated City street and voiced his concerns with the interruptions in the right of way, and the City's responsibility for safety and burden of the road requirements that do not exist on this private road, and the public use of the private road and the road not being developed to be used for the public use. Dick Staples asked if it is a City road. Council said that the road is not a City street and that section is not maintained by the City. Meredith Compton said that if the City grants them access to that road that the City would have to take over the maintenance on that road. Terry Johnson said that if the City allowed the access; that the road needs to be develop and that development of the road should not fall on the City but on the developer. Toby Schnuerle discussed how the easement was made between the landowners and also the issues that

they've had with the County and City regarding the easement. Toby Schnuerle said that he is looking at purchasing property from Howard Seaman, and that Howard Seaman had told him that he has given easement to the City and that he has the road access. Terry Johnson said that if the road is not brought up to the standards then the City will never take it over unless the City starts require the road development. Toby Schnuerle said that the landowners are chipping in and maintaining the road and it is a private drive and doesn't know how the City thinks they can deny the access. Meredith Compton voiced his concerns with the City growing and the road and the infrastructure of it. He said that the developers need to have covenants to maintain these roads and they are not happening. Terry Johnson said that the City had to have a contract to maintain private roads within the City and it was not something he thought the City should pay to maintain since it was outside of the City limits and that putting gravel on a road with a substandard base would be foolish. Toby Schnuerle said he wants the City to maintain the portion up to the private road, but not the private road. Jim Ball clarified with Dan Featherston that any subdivision needs to be accessible via a City street. Dan Featherston said that was a policy issue and needed to be clarified by the Council via ordinances. Dan Featherston said that they do not want to create a land lock area to a City street. Discussion was had on what land is and can be developed on that private road. John Nelson said that the City is worried about building a 30 foot wide road on an existing 20 foot road with a power pole line right next to it so no room for expansion to make it 30 feet wide. Tim Narvaez questioned that if anyone could tie into a City street and but in a private sub standard road. he could keep the private roads and make it legal. Dick Staples clarified that tying into Heritage Road on the corner of one of the private lots would be legal and approved by the Council. The Council said that yes and would be theirs to maintain. Dan Featherston restated that the safety and City access would still be a concern. Tim Narvaez said the City had sent letters to Planning and Zoning and the County addressing the City's concerns with the previous subdivisions that were allowed and their access on that private road. They had not had responds to those letters, but the City had made them aware of the Council's objection to the developments on a private substandard road. Tim Narvaez said that if developer would bring that road up to specs that City or County then could maintain. Donna Wilson-Funkhouser asked if it would possible to incorporate that section into the City limits and grandfather in the existing farms and easements and apply for grants to pay for upgrades. Steve Economu tabled the discussion.

Dennis Weed – EDC: Dennis has sent out the annual grant application the MOU to the 4 entities that support the EDC, the Kootenai Tribe, City of Moyie Springs, City of Bonners Ferry, and Boundary County. Donna Wilson-Funkhouser has a copy. There is a minimum matching amount of \$16000 that we have to reach. Steve Economu said that the City is budgeted for \$1500. It has not changed in the last 3 years. Dennis Weed said he doesn't think it will go up. It is likely it will go down by \$500. Dennis Weed asked the Council to sign the MOU for the grant application for the fiscal year 2018 as it is due Monday. A motion was made by Terry Johnson and seconded by Tim Narvaez to sign the MOU to support the EDC with the \$1500 in City funds. Motion carried.

Report on Joint Meeting with the City of Bonners Ferry and County: Dennis Weed reported that the meeting was held at the Memorial Hall. A City of Bonners Ferry Councilman discussed changing the SPOT Bus schedule for Moyie Springs. Jim Ball discussed the SPOT Bus card not being clear since there are no returns trips listed on it. Councilman Steve Economu asked Jim Ball if he thought Camelot Park would be open to putting in a SPOT Bus waiting station. Jim Ball was interested in looking into this. Dennis Weed said there are a lot of things that need reworked and looked at including the schedule and publicity. Councilman Steve Economu asked if a rider can call and ask for a ride. Dennis Weed said yes that is available but not widely known. Dennis Weed asked if there were any another questions regarding the SPOT Bus.

Update - Regional Sewer District - LOI with the City BF, and the County: Dennis Weed is filling out a grant to USDA for a sewer study including the City of Moyie Springs, the City of Bonners Ferry, and Boundary County in the 3 mile area. There is already a grant from DEQ. The study will look into how long the lines and pipes will be, how much it will cost, future development including industrial industry in the 3 mile area, types of lagoons, and monthly average costs. The study would start in July and would take a year. Jim Ball wanted to bring up that membership costs should not skyrocket so that private users couldn't afford it. Dennis Weed agreed and said that would be looked into by the study. Jim Ball asked if it would be a joint system. Dennis Weed said he did not think it would be a joint system, but since it is just the beginning part of the study, there is not much information to give. Councilman Steve Economu said that the study is

looking at all the different options. Councilman Tim Narvaez asked about rates increasing or staying the same in the City. A discussion was held about the water/sewer rates within the County. Dennis Weed said that all these ideas would be looked into by the study and also a bond would have to be passed before any system would be put in.

Consideration for Codification of City Ordinances / Contract – Rosanne Smith: Rosanne found a company based in Idaho that will take a look at all the ordinances from the City of Moyie Springs to clean them up and make them clear and concise. Rosanne Smith said Donna Wilson-Funkhouser has money in next year's budget to pay for it. Rosanne Smith urged that it needs to be done. John Nelson questioned what was to be gained by doing this. Rosanne Smith said the ordinances will be updated and legal. Councilman Steve Economu stated that most of the ordinances have holes in them and have some issues and need clarification. Jim Ball asked if it fundamentally adds or changes the ordinances. Councilman Steve Economu said it cannot add. Heather Andrews said it just changes the verbiage. Jim Ball asked if Dan Featherston could do it instead of the company. Rosanne Smith said it may be too large an undertaking for Dan Featherston. Tim Narvaez said everything would be and could be reviewed by the Council after the company went through the ordinances. Rosanne Smith also stated that the ordinances would be available online and updated by the company to stay within the State laws. John asked what the company name was and who owns it. Rosanne Smith said they are out of Coeur d'Alene. Jim Ball asked about what the \$3200 bill included- how many ordinances and pages it covers, etc. Donna Wilson-Funkhouser said she sent them 51 ordinances to review and that is what the \$3200 covered and also that it would take them a year to review them. Donna Wilson-Funkhouser also said this company just reviewed all of the City of Kootenai's ordinances and did their codification. If necessary, more ordinances could be sent to them at an additional cost. Jim Ball said that was a good price. Steve Economu asked the Council if this was something they wanted to pursue. Steve Economu also suggested setting up a committee of private citizens to help as well. Rosanne Smith said Donna Wilson-Funkhouser should oversee the committee since she is here daily versus the Council which only meets once a month. Steve Economu said that if the committee was set up they would make their own schedule and elect their own committee leaders and report back to the Council. Dan Featherston asked if Donna Wilson-Funkhouser was able to get all the ordinances together all the way back to the beginning of the City of Moyie Springs. Donna Wilson-Funkhouser said yes. Dan Featherston said he had not been able to look at the company's contract yet, but suggested that the team should strike out and add what they thought was necessary to the ordinances before they were sent to the company so that it was easier to tell what had been added and deleted than just changing them without seeing the before and after. Rosanne Smith asked whether Donna Wilson-Funkhouser had enough time to oversee the committee and/or meet with citizens to discuss the changes. Donna Wilson-Funkhouser said she did not have time and thought the changes would be brought to her just to give to the Council but if it was urgent in between meetings she could possibly assist. Rosanne Smith said she didn't think that would work since it would be citizen's unfamiliar with the City ordinances. Donna Wilson-Funkhouser said she thought the committee would meet at night and make the wanted changes and ask her if they had questions in between Council meetings that they believed were urgent. Dan Featherston said he would like to look into it further before committing and suggested it be put on the agenda for the next month's meeting. Councilman Steve Economu agreed. Donna Wilson-Funkhouser said that is the incorrect order, the company goes through them first and then the Council and the proposed committee would review them. Toby Schnuerle suggested that the ordinances be reviewed one at a time if an issue arises instead of all of them together. Councilman Tim Narvaez advised against that. Council agreed. Dan Featherston suggested taking the next month just to review the ordinances without making any changes so he can make a more informed decision at the next meeting. Councilman Steve Economu agreed and again said Donna Wilson-Funkhouser should put something in the next cycle of billing about volunteers for a committee to review ordinances. Donna Wilson-Funkhouser clarified that the committee would be open to more than just City residents. Bill Maestretti suggested the committee function via email in addition to actual meetings. Donna Wilson-Funkhouser says the codification company has attorneys that they work with to make it all legal. Motion made to make an ordinance review committee by Tim Narvaez and seconded by Heather Andrews. Motion carried.

Scheduled - Cleanup Day for the City: Donna Wilson-Funkhouser said the cleanup day should be scheduled for a Saturday in June. Anyone can come. Steve Economu explained the details of the cleanup. Donna Wilson-Funkhouser suggested June 10th. Steve Economu stated that June 10th is the date, and meet at the City office in the morning, potluck lunch at noon. Meat will be supplied by the City.

Misc. Business: Terry Johnson stated that both rocks have been delivered to Idaho Granite Works for the Ina Pluid Memorial and it will be about 2 weeks before they will be cut.

Schnuerle – Howard Seaman Property Access off of South Division Street:

Toby Schnuerle stated that he wanted to discuss the water on his 3 acre parcel. Council asked where it was on the map Toby had given them earlier. Location on map was discussed by Council. Toby went to the County Courthouse and found out this parcel has a 30 foot easement and there is a 4 inch line that goes through the property. Toby Schnuerle has previously spoken with John Nelson and Howard Seaman about it. Close property owners were discussed by the Council to consider easements on those properties. Toby Schnuerle stated that there are 20 people who live beyond where the road is paved on a private road; he doesn't understand why the City is involved since it is a private road. Toby Schnuerle stated that the residents currently have a CC&R for road maintenance. Donna Wilson-Funkhouser said that the road is a fire hazard since it is one lane. Toby Schnuerle and John Nelson discussed private road restrictions. John Nelson said that if Toby Schnuerle and the residents brought the road up to County standards, the County would most likely come out and maintain it. Ken English commented that it should have been an 8 inch line instead of a 4 inch line to begin with in order to effectively fight any fires. Councilman Tim Narvaez said this discussion should be tabled until the next meeting so that Toby Schnuerle can rework his plans and maps and present a legal right of way and easement to Dan Featherston.

Volunteer Fire Dept. Report: Ken English reported the following: April 5th – LEPC Meeting; April 14th– Ambulance Assist-61 Mango; April 16th – Ambulance Assist – 101 E. Mtn View; April 19th - Fire Chief's Meeting ; and April 26th – Fire – 172 Cherry Lane.

Water & Sewer Report: : John Nelson reported on the water. Total pumped for April 2017, 5,787,100 gallons. High day was the 29th – 237,300 gallons - Low was the 7th – 92,200 gallons even - Averaged was 192,903 gallons a day. John added that the Mill has a leak that they are still trying to find. John Nelson wants to speak with Dan Remmick from Century West Engineering to discuss the cost of increasing the pumping capacity, and our well capacity since we are pushing our limits now. John Nelson said we need more wells. Currently we pump 8-10 hours a day, in the summertime it goes up to 14-16 hours a day. John Nelson believes the Mill has a water leak, but they cannot find one. We need to increase the pumping capacity or decrease the usage we allow residents. Councilman Steve Economu asked if John had been over to the Mill to look for the leak. John Nelson stated he had not. Councilman Tim Narvaez asked if grants were available. John Nelson stated that grants were probably possible. Councilman Tim Narvaez stated that he would like to see more storage available as a safety precaution. Councilman Steve Economu said John Nelson should get a proposal from Century West and present it to the Council.

Discuss & Pay bills: Terry Johnson made a motion to pay bills and Tim Narvaez seconded it. Motion carried.

Adjourn: Terry Johnson made a motion to adjourn and it was seconded by Heather Andrews. Motion carried. Meeting adjourned.

Attest: City Clerk