

CITY OF MOYIE SPRINGS MINUTES REGULAR MEETING October 4th, 2017

City Council met in regular session October 4th, 2017 at 7:00 PM at the Moyie Springs City Hall.

The meeting was called to order by Mayor Chad Farrens. Present were Council members Steve Economu, 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 from JRS Surveying, Roger Unruh, Geoff Hollenbeck, Dan Remmick with Century West Engineering, Randal Wedel, and Bill Mutter.

Open Meeting with the Pledge of Allegiance:

Prior Minutes -Approval September, 2017: Discussed the minutes of the regular meeting from September 6th, 2017. Mayor Farrens asked for comments, questions, and or corrections to the minutes. Mayor Farrens entertained a motion to approve the minutes. A motion was made by Steve Economu and seconded by Terry Johnson to accept the minutes. Motion carried.

Approve Current Financials: Mayor Farrens asked for the review of the current financials. Mayor Farrens ran thru each financial account. Mayor Farrens entertained a motion to accept the current financials. The motion was made by Terry Johnson and seconded by Steve Economu to approve the current financials. Motion carried.

Ordinance #126: The Ordinance #126-Prohibiting Unmuffled Compression Brakes was read by Donna Wilson-Funkhouser. **An Ordinance of the City of Moyie Springs, Idaho prohibiting the use of unmuffled compression brakes on motor vehicles within the city limits of the City of Moyie Springs, Boundary County, Idaho; generally describing unmuffled compression brakes, requiring that signs prohibiting the use of unmuffled compression brakes be posted at the entrances to the City of Moyie Springs, Idaho, and proving a violation of the Ordinance as an infraction and providing penalties.** Mayor Farrens entertained a motion to read the ordinance in title only, for the required next two readings. The motion was made to read the Ordinance #126 by title only by Terry Johnson and seconded by Steve Economu. Motion carried. Donna Wilson-Funkhouser read the Ordinance #126 in title only for two additional readings. Mayor Farrens entertained the motion to accept Ordinance #126 Prohibiting Unmuffled Compression Brakes in the City of Moyie Springs. The motion was made by Steve Economu, and seconded by Terry Johnson to approve Ordinance #126. Mayor Farrens called for a roll call – Terry Johnson-Aye; Steve Economu-Aye; Tim Narvaez-Aye. Motion carried.

2103 Roosevelt Road – Bill Mutter-Suburban Zone Violation: Mayor Farrens asked if Steve Economu would lead the discussion on the Bill Mutter zoning violation at his residence at 2103 Roosevelt Road, as Mayor Farrens was not in attendance for the prior meeting when the initial discussion was had. Steve Economu said that at the last meeting Bill Mutter had presented the Council the signatures from his neighbors approving his repair shop at his residence that is zoned suburban. Steve Economu explained that Bill Mutter was required to have 75% of the neighbor's approval of the repair shop within 300 feet of his residence, before the Council could consider approving a zoning variance. Steve Economu had asked Donna Wilson-Funkhouser to verify the signatures that Bill Mutter had presented to the Council at the last meeting. Donna Wilson-Funkhouser reported that the signatures had been verified. Steve Economu said that it had been brought to the Council's attention that there were a pile of cars on Mutters property. Steve Economu added that in his opinion if Bill Mutter's neighbors were consenting to the repair shop

that he thought the exception for a special use permit could be allowed. Bill Mutter said that he will be getting rid of most of the vehicles on the property. Steve Economu also thought that a tall fence surrounding the work area should be required. Terry Johnson agreed with Steve Economu and said that the fence would be needed. Rosanne Smith questioned what the current zoning allowed, and if there should be a public hearing. Terry Johnson said that Ordinance #19A stated that if he had approval of 75% of his neighbors within 300 feet of his residence, that the City could grant a special zoning permit for the allowance of a repair shop. Bill Mutter commented that when he had purchased his property there had previously been a diesel mechanic shop operating on it. Steve Economu said that was in the past and this would need to be dealt with as a new incident. Mayor Farrens asked for Bill Mutter's neighbor Geoff Hollenbeck's concerns. Geoff Hollenbeck said that the fence would keep it from looking like an eye sore and would be good, due to safety issues. Bill Mutter asked if the fence could be in an L shape around the work area. Mayor Farrens asked the Council if they had any further questions or concerns with the proposed special permit. Tim Narvaez said he was okay with the repair shop, but agreed that a fence should surround the work area. Mayor Farrens asked to entertain a motion from the Council. Steve Economu made a motion, and Terry Johnson seconded the motion, to grant a special use of a repair shop to Bill Mutter in the suburban zone, with a fence to be built around the work area. Motion carried. Mayor Farrens asked Donna Wilson-Funkhouser to send a letter to Bill Mutter regarding the Council's approval of the repair shop in the suburban zone. Steve Economu reminded Bill Mutter that he would need a site permit to build the fence.

Capital Improvement Plan/ Water Facility Plan – Dan Remmick-Century West Engineering: Dan Remmick addressed the Council on the City's intention of proceeding with the Capital Improvement Plan that he had presented to the Council at the last regular Council meeting. Dan Remmick discussed the need to have the wells evaluated, the booster station and standby ability. John Nelson said that he believed the Council needed to move forward with the Capital Improvement Plan that Dan Remmick had presented. Steve Economu caught Mayor Farrens up to date on the plan presented by Dan Remmick to start the facility plan that the City had completed by Welch Comer Engineering and proceed in a step by step process. Steve Economu said that the engineering contract for the first step of the plan showed half the expense for the study of the wells by the hydrologist, John Monks to evaluate the wells, and to see if a new well could or should be located in that same area. Dan Remmick gave an outline of how he wanted to proceed. Terry Johnson said that the water facility plan recommendation for improvement would then be expensed over a several year period. Mayor Farrens asked to entertain a motion for the engineer contract to be signed. The motion was made by Terry Johnson and seconded by Tim Narvaez to sign the Capital Improvement Contract with Century West Engineering. Motion carried.

Jim Ball – 97 West Railroad – Lot Division: Dick Staples said that the final Mylar for the property was not completed at this time. He said that Panhandle Health District needed a will serve for the water and sewer systems before they would sign off on the final plat. Mayor Farrens said that the City would send the will serve letter for the City services.

Unruh Subdivision – Mountain View Estates 3rd Addition: Dick Staples from JRS Surveying presented the new plat for the Council to review on the Unruh subdivision, Mountain View Estates 3rd Addition. Terry Johnson commented on the road easement only showing a 20 feet easement. He said that years down the road that the road easement of 20 feet would not be enough. Dick Staples asked what the Council would be asking for. Terry Johnson said that it should be a 50 feet right of way easement. Roger Unruh questioned the current existing road's limitations. Terry Johnson said that eventually the power poles would need to be moved along South Division Street and that a 50 feet easement was just a necessity for

the future development. Dick Staples asked Roger Unruh if he would be willing to go to the 50 feet road easement right of way. Tim Narvaez questioned how much road easement already existed on South Division Street. John Nelson said that there is still one piece of property in the City limits belonging to the Miller's that did not have an adequate road easement, and that there was also a problem area in the private section of South Division Street outside of the city limits. Mayor Farrens commented that the one area has caused a bottle neck issue for the City to deal with. Terry Johnson said that the road easement needed to be 50 feet. Randall Wedel questioned the request for the 50 feet easement. Terry Johnson said it needed to be a 50 feet road easement. Randall Wedel asked if the City was contemplating annexing that section into the City limits. John Nelson said that it was probable, and that maybe should have been already, as it is land locked by the City's streets. Terry Johnson said that is why the City is requesting the 50 feet road easement. Tim Narvaez mentioned another developer with four lots and questioned the road easement that the City had required there. Terry Johnson said that the road easement was agreed to for the right of way, but the water line to the property was the issue with that development. Tim Narvaez said that he thought the developer needed to pursue getting the road easements for right of way from all the landowners without easements for the entire private road section on South Division Street to allow for the future road development; even if the power poles plans for movement are not in the works; but was necessary to do the right thing now for future development. Terry Johnson commented that the road situation was not in compliance to be a public street, and was unsure if the current two developers should be burdened with the getting the right of way easements from prior land owners along South Division Street to provide the 50 feet road standard requirements. Tim Narvaez questioned why not, as the developers were developing on a sub standard road and the road requirements should be met before allowing future development on the sub standard street. Randall Wedel said that he did not think that was a feasible request to put that burden onto them to get the required road easements from prior land owners before they would be allowed to proceed with their subdivision. Terry Johnson said that there is just the one problem area on the private section of South Division Street. Terry Johnson added that the City would not be able to take over the private street as a City street until the required road standards were met. Ginger Perrenoud questioned who would then be responsible for approaching those prior landowners that the City would need road easements from. Mayor Farrens said that the City would eventually need to pursue getting the road easements. Steve Economu commented that the developers now were willing to do the right thing and give the required right of way for the road easements on their property. Randall Wedel said that he realized that it was prior poor planning regarding the road requirements. Terry Johnson said that the City needed to plan ahead for the street maintenance and meeting the requirements to be a public street. Mayor Farrens entertained a motion to accept the plat with the condition of the 50 feet right of way for the road easement to be adjusted on the current plat. The motion was made by Terry Johnson and seconded by Steve Economu to approve and sign the plat after the correction of right of way to the 50 feet easement. Mayor Farrens called for a roll call – Steve Economu-Aye; Terry Johnson-Aye; Tim Narvaez-Aye. Motion carried.

Narvaez-3546 Roosevelt-Sewer Variance: Mayor Farrens said that Panhandle Health District had sent a letter to the City Council regarding a complaint that they had received due to the allowance of a sewer system variance to allow for a private septic system, when the City's Ordinance's states that when a sewer system is located 200 feet from the City's sewer system and that is in a mandatory zone for the required hook on to the City's system. Steve Economu asked if the Council should table this discussion as the Council would not have a quorum to make a decision on the issue, as Tim Narvaez would need to excuse himself from the Council, as the sewer complaint and sewer variance were regarding his property. Mayor

Farrens agreed. Mayor Farrens tabled the discussion until the next regular meeting as to have a quorum of the Council.

PAC –Professional Service Agreement: Mayor Farrens presented an agreement from Panhandle Area Council to proceed with a City evaluation of the economy and the rating of the City, as to be able to proceed in applying for Block Grants to allow for the funding of the construction of a new fire hall. The contract agreement was to perform a survey of the City's residents and the income rating of the residents, as a hardship area; the agreement fee was \$1000.00 up to \$5000.00 depending on the City's data provided to do the study. Donna Wilson-Funkhouser explained that the PAC agreement was necessary for the City to be able to apply for grant money for the Idaho Block Grant. Ginger Perrenoud questioned if the funds for the PAC agreement had been budgeted for in the City's current budget. Donna Wilson-Funkhouser said that it was not a budgeted item at the time the budget was completed. Dan Remmick said that the private survey of the City's economy was required to complete block grant requirements for the grant application. John Nelson said that the City had PAC involved in the Block Grant, along with the mill, Idaho Forest Group, which the City received for the water reservoir. Dan Remmick added that the Block Grant was a grant for rural economical depressed areas that had projects to benefit households with lower incomes. He said that PAC would collect the data, as a separate outside party, and that the data is kept confidential, and then reports the results back to the City to verify if the City is a qualifying area to apply for the Idaho Block Grant. Mayor Farrens entertained a motion to accept and sign the PAC Service Agreement. The motion was made by Terry Johnson and seconded by Tim Narvaez to approve the PAC Service Agreement and for the Mayor to sign. Motion carried. Mayor Farrens signed the contract.

501-C3 Information: Mayor Farrens asked on the progress of the formation of 501-3C Non-Profit entity. Dan Featherston reported that he had a discussion with Dennis Weed and Donna Wilson-Funkhouser on the 501-3C entity. Dan Featherston said that he was doing up the paperwork to setup a separate entity from the City as a non-profit corporation. The purpose of this entity would benefit the City, as allowing for the applying for additional grant monies as a non-profit organization. He asked that the Council provide board members from the community, and hopefully including someone from the Council and a fireman. Dan Featherston said he will create the paperwork for the next Council meeting. Donna Wilson-Funkhouser said that Dennis Weed had suggested the entity name to be "Friends of Moyie Springs". She also asked if the City would consider a donation to the new entity as to start the process. Ginger Perrenoud asked why the City needed to apply for grant monies if they had extra money to donate. Dan Featherston explained that the new entity would be a separate non-profit corporation and independent from the City, but that the purpose of this entity would solely benefit the City, as grant monies are available for non-profit organizations. Tim Narvaez questioned the money and the 501-3C necessity. It was concluded that the monies to start the Non-Profit Entity would need to come from other private businesses. Dan Featherston said that the IRS had placed criteria on charitable donations being given to entities that had the legal non-profit 501-3C status, thus this entity need to be created for the benefit of the City of Moyie Springs. Ginger Perrenoud questioned the entity and it being separate from the City and how the City should not be involved. Dan Featherston said that it would only be a benefit for the City to create the non-profit and was now necessary to receive grant monies. Ken English commented that the Union Pacific Railroad Grant required that the grant go to a non-profit 501-3C organization. He stated that the City had been told by Union Pacific that they could only give grant monies to a non-profit 501-3C organization and that they had suggested that the City form a 501-3C organization.

Codification – Rosanne Smith: Sterling Codifiers had completed the first phase of the review of the City's Ordinances, and had mailed a packet for the City to review with their suggestions and corrections. Rosanne Smith received a copy of the codification packet to review.

Volunteer Fire Dept. Report: Ken English told the Council that Sunday marked the 12th year for the formation of the Fallen Fireman. He stated that 75 fireman had fallen this last year. He added that there would be a parade of all fire trucks in the area. Ken English said that someone from Avista had approached him on donating to the City's fire department. He updated the Council on the building plans that Don Jordan was drawing up for the new fire station, and said that Don Jordan would also include a material list for the building. The City would be able to use this material list for in kind donations from private parties. Mayor Farrens questioned who the contact would be from Union Pacific Railroad that the City would need to contact regarding a grant. Ken English would get that contact information. Ken English reported the following: September-4th-Wreck; September 18th- Incident with osprey nest on power pole; September 22nd – Ambulance Assist at 179 Moyie Street; September 23rd– Fire - Shed; and September 23rd – Life Flight Class.

Water & Sewer Report: John Nelson reported on the water. Total pumped for September 2017, -795,400 gallons. High day was the 14th – 370,500 gallons - Low was the 31st – 184,900 gallons even - Averaged was 249,846 gallons a day.

P1FCU – Sewer CD – 12 Months: Mayor Farrens asked that the City's sewer CD increase to a 12 Month CD to have a higher interest rate. A motion was made by Steve Economu and seconded by Terry Johnson to have the Sewer CD be placed at Potlatch Credit Union in a 12 month CD. Motion carried.

Misc Business:

Terry Johnson questioned the progress of the LTHAC road grant. He asked John Nelson if he was working on Westwood Street for the grant. John Nelson said not as of yet. Terry Johnson said that the grant should be applied for work on Westwood and the rest of Elk Street.

John Nelson gave a sample of the verbiage for the new sign regarding the Ordinance #126 of the Prohibiting of Unmuffled Compression Brakes in the City of Moyie Springs, for the Council to approve. John Nelson stated that his intentions were to get 3 signs for the City entrances, and that the State Highway department would need to place the signs on State Highway 2.

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

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

Attest: City Clerk

