

**CITY OF MOYIE SPRINGS OF MOYIE SPRINGS  
REGULAR AND PUBLIC HEARING January 3rd, 2018**

**Public Hearing –January 3<sup>rd</sup>, 2018 -6:45 PM – Zoning Variance - Special Use Permit  
-2103 Roosevelt**

The public hearing was opened by Mayor Chad Farrens.

**Mayor Farrens:** We are going to open a public hearing to consider the zoning variance request at 2103 Roosevelt Road. The people giving testimonials and coming before the Council need to identify themselves and give their address and state their name, when they are up here. There he is, Mr. Mutter.

**Bill Mutter arrived at the meeting.**

**Steve Economu:** Mr. Mutter we have opened the meeting, and you are about 3 or 4 minutes late, which is no big deal. We have opened the meeting for the public hearing for the variance on your business. We want you to understand, sir, what we are doing here is simply something to cover everybody's rear end. We would also like you to understand and know that this variance is granted to you and to you alone. If and when you sell your property, the agreement with the City is null and void at that time. We also need you to understand and realize that this variance is simply for you, and we want to emphasize that to make sure you understand that.

**Mayor Farrens:** And you already said that we could reserve the right to place additional restrictions and requirements on this; like example the fencing. Your still going to put up the fencing, right, to shield it?

**Bill Mutter:** I have the lumber being cut, it is just that he had to have back surgery, so...., and you might know him, Chuck Davis.

**Mayor Farrens:** A Huh

**Steve Economu:** A Huh

**Bill Mutter:** He is cutting them for me.

**Steve Economu:** Good, good. So you mean that you don't have any fence post in yet, I can't understand that. (Laughter) I believe that we made that statement that we would give allowances for weather, because as it was closing in. That is the main reason that this is here on the advice of our City Attorney. This is something that we needed to do to make sure that all parties are covered. You also understand that too, that we reserve the right to put additional restrictions on it, if they become necessary. In other words if you get to many cars, we have the right to tell you. Any questions for us?

**Bill Mutter:** How long am I going to have to put the fence up?

**Terry Johnson:** Two days. (Laughter)

**Steve Economu:** When the weather breaks, as long as we are going to see progress.

**Mayor Farrens:** Progress on the fence, but we don't want it to take like three or four months.

**Steve Economu:** We do expect it to be completed by the end of summer or even sooner than that. We have to make sure that the other residents within our City are happy. You understand.

**Mayor Farrens:** Any other questions or comments on it. Tim?

**Tim Narvaez:** No, No. I am glad to see him here, and I hope his business thrives.

**Terry Johnson:** As long as he understands everything that we are talking about.

**Steve Economu:** That is the only reason for this, on the advice of our counsel to do this to cover both parties.

**Mayor Farrens:** The chair would entertain a motion to close the Public Hearing at 6:53 PM.

**Steve Economu:** Also motioned.

**Terry Johnson:** Seconded.

**Mayor Farrens:** All in favor.

**Council:** Aye

**Mayor Farrens:** Motion carried.

**Steve Economu:** Also, Donna will send you a letter, stating what has happened along with legal description, and you would be well advised to hold on to.

**Bill Mutter:** Thank you.

**Steve Economu:** Thank you, sir.

**Mayor Farrens:** Short recess, till 7:00 PM.

## **City Council met in regular session January 3rd, 2018 at 7:00 PM**

The regular meeting was called to order Mayor Chad Farrens. Present were Council members Steve Economu, Geoff Hollenbeck, Terry Johnson, Tim Narvaez, Fire Chief Ken English, John Nelson Public Works Supervisor, City Clerk/Treasurer Donna Wilson-Funkhouser, and City Attorney Dan Featherston

**Signed In:** Ginger Perrenoud, Bill and Deborah Rauth, Meredith Keller, Dennis Weed with EDC, Les Love, and Bill Mutter

### **Open Meeting with the Pledge of Allegiance:**

**Prior Minutes –Approval - December 6th, 2017:** Reviewed the minutes of the regular meeting from December 6th, 2017. Mayor Farrens asked for any corrections or additions to the minutes of December 6th. A motion was made by Steve Economu and seconded by Terry Johnson to accept the minutes as written. Motion carried.

**Special Meeting Minutes -Approval -December 12th, 2017:** Mayor Farrens asked for correction or comments on the special meeting minutes. Steve Economu had found one correction of Steve Economy, should be Economu. Mayor Farrens asked if any there were other comment or corrections. A motion was made by Tim Narvaez, to accept the special meeting minutes with the correction noted. Steve Economu seconded. Motion carried.

**Approve Current Financials:** Mayor Farrens asked for the review of the current financials from December, 2017. Mayor Farrens reviewed each department fund on the financials. He entertained a motion to accept the current financials if there were not any questions or comments. The motion was made by Terry Johnson and seconded by Tim Narvaez to approve the current financials. Motion carried.

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

**New Elected Officials- Oath of Office:** City Clerk, Donna Wilson-Funkhouser administered the oath of office of Mayor to Chad Farrens for the new four year term. Chad Farrens accepted the oath of Mayor, and signed the paper of certificate. She then administered the oath of office for a City Council member for a four year term to Geoff Hollenbeck, and Steve Economu. Geoff Hollenbeck and Steve Economu accepted the oath of City Council and signed their oaths of certificate. Bill Rauth asked to say something. He said that he appreciated the Council and what they do. He shared a phrase " As the world may scoff and jest, the life of service is the best and happiness will always be to those that serve humanity." The council thanked him for sharing.

**Unruh Subdivision – Mountain View Estates 3rd Addition:** Mayor Farrens said that Tim Narvaez had attended for the City Council and that the County Commissioners were still working on it. Tim Narvaez said that he had and that he had enjoyed it. He said that he had learned that the 20 feet existing right of way is actually 17 ½ feet. He said that Commissioner Pinkerton and Kerby gave them the impression that they wanted them to stay off South Division Street, and they had changed the map, so that if you come off

onto the cul-de-sac road and they had extended that road farther, and hooked down to the left to East Mountain View. They wanted to bring two more parcels off South Division Street. Commissioner Pinkerton and Kerby wanted the Unruh's to extend the road there to East Mountain View for those two parcels. Meredith Keller said that there is another meeting. Meredith Keller said that the County Commissioners said that they are tired of hearing of the problems on South Division Street, and that nothing the Unruh's were presenting were satisfying the problem. He said that the Unruh's were not able to give the easement on the corner lot, so that is why the County Commissioners were asking the Unruh's to extended the road and use East Mountain View for those lots; so the easement would not be required and suggested that they have another cul-de-sac further down to accommodate the other lots beyond the city limits. He added that the Commissioners also had asked the Unruh's, if they would consider a covenant on this property; that if it was not to be able to come off East Mountain View, then at least they would be able to maintain the road. Meredith Keller said that the Mr. Unruh was not in attendance so there was not a responds at that time. Tim Narvaez said that the County Commissioners had the final call on the subdivision. Tim Narvaez commented on more potential home sites that Mr. Staples was currently involved with in that area, that he had made that known at the Commissioners meeting. He also said that he did not believe that anyone had talked to the City of Bonners Ferry about relocating the power lines on that section of South Division Street. Terry Johnson said that he did not believe that anyone had, as well. Tim Narvaez said that he had a copy of our City minutes from October 4<sup>th</sup>, 2017 City Council meeting, at the County Commissioner meeting, where in the minutes it had been requested the 50 feet easement for right of way; and copies were made of the meeting minutes for the Commissioners. Tim Narvaez said that he mention that the City had previous maps that show the road could have looped and remained off South Division Street. Tim said that Dick Staples said that he was unaware of that. Tim added that Mr. Staples was still trying to push hard for the subdivision to enter onto South Division Street. Meredith Keller said that he thought there was a conflict of interest for Mr. Staples with the traffic coming off South Division, and that he was not working in the best interest of the Unruh's. Meredith also commented that Tim Narvaez had done a good job representing the City of Moyie Springs. Terry Johnson said so then, there had been no decisions made. Tim Narvaez said that we should get the minutes from the Commissioners meeting so that the Council could read what decisions were and are being made. Terry Johnson said that if the road goes down the East Mountain View side, that the Unruh's would not allow for any road easement on the South Division Street for the future development of South Division Street. Tim Narvaez suggested that the traffic be kept off South Division Street and that the old right of way should be revisited that came from the South West; that is now blocked. John Nelson said that was Rainbow Lane, and was a fairly narrow road. Tim Narvaez question if it was an easement issue. Terry Johnson stated that the road was just not very wide; there were trees located there s well, and some of the property had been sold. Terry Johnson also commented on that other developers are still trying to develop in the same area. Tim Narvaez stressed that it should be the developers responsibility to figure out and address these access problems in advance. Terry Johnson said that he agreed, and if they don't then we should as a City would need to try and stop those developers. Tim Narvaez said there was to be another Commissioners meeting, that all of the Council could attend.

**Dennis Weed – EDC:**

- **UP Grant / 5013-C Status:** Dennis Weed said that the UP Grant was coming up and that with the City getting the 501-3-C status that the City should receive grant monies this time.

- **RFQ – In the Legal's of the Paper for Engineers for the Sewer Project:** Dennis Weed said that he would be interviewing engineers to hire for the engineer for the Joint Sewer venture with the County and City of Bonners Ferry on January 9th. Dennis Weed said that he had asked John Nelson and Tim Narvaez to be on the interview group for the engineer decision. He also added that the engineer choice would then be approved by the County Commissioners and then submitted to DEQ by January 15<sup>th</sup>.

**Road Ordinance:** Mayor Farrens said the City Council needed to consider adopting the County Road Ordinances for the City of Moyie Springs. Tim Narvaez said that he had some copies of other road ordinances from other cities and communities that Donna Wilson-Funkhouser had found for him. He said that the City needed to have road standards; but he had not had the time to review those additional ordinance copies of road standards, but thought they might be friendlier than the County's Road Ordinance. Terry Johnson said that the County's Road Ordinance would be a start and the City could make modification, but if the City was on the same page as the County standards; it would be a lot easier for development. Tim Narvaez questioned the process for allowing variances. Donna Wilson-Funkhouser said that it requires a Public Hearing, and legal public notice and the expense of those. She added that it was the similar to the process that the City had just completed with the variance for the Mutter variance on Roosevelt Road. The Council discussed the process of adopting the County's Ordinance. Dan Featherston said after the City adopts a Road Ordinance that the ordinance for road standards would be also codified in the codification process. He said that the purposed Road Ordinance would have to go thru the regular ordinance procedures. The Council agreed that the County Ordinance needed to be reviewed and changed to be the City's Ordinance. Donna Wilson-Funkhouser was to take the County's Ordinance and make the beginning changes necessary for changing it to the City of Moyie Springs ordinance. Tim Narvaez said that he thought that the City Council should review the changes made at the next special meeting for codification, as it is a part of the codification process.

**Council President:** Mayor Farrens asked for nomination from the Council for Council President. Tim Narvaez nominated Steve Economu for Council President and it was seconded by Geoff Hollenbeck. Roll Call – Geoff Hollenbeck – Aye; Terry Johnson- Aye; Tim Narvaez – Aye; Motion carried.

**Volunteer Fire Dept. Report:** Ken English reported the following: December 4<sup>th</sup> – Ambulance Assist at 241 Rim Drive; December 4<sup>th</sup> - Wreck on North Division Street; December 4<sup>th</sup> – Wreck at the Post Office; December 14<sup>th</sup> – Chimney Fire at 36 Maple Street; December 17<sup>th</sup> - Ambulance Assist at 241 Rim Drive; December 18<sup>th</sup> - Ambulance Assist on Roosevelt Road; December 18<sup>th</sup> - Ambulance Assist on Roosevelt Road; and December 27<sup>th</sup> – Accident on Roosevelt Road between a semi-truck and a van.

**Water & Sewer Report:** John Nelson reported on the water for the month of December, 2017 - Total pumped for December 2017, -5,762,700 gallons. High day was the 25<sup>th</sup> – 258,100 gallons - Low was the 31<sup>st</sup> – 117,100 gallons – the average was 185,893 gallons. He also reported that the usage for 2017 was 84,442,800 – 2016 was 76,770,700 and 2015 was 71,237,500. He said that IFG mill does have a leak and that the water line was shut off to it.

**Misc Business:**

- Ken English said that he would be asking James Dorhofer to be a fireman for the City of Moyie Springs. He said that Geoff Hollenbeck would also be replacing Heather Andrews on the fire department. Steve Economu asked if Mayor Farrens and Tim Narvaez should become inactive volunteers. Mayor Farrens said that he was in the City and was readily available to be on call. Tim Narvaez said that he was also available, but would step back and allow others to help, but wanted them to know he was always available if needed. Tim Narvaez questioned the legal paid for City Council members. He said that he had learned at the AIC meeting that Council members could not be paid for their services. Dan Featherston said that there were no restrictions for the Council members to be volunteer fireman. Tim Narvaez questioned the difference between the Council members being paid for being a fireman, and for being hired for other services. Donna Wilson-Funkhouser said that she would get the information for Tim Narvaez for the restrictions, and conflict of interest. Bill Rauth commented on the pay being a stipend pay for a volunteer that it was not a conflict for being paid. Tim Narvaez said that he was just concerned at a legal standpoint of what was legit. Dan Featherston said that he would research and get back to the Council on the legality of it.

**Codification:** Mayor Farrens said that the meeting for the next special meeting for the codification review needed to be set. It was discussed to have it on Wednesday January 10<sup>th</sup> at 6:00 PM till 7:30 PM, and the following Tuesday, January 16<sup>th</sup> at 6:00 PM till 7:30 PM. Mayor Farrens entertained a motion for the scheduling the next two codification review meetings. A motion was made by Steve Economu and seconded by Terry Johnson for the next codification meeting to be on January 10<sup>th</sup>, and January 16<sup>th</sup> at 6:00 PM. Donna Wilson-Funkhouser commented that the Council could also receive another monthly extension from Sterling Codifiers.

**Executive Session:**

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

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Attest: City Clerk

