

CITY OF MOYIE SPRINGS MINUTES REGULAR MEETING NOVEMBER 9TH, 2016

City Council met in regular session November 9th, 2016 at 7:00 PM at the Moyie Springs City Hall.

The meeting was called to order by Councilman Chad Farrens. Present were Councilmen Steve Economu, Terry Johnson, Tim Narvaez, Public Works Supervisor John Nelson, Fire Chief Ken English and City Attorney Dan Featherston

Signed In: Ginger Perrenoud, Bill Maestretti, David Volking, Steve Oxford, Larry Bauer, Jimmy Ball, Drexel Love, Janice Rock, Sandy Tompkins, Ray Yates, Oliver and Heather Andrews, Joe and Linda McClure, Corine Spain, and Meredith Keller were also present. Mike and Stephanie Baker joined the meeting late.

Prior Minutes Approval: Discussed the minutes of the regular meeting from October 5th, 2016. A motion was made by Terry Johnson and seconded by Steve Economu to accept the minutes. Motion carried.

Current Financials Approval: Chad Farrens asked for comment or questions on the current financials. A motion was made by Steve Economu, and seconded by Terry Johnson to accept the current financials from October 2016. Motion carried.

Chad Farrens said that the meeting was being recorded and asked if everyone would give their name before speaking.

Letter of Resignation: The letter of resignation from Mayor Doug Evans was discussed. Steve Economu made a motion to accept the letter of resignation from Mayor Doug Evans, but wanted it noted it was with much regret. Terry Johnson seconded the motion. Motion carried.

Mayor Approval/Councilman Appointment: Steve Economu asked Dan Featherston opinion on what is necessary to appoint a Mayor. Dan Featherston said that we were basically without a Mayor and the Council should nominate and designate a Mayor. He said that Chad Farrens was acting as the Mayor due to the vacancy but the Council needed to appoint a Mayor. Steve Economu said so it is best then to go ahead and fill the position. Dan Featherston confirmed, and then said the Council would also need to fill the council member vacancy as well. Steve Economu then asked Chad Farrens if he was willing to fill the position. Steve Economu made a motion to accept Chad Farrens as the Mayor to fill the vacancy of Mayor for the remainder of the term of the vacated position by Mayor Doug Evans. Terry Johnson seconded. Motion carried. Chad Farrens then read the oath for the office of Mayor. Dan Featherston said that the new Mayor could appoint a new Council person with the Council's vote of approval. Mayor Chad Farrens said that he would like to appoint Heather Andrews to fill his Council position as she has lived in the City almost her whole life. Heather Andrews said she has lived in Moyie Springs since 1998 and that she would accept the appointment with the Council's approval. Steve Economu asked if there was anyone else that would like to be considered. Steve Economu said that he thought a female voice on the Council would be a good thing. Terry Johnson made a motion to appoint Heather Andrews to the Council. Steve Economu seconded. Ginger Perrenoud said that there was someone else that would like to be considered, Bill Maestretti would like to be considered. Bill Maestretti told of his background and history in community work. He said that he had moved here last November because he and his wife wanted to move back to a small community like Moyie Springs. He stated that he is interested in the growth and development of

Moyie Springs and his willingness to serve on the Council for the health, safety, welfare and security of the City. He said that he sees work that needs to be done on the City Ordinances and would like to work with the Council on them. He said that he loves the community and the people in the community and would like to be considered. Steve Economu said he was uncertain as there was a motion on the floor and questioned if that motion could be tabled at this point as now there were two candidates. Bill Maestretti said he had his hand raised. Steve Economu said that he was still in favor of Heather Andrews. Tim Narvaez said that he thought the Council should have made more awareness of the position vacancy and put it out there so people knew the Council was looking. Mayor Chad Farrens said that other people had approached him about the position opened and he told them if they were interested to come to the meeting, but none of the others had showed up. Tim Narvaez asked if the motion had been made could the Council move back on it. Dan Featherston said yes that the motion had been made but not voted on or passed. Mayor Chad Farrens said that now there were two people to consider. Steve Economu said that he was still in favor of Heather Andrews and that she had lived here longer. Tim Narvaez said that he felt it was irrelevant how long living in the City; as he was on the Council and hasn't lived here that long either. Terry Johnson said he had already made his vote. Mayor Chad Farrens asked for the vote on the motion for Heather Andrews for the Council. Motion carried. Heather Andrews read the oath for Council person.

Mike Baker – Camp Trailer 584 Westwood / Ordinance Violation: Mike Baker had given the Council a hand drawing of the structure that he was planning to build on 584 Westwood. Mike Baker was not present at this time. Terry Johnson said that a camp trailer could not be part of the structure or residence. John Nelson said that he had added on to the existing camp trailer, but eventually would be pulling the trailer out. Steve Economu questioned how much of the drawing was completed. Mayor Farrens asked the Council for their opinions. Donna Wilson-Funkhouser added that Mike Baker had said that he had a back injury and did not know when he would be able to build and might possibly even sale the property. John Nelson said that the addition to the camp trailer had been built last year and was not visible from the street. Terry Johnson asked if the City had authority to go on the property. Dan Featherston said that yes we could, but that John Nelson should not force himself onto the property but call and set up a time to meet with them. Dan Featherston said that the next step would be to get a court order, if we were not allowed. He said that if we had reasonable belief of an ordinance violation and needed to investigate the courts would give permission. He suggested that John Nelson setup to view the property voluntarily first. Terry Johnson agreed that John should contact the Baker's first. John Nelson said that Mike Baker said that if someone had seen their camp trailer that they must have been trespassing. Steve Economu said that clearly he was in violation of the City Ordinance with the camp trailer. Tim Narvaez asked for clarification on if the plans were even acceptable to the Council. Steve Economu said that he would like to see clear definition of his plans. Mayor Farrens asked for a motion. Steve Economu made a motion, and Terry Johnson seconded the motion to have John Nelson contact the Baker's and take pictures to substantiate the site before making a decision. Motion carried.

Sheri Drive / Ordinance 19A RE: Building Structures: Steve Oxford said that he had built a fence and that it was not permanent and was setting on blocks. He said that he had gotten a letter from the City saying that he needed to have a site permit and he was questioning why. Steve Economu asked how tall the fence was. Steve Oxford said that it was 6 feet tall. Steve Economu said that the Ordinance stated anything over 4 feet tall required the site permit. Steve Oxford said that he had notice cattle panels in other location around the City and wondered if they had permits. Steve Oxford said that he did not believe that the Ordinances required a permit for a structure that was portable. Steve Oxford said that he could removed the portable fence and has not decided if he wanted to keep it and that if later he decided to keep it he would get a permit. Terry Johnson questioned the permanency or being portable of the fence. Terry Johnson said that if he had it for more than a year that he would need the permit. Tim

Narvaez said the permit is \$10.00 and he would need to get it if he kept the fence for a year. Mayor Farrens asked for a motion. Steve Economu made a motion to allow the portable fence of Oxfords without a site fee unless it was up for a year. Terry Johnson seconded it. Motion carried.

70 Maple Street / Larry Bauer RE: Chip Sealing/ Calcium / Watering Maple Street: Larry Bauer from 70 Maple Street asked the Council for the same enmities that the City had done on Elk Street. It said that Maple Street is 250 feet long and intersects with Cedar Street that is 70 feet long, and that four Vietnam Veterans live on Maple Street. He said that there where pot holes and there was dust, and asked that it be chip sealed like Elk Street. Mayor Farrens said that the part of Elk Street that was chipped sealed did not work with the calcium. Mayor Farrens said the budget does not allow for it at this time. Larry Bauer said that he had talked to people and that they said EPA had something to do with the chip sealing being done. Mayor Farrens said no. Larry Bauer said that there had been little grading done on Maple Street as well. John Nelson said that he did not believe that calcium was used on Maple Street this year, and that he usually allows Oxford Inc to make the call on which roads are in need. Terry Johnson said that the City is working on the roads within the budget and have used the funds for this year but will look at getting to Maple Street. Larry Bauer asked if he should call the EPA. Tim Narvaez asked if the City could have it graded now. John Nelson said that he did have a request out now for grading the roads. The Council discussed the budget, grants and getting Maple Street looked at. Terry Johnson said that the City would possibly be able to grade and calcium the street, but that the chip sealing would have to be scheduled later. Larry Bauer asked how longed it lasted when chip sealed. John Nelson said that it depended on the weather and traffic. Larry Bauer said that he would appreciate the Council looking into it. Tim Narvaez asked him to come back to a meeting again.

Janice Rock/ Concerns with Shooting Guns in a Suburban Zone: Janice Rock addressed the Council on people being able to shoot guns in the City. She told of a recent incident of a deer being shot and killed in her neighborhood on North Elk Street. She said that she had been watching that deer for four years. She said she can't believe that it is allowed for people to hunt in a neighborhood where people are living. She said she is okay with hunting. She had asked on the internet if anyone knew if you could hunt in the City of Moyie Springs. She said that she had gotten lots of response some bad and some good, and some really bad. Mayor Farrens said that high powered rifles could be a problem. Jimmy Ball said that he tells all of his renters that they are not allowed to shoot. Drexel Love said that her family has lived in the area for 90 years. She said that her family has hunted and has had respect for the sport and their neighbors and people should not be hunting right in the City. Janice Rock said that she had called Fish and Game. Steve Economu said that he has told people they can shoot in the City limits but never had he told someone they could hunt in the City limits. Mayor Farrens asked for the Councils opinions. Steve Economu said that he did think there maybe should be an Ordinance, but will it not stop all shooting? Discussion was had on shooting predators and common sense. Mayor Farrens said that the Council was going to be reviewing all of the Ordinances. Steve Economu said that it was time to ban the shooting in the City and that something should be done. Terry Johnson said that he has witness people shooting in the field near him with no common sense. Mike Baker thought that it should be allowed on private property. Jimmy Ball mentioned that his renters had said that they had seen Janice Rock with a gun. Heather Andrews said that the sheriff office can't do anything unless the City has an Ordinance against it. Mayor Farrens said that David Kramer said that they will be having someone at the council meeting to address some of our issues. Dan Featherston said that he could draft something for the Council regarding shooting, but the variable is common sense and good judgment.

Dave Volking – Subdivision – Elk Street & Highway 2: A letter was given to David Volking regarding the City's intentions and recommendations on the waterline extension on Elk Street. Dave

Volking asked if the Council was going with the recommendation of the engineers on the waterline extension from North Elk Street with the road crossing. Dave Volking said that he would not do the road crossing of Highway 2 or tie off with Westwood. He said he has offered to tie off with the 12" main down Elk road and to tie off at the 8" fire hydrant and that loop will service his purposed subdivision adequately. He said that the engineer is wrong and he will challenge the City on it. He said the line is adequate to supply what will probably be mostly residential. He said that he has been reasonable and patient and what the City was requesting was not reasonable. Terry Johnson said that it might be adequate for his property, but would cause lower pressure on North Elk Street. Dave Volking disagreed. Tim Narvaez said that the Council was not the professional on this and that Welch Comer Engineering gave the City their professional opinion. Dan Featherston said that he recommended that the Council discuss this in executive session. Dave Volking said that he was not required to do the road crossing to supply water to the other side. It is not his responsibility. Mayor Farrens said that the Council would need to go into executive session. Mayor Farrens said that it was tabled till the Council went into executive session.

2590 Roosevelt - Dyck – Letter for Camp Trailer residence / Ordinance Violation: Ray Yates addressed the Council. He said that when he had rented the property that they did not know there was an Ordinance against him living on the property in the camp trailer. They did not know till they had received a letter from the City. Mayor Farrens said that the prior owner had lived in the shop. Ray Yates asked if he could move the camp trailer inside the shop. Steve Economu said that the shop has water and sewer. Tim Narvaez asked if that was legal. Mayor Farrens said that the prior owner had lived there for years. Terry Johnson said that it has the water and plumbing. Mayor Farrens asked if the Council had a problem with the camp trailer being inside the shop. Terry Johnson said that he did not see a problem with moving into the shop as it once was setup for living in. Steve Economu said not in the camp trailer. Heather Andrews asked if okay, if not in the camp trailer. Ray Yates asked if he could use the camp trailer if you couldn't see it. The Council said he could live in his shop but not the camp trailer.

EDC Report: Dennis Weed sent an email report for the Council. Heather Andrews read the report. It stated that we did win the Blue Cross Foundation High Five Grant and the county will have 3 years to spend the \$250,000 grant funds. The Blue Cross Foundation will do an analysis of our needs over the next 6 months to determine areas they believe will best be served by the grant. The county's plan is to use other grant funds along with this foundation grant money to help extend the benefit of the High Five funds. Dennis Weed's report also stated that he is hoping that Moyie Springs receives the United Pacific Foundation (UPF) grant funds that we applied for and he hopes that some of the High Five grant money along with the UPF funds to be used for a youth recreation center. He also said that there were initial plans of looking at a trail system from Bonners Ferry to Moyie Springs for walking and biking; with hopes to connect to the Pacific Northwest Trail and use some of their funds and grant money to develop this trail system. The report also mentioned wanting to start a business center for the County to allow Boundary County residents to access computers and high speed internet.

Sewer Facility Study: Mayor Farrens said that the Council needed to approve the documentation for the Public Hearing on December 7th with Welch Comer Engineering. The change to 6:00 PM was made to allow for the regular meeting at 7:00 PM. Chad Farrens was listed as Mayor and Heather Andrews as Council person. Mayor Farrens asked for a motion. Heather Andrews made a motion, and Terry Johnson seconded to have the Public Hearing on December 7th at 6:00 PM. Motion carried.

Volunteer Fire Department Report: Ken English reported the following: October 5th – LEPC Meeting; October 7th – Fire Chief's Meeting in Sandpoint; October 19th – Fire Chief's Meeting in

Paradise Valley. Ken English said we have all the equipment now to be able to communicate with the driver in the cab of the truck, from outside of the truck.

Water and Sewer Report: John Nelson reported we pumped a total of 6,523,700 gallons; the high on the 10th of 299,700 gpd, the low on 18th of 143,700 gpd, with an average of 210,442 gpd, for the month of October, 2016. John Nelson reported on a leak that he had fixed; on the 5th of November the usage went up to 300,000. The leak was near Terry Johnson's, a 2" water main with a crack. John Nelson said he would like to rebuild the old City snow plow and put it on the new dump truck. It will be about \$1361 plus another \$700 in miscellaneous parts. He would also like to take the sander off and decommission the old snow plow and sell. Tim Narvaez asked if buying a used plow instead of repairing that was an option. Terry Johnson said that he has been to auctions quite a bit and the plows are not worth much. Terry Johnson said that John will be able to get what he wants if he repairs it. John said that he had check prices on new snow plows and a 7' for about \$7,000.00 and an 11' for about \$11,000.00. Terry said that one purchased about 18 years ago was about \$8,000.00 Terry Johnson asked what funds he would be using. John Nelson said that it would come out of the maintenance funds. Tim Narvaez made a motion and Steve Economu seconded it to allow John to repair the old snow plow. Motion carried.

AIC Class: AIC Class will be held on November 28th at 9:00 in CDA at the Best Western. Donna Wilson Funkhouser asked if Tim Narvaez and she could attend and said that she thought the new Mayor would benefit from going as well. The cost is \$35.00 each. Mayor Farrens suggested that Heather Andrews go. Tim Narvaez made a motion to allow three to go to the meetings. Terry Johnson seconded it. Motion carried.

Miscellaneous Business: John Nelson said that he would be gone on vacation from November 30th thru December 4th.

Jimmy Ball asked if he could dig on Elk Road to get natural gas and Northern Lights across the road. He said that he had talked with John Nelson about it and now was asking the Council if he could place conduit there. He said that he would do it half at a time, with traffic control, and then pack it and fix it if there was any settling. Jimmy said that he has all the insurance and liability to excavate and would be responsible for the job. Tim Narvaez asked if the Council should have a contract or agreement made up. Mayor Farrens asked Dan Featherston about making an agreement up with Jimmy Ball. Jimmy Ball said that he would like to do the work this Friday. Dan Featherston said he could do a conference call at say 9:00 – 10:00 AM in the morning. Terry Johnson said that the call could be made at the City office and that Jimmy Ball and John Nelson should meet there.

Bill Maestretti asked about the Joint Council Meeting between the City of Bonners Ferry, Moyie and the County Commissioners. He asked if there was a date and time. The date has not been set, and it was thought to happen after the first of the New Year 2017.

Bill Maestretti asked when the grading of the roads with the pot holes could be expected. John Nelson is waiting to hear back on that, and hopefully tomorrow they will let him know tomorrow. Bill Maestretti asked if they would be grading all of the roads. John Nelson said that they would be.

Tim Narvaez asked about getting the minutes, and getting them sooner, electronically. He said that he believed that it was a three day if a citizen asked for them. He questioned when the Council could receive the minutes. He said he would be nice to have them a week before the meeting. Steve Economu suggested three days in advance, preferably a week, and maybe Friday before the meeting. It was agreed.

Mike Baker – Camp Trailer 584 Westwood / Ordinance Violation: Mayor Farrens ask the Council to discuss the Baker camp trailer violation again, as Mike Baker had showed up late. Mike Baker read the part of the Ordinance regarding it being unlawful for anyone to locate a trailer coach in the City of Moyie Springs as a permanent residence unless in an authorized trailer park. Mike Baker said the he would never live in camp trailer, but as his house had burned down and he had to settle with the camp trailer and he said this is not a permanent residence. He said that he is trying his best. He said that he has had issues and problems. He thought that if he did this, and this and this he was done with the City's requirements. He has put in the water and the sewer and thought he was done. His wife looked up the definition to permanent – lasting, unchanging, indefinitely. He said it was not their intention to live in a trailer. Mike Baker said he has physical problems and other issues. Mayor Farrens said that their plans were kind of vague and he asked Mike Baker if he would give permission for John Nelson to go and see the structures. Steve Economu said that the Council needed permission to see how the Baker's were doing with being in compliance of the Ordinance. Steve Economu said that after John Nelson advised the Council as to what they have going on with their building the Council would make a decision. Tim Narvaez asked if they had started building. Mike Baker said they had started. Stephanie Baker said that they had built with the previous site permit. Mike Baker said the beginning of a living room, bedroom and hall closet is where they are at. Stephanie said that as soon as they had the funds they would build and then pull the camp trailer out. Mayor Farrens said that was what he was concerned with. John Nelson said that he would go by first thing the next morning around 8:00 AM to the Baker's. Mayor Farrens said they would start with John going up to look. Tim Narvaez asked about the plans and if it would be built to Idaho code. Terry Johnson said that it has to be built to Idaho code and would also need plumbing and electrical inspections. Mayor Farrens said that they would table this until after John Nelson had looked at the site and advised the Council.

Executive Session: Steve Economu made a motion to go into executive session per code 74-206. Terry Johnson seconded it. Heather Andrews, Aye; Steve Economu, Aye; Terry Johnson; Aye and Tim Narvaez, Aye; Motion carried. Discussion was had on the access to the purposed Unruh Subdivision and the purposed Volking Subdivision waterline. Mayor Farrens closed the executive session.

Discuss and Pay Bills: A motion was made by Terry Johnson and seconded by Steve Economu to pay bills. Motion carried

Adjourn: A motion was made by Terry Johnson and seconded by Steve Economu to adjourn. Motion carried.

Attest: City Clerk