

## **CITY OF MOYIE SPRINGS MINUTES REGULAR MEETING August 9th, 2017**

**City Council met in regular session August 9th, 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, Heather Andrews, Terry Johnson, Tim Narvaez, Fire Chief Ken English, City Clerk Donna Wilson-Funkhouser, and City Attorney Dan Featherston

**Signed In:** Oliver Andrews, Ginger Perrenoud, Dennis Weed with EDC , Chris Qualls, Jimmy Dorhofer, Bill Rauth, Jim Ball, Dick Staples with JRS, Rosanne Smith, Meredith Keller, and Wes Raynor

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

**Prior Minutes Approval- July 5th, 2017:** Discussed the minutes of the regular meeting from July 5th, 2017. Mayor Farrens asked for comments, questions, and or corrections to the minutes. Steve Economu said that on page 2, paragraph 2, that the verbiage of un-muffled brakes should be compression brakes. Mayor Farrens entertained a motion to approve the minutes with the correction noted. A motion was made by Terry Johnson and seconded by Heather Andrews to accept the minutes. Motion carried.

**Prior Special Budget Meeting Minutes Approval- July 26th, 2017:** Mayor Farrens asked for comments on the minutes from the July 26<sup>th</sup> meeting. Heather Andrews stated that she had been questioned by several City residents about the memorial for Ina Pluid. She said that they had asked what the monument was for, and they had asked why the memorial, and why we did not have ones for Joe Mesenbrink and others as well. Heather Andrews said that it would be nice if the City would let the residents know about the memorial and explain what it was for in the monthly water and sewer statements or place something in the newspaper. Steve Economu agreed that it was a good idea. The Council agreed that the City should note the Memorial for Ina Pluid that was placed on South Division Street and explain it. Mayor Farrens entertained a motion for the approval of the minutes for the special meeting. A motion was made by Terry Johnson, and seconded by Tim Narvaez to accept the minutes. Motion carried.

**Prior Special Budget Meeting Minutes Approval- July 27th, 2017:** Mayor Farrens asked for the Council's review of the minutes from the July 27<sup>th</sup> meeting and if there was any changes or additions. Mayor Farrens entertained a motion to accept the minutes. A motion was made by Steve Economu and seconded by Tim Narvaez to approve the minutes from the July 27<sup>th</sup> meeting. Motion carried.

**Approve Current Financials:** Mayor Farrens asked for the review of the current financials from July. Mayor Farrens entertained a motion to accept the current financials. The motion was made by Steve Economu and seconded by Heather Andrews to approve the current monthly financials. Motion carried.

**Council Wage Increase Ordinance:** Mayor Farrens asked about the Council's thoughts on increasing the Council's wage. Steve Economu said that the last wage increase for the Council to the current pay of \$75.00 was in 2002 and that increase of \$20.00 to \$95.00 monthly was justified; but not a true necessity. Terry Johnson also commented that the increase was not unreasonable. Tim Narvaez said that he did not see the need for the increase or wanted it. Heather Andrews said that she had not been on the Council long enough. Mayor Farrens said he did not like the idea. Mayor Farrens asked Dennis Weed opinion. Dennis Weed said with all that the City is dealing with now, that it was not a good idea. Heather Andrews said that she realized the pay increase was deserved, but didn't think that it necessarily should

happen now. Steve Economu said that he was not on the Council for the money. Mayor Farrens asked that if the Council was in agreement that it would be dismissed.

**2017-2018 Tentative Budget Approval:** Mayor Farrens asked for the Council's review of the 2017-2018 tentative budget. Heather Andrews said that she was ill during the special meetings and was not present for working on the new budget and said that she would agree with the Council as they had decided. Mayor Farrens asked if there were any questions. Mayor Farrens entertained a motion to approve the 2017-2018 Budget. A motion was made by Tim Narvaez and seconded by Heather Andrews to approve the 2017-2018 Budget. Motion carried.

**2103 Roosevelt Road – Bill Mutter – Suburban Zone Violation:** Mayor Farrens said that Bill Mutter was not able to attend the meeting and that the Council would postpone the discussion till the next regular Council meeting.

**3546 Roosevelt – Tim Narvaez – GT Rabbits/Rocky Mountain Pet Food – Rabbit Raising:** Mayor Farrens moved on to the 3546 Roosevelt –Rabbit Raising. Tim Narvaez excused himself from the Council table and moved to the city resident's chairs. Tim Narvaez said that he has a rabbit ranch on his property at 3546 Roosevelt and has for the about the last three months. He said that he had informed the Council about two months ago about his business venture. Tim Narvaez added that he had been told last week that he needed to get the approval of his neighbors. He said that was a bone of contention with him and that if you read the industrial zoning that it makes no reference what so ever of getting approval of your neighbors; it does for zoning of A, B and C. One neighbor for the record does not care and the other neighbor is a commercial building, a store, and not a residence based on that and his interpretation this is a mute point with the zoning, and could read the ordinance for clarification if necessary. He said that with that out of the way, there is a septic tank, unpermitted because it has been there so long, on his property that he needed to address. He said that he had contacted Panhandle Health and reached their commercial division, because this will be a manufactured product. He and they were glad he called; and he said he was not mandated to do this and could have just ran the pipe. He said that he wanted to make sure he had sufficient sewage capacity. He said that Panhandle Health had the formula to use to determine the amount of sewage as it was not a residence but a business with numerous employees. They had asked him to talk to the local or City person in regards to the sewer; so he talked to John Nelson. He found out that because of the grade that it would need to be pumped because it would not flow to the City's sewer system. So it would need to be pumped or would have to go with another permitted upgraded septic tank. Tim Narvaez said that John Nelson had said that he would prefer that it not be connected to the City's sewer system. Rosanne Smith questioned if he was already on the City's sewer system. Mayor Farrens explained that Tim Narvaez was on the City's sewer system with his residence but the out building had previously been on a separate septic tank system. Tim Narvaez said that he was trying to do it right and would have to pump to the City's sewer system or go with the other upgraded tank system and leach field. Tim Narvaez said that John Nelson had said that he preferred that it not hook onto the City's sewer system. Jim Ball asked why John Nelson didn't want it to be to the City's system. Tim Narvaez explained that he thought that it was maybe people might have the misnomer of a slaughter house and think that it would be like a slaughter house with blood and guts. The entire carcass minus the skin and feet would be run through a grinder. He said it would be cleaner than a slaughter house with filter systems. He said that he is trying to do it right and would go either way. He said that he would need a City variance to allow him, if he went with a septic tank instead of the City's sewer system. Heather Andrews asked him if he did not think his current septic tank capable of handling what he would have going on. Tim Narvaez said he was unsure. Heather Andrews asked if John

Nelson's concerns of not preferring to use the City's sewer system were due to the City's capacity being able to handle the extra flow as well. Heather Andrews added that her opinion was that the septic tank might be grandfathered in and that he should be able to use it if it was not faulty use it; and that if there is a problem that it was Tim Narvaez property and he should be allowed to do with it what he wanted, and would have to fix it, if it became a problem. Tim Narvaez said that he was trying to eliminate a problem going forward in the future for himself and for the City, and do the right thing. He said there would be no City expense to do this as there is already a manhole there that John Nelson would tie it into the main line and that he would have to bring the pipe to it and install a pump if he goes that way. Heather Andrews asked for John Nelson opinion on it. John Nelson said the main reason he did not want it use the City's sewer system was that he did not know what the flow from the rabbit processing would do to the City's sewer system and concerned with changes that might happen to the City's system. John Nelson said that if the Council allowed him to use a septic tank system then he would not have to worry about what might to the City sewer system. Heather Andrews asked if Tim Narvaez would be using the septic tank system there or if it would be an entire new system. Tim Narvaez said that the current septic tank was so old that Panhandle Health did not have a record of it, and unless it was a concrete tank that he would avoid future problems and start fresh. Rosanne Smith asked if Tim Narvaez was within the 200 feet that the City's Ordinance mandated that he hook on to the City's sewer system. Tim Narvaez said that he was within the 200 feet, and that is why he was there asking the Council for answers. Rosanne Smith commented that he should have been required to hook on the system or the previous land owner should have been mandated to hook on. Terry Johnson commented on that Tim Narvaez neighbor Les Swanson was required to hook on to the City's sewer system. Mayor Farrens said that when Les Swanson bought his property that the City had required him to hook on. Tim Narvaez said that he would be paying all the expense for a septic tank system if the City preferred him to have a septic tank. Heather Andrews said that if John Nelson said that it could cause problems and that Tim Narvaez is willing to put in his own septic tank system to avoid the problem, that the City should consider giving a variance. John Nelson said that he knows the City's Ordinance says that it should be hooked on. Rosanne Smith questioned if the County and the Feds have a say if it should be dumped into the City's system. Ginger Perrenoud said that she and Tim Narvaez have looked into everything and that it is alright to go either way for the sewer. Tim Narvaez said that he is currently paying for the additional sewer hook on and is not using it. Terry Johnson asked what did Panhandle Health said. Tim Narvaez said that after said that basically it could go either way. Steve Economu asked what actually would be happening in his process with the rabbits. Tim Narvaez explained the processes that would be happening with the rabbits. Mayor Farrens asked what the Council wanted to do. Heather Andrews said that she thought if Tim Narvaez wanted and was willing to do the septic tank and that if it was better for the City that the City should allow it. Steve Economu said so the wash down water would be the only flow. Bill Rauth questioned that it would be just blood in the water. Tim Narvaez said that he was willing to go either way, and was up to the Council. Steve Economu said that they should follow the Ordinance and that Tim Narvaez is within the 200 feet mandated to hook on to the sewer system. Tim Narvaez said that he could go either way. Tim Narvaez said that he could not find anywhere that mandates that he have to pump to the City's system and that it refers to flow and that he does not have the elevation for the flow to happen. Mayor Farrens asked for the Council decision. Steve Economu said that if there was a problem or not an adequate system that he would need to hook on to the City's system. John Nelson said that Panhandle Health would be inspecting he septic tank and would give the approval. Mayor Farrens asked to entertain a motion. A motion was made by Terry Johnson and seconded by Heather Andrews to write up a variance to allow Tim Narvaez to put in a septic tank system. Motion carried.

**South Division – Lot Division – Toby Schnuerle:** Dick Staples from JRS Surveying presented the Council the plat for Toby Schnuerle and splitting his lot on South Division Street into 4  $\frac{3}{4}$  acre lots. Mayor Farrens said that all the lots would access from the private road section of South Division that Toby Schnuerle was already maintaining. Meredith Keller questioned who takes care of that private road. Mayor Farrens said that he believed that Toby Schnuerle does. Meredith Keller commented that it was done with money from the residents on the private road. Mayor Farrens questioned Ken English on where the nearest fire hydrant was along South Division Street. Steve Economu said that it would need to a 4" waterline and within 500 feet and would need to be upgraded. John Nelson said that it might need to be an 8" line. Steve Economu said that the upgraded had not been put on other developers on South Division Street and questioned if the burden of upgrade could or should be placed on Toby Schnuerle. Ken English asked when the City should require these upgrades. Dick Staples said that the City of Bonners Ferry had the dealt with similar situation when regulation have changed and the requirements for upgrades to service an area and who should the financial burden fall on. John Nelson said that he thought there was a waterline that ran thought the property of Toby Schnuerle. Dick Staples said that he would look to see if there was an easement for the City's water line through the property. Tim Narvaez said that this is a new subdivision and that he was under the impression that it was a old 3 parcel subdivision and that now was changing to 4 parcel and would be a new subdivision for 2017 and the utilities should be brought up to the 2017 standards. Tim Narvaez added that Dan Featherston has previously said regarding the use of the roads, that the City has the control of the traffic by allowing or creating more parcels adding more traffic. Tim Narvaez said that the Council has sent letters to the County, and made Mr. Unruh go thru a City public road and had Mr. Baisden use Heritage Way as his main principal access, that if we allow this proposed subdivision then we are allowing more traffic on a substandard street and are contradicting what we have been saying in the past. Mayor Farrens said that Mr. Baisden had the choice of access from Heritage Way of South Division Street. Dan Featherston clarified that the City could not allow access from a City street that has to go over a private road to reach a City street. Meredith Keller asked if the city could require a covenant in the plat for the maintenance of the private road. Dick Staples said the Toby Schnuerle Plat allowed for a 20 foot road easement. Mayor Farrens asked if there were any other concerns. John Nelson said that the 4" water line was adequate to serve the 4 additional lots. Tim Narvaez asked if that was a substandard size for today's standards. John Nelson agreed that it was. Meredith Keller said that the City Council was requiring the Volking Subdivision to upgrade the waterline to supply his subdivision, and why would the Council not require the same. Mayor Farrens said that the Council needed to know where the lines are and their size. Terry Johnson said that he was aware of the 20' foot road easement that they needed to be aware that the City would never be able to take over that private section of South Division Street as a City Street. Dan Featherston stated that the ownership and right of way for the City's utilities could be a factor. Tim Narvaez said that the City is going against what the City has said in the past and denied access for subdivisions on this private section of road. He added that the standards needed to be at the 2017 standards for the subdivision. John Nelson said that should be a 6" waterline there with appropriate easements. Tim Narvaez said that the original was one parcel and now it is be requested to split and add 3 additional homes that we have already denied access on the private road. Terry Johnson said that the developer has been required to pay for these upgrades. Mayor Farrens asked Dick Staples about talking to Toby Schnuerle about upgrading the waterline. Terry Johnson said that the developer should have the responsibility and be required to have adequate utilities and fire safety. Dick Staples will go back and talk to Toby Schnuerle regarding the upgrade to an 8" waterline to accommodate a fire hydrant and the Council would discuss at the next meeting.

**97 West Railroad – Lot Division – Jim Ball :** Jim Ball said he has a subdivision he is trying to put in on West Railroad. It is City sewer, 5 lots. He has 2 layout options but doesn't really like either option. They are .20

acres each. He has city lots now that are .17 acre on East Railroad. He states that smaller lots are better for ease of maintenance for his tenants. On lot #1 there is an existing house that has road access on Railroad Street and that is the way the lots are facing in the layout options. Council studied the map and discussed where the subdivision would be. He is asking for approval for a preliminary plat to proceed to a full plat. The preliminary plat will be revised because there at least needs to be a fire truck turn around spot. Tim Narvaez asked if the road is going to be 20 feet wide. Jim Ball said he normally does a 30 foot road. Ken English asked if people were going to park on the road. Jim Ball said no one will park on the road but that he is considering tying into Lucky Lane because his daughter owns the lot that connects to that and there is a fire hydrant on that lot. Mayor Farrens said that a 30 foot road would be better. Jim Ball said since he has an easement on lot 5 he will probably put the fire truck turn around there since it will not take up buildable space in his subdivision. Ken English said he approved that. Jim Ball said he will do a 30 foot road then and add that to the final plat along with the fire truck turn around and he will locate all the water lines and bring it to the next meeting. Jim Ball discussed utility availability on his previously discussed subdivision. He thinks it would take 3 more sewer and 4 more water hookups to adequately meet the needs of the subdivision and asked if John Nelson agreed. John Nelson did agree.

**Dennis Weed – EDC:**

Dennis Weed discussed the Spot Bus. Once the demand goes up the route will be implemented again. The ridership has gone up in the County. He is trying to get a bus for residents who go skiing at Schweitzer. It is there to help any residents in Moyie Springs.

Dennis also mentioned that the Visitor's Center is opening new offices and if anyone is interested in renting them, please contact the Visitor's Center. They are state of the art offices and are in a good location.

Dennis Weed discussed a 501C3 and how it is easier to track where the funds are going for municipalities: whereas with other nonprofit foundations, it is much easier to lose track of the funds. He suggested starting a 501C3 up to help the City such as "Friends of the City of Moyie Springs", because there are a lot of ways it could be used to fund various things for the City. Dan Featherston stated that he will have more specific information next month on the nonprofit 501C3.

Dan Featherston added that looking back on last month's discussion that he believed he was not making himself clear regarding water and roads in the subdivision. He said the City does not want to create a City asset and/or responsibility in regards to tying into a private road. He apologized for his poor explanation last month but hopes this clears the issue up.

**Proposal for New Fire Station Plans:** Ken English stated the Council had copies of a fire station plan in their books. He would like to get approval to spend the money to get the actual plan before asking for the grant from UP Railroad. Mayor Farrens stated that he could not find anywhere if there was ever any Council decision made on this issue. Ken English stated that it was discussed at some point but maybe never made it into the minutes. Mayor Farrens said the piece of property was supposed to house a couple of fire trucks and now it has turned into a big fire station. Ken English stated that no it is still just housing 2 trucks but has the option to modify later if expansion is needed. Mayor Farrens asked the Council their opinion on it. Heather Andrews stated she did not believe that property was large enough to accommodate the size of building the plan suggested. Ken English said the property was large enough but the building plans could be changed to make better use of the land. Ken English said the cost of doing the building whether it is a 2 door or 4 door building is going to be large and he believes UP

Railroad will cover the cost. Heather Andrews said it will still cost to maintain, and the City will have to take on more costs associated with the building just for utilities let alone anything the Railroad does not cover. Ken English stated that the brush piling machine does not need to be located at the other fire hall but would be moved to the new location. Heather Andrews said the brush piling machine is never used now. She lives next to the current fire station and takes care of it and is hesitant to approve a new fire station since the current one is not maintained very well by Ken English the current fire chief. Wes Raynor stated that the new plan should not be denied since there is no money paid out by the City for it. Heather Andrews stated that the engineer and the plans will come out of the City's money. Wes Raynor stated the Fire Department is a necessary entity and should be approved for a new building to protect the City from future fires. Mayor Farrens stated that a grant to UP was already denied once. Heather Andrews said that what really is needed are some new young volunteer fire recruits. Tim Narvaez asked Ken English asked if he has any idea what amount of money he needs for the plans and engineer. Ken English stated that the man making the plan has made plans for several other fire halls. Tim Narvaez said he has no problem with another fire hall on this side of the railroad tracks, but that the Council really needs a ballpark figure of the cost of the engineer and plan before moving forward. Mayor Farrens agreed. Ken English said that if UP denies the grant, then the fire hall will not be built since the City does not have the funds to do so but he will get the figures from the engineer.

**Voluntary / Mandatory Fire Policy:** Mayor Farrens asked if Donna Wilson Funkhouser would explain in regards to the voluntary and mandatory fireman policy. Donna Wilson-Funkhouser stated that after the Budget meeting questions regarding mandating Council members be fire department members she did some research and found out it is unlawful to require that and a motion needs to be made to correct it. The requirements to be on the volunteer fire department are: that you are healthy and fit, have a clean criminal record, are over 18, and have a valid driver's license. Heather Andrews made a motion to change the policy of requiring Council members to also serve on the Fire Department, and it was seconded by Tim Narvaez. Motion carried.

**Volunteer Fire Dept. Report:** Ken English reported that the smoke in the area was coming from a 4,000 acre forest fire in Washington, and also another one in Canada. Ken commented on the eclipse and that you shouldn't watch it without special glasses. Ken English reported the following: July 4<sup>th</sup> – Ambulance Assist – Pear Street; July 6<sup>th</sup> – Fire Chief's meeting; July 15<sup>th</sup> – Ambulance Assist – 3540 Roosevelt; July 22<sup>nd</sup> – Ambulance Assist – 63 Peach; and July 30<sup>th</sup> – Standby on Walnut Street.

**Water & Sewer Report:** John Nelson reported on the water usage for the month of July: Total pumped for July 2017, 1,245,900 gallons: High day was the 6<sup>th</sup> – 480,100 gallons - Low day was the 16<sup>th</sup> – 221,400 gallons; with an average of 362,706 gallons a day. John Nelson also reported that he had placed traffic counters out on Elk, Westwood, and Cherry Lane, and later would do Division Street. John Nelson asked the council if he could place the 85 Ford Flat Bed, the 75 International Dump Truck and the 79 International Snow Plow out for bid. He said that the City would need to advertise for sealed bids in the paper. John Nelson said that he would move them over to the City Hall parking lot. Tim Narvaez thought it was a good idea. Mayor Farrens asked when he wanted to do this. Tim Narvaez suggested advertising on the internet. Mayor Farrens entertained a motion to auction the three vehicles that John Nelson suggested. A motion was made by Terry Johnson and seconded by Heather Andrews to advertise the vehicles and take sealed bids and to open the bids at the next regular Council meeting. John Nelson also reported that Dan Remmick from Century West Engineering was working on a proposal for a capital improvement plan for the water system that he hopes to have for the next meeting. John Nelson asked if he could purchase a water sampling station for two houses that he could take water samples for testing from. The cost was \$750.00 for the first one and \$500.00 for the second one. Mayor Farrens asked

what the Council's feeling were on that. Tim Narvaez asked if it was just for the convenience, that John Nelson wanted it for. John Nelson said that it was and that he usually did the water samples for testing early in the morning and would be able to without bothering the home owners to go inside their houses. Terry Johnson said that John Nelson should not have to be going in homes for the water samples. Rosanne Smith commented that if John Nelson had the funds in his budget that he should be able to purchase the sampling stations. Heather Andrews agreed. John Nelson said that if he was allowed to purchase that the stations would be installed by the water meter. A motion was made by Heather Andrews and seconded by Terry Johnson for John Nelson to purchase to water sampling stations. Motion carried.

**Misc Business:**

- 1) Mayor Farrens noted a letter was received from ICRMP regarding the increase premium for insurance for terrorism, and if the City did not wish to have the coverage that a the letter of refusal would need to be signed and returned. A motion was made by Heather Andrews and seconded by Tim Narvaez to sign the letter for the refusal of terrorism insurance. Motion carried.
- 2) Dan Featherston commented that he had made the changes to the proposed Ordinance regarding the Compression brakes. He had made corrections and made reference to the Idaho state code. Tim Narvaez thanked Dan Featherston for making the changes. Discussion was had on the Compression brakes. Tim Narvaez made note of a correction that needed to be made in Section 1, the last sentence he believed should say "shall not" the word "not" should be added. Mayor Farrens asked if the Council approved. The Council agreed with the Ordinance as corrected to be published.
- 3) Terry Johnson gave a preliminary copy of what the plaque on the Memorial for Ina Pluid would look like. Mayor Farrens commented that the plaque would make the residents aware of what the monument was for. A motion was made by Tim Narvaez, and seconded by Heather Andrews to proceed with the plaque as Terry Johnson had presented.
- 4) Jimmy Dorhofer asked if the Council would consider placing speed bumps on Elk Street to help reduce the speeding on Elk Street. Discussion was had on the effectiveness of speed bumps. Ken English said that it really only works for the motor homes. Jimmy Dorhofer said that he was concerned with the safety of the children in the area. Mayor Farrens said the Max Kleinsmith had voiced his frustration with the same thing. Mayor Farrens said he was working on something to remedy this.

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

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

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Attest: City Clerk