



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
SEPTEMBER 18th 2017**

COINCIL PRESIDENT LARKIN CALLED THE MEETING TO ORDER AT 6:00 P.M.

PRESENT: COUNCILMEMBER ENGEL, COUNCIL MEMBER KUNZEMAN, COUNCILMEMBER LARKIN, COUNCILMEMBER OSBORNE,

ALSO PRESENT: ATTORNEY MARSHALL, PLANNER MILLER AND CLERK WARREN

ABSENT: MAYOR STEVE GEIGER, CHIEF CORNELIUS, ENGINEER LARSON, PLANNER BRUBAKER

THE PLEDGE OF ALLEGIANCE WAS RECITED.

ANNOUNCEMENTS: Ponderay Neighbor Days is this Saturday Sept. 23rd from 3:00 to 7:00 p.m. at the Harbison Field.

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

Council President Larkin acknowledged conflict of interest and disclosures statement.

CONSENT AGENDA:

A. Approve Minutes of Sept 5th 2017, Regular Council Meeting

B. Approve Bills in the amount of \$13,695.26

C. Acknowledge Attorney Report

Motion to approve consent agenda

Councilmember Kunzeman/Osborn. Roll Call vote. All voted in favor. Motion approved.

DEPARTMENT REPORTS/UPDATES:

CLERK: Clerk Warren reported that she had included liquor and business license information for the council to look for mistakes. Include the 1% notice in the packets. Planning would like to include information about the signage rules.

PLANNING, PARKS & COMMUNITY DEVELOPMENT:

Planner Miller reported that Lipperts began construction on our pathway connecting Triangle Drive and Larkspur. We were able to get them to come in with a bid that included everything and guaranteed that it would not exceed our authorized amount. They have started construction and we hope to have that completed by the event next weekend.

A. Discussion/Decision - File UP17-039, Nuttman Welding: This is very similar to the application that the City of Ponderay brought before you for Mountain Metals site. The P&Z Commission approved this application last Wednesday, September 13th and unanimously recommended approval to the Council with the condition as needed in the Staff Report. The project is light industrial, small scale fabrication and welding operation. A portion of the welding is within the building on site but their primary function is off site welding where they travel to peoples locations. They have listed specific hours of operation in the staff report. Those are what is occurring in the building. Their offsite activities may occur beyond those hours and we would not regulate those. They do have a building permit that is in

progress currently for the addition of a bathroom. They do have a condition of approval that requires that they get a certificate of occupancy issued before the City's permit is officially granted to them. They are currently operational on this site. We did a Change of Use permit in order to allow them to start operating since they have been searching for a facility for a very long time.

Motion to approve

Councilmember Kunzeman/Osborn. Roll Call vote. All voted in favor. Motion approved

B. Animal Shelter - Public pathway and Drainage Easement - this item relates to a grant application that Planner Brubaker brought before you a few weeks prior, to create a greenbelt pathway system along the Animal Shelter property connecting the City Park. At this time they had agreed to a purchase price for lot A. They received site plan approval in order to construct a building on the Animal Shelter site. With that they had a requirement and dedicated a certain portion of property that existed along this easement. There is a purchase and sale agreement that does included a legal description that encompasses that area that they were required to dedicate. The purchase price of ten thousand (\$10,000.00) dollars that was agreed upon. It is our request that the City Council authorize the Mayor to sign these documents as written.

Motion to authorize the Mayor to sign these documents as they are written. If there are any adjustments they need to come back before the council.

Councilmember Engel/Kunzeman. Roll Call vote. All voted in favor. Motion approved

Jim Osmund-Kootenai-Ponderay Sewer Dist. reported that their commission board had talked to Mr. Wasick at their last meeting. Mr. Wasick told them that he has a contract with Lipperts to come in and do excavation and prepare the line and to put the entire Motel back online with the repaired lateral on the whole thing. They have until the end of October to do it. The District sent him a letter which was an addendum to the prior agreement requiring that this be done by Oct. 31st. Otherwise fines and penalties would be imposed. Mr. Wasick believes that he can do it. So as far as the trailer park side is concerned, it is capped and they do not plan to go back on line right now. There was more discussion on the Trailer park side and that the sewage is still going into Mrs. Carters back yard. Why if they are capped is sewage still running in her back yard.

Motion to enter Executive Session – ID code 74-206, subsection 1-f

f)To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Councilmember Engel/Kunzeman. Roll Call vote. All voted in favor. Motion approved

Entered Executive Session at 6:26 p.m. Out of executive session 6:32 p.m.

Motion to approve Notice of Violation and Pending Action to be sent to Mr. Wasick with S&W after our finding that the property is in violation with our City and State Nuisance Code. With a deadline to abate all issues no later than Nov. 30th 2017. And for our City Attorney to put in the escalation of dates.

Councilmember Engel/Kunzeman. Roll Call vote. All voted in favor. Motion approved

Councilmember Kunzeman/Osborn to adjourn. All in favor.

Meeting adjourned 6:34 p.m.

City Clerk/Treasurer Su Warren

Mayor Steve Geiger