



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
DECEMBER 17th 2018**

MAYOR STEVE GEIGER CALLED THE MEETING TO ORDER AT 6:00 P.M.

PRESENT: MAYOR STEVE GEIGER, COUNCILMEMBER McNEARNEY, COUNCIL MEMBER KUNZEMAN, COUNCILMEMBER OSBORNE, COUNCILMEMBER THOMPSON,

ALSO PRESENT: ATTORNEY MARSHALL, CHIEF CORNELIUS, PLANNER BRUBAKER, PLANNER MILLER, ENGINEER HERNDEN

ABSENT: CLERK WARREN

THE PLEDGE OF ALLEGIANCE WAS RECITED.

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

Mayor Geiger acknowledged conflict of interest and disclosures statement.

CONSENT AGENDA: **ACTION ITEM******

A. Acknowledge Attorney Report

B. Acknowledge Police Report

C. Approve the minutes for Nov. 5th 2018 regular Council meeting

Motion to approve consent agenda

Councilmember Thompson/McNearney. Roll Call vote. All voted in favor. Motion approved.

DEPARTMENT REPORTS/UPDATES:

MAYOR: Mayor reported that the Santa Sack Project was a great success again. We gave out over 500 bags to kids and seniors. What a heartwarming project. This is only because of our generous citizens and helpers.

Council Member McNearney talked to the Council about changing to having only one council meeting per month. Mayor feels that we should stay with twice a month especially since we have P&Z issues. He likes short to the point meetings vs. meetings that take longer. He would rather cancel a meeting or two during the year.

POLICE: To receive: Surplus Digital Microwave from Kootenai County Sheriff's Office. They are giving this to us free of charge.

STREETS/PUBLIC WORKS: Jesse reported that the stormwater in town flows either to the lake or to Sand Creek. There is a divide in town and there is a significant amount of water that makes it's way to Sand Creek through a pipe and it goes into this outlet structure which is to dissipate the energy. He is not sure why it was designed this way but they have a screen on the top of the structure, which you would typically put on top of the structure you would put a cat walk so that if you drop your keys they wouldn't go through the cracks. They used the same kind of grade on the face of the structure. So now you have trash and debris and even leaves cannot make it through the grate with out clogging that structure. It was so bad that it backed up and had so much hydraulic pressure that it shot the man hole up into the air and when it landed, it broke in half. Jesse contacted Brett with Independent Highway Dist. and they took a stick and cleared out most of the garbage and debris. He called LHTAC to figure out what kind of solution we can do, a different

kind of bar structure. He has also been talking with JUB as they were part of that project. There has been much discussion on how to fix this problem and who should be responsible for the maintenance. He is still working on a solution and will keep us filled in.

PLANNING, PARKS & COMMUNITY DEVELOPMENT: **ACTION ITEM******

File ZC18-017 - Guitron, Guitron, Ibarra, Inc. is requesting approval to rezone three parcels totaling ±3.3-acres from Residential to Commercial zoning district. At this time redevelopment of the site is not proposed. The property is located on the corner of Starr Lane and Kootenai Cutoff Road, in Section 2, Township 57 North, Range 2 West, Boise Meridian. The Planning & Zoning Commission recommended approval of this request at the November 14, 2018 public hearing.

No conflict of interest or Disclosure.

OPEN Public Hearing at 6:15 p.m.

- ▶ Site Data
 - ▶ ±3.3-acres (according to Bonner County GIS data)
 - ▶ Zoned residential
 - ▶ Currently the corner parcel is developed with a single family residence and associated accessory buildings
 - ▶ The remaining two parcels are vacant land and were recently logged
- ▶ Access
 - ▶ The subject parcels currently access from Kootenai Cutoff Road (KCOR) and/or Starr Lane
 - ▶ KCOR is a primary arterial for Ponderay
 - ▶ Approaches along KCOR were constructed for the two parcels with KCOR frontage
- ▶ Services
 - ▶ Northside Water (Currently Serving the residence)
 - ▶ City of Sandpoint (Water) (Future Commercial Development)
 - ▶ Kootenai-Ponderay Sewer District
 - ▶ Northside Fire
 - ▶ Lake Pend Oreille School District
- ▶ Environmental
 - ▶ The site is relatively flat containing primarily native grasses, brush and tree's
 - ▶ The property was logged recently removing the marketable timber.
 - ▶ Bonner County GIS mapping does not indicate the presence of mapped wetlands on-site. Additionally, it does not identify any mapped waterbodies or floodplain.
- ▶ PCC 9-6-2 (F)(1) Application Contents, Narrative
 - ▶ The application package contained the necessary contents and the narrative answered all of the required questions.
 - ▶ PCC 9-6-2 (F)(1)(c) asks how the project conforms to the Comprehensive Plan
 - ▶ Future land use map indicates this area will transition to commercial
 - ▶ Comp plan policies and goals
 - ▶ Consistent with PCC9-6-2 (H) Supplementary Conditions
 - ▶ In recommending approval of any zone change, the planning and zoning commission may also recommend appropriate conditions, bonds and safeguards.
 - ▶ Minimizing adverse impact on adjacent property.
 - ▶ Requiring a provision for on site or off-site public facilities or services.
 - ▶ Eases the transition from residential parcels to commercial
 - ▶ Ponderay Greenbelts + Pathways Action Plan (Appendix to the comprehensive plan) calls for a construction of a future East/West greenbelt connecting from KCOR and Starr Lane to a North/South pathway currently under construction running from KCOR to Durstarr along the west boundary of the animal shelter and McNearney Park.

- ▶ Easement vs Dedication
 - ▶ Project Representative has indicated that the applicant may prefer to grant an easement in this location rather than a dedication
 - ▶ They indicate that easement would allow the applicant to use this space for utility installation and green space for future development
 - ▶ The city has typically required dedications in similar situations
 - ▶ Easement would offer the City the ability to do drainage work and create a pathway, but would not prevent the land owner from removing the existing tree's and vegetation.
 - ▶ Language can be included in the dedication document, which indicates that dedications made at this time would be applied toward contributions required at the time of future development, if the planning commission wishes
- ▶ Staff maintains the recommendation for a greenbelt dedication
 - ▶ Planning and Zoning Commission considered 40-dedication, but ultimately retained a 20' dedication

Closed public hearing at 6:35 p.m.

MOTION TO APPROVE: *I move to approve this project FILE ZC18-017 requesting to change the zoning map as it relates to the subject parcels from residential to commercial, subject to conditions, finding that the request is in accord with the general and specific objectives of the Ponderay City Code, the Comprehensive Plan and based upon the evidence submitted and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as stated in the staff report with conditions.*

Councilmember Kunzeman/McNearney. Roll Call vote. McNearney, Yes. Kunzeman, Yes. Thompson, no. Osborne, no. Mayor Geiger, Yes. Motion approved.

Ordinance 2018-147 was tabled.

ORDINANCES, RESOLUTIONS, PROCLAMATIONS, CONTRACTS: **ACTION ITEM**

Resolution 2018-8 DEQ Voluntary Cleanup Program-this grant opportunity is a great fit for our project.

Motion to approve Resolution 2018-8

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

Councilmember Thompson/ Osborne to adjourn. All in favor.

Meeting adjourned 6:42 p.m.

Mayor Steve Geiger

City Clerk/Treasurer Su Warren