



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
Sept 4th 2018**

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

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

ALSO PRESENT: CHIEF CORNELIUS, PLANNER BRUBAKER, PLANNER MILLER, CLERK WARREN,

ABSENT: ATTORNEY MARSHALL, ENGINEER HERNDEN

THE PLEDGE OF ALLEGIANCE WAS RECITED.

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

Mayor Geiger acknowledged conflict of interest and disclosures statement.

CONSENT AGENDA:

A. Approve Council minutes for Aug. 20th, regular council meeting with a small correction

B. Approve Bill \$25,739.54

C. Acknowledge Treasurers Report

Motion to approve consent agenda

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

DEPARTMENT REPORTS/UPDATES:

MAYOR: Mayor commented on our PD, he is pleasantly surprised. He wanted to give them Kudo's for arresting a fellow for littering in our town. He appreciates that, he has never seen anyone get a ticket let alone arrested for littering. Thanks.

Mayor mentioned that we have sent out notices to a resident about some chicken complaint issues. We also sent a green card out to the highway 200 business, what is referred to as a wrecking yard, which is across from the golf course.

IHD Has done a lot of work in the last few weeks, which includes Triangle Drive where they moved half the bike signs to the East side of the road. It looks really great now. They did crack sealing on Kootenai Cut-Off Road. They did the ditch at the end of Elm. They did some work today at the Police Dept. with moving the eco blocks for easier snow plowing.

If anyone wants to go to the Emergency Management exercise in Priest River on Sept. 19th at 8:00a.m. It is an all-day event. You do need to register.

CLERK: Clerk said that she got a new computer with two new monitors and it is all set up last week. IT is very nice. Thank you. She would like to surplus the two old monitors. One is NEC SN#CNOUH852-482207D-02AT, and I would just like to throw that one out. The other one is a Dell SN#CN024315-71618-478-AM1H, she would like to donate that one to PSNI.

Motion to surplus two old monitors

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

POLICE: Chief reported that the new garage is almost done. We are now using it. It still has a couple little items to finish.

We have been running short lately and he hopes to have some people back before too long. Chief did hear from Trey last weekend. He said his first week of POST went well and he was enjoying it.

Chief has two old cars, one owned by the Explorer Program. He would like to sell it and put the funds into the Explorer Program. The car is just losing value sitting there. (not owned by the City). The other one is a City car, 2008 Chevy Impala, which we no longer use. There are some mechanical issues with it.

Motion to surplus the 2008 Chevy Impala

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

STREETS: Planner Brubaker reported that the Mayor, Engineer Hernden and Planner Brubaker had a meeting with LHTAC for the Kootenai Cut-off Road flashing beacon project which is in final design. The updated cost estimates are one hundred forty six thousand three hundred twenty dollars (\$146,320.00). The original project estimate was ninety three thousand dollars (\$93,000.00). The original match was six thousand eight hundred dollars (\$6,800.00) is all the City would have paid for. The project was suppose to happen in 2015 but they took those flashing beacons off the market and you could not use them for Federal Grants because there was a patent issue. They have since gotten the approval and now the cost is significantly higher. There have also been a couple add-ons and change orders. The City responsibility would now be fifty three thousand dollars (\$53,000.00) plus the match of six thousand eight hundred (\$6,800.00) for a total of sixty thousand dollars (\$60,000.00) on a one hundred forty six thousand dollar (\$146,000.00) project. The reality is that it is still a good deal. We need to give them the go ahead or cancel the project. There was some discussion on where to get the funds for this project, out of this year or next year's budget. City Clerk Warren asked if one of those sidewalks is going across McNearney Road and aren't we considering doing some improvements at that corner to make the road better for the new businesses that are going in there? Can we expand that corner during the same project? Yes, we can do the work, just keep the cost separate from the original grant.

Motion to move forward on the KCOR flashing beacon grant.

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

PLANNING, PARKS & COMMUNITY DEVELOPMENT: Planner Brubaker reported on compliance updates. Reminded us all that Ponderay Neighbor Day is coming up on September 29th from 1:00p.m. to 6:00 p.m. Planner Miller asked the council members to sign up for time slots at the Field of Dreams booth.

File AM18-016 – The Wilson Trust has initiated an amendment to the land use regulations of Ponderay City Code (PCC). The proposed amendment would modify the text of Title 9, Chapter 4, Article A, Subchapter 4, Special Uses (PCC 9-4A-4), to allow for the construction of rental warehouses, boat and/or recreational vehicle storage or ministorage, in the Rural zoning district, by special use permit approval, provided that specific site and design criteria are met. Planner Miller gave some background, this is the first time a request has come like this to Ponderay. Ponderay City Code 9-6-1 allows for these types of amendments to be initiated by the City Council, the Planning & Zoning Commission and also by members of the public through the application process. When they bring an application forward to initiate an amendment, this is not property specific or project specific. What it is doing is amending the test in our code to include or exclude something. In this case it is amending the code section to include the ability to apply for a special use permit. Your job is to evaluate this application and to determine whether this text amendment is consistent with the Comprehensive plan? We currently require a three acre lot size minimum. IF this were adopted as written the Rural storage would only be allowed on properties that are five acres or greater. Setbacks, if it fronts on an arterial it would require a three hundred foot setback. We would require all side and rear setbacks to be twenty five feet. The sites must have a direct assess onto a public right-of-way. We are limiting its maximum to be 35% of the total parcel size. We require a design to be compatible with Rural caricature and fencing has to compliment the exterior of the building. The fence needs to be obscured from view. Out door storage has to be accessible to the indoor storage. The units are not to be used as any sort of dwellings. They cannot be used for commercial service, repair, industrial places of business, no manufacturing, commercial repair or selling items. They are strictly for storage.

Any lighting has to be shielded downward and directed so as to confine the lighting to their premises. No portion of the above restrictions related to storage have to be construed in the manner that would inhibit agricultural pursuits. We have met all of our public noticing requirements. There was also a front page article on the front page of the Daily Bee on Sun. July 22nd regarding this request. We received no comment from the public.

Marty Taylor-J.A. Sewell & Assoc. Land use planner. Absent is the ability to provide services so the property could be used for commerce. The ordinance that has been drafted, that I have participated in, has extremely restricted standards on setbacks, landscaping, lot coverage, access, lot size, lightings, operating hours. This kind of text amendment and the proposed activity that could occur it simply makes sense for Rural property. What we have learned over the year is that certain kinds of activity are better suited for certain property's particularly if there is lack of infrastructure. A great use for property that you can't sewer/water is a use that doesn't require sewer/water and that is what storage does. There were no adverse agency comments. It is consistent with the Comp Plan and goals and objectives of the land use map. We have a special use permit application that is consistent with this proposed text amendment that has been tested and the amendment works. The applicant is more than ready to proceed, provide a service, add to the City's economy. He respectfully requests approval for the text amendment as submitted.

Councilmember McNearney commented that he has been in the same place having no facilities. Consequently, he ended up with mini storages on Industrial property on McNearney Rd. Now that we have facilities available, it would be better if it was something else there. This does give people in the Rural Zone a chance to make a little something from their property. With the restrictions, that we are talking about, they would have to come in and apply for the Special Use permit.

Councilmember Thompson has overall concerns but is mostly concerned with the loss of agricultural lands.

Councilmember Kunzeman does not think that it falls into our Comp plan. Once we get city facilities out there, there would be better opportunities for land use. He thinks it is not the best use of that area.

Mayor was worried that adjacent land owners do not even know that we are proposing this amendment.

Motion to approve File AM18-016

I move to recommend approval of this project FILE AM18-016, requesting to amend Ponderay City Code 9-4A-4 to allow commercial storage facilities within the Rural zoning district by special use permit approval, to the Ponderay City Council, finding that it is in accord with the applicable provisions of Ponderay City Code and Idaho Code and is consistent with the Ponderay Comprehensive Plan. I further recommend adoption of the findings of fact, conclusions of law. Councilmember Osborne/McNearney. Roll Call vote. Osborne-yes, McNearney-yes, Kunzeman-no, Thompson-no, Tie vote. Mayor voted yes. Motion approved

Proclamation was presented that the week of Sept . 17th through the 23rd is Constitution Week.

Motion to approve resolution #2018-5 authorizing lighting of the City Gateway Sign.

Idaho Transportation has agreed to let us tap into the power at the stop light at the "Y" and use their power to light the City Gateway sign. We will pay for the cost of the hook up.

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

Mayor thanked the Planning & Zoning for all that they do for the City.

Motion to adjourn.

Councilmember Osborne/McNearney.

Meeting adjourned 7:22 p.m.

City Clerk/Treasurer Su Warren-Brown

Mayor Steve Geiger