



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
May 17th, 2021**

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

PRESENT: Mayor Geiger, Councilmember McNearney, Councilmember Mitton, Councilmember Osborne, Councilmember Thompson

ALSO, PRESENT: Clerk Warren, Chief Cornelius, Attorney Marshall, Planning Director Brubaker, Planner Miller, Engineer Shaw

ABSENT: Deputy Clerk Peterson

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

AMEND AGENDA:

PUBLIC COMMENT:

- Councilmember Mitton stated he had a disclosure to make regarding File #UP21-067 Fontaine Park, and will state that when the file is heard.

CONSENT AGENDA:

- A. Approve Bills \$ 133,230.22
- B. Approve May 3rd, 2021 regular Council Meeting Minutes
- C. Acknowledge Attorney Report
- D. Acknowledge Police Report

Motion to Approve the Consent Agenda.

Councilmember Thompson/Osborne. Roll Call Vote. All Voted in Favor. Motion Approved.

DEPARTMENT REPORTS/UPDATES

MAYOR:

- Mayor Geiger reported on City Cleanup, we have a generous amazing community. 60 – 70 people volunteered and worked throughout the neighborhood. Thank you to Sandpoint Church of Nazarene, all volunteers, Councilmember McNearney, Councilmember Mitton, Planner Miller, and Engineer Shaw!!
- Wendy's groundbreaking will be held May 20th at 3:30 pm.
- Bike Rodeo is scheduled for Saturday May 22nd from 11 to 3:00 pm at McNearney Park, behind the Animal Shelter.
- New employee starting Tuesday May 25th.

CLERK:

POLICE:

- Chief Cornelius stated testing will begin tomorrow on the open position.
- Sandblasting on the Police Department is completed and ready for the next stage.
- Councilmember Mitton asked if the department had any needs, they are good for now.

STREET/PUBLIC WORKS:

- **ACTION ITEM: Accept Striping Bid** – Engineer Shaw stated they had received five striping bids in total. He recommended Selkirk Sealcoat.

Motion to accept Selkirk Sealcoat Striping Bid.

Councilmember Thompson/McNearney. Roll Call Vote. All Voted in Favor. Motion Approved.

- Engineer Shaw gave updates on Field of Dreams, additional Covid funding to the City, and Drainage Improvement near one of the Car Dealerships.

PLANNING, PARKS & COMMUNITY DEVELOPMENT:

- **ACTION ITEM: SS21-027 Ponderay Cottages – Preliminary Plat**

Clerk Warren read the rules and Conflicts of Interest and Disclosures statement.

Opened the Public Hearing at 6:10 pm.

Presentation by Planner Brubaker. Ben McGrann is proposing a preliminary plat of 17 residential lots facing McNearney Park along Dustarr Ln. The site is +/- 3.05 acres and will include dedication of associated right-of-way, an alleyway and greenbelt. The property is located on the north side of Dustarr Ln. and west of McNearney Rd.

- Access – Access to the site is provided by Starr Ln. or McNearney Rd. and turning onto Dustarr Ln. The current street was initially designed by the city as part of the McNearney Parak development and was only half constructed due to project cost constraints. The preliminary plat application proposes completion of a 32.5 foot-wide, asphalt street with curb and gutter. The new internal access alley will be a twenty-foot all weather fire apparatus access road with a paved travel way in at least 30 foot-wide right of way. The project proposes dedication of a twenty-foot greenbelt for drainage and walking pathways.
- Environmental Factors – The site is relatively flat, and it does not contain mapped wetlands or floodplain.
- Services – The site will be served by Northside Water, Sandpoint Water, Kootenai-Ponderay Sewer District, Avista, Waste Management and Bonner County Solid Waste.
- Stormwater – A general stormwater plan has been outlined in the civil drawings by project engineer Scott Brown P.E., for the project. The plan has been reviewed by Justin Shaw P.E., HMH Engineering who noted several concerns. An engineered stormwater management plan shall be finalized prior to final plat. (Condition B-6)
- PCC 9-5C-15 Minimum Lot Size – Based on the standard residential lot size of 7100 sq ft. The total site of 3.05 acres would yield 18 lots at gross density. 26% of the total site dedicated to the public for Public Ways. Greenbelt is proposed by the applicant (Condition B-10). The project proposes that all lots will have a residence facing McNearney Park. Dustarr Ln. will be constructed to a width of 32.5 feet curb to curb, with planting strip, street trees, and sidewalk (Condition B-7). Development will be required to provide a variety of frontage elevation types with at least six different facades using elements of building plan variation (Condition B-11). Dedication of public right-of-way allowing for emergency vehicle access along the rear of each lot and connecting through to Dustarr Ln. (Condition B-9 and B-10).
- Reviewed Ponderay's original plan.

Project was routed to agencies for review on March 19, 2021.

- Avista – Recommends approval.
- Pat Park, Ponderay Building Official – Staff met with Mr. Park regarding the initial draft of the preliminary plat. He suggested that due to lot depth that both the alleyway and Dustarr Lane needed to meet IFC Standards. (Condition B-9).
- Ponderay Police, Chief Cornelius – Understood the need for affordable housing units and agrees with the concept. However, the area that it is going into has in the past has historically had very light traffic, so some road upgrades will be needed to carry the additional traffic volume safely.
- Justin Shaw, P.E., HMH Engineering – Mr. Shaw stated several concerns primarily relating to the stormwater plan and assumptions regarding impervious surfaces. At the time the report was written there were ongoing discussions between Scott Brown P.E., and Justin Shaw P.E. regarding resolution of the comments.
- Eric Clayton, Northside Fire – Stated they had no additional comments, but will need to meet fire code. (Condition B-9)
- Colleen Johnson, Kootenai-Ponderay Sewer District – Stated that this site is within the district boundaries and the district will provide service after all the district requirements have been met. (Condition B-3)
- Danell Bennett, Panhandle Health District – Stated their standard conditions relating to plats including approval of DEQ or a QLPE stating that proposed water and sewer services meet the State of Idaho Standards. They will lift the sanitary restrictions at time of signature providing their conditions are met. (Condition B-3 and B4)
- Sandpoint Water, Dan Tadic, P.E. – Noted the property is within the Northside Water district boundary and that Sandpoint has a water main in the area. Both Northside and Sandpoint are willing to serve, but discussions are ongoing as to who will serve the development. (Condition B-4)
- Independent Highway District, Commissioner Mel Bailey – Commented this project does not provide 60-foot rights of way for roads. Without this ROW, IHD cannot maintain the roads. If the ROW is provided the road construction and drainage will need to meet IHD and City Standards. (Condition B-7)

No public comment has been made since the Planning and Zoning meeting. Staff recommends approval of the project, subject to the proposed conditions.

Questions for Staff

- Councilmember Thompson asked about the location of a future roundabout on Kootenai Cutoff Rd. Staff noted there will be two roundabouts one at Starr Lane and Kootenai Cutoff and McNearney Rd. and Kootenai Cutoff Rd.
- Mayor Geiger asked about parking on both sides of the road. Staff noted there will be parking on both sides, and alley way parking for the residents.
- Councilmember Thompson then asked about the stormwater drain and if the bridge will be widened. Staff noted that would stay just as it is, this is meant to be residential neighborhood, with a neighborhood scale park. We do not want to encourage people to drive fast through there.

Presentation by Applicant

- Ben McGrann, 401 Lakeshore, Dover – He and his family spend time at the little park there and with the zone change thought it was a good idea to create more affordable housing in the area. They have tried to address all the concerns regarding traffic, drainage, water, and adding people to the area.

Testimony by the Public

- Martin Walker, 15 Perstarr Ln., Opposed – Stated he was the first house next to the area, loves the area. When they bought the house, they had expectations who ever bought the development would create the same look, feel and size as other existing homes in the area. He stated this project does neither. He felt the property should not have more than 10 houses on it. He agreed with the affordable house but with the apartments going in on the other side of Kootenai Cutoff should alleviate that issue. He shared concerns about the trees along the pathway, drainage, and flooding issues.

- Denise Keller, 47 Aultstarr Ln., Opposed – She had concerns about the greenbelt and whether it had been maintained. Staff noted they could bring in an excavator and dig it out but there will always be drainage issues there. They need to make multiple ways in and out, and we need to work on drainage to Sand Creek. Mayor Geiger also noted that as stormwater issues arise, we are looking for ways to correct them.
- Tony Chartney, 42 Aultstarr Ln., Opposed – Stated he had the same concerns as Denise and Martin. Also voiced traffic and parking concerns.
- Ron Knodel, 35 Perstarr Ln., Opposed – Shared his drainage issues, along with the area's drainage issues. He then stated traffic issues regarding the bridge and the safety of children.
- Sue Sayers, 49 Perstarr Ln. – Asked about the anticipated sales price. Applicant vaguely noted with the costs ever rising it was difficult to say, as of now they are ranging from low \$400,000 to upper \$500,000.

Closed the Public Hearing at 6:45 pm.

Discussion/Deliberation among Councilmembers.

Motion to approve File #SS21-027 Ponderay Cottages – Preliminary Plat.

Councilmember Osborne/McNearney. Roll Call Vote. All Voted in Favor. Motion Approved.

- **ACTION ITEM: UP021-067 Fontaine Park LLC – Special Use Permit, Family Apartments**

Clerk Warren read the rules and conflicts of interest and disclosures statement.

Opened the Public Hearing at 6:58 pm.

- Councilmember Mitton stated he received an email about this project regarding the fire flows and wanted to disclose he is the Fire Chief of Northside Fire and he did respond.
- Mayor Geiger also disclosed he works with Winter Hawk.

Presentation by Planner. Fontaine Park, LLC is requesting Special Use Permit (SUP) approval to develop a +/- 5.2-acre site with four, multifamily structures, containing a total of 96 apartment units. The development contains a mix of two and three-bedroom units. Construction is proposed through a two-phase approach, building two structures at a time. Phase two will commence immediately following completion of phase one. The requested and received approval from the P&Z to increase the height of the structures to three stories. The property is located on the east side of Fontaine Drive at its intersection with the Fontaine Connector in Section 11, Township 57 North, Range 2 West, Boise Meridian. The project proposes a 30-foot dedication along the north boundary of the site (Condition A-5). A 20-foot dedication along the south boundary of the site (Condition A-5). Dedication of +/- .65 acres along the east boundary of the for a public park (Condition A-6). Total dedication proposed is 1.465 acres or +/- 28.2% of the site.

- Site Data – Subject property is an +/- 5.2-acre parcel of land located on the east side of Fontaine Drive at its intersection with the Fontaine Connector. The property is further described as Tax 2. The property is currently developed with a single family and associated accessory structures. The existing structures will be removed in preparation for construction.
- Access – The site is located at the intersection Fontaine Drive and the Fontaine Connector. Fontaine Drive is existing, hard-surfaced, public and has an approximate R-O-W width of 80-feet. Project proposed one immediate connection to Fontaine but is designed to accommodate for a north and south approach.
- Environmental Factors – The site is relatively flat. It contains native grasses, trees, and shrubbery. There is no presence of wetlands, or water bodies identified on the site and the parcel does not contain mapped flood plain.
- Services – The subject property is served by Sandpoint City Water and Kootenai-Ponderay Sewer District. Solid waste disposal will be handled by Waste Management. The site is located within the boundaries of the Lake Pend Oreille School District and Northside Fire District.
- PCC 9-4C-4 Special Uses – This proposal includes a total of 96 apartment units, as a result a special use permit is required.
- PCC 9-4C-2 (A) Open Space: +/- 56% is proposed.
- PCC 9-4C-2 (E) Green Space: +/- 44% is proposed and does include the proposed park dedication.
- PCC 9-5A-4 (A) Maximum Height – Three story structures are proposed. No negative comments relating to the height increase were received. The Planning Commission approved the height increase at the April 14th meeting (Condition B-4 and B-10)
- PCC 9-4C-2 (G) Site Plan – A 5-foot-wide sidewalk is proposed along the Fontaine Drive frontage (Condition A-3) and internal sidewalks are proposed along the building frontages.
- PCC 9-5A-3 (B) Setbacks, Multiple-Family Dwellings – The site design proposes the following setbacks as designed:
 - Fontaine Drive – 62 feet
 - North – 106 feet (76 feet post dedication)
 - South – 52 feet (32 feet post dedication)
 - East – 32 feet to the proposed park dedication
- PCC 9-4C-2 (C) Parking Space Requirements – The proposed floor area is +/- 25,029 sq ft per building. 168 parking spaces have been provided (42 per building). Site plan proposes parking spaces that are 9' x 19' with a 26-foot travel way.
- PCC 9-4C-2 (F) Access – Access is proposed immediately through one approach onto Fontaine Drive. Dedication is proposed along the north (30-feet) and south (20-feet) property lines. The site has been designed for additional circulation at such time as streets are connected in these locations. Ponderay Streets Impact Fee capital improvement plan identifies an east-west connection between Fontaine Drive and Bonner Mall Way/East Gate. The northern dedication is 50% of the right-of-way needed to make this connection. This allows the City to apply the streets portion of the impact fees towards construction of this connection (Condition A-5).
- PCC 9-5C-5 Trash – Application proposes screened trash collection facilities at the internal end of each structure.
- PCC 9-5-3 Additional Restrictions for Multiple Family Dwellings.
 - A. Proposed dwelling units' range in size from +/- 1,017 sq ft to +/- 1,224 sq ft.
 - B. The parcel exceeds 15,000 sq ft and exceeds the minimum frontage requirement

- C. 44% greenspace is proposed, dedication of +/- .65 acres along the east boundary of the site for a public park (Condition A-6).
 - D. Proposed buildings and common space occupy +/- 19% of the site.
 - E. Combined floor area and common space occupy +/- 49.8% of the site.
 - F. Impervious surface excluding roof area is about +/-35%.
 - Proposed structures are greater than 5-feet from the travel way.
- (Condition B-8)

Project was routed to agencies on March 5, 2021, responses received from:

- Pat Park, CBO, James A. Sewell & Associates – Stated he reviewed the submitted documents. He indicated that the proposed structure is Group R-2, Type V, sprinklered buildings are allowed at 3 stories by the adopted codes. The building will be required to be sprinklered in accordance with NFPA 913. He recommended approval of this project.
- Avista – Recommends approval.
- City of Sandpoint Water, Dan Tadic, P.E. – Stated the site is located within the service area. He noted the site plan depicts an 8" water main looped through the property, connecting with the existing 8" mains within Fontaine Drive. A 20-foot easement centered on the new water main will be required to maintain the infrastructure. Once design details are needed, the City has the capacity and the ability to serve this development generally as depicted. Upon acceptance of final engineered plans and completion of the approved infrastructure, service will be provided. (Condition A-4)
- Ponderay Police, Chief Cornelius – Stated that he is neutral on the project and noted that he can see both the need for housing and the impacts that it will have on traffic flows through the area. He suggested that the best solution would be a traffic signal at Tibbetts. The second being a turnaround/crossover at Highway 95/Fontaine Connector. He noted that both options would allow for traffic to turn and head south without having large amounts of traffic. He also stated an exit to Bonner Mall Way would also help, which he noted is already narrow for traffic carried.
- Independent Highway District, Commissioner Bailey – Noted concerns with traffic flow, snow plowing and right-of-way. Fontaine Drive provides access to the project. Fontaine Drive can enter Hwy 95 going west from two service roads. You are limited to only turning north onto Hwy 95 from both service roads. If you need to go south, you are required to drive north to the Bonner Mall Way controlled intersection and make a U-turn. If several cars needed to make this turn, they could block the turn lane. The project description states that there are northern and southern exits. The only exits are through private not public, driveways. The project describes constructing a road on 30-foot ROW on the northern side of the project. The IHD requires ROW be 60-foot wide. The proposed road runs to the railroad tracks on its east end and a private parking lot. The south side of the project has dedicated 20-foot ROW for a path to a park at the east end of the project. The ROW appears to be a driveway to parking spaces within the project. If this were to be used as a path the car traffic would create a hazard. This project has a limited amount of ground that is not built on. The amount of pavement if the ROW were paved reduces this even more. The parking for the project is limited with less than 2 cars per unit and no provision for guest parking. The project states that it has 24 ADA accessible units but only 8 ADA parking spaces. These spaces are only on the inside parking with non along the outer side of the building. Snow removal may be a problem as little area is available for snow storage. Snow cannot be placed on the ROW. A snow management plan needs to be established.
- Kootenai-Ponderay Sewer District (KPSD) Colleen Johnson – Stated the property is within the boundaries of KPSD. The site has 4 single family residence capacity reservations and one hook-up currently. She stated that while additional information is needed, the district will provide service once all requirements have been met. She then noted that the applicant originally submitted to construct all 4 buildings at one time, but later revised the sewer district application to include a two-phase approach. The district will allow them to purchase what is needed for each phase at the time of construction. (Condition A-3 and B-3)
- Justin Shaw, P.E., HMM Engineering, City Engineer – He reviewed the special use permit application and provided comments and questions relating to driveway culverts, drainage improvements, sidewalks, the approach width and infiltration and retention areas. Additional information was provided by 7b Engineering via email on March 22, 2021. On March 26, 2021, Mr. Shaw provided a follow-up email indicating that his concern had been address and had no additional comments. (Condition A-3 and B-3)
- Union Pacific (UP) Railroad, Madeline E. Roebke, Senior General Attorney – Stated that the site is adjacent to a UP rail line and any decision should consider that train volumes in this area may increase in the future and any neighboring uses should be compatible with continued rail use. She also commented regarding the following: Increase traffic impacts and safety concerns – UP requests that should the application be approved that the City examine any increase of vehicle and pedestrian traffic on nearby at-grade railroad crossings to see if any additional mitigation measures should be included. UP is concerned that construction equipment will impede their ROW. She noted that any increase in pedestrian traffic increases the potential for trespassing. The UP-Rail line operated 24-hours a day which generate noise and vibration. She indicated that the applicant and the City should consider construction of sound barriers. (Condition A-7)
- Idaho Transportation Department (ITD), William Roberson – ITD is neutral on this project.
- Northside Fire District, Captain Eric Clayton – Noted no comments on the proposal but the project will need to comply with the fire code. (Condition B-10)

Public Comment (P&Z meeting)

- Kris Sabo, Executive Director, Pend Oreille Surgery Center – Neutral on the request, they simply ask that the applicant require contractors to consider their downwind neighbors when burning slash/construction debris. (Condition B-11)
- Larry and Patty Peak – Opposed. They noted the changes they have witnessed in Sandpoint and Ponderay due to the growth that has occurred over the past several years. They stated that controlled growth is the answer rather than unchallenged growth. She stated that they are more in favor of single-family homes, stating that renters come and go. Developments get rundown and then issues with crime and drugs begin, which affect the whole town. She raised questions regarding whether

the housing will be subsidized or low income, lease length, and where tenants will work. She further discouraged this type of growth regardless of the revenue impact for Ponderay.

- Mike Andrews – Commented relating to the traffic impacts of residential vs commercial development and public access. He raised specific concerns relating to peak traffic flow times and traffic circulation and disruption.
- Verbal comment received was regarding the intersection of Fontaine Drive and the Fontaine Connector.

Planning Commission Recommendation

Commissioner Tate moved to recommend approval of this application FILE UP21-067, requesting special use permit approval to develop four apartment buildings, containing a total of 96-units, within the commercial zoning district of Ponderay. He further moved to approve the setbacks as presented and authorize construction to be three stories in height, finding that the project is in accord with the applicable sections of Ponderay City Code as enumerated in the findings of fact and conclusions of law in the staff report and based upon the evidence submitted up to the time the staff report was prepared, and testimony received at this hearing. He further moved to recommend adoption of the findings of fact, conclusions of law and conditions of approval in the staff report, noting an amendment to add a proposed condition A-8 which is to be implemented subject to authorization of a 60% parks impact fee reduction by the Ponderay City Council. Commissioner Engle seconded the motion. A roll call vote was held, and the motion carried unanimously.

- Impact Fee Waiver Request
 - Proposal includes dedications of +/- 28% of the overall site including a +/- .65-acre public park.
 - Parks impact fees are intended to cover the cost to both acquire and develop park land in the community.
 - They will provide the basic grade work for the site and the City will then develop the park.
 - P&Z recommendation goes a step further and requires the applicant to build 20 parking spaces that are available for the park and as overflow for the development.
 - Staff initially intended to request a 50% reduction
 - P&Z recommendation was to increase this request to a 60% reduction and require them to construct parking.

Staff recommends approval subject to the recommended finding of fact and the conditions of approval. Staff agrees with the P&Z recommendation.

Presentation by Applicant. Alyce Ispirescu addressed only a couple of items. She noted all the lower-level units need to be convertible but only 2 of them per building need to be ADA accessible, so there is enough parking. She also noted this will be affordable housing and not low income.

- Ian Ehrsom, 7B Engineering, 414 Church Street – He summarized the traffic study between the local businesses compared to residences. He also noted the need for adding additional sidewalks on the backsides of the buildings. Ms. Ispirescu also addressed the need for breeze ways being enclosed.

Closed the Public Hearing at 7:41 pm.

Discussions/Deliberations among Councilmembers.

Conclusions of Law

Based on these findings of Fact, the Ponderay City Council concludes that the special use permit request is in accordance with the applicable sections of Ponderay City Code, and therefore is approved based on the motion made by Councilmember Thompson.

Motion to Approve this application FILE UP21-067, requesting special use permit approval to develop four apartment buildings, containing a total of 96-units, within the commercial zoning district of Ponderay. I further move to approve the setbacks as presented and authorize construction to be three stories in height as was approved by the Planning Commission, finding that the project is in accord with the applicable sections of Ponderay City Code as enumerated in the findings of fact and conclusions of law in the staff report, and based upon the evidence submitted up to the time the staff report was prepared, and testimony received at this hearing and Conditions of approval in the staff report.

Councilmember Thompson/Mitton. Roll Call Vote. All Voted in Favor. Motion Approved.

- **ACTION ITEM:** Parks Impact Fee to Reduction File UP21-067

Motion to Approve the Parks Impact Fee to Reduction FILE UP21-067.

Councilmember McNearney/Mitton. Roll Call Vote. All Voted in Favor. Motion Approved.

- **ACTION ITEM:** AM21-021 Zoning Text Amendments – Stormwater Management & Additional Restrictions on Multiple-Family Dwellings

Clerk Warren read the rules and Conflicts of Interest and Disclosures statement.

Opened the Public Hearing at 7:42 pm.

Presentation by Planner Miller. 7B Engineering has initiated an amendment to the land use regulations of Ponderay City Code (PCC). The proposed amendment would modify the text of Title 8, Chapter 4, Stormwater management, to allow engineers to use alternate Best Management Practices when designing stormwater treatment facilities, where currently only Grassed Infiltration Areas are permitted by code. Additionally, the amendment would strike Title 9, Chapter 5-3, Section E and F. These sections place additional coverage restriction on Multiple Family Dwellings constructed within the City.

- PCC 8-4 Storm Water Management – The application proposes numerous revisions throughout this section of code with the intent of allowing for greater design flexibility. Currently Ponderay City Code limits onsite stormwater treatment facilities to grassed infiltration areas, which do not work well in areas that have poorly drained soils as is common in Ponderay. Clarifies who may prepare a stormwater management plan. Clarifies design specifics and adds definitions.
- PCC 9-5-3 Additional Restrictions on Multiple-Family Dwellings – The proposed amendment would delete sections E and F of the above section of Ponderay City Code.

Application was routed to agencies on March 14, 2021.

- Pat Park, CBO, James A. Sewell, and Associates – Noted that he had reviewed the proposed changes and recommends approval.

- Justin Shaw, P.E., HMH Engineering – Noted that he had no comments on the proposed amendments to PCC 9-5-3 and provided a mark-up of PCC 8-4 indicating some minor requested revision. (Condition 1)
- Northside Fire District, Captain Eric Clayton – Indicated that they had no comments but did note that projects will need to comply with fire code.

Staff Recommends Approval.

- Justin Shaw – Stated he liked the idea of hiring a Landscape Architect, and felt they were good recommendations. He did not think there would be a huge change in the stormwater treatment or design. Currently the design storm is consistent with other municipalities in the area.

Testimony by the public – none

Closed the Public Hearing at 7:54 pm.

Discussion/Deliberation among Councilmembers.

Motion to Approve this project FILE AM21-021, requesting to amend Ponderay City Code 8-4, Storm Water Management and delete sections (E) and (F), finding that it is in accord with the applicable provisions of Ponderay City and Idaho Code. I further move to adopt the findings of fact, and conclusions of law.

Councilmember Thompson/Osborne. Roll Call Vote. All Voted in Favor. Motion Approved.

- **ACTION ITEM: Brownfields Cleanup – Environment Contractor RFP**

Planner Brubaker noted this RFP was for Environmental Consulting and Cleanup Services for City of Ponderay. Councilmember Thompson asked about the acquisitions or money transfers for the cleanup as stated in the proposal. Staff noted to acquire contaminated properties, it states that we will have to get a phase one prior to purchasing a property. There was further discussion about acquiring additional properties to clean up the entire contaminated area. Currently, cleanup can only take place on City property. Councilmember McNearney made a motion, there was no second. There were concerns with a couple different clauses in the proposal. It was decided to bring this back at the next Council meeting.

MISCELLANEOUS REPORTS:

ORDINANCES, RESOLUTIONS, PROCLAMATIONS, CONTRACTS:

OLD BUSINESS:

PUBLIC COMMENT:

*******Executive Session – ID Code 74-206, subsection 1-c**

- c. To acquire an interest in real property which is not owned by a public agency.

Motion to enter Executive Session per ID Code 74-206 1-c.

Councilmember Thompson/Mitton. Roll Call Vote. All Voted in Favor. Motion Approved.

Entered Executive Session at 8:18 pm.

Motion to leave Executive Session per ID Code 74-206 1-c.

Councilmember Thompson/Osborne. Roll Call Vote. All Voted in Favor. Motion Approved.

Left Executive Session at 8:37 pm.

Motion to allow Planner Miller to negotiate.

Councilmember Osborne/Thompson. Roll Call Vote. All Voted in Favor. Motion Approved.

Councilmember Mitton/Thompson

Meeting adjourned 8:38 p.m.

City Clerk/Treasurer Su Warren-Brown

Mayor Steve Geiger