



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
July 6th, 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: Attorney Marshall, Clerk Warren, Chief Cornelius, Planning Director Brubaker, Planner Miller, City Engineer Shaw, Deputy Clerk Peterson

ABSENT:

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

AMEND AGENDA:

PUBLIC COMMENT:

CONSENT AGENDA:

- A. Approve Bills \$ 38,972.00
- B. Approve June 21st, 2021, regular Council meeting minutes
- C. Acknowledge Treasurer's Report
- D. Acknowledge Police Report

Motion to Approve the Consent Agenda with corrected minutes from June 21st.

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

DEPARTMENT REPORTS/UPDATES

MAYOR:

- Mayor Geiger updated Council on his meeting with the Governor regarding the sales tax revenue sharing.
- Fireworks were kept to a minimum, only a few calls were made. There were a couple complaints regarding the firework stand being open and selling fireworks. Mayor went and spoke with the owner of the firework stand.

CLERK:

- Clerk Warren had given updates on Bed Tax and Local Option Sales Tax totals.
- **ACTION ITEM: Payoff Field of Dreams** – Mayor Geiger stated that we have the funding to payoff the Field of Dreams and by doing so the city would save on interest costs.

Motion to Approve the Payoff of Field of Dreams.

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

- **ACTION ITEM: Audit – Mayor Signature** – Clerk Warren noted that the Audit was received and there were a couple write ups. One involving the grant funding being placed in the revenue and over expending the Streets budget. Mayor noted he would like to have a discussion with the Auditors and sign in their presence.

Motion to Approve Mayor Geiger's signature on the Audit.

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

POLICE:

- Chief Cornelius noted he has a meeting with one possible candidate and gave an update on the Police Department remodel.

STREET/PUBLIC WORKS:

- Engineer Shaw had given updates on the Schoolhouse, Fire Hydrant placements, Ziplay Fiber Installations, Field of Dreams Committee, Field of Dreams Construction sign, and Ting – Three Amigos revisions and lawn issues.

PLANNING, PARKS & COMMUNITY DEVELOPMENT:

- City Addressing Policy Update – Planner Brubaker went over a rough draft of the road naming and addressing policy they would like to put in place. Innovate team - Jared Yost and Dan Spinosa spoke of how they produced this new policy they are

proposing for the city. The purpose of the policy is to establish standards for naming roadways and assigning numbers to all platted lots, dwellings, buildings, and businesses; and to assist emergency management, first responders, the United States Postal Service, and the public in the timely and efficient provision of services to residents of the City of Ponderay.

- **ACTION ITEM: File AM21-022 – Zoning Text Amendment, Accessory Dwelling Units, Industrial Zone Uses and Height Restrictions** – Planner Miller stated this file has a variety of text amendments that were initiated by the Planning and Zoning Commission, they directed staff to write a draft ordinance amendment that went through them for review, recommendations were received and are now being brought forward to Council for final approval. Planner Miller walked through the proposed changes. There was discussion regarding the definition of “heavy” equipment. There was also discussion regarding habitable and non-habitable living spaces. Finally, there was discussion and clarification regarding a joint power’s agreement with Selkirk Fire Department and three-story buildings without special approval from the Planning and Zoning Commission. Modifications were made and accepted by Council.

Motion to approve File AM21-022 with the proposed amendments.

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

- **ACTION ITEM: Community Development – Larkspur Connection to Schweitzer Plaza Extension** – Planner Miller noted the new landowners are willing to work with the city to create the connection from Larkspur to Schweitzer Plaza. Planning is proposing a Community Development project that would include a special use permit application that would help them gain the development for a multi-family dwelling in the form of townhouses which allows for a connection from Schweitzer Plaza to Larkspur. In exchange the city would gain dedicated right of way, a space on the east side for a public park and the southerly tip which contains a stormwater pond which feeds into the culvert and connects to drainage from one side of the highway to the other then out to the lake. Aldercreek homes would provide a part of the road connection. There was discussion regarding Aldercreek’s additional egress to Triangle Drive. It would help with traffic flow to have the connection made farther away from Triangle Drive and Kootenai Cutoff Rd.

Motion to approve the Community Development – Larkspur Connection to Schweitzer Plaza Extension.

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

MISCELLANEOUS REPORTS: Lake Pend Oreille School District minutes for May 11th and 25th; Bonner County minutes for June 8th, and 15th.

ORDINANCES, RESOLUTIONS, PROCLAMATIONS, CONTRACTS:

- **ACTION ITEM: Ordinance 158 – Northside Fire District Impact Fees and Capital Improvement Plan**

It should be noted that Councilmember Mitton has a conflict of interest.

ORDINANCE NO. 158 – AN ORDINANCE OF THE CITY OF PONDERAY, BONNER COUNTY, IDAHO, PROVIDING FOR AN UPDATE TO THE CALCULATION OF NORTHSIDE FIRE DISTRICT IMPACT FEES AND TO ACCEPT AND UPDATED NORTHSIDE FIRE DISTRICT IMPACT FEE STUDY AND CAPITAL IMPROVEMENT PLAN AND PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE HEREOF.

Motion that the rules be suspended and that the proposed ordinance pass its first reading by Title only and its second and third readings under suspension of the rules and further that the Ordinance be adopted.

Councilmember McNearney/Thompson. Roll Call Vote. McNearney, Thompson and Osborne Voted in Favor. Mitton Abstained. Motion Approved.

- **ACTION ITEM: Ordinance 159 – Amendment of City Code Title 9, Accessory Dwelling Units, Industrial Zone Uses and Height Restrictions.**

ORDINANCE NO. 159 – AN ORDINANCE OF THE CITY OF PONDERAY, BONNER COUNTY, IDAHO, PROVIDING FOR THE AMENDMENT OF CITY CODE TITLE 9, CHAPTER 1 ENTITLED DEFINITIONS; TITLE 9, CHAPTER 4, ENTITLED ZONING DISTRICT REGULATIONS, SPECIFICALLY ARTICLES A, B AND D USES PERMITTED AND ARTICLE D SPECIAL USES AND TITLE 9, CHAPTER 5A, SUBCHAPTER 4 (PCC 9-5A-4), ENTITLED HEIGHT RESTRICTIONS; AND PROVIDING FOR THE PUBLICATION AND THE EFFECTIVE DATE HEREOF.

Motion that the rules be suspended and that the proposed ordinance pass its first reading by Title only and its second and third readings under suspension of the rules and further that the Ordinance be adopted.

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

- **ACTION ITEM: Resolution 2021-02 – Amendment to the City of Ponderay Fee Schedule** – Planner Miller reviewed the changes to the fee schedule.

Public Hearing Opened at 8:12 pm

- Public comment received – Zachary Kohl asked what the increase percentage was between the old fee schedule and the new fee schedule. He was provided with a copy of the fee schedule.

Public Hearing Closed at 8:13 pm

Motion to Approve Resolution 2021-02 – Amendment to the City of Ponderay Fee Schedule.

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

OLD BUSINESS:

NEW BUSINESS:

*******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.

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

**Councilmember Osborne/Thompson. Roll Call Vote. All Voted in Favor. Motion Approved.
Entered Executive Session at 8:17 pm.**

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

**Councilmember Thompson/McNearney. Roll Call Vote. All Voted in Favor. Motion Approved.
Left Executive Session at 8:28 pm.**

PUBLIC COMMENT: Rick Larkin provided additional comment regarding the basic standards of 2 and 3 story buildings.

**Councilmember McNearney/Thompson
Meeting adjourned 8:31 p.m.**

City Clerk/Treasurer Su Warren-Brown

Mayor Steve Geiger