



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
September 6th, 2022**

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

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

ALSO, PRESENT: City Clerk Peterson, Parks & Community Dev. Director Brubaker, Planning Director Miller, Attorney Marshall, City Engineer Shaw (Zoom)

ABSENT: Chief Cornelius

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

AMEND AGENDA:

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PUBLIC COMMENT:

- Dr. Becky Meyer introduced herself.
 - Superintendent of Lake Pend Oreille School District.

CONSENT AGENDA:

- 1) Approve Bills \$93,667.70.
- 2) Approve August 15th, 2022, Council Meeting Minutes.

Motion to Approve the Consent Agenda.

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

DEPARTMENT REPORTS/UPDATES

MAYOR:

- State of the Cities meeting at Tango Café 12:00 p.m. September 8th, 2022.
- Ponderay Neighbor Days this Saturday from 1:00 p.m.- 6:00 p.m.
 - Band, Activities for kids and Food Venders.
 - Pictures of New Stage at Harbison Field.
 - Ribbon Cutting Saturday September 10th, 2022.
- Sandpoint Water Discussions
 - Study for needs & efficiency.
 - ARPA Funding
 - Action Item 9/19/2022 Meeting.

CLERK:

- Deputy Clerk Peterson gave Bed Tax and Sales Tax Update.
 - Bed Tax Accounts are all current.
 - Local Option Sales Tax for July \$333,000.00.
- Open 2021-2022 Budget.
 - Action Item - Unanticipated Revenue.
 - Public Hearing next meeting.

POLICE

- Police Department Roof Repair.
 - Final Invoice – additional fee for covering skylight.

STREET/PUBLIC WORKS:

- City Engineer Justin Shaw gave project updates.
 - Bonner Mall Way Paving by McDonalds.

- Paving is completed.
 - Final Invoice - lower than bid.
 - Triangle Drive Drainage
 - Added to 2023 Budget.
 - Start date discussion.
 - Field Of Dreams
 - Working on detailed design.
 - Bids sent out.
 - HWY 95 approach permits.
 - UP Railroad Drainage
 - Pipe/Culvert ownership.
 - Piehl Road
 - Funding amount available.
 - Improve drainage.
 - Paving options.
 - Discussion followed.
- **ACTION ITEM** Triangle Drive Drainage Project Bid Award
 - Council approved at prior meeting.
- Street Sign Inventory discussion set for next meeting.
 - Colville Lane

PLANNING, PARKS & COMMUNITY DEVELOPMENT:

- Parks & Community Dev. Director Brubaker gave Project Updates.
 - Neighbor Day Booth
 - City Hall – Build Grant
 - HMH – Field of Dreams Booth
 - Build Grant
 - Public Meeting #2
 - Traffic Counts
 - EPA Brownfields Grant
 - Sand Creek
 - NFS RTP Grant
 - Kaniksu Land Trust (Grant)

- **ACTION ITEM** UP22-089, Eastmark Capital Group, Special Use Permit, Ponderay Plaza Apartments Phase 2.

Opened the Public Hearing at 6:39 p.m.

No Conflicts of interest or disclosures.

Presentation by Planning Director Miller.

Presented the Planning Staff Report and Staff Recommendation.

- Report included video presentation of aerial photos and site plans drawings.
- Planner Miller read mailed comments.
 - Avista
 - IHD
 - Ponderay Police
 - HMH
 - City of Sandpoint Water
 - Kootenai-Ponderay Sewer
 - Northside Fire
 - Sewel
- Discussion amongst Planning Staff and Council members.
 - 3 Story – Sprinklers
 - Starr Lane extension

Presentation by Applicant.

- **Sean Barnes, Seattle, WA.**
 - Brief overview of project.
 - Phase 1 & Phase 2.
 - Questions/comment by Council and Public.

Public Testimony

- In favor
- Neutral
 - Dr. Becky Meyer, LPSD
 - Current LPSD capacity.

- Opposed

Rebuttal by the Applicant.

No Additional Comments/Questions by Council.

Closed the Public Hearing at 7:06 p.m.

Motion to Approve this application File UP22-089, requesting Special Use Permit approval to construct three multi-family apartment structures containing a total of 96-units and three townhome structures containing a total of 18 units on ±6.84-acres, within the commercial zoning district of Ponderay 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 and based upon the evidence submitted up to the time the staff report was prepared, and testimony received at this hearing. I further move to approve the setbacks as presented and to adopt the conditions of approval in the staff report as proposed.

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

- **ACTION ITEM** EPA Brownfields Multipurpose Grant – Alta Task Order #1 Contract

Presentation by Parks & Community Dev. Director Brubaker.

Motion to Approve Mayor Geiger to sign Alta Task Contract.

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

- Post Office Lease Update
 - Expires March 2023.
 - Renegotiating 1 year contract.
 - Federal bid process.
 - 3 years

MISCELLANEOUS REPORTS:

OLD BUSINESS:

ORDINANCES, RESOLUTIONS, PROCLAMATIONS, CONTRACTS:

NEW BUSINESS:

- **ACTION ITEM** Ordinance No. 152R, 2021-2022 Revised Appropriation Amendment (Scratched)

PUBLIC COMMENT:

- **ACTION ITEM** 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 – ID Code 74-206, Subsection 1-f.

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

Entered Executive Session at 7:19 p.m.

Motion to Exit Executive Session – ID Code 74-206, Subsection 1-f.

Councilmember McNearney/Larkin. Roll Call Vote. All Voted in favor. Motion Approved.

Left Executive Session at 7:27 p.m.

- Mayor Geiger
 - Ordinance - Council meetings time change from 6:00 p.m. to 5:30 p.m.
- Councilmember Larkin
 - Ice Rink Chiller Unit.

Councilmember Larkin/McNearney.

Meeting Adjourned 7:30 p.m.

City Clerk/Treasurer Stephanie Peterson

Mayor Steve Geiger