



**CITY OF PONDERAY
REGULAR
MEETING MINUTES
December 20th, 2021**

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

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

ALSO, PRESENT: Chief Cornelius, Attorney Marshall, Parks & Community Dev. Director Brubaker, Dep. Clerk Peterson

ABSENT: Clerk Warren, Planning Director Miller, Engineer Shaw, Councilmember McNearney

CONFLICTS OF INTEREST AND/OR DISCLOSURES:

AMEND AGENDA:

PUBLIC COMMENT:

CONSENT AGENDA:

- A. Approve Bills \$ 33,864.04
- B. Acknowledge Attorney Report
- C. Acknowledge Police Report

Motion to Approve the Consent Agenda.

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

DEPARTMENT REPORTS/UPDATES

MAYOR:

- Mayor Geiger noted another successful Santa Sack event and mentioned a citizen that was responsible for graffiti was caught by one of our police officers.

CLERK:

- Deputy Clerk Peterson read the sales tax update for November. It was suggested by Council to update the Council meetings, and Holiday calendars for the upcoming year.

POLICE:

- Chief Cornelius updated and noted the following:
 - Graffiti Issue
 - Reopening the Police Officer Position
 - Citizens are starting to ask about sales tax monies
 - Possibility of hiring two officers, and the purchase of new patrol vehicles.

STREET/PUBLIC WORKS:

PLANNING, PARKS & COMMUNITY DEVELOPMENT:

- ****ACTION ITEM**** VR21-003 Ponderay Cottages - Side Flanking Street Variance

Opened the Hearing at 6:10 p.m.

Councilmember and Northside Fire Chief Mitton made a disclosure.

Presentation by Parks & Community Dev. Director Brubaker

Presented the Planning Staff Report along with Planner Miller's recommendation.

- Discussion amongst Planning Staff and Council members.
 - Two lots affected
 - Sidewalk Construction on McNearney

No Presentation by Applicant

No Public Testimony or Comment

Closed the Hearing at 6:20 p.m.

Motion to Approve FILE VR21-003 requesting variance approval in order to construct a single-family residence and associated accessory structure (garage with possible future accessory dwelling unit) with a 5-foot side flanking setback, finding that it is in accord with the applicable provisions of Ponderay City Code. I further move to adopt the conditions of approval, as listed in the staff report.

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

- ****ACTION ITEM**** AM21-0023 Title 9 Chapter 5A Section 3(A) [4] Side Flanking Setbacks

Opened the Hearing at 6:24 p.m.

Conflicts of interest or disclosures.

Councilmember and Northside Fire Chief Mitton made a disclosure.

Presentation by Parks & Community Dev. Director Brubaker

Presented the text amendments.

- Discussion amongst Planning Staff and Council members.
 - Alley maintenance responsibilities.

No Public Testimony or Comment

Closed the Hearing at 6:29 p.m.

Motion to Approve FILE AM21-023, requesting to amend Ponderay City Code Title 9, Chapter 5A, (A) (4), Side Flanking Setbacks, finding that it is in accord with the applicable provisions of Ponderay City and Idaho Code.

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

- ****ACTION ITEM**** UP21-079 P&D Development Special Use Permit Recreation Facility

Opened the Hearing at 6:31 p.m.

Conflicts of interest or disclosures.

Councilmember and Northside Fire Chief Mitton made a disclosure statement.

Presentation by Parks & Community Dev. Director Brubaker

Presented the Planning Staff Report and Staff recommendation.

Presentation by Applicant

- **Scott Dempsey, Sandpoint, ID**
 - Reviewed the project.

Public Testimony/Comment

In Favor

- **Doug Lutz, Sandpoint, ID**
 - Likes the idea.

Closed the Hearing at 6:40 p.m.

Motion to Approve File #UP21-079 requesting special use permit approval in order to convert a previously approved +/-4,125 square foot warehouse facility to a recreation facility containing two pickle ball courts, finding that it is in accord with the applicable provisions of Ponderay City Code. I further move to adopt the conditions of approval, as listed in the staff report.

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

- ****ACTION ITEM**** UP21-075 Ponder Industries LLC & Nathan Rodland, Special Use Permit, Single Family Dwelling

Opened the Hearing at 6:43 p.m.

Conflicts of interest and disclosures.

Councilmember and Northside Fire Chief Mitton made a disclosure statement.

Presentation by Parks & Community Dev. Director Brubaker

Presented the Planning Staff Report and Staff Recommendation.

- Discussion amongst Planning Staff and Council members.
 - Width of Access Road
 - Fire Access

Presentation by Applicant

- **Doug Lutz, Sandpoint, ID**
 - Brief overview of project
 - Questions/comments by Council and public.
 - Previous special use permit - expired

No Public Testimony

Additional Comments/Questions by Council

- Questions/Comments included
 - Walking path width
 - Easement (Condition A-7)

Closed the Hearing at 7:07 p.m.

Motion to Approve FILE #UP21-075 requesting special use permit approval in order to construct a single-family dwelling, associated residential accessory structure and retaining walls, finding that it is in accord with the applicable provisions of Ponderay City Code. I further move to adopt the conditions of approval, as listed in the staff report.

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

- ****ACTION ITEM**** Brownfield Cleanup - Environmental Contractor RFP

Motion to Approve the Brownfield Cleanup Environmental Contractor RFP.

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

MISCELLANEOUS REPORTS:

ORDINANCES, RESOLUTIONS, PROCLAMATIONS, CONTRACTS:

- ****ACTION ITEM**** Ordinance #161 - Title 9, Chapter 5A, Section 3 (A)[4] Side Flanking Setbacks

Motion that the rules be suspended and the Ordinance pass its first reading by title only and the Ordinance be adopted.

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

NEW BUSINESS:

- ****ACTION ITEM**** Executive Session - ID Code 74-206, Subsection 1-c

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

Entered Executive Session at 7:12 p.m.

Left Executive Session at 7:16 p.m.

Motion to Approve the City to purchase real property #00000117850A and to allow Mayor Geiger to sign documents.

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

PUBLIC COMMENT:

Councilmember Thompson/Osborne

Meeting adjourned 7:19 p.m.

City Clerk/Treasurer Stephanie Peterson

Mayor Steve Geiger