

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council.

Vision Statement

Bonners Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life.

AGENDA

CITY COUNCIL MEETING

Bonners Ferry City Hall

7232 Main Street

267-3105

June 3, 2014

7:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

PUBLIC COMMENTS

Each speaker will be allowed a maximum of five minutes, unless repeat testimony is requested by the Mayor/Council

GUESTS

Gary Leonard – July 4th Fireworks Celebration

REPORTS

Police/Fire/City Administrator/Economic Development Coordinator/Urban Renewal District

CONSENT AGENDA

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Treasurer's Report
4. Approval of May 20, 2014 Council Meeting Minutes

OLD BUSINESS

NEW BUSINESS

5. City – Approve 4th of July Fireworks Celebration and Authorize Mayor to Sign Fireworks Paperwork (attachment)
6. Pool – Authorize Hire of Lifeguards (attachment)
7. City – Approve Catering Permit for Mario DeLeon dba Mario's Mexican Restaurant for the Bull Bash at the Fairgrounds on June 13, 2014 (attachment)
8. Fire – Approve Volunteer Firemen
9. P&Z – Adopt Resolution 2014-06-01 Land Use Public Hearing Procedures (attachment)
10. Water/Sewer – Establish New Contact and Authorized Signatory for Discharge Monitoring Reports for EPA and DEQ (attachment)

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 67-2345, SUBSECTION 1

Consider hiring a public officer, employee, staff member or individual agent.

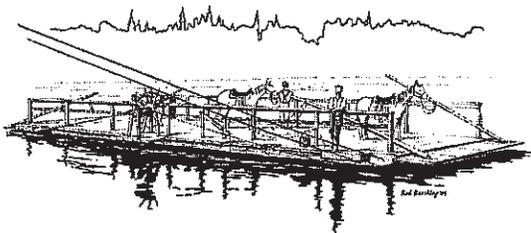
- (a) Consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.
- (b) Conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.
- (c) Consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code.
- (d) Consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.
- (e) 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.
- (f) Engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed.

ADJOURNMENT

NEXT MEETING DATE

INFORMATION

11. City – AIC Annual Conference June 18 through June 20, 2014



MEMO

CITY OF BONNERS FERRY
CITY ADMINISTRATOR

Date: 29 May 2014
To: City Council
From: Stephen Boorman, City Administrator
Subject: Hiring of Lifeguards.

Further to the lifeguard hires approved at the last council meeting, we have interviewed the two new candidates. It is our recommendation that the city hire Emily Fredericks and Tucker Cavender as lifeguards this summer.

SOB

CITY OF BONNERS FERRY
CATERING PERMIT APPLICATION

RECEIVED

MAY 16 2014

CITY OF BONNERS FERRY

Owners Name: Mario DeLeon
Business Name: Mario's Mex Rest
Business Address: 6536 M-S.
Bonnors Ferry
State Beverage License Number: 11548

I hereby request a catering permit for the following dates: _____

from the hours of _____ a.m./p.m. to 12:00 pm 11:00 pm a.m./p.m. at the

following location: Fair grounds

Catering will be done for the following group or organization sponsoring the

event: Bull Bash

Type of Event: Rodeo

Wine: _____ Beer: X Hard Liquor: _____

Mario DeLeon 5-15-14
Signature of the Licensee Date

Mario DeLeon
Printed Name

Address: 6536 M-S. Bonnors Ferry Phone: 208 267 3410

Date Submitted to City Council 6-3-14

A non-refundable fee of \$20 per day is required with the application

Please make check payable to: City of Bonnors Ferry
P. O. Box 149
Bonnors Ferry, ID 83805

RESOLUTION NO. 2014-06-01
CITY OF BONNERS FERRY

TITLE: LAND USE PUBLIC HEARING PROCEDURES

WHEREAS: Idaho Code §67-6534 requires that cities maintain a regular set of procedures for public hearings held by the City of Bonners City Council in matters governed by the Local Land Use Planning Act; and

WHEREAS: From time to time it is beneficial to review and revise those hearing procedures to better facilitate input from the public and to promote a thorough and expeditious hearing;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the City of Bonners Ferry hereby adopts the following procedures to be applied in matters concerning land use-related public hearings:

Section 1. Public Notice

- a. If a public hearing is required by law or ordinance, the planning commission and, when applicable, the city council shall hold at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the proposal shall be published in the city's official newspaper. Notice of public hearing should only be published when an application is complete in a manner sufficient to address the requirements established by ordinance and application forms.
- b. In the case of annexations, conditional use permits, site-specific rezones, subdivisions, and variances, notice shall also be provided to property owners within the land being considered; those record owners of lands within three hundred feet (300') of the external boundaries of the land being considered; and, optionally, within any additional areas that may be substantially impacted by the proposal as determined by the city or by decision of the city staff. Contents of the mailed notice must contain the information required by law and when practical should include information guided by this Resolution such as requirements of testimony, default time limits (or issue-specific time limits, if known), timing for allowing written submissions, and other significant conditions or restrictions on testifying.
- c. When mailed notices would be required to be sent to two hundred (200) or more property owners, a notice of public hearing, at least 2" x 4" in size, published in the city's official newspaper at least 15 days prior to the hearing, shall be considered adequate in lieu of otherwise required mailed notices.

- d. For site-specific matters, the subject property should be posted with signs describing the type of action to be considered, contact information for the City of Bonners Ferry, and the time, date and location of the hearing. Such signage shall be posted on the site as required by law.

Section 2. General Rules for Testimony in a Quasi-judicial or Annexation-related Public Hearing:

- a. At the commencement of the public hearing, the Commission/Council, or the Chairman/Mayor may establish a time limit to be observed by all speakers. The following order will apply to all matters of quasi-judicial decisions: Applicant (to describe application and reasons that it meets requirements) followed by Staff explanation, Individual testimony – pro, neutral and con. Rebuttal by the applicant (no new evidence – only information from the record to rebut assertions by contrary testimony) – as needed.
- b. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed their name and written their contact address on sign-up sheets to be provided by the city. This requirement shall not apply to staff or technical witnesses directed by the chairperson to give evidence or information to the hearing agency.
- c. The presiding officer, or the council/commission, is authorized to revise the default time frames and order of proceedings so long as due process rights are maintained. In the event of disagreement by governing board members with procedural rulings by the chairman, the governing board may suspend or amend any one or more of these rules by majority vote of members of the governing board then in attendance, provided that due process rights are preserved.
- d. Anyone who intends to appear as a representative of a group at a hearing where spokesmen will be allowed should contact the City at least five days prior to the hearing. Staff may then apprise the representative of procedures for the hearing and any special limits or allowances concerning testimony.
- e. No person shall be permitted to speak before the council/commission at a public hearing until such person is recognized by the chairperson.
- f. Testimony should directly address the subject at hand.
- g. Testimony should not be repetitious with other entries into the record.
- h. Testimony should not be personally derogatory.
- i. Testimony should comply with time restrictions established by the hearing agency.

j. If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.

k. All public hearing proceedings shall be recorded electronically or stenographically and all persons speaking at such public hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be complete.

Section 3. Order for Quasi-Judicial Public Hearing:

Quasi-judicial hearings involve site-specific decisions (such as rezoning specific property) as opposed to legislative hearings which require decisions that have a broad application (such as a change in the text of a zoning or subdivision ordinance, which does not necessarily affect one specific parcel of land). Quasi-judicial Public hearings should follow the order of events set forth below:

- a. Brief introduction of the subject of the hearing by city staff.
- b. Presentation by applicant. (Decision makers should address their questions to the applicant at this time.)
- c. City staff report. (Decision makers should address their initial questions to staff at this time.)
- d. Open Public Hearing: Testimony from public in the following order: (Questions from the decision makers should be asked of the person testifying before they leave the podium whenever possible.)
 1. In favor of proposal
 2. Neutral respecting proposal
 3. Opposed to proposal
- e. Rebuttal testimony from applicant. (Decision makers should ask any final questions.) If new facts are elicited, the public must be given an opportunity to respond to the new facts.
- f. Close Public Hearing
- g. Discussion of hearing subject among governing board members. Questions may also be directed to city staff during this period. Any procedural rules requiring a motion prior to discussion are hereby suspended for purposes of such discussion. Decision makers may table the matter until later in the meeting if other public hearings are pending or to a later meeting for deliberations.
- h. The final decision should include a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan for rezoning requests, relevant ordinance and statutory provisions for other requests, pertinent constitutional principles and factual information contained in the record.

Section 4. Standards for Written Testimony:

Written testimony and exhibits from the public to be admitted at a public hearing shall comply with the following standards:

- a. Written testimony and exhibits must be submitted at least six (6) calendar days prior to the date of the pertinent public hearing. This provision may be varied through notice to potential hearing participants.
- b. Written testimony should include the signature and address of the submitter.
- c. Written testimony should address the issue at hand.
- d. Written testimony should not be personally derogatory.
- e. If written testimony or an exhibit fails to comply with the aforementioned standards, the chairperson or council/commission may declare such testimony inadmissible.

Section 5. Exhibits:

All exhibits, photographs, diagrams, maps, evidence and other material presented during the public hearing should be marked or otherwise indentified and entered into the record. Exhibits from the Applicant must be submitted at least twenty (20) days prior to the hearing and shall be marked or identified prior to publication of any notice of public hearing. Original exhibits may be released to the presenting party if requested in writing, and if acceptable to the City and legal counsel. If original exhibits are released, photocopies or reproducible photos of the originals should be maintained in the record.

Section 6. Records Maintained:

The City Clerk should maintain records of all public meetings in the following manner:

- a. Transcribable verbatim recordings of the proceedings should be maintained in conformance with Idaho Code §50-907 or its successor.
- b. Originals or accurate duplicates of written submittals to the hearing record and copies of applications should be maintained in conformance with Idaho Code §50-907 or its successor.
- c. Minutes which catalog the occurrences at the public hearing shall be maintained as required by applicable sections of the Idaho Code.

Section 7. Procedures for Legislative Public Hearings.

Public hearings on legislative matters brought pursuant to requirements established by the Local land Use Planning Act should take place after notice has been provided as required by law. Prior to publishing notice of legislative public hearing a draft of the legislative proposal should

be prepared and be available for public inspection no later than the day the notice of public hearing is published. Legislative public hearings do not require final decisions in a manner comparable to those for quasi-judicial proceedings.

Section 8. Order for Legislative Public Hearing:

Legislative public hearings should follow an order of events where:

- A. The purpose of the hearing is provided;
- B. The public is provided an opportunity to comment (public testimony does not need to follow any particular order, however, the chairman may limit testimony consistent with Section 2 of this Resolution)
- C. Decisions on or tabling the matter is made by the governing board.

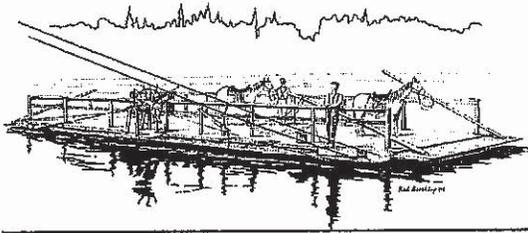
This resolution shall be in full force from the date of its adoption until superseded by a resolution addressing the same subject matter.

Adopted this _____ day of _____, 2013.

Mayor

ATTEST:

City Clerk



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

Date: May 30, 2014
To: City Council
From: John F. Griffin, Water/Sewer Superintendent
Subject: WWTP NPDES Permit No. ID-002022-2 and
WTP NPDES Permit No. ID-002045-1

Background (General Provisions Part V.)

As part of the document submittal requirements of the subject permit's, once a new person is selected and thus authorized to sign and certify documents relative to the permits, the following must occur:

E. Signatory Requirements

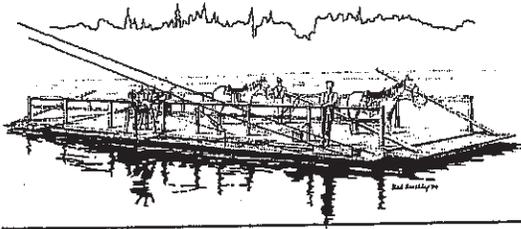
All applications, reports or information submitted to EPA and IDEQ must be signed and certified as follows.

1. All permit applications must be signed as follows:
 - a) For a corporation: by a responsible corporate officer.
 - b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
 - c) For a municipality, state, federal, Indian tribe, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by EPA or IDEQ must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a) The authorization is made in writing by a person described above;
 - b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and
 - c) The written authorization is submitted to the Director of the Office of Compliance and Enforcement and IDEQ.
1. Changes to authorization. If an authorization under Part V.E.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.E.2 must be submitted to the Director of the Office of Compliance and Enforcement and IDEQ prior to or together with any reports, information, or applications to be signed by an authorized representative.
2. Certification. Any person signing a document under this Part must make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Recommendation

Prepare submittal letter to EPA Region 10/Idaho DEQ for/under Mayor Anderson's signature authorizing someone other than John F. Griffin to sign all submittal documents respective to the subject permits.



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

June 3, 2014

Mr. Jeff Ken Knight
U.S. EPA Region 10
Office of Compliance and Enforcement
NPDES Compliance Unit
OCE-133, Suite 900
1200 Sixth Avenue
Seattle, WA 98101

Dear Mr. Ken Knight:

**Subject: Signature Authorization - WWTP NPDES Permit No. ID-002022-2
WTP NPDES Permit No. ID-002045-1**

As specified in the General Provisions of the subject permits, all required reports and other information requested by the EPA or IDEQ must be signed by a ranking elected official or by a duly authorized representative of that person. Hence, I hereby authorize Stephen Boorman, City Administrator, or Douglas W. Ladely, Water/Sewer Treatment Operator for the City of Bonners Ferry, Idaho, to sign those documents.

Should there be any questions and /or comments regarding this matter, please direct those to Douglas W. Ladely telephone number (208) 267-4380 at your convenience.

Sincerely,

Mr. David Anderson
Mayor – City of Bonners Ferry

PC: **Mr. John Tindall**
Engineering Manager
Idaho DEQ
2110 Ironwood Parkway
Coeur d'Alene ID 83814