

Mayor Darrell Kerby called the April 18, 2006 council meeting to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Russ Docherty, Council Members John Langs, Leslie Falcon, and Dave Gray, Clerk Kris Larson, City Administrator Stephen Boorman, Police Chief Dave Kramer, Planning and Zoning Coordinator Gary Falcon, and Fire Chief Larry Owsley. Also present were James Trocke, Ken Maring, and Raina Maring.

Dave Kramer said there is a Substance Abuse Prevention Night at the high school and Alan Ashby is attending. He said Allen is having a bicycle safety class on Saturday. Dave also said the cattle haulers are slowing down with the manure problem and speeding.

Leslie Falcon moved to approve the consent agenda. Russ Docherty seconded the motion. The motion passed, all in favor. The consent agenda contained the following: roll call; approval of April 18, 2006 accounts payable; approval of Treasurer's Report; approval of April 5, 2006 special council meeting minutes; approval of April 4, 2006 regular council meeting minutes; approval for Rick Alonzo and Dean Satchwell to attend a DNA School in Post Falls on May 23, 2006.

Larry Owsley gave the fire report. He said the fire department is testing hoses and hydrants.

Gary Falcon said he met with Attorney Tim Wilson and went over the changes to the Area of Impact Ordinance that were made by Boundary County. Gary said the County is going to have another public hearing on the area of impact and the Attorney recommended that the City wait to adopt it until after the hearing. Council agreed.

Mayor Kerby asked if the Planning and Zoning members were invited to the development meeting in Coeur d'Alene and asked that they be invited. Gary will contact them.

Dave Gray moved to table the impact fee proposal discussion until after the development meeting in Coeur d'Alene. John Langs seconded the motion and it passed, all in favor.

Stephen spoke to Council regarding electric rates. Council reviewed a handout presented comparing the rates under a new rate proposal that reclassifies the way the city charges the small and large commercial services and increases base charges for all classes. John Langs asked for clarification between the way customers are currently charged and how the new rate structure will compare. Stephen said if a demand charge is paid then the kilowatt-hour charge is reduced. The change in the rate structure is to make the system more equitable between classes. It includes a rate increase of 4.6 percent. Mayor Kerby explained the change that is being proposed is a different way of charging the customers than what we have typically done in the past. Stephen thinks the new rate structure is simplifying the process. Leslie Falcon moved to start the process for a rate increase hearing for the electric department based on a 4.6 percent increase and adopt the change in classification as proposed. Russ Docherty seconded the motion. The motion passed, all in favor.

Dave Kramer introduced Judge Mitchell who was in Bonners Ferry for Prevention Night. Duane Rasmussen was also present with Judge Mitchell. Judge Mitchell said he tries cases primarily that Judge Verby is disqualified on. Mayor Kerby asked when another judge will be appointed. Judge Mitchell responded that is already in the works and the new judge will be located in Coeur d'Alene. Judge Mitchell said the criminal caseload is mushrooming primarily due to drugs. Judge Mitchell said a mental health drug court has been established in Coeur d'Alene and it is working well. He said Kootenai County is saving about \$25,000 per year with this program by getting people back into society as productive people. It takes a specialized treatment team. He said people from Boundary County are welcome to use the Coeur d'Alene drug court as well. Judge Mitchell volunteers for the drug court program. Jack Douglas joined the meeting briefly. Judge Mitchell, Duane Rasmussen, and Jack Douglas left the meeting at 7:45 p.m.

The fire truck bid was the next agenda item. Stephen recommended that all bids be rejected as non-compliant since no bids were received timely and then for the city to purchase the fire truck from U.S. Fire Equipment, LLC for \$80,000 for a 1994 Class A Pumper with the concurrence of legal council and inspection of the truck by city representatives. John Langs moved to accept Stephen's recommendation as stated. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Russ Docherty moved to approve the Trocke Subdivision as recommended by the Planning and Zoning Commission agreeing with the findings and facts of the Planning and Zoning Commission. John Langs seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Russ Docherty inquired about what timetable Ken Maring was looking at for his business move. Ken commented that it is mid-May. Russ said he would like to amend the ordinance to do this type of a request through a special use permit process. Dave Gray commented that the Planning and Zoning Committee had worked on rewriting the Planning and Zoning ordinance a year ago and this type of business would qualify if it had been adopted. Mayor Kerby commented that the problem that came forth at Planning and Zoning was that the zone change was not something they wanted to see but they did not see a problem with Ken's home business of internet, engraving, and trophies. Mayor Kerby inquired about the time frame that would be necessary for home occupation criteria to be met. Gary said the proposed ordinance changes had set out criteria for home businesses under special uses or conditional uses. Gary said Planning and Zoning will have to hold a hearing on the proposed ordinance and then it comes to Council. Mayor Kerby suggested having the Planning and Zoning hearing on one night and the Council hearing the next night in order to get the ordinance amended. Mayor Kerby said that Council wants this issue to be fast tracked for home occupations to be allowed in Residential AA zones. Gary said the old ordinance will have to be amended to include home occupations.

Russ Docherty moved to deny the request for zone change for Ken Maring as recommended by Planning and Zoning. Leslie Falcon seconded the motion. Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “abstained”, John Langs “abstained” – the motion passed.

Leslie Falcon moved to have the full reading of Ordinance 495A amending the subdivision ordinance. Dave Gray seconded the motion. The motion passed – all in favor. Clerk Larson read the ordinance in its entirety. Dave Gray suggested that 12-5-4B be amended to include judgment of staff rather than opinion of staff.

Dave Gray moved to have Ordinance 495A read by title only for the second time as amended. John Langs seconded the motion. Clerk Larson read Ordinance 495A by title only.

Dave Gray moved to have Ordinance 495A read by title only for the third time as amended. John Langs seconded the motion. Clerk Larson read Ordinance 495A by title only.

Russ Docherty moved to adopt Ordinance 495A as amended. Leslie Falcon seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Leslie Falcon moved to approve the catering permit for the Eagles for the Fair Board dance on June 3, 2006. John Langs seconded the motion. The motion passed, all in favor.

Russ Docherty moved to advertise for hiring lifeguards at the rates proposed and to advertise for a park’s laborer. Leslie Falcon seconded the motion. The motion passed, all in favor.

Russ Docherty moved to go into executive session at 8:26 p.m. per Idaho 67-2345 for the discussion of legal issues. Leslie Falcon seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”. At 9:20 p.m. Russ Docherty moved to go out of executive session. Leslie Falcon seconded the motion. The motion passed, all in favor. No action was taken.

Leslie Falcon moved to accept the resolution of terms as presented by our insurance company, ICRMP, dated April 13, 2006. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

There being no further business, the meeting adjourned at 9:23 p.m.

Darrell Kerby, Mayor

Attest: _____
Kris Larson, City Clerk