



**CITY OF PONDERAY  
REGULAR  
MEETING MINUTES  
April 15<sup>th</sup>, 2024**

**MAYOR GEIGER CALLED THE MEETING TO ORDER AT 5:30 P.M.**

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

**ALSO, PRESENT:** Attorney Marshall (Via Zoom), Planning Director Miller, Chief Cornelius

**ABSENT:** City Clerk Peterson, Councilmember Larkin, City Engineer Tadic

**CONFLICTS OF INTEREST AND/OR DISCLOSURES:**

**AMEND AGENDA:**

**PUBLIC COMMENT:**

**CONSENT AGENDA:**

- 1) Approve Bills \$216,463.25.
- 2) Approve Council Meeting Minutes for April 1<sup>st</sup>, 2024.
- 3) Acknowledge the Police, Attorney, and Treasurer's Report.

***Motion to Approve the Consent Agenda.***

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

**DEPARTMENT REPORTS/UPDATES:**

**MAYOR:**

- City Maintenance position discussion.
  - Triangle Drive weeds.
  - Field of Dreams turf installation.
    - 6-8 weeks to completion.
    - Will need a trained maintenance person.

**CLERK:**

- Bed Tax & Sales Tax updates.
  - Bed Tax - February - \$30,384.58
  - Sales Tax - February - \$211,441.10

**POLICE:**

- Laws on Camping on City streets.
  - City Law cannot override Federal Law.
    - Can not remove a homeless person unless you have an alternative solution.
      - No facility for women.
      - Gospel Mission has limited beds for men.
    - Can only remove from private property.
  - Cole McAvoy, 500 Vermeer, Ponderay, Idaho 83852
    - Vehicle using Jay Paul's electricity.
    - School Zone? Guitar lessons
      - Firearms / Sexual Predator

**STREET/PUBLIC WORKS:**

- City Engineer Tadic gave updates.
  - Field of Dreams Site walk.
    - April 16<sup>th</sup> at 5:30 p.m.

**PLANNING, PARKS & COMMUNITY DEVELOPMENT:**

- City Planning Director Miller gave updates.
  - Ice Rink
    - Sent out Sponsorship packets.
    - Collecting Donations for June 1<sup>st</sup> Fund Raising event.
- **ACTION ITEM** File ZC24-030, Mountain Scape Inc., Zone Change Request from Residential to Industrial.

Open Public Hearing at 5:59 p.m.

Conflicts of Interest or Disclosures.

Councilmember McNearney made a disclosure.

Presentation by Planning Director Miller.

Presented the Planning Staff Report and Staff Recommendation.

- Read comments in for the record.

No Presentation by Applicant.

The applicant is not present.

No Public Testimony or Comments.

Closed Public Meeting at 6:00 p.m.

Question/Comments by Council.

Councilmember McNearney.

- Should have stayed Industrial.

*Motion to Approve this project File ZC24-030 requesting to change the zoning map as it related to the subject 1.87-acre parcel from residential zone to Industrial zone, subject to conditions, finding that the request is in accord with the general and specific objectives of the Ponderay City Code, the Comprehensive Plan and based upon the evidence submitted and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as stated in the staff report with the new conditions of approval.*

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

#### MISCELLANEOUS REPORTS:

#### OLD BUSINESS:

- Local Options Sales Tax
  - Timeline
    - Planning Director Miller
      - Draft for next meeting.

#### ORDINANCES, RESOLUTIONS, PROCLAMATIONS, CONTRACTS:

- **ACTION ITEM** Ordinance 174, an Ordinance of the City of Ponderay, Bonner County, Idaho, Changing the Zoning Classification of Property from Residential to Industrial and providing for publication thereof.
  - Mayor Geiger entertained a motion that the rules be suspended, and the proposed Ordinance pass its first reading by Title only.

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

#### NEW BUSINESS:

- Councilmember McNearney
  - Pop up signs discussion.
    - Staff to pick up.
    - Business has 10 days to pick up.
  - Retail Signs discussion.
    - Cole McAvoy, 500 Vermeer, Ponderay, Idaho 83852.
      - Code – Setbacks, Engineered, Permitted.
      - Who/how enforces code?

#### PUBLIC COMMENT:

Councilmember Thompson/McNearney  
Meeting Adjourned 6:19 p.m.