

CITY OF PIERCE
404 South Main St Pierce, ID 83546
Monday, June 12, 2023
REGULAR COUNCIL MEETING MINUTES

Mayor Gerot called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Present: Greg Gerot, Eden Bowie, Kathy Wilson-Dill, Clay Hosley John Stinson, & Teresa Koepke

Guest: Clare Brick, Tyrel Shaw, Daniel Vaughn, Harry Stenzel, Jerry Coles, Diane Gerot, John Payne, Samantha Shaw, Rachel Rasband

Councilmember Bowie made a motion to approve the May 8, 2023 Work Session and Regular Meeting Minutes as well as the June Accounts Payable. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Citizens Report & Request: Loren Bolen was present to discuss his recent Notice of Code Violation that he received from the City of Pierce. Mr. Bolen said that he has lived here 74 years and was very upset to receive a threatening letter from the City. Mayor Gerot explained to Mr. Bolen that if the City receives a complaint, City Council will review the complaint and decide if there is a code violation and what action is warranted. If it is decided that a code violation does indeed exist, a notice of that violation must be sent to the violating party. Mr. Bolen stated that he is trying to fill in his property and is putting root wads and other wood debris in for filler. He is in the process of obtaining dirt from the contractor working on the WWTP project to cover it all up.

Daniel Vaughn was present to discuss the three complaints he recently filed. His complaints included pictures of dog feces being placed in the back of a pick-up rather than being bagged and disposed of properly. Mr. Vaughn stated he called Idaho Department of Environmental Quality regarding the condition of the Paul's property. Mr. Vaughn said DEQ sent out Clearwater County Sheriff's deputies, but the deputies did not get out of their vehicle to investigate and therefore did not find anything wrong. Mayor Gerot informed Mr. Vaughn that we have reviewed the information and pictures and are working through the process of bringing the Paul's into compliance. Mr. Vaughn also stated that the neighbor with all the chickens (Nathan Minard) has gotten rid of all of his chickens, but the yard needs to be cleaned up including the bark that was thrown over the fence onto City property. Mr. Vaughn was advised that a code violation against Mr. Minard was to be reviewed later in the meeting.

Community Comments/Questions/Concerns: NONE

Department Reports:

Ron Fugate was absent, so John Payne provided the Maintenance Department report. The radiator on the Ford was replaced. The inmates worked on sweeping streets, cutting and removing brush, and cold patching. The chandelier at the play park that was damaged was repaired. The Cadets assisted with the painting over of the graffiti at the play park. Cold patch was done on Canal, Cemetery, Moscrip, and the end of Timberline. A sidewalk at Sandolval's that was damaged by snowplows last winter was replaced. Headlights were fixed on the dump truck. The chain was placed on the Trojan. The grass at the ballfield, play park, and WWTP has been mowed and weeded. Weeds have been sprayed. The water leak on Highway Street was fixed. The dechlor system at the WWTP was adjusted as it wasn't properly installed and/or operated. The backflow preventer at the WWTP was replaced. Several meters were repaired or replaced as needed. There have been issues with vandalism at the water intake and the play park. A camera has been installed to help monitor the situation. Upcoming tasks include the leak on Clearwater, culvert near Patriot's Post, and more cold patching.

Fire Chief Shaw reported that there were two calls for the month of June. One call was an alarm call to IDYCA. The other call was for a possible smell of smoke. Tasks completed include: Fire extinguishers have been serviced and the SCBA maintenance is complete. Tasks still being worked on include: Dust abatement (waiting on GMCO to provide a date), delivery of new SCBA tanks (delivery has been delayed until possibly August), procurement of gas monitors (Shawn with MES is willing to attend a council meeting to discuss. The lease option for the gas detecting monitors is about \$100/month), working with Landlock Divers on update to the SCBA refill system, and washing of Main St. (Main Street needs to be swept better before washing as it will most likely cause damage to neighboring properties.) Mayor Gerot mentioned that the Pierce Volunteer Fire department was awarded an \$8,000 grant submitted by Clerk Teresa Koepke to the Gary Sinise Foundation. The grant will be paid directly to MES to help cover the cost of the new tanks ordered for the SCBA systems. Chief Shaw notified City Council that he had submitted his

resignation as Fire Chief earlier in the day. Councilmember Bowie thanked him for years of service and wished him well.

Sheriff's Deputy Shaw reported that there were 21 calls of service for the month of May for the City of Pierce. Two citations and three written warnings were issued. There were a total of 150 patrol hours logged for the City of Pierce. 90 of those hours were Deputy Shaw. 60 hours were other deputies. Deputy Shaw did state the Sheriff's Department is short staffed right now so he is also covering outside of the city limits of Pierce. He did state that he usually puts in at least 8 hours per shift in Pierce. The department has new deputies coming on board shortly so that should help with Deputy Shaw not being called out to cover other areas within the County.

City Clerk Teresa Koepke reported that Sabrina Moyer has the website ready to go live within the next few days. Teresa has been in contact with former City Clerk Beth Britz about the City's Facebook page. Beth stated that she has been unable to figure out how to reset the password and/or assign Teresa as a page administrator. Councilmember Bowie stated she would contact Beth to see if she could assist her. It was discussed that former employees should not have access to the City's Facebook page. Teresa stated she has been working a lot of hours on getting the bank reconciliations up-to-date. Regarding the missed March 2022 billing, Teresa is still receiving some customer inquiries on that. A lot of customers have paid but there are still some that are either paying installments or have not paid at all. The City received \$681.37 back from the State of Idaho for overpaid state income tax due to errors in payroll processed during early 2022. We also received \$2,657.63 back from the IRS for errors in federal income tax processing.

Old Business:

The previous code violations addressed at the May 8, 2023 regular council meeting were addressed and action taken as follows:

Loren Bolen has covered most of his root wad debris with dirt. He plans to continue to bring in fill dirt to level that section of his property out. Councilmember Bowie made a motion to vacate the complaint and notify Mr. Bolen of his adequate compliance regarding the code violation. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Harold & Leslie Isabelle have burned and/or removed the debris piled in their backyard. The trailer remaining on the property has scrap metal that will be taken in at some point. The Council did not feel that the trailer created a nuisance. Councilmember Bowie made the motion to vacate the complaint and notify the Isabelle's that they have adequately complied in remedying the code violation against them. Councilmember Wilson-Dill seconded the motion. All in favor. Motion carried.

Jody Harris continues to violate city code regarding garbage and debris despite being sent letters to comply and being issued a formal warning. Councilmember Bowie made the motion to proceed with the next steps, which is to issue a monetary citation according to ordinance recently passed. Councilmember Hosley seconded the motion. All in favor. Motion carried.

New Business:

Terrence Stevenson was present to provide an update on WWTP project. Construction is up and going again. Smith & Loveless, the tank manufacturer, will be doing paint touch up and tightening of some bolts. There are a few missing parts that will be shipped and hopefully installed by June 21st. Once everything is installed a clean water fill will be done and the tank will be tested. They will then begin pumping from the existing tank to the new tank. Terrence did state that there has been a problem in the last couple years with the health of biology in the existing tank. We need good bugs for the system to work properly. It is hoped to have the new tank up and running in July. Remaining items are the blowers and the sewer lines up at the end of Cedar. Terrence stated the money is there for these items to be completed. Dan Vaughn asked how much more capacity the WWTP would have. He said there are some proposed housing projects and wanted to know if we would have capacity for those with the new facility. Terrence said fixing the issue up at the end of Cedar will eliminate a lot of volume that would most likely offset any volume from additional housing. Terrence said the next project would be to evaluate our water facility. A water study would need to be done. Mayor Gerot said that we have the funds from the CARE Act set aside for the water study. In regard to a new lift station, Mountain Waterworks is looking for money for that project. Mountain Waterworks had submitted a Letter of Interest to Idaho Department of Environmental Quality (IDEQ), but our request was ranked #42 which would mean we would not receive any funding. Kristina with Mountain Waterworks was submitting a letter back to IDEQ requesting additional consideration.

Mayor Gerot stated that Michelle Bly with TDH Engineering assisted with the Request for Proposal for Engineering Services. Five companies requested and were provided with a copy of the Request for Proposal. Mountain Waterworks was the only company that responded with a proposal. It was discussed that Mountain Waterworks has partnered well with the City of Pierce on previous projects. Councilmember Bowie made the motion to accept Mountain Waterworks' proposal for engineering services. Councilmember Hosley seconded the motion.

Roll call: Councilmember Bowie – Yes
Councilmember Wilson-Dill – Yes
Councilmember Hosley – Yes
Councilmember Stinson – Yes

Motion carried.

Mayor Gerot made the recommendation to approve the proposal for grant writing submitted by TDH. Michelle Bly with TDH has been very helpful in previous grant writing. Councilmember Bowie made the motion to accept the proposal for grant writing submitted by TDH. Councilmember Hosley seconded the motion.

Roll call: Councilmember Bowie – Yes
Councilmember Wilson-Dill – Yes
Councilmember Hosley – Yes
Councilmember Stinson – Yes

Motion carried.

The current copier is not producing good quality copies. Jeff Root looked at the copier and did some research on it. The issue with the copier is a well-known issue with this particular copier and the repair is more than the cost of the copier. The company Mr. Root works for does not work on Brothers and he is unaware of anyone around that does. Mr. Root provided a bid from H&H Document Management Services for a new copier that is similar to the existing copier. The new copier is faster than the existing copier and has features such as a legal paper tray and scan-to-email capability that the current copier does not have. The lease program offered is \$50/month for 60 months. There is an option for a \$61/month lease with a dollar buyout, but Mr. Root felt technology is evolving such that in 5 years the printer would be obsolete and difficult to obtain parts for. The lease program includes a service fee of \$.01 per black and white copies and \$.10 per colored copies. This includes supplies such as toner and drums as well as routine maintenance. Discussion was held whether it would be cheaper to purchase another copier similar to what we have and just replace it every couple years. The advantage to leasing a printer is that service is included with the lease. Councilmember Bowie made the motion to accept the bid proposed by H&H Document Management Services for a price of \$50 per month for a 60 month lease with copies billed at the cost \$.01 per page for black & white and \$.10 per page for colored copies. Councilmember Hosley seconded the motion.

Roll Call: Councilmember Bowie – Yes
Councilmember Wilson-Dill – No
Councilmember Hosley – Yes
Councilmember Stinson – No
Mayor Gerot – Yes

Motion Carried.

A bid from Jared Construction for residing City Hall was reviewed. The bid in the amount of \$22,412.21 included metal siding for the entire City Hall building. It was discussed that other bids should be obtained before any action be taken. Teresa Koepke will reach out to other contractors to request a bid. It was also discussed that due to the fluctuating costs of materials, any bid accepted should contain a clause that the final bid cannot go over a certain amount of the bid provided.

Mrs. Goldsworthy at 220 Clearwater Ave submitted a request that City Council review her water bill for the months of January – February 2023. The usage during these months was extremely high and appears to be caused by a leak. The Goldsworthys hired a plumber to inspect the water lines both under and in the house. Mrs. Goldsworthy informed Teresa Koepke that the plumber was unable to find any major leak. However, once the water was turned back on, there doesn't appear to be excessive water going through the meter. Mayor Gerot informed the Council that is customary to review water bills when a leak exists and to forgive the excess portion of the bill once the customer has fixed the leak. Councilmember Stinson brought up the point that there should be a time limit on the customers fixing the leak. The City has had to pay for the treatment of the water that has gone through the meter. Customers should be responsible to take care of the leak right away rather than let it continue into the next month

after they have received their bills with the excessive water usage. Councilmember Bowie made the motion to waive the excess water usage for the months of January and February 2023 and adjust the bill to the standard \$113.55 for those months as the Goldsworthy's past water usage for the months is zero. Councilmember Wilson-Dill seconded the motion.

Roll call: Councilmember Bowie – Yes
Councilmember Wilson-Dill – Yes
Councilmember Hosley – Yes
Councilmember Stinson – Yes

Motion carried.

Lance and Shelby Young at 119 Timberline Drive submitted a request that the City Council review their water bill for the months of March – May 2023 as they had several different water leaks during those months. They indicated that they have worked on all the leaks and are confident that the leaks are now repaired. Councilmember Bowie made the motion to adjust the Young's water bill by the excess usage for March, April, & May 2023 based on average for the last 12 months. Councilmember Hosley seconded the motion.

Roll call: Councilmember Bowie – Yes
Councilmember Wilson-Dill – Yes
Councilmember Hosley – Yes
Councilmember Stinson – Yes

Motion carried.

The idea of the City purchasing dumpsters for the business customers that currently have dumpsters was discussed. Some of the dumpsters are currently in very poor condition and business owners are having trouble locating dumpsters to purchase or rent. It was mentioned that if the City owned the dumpsters, they would rent them back to the businesses and the City employees could then work on the dumpsters as needed. It was discussed that all businesses with dumpsters should be billed the same amount. Currently there are several different rates for the businesses with dumpsters. It was decided more information was needed before being able to take action on the item. Teresa Koepke will try to obtain quotes for dumpster purchase and/or lease options. Teresa also mentioned that several customers, both residential and business, are placing trash in their garbage cans and/or dumpsters without bagging it properly. Mr. Vaughn pointed out that Ordinance No. 59 requires all garbage be enclosed in plastic bags. Teresa will send out letters to the customers that are not in compliance with Ordinance No. 59 to inform/remind them of the requirement.

The upcoming ICRMP renewal was reviewed. Due to ICRMP's current financial position and estimated future funding needs, the estimate premium is increasing. The 2023-2024 estimated renewal premium for the City of Pierce is \$19,818. This is an increase from \$16,570 for the prior fiscal year. The property deductible will increase to \$2,000. Councilmember Bowie made a motion to approve the estimated premium of \$19,818 for the upcoming renewal. Councilmember Wilson-Dill seconded the motion.

Roll call: Councilmember Bowie – Yes
Councilmember Wilson-Dill – Yes
Councilmember Hosley – Yes
Councilmember Stinson – Yes

Motion carried.

The need for a poultry ordinance was once again discussed. Mayor Gerot made the recommendation that an ordinance limit any poultry within the city limits to six (6) per household and that no roosters be allowed or grandfathered in. All poultry must be kept in a coop with proper setbacks and no free-range poultry be allowed. It was also discussed that the ordinance prohibits the keeping of any guinea birds or peacocks. The idea of getting permission from your neighbors before being allowed to keep any poultry was discussed. It was decided that Mayor Gerot would draft a sample ordinance and the Council would review it in a work session. Councilmember Bowie reminded the council of the recommendations put forth by the committee of residents she formed.

The following code violations were reviewed, and action taken as indicated.

Andrew Mowery at 506 Ash Court has litter and garbage scattered in his front yard. Councilmember Bowie made the motion to send Mr. Mowery a letter informing he is in violation of city code(s) pertaining to waste matter, garbage, and refuse. Mr. Mowery will be given fifteen (15) days to remove or remedy the condition, or to request a public hearing with the City Council of Pierce. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Richard and Janelle Paul at 404 Pierce St have additional complaints filed against them regarding the continued smell of dog feces. As discussed earlier in the meeting, Mr. Paul now appears to be putting the dog feces in the back of a pick-up parked on the property. The vehicle is not dumped on a regular basis and the smell continues to be a nuisance to surrounding neighbors. Mayor Gerot stated that he has fielded complaints from neighboring property owners that are not comfortable filing a formal written complaint. It was discussed that the issue has been ongoing for over two years and additional action needs to be taken to remedy the situation. Mayor Gerot said he will contact Clayne Tyler of the Clearwater Prosecutor's Office to seek advice on what legal action may be taken. The complaints were tabled until such time.

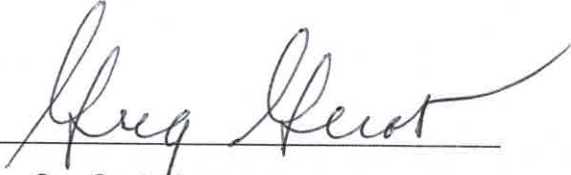
James Bonds at 101 S. Second Ave continues to have garbage/debris strewn about the property as well as three (3) vehicles that appear to be inoperable. There have also been complaints of the property smelling foul due to dog and/or cat feces. Councilmember Bowie made the motion to send Mr. Bonds and Mr. Webster, the property owner, a letter informing them the property is in violation of city code(s) pertaining to waste matter, garbage, refuse, and inoperable vehicles. Mr. Bonds and/or Mr. Webster will be given fifteen (15) days to remove or remedy the condition, or to request a public hearing with the City Council of Pierce. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Nathan Minard at 209 S Second Ave has received complaints of the smell coming from the chickens he is keeping. It was also reported that Mr. Minard's backyard is a mess with garbage and chicken poop. Furthermore, the fence he has to contain the chickens does not meet the property setbacks required by city code. Mr. Minard has also received several disturbing the peace complaints due to roosters continuous crowing. After recently receiving a written warning and monetary fine for disturbing the peace, Mr. Minard did get rid of all his chickens. However, the mess left from the chickens as well as the other garbage and the fact the fence does not meet city code needs to be addressed. Councilmember Bowie made the motion to send Mr. Minard a letter thanking him for getting rid of his chickens and rooster but asking him to please comply with the other issues addressed. Mr. Minard would be given fifteen (15) days to remedy the situation or request a public hearing with the City Council of Pierce. Councilmember Stinson seconded the motion. All in favor. Motion carried.

Walter Culpepper and Rachel Rasband of 203 S South Ave have received numerous complaints relating to the clutter and trash located around their property as well as a complaint of smell from the dogs not being properly picked up after. Additionally, complaints of vehicles parked in the roadway continue to be received. Ms. Rasband was present at the meeting and indicated she was willing to cooperate and pick up the trash and debris as well as clean up after her dogs. She said that no one had complained to her personally and she would have addressed the situation sooner had she known. Ms. Rasband did indicate that her work schedule is very busy so she would work on the issues over the next thirty (30) days. Councilmember Bowie made the motion to send Walter Culpepper and Rachel Rasband a letter giving them thirty (30) days to clean up the trash and debris as well as remedy the situation causing a foul or offensive odor. Councilmember Wilson-Dill seconded the motion. All in favor. Motion carried.

A complaint of an inoperable and unlicensed vehicle belonging to Melanie McCoy was reviewed. The vehicle has been stored on the property next to the apartments behind Pierce Hardware for over a year per the complaint. Councilmember Bowie made the motion to send a letter to Ms. McCoy as well as property owner, Kevin Schmidt advising them of the code violation and giving them fifteen (15) days to remedy the situation or request a public hearing with the City Council of Pierce. Councilmember Wilson-Dill seconded the motion. All in favor. Motion carried.

Councilmember Wilson-Dill made the motion to adjourn the meeting. Councilmember Hosley seconded the motion. All in favor. Meeting adjourned at 8:56 p.m.



Greg Gerot, Mayor

ATTEST:



Teresa Koepke, City Clerk/Treasurer