

**CITY OF PIERCE**  
404 South Main St Pierce, ID 83546  
Monday, May 8, 2023  
**5:00 p.m. WORK SESSION**  
**6:00 p.m. REGULAR COUNCIL MEETING**

Mayor Gerot called the Work Session to order at 5:04 p.m.

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

- 1. Allowance of poultry within the City of Pierce limits.** – Councilmember Bowie reported back the findings from the committee formed to discuss the allowance of poultry within the limits of the City of Pierce. Bowie stated the committee was comprised of community members with chickens, without chickens, and people that understood City ordinance procedures. Councilmember Stinson stated that he felt there was already an ordinance in place that only allowed chickens in a designated area, possibly Chicken Coop. It was decided to table the discussion until the existing ordinance could be located and reviewed.
- 2. Requirement of burn permit for personal firepits/containers.** – Councilmembers felt it was an over governance of the residents to require a permit to burn in a personal firepit or have an open fire for cooking. What people like about Pierce is that we are not governed in everything we do. Unless Fire Chief Shaw had a better justification for requiring the permits, it was decided that the decision not to require burn permits would be upheld.
- 3. Consideration of lot across from Wastewater Treatment Plant.** – Kathy Wilson-Dill inquired about the City deeding the property in front of her house to her. After reviewing the map, it was determined that in order to do that, a survey would need to be completed and a new parcel created. It was decided to table the topic at this time.

Councilmember Wilson-Dill made the motion to exit the work session at 5:47 p.m. Councilmember Bowie seconded the motion. All in favor. Motion carried.

Mayor Gerot called the Regular Meeting to order at 5:54 p.m.

Pledge of Allegiance

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

Guests: Cheryl Stenzel, Harry Stenzel, Robbie Flemming, Brittany Rose, Colton Rose, Tyrel Shaw, Barry Gustin, Lily Hosley, Kristina Baker, Dodd Snodgrass, Dale Gilliam, David Nixon, Diane Gerot, & Pete Lawrence.

Councilmember Bowie made a motion to approve the April 10, 2023 Work Session and Regular Meeting Minutes as well as the May Accounts Payable. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Citizens Report & Request: Peter Lawrence with Jared Construction was present to request a height variance for a shop they are building for Darrin & Sharon Hartwig at 313 Walker Road. The building will be approximately 27' in height versus the 25' allowed. All the neighbors that were successfully contacted are okay with the building being 27' in height. Councilmember Bowie made a motion to grant a variance on the roof height beyond the 25' to the approximate 27'. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Mariana Quigley, owner of the property at 443 Cedar Drive has requested a reduction in her water bill for usage in July and August of 2022. The usage was due to a leaking hot water tank. The issue has been fixed. Mayor Gerot stated that generally if someone has excess water usage due to a leak that once the leak is fixed, the City can forgive the portion of the bill related to the leak. Councilmember Bowie made a motion to adjust Marina Quigley's bill as it relates to the water leak. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Community Comments/Questions/Concerns:

Barry Gustin addressed the Council regarding the code violations he has submitted over the years. Since moving here, he stated the City has had 3 Mayors, 12 Councilmembers, and 6 City Clerks. He has not had a great deal of success with his complaints that have been filed since 2015. Other than one letter from Mayor Gerot he stated he has not received any communication back from the City. He stated that Ordinance No. 157 includes a code enforcement process and he does not believe that it's been followed. He stated that he believes his property has been devalued because of the code violations. Citizen Diane Gerot asked if the properties on Fromelt Road were like that when he bought the property and he stated they

were. Mr. Gustin stated that the City needs to follow their ordinances and that variances that have been allowed are not justified. Mayor Gerot expressed that everybody has rights and that sometimes "junk" is an interpretation. Citizen Cheryl Stenzel stated that she has seen some clean up with the ordinances being enforced but that the junk is now coming back. Councilmember Bowie stated that in the City's defense they have been trying to enforce codes, but the prior Sheriff's Deputy didn't do much in regard to the code violations reported by the City. She informed Mr. Gustin that the City would look into his recent complaints and take action as warranted. Councilmember Bowie also stated that some of our neighbors need assistance, and she was sorry she did not see Mr. Gustin at the recent Community Cleanup Day.

Robbie Flemming asked what was being done regarding the number of chickens a person can keep within the city limits and if roosters are allowed. He said there are four roosters next to him that start crowing at about 4:00 a.m. These are the same roosters that Cheryl Stenzel has complained about crowing throughout the day. Deputy Shaw stated that he was out to the property last week and issued a warning for disturbing the peace. The owner/keeper of the roosters has 15 days to abate the situation or be faced with a fine. Mr. Flemming also discussed the smell coming from the property owner having so many chickens. It is believed that there may be up to 30 chickens on the property. It was discussed that the Council is currently working on an ordinance to better regulate the keeping of poultry within city limits. Some additional research and discussion needs to take place before an ordinance can be drafted.

#### Department Reports:

- A. Ron Fugate reported that there was another plugged sewer line due to JCA Underground Inc drilling through sewer lines while installing the fiber optic cable for Ziplly. The guys have been patching holes and cleaning storm drains and culverts. The intake pipe was cleaned out and has helped with the water system running properly. Paul Sifford was here and provided a lot of beneficial information on the operation of the sewer system. Warning signs were placed by the water tank by the old school as there has been some damage to the entrance from someone apparently trying to gain access. The inmates will be here Tuesday – Thursday. The plan is that they will work on the streets in the Pines as well trim brush hanging in the roadways. Councilmember Stinson commented that the cadets did a good job sweeping the sidewalks. It was suggested that a thank you be sent to IDYCA. The RV dump was opened up last week. Chris from Clearwater Construction said he would be this week or next. They are waiting for water levels to come down. Discussion was held that the US Army Corp of Engineers would assist with the cost of the lift station. Ron was successful in obtaining his CDL.
- B. Fire Chief Shaw reported there were 4 calls for the month of April. Fire Chief Shaw assisted with the final inspection of the IDYCA's fire permit. Eight members of the PVFD completed the fire academy. The issue of not requiring a burn permit for firepits and cooking fires was discussed. Fire Chief Shaw mentioned that the State Fire Marshall gives him the authority to set the fire code for the City. He said having the codes in place will help with residents' homeowner's insurance.
- C. Deputy Shaw reported there were 22 calls for the month of May with a total of 193 hours logged. 133 hours were Deputy Shaw. Calls included traffic stops, ambulance assist, and citations written.
- D. City Clerk Teresa Koepke reported that she attended L-2 training in Moscow. The Auditor was here on April 25, 2023. The bank reconciliations will need to be completed before the audit can be completed. Teresa is working on the reconciliations but some of them go back to 2019. Sabrina Moyer has provided a proof copy of the City of Pierce website. Teresa invited council members and any interested community members to stop by to take a look at the website and provide feedback. Carmen Syed has purchased Judith McIntosh's house next to hers and is generously paying off the delinquent water/sewer/garbage bill that is around \$4,000. PCIC has around \$1,900 of funds they are holding on behalf of the City Park. It was discussed that we should request the funds to be transferred over to have the City control those funds. Councilmember Bowie asked if the Park fund included the kiosk. Mayor Gerot stated he thought he would. Teresa has finished sending out letters regarding the missed March 2022 billing and is now fielding a lot of inquiries.

**Public Hearing:** Mayor Gerot read Ordinance No. 323 – Addition to City Code "Building Codes, Permit and Regulations". Councilmember Bowie made the motion to accept the proposed changes to Ordinance No. 323 with suspension of the rules. Councilmember Hosley seconded the motion. Roll Call: 4 Yes/0 No

#### Old Business:

- A. Review of Code Violation – The Code Complaint for Jody Harris at 441 Cedar Dr was reviewed. A City Code Violation Notice was sent via Certified Mail on April 11, 2023. It appears Mr. Harris has removed the vehicle from the street but has not complied with cleaning up the accumulation of trash and debris. Councilmember Bowie made the motion to start proceedings to issue a warning giving Mr. Harris 15 days to abate the situation or be faced with a citation. Councilmember Wilson-Dill seconded the motion. All in favor. Motion carried.

## New Business:

- A. Dodd Snodgrass and Krista Baker with CEDA were present to discuss some of the programs that CEDA provides. The programs include small business financing, workforce development, Clearwater Youth Basin, as well as community grant writing and administration. It was asked about grants for streets. Ms. Baker mentioned there are pedestrian grants available but grants for paving streets is more of a challenge. She mentioned that LHTAC might be a resource for paving streets.
- B. Chris Allen – J Howard Bradbury Museum Memorandum of Understanding – Ms. Allen was not present, but discussion was held regarding the Memorandum of Understanding (MOU) between the City, the J Howard Bradbury Museum, and the Idaho Historical Society. The MOU has been in place for many years. Councilmember Bowie made a motion to enter into a Memorandum of Understanding with the Idaho State Historical Society and J Howard Bradbury Museum. Councilmember Stinson seconded the motion. All in favor. Motion carried.
- C. The Dust Abatement Proposal from GMCO was reviewed. The product is an eco-friendly product that can be reactivated with water. Discussion was had that the product was very much appreciated by the residents as it kept the dust to a minimum. Councilmember Stinson made a motion to proceed with having GMCO apply the dust abatement product. Councilmember Bowie seconded the motion. All in favor. Motion carried.
- D. The Audit Engagement letter from Zwygart John & Associates CPAs, PLLC was reviewed. Teresa Koepke stated that Jordan from Zwygart John & Associates CPAs, PLLC was onsite on April 25<sup>th</sup>. The estimated fee for the audit is \$11,000 and \$4,000 for the single audit for the Wastewater Treatment Plant project. Teresa stated that Jordan has been very responsive to any questions she has had regarding the City's accounting. Councilmember Stinson mentioned that he thought the accounting firm did a good job on the audits for the two prior years. Councilmember Bowie made the motion that we accept the engagement letter from Zwygart John & Associates CPAs, PLLC. Councilmember Wilson-Dill seconded the motion. Roll call: 4 Yes/0 No
- E. Authorization to Execute Purchase of School District property – Mayor Gerot mentioned that the appraisal is done on the property the City has agreed to purchase from the School District. The appraisal came in at \$65k. The title commitment has been issued and the next step is to sign closing documents. Councilmember Bowie made the motion to authorize Mayor Greg Gerot to sign documents on behalf of the City of Pierce for the purchase of said lot. Councilmember Hosley seconded the motion. Roll Call: 4 Yes/0 No
- F. The renewal for employee health insurance with Blue Cross was reviewed. The overall cost is approximately 12% higher than previous years. Agent Dave Root told Teresa Koepke that some policies had increases of 20% or more. Councilmember Bowie made the motion to renew the employee health insurance with Blue Cross at the premium amounts provided. Councilmember Hosley seconded the motion. All in favor. Motion carried.
- G. It was decided to table the discussion of burn permits at this time. The addition of a secondary burn permit required for personal fire pits and open cooking fires less than 3' in diameter and 3' in height was not added correctly to City Code when done July 11, 2016 as Resolution No. 259. The item was done as a resolution rather than an ordinance. The requirement for a daily, one-time use burn permit for slash piles, etc. is still in effect. The City follows the State's dates for the requirement of a burn permit, which is May 10 – October 20.
- H. City Code Violations submitted by Barry Gustin were reviewed.
  - A camper has been parked on Alpine Court with someone living in it longer than the 14-day period six separate times per year as allowed by City Code. The camper on Alpine Court has been moved so no action was taken.
  - A bus has been parked on Mitch Jared's property where someone is allegedly living in full time, violating the City Code that only allows someone to live in an RV no more than 14 days, six separate times per year. There was also junk piled up near the bus. Mr. Gustin's complaint also inquires into rather Mr. Jared's property is an RV park. It was discussed that it is believed to be a legal RV park. The bus has been moved and the junk has been cleaned up. No action was taken.
  - Harold & Leslie Isbelle's property has a junk pile of plywood, culverts, cement blocks, etc. Mayor Gerot and Councilmember Bowie both stated that they would be willing to volunteer their time to assist Leslie with the clean up as Harold is not in good health to do the clean up himself. Councilmember Bowie made the motion to send a City Code Violation relating to the junk piles to Isbelle's with a 15-day grace period to abate the situation or face further action. Councilmember Hosley seconded the motion. All in favor. Motion carried.
  - Loren Bolen has yard waste, including several large tree stumps that are being dumped right next to the creek and street. Councilmember Bowie made the motion to send a City Code Violation relating to the yard waste and tree stump piles to Mr. Bolen with a 15-day grace period to abate the situation or face further action. Councilmember Hosley seconded the motion. All in favor. Motion carried.
- I. The City's Personnel Policy regarding Paid Time Off was reviewed. The new policy would provide for Paid Time Off (PTO) versus separate vacation and sick leave. The Paid Time Off allowance would be determined by years of service. Guidelines for Paid Time Off are outlined in the updates to the Personnel Policy. This provides for a more competitive employee benefit package in retaining existing employees and/or attaining new employees.

Councilmember Bowie made the motion to accept the changes outlined in the Personnel Policy provided. Councilmember Wilson-Dill seconded the motion. Roll call: 4 Yes/0 No

- J. Councilmember Bowie made the motion to accept the USACE Request for Reimbursement #9. Councilmember Wilson-Dill seconded the motion. All in favor. Motion carried.
- K. Councilmember Bowie made the motion to accept the USDA Request for Reimbursement #14. Councilmember Stinson seconded the motion. All in favor. Motion carried.
- L. The invoice for Mountain Waterworks dated March 31, 2023 in the amount of \$3,370 was reviewed. The services provided by Mountain Waterworks are regarding the Wastewater Treatment Plant project. Councilmember Bowie made the motion to pay the invoice. Councilmember Stinson seconded the motion. Roll Call: 4 Yes/0 No
- M. An application for a business license for Eclectic Energies Hair & Body Wax was reviewed. Councilmember Bowie made the motion to approve the business license. Councilmember Hosley seconded the motion. All in favor. Motion carried.
- N. The invitation for an ad in the 1860 Days program was reviewed. In past years the City had purchased a half page ad which was \$50. It was suggested that we do a full-page ad this year for \$100 and list our new website in the ad. Councilmember Wilson-Dill made the motion that we purchase a full-page ad in the 1860 Days program. Councilmember Stinson seconded the motion. Councilmember Bowie abstain from the vote as she is part of the 1860 Days Committee. All other councilmembers were in favor. Motion carried.
- O. Clearwater County Economic Development Council's request for sponsorship was reviewed. The City of Pierce had most recently done a \$1,000 sponsorship. Last year the City did not provide any sponsorship as they did not feel we were getting enough benefit to justify the cost. Susan Jacobson is the new Director and it was discussed that she seems eager to assist the City as well as businesses located within the City of Pierce. Councilmember Bowie made a motion to do a \$500 sponsorship to start with and see what benefits were provided and possibly increase the sponsorship. Councilmember Hosley seconded the motion. All in favor. Motion carried.

Councilmember Bowie a motion to adjourn the meeting. Councilmember Stinson seconded the motion. All in favor. Motion carried. Meeting adjourned 7:45 p.m.



Greg Gerot, Mayor

ATTEST:



Teresa Koepke, City Clerk/Treasurer