MINUTES OF THE REGULAR COUNCIL MEETING 12/14/2021

Mayor Pro-Tem Jennifer Dunaway
6:00 p.m.

Pledge of Allegiance

Council Members: Mark Swayne, Shannon Schrader, Josh Tilley and Doug Donner

Absent: Sean Simmons and Jon Isbelle

Staff: Administrator-Ryan Smathers, Clerk-Janet R. Montambo, Treasurer-Donna Wilson, Building Official-Todd Perry, Public Works Supervisor-Shane Miller, Water/Wastewater Supervisor-Michael Martin and Fire Chief-Jon Hoyt

Absent: Police Chief-Jeff Wilson

Guests: Myrna Grasser, Mike Gladhart, Dollon Schneider, Rip Remen, Tanna Zywina, Paul Pippenger, Tim Norton, Kathy Steinbruecker, Sal and Tina Lauria and Cathy Bush

Media: Elizabeth Morgan and Nancy Butler

MINUTES

Councilmember Schrader made a MOTION to approve the Regular Council Meeting Minutes held on November 23, 2021. Councilmember Swayne seconded the motion and it passed with a roll call vote resulting in all ayes.

BILLs AND CLAIMS

Councilmember Donner made a MOTION to approve the regular bills and the additional bills and the payroll dated December 4, 2021. Councilmember Swayne seconded the motion and it passed with a roll call vote resulting in all ayes.

PUBLIC HEARING

Special Use Application 1629 Michigan Avenue
Mayor Pro-Tem Dunaway opened the Public Hearing at 6:05 p.m. Valley Enterprises: Paul Pippenger, dba Valley Storage submitted a Special Use Application.

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Tanna Zywina, Representative for Valley Enterprises is requesting a Special Use Permit for the purpose to build a total of twenty (20) enclosed storage units. Ten (10) 12’x25’ and ten (10) 12’x30’ located at 1629 Michigan Avenue. Zywina added they have a waiting list of potential customers that are looking for available storage units.

**Staff Report**

Building Official Perry reported to the Council the property at the address of 1629 Michigan Avenue consists of Lots 1-4 are 2,500 square feet each and previously had a family residence with city services available. Lot 10 is approximately 3,870 square feet and currently has a single-family residence with city services and is located on the southern portion of the property. The property is zoned MXD Mixed Use District-Sales and Service, R-2 Residential District. The intent of the mixed use district is to provide a location where commercial sales and services or residential uses are permitted outright. On October 15, 2019 the City of Orofino Planning and Zoning held a Public Hearing for a change to the zoning ordinance to remove storage units as a permitted use in the MXD Mixed-Use District. The Commission voted 5 to 0 to recommend to the council to remove storage units. On October 22, 2019, the City Council accepted the recommendation from the Commission and removed storage units as a permitted principal use in the MXD Mixed-Use District. The reason for the change was at the request of the city council and Chris S. Germaine, Clearwater County Economic Development Administrator, who came to the Commission and told them that there was a housing shortage in the city.

Perry reminded Council to discuss the reasons for the ordinance change to remove storage units as an outright permitted use and discover if the conditions have changed to warrant approval of this application at this location.

There was no public testimony in support of the application, or uncommitted testimony of the application.

**Public Testimony opposing the application**

**Rip Remen-(1811 Hollywood Street)** Mr. Remen commented he is not opposed anyone making a dollar, but he does oppose storage units in a residential area. Need more housing.

**Tim Norton-(111 N. Forest)** Mr. Norton commented he opposes storage units in a residential area. He grew up in area and always use to see the stars, now all he see is lights from the existing storage units. Norton stated there is enough storage units already built and don’t need more.

**Dollon Schneider-(1670 Michigan Ave)** Mr. Schneider apprised the Council stating he was never approached before when the first bunch of storage units were built, now he is being asked. If the storage units are not allowed what will be done with land. Perry answered Schneider stating City Council not proposing anything, but the property in question is big enough for two residential homes or multiple business’s. Mayor Pro-Tern Dunaway answered Mr. Schneider stating the storage units were taken out of the Ordinance after the first storage units were built when it was allowed in that zone.

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Debra Elizabeth Morgan-(1789 Hollywood)-Ms. Morgan announced she is not covering for the Tribune because she wanted to testify against the Special Use Application. Ms. Morgan commented people decided back when the first storage units were built that they did not want to see any more in a residential area. The property should be used for more residential houses.

Cathy Bush-(1264 Forsman)-Ms. Bush is concerned regarding a neighbor next door to the storage units and when she was faced with trying to sell her house was not able to sale at top price. More storage units is not best for the community, she commented there is a housing shortage. Ms. Bush owns seven rentals and people are always calling looking for a place to live. People commute to Orofino and stay in hotels while continually looking for housing.

Myrna Grasser-(Upper Fords Creek)-Ms. Grasser stated when you drive down Michigan Avenue you notice the many effort’s on property owners trying to clean their yards and painting their houses. People are affected negatively if more storage units are allowed on Michigan Avenue the traffic in and out and constant noise disturbing to the peace of the nearby residents. Life time residents in that area would like to keep the peacefulness and would hope Councilmembers don’t allow more storage units. Grasser commended Pippenger’s for doing a lot for the community, but would rather see more housing and not storage units. Ms. Grasser thanked the Council for listening to her concerns.

Ms. Zywina addressed the concern on lighting and the lights will be directed downward so that it does not interfere with adjacent property owners and a screening fence will be installed next to the residential property.

After no further discussion Mayor Pro-Tern Dunaway closed the public hearing at 6:40 p.m. and opened debate and discussion by the Council. Councilmember Swayne can agree the need for more housing. But also need storage units. This area is zoned MXD Sales and Service and R-2 Residential. The storage units does not classify as sales and service. The property is usable for a different purpose and can be used outright for the purpose of housing or sales and service. Many people tonight have expressed preference for no more storage units in this particular area. Under the new amendment to the Ordinance under MXD Sales and Service and R-2 Residential storage units were removed. The property is already equipped with water, sewer, power and a house is there now. With storage units there between the lights, noise pollution and devalue neighbor’s property, there is not enough housing available.

Councilmember Schrader commented it will set a precedence if we allow this Special Use. The time and effort that Planning and Zoning and Council went through to take storage units out of the Ordinance was because resident’s did not want any more in residential zones and the need for more housing.

Councilmember Swayne inquired from Pippenger’s if they have plans for any additional housing projects. Ms. Zywina replied they have numerous properties that housing and duplex’s can be built on but not sure when that will happen, and at this time there are no plans to build.

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After no further discussion Councilmember Swayne made a MOTION to deny the Special Use Application at 1629 Michigan. Storage Units are not considered Sales and Service and the property can still be developed with the current ordinance for the Mixed-Use District. Councilmember Schrader seconded the motion and it passed with a roll call vote resulting in all ayes.

PETITIONS, APPLICATIONS, APPEALS AND COMMUNICATIONS

Request for Qualifications for Engineering Services Recommendation-Administrator Smathers reported four Engineering Firms submitted RFQ’s. The city will need an Engineering Firm and their expertise in a wide range of services for: Water/Wastewater system facility planning and design, Transportation planning, design and consultation, Multi Model Transportation system, assist in Grant application preparation for projects, Construction Management, inspection and materials testing, review need and submit on request SPPC Plans for specific projects and general on call Engineering and Surveying services. Councilmembers Swayne, Tilley and Mayor Simmons reviewed the RFQ’s. Smathers commented the scoring was close. After reviewing the RFQ’s from J-U-B Engineering, Keltic Engineering, T-O Engineering and TD&H Engineering it is the recommendation of the committee to accept the RFQ with J-U-B Engineering. Councilmember Swayne made a MOTION to accept J-U-B Engineering RFQ for Engineering Services. Councilmember Donner seconded the motion and it passed with a roll call vote resulting in all ayes.

Beer/Wine License Application-Coleman Oil Company LLC, purchased the business from Sunset Mart at 125 Michigan Avenue. A copy of the Beer and Wine State License was submitted with the City Application for approval. Councilmember Schrader made a MOTION to approve the Beer/Wine License for Coleman Oil Company LLC at 125 Michigan Avenue. Councilmember Swayne seconded the motion and it passed with a roll call vote resulting in all ayes.

Cancel City Council Meeting December 28, 2021 for Christmas Holiday-Councilmember Swayne made a MOTION to cancel December 28, 2021 Council Meeting. Councilmember Schrader seconded the motion and it passed with a roll call vote resulting in all ayes.

Child Pedestrian Safety Program Grant Application-A Child Pedestrian Safety Program Grant Application was submitted to the Council for review. The grant if successful will go towards crosswalks in various places on Highway 7, signage and rapid red flashing beacon lights at the crosswalks to warn motorists of pedestrians crossing in the crosswalks. Councilmember Schrader made a MOTION to move forward with the Child Pedestrian Safety Program Grant Application. Councilmember’s Swayne and Tilley seconded the motion and it passed with a roll call vote resulting in all ayes.

Budgeted Item (possible purchase 2014 Dodge Rescue Truck)-Fire Chief Hoyt reported there is a chance that he can purchase a 2014 Dodge Truck that is already set up as a rescue truck. Hoyt had already budgeted for a water tender and after looking at four different water tenders he was not even close in the budget for one, he would need to save a couple of years in the budget to purchase one. It was noted the Rescue 3 pickup is not owned by the City, Clearwater County purchased and City of Orofino Regular Council Meeting held 12-14-2021
owns Rescue 3 pickup and Orofino Fire Department equipped it when it was put in service. To properly enter into an agreement with Clearwater County for rescue calls there will be no question on the billing if the city owns the Rescue Truck and equipment. Hoyt commented back in 2005 Clearwater County received money for the Bicentennial to purchase this truck and make it into a Rescue truck to help in the event of influx of people coming through Clearwater County to follow the Lewis and Clark Trail. Councilmember Swayne inquired if this truck is purchased what is needed to put it in service. Hoyt responded this truck is already set up as a rescue truck it is a 2 ton chasse with an enclosed box to protect all of the tools and up to 5 people can seat comfortably to respond to a Rescue call, all’s it would take is to place city decals on it and it will be in service within one hour. After no further comment, Councilmember Swayne made a MOTION for Fire Chief Hoyt to move forward and authorize him to make an offer and expend the budgeted amount on the 2014 Dodge or on a similar one if that truck is no longer available. Councilmember Tilley seconded the motion and it passed with a roll call vote resulting in all ayes.

DEPARTMENTAL REPORTS

Administrator- Administrator Smathers received good news and reported the new LED street lights for Hwy 12 approaching the Orofino Bridge is in the works to be installed. In other news, Community Transformation Impact Team approved funding for three more projects. Funding was approved to purchase material for Orofino High/Junior School shop class will build four sets of exercise equipment to be installed throughout the different parks along the trails. Another project received funding is the BMX bike park. $16,500 toward the initial $10,000 received from the Land and Water Conservation Fund for construction and hoping to have it completed by next spring. The third project is purchasing an enclosed trailer to transport cones, bikes, helmets and other materials to bike rodeo’s held in communities throughout the county. The program fosters an awareness for pedestrian and bicycle safety. Administrator Smathers commented sometimes children would attend the bike rodeo and not have a bike to ride. The numerous bikes recovered by the police department which remained unclaimed was refurbished and rebuilt by Follet’s Mountain Sports. It was noted the playground equipment was shipped for the Riverside park.

Treasurer- No report.

Building Official- A copy of the November 2021 Building Permit Report was submitted to the Council for review. Building Official Perry reported he is working on the City’s portion for the Multi Hazard Mitigation Plan. The plan is four years old and need to be updated. Councilmember Swayne would like to have a meeting with County Commissioners under a Work Session to discuss the Master Transportation Plan, it affects the whole community.

Public Works- Public Works Supervisor Miller reported the bill from Dr. Pipeline was originally $38,000 but they had employee issues and Shane was displeased on how much time they spent cutting roots out of sewer line, so they adjusted the bill down to $27,000. The pipe is infiltrated with silt and needs to be cleaned out. There is a need to focus on slip lining in the future. Miller commented he believes they are done with picking up leaves. Miller commented Craig installed the 600 lb. ice melt spreader to one of the trucks. Public Works is busy with plowing snow and City of Orofino Regular Council Meeting held 12-14-2021
repairing equipment. It was noted public works is doing sewer maintenance where they had to pour some degreaser in the system to help with the massive amount of grease in the system.

**Police**-No report. Chief Wilson was not in attendance of the meeting. Administrator Smathers reported for Chief Wilson stating that he will be off the next few days off due to his father passing away. Administrator Smathers reported to the Council three Contractors put in a bid for the renovation of the Conference room in the police building. Dan Weaver, Rick Burnham and Mitch Jared. Timing was a factor and Dan Weaver and Rick Burnham were within a $1,000 of their bids. So Dan Weaver and Rick Burnham will work together to complete the renovation.

**Water/Wastewater**-Water/Wastewater Supervisor Martin reported the Rotamix system is completed. After it was completed it did not work. The wrong pump was purchased and after identifying the right pump it will be another three month delay. The manufacturer was unwilling to exchange it for the right pump. The fault lies with the salesman who designed the system and failed to order the correct pump. Martin is trying to get ahold of the Salesman who suggested the wrong pump to see about returning it. Martin reported the UV system has been delivered. He had to design a concrete channel to be constructed to capture the discharge pipe which goes to the river before installing the system. In other news, Martin reported they had a fire at the wastewater office. When experiencing power surges the power automatically switched from the generator back to the power and it seized up and locked up preventing the transfer of power. There was smoke in the office. It was the transfer switch that will need to be replaced and the generator will need to be upgraded. Martin reported this will be an expense that was not budgeted but will turn the claim over to ICRMP.

**Fire**-Chief Hoyt reported the fire department will be attending training in Kamiah. Councilmember Swayne was inquiring if Deer Cedar Road was added to the Orofino Fire District. Swayne voiced his concern the need to provide equal level of service should be taken out of the Fire Contract. Councilmember Swayne would like to send a letter to terminate the current agreement and the Orofino Fire Department will still provide support until another contract is drawn up. Right now there is no new contract in place and it is a liability for both entity’s. Administrator Smathers reported the city should set a price for the amount to continue service for 73 million dollars’ worth of property and give it to Orofino Rural Fire District. Smathers commented Dawn Erlewine came over from the County to understand the need for the increase. She confirmed it is all about the amount of property that you are covering under the current tax levy and it is not covering for the services. Smathers commented we need to get past the emotions and work on the contract together with both entity’s. In the beginning it was a small amount of property that was being covered, but the district has grown tremendously and is bigger today. It’s time to set up a meeting and begin working with Orofino Rural Fire District Board and work towards a reasonable agreement.

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ADJOURNMENT

At 7:45 p.m., Councilmember Swayne made a MOTION to adjourn. Councilmember Schrader seconded the motion and it passed unanimously.

Jennifer Dunaway, Mayor Pro Tem

ATTEST:

Janet R. Montambo, City Clerk

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