



MINUTES : REGULAR COUNCIL MEETING

THURSDAY, JUNE 8th 6:00 p.m. - DOVER CITY HALL, 699 LAKESHORE AVENUE, DOVER, IDAHO

Present: Councilmembers – Mayor Shaha and Council members Brockway, Guthrie, Kubiak and Strand.

Staff – Attorney, Stephen Snedden; Planner, Clare Marley; Clerk, Michele Hutchings

I. EXECUTIVE SESSION: At 6:00 p.m. **Strand Motioned** to enter into executive session pursuant to Idaho Code 74-206 subsection (1) (c) To acquire an interest in real property which is not owned by a public agency, **Kubiak 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. **All ayes.** At 6:33 p.m. **Strand Motioned** to close executive session and reconvene the regular council meeting, **Brockway 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. **All ayes.** No decisions were made.

Public present: Bob & Maribeth Lynch; Gregg Merithew; Dave & Andrea Berliner; Wolfgang & Joan Keller (all residents of Canoe Cove); Mark Sauter; Fire Chief-Ron Stocking; Mike Gow, WSFD Battalion Captain; Engineer, Jay Hassell

II. CALL TO ORDER AND PLEDGE OF ALLEGIANCE: Mayor Shaha called the regular council meeting to order at 6:39 p.m. and led the Pledge of Allegiance

III. PUBLIC COMMENT: Joan Keller, Treasurer of Canoe Cove HOA has concerns about sewers not being pumped. Another concern is Ontario St. being blocked by trains. Would like to know what will be happening. Other culvert clogging with debris already. Greg Merithew has moat around house, and septic has backed up into his house. Unsure of whether or not it is city's responsibility to maintain. Mayor will contact each of the public comments individually.

IV. NEW BUSINESS:

1) Discussion/Decision: Large Incident Response Policy - Chief Stocking - Stocking introduces reason behind plan. Transportation incidents are biggest threat to Dover. Railways and semi-trucks are biggest concerns. Important to establish roles of council, mayor and staff in moving people to City Hall as collection point. Reverse 911 system will be used. Mayor asks if reverse 911 requires sign up, Stocking says not with technology. Kubiak asks about wildfire threat from West scenario. Visitor asks about emergency exit in Dover. Mayor explains the exit in West Dover completed about 2 years ago would only open in emergency and fire department has keys. Mayor asks about individual plans for areas like Cedar Ridge. Stocking will do site evaluation at no charge. Mark Sauter, resident of Cedar Ridge and Fire Marshall in Sagle can offer suggestions for defensible spaces. Mrs. Keller asks if Sandpoint would be available to assist. Stocking explains cooperation of resources with multiple districts. Stocking suggests all residents should be prepared in emergency to manage on their own for about an hour. Mayor's concern is that incident plan is cohesive and continues. Suggested clerk calendars for annual plan update with WSFD. Mike Gow, Battalion Captain introduced. Strand says plan is a good outline. His biggest concern is from railway side and point for gathering people due to chemicals and prevailing winds, etc. For evacuation plan, might be best to have two separate exit and gathering points. Mayor asks for any other questions. Mayor asks to move up WSFD issues while Stocking and Snedden are in attendance, Council in agreement. See V.1 below.

2) Discussion/Decision: West Side Fire District funding report – Brockway - Brockway thanks Stocking for his time. Chief provided her with request for funds to be earmarked for personnel or apparatus. Full-time firefighter = \$45k/yr. Brockway suggests council could support by half with possible matching funds. Best if either were supported annually vs. just one year to fund continual service, however future councils may choose to not fund. WSFD does have operating reserve fund that carries over from year to year if not used. Mayor suggests Council discuss further during budget agenda discussions. No further questions.

3) Discussion/Decision: Proposed Short-Term Rental Ordinance - Marley explains no vote needed, just introducing legislative matter coming before Planning & Zoning and Council soon. Review of her memo and highlights of proposed ordinance details. P&Z will hold Public Hearing on July 6th. Proposed ordinance includes good neighbor policy (as borrowed from Coeur d'Alene). Initial life safety inspection could be done by West Side Fire District. Public Hearings required for both P&Z and Council. Marley asks for questions/comments. Brockway asks if motor homes and travel trailers are considered. Marley says must be "dwelling" as defined. New ordinance for RV occupancy will be separate. 12-7-4 does

Approved by Council at meeting 07.13.2017 (mch)



not apply to Planned Unit Development (PUD) as noted in d. pg. 3, last sentence. PUD and existing Bed and Breakfast (BandB) will be exclusions. Strand asks about size and limitations, maximum # bedrooms is limitation. He would be concerned if i.e. 10 bedrooms. Marley will look into restrictions. Brockway asks about #6 under D which refers to violation process and notes time frame for remedy is not addressed. Marley states violations would be handled like any other violations, suggests that reasonable timeline be agreed upon between owner and city. Marley will explore zoning violations. Kubiak asks about renters in violation. Marley says complaint would need to address life, safety or welfare issue. P&Z was concerned with minor parking issues i.e. 3 minor violations should not trigger revocation of permit. Mayor asks about resort tax ability. Marley suggests new state law may cover resort tax in future. Notification of neighbors would be covered in admin costs; new fee would need to be established. Mayor reviewed residential lodging explanation. Marley establishes larger lodgings would still require Special Use Permit (SUP), but will not be required for smaller BandBs.

4) Discussion/Decision: Planning & Zoning Bylaws - Marley confirms there are no current bylaws for P&Z Commission. New details have been added in addition to regular laws that apply in standard operating procedures. Mayor asks for questions and asks Marley if council needs to adopt by resolution. City attorney will review.

5) Re-appointments: Mike Jones (Seat 3) and Paul Nowaske (Seat 4) to Planning and Zoning Commission - each 4-yr terms expiring July 1, 2021 - Mayor asks for reappointment motion. **Brockway Motioned** to reappoint Mike Jones to Seat 3 of P&Z Commission, **Kubiak 2nds. Roll Call vote:** Councilwoman Brockway-Aye; Councilwoman Guthrie-Aye; Councilwoman Kubiak-Aye; Councilman Strand-Aye. **All ayes.** **Strand Motioned** to reappoint Paul Nowaske to Seat 4 of P&Z Commission, **Guthrie 2nds. Roll Call vote:** Councilwoman Brockway-Aye; Councilwoman Guthrie-Aye; Councilwoman Kubiak-Aye; Councilman Strand-Aye. **All ayes.**

6) Discussion/Decision: Cafferty Independent Contractor Services Agreement Amendment - Mayor introduces reason for change in contract from \$100 to \$150 monthly due increased number of meters being read. **Brockway Motioned** to accept the Cafferty Independent Contractor Services Agreement Amendment and authorizes Mayor to sign, **Guthrie 2nds. Roll Call vote:** Councilwoman Brockway-Aye; Councilwoman Guthrie-Aye; Councilwoman Kubiak-Aye; Councilman Strand-Aye. **All ayes.**

7) Discussion/Decision: Frontier Franchise Agreement - Mayor discusses franchise agreement. Users of services would see fee added to their bill. Brockway asks why we would not. Strand feels would be appropriate to have all utilities pay franchise fee. Guthrie asks how different from NCTV franchise fee. Strand asks what current rate is, Clerk confirmed as 3%. Mayor directed to work on franchise agreement.

V. UNFINISHED BUSINESS:

1) Discussion/Decision: Westside Fire District lease of fire station - Strand explains reasons for requested changes to lease. Mayor asks if redline satisfies council's concerns. Strand and Brockway agree it does. Snedden answers questions after listening to audio from last meeting and explains lease is 20-year term, automatically renewing annually which could be terminated at any annual renewal. Rent and rent increase was related to maintenance obligations. WSFD is contracting agency to Selkirk Fire. Property has limited ways to be used - public service. That language is reiterated in lease verbiage. **Strand Motioned** to accept the updated fire station lease agreement, **Guthrie 2nds. Roll Call vote:** Councilwoman Brockway-Aye; Councilwoman Guthrie-Aye; Councilwoman Kubiak-Aye; Councilman Strand-Aye. **All ayes.**

2) Discussion/Decision: Ontario Street project update - Engineer Jay Hassell discusses road closure that began in March, Independent Highway District (IHD) aided for life safety concerns. City's best option is for emergency funding and City has applied for both state and federal funding. Met with FEMA representatives and City has made through first round but it is a slow process. If Dover were to proceed immediately with repairs City would be responsible for 100% vs. probable 25% with state funding or only 10% possible if federally funded. Hassell suggests 90 days would be earliest project start date, prefer when lake levels drop. Next council meeting he would like to present NEPA and additional information for council decision to allow him to continue moving through process. Hoping for FEMA funding notification by July/August. Mayor confirms still lots of steps with project person assigned, etc. Strand asks about coffer dams, dewatering, etc. Hassell says limited by water level UNLESS coffer dams and dewatering. \$10,000 for temp dewatering is estimate, would not allow road to be re-opened. Failed on one lane already. Mrs. Keller of Canoe Cove is concerned about timeline. Hassell says if city moves forward without funding, will be responsible for \$100,000-\$300,000. Trying to be responsible with citizens' funds. Mayor explains critical to be careful to not nullify FEMA eligibility. Plan is to do as



much up-front work prior to funding confirmation so everything is ready to move as quickly as possible. Plan "B" would be for City to fund all. Mrs. Lynch of Canoe Cove has concerns that water over road is less and less, behind road is stagnant and mosquitos are a big problem and should be addressed. Also lots of debris is accumulating behind Road. Andrea Berliner, Canoe Cove resident, asks about previous culvert failure and replacement on Ontario. Mayor says purely city funded (about 3 years ago - 2012 to 2014). \$70,000 was approx. cost. Berliner also asks who paid for Chuck's Slough culvert on Highway 2; Mayor and Strand confirm was state highway project and did not involve Dover. Hassell addresses reason for failure. IHD could not determine what was plugging culvert as water rose too quickly. Water overtopping road was a safety issue, crews were pulled off. Strand notes City has only \$82,000 for year in budget for roads and streets. Could be 3 years of budget income if city does not take advantage of waiting for state or federal funding. Mosquito problem will be looked into by Mayor. Mr. Lynch comments about road closure signs and number of people that do not follow signs. Mrs. Keller asks if better barriers can be set up. Mayor defers to Hassell who suggests there is more that can be done but may push passers to edges. Could fund temp fencing around entire area. Strand suggest motorcycles and bicycles could be limited. Hassell notes that not all areas are public ROW - entire site is not public property. Mayor will research better barriers as well. Mrs. Keller asks when septic tanks will be pumped on Canoe Cove. Mayor notes some were pumped but not all. Mayor reminds all to leave contact information on sign in sheet and thanks residents for appearing and commenting.

3) Discussion/Decision/Adoption: Proposed Budget Fiscal Year 2017-2018 - Brockway verbalized the very few changes. General Fund: WSFD lease was changed to \$1,800 yr. Maintenance contract new vendor dropped to \$3,500 for cleaning services. Now in Gross Wages/Maintenance will move the \$3,500. Repairs, Maintenance & Supplies (RM&S) will now be \$15,500. Gross Wages now \$0 for Maintenance. Water Fund: Conn Fees now \$65,000, User to \$136,000. Inspection fees increased commensurate. Operations & Maintenance (O&M) increased meter reading re: contract services. Mayor talks about overage in net ordinary income - change title expense as "contingency" if overage at end of year and can pay debt to sewer. Sewer Fund: Inspection fees moved up to \$3,250 commensurate with connection fees. Mayor moves back to Water Fund: Capitalized Projects: Water Improvement Fund asks if numbers are correct. Sewer Fund - no other changes. Streets: Planning & Zoning \$2,500 added to Engineering - will be called out in memo field. Mayor increases slightly the Treasurer to reflect 30 hours and this year's increase which had not been accounted for. Mayor asks if council has any other concerns. Strand feels projected cost for Phase 1 water improvements is \$980,000. Looking for how much expected to be done in this fiscal year. \$950,000 in budget should be sufficient. Mayor asks about budgeting for WSFD through City or URA. Any financial assistance, not necessary to earmark for particular funds. Risky to fund specifically for personnel or apparatus, future council may not be committed to same ideas. Guthrie asks if \$ amount is suggested. Strand agrees with funding WSFD. Brockway asks if there is any money in DURA budget for 1 year for WSFD, Strand confirms there is but would take away from Water Improvement Project. Guthrie asks if City has previously supported WSFD, Mayor explains history. Brockway suggests earmarking for either apparatus or personnel - Chief Stocking was adamant about earmarking. Guthrie says money should go to water, sewer and roads vs. WSFD. Strand notes General Fund or DURA could be allocated to WSFD without affecting roads or sewer. Brockway suggests tabling until impact on water projects can be determined. Mayor confirms with council that DURA could be source for WSFD, could be for one fiscal year only, could be earmarked for apparatus or personnel. Brockway will relay council decision and findings to Stocking. Mayor asks for council's approval on proposed FY18 budget with minor changes agreed upon tonight. **Strand Motioned** to approve proposed FY18 budget with minor changes discussed, **Kubiak 2nds**. Guthrie asks if changes could be made? Mayor explains council may make changes until Public Hearing and then only Public Hearing comments would bring changes. **Roll Call vote:** Councilwoman Brockway-Aye; Councilwoman Guthrie-Aye; Councilwoman Kubiak-Aye; Councilman Strand-Aye. **All ayes.**

4) Discussion/Decision: Water Improvement Project - Strand says Plan of Correction (POC) reply has been received from IDEQ with acceptance of POC as submitted. He reviewed requirements. Biggest issue is low pressure zone at top of Cedar Ridge and backup system for pressure booster pump. \$75,000 redundancy requirements will not be necessary. Facilities plan just received. Water storage at top of Cedar Ridge removed which brings large portion of cost down. Other change was taken to within 20% +37 units per year. Result is no additional water treatment facility will be necessary. (20% above historical rates). Still plenty of capacity. Syringa numbers had been underestimated which will require us to



resubmit. DEQ also asked about logging of water loss. Alternative figures are now down as well. Now at \$1.8 vs. 2.1million previously submitted. Mayor reminds that facility plan is a living document and may be changed over the years. It is a guide for future. Strand says now matter of DEQ approval and funding mechanism. Mayor suggests that \$5,000-\$10,000 could be cost for Judicial Confirmation process. Strand notes that Bottle Bay Water and Sewer took about 2 months to go through their confirmation process.

5) VI. CONSENT AGENDA: Mayor asks for approval of \$49.00 ABS payment before next meeting with acceptance of consent agenda items. Brockway asks if allocation of more funding for building/grounds budget to complete maintenance \$150-\$200 should be considered. Guthrie asks what other property that city owns and about doing other work throughout Dover. Mayor suggests Guthrie is referring to City Rights of Way (ROW). Guthrie contends improvements could be made throughout all of Dover, not just City Park. Brockway reminds that City Park is for all of Dover and out-of-area visitors as well. City is responsible for maintenance. Guthrie says other parts of Dover could be beautified. Kubiak agrees but understands that most ROW in old Dover are mostly grass and gravel and used for additional parking. **MOTION by Strand** to accept Consent Agenda as presented including the ABS bill, **Guthrie 2nds. All in favor, none opposed - MOTION carries.**

VII. FUTURE AGENDA ITEMS/MEETINGS: Mayor reviews dates listed on agenda.

VII. ADJOURNMENT: **MOTION by Strand** to adjourn, **Brockway 2nds. All in favor, none opposed - MOTION carries.** Meeting adjourned at 8:54 p.m.

Respectfully submitted, Michele Hutchings – City Clerk