



MINUTES : REGULAR COUNCIL MEETING

THURSDAY, AUGUST 17th 6:00 p.m. - DOVER CITY HALL, 699 LAKESHORE AVENUE, DOVER, IDAHO

Present: Councilmembers Brockway, Guthrie, Kubiak and Strand. (Mayor Shaha absent); Staff – Planner, Clare Marley; Treasurer, Tammy Anderson; Clerk, Michele Hutchings

Public present: See sign in sheet (attached)

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE: Council President Strand called meeting to order at 6:03 p.m. and led the Pledge of Allegiance

II. PUBLIC HEARING: File AM08-17 Short-term rental standards: Strand opened Public Hearing. Marley gave background history of short-term rental ordinance. There were many workshops at Planning & Zoning level. New Idaho Code begins first of 2018. B&Bs (Bed & Breakfasts) will be dealt with administratively if 5 or fewer bedrooms. ADUs (Additional Dwelling Units) will be allowed to be rented. Neighbor notifications included to 300'. Occupancy defined as 2 per bedroom with cap of 5 bedrooms per building. City will hand out Good Neighbor Policy outlined and produced as a brochure. Initial inspections for safety with continuing communication from homeowner annually will be expected. Currently City has no bed tax but could be considered in future. Strand asks for questions/comments from staff or council. Strand asks for public comment. Brett Evans 13776 W. Pine St. asks if DBD (Dover Bay Development) is exempt. Marley explains the Development Agreement covers rentals at the PUD (Planned Unit Development) level and confirms new ordinance will not apply to those homes. Taxing, if decided upon, would apply to all homes in Dover including DBD-PUD. Evans asks about homeowners being present during rentals and asks if DBD has any rules or guidelines for short-term rentals. Marley affirms DBD does have rules that apply to DBD-PUD. Evans feels it's too targeted and is opposed until he has more time to review the proposed ordinance. Strand asks for other public comment and after none offered, closed public hearing.

III. PUBLIC HEARING: File VAR001-17 Front yard variance, Keith Congleton: Strand opened Public Hearing. Marley gave presentation and reviewed her summary to council. Congleton made presentation to council and public. He lives across the road. Property very steep slope. Sewell researched and found property line does not follow road, at some points is up to 30' away. He intends to add fill to bring to 2% grade and have circular driveway vs. backing out onto Lower Syringa Hts Rd. If variance is granted, home will still be 27' from road. Congleton asks if there are questions. Marley reviews requirements. Staff report shows items for council deliberation. Strand asks council for questions. Public comment opened. Evans asks if driveway is within public right-of-way (ROW). Strand closed public comment period. Congleton explains where driveway will cross ROW and shared diagram with public and council. Strand asks for any questions from council or staff. Public hearing closed.

IV. PUBLIC HEARING: Proposed Amended Budget for Fiscal Year 2016-2017 (FY 2017): Strand opened Public Hearing and explained due to overruns on budget, proposed amended budget is necessary. Anderson asked to give review. She read from proposed ordinance with explanations of changes. Strand also noted the \$32,000 for audit that was put into budget. Anderson stated that was an adjustment only that did not affect FY2017. Strand notes income and expenses were balanced on both sides for Planning & Zoning and Building Permits. Strand asks for public comment. None offered. Strand closes public comments. Strand asks if council has any further discussion. Public Hearing closed.

V. PUBLIC HEARING: Proposed Budget for Fiscal Year 2017-2018 (FY 2018): Strand opened Public Hearing and explained budget process has been on-going since April and asks if council has any further question or comment. Strand asks for public comments. Lieuallen asks for explanation of capital funds carry over increases over the last several years. Strand says just a balancing function. Lieuallen asks about big increases in the water costs. Strand affirms costs are for the upgrade to the water facilities - new intake system, data and level control system. Also includes putting in redundant pumping system at Cedar Ridge. Lieuallen (not a Dover water customer) notices a lot of lawns are dry probably due to water cost. Strand states Dover's water costs have dropped in last 5 years and capital improvements do not add to monthly water costs. Marse Shobe 13874 W. Pine St. asks about streets budget. Strand says most of budget is for Ontario St. project costs expected near \$250,000. Strand asks for additional public comment. Council has no other questions. Public Hearing closed.

VI. PUBLIC COMMENT: Strands explains 3-minute limit and rules for public comment. Marse Shobe, 13874 W. Pine St. asks for resolution to culvert issue caused by IHD (Independent Hwy. District). Concrete was placed under culvert. A Sheriff

As approved by Council at meeting 09/21/2017 (mch)



Deputy stated problem needed to be fixed. Messages were left for IHD. Her solution would be to share cost of 35-40 ft. plastic culvert and IHD installation. Feels City is throwing funds away with use of mag chloride and prefers no treatment in front of her house. Crowning of road is a problem wants IHD to lift blade at their driveway. (See attached letter – addendum 1 to minutes). Strand asks if council has questions of Shobe. Brett Evans 13776 W. Pine St. states IHD bumped the culvert and had to put concrete underneath. He also asks about Cross Connection Survey. Requests results. Strand notes that all Dover water users have been receiving questionnaires. Clerk will follow up. Evans would like results i.e. how many homes need backflow preventers. Strand confirms costs are responsibility of owners, tax dollars are only used for determining who needs backflow devices, educating users, requesting installations and inspections. Strand asks for any other comments. Doug Lieuellen, 300 Lower Syringa. Concerns about dust problem on roads. Appears City is using wrong product or not enough product. Dust problem is unhealthy for residents and all people using the roads. Strand agrees it's been a very dry summer. (See attached letter – addendum 2 to minutes).

VII. NEW BUSINESS

1) **Discussion/Decision: File AM08-17 Short-Term Rental Ordinance:** Marley says now is time for deliberation toward reasoning statement. Strand asks if council has questions/comments. Brockway relates to question from Evans re: exemption for PUD. Marley acquired copy of DBD regulations and HOA (Home Owner's Association) rules. She used some and also looked at other states' examples like OR and MT. DBD self-regulates which was not preferred by City. Brockway thinks ordinance is thorough and says it's important to note "old Dover" is not being penalized. Kubiak couldn't determine if Evans was opposed to DBD rules or new ordinance. Marley reminded he hadn't read either. Strand says DBD is more restrictive with HOA rules i.e. agency choice to be used for rentals. Marley and P&Z Commission thanked for a great job. Strand asks for additional comment or questions. Strand asks for Motion. **Brockway motioned** to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902, **Kubiak 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, motion carries. **Kubiak motioned** to adopt Ordinance # 151, an amendment to Dover City Code, Title 12, Chapters 5 and 7 and Appendix D, regarding short-term rentals, File #AM08-17, and to revise the ordinance to place the short-term rental use in the residential table, finding that the revision is not a material change to the recommendation made by the Dover Planning and Zoning Commission, and further finding that the ordinance is in accord with the adopted policies of the City of Dover comprehensive plan, as enumerated in the findings and standards of the staff report, **Brockway 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, Ordinance passed. **Brockway motioned** to approve the summary of Ordinance #151, as presented, and authorize the publication of this summary in accord with Idaho Code §50-901A, **Kubiak 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, Summary of Ordinance approved.

2) **Discussion/Decision: File VAR001-17 Front yard variance, Keith Congleton:** Marley explains process to be followed by council to approve or disapprove of request. **Guthrie motioned and Brockway 2nds** to approve File #VAR001-17 for a front yard variance allowing for a 15-foot setback for a single-family dwelling, finding that it is in accord with the general and specific standards table. The motion included the adoption of the reasoned statements and conditions of approval. The action to be taken to obtain the variance is to complete the conditions of approval as adopted. **Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous approval of variance request. (See attached addendum 3 to minutes for Decision Letter outlining applicable codes, standards, and findings; reasoned statements and conditions of approval)

3) **Discussion/Decision: Amended Appropriations Ordinance Fiscal Year 2017:** Strand asks for questions from council or staff. Guthrie asks if depreciation is noted, Anderson confirms. Brockway has no questions as coverage has been thorough over last few meetings. Strand asks for motion. **Kubiak motioned** to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902, **Brockway 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, Motion passes. **Brockway motions** to adopt Proposed Ordinance # 152 amending ord. no. 145, the appropriation ord. for fiscal year beginning 10/1/2016; appropriating additional monies for general and street funds due to unforeseen expense; directing the city clerk to file a copy of this ordinance with the Idaho secretary of state; and providing an effective date, **Kubiak 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, Ordinance passed.



2) **Discussion/Decision: Appropriations Ordinance Fiscal Year 2018:** Strand asks if there are questions or discussion and asks for motion. **Brockway motions** to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902. **Kubiak 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, Motion passes. **Kubiak motions** to adopt Proposed Ordinance # 153 an ordinance of the City of Dover, Bonner County, Idaho, entitled the annual appropriation ordinance for the fiscal year beginning October, 1, 2017, appropriating the sum of \$1,648,150 to defray the proper expenses and liabilities of the City of Dover, Idaho, for said fiscal year, pursuant to the provisions of section 50-1003, Idaho Code, authorizing sufficient taxable property and specifying the objects and purposes for which said appropriation is made; providing for a copy of this ordinance to be filed with the office of the secretary of state; and providing for the publication of this ordinance, **Guthrie 2nds. Roll Call vote:** Brockway-Aye; Guthrie-Aye; Kubiak-Aye; Strand-Aye. Unanimous, Ordinance passed.

3) **Discussion/Decision: RC Worst Sales Quote #37838 – backup pump assembly for Cedar Ridge pumphouse:** Strand explains need for backup pump assembly in detail and confirms DEQ (Dept. of Environmental Quality) has approved. Price is \$2,905.67. Purpose is to have pump on the shelf. It is a condition of sign-off of sanitary survey by DEQ. Brockway asks which fiscal year the purchase would be in and suggests FY2017 would be best if cash is available. Also recommends approval be given and allow Anderson to make a determination as to which budget. All council is in agreement. Brockway suggests directing staff to request purchase of pump with staff determining most appropriate time for purchase based on budget figures. Strand asks for motion. **Kubiak motions** to accept RC Worst quote for backup pump assembly with estimated cost of \$2,905.67, **Guthrie 2nds.** All in favor– motion carries.

4) **Discussion/Decision: Sewer CD Renewals:** Strand explains staff needs direction. Brockway desires cash out be made. Guthrie asks if it has to be entered into the budget and will it be in the new budget year. Anderson confirms maturity dates are 9/29/2017 and 11/30/2018. Guthrie asks where line item is listed on budget. Strand says would put into the checking/savings account for sewer. Both are CDs. Would go on balance sheet to be used for any sewer expenses. Anderson notes would be 2 fewer accounts to be reconciled. Anderson also affirms there is not a checking acct, savings only. Strand's opinion is to direct staff to cash out and deposit to savings. Guthrie asks if can be used for capital improvements or any other sewer expenses. Strand confirms and asks any other questions or comments. Strand says no resolution is necessary. Treasurer directed to cash in CDs as discussed and deposit to Sewer savings account.

VIII. UNFINISHED BUSINESS:

1) **Discussion/Decision: Disinfection Monitoring Equipment, Hach Quote:** Strand refers back to March or April meeting and purchase decision of monitoring equipment. Council selected option #1 with cost estimated at \$3,050. Actual cost now has come in higher at \$3,739 and is above what Mayor can approve. Approval from council is needed. Brockway says she still stands with decision and recommends moving forward with decision. **Brockway motions** to accept price quote for \$3,739 to address DEQ issue, **Guthrie 2nds.** All in favor – motion carries.

IX. CONSENT AGENDA: Strand asks for any questions from council. **Kubiak motions** to accept consent agenda items as presented, **Brockway 2nds.** All in favor – Consent Agenda accepted.
none opposed.

X. FUTURE AGENDA ITEMS/MEETINGS: Strand reviews upcoming items and asks if there are any other additions. Guthrie asks when next meeting is. 9/14 and 9/28 are confirmed by Strand. Kubiak asks about publication for council positions. Clerk confirms publication in Daily Bee.

XI. ADJOURNMENT: **Brockway motions** to adjourn, **Guthrie 2nds. All in favor - motion carries.** Meeting adjourned at 7:40 p.m.