

MINUTES
CITY OF DOVER
COUNCIL MEETING
THURSDAY September 13, 2012 @ 7:00 p.m.
DOVER CITY HALL
699 LAKESHORE AVENUE, DOVER, IDAHO

CALL TO ORDER

Mayor Curless called the September 13, 2012 City Council Meeting to order at 7:05 p.m.

Present at this meeting:

Council Members: Marguerite Burge, Dave Darling, Annie Shaha and Denise Travis.

Staff: Bryan Quayle (City Planner); Rob Tate (City Engineer); Colleen Culwell (Treasurer); Kym Holbert (City Clerk) and Susan Weeks, Project Attorney.

Pledge of Allegiance

Public Present: See Sign-in Sheet.

Public Comment:

Roschell Cobb voiced concerns that she did not receive the Draft Minutes for August Council Meeting per her records request. She was advised that draft minutes are not considered public record and would be available after the Minutes are approved. She also shared with Council her concern that the minutes are inaccurate because all the topics and issues she brought up were not noted.

Joseph Krasnec shared concerns that the Council is very divided and they should work to improve this situation to better serve the city as a whole.

Debra Carl, residence adjacent to Talus Rock on Syringa Heights Road, shared her concerns that the events are still happening at Talus Rock. She also thanked Councilman Darling for including "Bless our Troops" after the pledge of allegiance.

Dale Hopkins, Fire Chief, Westside Fire District, read a letter requesting support from the City re: West Side Emergency Access. Letter in the record.

Neil Hewitt, Westside Fire District Board Chairman, read letter to Susan Kiebert, re: Westside Access and funds availability. Letter in the record.

Mayor Curless addressed concerns of Westside Access. The City continues to work with railroad representatives re: the west access road. It looks like there is a better chance for approval now than in previous years. The City will appreciate any letters of support as the City continues to work with the Railroad on this concern.

Councilwoman Travis asked to Amend the Agenda to Add Westside Access as an item, Councilwoman Burge seconded, Councilwoman Travis amended the motion to add DECISION, Councilwoman Burge seconded the amended motion to add DECISION, all in favor, motion carried.
Agenda was amended to add DECISION: Westside Emergency Access

Councilwoman Travis read aloud an e-mail from Steve Lazar re: Westside Emergency Access. E-mail in the record.

Councilwoman Travis read aloud a comment letter from Sharon Strand sharing her concerns regarding the accuracy of the minutes. Letter in the record.

Bill Strand shared concerns with Council re: the new intersection and off ramp for Dover and that it is dangerous the way it is built and concerns of accidents, especially in the winter. He also requested verification that utility rates would be discussed at the next Council Meeting. The Mayor advised him that there is scheduled a utility rate presentation on the agenda for October.

Alex Lett shared with Council that Dover Bay would be willing to take over the maintenance and upkeep of the public restrooms in the park. Councilwoman Burge offered to work with Alex re: the public restroom cleaning schedule.

CONSENT AGENDA

Discussion was held regarding the accuracy and amount of detail in the minutes.

A motion was made by Councilwoman Burge to remove August 9, 2012 Minutes from the Consent Agenda, Councilwoman Travis seconded, all in favor, motion carried.

A motion was made by Councilwoman Shaha to remove August 23, 2012 Budget Public Hearing Minutes from the Consent Agenda, Councilwoman Travis seconded, 2 ayes and 2 nays, Mayor Curless broke the tie with nay vote, motion failed 3-2.

A motion was made by Councilwoman Shaha to separate the last 2 items from the Consent Agenda, Councilwoman Burge seconded, all in favor, motion carried.

A motion was made by Councilwoman Burge to approve the August 23, 2012 Budget Public Hearing Minutes, Councilman Darling seconded, brief debate, 2 ayes and 2 nays, Mayor Curless broke the tie with aye vote, motion carried 3-2.

A motion was made by Councilwoman Burge to approve the August Bills, Councilman Darling seconded, all in favor, motion carried.

MONTHLY REPORTS

TREASURER: A/R accounts are 94% current. Actual vs budget: Roads spent a lot this month, street repairs, hydrants being moved, but still within budget. Discussion was held regarding the Auditor comments and findings including segregation of duties. The Treasurer informed the Council that this will remain as a finding until which time there are more employees to handle the monies.

A motion was made by Councilwoman Shaha to accept the 2011-12 Audit, Councilwoman Travis seconded, all in favor motion carried.

It was recommended by the Auditors to record the SPOT Budget (Grant Monies) as A/R. The Treasurer advised the Council that this item has been addressed.

A motion was made by Councilwoman Burge to approve the Auditors Anderson Bros. as the next fiscal year Auditors, Councilwoman Travis seconded, all in favor, motion carried.

ENGINEER: Loan documents from Idaho Dept. of Water Resources re: Intake Project, ready for Mayoral signature. Engineer reported to Council that 1 yr water rights extension has been filed for the Intake Project. When the pump is in then the City can show usage as needed, approximately 400 gal /min as on the Application. The notification to Army Corp of Engineers has not expired.

Nothing new from Don Davies, ITD, regarding the right-of-way (r-o-w) and Railroad Avenue.

The Engineer shared with the Council that Al Czap, Thorne Research, will be hiring contractors within the next couple weeks to do the water piping project across the highway to Thorne Research. It should take 2-3 weeks to complete. In a couple years the City will have DURA reimburse Mr. Czap for the project.

A revision in the Preliminary Plan for the Sanitary Lift will need to be done.

Engineer was directed to submit future Engineering Reports in writing for the City Council Meetings.

PLANNER: The P&Z Meeting for August was cancelled. September's Meeting will be rescheduled. P&Z will be working on commercial zones and signage in the zoning ordinance.

Buoy project is still in the process. Bonner County Waterways did not submit the City's application until late August. The City is moving forward with the project as the Applicant, which gives the City more flexibility in the locations of buoys and standards. The City can build the buoys and save a significant amount of money. Lighted buoys are not required and the buoys will not impede the natural line of navigation.

Working with the County GIS Dept. and the City addressing. Checks with MapQuest and Google work correctly.

Building permits need to be reviewed by Westside Fire District.

A motion was made by Councilwoman Burge to direct staff to contact WFD upon receipt of all new building permit applications, Councilwoman Travis seconded, all in favor, motion carried.

Nothing new from DEQ regarding the Brownsfield Project at 105 4th Street (old Post Office site).

Will attend workshops re: Parks and Recs Grants and funding.

Zoning questions regarding Ontario Street zoning. Maps are showing some areas in Sandpoint, which is in error. Planner will work with the County to correct mapping.

Joint Council Meeting with Planning & Zoning to be scheduled.

Planner was directed to submit future Council Meeting Report in writing for the City Council Meetings.

MEETINGS:

BCATT (Bonner County Area Transportation Team) There is possibly funding through the STIP Program with the State which can be used for a west side access.

Source Water Protection Committee: Community education program working with Laclede Water District. Molly McCahon can make a presentation to Council by the November Meeting.

MAYOR: The City Treasurer has resigned. The City has received applications for the position and will be interviewing in the next week. Person chosen will work for approximately 90 days prior to appointment.

Fiberoptics Meeting was postponed.

Mayor Curless called for a short break at 9:53p.m.
Back from break at 10:00 p.m.

Mayor Curless addressed Neil Hewitt and Dale Hopkins of Westside Fire District (WFD), regarding a long term lease with the Fire District and the City. The City will be able to sign a long term lease once they have received the deed for the new Fire Hall at 825 Railroad Avenue from Dover Bay Development.

NEW BUSINESS

Mayor Curless announced the removal of Art Bistline as appointed City Attorney.

A motion was made by Councilwoman Burge to affirm the Mayor's removal of Art Bistline, Councilwoman Travis seconded, all in favor by roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

Motion carried.

Mayor Curless announced his appointment of Susan Weeks as City Attorney.

A motion was made by Councilwoman Travis to not affirm the Mayor's appointment. Motion dies from no second.

Attorney Susan Weeks stated that a motion is not required for an appointment, recommended a roll call vote.

Mayor called for a roll call vote:

Councilwoman Shaha	Nay
Councilman Darling	Aye
Councilwoman Travis	Nay
Councilwoman Burge	Aye

Motion failed to pass with a majority (½ plus 1) vote from Council.

Susan Weeks resigned as contract attorney for the City and asked for an executive session after the Meeting.

Ordinance 125 – Annual Appropriations for FY 2012-13.

A motion is made by Councilwoman Shaha to approve Ordinance 125, Councilwoman Travis seconded, all in favor by roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

Motion carried.

Resolution 84 – Setting Monthly Water Rates.

A motion is made by Councilman Darling to approve Resolution 84, Councilwoman Burge seconded, Mayor Curless called for a roll call vote:

Councilwoman Shaha	Nay
Councilman Darling	Aye
Councilwoman Travis	Nay
Councilwoman Burge	Aye

Mayor Curless broke the tie with an Aye vote, motion carried 3-2.

A motion was made by Councilwoman Burge to adjourn the Meeting, Councilwoman Travis seconded, Councilwoman Burge withdrew her motion and the second was withdrawn as well.

A motion was made by Councilman Darling to convene into Executive Session pursuant to provisions of Idaho Code, 67-2345, Subsection 1(f) and 1 (j), Councilwoman Burge seconded, all in favor by roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

Motion carried.

Meeting convened into Executive Session at 10:25 p.m.

The public and all of staff, except for Attorney Susan Weeks, were excused from the meeting.

A motion was made by Councilwoman Burge to close the Executive Session of the Meeting, Councilwoman Travis seconded, all in favor by roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

Motion carried. Executive Session closed at 11:26 p.m.

No action was taken nor any decisions made during the Executive Session.

ADJOURNMENT

A motion was made by Councilwoman Burge to adjourn the September Council Meeting, Councilwoman Shaha seconded, all in favor, motion carried.

Mayor Curless adjourned the Regular September Council Meeting at 11:27 p.m.

Kym Holbert, City Clerk