

Approved May 9, 2013

**MINUTES
CITY OF DOVER
REGULAR COUNCIL MEETING**

**Date: APRIL 11, 2013
Dover City Hall
699 Lakeshore Ave., Dover Id 83825**

CALL TO ORDER

Mayor Curless was ill and unable to attend. Councilwoman Marguerite Burge called the meeting to order at 7:06 p.m.

Pledge of Allegiance

Present at this meeting:

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

Staff: Ronda L. Whittaker (City Clerk), Bryan Quayle (City Planner); Rob Tate (Engineer) and Dagmar Breymann

Public Present: See Sign-in Sheet.

The City Clerk, Ronda L. Whittaker was sworn in by Councilwoman Burge.

ANNOUNCEMENT:

Public Comment: Councilwoman Burge announced that the public comment time is 3 minutes per person. Additional comments on an already presented topic must be limited to new or additional information. No action will take place until item is placed on the agenda.

No comment was made

CONSENT AGENDA

Councilwoman Travis corrected a slight error within the minutes for the March Council Meeting and commended the City Clerk for a good comprehensive report.

After a lengthy review of bills, Councilwoman Shaha questioned the following invoices:

Accurate Testing: Questions different charges for testing. Mrs. Breymann explained that one is for water \$20 and the other is for sewer at \$40. Rob Tate explains that there are two different testing procedures resulting in different charges.

Bonner General: Inquires as to what the bill is for; concerned that someone may have been injured. Mrs. Breymann explains that the charge is for drug testing.

Councilwoman Shaha inquired if ICRIMP pays for the SPOT and Mrs. Breymann advised that they did not and that she would move this over to the correct line.

Councilwoman Shaha also inquires as to who pays Idaho Department of Labor and Mrs. Breymann stated that the charges go to the City and she would also move this from SPOT to the City.

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Inland Code: Councilwoman Shaha stated her concern that the Inland Code fees were quite high and that the invoice format was confusing. Mrs. Breymann expresses concern that Inland Code is not complying with the contract it has with the City; Inland Code is billing in full for permits and we are paying for un-rendered services at this time.

Councilwoman Shaha asks Bryan Quayle (City Planner) if he reviewed the invoices before they are submitted to the City for payment. Bryan explained that he did not, but that it may be a good idea for him to do so. Councilman Darling expresses that Inland Code invoices would not pass an audit. Bryan stated that a status report would help the total fees from getting out of hand.

A motion was made by Councilman Darling and seconded by Councilman Shaha to approve the consent agenda.

The motion was unanimously carried to approve the consent agenda.

MONTHLY REPORTS:

INDEPENDANT HIGHWAY DISTRICT:

Chairwoman Tilley stated that IHD was still sanding a little on Pine Street and that it has been grated but may need to be grated again due to excessive rain. She also stated that IHD made an inspection of culvert and ditches and explains that this is a general inspection. She also stated that they had swept the City Hall entrance and were waiting for Mayor's approval for additional services.

Councilwoman Burge stated a concern that IHD has maintained the snow plowing and sweeping on Old Hwy 2 section that still belongs to the State of Idaho and asked for an estimate of costs related to that service.

Chairwoman Tilley stated that she would look at the costs (if any) related to services for the old Hwy 2 entrance into Dover, but thought that ITD worked on that section. Chairwoman Tilley proceeded to explain IHD's Statement of Services then handed a copy of the statement to the City Clerk.

TREASURER:

Mrs. Breyman expresses her satisfaction with the Idaho City Clerks, Treasurers and Finance Officers Association seminar. Mrs. Breymann stated that she is working with title companies to request final charges before closing on sales of properties within the City. She explained that she has been reviewing the City's insurance policy and the State Insurance Fund which, is split with SPOT and asked if council might look into this issue as the City has increased payroll from 2011/2012 due to the growth of SPOT. Mrs. Breymann continued to explain that she had a meeting with ICRIMP regarding the City's policy with them as the City is paying the entire bill of which almost half of the fees are for transportation. Councilwoman Shaha asks if we are reimbursed for that charge and Mrs. Breymann said no and she is not sure why. She felt that this may be something that has been overlooked. She expressed that she would speak with the Mayor and SPOT about this issue. Councilwoman Shaha expresses concern that SPOT is growing and should pay a share of the insurance costs. Councilwoman Berg asked if Mrs. Breymann could have a report by next meeting. Mrs. Breymann stated that she could. Councilwoman Travis asked if other cities pay out insurance premiums as we do for SPOT. Mrs. Breymann stated all operating expenditures with the exception of payroll and insurance are paid through the SPOT checking account, which is comprised of local match money from the City of Sandpoint and the City of Ponderay. Payroll and insurances are paid through the State of Idaho. Councilwoman Shaha asked Mrs. Breymann how the City audit went. Mrs. Breymann said it is complete and should be getting a final report soon. Councilwoman Shaha stated that DURA will be audited by mid-May and then the City audit would be complete.

Mrs. Breymann announced that new checking accounts have been set up for water and sewer, planning zoning and streets because having a general account was not working.

ENGINEER:

Rob Tate requested a continuation of public hearing regarding rates due to different lists that need to be reconciled to be the same. He stated that he is meeting with Mr. Strand next week and would like to continue the issue to next month as a public hearing.

Councilman Darling asked Rob where on the latest invoice he had billed for public records request. Rob stated he had billed for that in the month before.

Rob stated a reconciliation of monthly usage meter vs. production could be something that Hal Overland (city water operator) could keep up with at the point of monitoring, and expressed that ideally 85% of the water being produced should go through the meter and that that would enable the City to track leakage.

Mr. Strand stated that he had compiled information that he had received from the City into a more complete and accurate list. It was confirmed by council that Mr. Strand and Rob need to compile an accurate list.

Councilwoman Travis stated that she could provide Rob with names and address to match each account of the Syringa Heights Water District.

Rob stated that he and Mayor Curless had met with concern of the Ontario culvert and stated his concern regarding the fact that it is rusting out and could cause collapse of the road. He stated that he would be meeting a group to look at some financing options from Fish and Game or Department of Lands to upgrade the fish package because of the potential classification of the river, lake and the slough. Councilwoman Burge expressed her concern with financing if the road fails. Rob stated that the road could fail and that the grant process could take at least a year, but there is no indication at this time the road is failing, so there should be enough time. He expressed that this project is a 40K to 50K project but State Fish and Game, the U.S. Fish Game, the Forest Service and Corps of Engineers all have programs for those types of culverts to be upgraded for fish hatcheries and if they can identify them as certain spawning grounds upstream that that would help.

Rob stated he had made the last revisions to the facility plan and submitted it for review and expects comment back soon. He stated that once he received comment, he could submit the plan to DEQ. After about a week, he would like to meet, in person, with DEQ to keep this issue from sitting too long and plans to keep this moving. Rob indicated that he feels that this plan will facilitate the settlement agreement and the intake project. Rob advises that a small section of the plan is to combine the intake into the Dover Bay irrigation system, and expressed that by doing that we could save the City half million dollars. The City would not have to upgrade the old intake that we have although there are some water right issues and some contractual issues. Rob further explained that the water right on the existing irrigation system would need to be changed as it is for irrigation only and would not be able to be initiated into a municipal system for domestic use. He went on to explain that the irrigation system is a water right for May through October withdraw, so if we were to draw in November it would be in violation of that water right. Rob stated such a change would not be difficult, it is just a process.

Rob advised that the need for a long-term maintenance agreement as to who would be responsible for maintenance, electricity, etc., has been introduced into the plan as a provision allowing for a future decision that can be made by council, so when the City needs more water, the City could enter-tie with the irrigation system or upgrade its existing old system. Councilwoman Shaha affirms that the facility plan is to leave the intake, improve the existing intake, and possibly using the irrigation. Rob confirmed that the City would first, add new intake, second enter-tie with Dover Bay Development and third improve our existing system. Neil Hewitt asks if the facility plan also allows operation of the treatment plant as it is solely dependent upon the Dover Bay Irrigation system has that changed. Neil went on to explain that his understanding was that the facility plan is only operational a certain time of year and that the operation of the sewer plant is constant and asked Rob if this issue would be an addition to the facility plan making room for change. Rob explained that for a treatment plant to be added to the plan, it would need to be changed within operation of the treatment

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plant, and went on to explain that the plant may have to use a domestic source so as not to be in violation of the water right. Neil expressed his concern to use a domestic source as DEQ had ordered the plant to discontinue using a domestic source and instructed them to use the irrigation system in the past. Rob explained that the City did put in a reduced pressure backload device so that it can use the domestic system if need be. Neil advised that this was still not acceptable to DEQ. Mrs. Becker inquired if the City was still working with John Tindal of DEQ and Rob concurred that it was and stated the he thought that John was more susceptible than he has been in the past.

Rob stated that the bid period for the intake project had expired. He has talked to the potential low bidder about extending that, so that we could still entered into a contract. Rob stated that he has not issued a letter yet. Councilwoman Shaha asked if the bid could be extended and Rob stated that it could. Councilwoman Travis asked how many bids had we received and Rob stated that he thought we had received five responses. Councilwoman Burge asked if the bid is extended, would the City have to open up the bid again. Rob explained that the City can extend the bid if it is agreeable to do so, if not, then it would have to reopen the bidding process. Councilwoman Shaha asked if the extension was just a time extension or was it also to get them to put in a bid to use the irrigations system again. Rob explained that, that would be a separate bid.

Rob addresses DURA reimbursement and stated that he was preparing for future reimbursement for the Thorne Crossing. He stated that he would provide a written request for reimbursement and that it would be a year or two out before reimbursement was received. Paul Nowaske asked how much the reimbursement would be and Councilwoman Shaha stated that it would be around \$80,000.

Councilwoman Shaha asks for an explanation of report from Water and Sewer. Rob explains the report and stated that the report shows that at this point everything has tested very well. It shows that we are in compliance with DEQ requirements. Rob also stated that Hal had repaired the fire hydrants except for one Councilwoman Travis gives thanks to Mayor Curless for getting this task completed.

Rob requests to be removed from meeting.

Councilwoman Burge inquires if everyone was comfortable with continuing the water usage meeting. All were in favor. Councilwoman Burge approves Rob's dismissal.

PLANNER:

Bryan Quayle stated that he had received the DVD of the ICRMP seminar and will make copies for anyone who would like to review it. He also stated that he is going to edit the handouts given at the seminar to lessen the amount of paper and then hand them out.

Bryan expresses that his research regarding radar speed limit and crosswalk signs is in progress. He is researching used vs. new and looking into solar powered 25 to 35 mph with no data collection Councilwoman Shaha stated that data collection adds about \$400 to the costs of a radar sign and inquired if he was looking for ones that can be moved around. Bryan stated that he is looking at ones similar to the smaller ones in Sandpoint and also looking into crosswalk signs.

Councilwoman Shaha stated that she had spoken to the Mayor and asked if the City could get a 25 mph sign on the Old Hwy road. Councilwoman Burge stated that it is not the City's road. Bryan stated that he would ask the state if we could put one up.

Bryan spoke about the new mapping request and stated that DEQ provided one to the City that shows the existing realignment and the exchange of lands years ago and a copy of 1935 map historical information. He

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also stated that he is continuing to work with address issues and how emergency dispatches are sent out. He stated that Roosevelt does confirm with our grid system. Councilwoman Travis asked if Turkey Lane is in the City of Dover. Councilwoman Burge stated that the name of the street was Wild Turkey and that it was in Bonner County and the address is confusing, the address would be a Sandpoint address. Bryan stated that the address situation is much better now, and that GPS still working on improvements.

Bryan updated council on status of building applications/permits stating that five have been submitted since the last council meeting. He stated that Pomrankey and bungalows on lot 6 and a mobile home roof addition were submitted and that the area is approved for multifamily duplex. Councilwoman Shaha and Burge expressed concern about duplex not being a six-plex as previously approved and whether the other homes would be put somewhere else. Bryan explained that the PUD ordinance does not allow moving family dwelling density to other locations. Councilwoman Shaha inquired if any building permits were causing problems. Bryan explained that there has been a little frustration with slow process time to get permits for bungalows and duplex bungalows and is now working on procedures to quicken the process. He further explained that it is important to keep everyone in the loop which can take some time, but that two weeks should be enough time to process the application and issue a permit.

Councilwoman Travis inquires about the new construction on Becker Lane. Bryan explained that it was a typical construction for what was proposed and was concerned with utilities and where they were located. He went on to explain that he has worked with Rob Tate, Mayor Curless, Ralph Sletager, and as-built plans and have it under control. He explained that at the home that is going up now there is a lot due west, where another home will be built. His concern is the narrow utility lines which run through the lot. The lot is set up to be a parallel access off Becker Lane and the utilities run underneath the driveway and South of the boundary; you can see the pit where the water intake and control lies. Councilwoman Burge inquires whether the utility would be under driveways or would it be just the tanks. Bryan confirmed her concern about tanks under driveway and explained that two years ago he requested sewer lines be sleeved but that there was no need for water lines to be sleeved. Ms. Becker explained that there were some sewer lines and tanks put under driveways long ago, but not anymore.

MONTHLY REPORTS:

ROADS: No Report

CLERK'S REPORT: City Clerk, Ronda Whittaker, expressed her concerns about issues with computer system and said she was working on getting a tech into the office. She stated that some of the technical issues have been the culprit with holding up building permits.

Ronda went on to explain that she was working on Skype availability. Councilwoman Burge requested that Ronda follow up with the City attorney as to alternative ways to attend meetings.

Ronda stated that she met with Bonner Soil and Water Conversation and had spoken to Councilwoman Burge about becoming a part of the committee if time permits.

DURA: Councilwoman Shaha stated that DURA has requested the Mayor to appoint another board member. Paul Nowaske stated that he would get a letter completed to that effect and have it on the agenda for the next meeting. Councilwoman Shaha stated that DURA is still looking for an attorney. Paul stated that they were asking Attorney Snedden for references.

Councilwoman Shaha stated that the City had received hookup fees from Dover Bay Development and that the Loan Agreement between the City and the Agency requires the City to loan 70% of those hookup fees to

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DURA and inquired about how the process is set up. Bryan stated that he had met with Attorney Snedden and he is going to speak with Susan Weeks, then further discussion would proceed.

BCATT: Councilwoman Shaha announced that Glen Bailey had been elected as the new Chairman. She also advised that the road weight limit did pass. She expressed concern as our roads are different than Boise due to weather issues. She also stated that although local jurisdictions control local roads, ITLD can take control onto the State coalition between weight, speed and road deterioration. She stated that BCATT will continue to address this issue. Councilwoman Shaha went on to report that SPOT is asking for two more buses but most likely will only receive funding for one. They are on track to have a target high of 8,000 riders per month, a new record. Councilwoman Shaha expressed concern about how LTC funds are prioritized and that other cities have applied for the program and funds are already distributed out to 2016. Bryan stated that he would send out a letter to LTC requesting that funds be prioritized. Councilwoman Shaha concurred that that process would insure that the City would then be ready to apply for the program once funds are available again. Marj Tilley stated that not all jurisdictions were bringing their projects to BCATT; therefore many projects got funded without a rating.

POCWA: Councilwoman Travis stated that there was no report. The meeting had canceled.

MAYOR'S REPORT: No Report

BCDC: Councilwoman Burge attended the water protection campaign committee, and explained that she is working with Susan Kiebert to get a sign provided by rural water to be posted on the East and West Highway end of City limits. She stated that Jace Bylenga is working on radio spot and brochures and working on putting a sign on the City Beach property. She also stated that Jace was speaking to Dover Bay Development about providing brochure holders and putting a sign by the docks to remind people that this is our drinking water. She also announced that the next meeting for this grant project will be May 9th here at the City Hall at 9 a.m.

WATER/SEWER DEPT: Reports were discussed during Engineer's report.

WESTSIDE FIRE: Dale Hewitt, discussed issues related to the update on emergency map notification system; land lines are up and running, but the cell and internet system is still not ready yet. He also confirmed that in case of an emergency, people with land lines would be notified promptly. Dale went on to explain that there will be a notice awareness campaign once the system is up, so people can register their cell and email contact information. He further explained that all properties will be covered, every phone number, fax or otherwise

COUNCIL REPORT

Councilwoman Travis expressed her wish for the City and the residents to use their water and septic systems more efficiently, which in turn will be a savings to them. She explained that she had visited the Panhandle Health District and made arrangements for the Department to send an email link so the informational brochures could be sent out to the City residents.

Councilwoman Shaha reminded Council that the public restrooms had not been opened yet. Councilwoman Burge stated that Mayor Curless had advised that they should be opened as they were in the past until specific issues regarding hours and maintenance could be confirmed within the mediation phase. Councilwoman Shaha confirmed that the restrooms had been open by April 11th in the past. Councilwoman Burge was under the impression it was to be opened April 1st. Councilwoman Shaha stated that the parks ordinance would dictate the restroom hours and that is was ready to send to the City's attorney. Councilwoman Travis suggested

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having a special ordinance meeting to get that process along since the last meeting was canceled. Councilwoman Shaha confirmed the need to get the ordinance completed and Councilwoman Burge suggested we get it to the City's attorney. Councilwoman Shaha stated that she would forward the ordinance on to the City Clerk for transmittal to Attorney Snedden.

Councilwomen Shaha and Burge requested that the City web site be addressed at the next council meeting. Councilwoman Shaha stated that she was still trying to contact the Army Corps in regard to funding possibilities for the intake project. She went on to explain that she just needed the March information to complete the quarterly review and requested that the quarterly review be put on the agenda for the next council meeting.

Councilwoman Shaha also addressed issues related to fees collected for water and sewer hook-ups. Councilwoman Burge stated that the City was in the process of setting up separate accounts for water and sewer hook-up fees. Councilwoman Shaha stated she thought there was only a maintenance account for water and sewer and that nothing was set up for the hook-up fees collected and reads from the existing ordinance and reads from that ordinance - the City shall collect from all users a capitalization fee and money should be distributed in a special fund for utilization by the City for treatment and distribution of the water and 5 percent shall be held or used for a reserve fund dedicated to engineering design of construction of collectors, interceptors, pump stations, etc. Money is not to be used for regular operation or maintenance except for the 5 percent. Councilman Darling suggested setting up a water reserve account. Councilwoman Burge stated that she was under the impression that a certain amount of money that came in goes into a savings account. Councilwoman Shaha suggested a review of our building inspector contract and inspections on the agenda for the next meeting.

Councilwoman Travis stated that Mayor Curless had written a letter to the Bonner County Daily Bee about the new City Clerk and Treasurer for the City of Dover and suggested Council appoint the City's Treasurer at the next meeting.

Chairwoman Tilley explains IHD invoices.

NEW BUSINESS

East End of Railroad Avenue Discussion

Councilwoman Burge expresses her concern that the barriers at the east end of Railroad Avenue keep falling down. She stated that John Sletager has offered to put some landscaping boulders up to keep people from driving over the green area and asks council to consider his offer. She further discussed confusion about the east end of Railroad Avenue continuing to be called Railroad Avenue. She explains that there is a 1/2 block piece off of the Avenue that is not connected to Railroad Avenue and suggests that that piece be renamed to Harding Avenue, which was the name of the President when the City of Dover was created and is in line with Washington, Jackson, McKinley and Roosevelt. Councilman Darling concurred, but expressed caution about naming the Avenue before checking with Bonner County first. Councilwoman Burge and Bryan discussed procedure for naming a street, and Bryan agreed to look into the matter.

Councilwoman Shaha requests an explanation of where the barrier boulders would be placed. Councilwoman Burge confirms that they would be placed on the Dover end by the Discovery Center where the barriers are now. Councilman Darling expressed concern with snow plowing issues. Councilwoman Burge stated that the area was a grassy area and there was no plowing allowed. Her only concern would be a safety hazard to use boulders as they would be any different than concrete barrier. Councilwoman Shaha stated that she had no problem renaming the street but had reservations about the boulders. She requested a review and discussion at

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a later date. Councilwoman Burge asked permission to speak to Mr. Sletager about the issue. Mrs. Becker, resident, suggested the City invite City citizens to decide what to use.

Building Inspection Discussion

Councilwoman Burge inquires about what is involved in home inspection services. Bryan explained the difference between a home inspection service and building inspection services. The City does not offer home inspection only the building inspection. He goes on to explain building inspection procedures – The Inspector checks that the construction is in compliance with the International Building Code for new construction. He further explains that the inspector shows up at critical times during the process of the building process. He continues to explain that the inspection addresses the structural end of construction it does not address heating, electrical or plumbing is done by the State. Councilwoman Burge inquires about enforcement duties and fines. Bryan explains that the inspector would talk with contractor first, but does issue red tags occasionally. He further explains that the building code provides for fines and that beginning construction before a permit is issued causes building permits to double because of additional work needed by the City and that fines need to go to the City. Councilwoman Travis inquires as to how many visits should be made on typical construction. Bryan stated that five should be adequate. Councilwoman Travis asks if the International Building Code addresses whether the visits can be physical or photographed. Bryan stated that he thought the visits needed to be physical. Councilwoman Travis asks if our inspector keeps records as to when a visit is made as the invoice is very vague. Councilman Darling concurs. Councilwoman Travis suggests someone visit the International Building Code as to physical vs. photograph. Bryan stated that a written record is not required and that a sign off by the initial contractor at inspection review was appropriate. Councilwoman Travis suggests that contractors let the City know if there is a delay when an inspector is late. Bryan suggests that he could put together a list of issues that could be intergraded into the contract or given to the building inspector. Councilwomen Burge and Shaha suggested having the contract and current inspector issue addressed at the next meeting. Councilwoman Travis suggests attorney review of the contract. Councilwoman Burge stated that the contract is not ready for attorney review. Councilwoman Shaha stated that she would like to review the contract and job description prior to the next meeting. Councilwoman Burge asks how many services are out there that provide building inspection. Bryan stated that he thought there were only two.

UNFINISHED BUSINESS:

ADJOURNMENT

A motion was made by Councilwoman Travis to adjourn the Council Meeting at 10:19 p.m. Councilwoman Shaha seconded, all in favor, motion carried.

Councilwoman Burge adjourned the meeting at 10:19 p.m.

Submitted by,
Ronda L. Whittaker