

Approved – November 14, 2013

**MINUTES  
CITY OF DOVER  
ORDINANCE REVIEW COUNCIL MEETING  
Thursday, October 24, 2013 @ 4:00 p.m.  
DOVER CITY HALL  
699 LAKESHORE AVENUE, DOVER, IDAHO**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Curless called the meeting to order at 4:07 p.m.

Present at this meeting: Councilwoman Annie Shaha and Councilwoman Denise Travis, and Councilman Dave Darling. Councilwoman Marguerite Burge was not able to attend. Staff: Ronda L. Whittaker (City Clerk), Rob Tate (City Engineer).

**NEW BUSINESS**

**Discussions and decisions related to culvert project bids for contract:** Rob announced that that he did not have bids due to the fact that the Government shut down had delayed the process for acquiring the permit needed to begin the process of accepting bids for the project and had been advised that the agency also needed the Mayor's signature.

There was discussion related to the Geo Bag project. Rob stated that he had three proposals thus far. He advised that he still needed to go over the proposal numbers. He recommended that the City review the finances that have been allotted for the project as the lowest bid came in at \$54,096.

**Discussions related to the BNSF Agreement for Private Crossing:** Don Davis was present and advised that ITD was not yet involved with the project. He stated that once the City accepts the Agreement then ITD would need to address the project.

There was discussion as to the location of the crossing and ownership of the property. There was discussion regarding the potential need for the property owner to grant an easement. Don advised that once ownership of the property was identified, there may be a need for easements and/or encroachment permits. Mayor Curless advised that the crossing would be used only for emergency situations only and that once there is Westside overpass to and from the City, the emergency crossing would be vacated. Don stated that there should be an agreement between State and the City identifying how the crossing would operate.

There was discussion about additional costs related to preparation of the area such as road design and surface to the crossing outside of the proposed Agreement. Rob stated that he could prepare the road design and that he would need to get a special permit from the Railroad before he could survey the area.

There was discussion about the required insurance requested within the Agreement. Rob state that he thought the City had acquired insurance in the past, which may still be current.

There was discussion related to the time statute for accepting the Agreement and estimating costs related to the whole project, including the removal of the Crossing when it is necessary to do so.

Councilwoman Shaha suggested that Councilwoman Travis head the progress of the project.

There was discussion related to a clause within the Agreement that refers to not being able to record the Agreement. Mayor Curless stated that the City would have its attorney look at the Agreement.

There was discussion related to opening the current budget in order to provide funds to support the project. **It was decided that a budget workshop be held, Wednesday, October 30, 2013 at 4:00 p.m., and to hold a public hearing on Tuesday, November 12, 2013 at 6:00 p.m.**

**Discussions related to the Draft Drinking Water Source Protection Plan for the city of Dover: It was decided to table the Protection Plan until the December Regular Council Meeting.**

### **ADJOURNMENT**

Councilman Darling moved to adjourn the meeting, Councilwoman Travis seconded the motion. All in favor, motion carried.

Mayor Curless adjourned the meeting at 5:04 p.m.

Submitted by,  
Ronda L. Whittaker