

**MINUTES  
CITY OF DOVER  
REGULAR COUNCIL MEETING**

**Date: MAY 9, 2013  
Dover City Hall  
699 Lakeshore Ave., Dover Id 83825**

**CALL TO ORDER**

Mayor Curless called the meeting to order at 7:07 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 Breyman.

Public Present: See Sign-in Sheet.

**A motion was made by Councilwoman Travis to appoint Dagmar Breyman as City Treasurer, Councilman Darling seconded the motion.**

**EXECUTIVE SESSION:**

**A motion was made by Councilwoman Travis to move into executive session pursuant to IC § 67-2345, Subsection 1(a) Personnel, all in favor, by roll call vote:**

**ROLL CALL**

**Annie Shaha           Aye**

**Dave Darling           Aye**

**Denise Travis           Aye**

**Marguerite Burge    Aye**

**Motion carried**

The meeting convened into Executive Session at 7:12 p.m.

The City Clerk was asked to be included in the Executive Session.

**A motion was made by Councilman Darling to leave executive session; Councilwoman Travis seconded the motion, all in favor by roll call vote:**

**ROLL CALL**

**Annie Shaha           Aye**

**Dave Darling           Aye**

**Denise Travis           Aye**

**Marguerite Burge    Aye**

**Motion carried**

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

Approved July 11, 2013

Mayor Curless called the meeting back to order at 7:52 p.m.

**A motion was made by Councilwoman Burge to appoint Dagmar Breymann as City Treasurer, Councilman Darling seconded the motion.**

**ROLL CALL**

|                            |            |
|----------------------------|------------|
| <b>Councilwoman Shaha</b>  | <b>Nay</b> |
| <b>Councilman Darling</b>  | <b>Aye</b> |
| <b>Councilwoman Travis</b> | <b>Nay</b> |
| <b>Councilwoman Burge</b>  | <b>Aye</b> |

**Mayor Curless announced that the vote was split therefore Dagmar Breymann would not be appointed as City Treasurer.**

**ANNOUNCEMENT:**

Public Comment: Mayor Curless 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.

Resident Terrence MacaFee stated his concern about the following:

- 4<sup>th</sup> Street construction – there is no signage, there are no turn a rounds, there is a parking issue in coordination to the bike path and child’s play signage needs to be posted.
- Mosquito issues surrounding the new small lakes in the area, and asked who residents or the City contact regarding insect control.
- Ditches on 4<sup>th</sup> Street and Loretta Street need to be cleaned out. Drainage flows to the East, which is the natural flow.

Mayor Curless addressed the ditch issue stating that the State is finally listening and plans to clean out old ditches and re-direct drainage to the West into the pond area, which will stop overflow and drainage to the East are being addressed. Mayor Curless suggested that a letter from Mr. MacaFee to the City expressing his concerns with the drainage and insect issues may help the City to get the State to address these problems quicker.

Resident Bill Strand addressed the following:

- Resident Dan Taylor had to leave before the City could accept public comment and requested Mr. Strand to thank the Councilwoman Travis and the City for the rapid response in getting sealant on the roads at Canoe Cove.
- Stressed the importance for the City to retain adequate funds for future maintenance and repair.

**CONSENT AGENDA**

**Inland Code:** There was discussion related to adequacy of Inland Code invoices. Bryan confirmed the need for accurate breakdown of fees for each project.

**A motion was made by Councilman Darling and seconded by Councilman Shaha to approve the consent agenda. Councilwoman Travis stated that she needed more time for review.** The Anderson Brothers, James Vernon & Weeks and USA Blue Book invoices were discussed.

Approved July 11, 2013

**The motion to approve the consent agenda was re-motined by Councilman Darling and again seconded by Councilwoman Shaha. The motion was unanimously passed to approve the consent agenda.**

### **MONTHLY REPORTS:**

INDEPENDANT HIGHWAY DISTRICT (IHD):Mayor Curless stated that Chairwoman Tilley had to leave, but was given the following report: Cedar Ridge HOA had not been billed for work done on Cedar Ridge Road due to the 50/50 split for services between IHD and the City. He went on to explain that if gravel was needed the 50/50 would not be applicable and there would be charges for that services.

TREASURER:Mrs. Breymann asked council to approve a refund due to a resident for overpayment of plan review and to sign the check to Inland Code for plan reviews. There was discussion regarding building inspection fees. Bryan Quayle recommended plan review fees be paid and initial inspection fees should be held until final inspection is completed. Councilwoman Burge questioned the initial deposit that is collected for plan reviews. Bryan explained that the initial charge of \$600 was an average charge to make sure that the City is compensated for the initial review of the Plans in case the project is aborted before the plans can be approved

**Councilman Darling made a motion to pay the first portion of the invoice. Councilwoman Travis seconded the motion.**

Mrs. Breymann stated stage paying could get complicated and requests Inland Code to be more conscientious.

**Mayor Curless confirms that the motion was seconded to pay the first portion of the invoice and asked for vote, all approved, motion was unanimously passed.**

**Councilman Darling made a motion to pay a portion of the second part of the invoice. Councilwoman Travis confirmed with Mrs. Breymann the amount. Councilwoman Travis seconded the motion, motion was unanimously passed.**

Mrs. Breymann reported that she had set up separate checking accounts for Water, Streets, Planning and Zoning, and Sewer and that she would now be able to run a detailed report for each department. Councilman Darling asked if the \$1,000 balance was a required minimum and Mrs. Breymann explained that there was no minimum fee however a minimum of \$500 prevents the City from having to pay out services fees. Councilwoman Burge confirmed that previously, all monies had gone into the General Account and then budgeted out and auditors recommended separate accounts.

Mrs. Breymann expressed her concern about the City's 50/50 split with SPOT related to insurance fees and stated that a review of the issue is necessary. She also addressed the City's donation to SPOT. Discussion ensued regarding the split, Mrs. Breymann was directed to obtain information concerning holding of the split.

Councilwoman Burge asked about hook-up monies and when DURA would expect their 70 percent of hook-up fees from within the Dover Bay area. Mayor Curless stated DURA feels that they should receive 70 percent of all hook-up fees. Bryan stated he was reviewing the issue with the City's Attorney and the Attorney General. **Mayor Curless instructed that the monies should not be used for projects and will be held until further notice.** Councilwoman Burge requested written communication to DURA explaining that legal opinion is required before distribution of funds is made. Bryan will follow up with Paul Nowaske.

Approved July 11, 2013

Councilwoman Travis asked if issues with title company requests for assessments had been addressed. Mrs. Breymann stated that she was satisfied as the City had just received some outstanding fees associated to a property closing.

Councilwoman Burge inquired when the City sends delinquent fees to the assessor's office. Mrs. Breymann explained she needed to review those accounts and make an assessment of the issue.

Councilwoman Shaha stated that the hook-up fees, per ordinance, were to be put into a separate account. Mrs. Breymann explained that separate accounts for water and sewer are set up. Councilwoman Shaha expressed concern that the hook up monies should not be spent and stay untouched until a decision is made about the 70/30 split. Rob Tate explained the fees collected were for - major repairs and improvements - should be set up as a Capital Improvement Account. Mrs. Breymann asked if that meant that the 70 percent would go into the Capital Improvement Account.

**Mayor Curless instructed that the Capital Improvement Account be set up and that the entire amount will go into that account until a legal decision is made.**

**Bryan explained the Appell residence was not within the Dover Bay Development area.**

ENGINEER: Rob Tate reported that the sanitary lift plan had been approved by DEQ. There was discussion related to a failing drain field at 290 Syringa and hook up to the City sewer system. Discussion ensued regarding latecomer's agreement, a proposed payment plan, the health issue at hand and the financial impact to the City requirement for residents outside of the City limits to annex into the City and other hook ups requesting the same payment plan. Councilwoman Burge expressed that at the time of the construction, the City was aware that there would eventually be a need for other parties to hook up to the system and due to the public health issue, the City does need to work out some kind of agreement to get the work completed. She suggested a payment option of \$2,500 down and \$500 per month with a 2% or 3% interest plan. Councilwoman Shaha suggests bringing the issue up to the City Attorney. Neil Hewitt suggested that the City review the ordinance. Rob explains that the ordinance rules a case by case situation. Mayor stated that the review and discussion should wait until we have a legal opinion.

Rob discussed the 2012 water production, preventive measures, and ongoing production testing procedures concerning future additional storage needs. Rob explained we have 400,000 gallons of storage which is efficient at this time noting the tank has to be flushed every 10 days to prevent the water to sit in the tank for too long.

Rob stated the Ontario Street culvert does not currently have a sinking problem, but is necessary to complete the repairs before there is any indication of road failure.

Rob stated the new intake system will be addressed within the next week with Ralph Sletager to sign off on the easements. Discussion occurred concerning priority of geobags, financing through DURA, IDRW loans including repayment and water rights expiring in November. The impact to City and DURA finances of the law passed last year concerning developers not having to pay property tax in excess of what it was taxed before they started the development, lower assessment values was discussed. Rob stated that he would send a letter to the contractor that the City will not be able to award the intake project and will just hold for now. Councilwoman Shaha reported on her meeting with the Army Corps of Engineers and they were concerned as to why our pumps would not be working when the water is lowered and that she has been diligently looking for funding for the project. Mayor Curless asks Rob to explain the pump change out process. Rob stated that a 20/50 decrease demands for smaller pumps and at that point there would not be enough water to serve everyone. Councilwoman Shaha stated that she has spoken to the City's water operator, Hal Overland, and was

Approved July 11, 2013

told that that problem had been fixed and that there was no longer a need to switch out pumps. Mayor concurs. Councilwoman Burge expressed her concern that the costs of hauling and dealing with sewer issues is expensive and is time sensitive and a public concern. Mayor Curless concurs and states that both issues are a major problem. Mayor stated that the City will need to wait for a decision on the 70/30 split as it is pending Attorney Snedden's progress with the issue.

Councilwoman Shaha inquired about the special meeting of June 28<sup>th</sup> regarding meeting with ITD and addressing Rail Road Avenue and Mr. Macaffee's issues. Rob stated that he had talked with ITD and stated that their action is pending Attorney Snedden's inquiry to ITD's attorney and stated that this process has been ongoing since about 3 months ago. Bryan Quayle stated that DEQ had supplied maps, which reiterated deed restriction language for the post office site, which was done in the Attorney General's office and is tied with the right-of-way; it will be deeded to the City. He explained that ITD is waiting for deed restriction language to attach to the post office deed, so that they can use the same language.

### MONTHLY REPORTS:

**ROADS:** Mayor Curless stated sealing was completed on Canoe Cove, a little dust control had occurred, several roads had been graded, the culvert issue is unresolved and he is looking for someone to take some trees out. He stated that the use of Magnite was used in July and that he wanted to hold off this year until the rainy weather settles. A discussion regarding the removal of diseased trees and road signage on 4<sup>th</sup> Street was held. Mayor Curless stated due to costs and his concern about the projected costs of the culvert project, he has held off on purchasing signs. Discussion confirmed that there were no residences on that short stretch of Railroad Avenue; therefore there would not be any confusion if the sign was removed. **Mayor Curless said that he would remove the sign.** Councilwoman Burge stated she had received reports that people are running the stop sign located at 4<sup>th</sup> and Jefferson intersection from the post office. Mayor stated that there is not much the City could do other than to ask the county Sheriff to monitor that area occasionally.

**PLANNER:** Bryan Quayle reported on the facility plan project. And a new Dover Bay property was sold with receipt of water and sewer hook-up fees. Building permit applications and requirement issues such as roof issues, snow load requirements and additional reviews of the building plans, resulted in additional fees. He has meet with Sewell and Associates and discussed with John Sletager issues related to elevation requirements within the floodplain including the two-step process involved with obtaining a elevation certificate: 1) prior to construction to identify the 1st floor elevation to be constructed and 2) once construction has occurred the surveyor and the developer are to coordinate to have that (shot in) and confirmed. He reported that at times this process has not been followed through. The procedure would be confirmed at the Certificate of Occupation phase. Bryan stated that LOMAs had been filed on the Pomrankey development which will eliminate the elevation follow up within that area because the entire area is in compliance with the elevation requirements. Blasting on Shannon Lane was being addressed and discussion has been made regarding the noise related to the blasting and the project being continued with rock hammers instead. Further blasting notices will be posted at the post office and residents and the City Hall will be contacted the contractor, so that Bryan can monitor the project.

Bryan reported that the GIS addressing project was coming along nicely. Councilwoman Burge inquired about a home on 4<sup>th</sup> and McKinley's incorrect address per the bank. Bryan said the bank should have something in their record that would reflect the correct address. Councilman Darling asked if there had been a permit issued for the development of 397 Cedar Ridge Road parcel. Bryan said that he would check on it.

Work continues with the City's staff to create an accurate utility hook-up list and addressing updates. He also reported the Peterson permit was ready, but the property owners were not willing to pay the credit card processing fee of 3% for the additional ERs and were looking at options for other payment arrangements. The

Approved July 11, 2013

City Clerk explained it is a fee that is charged to the City for processing the credit card. Bryan stated that the property owners had until May 19<sup>th</sup> to make the payment and be in compliance.

Bryan reported on the meeting with the assessor's office and was told that the new program to set parameters did not include residents within the City, so they had to go back into the program to fix the situation.

Bryan reported that he was still working on ICRMP and other handouts. Bryan stated DVD copies were not yet available but the 2013 AIC Legislative Report which discussed the personal property tax issues and copies of the facility plan will be made available at City Hall

Councilwoman Shaha inquired about the buoys. Discussion ensued concerning re-application for permits, installation and Department of Lands permits.

Councilwoman Travis asked if Bryan had received the okay to put up a speed sign up on Roosevelt and the name change for the short part of Railroad Avenue to Harding. Bryan stated that he had not. Bryan stated that there are a few signs that need to be addressed and he thought that the LTHAC funds may be available for those issues.

Councilwoman Travis inquired if a discussion was appropriate at this time regarding Inland Code's contract with the City including a status report. Bryan explained that he was working on establishing new procedures and protocols, which will include the building inspection contract and a monthly report, would be implemented. Bryan stated he is developing an activity report including a template to be distributed to all involved in a project. Bryan stated that the International Building Code does not exclude photo inspection as there are sometimes situations where photo inspection is necessary.

There was discussion about previous conversation regarding the City's input to BCATT regarding a new funding program that is being put into place. Councilwoman Travis asked if Bryan had written a letter to BCATT about the funding. Bryan explained that he had not completed the task as of this date.

CLERK'S REPORT: The City's Clerk reported that there have been some issues related to the 3% processing fee related to credit card payments. She requested that the City post a notification stating the processing fee. She suggested that a statement be entered onto the monthly utility statement pertaining to the processing fee. Councilwoman Shaha asked if the City has a resolution related to the issue. The Clerk said that she would look into any regulation the City may have pertaining to this issue. The City Clerk reported that Sandpoint Computer had been in to clean up the computer system and discussed Skype access and was assured that Sandpoint Computer could supply the City with a very secure password for access to wireless availability. She also reported that the City did not have a backup system and stated that Sandpoint Computer has a great cost effective program for what the City would need. The Clerk also stated that she was happy with the permit procedures and was working with Bryan, so that she can better explain the permit fees. Councilwoman Burge asked if the permit procedure would be put in writing for future reference. The Clerk stated that she would like to have the time to provide a procedure manual for all office procedures. She also suggested cross training. Councilwoman Shaha suggested the Clerk find time to draft current contracts and forms to be used when needed. The Clerk explained that her recent PERMA training suggested that this contract issue is very important and is necessary for risk management for the City. There was discussion about park playground equipment risk and ICRMP opinion and liability fees.

DURA: Councilwoman Shaha reported that the next joint meeting will be on August 7<sup>th</sup> at 5:30 p.m. She said that DURA was thrilled with the sanitary lift. She went on to report that William Herrington had been appointed as their attorney and Jim Hayes had been requested for a 4<sup>th</sup> board member. She stated the geo bags

Approved July 11, 2013

were discussed and concerns were brought up regarding problems that Priest River experienced with them. She stated that an assessment review was in process.

BCATT: Mayor Curless reported that area road projects and stabilization issues were discussed.

POCWA: Councilwoman Travis report that there was no meeting this month. Bryan stated that there was new discharge information out and that there are some new standards that needed to be reviewed and addressed.

Councilwoman Burge reported on the source water protection campaign –signs have been placed on the highway designating the Dover area as a being a source water protection area. IDRW will produce brochures and the campaign plans on focusing on dog waste pick up posters and brochures to be posted and available at the park and marina areas. Army Corps of Engineers will be contacted about instructional information about water regulations (gasoline, pesticides, etc.) within the river as it is in proximity to the City's water intake, and discussed products that are out to help with spill control. She asked anyone who works with water perseverance within the City report their hours.

BCDC: Mayor Curless stated that he thought BCDC was applying for a grant to the County to pay for some of their projects.

WATER/SEWER DEPT: Reports were reviewed by council.

WESTSIDE FIRE: Dale Hopkins thanked the City for grading Railroad Avenue and communications with the City related to building plan reviews. He asked Bryan to report any updates or information in regard to vacation units as he wants to make sure that the units have appropriate smoke detectors, fire extinguishers, etc. He also requested updates related to blasting issues, so they are well informed. Dale reported that there have been problems getting volunteers Neil Hewitt asked the City to spread the word that they need volunteers and encourage people to come to the hearings and workshops. Mayor Curless stated that he would address dust control around the firehouse.

There was discussion about unauthorized use of fire hydrants, backflow contamination, and possible penalties for use of City hydrants.

Councilwoman Travis expressed concern about the safety of the City in the event of closure of the Dover station. Dale explained that the district would help, but that there would be a need to contract with other districts for help and home insurance rates would rise. Dale explained that the City does have a mutual aid agreement with Sandpoint, but they are not happy with it because Westside Fire does not have anything to offer. Councilwoman Travis asked if there was anything the City can do to help. Dale explained that spreading the word to participate is needed.

Mayor Curless calls for a Break at 10:45 p.m.

Mayor Curless calls the meeting back to order at 11:09 p.m. and suggests finishing up the reports and call the meeting due to time of day. Councilwoman Burge concurs.

MAYOR'S REPORT: Mayor Curless reports that the City has received a \$7,000 Grant from Union Pacific to fence the water plant that stated that the bid for supplies for the same came in at \$6,700.

Mayor Curless discussed progress on the west side emergency crossing. He stated that Union Pacific is indicating that they are willing to work with the City and that it looked like the project is 3 or 4 months out. Councilwoman Travis asked about a secondary source of exit. Mayor explained that he is waiting for a reply

Approved July 11, 2013

from the City's attorney, but if there were an emergency, the City would use any available exit. Discussion was held concerning vehicle exit through Lakeshore Avenue, soil/ground condition limitations, use of SPOT buses, animals on buses, fire department use of the bike path and maintaining a clear bike path. Mayor Curless stated that all depends on the weather conditions and hazard conditions and stated that the worst issue would be a chemical spill as the spill will flow downward.

COUNCIL REPORT: Councilwoman Travis reported that she has been working on waste management and recycling within the City of Dover. She stated that she had discussed this issue with Tammy Yeager a new member of the Waste Management Program. Tammy stated that we had approximately 85 users and the issue is that if additional equipment needed to be purchased to service the area, it would cost about \$100,000. She asked Tammy to research three issues:

1. Cost of a Truck for recycling all of the City of Dover for projected costs and time for single stream recycling.
2. A concentrated route for high density residents, i.e. original Dover, Dover Bay, Canoe Cove and a central drop area for the rural areas due to costs, and
3. An evaluation of costs for a central area for all of Dover.

She explained Tammy had agreed to research these issues and have results within two weeks. She stated that she and Councilwoman Burge would be happy to meet with Tammy to discuss the results with her and invite her to address council.

Councilwoman Shaha reported on the Army Corps of Engineers 529 program. She explained that she has talked with Bryan for assistance. She was told that our intake project is pretty "spot on" for this funding.

Councilwoman Shaha also reported that she did attend the Ponderay Bay Commission meeting this month and there was discussion about Asian plant control and flower rush. She stated that the boat inspection stations were now open and stated that they are not looking at a Labor Day draw down at the lake this year.

Councilwoman Shaha asks Mr. Strand to present his Web site.

Councilman Darling asked the fire department if the Bonner County inmate program would be something that they could look into for volunteers. Dale explained that he had used the program before for labor, but firefighters are what are needed and inmates would not be suitable for that purpose. He also stated that it takes months to train a firefighter.

Mayor Curless asks Mr. Strand for length of Web site presentation. Mr. Strand stated that it would just take a few minutes.

Councilwoman Burge reminded council that they still had to move into executive session. Mayor Curless concurred. Councilwoman Travis asked if we might entertain having the executive session at another meeting. Mayor stated that it needed to be done at this meeting. Councilwoman Burge asked if the unfinished ordinance and quarterly review could be addressed at the next regular ordinance meeting. Mayor suggested a special meeting. There was discussion about legislative ruling regarding the fire arms ordinance. Councilwoman Burge asked if the meeting could break as it was getting late. All agreed.

The public meeting was brought back to order at 11:20 p.m. and Mr. Strand gave his web site presentation, handing out samples of what he could bring to the City. He discussed two issues:

- He referred to a page where the minutes are posted and explained how the program keeps track of how many times they have been downloaded. He expressed that there is an interest in the community for people to be able to access the minutes, agenda, ordinances, resolutions; averaging about 20 each month and expressed that the availability would lighten the load of the City Clerk.

Approved July 11, 2013

- Mr. Strand discussed ADA compliance and temperature sensitivity and access to the minutes, etc. on line.

Councilwoman Shaha asked if the handout was from his new web site. Mr. Strand concurred and ended his presentation. Councilwoman Burge stated that she did agree that the City did need an official web site and that one was already awarded to the City, but there just has not been the staff needed to keep up on it and/or the City just needed to get organized and discuss what the City really wants on the site. She discussed that different between access vs. public relations for the person who does not know Dover. She suggests that a workshop is needed before a decision is made. Mr. Stand responds that this is a need from the residents' side. Councilwoman Burge expressed that she felt that the residents have been happy with the site that the City and discussion does need to be brought as to what information needs to be put on the site. Councilwoman Travis stated that she understood that Councilwoman Burge's explanation of the existing web site would be like the Chamber of Commerce's site explaining the history of the City, etc. vs. traditional city web sites, which is information and suggest we could offer both. Councilwoman Burge explained that the City needs input from all staff. Mr. Strand expresses his concern that it has been a year since this issue was brought forward. Mayor Curless confirmed that this issue did need to be discussed. Councilwoman Shah asked if council could set a date for a workshop. Dates were discussed. May 29<sup>th</sup> time was discussed. There was concern about paying overtime wages for staff to attend. **Decision was confirmed by all to have the website workshop on May 29<sup>th</sup> @ 4:00 p.m.**

**EXECUTIVE SESSION:**

**Councilwoman Burge made a motion to enter into executive session at 11:55 p.m. pursuant to I.C. 67-2345, Subsection 1(a) Personnel, Councilman Darling seconded the Motion.**

**ROLL CALL**

**Annie Shaha           Aye**  
**Dave Darling           Aye**  
**Denise Travis           Aye**  
**Marguerite Burge    Aye**

**Motion carried**

The meeting convened into Executive Session at 11:55 p.m.  
The Clerk was asked to be included in the Executive Session

**A motion was made by Councilman Darling to close the Executive Session portion of the Meeting at 12:43 a.m. Councilwoman Burge seconded, all in favor by roll call vote:**

**ROLL CALL**

**Annie Shaha           Aye**  
**Dave Darling           Aye**  
**Denise Travis           Aye**  
**Marguerite Burge    Aye**

**Motion carried**

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

**ADJOURNMENT**

**A motion was made by Councilwoman Burge to adjourn the Council Meeting, Councilman Darling seconded the motion, all in favor, motion carried.**

Mayor Curless adjourned the meeting at 12:46 a.m.

Submitted by,  
Ronda L. Whittaker