

**MINUTES  
CITY OF DOVER  
REGULAR COUNCIL MEETING**

**October 10, 2013  
Dover City Hall  
699 Lakeshore Ave., Dover Id 83825**

**CALL TO ORDER**

Councilwoman Burge called the meeting to order at 7:03 p.m. She announced that Mayor Curless and Councilman Darling were not able to attend the meeting.

**PLEDGE OF ALLEGIANCE**

Present at this meeting:

Council Members: Annie Shaha, Denise Travis and Marguerite Burge. Councilman Darling was not present.

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

Special Attendance: Mr. Don Davis of the Department of Transportation

Public Present: See Sign-in Sheet.

**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. She also asked for comment in regard to discussions related to Loretta Lane and Ontario Street be held until Mr. Davis of the Idaho Department of Transportation had given his presentation.

- Resident Terrance MacAfee thanked the City for moving the stop sign from Lakeshore to Washington Street; he stated that the action had made a great improvement in regulating the traffic in that area.
- Resident Sharon Strand expressed her concern that the lack of an emergency exit was a danger to the City's residents. She submitted a copy of her comments and concerns attached hereto.
- Resident Bill Strand also thanked the City for moving the stop sign; he stated that the action had prevented at least once accident. He also thanked the City for enhancing the City Hall pathways.

**CONSENT AGENDA**

Councilwoman Burge asked Council to approve the consent Agenda. There was discussion in regard to invoices related to septic clean outs and work completed in the Syringa area. Rob Tate explained that one of the ACE Septic Invoices were for the clean outs of septic tanks for several residents and the work completed in the Syringa were due to a disruption in the City's septic line and that Syringa Heights Water had agreed to pay 90% of the costs related to the incident. Councilwoman Burge stated that she was fine with the payables all but the invoices related to the Syringa Heights Water issue as she needed an explanation of how the City would be billing for the costs, the Regence Blue Shield and Verizon Wireless invoices as she needed further explanation from the City's bookkeeper.

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**Councilwoman Burge moved to accept the Consent Agenda Minutes and Payables as discussed. Councilwoman Travis seconded the motion. All in favor, motion passed.**

**UNFINISHED BUSINESS:**

Councilwoman Burge asked the City's Planner and Engineer to provide direction for the discussions related to Loretta Lane, Ontario Street and other various issues related to Dover City Road/Street. She also advised that Ms. Kent, who had concerns related to these issues, could not attend the meeting and that she had advised Ms. Kent to contact the City's Planner for a summary of the discussions.

Bryan handed out a copy of the Department Memorandum between the Idaho Transportation Department (ITD) and the City of Dover (attached) regarding the replacement of the Dover Bridge and improvements to US-2 and introduced Mr. Davis.

- Mr. Davis summarized the Memorandum and advised that the Corps of Engineers had determined that the 3.76 acres was within their jurisdiction and that ITD must maintain those wetlands.
- He advised that any revisions to those wetlands would need to be applied for by ITD.
- He explained the areas within the project that were to be deeded back to the City.
- He advised that there was confusion as to whether the acreage should be deeded to the City.
- He advised that that wetland area be excluded from the deed back the City.

There was discussion about the ability to define the boundaries as the original property lines were not clear and very old records would need to be used to confirm them. Mr. Davis stated that the entirety of the wet lands could be transferred to the City, but then ITD would still be obligated to maintain the wetland area. There was further discussion related to the boundaries of the wetlands. Councilwoman Burge asked if the wet lands section behind Walson's and Becker's to the west the old road bridge goes through or south of the wetlands. Mr. Davis explained that the westerly area is where the fill was. The wet land covered the field behind their houses and where the fill which was scooped out, the embankment was taken out and some of the elevations were taken down then seeded and planted and became the wetlands. Rob stated that a modified exhibit and legal description would give right-of-way for Roosevelt or the beginning of Dover Bay Way and Railroad Avenue a parallel right-of-way line for each of those roads. Rob stated that the property description would need to be cleaned up. Mr. Davis stated that the best scenario would be to transfer the right-of-way areas and hold back the rest.

There was discussion related the original county road and the loss of original records clearly identifying ownership of the property and the need to research and define ownership.

Councilwoman Travis confirmed with Bryan that Ms. Kent, who has concerns related to property boundaries, could address her questions to him.

There was discussion as to the definition of maintenance of the wetlands. Mr. Davis advised that the area would be checked to make sure that there was no disturbance to the condition of the area, but that there would be no other maintenance provided.

There was discussion related to insect and weed population. Mr. Davis stated that that would not be something that the department would address. There was discussion about the City to treat the area for insects and weeds. Mr. Davis stated that he did not see a problem with that as long as the general condition of the wetland area was not disrupted.

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There was discussion related to effective eco-friendly insect control. Mr. Davis stated that he could look into it.

There was discussion in regard to decreasing the wetland areas. Bryan stated that he was working on a letter to the department to address decreasing and/or exchanging the wetland areas.

There was discussion about activities within the wetland areas that could be used for recreational purposes. Mr. Davis advised that anything that did not disturb the condition of the wetland area would be fine.

There was discussion regarding drainage. Mr. Davis stated that there would have to be a determination as to who really does own the property before that type of issue could be addressed. Mr. Davis advised that a thorough search was necessary and if they could not find appropriate information, then the City could run a quiet title and open the issue to the public; if no one disputed the title then the courts could deem the property as stated in the quiet title. Mr. Davis also advised that the properties where the stretch of old hwy that runs past the old post office is clear and should be turned over to the City. Bryan advised that the City needed to be aware of the old post office and the underground storage tank mitigation. He stated that he was arranging to meet with land owners to review the covenant language as to soils that were not removed and still has a plume coming out. He stated that the covenant language provides so that the contaminated property cannot be used for residential use. He went on to explain that the areas are at the corner of 4<sup>th</sup> Street and Roosevelt. He went on to advise that the covenant needed to be in place for the right-of-way that is deeded, so that the City will not be liable for the petroleum products on the property releasing the City from that liability as long as it is not used for residential purposes.

There was discussion related to the bike/walking trail which empties out onto residential property and insect issues. There was discussion and explanation as to where the area was located. Mr. Davis confirmed the location of the path and stated that the property was owned by Union Pacific. Mr. Davis addressed parking for the trail. He stated that there was a "no parking on pavement" sign there leaving barely enough for two cars to park. He stated that the area was in their right-of-way and that he would talk to his project manager.

Councilwoman Burge clarified that Mr. Davis was going to work on the following:

- Identifying the areas outside of the wetland areas that will be deeded back to the city.
- Wetland size and level that is causing Mr. MacAfee's flooding issues.
- Reconfiguring the parking at the trail head.
- Identifying the ownership of the properties at the west end of Loretta Lane and mosquito control.

There was discussion regarding speed signs and turn lanes over the bridge. Mr. Davis stated that the issue was a signage change and that it could happen before the snow. There was discussion about putting up a "through traffic stay left" for an alternative until a turn lane could be added. Mr. Davis stated that that would be a good alternative for the time being.

There was discussion regarding the speeding before Pine Street and putting in a turn lane and moving the speed limit sign forward. Mr. Davis stated that he would look into it.

Councilwoman Burge asked Mr. Davis to address when the 25 mile an hour speed sign would be placed and when lines would be painted on the entrance to Dover. He was not able to give a time frame and explained that the picture (Exhibit A) needed to be revised and sent to the City for approval then their surveyor would need to identify the legal description for the property to be turned over

There was discussion in regard to snow plowing for the Hwy 2/Roosevelt Avenue area. IHD stated that they had plowed in the past, but it was quite an effort as several passes had to be made to keep it plowed.

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Councilwoman Burge stated that IHD had requested an adjustment within the agenda to address the culvert issue. Councilwoman Travis asked to address unfinished business related to Ontario Street. There was discussion related to the need for a traffic study. Councilwoman Burge asked if IHD would be conducting a traffic study in addition to completing the road construction on Ontario. IHD stated that they would have to wait until the repairs were completed to do a study and that they would just need a request for services to provide the study. **Councilwoman Burge asked the Clerk to submit the request when applicable. IHD Chairwoman Tilley confirmed that there should be two studies; one from the City limits to the Railroad and one to go up the hill to Syringa Heights. She suggested that the study be completed in the spring.**

There was further discussion in regard to weed control for the City. IHD stated that the County had provided that service this last spring. There was discussion that the Railroad right-of-way weed control was insufficient. Councilwoman Travis asked if a letter could be provided to the Railroad to address this weed issue. Councilwoman Burge advised that next spring the City may need to try to keep those areas mowed and sprayed for insects. Councilwoman Travis asked if the Clerk could tickle a reminder to address this issue with the Railroad this coming spring. Councilwoman Burge stated that that could be done.

### **MONTHLY REPORTS:**

**INDEPENDANT HIGHWAY DISTRICT (IHD):** Scott Hansen reported on the Ontario Street Culvert. He stated that fill was sluffing over the old culvert on the south edge of the pavement. He stated that after discussion, it was decided that the road downsized to one lane. He stated that once the water level dropped, the north shoulder started to fail, therefore the road needed to be closed. Rob stated that the repairs could be completed and fill put in but that paving would need to wait until this next spring. He stated that the process would be a two to three week process. He stated that the City would be able to open bids at the next council meeting in November and advised that the topic could be put on the October Ordinance Review meeting. Councilwoman Burge confirmed that all appropriate entities had been notified of the road closure. Chairwoman Tilley confirmed that the Clerk had published the notice and had advised the school district of the closure.

Chairwoman Tilley announced that there had been some paving on Upper Syringa which had never been completed properly. Scott also stated that there was also some patching completed and that may have to be redone next spring. Chairwoman Tilley advised that that portion of the road was in Dover, but not a road that had been annexed, so therefore it was within IHD's jurisdiction.

**Discussion and decision related to the CPA proposal to the City** – There was discussion related to the City's need for a treasurer who could complete all that was proposed by the CPA. There was discussion and decision that a committee be created to begin the task of reviewing resumes and interviewing potential treasurers to consist of the following:

- A Councilmember,
- A Treasurer/CPA from a city with a budget of at least \$1,000,000,
- Marion,
- Mayor Curless; and
- Potential CPA.

Discussion and decision was made for the city to advertise in the local newspapers and appropriate venues and providing for a decision to be made at the November regular council meeting. **Councilwoman Burge asked the Clerk to seek potential treasures for the committee.**

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**WESTSIDE FIRE:** Dale Hopkins reported that they were finishing up with fire hydrant testing and will soon be able to provide a report to the City. There was discussion about the upcoming fund raiser that the department is holding in order to collect funds to support the volunteer fire protection. There was also discussion regarding the ballot question requesting residents to allow an increased tax rate over 3%. Dale reported status of the department's progress on grant submissions. There was discussion about the citizen notification issue – no further progress has been made.

**ENGINEER:** Rob reported that he had only received one bid for the Geo Bag project, so he extended the time frame to submit for another week. Councilwoman Burge asked the Clerk to add the bid issue to the Ordinance Review Agenda. Rob reported that there had been a septic line disruption at the Syringa Heights Water District and that the issue had been addressed appropriately. Resident Neal Hewitt asked for Rob to investigate the locate procedures regarding the line disruption. Rob reported that he was in the process of discussing intake locations with Mr. Sletager.

**MAYOR'S REPORT:** Councilwoman Burge reported that Mayor Curless had expressed to her his disappointment that the Railroad had not honored their agreement to update him within two to three weeks in regard to the emergency crossing issue and that he would be following up with them to get some sort of update.

**WATER PROTECTION PROJECT:** Councilwoman Burge reported that the pet brochures had been completed and that they are working on replacing the pet waste station that was taken from the City's park area.

**POCWA:** Councilwoman Travis reported that POCWA did not have a meeting.

**DURA:** Councilwoman Shaha reported that DURA did not have a meeting.

**PLANNER:** Bryan handed out his October Memorandum (attached hereto) and proceeded to go over indicated topics. The following topics were discussed beyond the information within the Memorandum:

- Councilwoman Burge addressed the Former Day Care project inquiring as to whether the set-back requirements are being met. Bryan addressed her inquiry and assured Council that the project will be in compliance.
- Councilwoman Travis inquired as to regulations involving the removal of silt fencing. Bryan advised that there was no regulation and that he would be glad to address the issue and will do his best to advise anyone using the fencing to remove it when finished.
- There was discussion in regard to the Planning Commissions approach to the agricultural element of the comprehensive plan and public hearing maybe in January.
- Bryan reported that he was working with Westridge as they will be incorporating our livestock/large animal regulations into their CC&Rs.
- Bryan announced the BCATT now has a bus route available to/from local cities in the area.
- Bryan asked Council to advise as to whether they still would like him to publish a RFP for the position of building inspector. **Councilwoman Travis asked that a building inspector's report be put on future agendas just before the Planner's report.**

**Councilwoman Travis made a motion to direct the City Planner to initiate an RFP in terms of building inspection services, Councilwoman Shaha seconded the motion, all in favor, motion passed.**

**TREASURER:** No report

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**ROADS:** Council was satisfied with previous discussions related to roads.

**CLERK'S REPORT:** Ronda brought a request to use the City Park for a wedding event to be held July, 2014. The request was for the event to house 300 people. There was discussion that the event would engulf the City Park and would not allow the public to feel comfortable to use the park.

**Councilwoman Burge asked for a motion regarding the issue. Councilwoman Travis made a motion that the City not allow the event, Councilwoman Shaha seconded the motion, all in favor, motion passed.**

**WATER/SEWER DEPT:** Reports were reviewed.

**BCATT:** No report

**BCDC:** No report was given.

**COUNCIL:** Councilwoman Travis announced that various residents of Dover entered the County Fair and was pleased that many of them received ribbons.

Councilwoman Shaha reported on the Water Committee and submitted the attached reports. There was discussion related to the following:

- Disconnect/reconnect fees missing from the Utility Fee Schedule.
- Past and future utility fee deposits and as to whether they are needed and how the deposits are supposed to be refunded. **Councilwoman Burge asked for this issue to be put on the November agenda.**
- Having an annual review of ERs and usage. **Councilwoman Shaha asked the Clerk to add this topic to the November agenda.**
- Backflow prevention and checks. **Councilwoman Burge asked that this issue be on the November agenda.**

Councilwoman Travis asked the Clerk for an update for Candidate Forum. Ronda reported that she was in the process of confirming dates and notices. **Councilwoman Burge asked the Clerk to check on regulations regarding the City hosting the forum.**

Councilwoman Travis asked if there was an update related to the dying trees and no trespassing signs around the wastewater treatment plant. No update was available. **Councilwoman Burge asked Ronda to advise Patrick to address the signage issue.**

### **ADJOURNMENT**

**A motion was made by Councilwoman Travis motioned to adjourn the Council Meeting, Councilwoman Shaha seconded the motion, all in favor, motion carried.**

Councilwoman Burge adjourned the meeting at 10:52 p.m.

Submitted by,  
Ronda L. Whittaker