



**MINUTES : REGULAR COUNCIL MEETING & PUBLIC HEARINGS**  
**THURSDAY, December 14th 5:30 p.m. & 6:00 p.m.**  
**DOVER CITY HALL, 699 LAKESHORE AVENUE, DOVER, IDAHO**

**Present:** Mayor Shaha and Councilmembers Brockway, Guthrie, Kubiak and Strand. Staff – Attorney, Stephen Snedden; Planner, Clare Marley; Engineer, Jay Hassell; Clerk, Michele Hutchings

**Public present:** Keith Congleton, Brett and Kristy Evans.

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE:** Mayor Shaha called the meeting to order at 5:33 p.m. and led the Pledge of Allegiance.

**II. PUBLIC COMMENT:** None offered

**III. NEW BUSINESS:**

1) Discussion/Direction: Congleton Encroachment for Culvert - Hassell reviewed his report and asked council for direction for owner's request that city relocate culvert. Storm water drainage could cause new problem downstream. Hassell could work with IHD for work tasks needed. Hassell could research new path onto separate parcel owned by Congleton. Hassell notes property owner usually submits plans for projects like these however, Congleton has asked city to take responsibility. Strand asks if hydraulics tests have been made or estimated, Hassel says no and that a full hydraulic study may not be necessary. Strand asked if area is paved, Hassell confirms. Congleton stated he is more than willing to grant easement for new drainage area. Kubiak asks Hassell to confirm path of water currently. Strand's largest concern is estimated cost. Hassell suspects \$500-\$1,000 IHD costs, new culvert cost \$300-\$500, engineering time consulting with owner, preparation of easement document. If easement for south lot is not simple, could incur boundary survey of \$1,500-\$2,500. Strand asks what grade of property is, Congleton says in excess of 30%. Already a 2nd culvert that dumps onto city right of way or possibly the adjoining Marienau property. Hassell would require survey pins. Brockway clarifies estimated costs discussed to be \$4,000k engineering + \$1,500 for IHD costs. Estimated total of \$5,500 if no additional work needed. Snedden estimates \$500-\$1,000 for easement costs. Brockway affirms \$3,000-\$6,000 in total costs. Strand concerned about culvert that might dump onto Marienau property and potential for other property owner to bring up similar issues. Strand noted storm water management is usually a property owner responsibility however, doesn't want to get into lengthy and expensive debate for less than \$10k. Maybe compromise between landowner and city to mitigate costs. Not in favor of city bearing all costs. Kubiak also favors compromise, agrees that storm water management falls on developer. Guthrie and Brockway are also in favor of compromise. Strand would like council to direct Hassell to work with Congleton to come up with compromise to be presented to council. Hassell requests direction to begin draft negotiations with parties in order to present compromise to council. Shared compromise may be monetary facet. Mayor notes next council is not until January, Hassell doesn't recommend any storm water management work until after winter has passed. Congleton says project completion date is not scheduled until June and is willing to compromise. Meeting with Hassell before snow is preferable. Mayor clarifies direction to Hassell - meet with Congleton for presentation to council including shared compromise.

**IV. PUBLIC HEARING: FILE #AM09-17 Amendment of Building Codes and Regulations:** At 6:01 p.m. Mayor Shaha announced opening of public hearing for amendment to Building Codes and Regulations. Marley summarized requirements of state of Idaho. Marley referred to her memo outlining changes as discussed at previous council meetings. Mayor asks for public comment. Brett Evans, Pine Street asked about energy test on homes and ramifications. Marley explained applies only to new construction building permits. Evans asked if applies to remodeling. Marley suggested he contact Pat Park, contract building inspector, for details. No other comment or questions. **Strand motioned** to close public comment period, **Brockway 2nds - Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. **Motion carries.** Public comment period closed at 6:16 p.m.

**a. Deliberation/Decision: AM09-17 Amending Building Codes and Regulations** Mayor asked if council had any other questions - none offered.

**B. Discussion/Decision: Proposed Ordinance No. 154 – Brockway motioned** to dispense with the rules, per Idaho Code section 50-902, **Kubiak 2nds - Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. **Motion carries.**

As approved by Council at regular meeting held 1/11/2018 (mch)



**Strand motioned** to adopt the ordinance amending Dover City Code, Title 9, Chapter 1, regarding Building Codes and Regulations, File #AM09-17, adopting the latest building codes authorized by the State of Idaho, and amending the code to address permit terms, exemption, requirements, expiration dates, fees and penalties. **Guthrie - Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. **Motion carries.** **Strand motioned** to approve the summary of ordinance as presented, and authorize the publication of this summary in accord with Idaho Code section 50-901A. **2nd by Kubiak. - Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. **Motion carries.**

**V. PUBLIC HEARING: FILE #AM03-16 Repeal and replacement of Dover comprehensive plan and projected land use map:**

Mayor Shaha opened public hearing for AM03-16 at 6:19 p.m. Marley reviewed her powerpoint presentation with council and public. Map is first ever, plan is amended. Tremendous growth, new court cases helped to drive efforts. Now legally defensible with up-to-date plan and city will more eligible for grants. Both map and plan will be updated. Comp plan map and text reviewed in detail by Marley. P&Z Commission recommendations reviewed by Marley. Next steps after council approval of Comp Plan and Map reviewed as noted on slide presentation. Open for public comment period by Mayor at 6:44 pm. Brett Evans referred to mahogany area of map. Marley explained map is general guideline for any zoning decisions in future. Evans asked if floor plans and architectural designs will be required to be adhered to, Marley explained that would be covered in the building permitting process. Mayor asked for additional public comment. Kubiak asked if process of Comp plan and map amendments in future would be as intensive. Marley suggested not as city had no updates for previous 14 years. **Strand motioned** to close public comment period, **Guthrie 2nds - Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. **Motion carries.** Public comment period closed at 6:47 p.m.

**a. Deliberation/Decision: AM03-16. Repeal and Replace Dover Comprehensive Plan and Land Use Map** Mayor asked if council had any other questions - none offered.

**b. Discussion/Decision: Proposed Resolution No. 132 - Strand motioned** to repeal the 2003 Dover Comprehensive Plan and Map and any previous plans or maps that may exist and to approve the new Comprehensive Plan and Projected Land Use Map dated 12/14/2017, further moved to adopt resolution 132 causing the Map and Plan to become effective, 2nd by Kubiak - **Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. **Motion carries, Resolution No. 132 adopted.**

**III. NEW BUSINESS (Continued):**

2) Discussion/Decision: Crosswalk Grant - Mayor noted that deadline for grant is Dec 21st and city does not own ROW (right-of-way), not enough time for negotiations with ITD (Idaho Transportation Dept.) Crosswalks require ADA compliance and grant does not cover engineering of ADA, construction only. May be consideration for FY19 budget. Strand notes ITD ROW is important to resolve first. Mayor agreed and is working with Laila Kral at LHTAC.

3) Discussion/Decision: 3rd Street Wastewater Pump Station repair estimates - Discussion by Brockway, Strand and Guthrie. Strand noted that Mike Wade is comfortable with Amped quotation. Strand in favor of accepting. **Motion by Strand** to accept the Amped Quote for \$4,661.38, **2nd by Brockway. Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Aye. Quote approved.

Brockway reviewed Mike Wade's report and questioned if this would just upgrade or replace. Mayor asked if council would like to direct staff to research replacement with new panel vs. repair. **Motion by Brockway** to undo decision to accept amped quote, **2nd Guthrie. Roll call vote:** Brockway-Aye, Guthrie-Aye, Kubiak-Aye, Strand-Nay.

4) Discussion/Decision: Essex tank re plumbing estimates - Strand noted no estimated yet, only description of problem. During leak research found tanks improperly plumbed. WSM (Water Systems Mgmt.) was notified and reviewed, Bob Hansen contacted DEQ. Dover engineers are reviewing system problems along with McNee at T-O, Strand and Wade. Small tank is biggest problem and has been isolated. Additional issues are contact time problems, two cross connections and stagnant pipe voids. Converse with JUB, Wade and Strand put together drawings for solution and submitted to DEQ. Lots of excavation will be necessary. One quote offers service with vacuum system making work in winter possible. Brockway refers to Mike Wade's report's recommendation on independent engineering firm review. Strand says Wade recommends short terms issues be dealt with now, future transmission junctions be reviewed later on. Brockway considering short term fix to items 2&3 at same time engineer to work on supply long term solution. Brockway asked if transmission lines are separate issue, Strand interpreted Wade's report noting stagnated line relates to transmission lines. Guthrie asked for confirmation that engineer is involved, Strand confirmed. Strand recommended adding engineering solution for future



along with water system upgrade. Short term now but long term needs to be done but not before new transmission lines. Brockway asks what "note: all additional" refers to in Wade's report. All additional work = short term, in addition to flow meter work. Strand says flow meter is work that is planned. Additional work is for 1 & 2 of Wade's short-term report notes.

5) Review/Acceptance: Canvassed Election Results from 11/7/2017 Elections -

Mayor reviewed results and asked council to accept. **Guthrie motioned** to accept results as presented **2<sup>nd</sup> by Strand**. All in favor.

**VI. UNFINISHED BUSINESS:**

- 1) Loss Update; Flowmeter Discussion/Decision: Water written quote: Apex, KG&T and Lippert quotes reviewed by Strand. Brockway asked purpose of flow meter. Strand said short term is to determine leak. Guthrie asks how we know there is a leak. Strand explained process of determining leakage. Guthrie suggested an independent study be done. Mayor suggested cost could be approximately \$20k. Strand and Mayor said 4 years ago a different leak was detected, was easier to detect last time. Mayor and Strand suggest that if leak detection is discontinued rate study would be necessary and would likely double the current water rates. Flow meter may or may not show leaks. Brockway asked about source of information that Strand has been using. 1=water produced, Wade reads # every day, every month meters at water treatment plant are alternated to ensure accuracy. 2=other number comes from usage from water meter readings. Kubiak asked when change happened, Strand contends from 9/2015 - 4/2016. Winter production currently is doubled. 1 million gallons produced, with only 400k gallons usage. Strand said flow meter should be part of water system upgrade and charged to DURA however \$10k is maintenance and not DURA reimbursable. Brockway suggested proceeding with 1, 2 & 3 as required by DEQ. Strand recommends only authorizing independent engineer review near phase 4 of water facility plan. Brockway directs Mayor and staff to move forward with Wade's report recommendations 1, 2 & 3. Strand agrees. Strand said Wade recommends KG&T estimate with vacuum system for flow meter excavation. Mayor confirms council already approved \$8,000 estimate for installation of flow meter. These estimates are the more accurate costs. KG&T + \$1,700 = \$5,700 total and council already approved \$8,000. Brockway notes no electricity is included in KG&T quote, Strand says it does include "installation". Brockway concerned that flow meter could be installed and no leak could be detected. Guthrie agrees. Strand explains if no leak noted on day one, city would begin isolating sections, next step would be to use microphones. Brockway asked if Strand is 100% confident in data he's using to determine water loss. Strand confirmed and noted could be leak or diversion. Mayor and Strand assert that flow meter should have been installed initially. Brockway liked KG&T as least intrusive and best process. Strand said if DEQ determines not a significant change, both projects can be done at same time. Flow meter already approved by DEQ. Strand referred to water system upgrade bid packets, Mayor prefers bid packets wait until John Austin of DURA could be present. Strand did not understand the bid packets were being pulled from this agenda, suggested bid packets will have to be reworked and presented at future meeting. \$35k bid is for SCADA and water level transmitters and is estimate of costs not an actual bid for phase 1. Original thought was \$70k for 4 panels, now at \$35k for 2 panels. Strand affirms no bid packages have been sent yet. Mayor asked council for direction to ask T-O Engineering to send out bid packets. All in agreement.

**II. CONSENT AGENDA:** Mayor asked if council had questions or comments on any items on consent agenda. Kubiak suggested Dover do research and prepare statement on the smelter issue. Mayor asked about process. Kubiak said County Commissioner Connolly working on getting facts of smelter to begin with. Also group in Newport opposed. Both good sources for determination. Collaborative meetings are held quarterly, next is February 2018. Brockway asked about timeframe for opposition of smelter. Strand suggests harder for WA DEQ approval vs. ID DEQ and would be surprised to see ID be able to oppose if WA DEQ approves. Strand hoping WA DEQ stops process. All council acknowledges resignation letter of Treasurer Anderson. **Strand moved** to accept consent agenda as presented including resignation letter, **2<sup>nd</sup> by Kubiak**, all in favor - **motion carried**. Guthrie asks that a letter of thanks be presented to Anderson. Guthrie will write letter for all to sign.

**VIII. FUTURE AGENDA ITEMS/MEETINGS:** Mayor asked Council if there were any other items to be added to future agendas. No additional items mentioned

**VII. ADJOURNMENT:** **Brockway motioned** to adjourn, **Kubiak 2<sup>nds</sup>**. **All in favor - motion carried**. Meeting adjourned at 8:05 p.m.

Respectfully submitted – Michele Hutchings, Clerk

As approved by Council at regular meeting held 1/11/2018 (mch)