



MINUTES : PUBLIC HEARINGS & REGULAR COUNCIL MEETING
THURSDAY, DECEMBER 13th, 2018 6:00 p.m.
DOVER CITY HALL, 699 LAKESHORE AVENUE, DOVER, IDAHO

Present: Mayor Shaha and Councilmembers Brockway, Evans, Goodvin and Strand. Staff – Planner, Clare Marley and Clerk, Michele Hutchings

Public present: Donna Cline, Dodie Glass, Mike & Audrey O’Bannon, Denise Travis, George Eskridge, Brett Evans, Tiffany Goodvin, Jim Woodward, Mike Jewell, Allen & Sharlene Wright, Bob Presta, Tom Evans, Tom Williams

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE: Mayor Shaha called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

II. PUBLIC HEARINGS:

1) AM15-18, Fence Height – Hearing opened at 6:05 pm. Marley gave summary and stated Planning & Zoning Commission recommended approval of the amendment on a unanimous vote following the October 15, 2018 public hearing. There were no public agency comments. Earlier submitted letter from the Childresses included for council review. Denise Travis Childress, 227 Lakeshore Ave., read additional public comment. Attached as addendum to minutes. No other public comment was offered. Hearing closed at 6:10 pm.

2) AM12-18, Title 12, Nuisances – Hearing opened at 6:11 pm. Again, Marley summarized the amendment and confirmed P&Z Commission recommended approval of the ordinance on a unanimous vote following the October 15, 2018 public hearing. There were no public agency comments. Earlier submitted letter from the Childresses included for council review. Brett Evans, 212 4th Street, expressed concerns over how “junk” would be determined. Mayor explained would be complaint driven with possible violations letters to follow with remedy requested. George Eskridge, 104 Lakeshore Ave., concerned over garaged classic car. No other public comments. Hearing closed at 6:27 pm.

3) AM12-18, Title 4, Public Nuisances – Hearing opened at 6:28 pm. Marley explained P&Z gave suggestions only. Was not part of public hearing process as not a land related amendment. Issues such as abandoned vehicles especially within rights-of-way and dangerous and dilapidated buildings would be enforceable. Brett Evans asked for clarification as to enforcement area. Marley confirmed entire city limits. Tom Williams, 504 Guthrie Place, asked Marley to give example of unsafe structure and who would determine status. Marley state likely building inspector. Denise Travis asked how complaint process would work and whether or not a complaint could be anonymous unless matter were to be heard by courts. No other public comment. Hearing closed at 6:36 pm.

4) AM13-18, RV Occupancy, Storage & Parking – Hearing opened at 6:37 pm. Marley verified that the P&Z Commission voted unanimously to recommend denial of the ordinance in its entirety at the meeting on October 15, 2018. There were no public agency comments. Multiple public comment letters presented for council review and consideration. Brett Evans requested when reconsidering council allow no less than 3 weeks and more if often than once yearly. He has concerns about setbacks in historic Dover due to small lot sizes. Does not agree with the 21 day maximum. George Eskridge agreed with Evans’ setback concerns. Also noted importance of allowing children to care for elderly parents by occupying RV not reliant on sewer. Asked council to follow P&Z recommendation to deny. No other public comment. Hearing closed at 6:49 pm.

III. PUBLIC COMMENT: No public comment was offered.

IV. NEW BUSINESS:

1) Discussion/Decision: AM15-18, Fence Height Ordinance – No further questions or discussion from council. **Strand motioned** to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902. **2nd by Brockway. Roll call vote:** Brockway-Aye, Evans-Aye, Goodvin-Aye, Strand-Aye. **Motion carried.** Ordinance 156 title read by clerk. **Strand motioned** to adopt Ordinance #156, an amendment to Dover City Code, Title 12, Chapter 6, Section 12 D, regarding an increase in maximum fence height, File #AM15-18, and further finding that the ordinance is in accord with the adopted policies of the City of Dover comprehensive plan, as enumerated in the findings and standards of the staff report. **2nd by Evans. Roll call vote:** Brockway-Aye, Evans-Aye, Goodvin-Aye, Strand-Aye. **Motion carried. Strand motioned** to approve the summary of

As approved by Council at meeting on 1/10/2019 (mch)



ordinance #156 as presented, and authorize the publication of this summary in accord with Idaho Code §50-901A. **2nd by Goodvin. Roll call vote:** Brockway-Aye, Evans-Aye, Goodvin-Aye, Strand-Aye. **Motion carried.** **Correction to ordinance number – correct ordinance number assigned is #157.**

2) Discussion/Decision: AM12-18, Title 12, Nuisances Ordinance – K. Evans says amendment has HOA restriction feel. Asked if yard is fenced would that provide visual abatement? Strand commented that not a Dover Bay PUD driven issue. He’s received comments from residents throughout Dover city limits. Mayor asked for other council comments, none stated. **Brockway motioned** to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902. **2nd by Strand. Roll call vote:** Brockway-Aye, Evans-Nay, Goodvin-Aye, Strand-Aye. **Motion carried.** Ordinance 157 title read by clerk. **Brockway motioned** to adopt Ordinance #157, an amendment to Dover City Code, Title 12, Chapter 6, Section 7, and Appendix D “Definitions,” File #AM12-18, and to revise the ordinance to strike the word “potential” in the opening paragraph of Section 12-6-7, finding that the revision is not a material change to the recommendation made by the Dover Planning and Zoning Commission, and further finding that the ordinance is in accord with the adopted policies of the City of Dover comprehensive plan, as enumerated in the findings and standards of the staff report. **2nd by Strand. Roll call vote:** Brockway-Aye, Evans-Nay, Goodvin-Aye, Strand-Aye. **Motion carried.** **Brockway motioned** to approve the summary of ordinance #157 as presented, and authorize the publication of this summary in accord with Idaho Code §50-901A. **2nd by Strand. Roll call vote:** Brockway-Aye, Evans-Nay, Goodvin-Aye, Strand-Aye. **Motion carried.** **Correction to ordinance number – correct ordinance number assigned is #158.**

3) Discussion/Decision: AM12-18, Title 4, Public Nuisances Ordinance – Mayor restated that P&Z Commission provided guidance only. No other discussion or questions from council.

Strand motioned to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902. **2nd by Brockway. Roll call vote:** Brockway-Aye, Evans-Nay, Goodvin-Aye, Strand-Aye. **Motion carried.** Ordinance 158 title read by clerk. **Strand motioned** to adopt Ordinance #158, an ordinance creating a new Chapter 1 of Dover City Code, Title 4, to be titled “Public Nuisances.” **2nd by Goodvin. Roll call vote:** Brockway-Aye, Evans-Nay, Goodvin-Aye, Strand-Aye. **Motion carried.** **Strand motioned** to approve the summary of ordinance #158 as presented, and authorize the publication of this summary in accord with Idaho Code §50-901A. **2nd by Goodvin. Roll call vote:** Brockway-Aye, Evans-Nay, Goodvin-Aye, Strand-Aye. **Motion carried.** **Correction to ordinance number – correct ordinance number assigned is #159.**

4) Discussion/Decision: AM13-18, RV Occupancy, Storage & Parking Ordinance - Brockway referred to public comment letter addressed to “the group from Dover Bay” and clarified that it is more appropriately Dover City Council and not affiliated with Dover Bay. She also noted that of the four city council members, only one is a resident of Dover Bay PUD (Planned Unit Development). Brockway, Goodvin and Strand agree there are valuable components of draft ordinance and ask for P&Z Commission to draft new amendment specifically addressing definitions, # allowed per lot, health safety and sanitation issues. Length of occupancy should also be reconsidered. Mayor’s expressed difficulties in policing without ordinance to either enforce or allow, recommended P&Z and council drop this ordinance work. RVs as permanent dwelling units, located in city right-of way are issues of concern. K. Evans asked if there is existing policing authority and suggested might be dealt with under nuisance ordinance. **Strand motioned** to remand to staff for further work on the ordinance. **2nd by Brockway. All in favor, motion carried.**

5) Discussion: Cedar Ridge Owners Co. – Bob Presta, CROC President - Cedar Ridge Rd. - CROC wishes to open conversation with city to request city take over maintenance of the road. Brockway and Goodvin ask record to reflect that they are both residents of Cedar Ridge Rd. Mayor stated in past, council had concerns about quality of construction of road and other conditions that might arise. Council directed Mayor to request assessment for presentation to council at future meeting.

6) Discussion: City Fee Schedules for review for upcoming 1/10/2019 public hearing - Mayor and Clerk reviewed fee changes/updates, new fees. Recent fee study drove the changes to sewer and water. Quorum confirmed for January 10th public hearing date. Clerk directed to move forward with publication and update to WT3 & WT4 as discussed.

7) Discussion/Decision: StoryWalk program, large entry sign contribution, relocation of existing kiosks – K. Evans reviewed StoryWalk meeting discussions including relocation of existing kiosks, lengthening StoryWalk with additional kiosks. Large entry signage discussed by council as to potential location, inclusion of trail, flora & fauna information rather than



advertising for local businesses. Evans asked to request StoryWalk make future presentation to council with mock ups of large sign and additional details. Council agreed to consider use grant funding of \$1,000 for the program changes.

8) Discussion/Decision: Access Idaho credit card payment system-Addendum B to Service Level Agreement – Clerk reviewed program details and that city would use for accepting building permit and other city fee payments. **Strand motioned** to accept the Service Level Agreement with Access Idaho as presented. **2nd by Goodvin. Roll call vote:** Brockway-Aye, Evans-Aye, Goodvin-Aye, Strand-Aye. **Motion carried.**

9) Discussion/Decision: Health Insurance - iiiA Ins. Joint Powers Agreement & Addendum, Participation Agreement vs. Regence insurance coverage options - Mayor asked if council reviewed. Explained need to update personnel handbook if Regence remains group health insurance. If not, iiiA co-op is best option. Brockway has concerns about risk for increased rates in future with iiiA, asked if risk adjusted population. Strand and Brockway favor iiiA co-op for full-time employee now. Also willing to consider personnel handbook change to allow for part-time position with city payment of 50% for next year. Clerk asked to add to budget discussions during 2019. **Strand motioned** to accept the Joint Powers Agreement and Declaration of Trust for the iiiA (Idaho Independent Intergovernmental Authority, Addendum to Agreement and Participation Agreement as presented. **2nd by Goodvin. Roll call vote:** Brockway-Aye, Evans-Aye, Goodvin-Aye, Strand-Aye. **Motion carried.**

10) Review/Approval: Liquor license application – Dish at Dover Bay for 2019 - **Strand motioned** to approve the Dish at Dover Bay liquor license application as presented. **2nd by Evans. All in favor, motion carried.**

V. OLD BUSINESS:

1) Discussion/Decision: Replacement of intake pump - No confirmation from Amped's quote as to ability to handle smaller flow volume. Amped's quote also was not for specific pump requested by city. Brockway noted R.C. Worst is a proven provider. Goodvin likes R.C. Worst over Amped due to more control of overages. **Strand motioned** to approve the R.C. Worst Project Quotation #43409 in the amount of \$38,124.95. **2nd by Goodvin. Roll call vote:** Brockway-Aye, Evans-Aye, Goodvin-Aye, Strand-Aye. **Motion carried.** Clerk instructed to order pump Friday, 12/14/18.

2) Discussion/Direction: Education Outreach, Water and Sewer Monthly Fees and Connection Fees – Strand apologized for delay in completing. Will work with clerk and Mayor to provide drafts to council for review and suggestions.

3) Update/Direction: Update 9-1-1 Addressing, Pomrankey Loop area, Parkside 4B1 & 4B2 – Mayor verified council reviewed message from County GIS. Brockway asked to have item on next agenda for follow up.

VI. CONSENT AGENDA – Goodvin asked for clarification on costs from C&M Cleaning. **Strand motioned** to accept consent agenda as presented, **2nd by Brockway.** All in favor, **motion carried.**

VII. FUTURE AGENDA ITEMS/MEETINGS: Mayor reviewed future closure and meeting dates noting there are two meetings in January with the 1/10 date beginning with public hearing. Council requested these items to be on future January meeting agendas: Pomrankey addressing, Strand report on water loss, Cedar Ridge Rd. and updates on replacement of intake pump/water intake project.

VIII. ADJOURNMENT: **Brockway moved** to adjourn, **2nd by Strand.** All in favor, **motion carried.** Meeting adjourned at 8:41 p.m.

Respectfully submitted – Michele Hutchings, Clerk