



**MINUTES: REGULAR COUNCIL MEETING**  
**and PUBLIC HEARINGS**  
**SEPTEMBER 12, 2019 @ 6:00 p.m.**  
**DOVER CITY HALL, 699 LAKESHORE AVENUE, DOVER, IDAHO**

**Present:** Council Members Brockway, Evans, Goodvin and Strand – Mayor Shaha absent. Staff – Planner Clare Marley; Water Systems Mgmt. Bob Hansen; Clerk Michele Hutchings.

**Public Present:** George Eskridge, Tiffany Goodvin, Tom Williams, Mike Davis, Daniel Hull, Bob Presta, John Windju

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE** Council President Strand called meeting to order at 6:00 p.m.

**II. PUBLIC COMMENT:** Tom Williams, Guthrie Place-Announced council candidacy. George Eskridge, Lakeshore Ave.- Shared disappointment in the indecision on fencing/structure issue after multiple public hearings and direction given previously. Thought a decision had been already established.

**III. PUBLIC HEARING: File #ANX002-19, Voluntary Annexation – Cedar Ridge:** Marley explained need resulting from mapping error discovered. Conflicts of interest were called for. Brockway stated she and Goodvin consulted with city attorney, no conflicts – may participate. Marley affirmed consents from all parties received. Comp plan map and zone change are both addressed. Proposal is to zone agricultural as neighboring parcels. P&Z decision found zoning appropriate. **Public testimony opened at 6:16pm.** Tom Williams asked how fee rests in the strip, owned by county? Dedication was to the public, was county. Clare by virtue of incorporation City of Dover will now be in hands of Dover. Williams confirmed ownership does not rest in an individual. **Public input closed at 6:17pm.** No comments or questions from council.

**IV. PUBLIC HEARING: Proposed Amended Dover Fee Schedule:** Strand reviewed proposed fee changes. Marley reviewed land use, planning changes and building permit fee schedule. Administrative, sewer and water fees explained by Strand. **Public testimony opened at 6:32pm.** Tom Williams, asked who will bear the cost for re-addressing that is involuntary. Clerk confirmed should not be charges from county for involuntary re-addressing. Daniel Hull, Rocky Point Rd. - clarified clerk's statement about sewer alarm calls. Mike Davis, Lakeshore Ave.- asked when fee changes take effect. George Eskridge - clarified city now to pumps tanks and asked about increase in fee. Strand explained pumping on a reasonable schedule. Brockway stated approximately every 5 years for typical family home. Strand stated city's desire to remain cost neutral. Bob Hansen, Water Systems Mgmt.- Dover has one of the best wastewater treatment plants in the state, should be proud. No other fee schedule comments. **Public input closed at 6:43pm.** Brockway commented fee schedule great help to staff and citizens. Evans concerned about those on limited income contemplating future circuit breaker program. Strand suggested may be an opportunity for council to reconsider in future.

**V. NEW BUSINESS** [All New Business items listed below are **Action Items**]

**1) Discussion/Decision:** Proposed Ordinance for Annexation and Zoning Map Amendment Cedar Ridge Addition, FILE #ANX002-19 –Marley noted P&Z recommendation of approval. Draft motions reviewed. Motion by Goodvin 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** to dispense with rules. **Motion by Brockway** to adopt the proposed ordinance annexing certain lands within Cedar Ridge Addition into the City of Dover and amending the Official Zoning Map of the City of Dover to zone said lands "Agriculture" upon annexation, 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 and in accord with Idaho Code's annexation statutes, **2nd by Goodvin. Roll Call vote:** Brockway-Aye; Evans-Aye; Goodvin-Aye; Strand-Aye. **Motion carried** to adopt ordinance. **Motion by Goodvin** to approve the summary of the proposed ordinance as presented, and authorize the publication of this summary in accord with Idaho Code §50-901A, **2nd by Evans. Roll Call vote:** Brockway-Aye; Evans-Aye; Goodvin-Aye; Strand-Aye. **Motion carried** to approve summary of ordinance.

2) Discussion/Decision: Proposed Resolution for Amended Dover Fee Schedule – **Motion by Brockway** to adopt the proposed resolution amending the Dover fee schedules and rescinding resolutions in conflict, providing for an effective date, **2<sup>nd</sup> by Goodvin**. **Roll Call vote:** Brockway-Aye; Evans-Aye; Goodvin-Aye; Strand-Aye. **Motion carried** to approve proposed resolution amending fees.

3) Discussion/Decision: Daniel Hull, disputed invoice for sewer alarm emergency call out service - Strand verified council had reviewed call out report. Daniel Hull, 200 Rocky Point Rd., has always called city for sewer alarms, under assumption that city was still responsible. Had to repair pump \$700-\$1,200. Received bill for \$101.25 from city. Why should he pay bill for "nothing"? Thanked council for consideration. Hansen affirmed the facts, was weekend and overtime situation. Evans understands from now forward will not be a cost for sewer alarm responses, difficult but understands all sides. Brockway noted timeline of event and facts of service call. Hull stated biggest problem is city does not keep residents informed. Strand reminded sewer ordinance had been on agenda for 2 years. Brockway sees concerns about communication, shared responsibility. Strand recapped and asked for decision from council. All council agreed charges would remain. Evans asks for better communication of increases on future bills.

4) Discussion: Public Hearing Processes and Procedures - Marley was asked by Mayor to review different procedures for different kinds of file and types of decisions to be made. Quasi-judicial-acting as jury cannot visit site alone, cannot visit with owner or opponents. In order to visit, 15-day notice required. Disclosures and conflicts of interest called for at beginning of hearing. Not a town hall meeting, specific order: support, neutral, oppose, rebuttal by applicant. Staff remains neutral. Council can ask questions of applicant and staff. Suggested motions drafted by staff. Deliberation and facts leading to decision are important. Reasoned statements also very important, must be based on facts not emotions. Marley's Land Use Planning in Idaho training presentation provided to council for further review.

5) Discussion: SWPP (Source Water Protection Plan) Review - Brockway explained what source water protection is, and noted it is a voluntary effort by city. Plan is updated regularly. IDWR (Idaho Dept. of Water Resources) and DEQ (Department of Environmental Quality) are partners. Plan has goals and tasks, updates every 5 years. DEQ approval is required. Important for future funding, grants.

6) Discussion/Decision: Audit Engagement Letter for signature - Strand reviewed noting cost of \$7,750 same as last 4 years. FY18 was cleanest audit ever thanks to efforts by Treasurer and CPA. **Goodvin motioned** to authorize signature on the engagement letter, **2<sup>nd</sup> by Evans**. **Roll Call vote:** Brockway-Aye; Evans-Aye; Goodvin-Aye; Strand-Aye. **Motion carried**.

**VI. OLD BUSINESS:** [All Old Business items listed below are **Action Items**]

1) Discussion/Decision: Draft IHD (Independent Highway District) MOU (Memo of Understanding) - Strand explained relationship for road maintenance. MOU needed to continue relationship and services. Attorney has reviewed. Goodvin asked about Magnesium Chloride. Determined that "Additional Services" would cover. Brockway noted only public roads are covered in services agreement. Brockway clarified that Dover Bay PUD (Planned Unit Development) not include in service, not in past either. **Motion by Goodvin** to approve the Memo of Understanding with IHD, **2<sup>nd</sup> by Brockway**. **Roll Call vote:** Brockway-Aye; Evans-Aye; Goodvin-Aye; Strand-Aye. **Motion carried**.

**VII. CONSENT AGENDA:** No requests for review or comments by council. **Brockway motioned** to accept the consent agenda items as presented, **2<sup>nd</sup> by Goodvin**. All in favor, **motion carried**.

**VIII. FUTURE AGENDA ITEMS/MEETINGS:** Future dates and events reviewed by Strand.

**IX. ADJOURNMENT:** **Brockway motioned** to adjourn the meeting, **2<sup>nd</sup> by Evans**. All in favor, **motion carried**. Meeting adjourned at 7:40 p.m.

Respectfully submitted – Michele Hutchings, Clerk