

MINUTES OF THE REGULAR MEETING OF THE CITY OF DALTON GARDENS

Meeting was held at the City Hall October 6, 2016, 6:00 PM

Meeting was called to order by Mayor Roberge

Councilmember Jordan led the pledge

ROLL CALL:

Present were: Councilmembers Lundy, Jordan, Smith and Myers. Also present were Attorney Ken Jacobsen, Cheri Howell, Code Enforcement and Valerie Anderson, City Clerk

CONSENT CALENDAR:

Minutes of the Regular Meeting September 1, 2016, a copy of which had been provided and the Financial Statement from September 1, to September 30, 2016 and the claims so listed.

Councilmember Lundy made a motion to approve the consent calendar as listed on the agenda.

Councilmember Smith seconded the motion. Motion carried.

PUBLIC COMMENT PERIOD

Warren Merritt – Kootenai County Fire & Rescue – He reported that the annual Candy Cane Run will be held in December. He also talked about the award received by Lt. John Ward for his great service in Boise on September 10th.

Eagle Scout – Christopher Butler – Explained that he is interested in doing an Eagle Scout project and Councilmember Jordan stated that the mailbox at City Hall would be a good project and he would be interested in doing a donation from Interstate Electric. Councilmember Jordan will be in charge of the project and Councilmember Myers will assist.

Lila Tatum – 7080 N. Valley St. – She addressed the council concerning inoperable vehicles on city lots and wants to keep Dalton Gardens in good condition and looking like a great community. Abandoned vehicles need to be addressed so we do not hurt people's property values. She was directed to talk to Cheri Howell.

Public comment period was closed.

Mayor Roberge asked the council if they would like to amend the agenda at this time. No action was taken.

PUBLIC TRANSIT FUNDING AGREEMENT WITH KOOTENAI COUNTY

Councilmember Myers made a motion to approve the funding in the amount of \$2,904.00 to public transit. Councilmember Lundy seconded the motion. Motion carried.

PUBLIC HEARING NUISANCE DETERMINATION – 624 E. HANLEY

The Dalton Gardens City Council will conduct a hearing and take public testimony regarding Parcel Number D140036247AA, 624 E Hanley, Dalton Gardens Idaho in regard to a determination of nuisance under Title 7 Chapter 8 of the Dalton Gardens Municipal Code and further a determination whether there is a violation of Title 8 Chapter 3 of said Code in regard to inoperable vehicles or parts of vehicles on the property. The property owner failed to complete a signed corrective action agreement dated **October 5, 2015**.

Cheri Howell – City Planner - gave a staff report and power point presentation on the matter of Dale Heimbigner @ 624 E. Hanley Ave. Attorney Jacobsen made the Power Point as Exhibit 1-21. The complaints have been going on since 2003 to present. Staff report is attached.

Dale Heimbigner – 624 E. Hanley Ave. - He stated that the presentation presents a false picture of the property. He stated since 2004 he has had vehicles on the property which are inoperable and some of them are licensed and insured. He built a shop on the property where he does his work on cars. From the street you see one inoperable vehicle and one boat. He stated that Mark Durant had been out to the property to take pictures. The fence around the property is being built. His plan is to plant trees on the east side of the property line. He would like to see himself done with the project and problem by spring of next year.

Public Comment period was opened.

Brian Watson – 6351 Colfax St. – He stated that Mr. Heimbigner has done a lot of changes to the property which have all been for the better. He stated that the property is not an eye sore to him.

Public comment is closed.

Councilmember Lundy asked staff to clarify the visits to the property? Mark Durant stated that he had been to the property once and visited with Mr. Heimbigner and took pictures. Cheri stated that she had not been on the property just on the property line and took pictures.

Mr. Heimbigner stated that he had been contacted many times from the City but had not gotten an explanation of what was to be cleaned up and addressed.

Attorney Jacobsen read from the code the inoperable vehicle section and explained that it states you can only have 3 inoperable vehicles. All vehicles must be within a fully enclosed building or a site obscured fence or removed from the property. There was a fence permit issued in May 2016.

The council discussed the nuisance issue and determined that two things needed to be addressed: 1. A decision as to whether the property is considered a nuisance, 2. How to abate the problem and the time period for solution.

Councilmember Lundy suggested that the council continue with the abatement on the property and declare it a nuisance. The council also agreed that there needs to be a date of completion put on the property owner.

Cheri Howell stated that if the property is declared a nuisance what action you want taken and that this would be the last extension for correction on the property. The attorney suggested that a drop dead date be set of April 15, 2017.

Councilmember Lundy moved that based on the Findings & Facts and Conclusion of Law the City of Dalton Gardens declare the property at 624 E. Hanley a nuisance and give the owner until April 15, 2017 to abate the nuisance or the City will proceed with penalty action per city codes. Councilmember Myers seconded the motion. Motion carried.

ACQUISITION OF EQUIPMENT FROM LAKES HIGHWAY DISTRICT

Councilmember Jordan explained that he attended the Lakes Highway District meeting and they are going to give the city a 1997 Ford 2 ton dump truck with a front blade, hoist and deicer spreader unit.

Councilmember Myers made a motion to acquire the equipment from Lakes Highway District as described by Councilmember Jordan. Councilmember Lundy seconded the motion. Motion carried.

2016 & 2017 SNOW REMOVAL UPDATE/CONTRACT

The council authorized Councilmember Jordan continue to work on the 2016-2017 and bring a final contract back to the council for approval on November 3rd for council meeting.

LEASE OF BUILDING SPACE TO DALTON WATER & DALTON IRRIGATION

Councilmember Lundy moved to approve the Dalton Water Association and the Dalton Irrigation District lease agreement with the removal of the 180 day clause and the rent to be \$175 and internet \$15 for a total lease per month of \$190.00. Councilmember Myers seconded the motion, Motion carried.

COUNCIL REPORTS:

Councilmember Smith thanked everyone who attended the annual picnic, thanked the volunteers, and gave a special thank you to Joe and Donna Myers for all of their years of dedication to the great event for the community. The Enhanced Law Enforcement agreement has been signed and is on the agenda for the County Commission meeting next week. Some of the major streets which will be addressed first will be 15th Street, 4th Street & Deerhaven Street. We will put this on the website.

Councilmember Myers thanked Councilmember Smith for all of her help at the annual picnic and the Enhanced Law Enforcement on streets. He also stated he is working on personnel issues.

Mayor Roberge reminded the public of the Dalton Fun Run which will be on October 15, 2016. Former Kountz is doing well and was at the picnic.

Councilmember Lundy thanked everyone for their efforts on the picnic and the concert in the park was great. In technology we are working on Power Point presentation, the purchase of a new computer. Dalton Elementary is having a parent talk on October 18th from 6:00 to 7:30 PM.

Councilmember Jordan reported that new speed limit signs and stop signs have been put up in the city. He is working with Lakes Highway District on the deicer purchasing at a price of .84 cents. He is also working on some new welcome to city entry signs and street signs.

Clerk Anderson reported she is working on the quarterly and yearly close out for the audit in November. Second notices on septic have been sent out this week. We are busy with building permits, we budgeted 25K and have taken in 79K. She is working with bond council on LID phase #2 on Government Way. I am also working with the Kootenai County Treasurer to audit our court revenue.

Attorney Jacobsen reported he met with Matt Gillis on the Government Way project with the City of Coeur d'Alene and Dalton Water Association. They went to LTAC and got some funding to replace the water line.

Cheri Howell, Planning Consultant – reported she is starting work on the Comprehensive Plan, working with the code investigator; Planning and Zoning will be doing ordinances amendments.

Building Inspector – no report

Councilmember Jordan made a motion to adjourn the meeting. Councilmember Smith seconded. Motion carried.

Steve Roberge, Mayor

Valerie S. Anderson, City Clerk