

**City of Dalton Gardens Council Meeting
Thursday, April 2, 2020, 6:00 p.m.
Meeting will be conducted via teleconference**

PHONE:

PRIMARY NUMBER +1 669 900 6833

BACKUP NUMBER +1 346 248 7799

MEETING ID: 374 808 277

CALL THE MEETING TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ACTION ITEM - CONSENT CALENDAR APPROVAL

- A. Minutes of the Regular Meeting March 5, 2020, Emergency Meeting March 19, 2020
- B. Financial Statement from March 1, 2020 to March 31, 2020 and the claims so listed.
- C. The Sweep Contract – Bike Paths, City Parking Lot & Horse Arena Parking Lot cleaning

2. ACTION ITEM – ADOPTION OF PROPOSED AMENDMENTS TO ORDINANCE

190

4. ACTION ITEM – REQUEST FOR APPEAL ON BUILDING PERMIT 3771

5. DISCUSSION OF THROUGH TRAFFIC REDUCTION STRATEGIES IN RELATION TO WILBUR AVE.

6. DISCUSSION OF STARTING & HIRING OUR OWN POLICE FORCE

ADJOURN – ACTION ITEM

**MINUTES OF THE REGULAR MEETING OF THE
CITY OF DALTON GARDENS MARCH 5, 2020
CITY HALL 6:00 PM**

Meeting was called to order by Mayor Edwards.

ROLL CALL:

Present were: Councilmembers Chase, O'Brien, Wuest and Craft. Also present were Attorney Caitlin Kling, Rand Wichman, City Planner and Valerie Anderson, City Clerk.

The pledge was led by Councilmember Wuest.

Mayor Edwards announced that this is a special night for the City of Dalton Gardens as it was 60 years ago that the City became a Village. Mayor Edwards read Ordinance #1 passed back in 1960.

CONSENT CALENDAR:

A. Minutes of the Special Workshop Meeting January 30, 2020, Regular Meeting February 6, 2020, Workshop Summary – February 20, 2020

Councilmember Wuest made a motion to approve the minutes listed in Item A for approval. Councilmember O'Brien seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O'Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

B. Financial Statement from February 1, 2020 to February 29, 2020 and the claims so listed.

The council questioned the Welch Comer bills on 4th Street and the clerk explained that the bills are received in the rears due to the process which is gone through by LTHAC & ITD. Councilmember Wuest made a motion to approve the bills as listed on the agenda. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O'Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

PUBLIC COMMENT PERIOD

Each speaker will be allowed a maximum of three minutes to address the City Council on matters that relate to City government business. Comments related to future public hearings should be held for that public hearing. Please be advised that the City Council can only take official action this evening for those items already listed on the agenda.

Joe Meyers – 7424 Mt. Carrol – He questioned if the January 30, 2020 meeting was posted properly and if it was a legal meeting. He expressed his concern on the committees which the council voted in last month, as they are to be appointed by the Mayor. He questioned Caitlin O'Brien on the Planning & Zoning Commission as being legal and is a conflict of interest. He also cautioned the council on the school sign issue on the agenda, as he stated that should be a public hearing.

Mike Chase – 7512 N. 4th Street – He stated that Wilbur Ave. is about to be connected to Highway 95 and the intent is to make Wilbur a direct route and it is expected to bring more traffic and be a short cut for people coming off of the hill and it will impact the safety, health and welfare of Dalton Gardens. The city engineer suggested items that could control traffic such as traffic circles, speed bumps and stop signs and closure of Wilbur to Government Way was not suggested. According to Idaho Code 49-208 this action is

within the scope of traffic safety. He asked the council to direct City Engineer to develop a plan for Dalton Gardens.

Karen Kimball – 6975 N. 16th Street – She stated that we need to have the city engineer look at all of the streets in the city and do a study.

ADOPTION OF DATE FOR FY 2021 BUDGET HEARING

Councilmember Wuest made a motion to adopt August 20, 2020 as the Public Hearing date for the fiscal year 2021 budget. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

APPROVAL OF BEER & WINE LICENSE

P & N Corporation – dba Dalton Market – Pre-packaged only wine and beer & packaged bottles only licenses presented for renewal; no consumption on premises. They have completed applications and copies of State & County licenses.

Smokes & Suds, Inc. - Pre-packaged only wine and beer & packaged bottles only licenses presented for renewal; no consumption on premises. They have completed applications and copies of State & County licenses.

Councilmember O’Brien made a motion to approve the Pre-packaged Beer & Wine Licenses for P & N Corporation and Smokes & Suds, Inc. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

APPROVAL OF THE SWEEP CONTRACT

The council discussed the contracts and asked to have the bike path and city parking lot one adjusted to include the upper parking lot at the arena and to have clarification of the bike paths to be swept. This contract will be placed on the April Agenda for approval.

Councilmember Chase made a motion to approve the roundabout cleaning contract. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

PUBLIC HEARING ON AMENDING APPEALS ORDINANCES

Rand Wichman – City Planner gave a brief explanation of the Appeals Ordinance for the council. He stated that the Planning & Zoning Commission had approved the amendments to the ordinance and that this ordinance deals with several parts of the city code.

Public Comment Period was opened and then closed due to no public comment.

Councilmember Wuest made a motion to place proposed amendments to the appeals ordinance on its first and only reading by title only while under suspension of the rules. Councilmember O’Brien seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

Mayor Edwards read the proposed ordinance title into the record.

Councilmember Wuest made a motion to pass the appeals ordinance and direct the city clerk to assign the appropriate ordinance number, and publish by summary only incorporating the title as to body of the summary. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

APPOINTMENT OF RONALD SAMPERT TO PLANNING & ZONING COMMISSION

Councilmember Chase made a motion to appoint Ronald Sampert to the Planning & Zoning Commission. Councilmember Wuest seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

APPROVAL OF ORDINANCE AMENDING TITLE 8, CHAPTERS 1, 2, & 3 OF DALTON CITY CODE – clarifying speed limits, prohibiting commercial vehicles from traveling over city streets and roads except for local deliveries and to amend the requirements and procedures for implementing load limits.

Attorney Kling explained to the council that there are still some changes which need to be made to this ordinance. We still need to address load limits for exemptions on buses and emergency vehicles, add a definition for commercial vehicles and add speed restriction on load limits. Street Maintenance equipment will also be checked into as traveling through the City.

Councilmember Chase is requesting that the speed limit on Prairie be all adjusted to 25 MPH.

The council will table the Ordinance changes until the April meeting.

APPROVAL FOR REPLACING NON-COMFORMING SIGN AT DALTON ELEMENTARY SCHOOL PURSUANT TO SECTION 5.11.6. A.2 OF THE DALTON GARDENS CITY CODE

Rand Wichman – City Planner explained the sign application which was submitted by the CDA School District to replace the sign at the Dalton Elementary School. The current code limits signs in the residential district in Section 5-11-8 and has a section for institutional signs which allows for a sign for schools not exceeding 12 square feet. The existing sign is about 48 square feet in size and would like to replace the sign. In section 5-11-6, A-2 which states that such sign may be replaced if, upon application, the city council finds that the replacement of the sign would improve the appearance of the sign, structure or premises on which the sign is located. It gives the applicant to make application to the city to ask for council approval to replace a non-conforming sign and if it improves the appearance of the premises than you can allow for replacement of the sign.

Michael Westrup – CDA School representative – He explained that all of the schools are going to an electronic reader board sign for posting of events. The sign which we are proposing would

improve the appearance with information for school activities and it would be able to be turned off in the evenings. We have full support from the parents at the school. The sign would be red and would not be a distraction.

Public comment was open.

Mike Chase – 7512 N. 4th Street – He asked how many parents going by see the sign and read it. He stated that the sign does not fit well in Dalton Gardens.

Marsha Becker – 2179 Totten Lane – She stated that the sign looks great and would have great technology and is in favor.

Lila Tatum – 7080 N. Valley Street – She is opposed to the sign and wants to stay rural and stated that it would be a savings to tax payers.

Joe Meyers – 7424 N. Mt. Carrol – He asked about the lines of text on the photo as that would involve the intensity of the sign. He stated that past sign applications had public hearings and had over whelming response from citizens of not wanting electronic signs in residential areas. He suggested that we go to the public and what you do for one you should do for others.

Dick Flugel – 7303 N. 4th Street – He stated that if the city approves the sign that they are making a mistake and should look at all of the aspects.

Teresa Janzen – 6680 N. Valley Street – She stated that she strongly approves the sign. They are going to accommodate the rural feel and lockdown are not fun if you do not know what is going on at the school.

Michael Westrup – He stated that he would like to have the issue put on the next meeting.

Cheryl Junkin – 1423 E. Deer Haven Ave. – She advised the council to look at the past sign issues with the Church, Dalton Market and other signs back in 2009 & 2010. The Church had a lot of issues in the placement and operation of the sign. This is a good idea and we need to have consistency in our signs.

The Dalton Elementary sign issue was tabled until the next meeting in April.

CITY CLERK:

Clerk Anderson reported that the LID #2 has been completed and all of the parcels have been recorded. The office is working on some record retention and surplus property disposal. The Spring AIC Conference will be held on April 21st at the Best Western CDA Inn from 9:00 to 3:00. We will be putting out a newsletter about the 1st part of April so she asked council to submit articles by the end of March.

CITY ENGINEER REPORT: No report

PLANNING CONSULTANT/CODE ENFORCEMENT REPORT:

Rand Wichman reported that we did not have any variances, special use permits or subdivisions this last month. He stated that he met with Councilmember Wuest on the fee resolution and would like to have a workshop with the council to go through the proposed schedule. He has been working with code enforcement and the office on a filing system and log sheet for code violations. The council asked for a record of the violations to be send to them monthly.

BUILDING INSPECTOR:

Jeryl Archer stated that we have had a mild winter and only 26 inspections this past month.

COUNCIL REPORTS:

Councilmember Chase reported that we had 16 traffic citations for the month of January. She stated that she had a visit with families on Wilbur and that they are concerned about the traffic which will be coming through Dalton Gardens with the punch through of Wilbur to US 95.

Councilmember O'Brien stated that he will be working with the contract for the park and arena to get that started in late March. He is also working on Canfield Mountain and Totten Area Access. He stated that his wife was on the Planning & Zoning Commission before he was elected to office and felt it was not a conflict of interest at this time.

Councilmember Wuest reported that he is working on some building issues for repair at City Hall. He also stated that the building which was discussed at the last meeting of being oversized and illegal has all been handled and everything is in compliance.

Councilmember Craft reported that several potholes have been repaired. He also reported that he had been working on several load limit permits for various companies.

Mayor Edwards reported that he is in the process of redoing the financial and traffic committees which were dealt with at the last meeting. He will have this issue on the April Agenda.

Public comment period:

Marsha Becker – 2179 Totten Lane – Asked why Councilmember Wuest mentioned the septic at the school. He stated that it does not have an effect on the sign.

Joe Meyer – 7424 N. Mt. Carrol – He cautioned the council on the commercial Ordinance 190 on the load limits enforcement and the State of Idaho code 49-208 which have to be enforced under the police powers. He stated that you cannot make exceptions for dump trucks while load limits are in place. Load Limits are there to protect the streets in the City.

Mike Chase – 7512 N. 4th Street – He commented on highway maintenance and commercial trucks to travel on Dalton Streets. He also commented on Load Limits in Dalton and photo radar has not restriction in Idaho.

Public comment is closed.

Councilmember Wuest made a motion to adjourn the meeting. Councilmember Chase seconded the motion. Motion carried.

Mayor Dan Edwards

City Clerk Valerie S. Anderson

**MINUTES OF THE SPECIAL EMERGENCY MEETING OF THE
CITY OF DALTON GARDENS MARCH 19, 2020
CONFERENCE CALL @ CITY HALL 10:00 AM**

Meeting was called to order by Mayor Edwards.

ROLL CALL BY CONFERENCE CALL:

Present were: Councilmembers Chase, O'Brien, Wuest and Craft. Also present were Attorney Caitlin Kling, and Valerie Anderson, City Clerk.

CONSIDER EMERGENCY DECLARATION

Attorney Kling gave a brief detailed explanation of the Emergency Declaration to the council on the phone. The Emergency Section of Idaho Code, Title 46, Chapter 10 allows the Governor, Counties and Cities to declare emergencies. The State of Idaho was declared a state of emergency on Friday, March 20, 2020 and Kootenai County declared on Sunday, March 22, 2020. Under the section of Idaho Title the Mayor has the power to declare an emergency for the City. The Emergency Declaration for the City of Dalton Gardens was put together and the Mayor had it recorded with the county yesterday. If the emergency lasts longer than seven days the council must enact a Resolution for the Emergency. She also explained to the council the measures which should be taken to limit the exposure to City Hall for meetings and limit people in the office during this time for the health and safety of the employees. The council discussed several close down issues at city hall and the park, arena and restroom. The council suggested that the city office be locked down for a period of two weeks. Councilmember Chase made a motion to not adopt the Emergency Declaration Proclamation and would not support the declaration. No second was accepted. Attorney Kling stated that the declaration is already in place as of March 18, 2020. Councilmember O'Brien stated that he felt we are rushing a lot of information.

APPROVAL OF RESOLUTION #2020-03

Councilmember Chase made a motion to reject the Resolution. No second was accepted. Motion failed.

Councilmember Wuest made a motion to approve the Resolution 2020-03 to comply with our insurance carrier. Councilmember Craft seconded the motion. Roll call vote: Chase - no, O'Brien - yes, Wuest - yes, Craft - yes. Motion carried 3-1.

Mayor Edwards read the Resolution 2020-03.

CONSIDER EMPLOYEE CONONAVIRUS GUIDELINES

The council suggested that the City Hall be locked down to protect the employees and lock the restroom in the park.

Adjournment

Councilmember Wuest made a motion to adjourn the emergency meeting. Councilmember O'Brien seconded the motion. Motion carried.

Mayor Dan Edwards

Valerie S. Anderson, City Clerk

Profit & Loss Budget vs. Actual

Accrual Basis

	Oct '19 - Sep 20	Budget	\$ Over Budget	% of Budget
Income				
311.1 · CURRENT REAL PROPERTY TAX	93,745.30	153,367.00	-59,621.70	61.1%
312.1 · DELINQUENT REAL PROPERTY TAX	836.46	1,500.00	-663.54	55.8%
316.0 · FRANCHISE TAX TIME WARNER	13,229.25	22,000.00	-8,770.75	60.1%
316.5 · FRANCHISE TAX AVISTA	11,805.70	26,000.00	-14,194.30	45.4%
319.0 · PENALTY & INTEREST	239.82	500.00	-260.18	48.0%
321.0 · BUSINESS LICENSE REVENUE	1,250.00	7,000.00	-5,750.00	17.9%
321.1 · HOME BASED BUS LICENSE	225.00	300.00	-75.00	75.0%
322.1 · BUILDING PERMIT REVENUE	46,511.23	65,000.00	-18,488.77	71.6%
322.2 · SIGN PERMIT FEES	150.00	300.00	-150.00	50.0%
322.3 · SPECIAL USE FEES	250.00	1,000.00	-750.00	25.0%
335.1 · STATE LIQUOR ALLOCATION	38,148.00	91,000.00	-52,852.00	41.9%
335.2 · HIGHWAY USERS REVENUE	44,528.33	85,000.00	-40,471.67	52.4%
335.3 · NEW HIGHWAY USER REVENUE	14,172.03	26,800.00	-12,627.97	52.9%
335.4 · COURT REVENUE-TRAFFIC FINES	2,453.08	10,000.00	-7,546.92	24.5%
335.5 · STATE SALES TAX	24,918.98	45,000.00	-20,081.02	55.4%
335.6 · STATE REVENUE SHARING	91,378.91	173,000.00	-81,621.09	52.8%
338.1 · TRANSFER HWY DISTRICT LEVY	36,514.23	48,000.00	-11,485.77	76.1%
338.70 · 4th STREET PROJECT ITD GRANT	42,036.95	0.00	42,036.95	100.0%
355.1 · LID Assessments	34,860.94	25,000.00	9,860.94	139.4%
355.2 · LID #2 - GOVERNMENT WAY	1,622.00	65,213.00	-63,591.00	2.5%
371.0 · INTEREST INCOME	18,635.90	34,000.00	-15,364.10	54.8%
371.2 · RENT	2,826.20	5,000.00	-2,173.80	56.5%
373 · REFUNDS & REIMBURSEMENTS	1,668.01	0.00	1,668.01	100.0%
376-000 · CONTRIBUTIONS & DONATIONS	0.00	1,000.00	-1,000.00	0.0%
378 · Unencumbered Bank Funds	0.00	37,795.00	-37,795.00	0.0%
Total Income	522,006.32	923,775.00	-401,768.68	56.5%
Gross Profit	522,006.32	923,775.00	-401,768.68	56.5%
Expense				
411-010 · CITY COUNCIL SALARIES	11,200.00	19,200.00	-8,000.00	58.3%
411-021 · CITY COUNCIL PAYROLL TAXES	734.40	1,475.00	-740.60	49.8%
411-022 · CITY COUNCIL STATE RETIREMENT	1,106.64	2,400.00	-1,293.36	46.1%
411-047 · CITY COUNCIL TRAVEL/MEETINGS	156.00	1,000.00	-844.00	15.6%
413-010 · MAYOR SALARIES	5,950.00	10,200.00	-4,250.00	58.3%
413-021 · MAYOR PAYROLL TAXES	390.16	781.00	-390.84	50.0%
413-022 · MAYOR STATE RETIREMENT	620.50	1,325.00	-704.50	46.8%
413-047 · MAYOR TRAVEL & MEETINGS	39.00	500.00	-461.00	7.8%
415-010 · CLERK SALARIES	30,504.25	52,293.00	-21,788.75	58.3%
415-021 · CLERK PAYROLL TAXES	2,000.19	4,001.00	-2,000.81	50.0%
415-022 · CLERK-STATE RETIREMENT	3,121.92	6,250.00	-3,128.08	50.0%
415-028 · CLERK UNEMPLOYMENT TAXES	33.34	250.00	-216.66	13.3%
415-031 · OFFICE SUPPLIES & POSTAGE	1,318.06	8,000.00	-6,681.94	16.5%
415-042 · AUDIT AND ACCOUNTING	9,195.00	12,000.00	-2,805.00	76.6%
415-044 · LEGAL PUBLISHING	671.57	4,000.00	-3,328.43	16.8%
415-046 · EMP HEALTH INSURANCE	11,112.00	24,000.00	-12,888.00	46.3%
415-047 · CLERK TRAVEL @ MEETINGS	78.00	1,500.00	-1,422.00	5.2%
415-051 · TELEPHONE	1,079.76	2,000.00	-920.24	54.0%
415-058 · OFFICE MAINTENANCE	303.00	600.00	-297.00	50.5%
415-074 · SOFTWARE PURCHASE & IT SERVICE	2,401.92	20,000.00	-17,598.08	12.0%
415-110 · DEPUTY CLERK-SALARIES	7,877.67	18,000.00	-10,122.33	43.8%
415-121 · DEPUTY CLERK-PAYROLL TAXES	600.95	1,377.00	-776.05	43.6%
415-122 · DEPUTY CLERK-STATE RETIREMENT	926.63	2,150.00	-1,223.37	43.1%
415-128 · DEPT CLERK-UNEMPLOYMENT TAXES	27.72	76.00	-48.28	36.5%
417-043 · P & Z TRAVEL & MEETING EXP	0.00	500.00	-500.00	0.0%
417-045 · PLANNING CONSULTANT	23,959.30	50,000.00	-26,040.70	47.9%
419-042 · PROFESSIONAL SERVICES	92,117.00	72,000.00	20,117.00	127.9%
419-046 · INSURANCE	4,869.00	7,500.00	-2,631.00	64.9%
419-048 · DUES & SUBSCRIPTIONS	1,772.78	2,500.00	-727.22	70.9%
419-852 · BLDG & GROUNDS UTILITIES	5,186.52	6,000.00	-813.48	86.4%
419-860 · BLDG & GROUNDS MAINTENANCE	2,638.82	4,000.00	-1,361.18	66.0%
419-861 · BLDG MAINT CONTRACTED	248.00	3,000.00	-2,752.00	8.3%
419-869 · MISCELLANEOUS SERVICE & CHARGES	1,778.51	1,800.00	-21.49	98.8%
421-001 · Special Law Enforcement Exp	1,576.08	12,000.00	-10,423.92	13.1%
421-010 · CODE ENFORCE-SALARY	4,095.00	20,000.00	-15,905.00	20.5%

	Oct '19 - Sep 20	Budget	\$ Over Budget	% of Budget
421-022 · Code Enforcement-State Retireme	56.12			
421-042 · PROSECUTING ATTORNEY	2,030.00	2,000.00	30.00	101.5%
423-032 · FIRE HYDRANTS	0.00	0.00	0.00	0.0%
424-010 · BUILDING INSPECTOR SERVICES	15,692.00	40,000.00	-24,308.00	39.2%
425-000 · GENERAL CONTINGENCY FUND	0.00	30,000.00	-30,000.00	0.0%
431-003 · ROADS-ENG PLANS & SERVICES	5,592.64	25,000.00	-19,407.36	22.4%
431-004 · SNOW & ICE CONROL-REMOVAL	21,416.34	28,000.00	-6,583.66	76.5%
431-006 · Gov't Way Sewer Project/LID #1	33,498.00	34,000.00	-502.00	98.5%
431-007 · 4th STREET PROJECT	44,065.14	75,000.00	-30,934.86	58.8%
431-008 · LID PHASE 2	25.00	65,213.00	-65,188.00	0.0%
431-035 · STREET SIGNAL LIGHTS	254.17	500.00	-245.83	50.8%
431-310 · STREET SIGN MAINT - SALARY	10,398.00	8,200.00	2,198.00	126.8%
431-321 · STREET SIGN MAINT-PAYROLL TAXES	904.42	630.00	274.42	143.6%
431-328 · STREET SIGN MAINT-UNEMPL TAXES	36.45	45.00	-8.55	81.0%
431-335 · FUEL AND LUBRICANTS	959.75	1,600.00	-640.25	60.0%
431-361 · STREET EQUIPMENT MAINTENANCE	1,110.61	7,000.00	-5,889.39	15.9%
431-363 · STREET MAINTENANCE PURCHASED	5,500.00	175,000.00	-169,500.00	3.1%
432.300 · GARBAGE COLLECTION & DISPOSAL	314.24	500.00	-185.76	62.8%
438-004 · HORSE ARENA & PARK CONSTRUCTION	0.00	9,000.00	-9,000.00	0.0%
438-010 · PARK MAINENANCE LABOR	967.25	6,000.00	-5,032.75	16.1%
438-021 · PARK PAYROLL TAX	25.83	475.00	-449.17	5.4%
438-022 · PARK MAINTENANCE RETIREMENT	333.45			
438-028 · PARK MAINTENANCE UNEMPLOYMENT	0.00	30.00	-30.00	0.0%
438-032 · PARK MAINTENANCE SUPPLIES	158.14	1,500.00	-1,341.86	10.5%
438-042 · PARK MAINT-Contracted	3,077.21	35,000.00	-31,922.79	8.8%
438-056 · ANNUAL PICNIC	0.00	3,500.00	-3,500.00	0.0%
440-033 · PUBLIC ART FUND	0.00	0.00	0.00	0.0%
480.0 · KOOTENAI AREA TRANSPORTATION SY	0.00	2,904.00	-2,904.00	0.0%
6560 · Company Payroll Expenses	3,381.16			
Total Expense	379,485.61	923,775.00	-544,289.39	41.1%
Net Income	142,520.71	0.00	142,520.71	100.0%

CITY OF DALTON GARDENS Unpaid Bills Detail

Type	Date	Memo	Due Date	Account	Open Balance
American On-Site Services					
Bill	03/13/2020		03/31/2020	2000 - *Accounts Payable	-64.00
Bill	03/13/2020	portable restroom at Arena	03/31/2020	438-042 - PARK MAINT-Contracted	64.00
Total American On-Site Services					
Avista Utilities					
Bill	03/16/2020	1423430,1423431, 1426229,2901251122	03/31/2020	2000 - *Accounts Payable	-433.08
Bill	03/16/2020	City Hall	03/31/2020	419-852 - BLDG & GROUNDS UTILITIES	271.54
Bill	03/16/2020	1426229 Arena	03/31/2020	419-852 - BLDG & GROUNDS UTILITIES	15.32
Bill	03/16/2020	shop	03/31/2020	419-852 - BLDG & GROUNDS UTILITIES	106.28
Bill	03/16/2020	light at roundabout	03/31/2020	431-035 - STREET SIGNAL LIGHTS	39.94
Total Avista Utilities					
B&B Sani Services					
Bill	03/13/2020		03/31/2020	2000 - *Accounts Payable	-826.00
Bill	03/13/2020	5 yr pumping septic system @ 6360 N 4th...	03/31/2020	419-860 - BLDG & GROUNDS MAINTENANCE	826.00
Total B&B Sani Services					
Carrot-Top Industries Inc.					
Bill	03/13/2020	Account #444255	03/31/2020	2000 - *Accounts Payable	-105.15
Bill	03/13/2020	US Flag, State flag	03/31/2020	438-032 - PARK MAINTENANCE SUPPLIES	105.15
Total Carrot-Top Industries Inc.					
Cash					
Bill	03/27/2020	Replenish Petty Cash	03/31/2020	2000 - *Accounts Payable	-45.60
Bill	03/27/2020	Notary book & stamp and printing of plans	03/31/2020	415-031 - OFFICE SUPPLIES & POSTAGE	45.60
Total Cash					
Coeur d'Alene Press					
Bill	03/13/2020	Account # 6678	03/31/2020	2000 - *Accounts Payable	-158.56
Bill	03/13/2020	Legal Notice	03/31/2020	415-044 - LEGAL PUBLISHING	158.56
Total Coeur d'Alene Press					
Dalton Water Association, Inc.					
Bill	03/26/2020	1-150, 41494, 2 538,3-1034	03/31/2020	2000 - *Accounts Payable	-456.00
Bill	03/26/2020	water - April, May, June	03/31/2020	419-852 - BLDG & GROUNDS UTILITIES	456.00
Total Dalton Water Association, Inc.					
Dexco Convenience Stop					
Bill	03/30/2020		03/31/2020	2000 - *Accounts Payable	-43.49
Bill	03/30/2020	Fuel for ruck & P-18	03/31/2020	431-335 - FUEL AND LUBRICANTS	43.49
Total Dexco Convenience Stop					
Hawley Troxell Attorneys & Counselors					

Type	Date	Memo	Due Date	Account	Open Balance
Bill	03/13/2020	Invoice 407168	03/31/2020	2000 · *Accounts Payable	-6,000.00
Bill	03/13/2020	February 2020 Attorney fees	03/31/2020	419-042 · PROFESSIONAL SERVICES	6,000.00
Total Hawley Troxell Attorneys & Counselors					0.00
III-A					
Bill	03/25/2020	April Health Insurance	03/31/2020	2000 · *Accounts Payable	-1,852.00
Bill	03/25/2020	April Health Insurance	03/31/2020	415-046 · EMP HEALTH INSURANCE	1,852.00
Total III-A					0.00
Inland De-Ice					
Bill	03/13/2020	Invoice 315	03/31/2020	2000 · *Accounts Payable	-425.01
Bill	03/13/2020	De-Icer for Streets for February	03/31/2020	431-004 · SNOW & ICE CONTROL-REMOVAL	425.01
Total Inland De-Ice					0.00
J Thayer Company					
Bill	03/13/2020	Envelopes	03/31/2020	2000 · *Accounts Payable	-121.50
Bill	03/13/2020	Envelopes	03/31/2020	415-031 · OFFICE SUPPLIES & POSTAGE	121.50
Total J Thayer Company					0.00
Kootenai County Clerk					
Bill	03/13/2020	prosecution FY 2020	03/31/2020	2000 · *Accounts Payable	-2,030.00
Bill	03/13/2020	August thru Sept 2020 contractual for pros...	03/31/2020	421-042 · PROSECUTING ATTORNEY	2,030.00
Total Kootenai County Clerk					0.00
Kootenai County Fire & Rescue					
Bill	03/13/2020	Contract for bldg inspections	03/31/2020	2000 · *Accounts Payable	-1,206.00
Bill	03/13/2020	February 2020	03/31/2020	424-010 · BUILDING INSPECTOR SERVICES	1,206.00
Total Kootenai County Fire & Rescue					0.00
Mary W. Richter, CPA					
Bill	03/16/2020		03/31/2020	2000 · *Accounts Payable	-308.75
Bill	03/16/2020	LID #2 Consulting FY 2020	03/31/2020	415-042 · AUDIT AND ACCOUNTING	308.75
Total Mary W. Richter, CPA					0.00
North Idaho Trophy Co.					
Bill	03/16/2020	2271	03/31/2020	2000 · *Accounts Payable	-17.95
Bill	03/16/2020	Name Plate for New P & Z Member	03/31/2020	415-031 · OFFICE SUPPLIES & POSTAGE	17.95
Total North Idaho Trophy Co.					0.00
Rand Wichman Planning LLC					
Bill	03/30/2020	Invoice 1897	03/31/2020	2000 · *Accounts Payable	-4,903.20
Bill	03/30/2020	Planning for March 2020	03/31/2020	417-045 · PLANNING CONSULTANT	4,903.20

Type	Date	Memo	Due Date	Account	Open Balance
Total Rand Wichman Planning LLC					0.00
RMEH Attorneys at Law					
Bill	03/25/2020	Invoice #194867	03/31/2020	2000 . *Accounts Payable	-490.00
Bill	03/25/2020	Attorney Fees for Law Case	03/31/2020	419-042 . PROFESSIONAL SERVICES	490.00
Total RMEH Attorneys at Law					0.00
Time Warner Cable					
Bill	03/13/2020	8448 61 004 0122664	03/31/2020	2000 . *Accounts Payable	-229.96
Bill	03/13/2020	Telephone & Internet April 2020	03/31/2020	415-051 . TELEPHONE	229.96
Total Time Warner Cable					0.00
US Bank, Credit Card					
Bill	03/27/2020		03/31/2020	2000 . *Accounts Payable	-80.06
Bill	03/27/2020	Supplies for office	03/31/2020	415-031 . OFFICE SUPPLIES & POSTAGE	32.51
Bill	03/27/2020	Cold Mix for Streets	03/31/2020	431-361 . STREET EQUIPMENT MAINTENAN...	47.55
Total US Bank, Credit Card					0.00
Vanguard Cleaning Systems of the Inland N					
Bill	03/13/2020	93354	03/31/2020	2000 . *Accounts Payable	-220.00
Bill	03/13/2020	City Hall Cleaning and outside restroom M...	03/31/2020	419-860 . BLDG & GROUNDS MAINTENANCE	220.00
Total Vanguard Cleaning Systems of the Inland N					0.00
Welch Comer & Associates, Inc.					
Bill	03/26/2020	Invoice 41129200-035	03/31/2020	2000 . *Accounts Payable	-480.00
Bill	03/26/2020	Engineering services for February 2020	03/31/2020	431-003 . ROADS-ENG PLANS & SERVICES	480.00
Total Welch Comer & Associates, Inc.					0.00
Welch Comer & Associates, Inc. 2					
Bill	03/30/2020	Invoice 4th Street	03/31/2020	2000 . *Accounts Payable	-1,037.48
Bill	03/30/2020	Engineering services for 4th Street	03/31/2020	431-007 . 4th STREET PROJECT	1,037.48
Total Welch Comer & Associates, Inc. 2					0.00
TOTAL					0.00



THE SWEEP, LLC
Professional Parking Lot Maintenance
P.O. Box 2018, Hayden Idaho 83835
772-4369 Fax 772-6150

March 10, 2020

City of Dalton
6360 N. 4th Street
Dalton Gardens, ID 83815

Here is the cleaning agreements for the 2020 season.

Bike Path and Parking Lot Cleaning:

We hereby agree to clean the City Hall parking lot and the following bike paths once per month for \$200 per cleaning.

1. Both bike paths on 4th Street, 15th Street and Hanley Avenue
2. North side bike path on Dalton Avenue

Dalton Horse Arena Parking Lot Cleaning:

We hereby agree to parking lot at the Dalton Horse arena once per month for \$40 per cleaning.

These prices are good for the 2020 cleaning season. We understand that any additional sweeping would require approval from the City Council.

All work is guaranteed to be performed and completed in a substantial workmanlike manner with the payment due upon receipt of invoice.

THE SWEEP, LLC will provide certificates of Liability Insurance and Workman's Compensation upon request.

A handwritten signature in black ink, appearing to read 'Bruce Waddell'.

Bruce Waddell
Manager/Member

AGREEMENT ACCEPTED BY:

Print Name

Signature

Date

Primary Contact

Email Address

Phone Number

ORDINANCE NO ____

AN ORDINANCE OF THE CITY OF DALTON GARDENS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING TITLE 8, CHAPTER 1, CHAPTER 2, AND CHAPTER 3 OF DALTON GARDENS CITY CODE TO CLARIFY SPEED LIMITS; TO PROHIBIT COMMERCIAL VEHICLES FROM TRAVELING OVER CITY STREETS AND ROADS EXCEPT FOR LOCAL DELIVERIES; TO AMEND THE REQUIREMENTS AND PROCEDURES FOR IMPLEMENTING LOAD LIMITS; PROVIDING FOR SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the city of Dalton Gardens, Kootenai County, Idaho, that Title 8, Motor Vehicles and Traffic, Chapter 2, General Traffic Provisions, Section 8-2-1, Speed Limits; Section 8-2-2, Commercial Vehicles; and Section 8-2-3, Load Limits are hereby amended as follows:

Section 1. Dalton Gardens City Code Title 8, Chapter 2, Section 8-2-1 is hereby amended as follows:

8-2-1: SPEED LIMITS: It shall be unlawful to operate a vehicle on any of the streets in the city at a speed in excess of twenty five (25) miles per hour, except on ~~the following~~ streets and thoroughfares where the speed limit is posted as ~~shall be thirty five (35) miles per hour; South Prairie Avenue, from Government Way to Mt. Carroll.~~

Section 2. Dalton Gardens City Code Title 8, Chapter 2, Section 8-2-2 is hereby amended as follows:

8-2-2: COMMERCIAL VEHICLES:

- A. No commercial vehicle in excess of twenty six thousand (26,000) pounds gross weight capacity or licensed capacity shall be allowed to drive, operate or park on any street within the corporate limits other than for the purpose of loading or unloading cargo, except upon Prairie Avenue from Government Way to Baillie Street; Dalton Avenue from 4th Street to 16th Street; and within the Aqua Circle Commercial Park.
- B. Residents who own commercial vehicles and are driving to and from their place of residence are exempt from this regulation.
- C. Commercial vehicles making deliveries or transacting other business at property located within the municipal boundaries of the city ~~or property located within five hundred feet (500') of the municipal boundaries of the city~~ are exempt from this regulation. Deliveries to properties outside of city limits which are accessed off of Wilbur Avenue, Totten Lane, or Hanley Avenue are also exempt.

D. ~~Emergency vehicles,~~ Street maintenance equipment, and vehicles which because of inclement road conditions are directed by ~~a public authority or its agents~~ the city to utilize alternate routes are exempt from the prohibitory provisions of this chapter.

Section 3. Dalton Gardens City Code Title 8, Chapter 2, Section 8-2-3 is hereby amended as follows:

8-2-3: LOAD LIMITS:

- A. Whenever the ~~Lakes highway district~~ city of Dalton Gardens declares and establishes load limits on the streets within its jurisdiction, the city shall post the streets within the city with the same limits, and said limits established by the city of Dalton Gardens ~~Lakes highway district~~ shall then apply to the streets within Dalton Gardens.
- B. When the city receives a request that would exceed load limits, the Mayor shall review each request and have authority to issue a permit to the individual or entity allowing for an exception to the load limits in effect. Failure to comply with the conditions of this permit will revoke the permit
- C. Below are exceptions to posted vehicle weight and speed restrictions as allowed by Idaho Code 49-1005:
 1. Vehicle weight and speed restrictions shall not apply to emergency vehicles.
 2. Vehicle weight restrictions shall not apply to school buses.
 3. Providers of essential services shall be allowed to apply for a permit that will allow the provider to haul half-loads at restricted speeds. Each vehicle must be issued separate permits. Each vehicle must have a valid permit on board during vehicle operations within the boundaries of the city of Dalton Gardens. Failure to comply with the conditions of this permit will revoke the permit and result in full weight enforcement under Idaho Code 49-1005. The following vehicles are entitled to apply for essential service permits: providers of heating fuel and propane; hay or feed providers; septic pumping services; and garbage trucks.

Section 4. This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 5. All provisions of the current Dalton Gardens Municipal Code, or ordinances of the city of Dalton Gardens, which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED by the City Council as an Ordinance of the city of Dalton Gardens upon roll call vote on the ____ day of April, 2020.

APPROVED by the Mayor on this ____ day of April, 2020.

CITY OF DALTON GARDENS, IDAHO

By: _____
Dan Edwards, Mayor

ATTEST:

Valerie Anderson, City Clerk

BEFORE THE CITY COUNCIL, CITY OF DALTON GARDENS, IDAHO
Staff Report

**IN THE MATTER OF THE APPLICATION
OF ROBERT JORDAN FOR AN
APPEAL OF ENFORCEMENT OF THE
HEIGHT RESTRICTIONS FOR PERMIT
NO. 3771**

**COURSE OF PROCEEDINGS,
FINDINGS OF FACT, APPLICABLE
LEGAL STANDARDS, STAFF
ANALYSIS, CONCLUSIONS
AND CITY COUNCIL DECISION**

I. COURSE OF PROCEEDINGS

- 1.01 On November 15, 2019, Monarch Homes applied for a building permit for a residential accessory structure. The permit was approved by the City's Code Enforcement Officer, Mark Durant, and the City's contract building inspector, Mike Bass. The permit was subsequently issued on January 21, 2020.
- 1.02 On March 23, 2020, the City received complaints that the structure that was being constructed may exceed the Municipal Code's height limitations for such structures. The new Code Enforcement Officer visited the site and determined that the structure, as proposed and permitted, would exceed the height limitation. He asked the contractor to stop work at the site until the issue could be resolved. The contractor agreed to stop work on the building.
- 1.03 On March 30, 2020, the owner's attorney, Christopher Gabbert filed an appeal with the City, requesting City Council review of this matter due to the hardship caused on the owner in this unique circumstance. The matter was placed on the City Council agenda for April 2, 2020.
- 1.04 Files and exhibits relative to this application will be available for review at the City Council meeting and are available for review at the City Hall during office hours.

II. FINDINGS OF FACT

- 2.01 **Applicant/Owner.** Robert and Nora Jordan Revocable Trust, 1186 Hearst Drive, Pleasanton, CA 94566.
- 2.02 **Building Permit Request.** The Applicants applied for a building permit to construct a 60' x 70' shop building as a residential accessory structure. The side walls are 16' high, the roof pitch is 5:12, and the roof peak is 28' 7" high.
- 2.03 **Status of Construction.** The building is partially constructed. The foundation and walls are built. The contractor was about to begin placing roof trusses on the walls when the project was shut down.

- 2.04 **Location / Parcel No.** The property is located at 2750 E. Hanley Ave. The parcel number is D-L315-001-001-0.
- 2.05 **Physical Characteristics and Lot Size.** The site is at the eastern terminus of Hanley Avenue, near the north end of 18th Street. The lot size is approximately 9.3 acres. The property slopes down to the west toward 18th Street. The slope gets progressively steeper as you move farther east on the property.
- 2.06 **Zoning and Setbacks.** The lot is zoned R-1 Residential. The setback for a residential structure to the side property line is 10 feet. Accessory buildings that are more than seventy five feet (75') from the front property line have a minimum side yard setback of five feet. The construction is well within the setback requirements.
- 2.07 **Existing Structures / Property History.** The property has an existing house and outbuildings. The property was recently subdivided as the Jordan Ranch Estates subdivision.

III. APPLICABLE LEGAL STANDARDS

- 3.01 Dalton Gardens Municipal Code Section 5-5-6 limits the height of structures in the residential district. Principal structures (residences) are limited to 32 feet or a maximum of 2 stories, whichever is less. Accessory structures are limited to 25 feet or a maximum of 2 stories, whichever is less.
- 3.02 Dalton Gardens Municipal Code, Section 1-11-1 contains the requirements and procedures for appeals of administrative determinations. These provisions were recently amended by Ordinance 264, adopted March 5, 2020.

IV. STAFF ANALYSIS

This is an unfortunate situation which could have been prevented with a thorough review of the permit. Once the height concern was discovered, staff asked the contractor to stop work at the site until an appropriate solution could be identified. Because of the cooperation, no formal Stop Work Order was issued by the City.

The Code as it pertains to this situation is unambiguous. The structure is limited to 25 feet in height. The issue is one of fairness and what should be the appropriate response in light of the City's role in the situation.

If there is good news to be found in this circumstance, it is that the issue was discovered prior to completion of the building, allowing the City to evaluate greater options than it would otherwise have if the structure was complete. In addition, the proposed height of the structure, while it doesn't comply with the

code, does not appear to have significant effect on adjacent property owners given its location adjacent to the hillside. In 2018, the City approved an after-the-fact variance for a small portion of shop building which exceeded height requirements at a site just a couple hundred feet south of this property.

Staff has discussed options with the owner's representatives. They include reducing the height of the building by lowering side walls, by reducing roof pitch or similar measures. Given the building dimensions and stage of construction, these are not simple solutions. Reducing roof pitch may have some engineering considerations that cannot be easily overcome.

A second option would be to apply for a variance. That would require a public hearing with the Planning Commission, the timing of which is unknown given the Covid 19 limitations that we are currently working under. Assuming an expedited hearing could be scheduled and conducted electronically, the best possible option would require 4 to 5 weeks to complete.

VI. CONCLUSIONS / DECISION BY THE CITY COUNCIL

Reserved for City Council

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rand Wichman', with a long horizontal flourish extending to the right.

Rand Wichman
City Planner / Building Official



City of Dalton Gardens

6360 N Fourth Street, Dalton Gardens, ID 83815

Phone: (208) 772-3698 Fax: (208) 762-5156

Monthly Planner Activity Report

March 31, 2020

Code amendments

The Planning Commission discussed priorities for additional amendments at their March meeting. They determined that the first priority should be updating the allowed and special uses of the Commercial zone, improving landscaping and buffering standards, addressing setbacks for accessory structures in the residential zone, amending requirements for fences and addressing light trespass. I anticipate starting on these amendments this month.

Variances / Special Use Permits

No new variance or special use permit applications have been submitted this month.

Subdivisions

No new subdivision applications were submitted this month.

Building Permits

There was one new commercial building permit for an addition/alteration and 2 sign permits this month. There were 3 residential building permits for accessory buildings or addition/alterations and 3 fence permits. There were also 3 mechanical permits issued.

Code enforcement

We received 3 new code enforcement complaints in March. Two of those complaints have been resolved. The most significant issue is the Jordan accessory building which exceeds the City's height requirements. The enforcement of the height requirement in this circumstance is being appealed. A more complete code enforcement report will be provided to the Council.

City fee resolution

The draft fee resolution is ready for review in a workshop when it is appropriate to hold such a meeting again.

Business licenses

There was 1 new business license application this month and 1 renewal.

Other / Miscellaneous

The city council hearing on the school district's sign request has been indefinitely postponed. The Planning Commission meeting for April has also been cancelled.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rand Wichman", with a long horizontal flourish extending to the right.

Rand Wichman
City Planner