

**SPECIAL Council Meeting
Dalton Gardens City Hall @ 6:00 pm
Thursday, April 1, 2021**

Meeting will be conducted via teleconference

Please click this link to join the webinar via computer/smartphone:

<https://us02web.zoom.us/j/86806021699?pwd=ellRmp6T2JtYW5LZzJNSExFdjl1QT09>

Password: 549438

PHONE NUMBER: 1 669 900 6833 OR 1 346 248 7799

WEBINAR ID:874 6339 7830, PASSWORD: 549438

CALL THE MEETING TO ORDER

ROLL CALL

PLEDGE OF ALLIGENCE

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.

1. ACTION ITEM - CONSENT CALENDAR APPROVAL

- A. Minutes of the Regular Council Meeting of March 4, 2021 and Special Meeting of March 25, 2021
- B. Financial Statement from March 1, 2021 to March 31, 2021 and the claims so listed.

2. ACTION ITEM – PUBLIC HEARING - REQUEST FOR RECONSIDERATION OF MIKE WHITE ALU – 6263 N. 17TH STREET

3. ACTION ITEM- APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH THE SWEEP, LLC.

4. ACTION ITEM – APPROVAL TO PURCHASE TIRES FOR 2009 GMC PICKUP TRUCK PER QUOTE

5. ACTION ITEM – APPROVAL OF CRACK SEAL BID PRESENTED BY PSP ENTERPRISES

6. ACTION ITEM – APPROVAL OF BEER & WINE LICENSE BY THE DRINK FOR: JANELLA MUSIC LLC DBA THE PAINT BUZZ

7. ACTION ITEM – APPROVAL TO RESCHEDULE THE NOVEMBER CITY COUNCIL MEETING FROM NOVEMBER 4TH TO NOVEMBER 2ND

8. ACTION ITEM – APPROVAL OF THE KOOTENAI COUNTY ALL HAZARD MITIGATION UPDATED PLAN

9. ACTION ITEM – DISCUSS A PLAN TO LESSON TRAFFIC IN DALTON GARDENS FOR THE SAFETY OF LIFE FOR THE RESIDENTS PRESENTED BY HMH

10. ACTION ITEM – SET WORKSHOP SCHEDULE FOR ITEMS DISCUSSED IN WORKSHOP

11. ACTION ITEM – DISCUSSION/APPROVAL OF FACILITY RESERVATION POLICIES

12. ACTION ITEM – DISCUSSION/APPROVAL OF CITY HALL STAFFING AND HOURS OF OPERATION

13. ACTION ITEM – EXECUTIVE SESSION - Idaho Code 74-206(1)(b): To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.

COUNCIL REPORTS

14. ACTION ITEM – ADJOURN

City Hall is ADA accessible. If special accommodations are needed for the disabled, please notify the City Clerk 6360 N. 4th Street, Dalton Gardens, ID 208-772-3698 forty-eight hours in advance of the public hearing.

City of Dalton Regular Council Meeting @ 6:00 pm
Thursday, March 4, 2021

Meeting was conducted via teleconference and in person.

CALL MEETING TO ORDER: Meeting was called to order by Mayor Edwards at 6:00 PM.

ROLL CALL: Physically present were Councilmembers Robert Wuest, Ray Craft, Aaron O'Brien (left at 8:30 PM, conference called in for the Executive Session), Carrie Chase, and Mayor Dan Edwards. Also present Caitlin Kling, City Attorney; Rand Wichman, City Planner; and Teresa Janzen, Deputy Clerk.

PLEDGE OF ALLEGIENCE: Was led by Councilmember Chase

PUBLIC COMMENT PERIOD: The Mayor opened Public Comment at 6:01 PM.

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.

Mike Becker- 6943 N. 16th; Chairman of the Planning & Zoning Commission supports the appointment of Drew Dittman to the Planning & Zoning Commission. Feels Drew's expertise as an Engineer makes him qualified. Disclosed that he worked for Drew 7 years ago but since then has worked for the City of Coeur d' Alene Wastewater Department. Asked the Council to fill the 8 month vacancy on the Planning & Zoning Commission.

Tyler Drechsel- 6552 N 16th St; support the appointment of Drew Dittman to the Planning & Zoning Commission

Doug Williams-7255 N 4th St; traffic on 4th St is horrendous and something needs to be done.

Dick Flugel- 7303 N 4th St; traffic on 4th St needs to be addressed.

Karen Kimball- 6975 N 16th St; would like more diversity on the Planning & Zoning Commission. Concerned about lack of parking ability on 18th St to access Canfield trail. Working with Rand Wichman on Horse Arena policies and wanted a committee or a workshop but he said they couldn't have a committee.

City Attorney Kling clarified that Dalton has never established ordinances to form proper committees under Idaho 50-210. Mayor Edwards reminded everyone that the Council voted to deny establishing the required ordinances to form committees. Attorney Kling clarified that Dalton Gardens has the proper ordinance to form the Planning & Zoning Commission which is required under the Local Land Use Planning Act.

Councilmember Chase believes committees tie the hands of the citizens as it requires you to put your agenda out, have minutes, and follow the Open Meeting Act rules. There is nothing preventing residents from forming a group and presenting their ideas to the City Council.

Councilmember Wuest agrees it ties (residents) hands and is not worth it to have a formal committee.

Mayor Edwards feels if it is done right, formal committees allow everyone to be involved and does not tie (residents) hands.

Lila Tatum- 7080 N Valley St; lack of continuity in Council, traffic problem has not changed, deer problem still exists.

Mona Moses- 1295 E Wilbur Ave; (written comment read into the record) I am unable to attend the meeting due to a schedule conflict, please enter my comments into the public comment record. I am writing today to address the increased traffic on Wilbur and to ask you to please consider any and all traffic reducing options. Increased traffic through Dalton completely changes the atmosphere of why most of us moved to Dalton, for the quiet enjoyments of the area. It also increases pollution in our streets and is a safety risk for our children and pets, as many do not follow the speed limit. I would also like to remind the council that many of us voted for the new council that many of us voted for the new council because you ran on the reduction of through traffic in our beautiful Dalton and ask you to adhere to your commitment on this matter. Thank you so much for your time.

Sue Supp- 7024 N 16th St; possible conflict of interest for Drew Dittman for 18th Street right-of-way. In traffic considerations, need to focus on safety of pedestrians, children, and animals.

Shirlene Becker- 2179 Totten Lane; 25 mph flashing signs help to slow down traffic. Nothing has changed with the deer issue as we don't currently have any ideas to pacify both thos

Mike Chase- 7512 N 4th St; Feels Mr. Dittman would not represent residents, but developers interests and has the appearance of conflict. Traffic enforcement is not reduction.

Leslie Laviola- 1527 E Woodland Dr; upset about the deer situation and that there is no information on next steps with the deer. Sent an email to the entire Council and no one responded. Frustrated with lack of communication and information.

Councilmember Chase suggested that Leslie and her group come up with idea(s) to help the deer situation along and present it to a Councilmember.

Randy Gregerson- 7288 N 4th St: (written comment read into the record) I am emailing you in regards to the current traffic and deer issue we have in Dalton Gardens as I can't attend the city council meeting tonight. First we have a massive through traffic issue on 4th and 15th street, the traffic flow during peak times of the day makes it seem like we live on a freeway, as of late there ahs been virtually no sheriff's presence and the speeding is out of control. Its not safe to take my children on walks in the bike path, its dangerous to go get your mail, its frightening to try and plow my driveway and absolutely terrifying to watch some of my elderly neighbors who've lived in Dalton Gardens for years try and get out of their driveway without getting hit. PLEASE implement some sort of traffic controls in Dalton, I don't care what it is please do something . . . your constituents are tired of nothing being done, we don't want more surveys or talking we want something done. As far as the deer it goes along the same lines, please do something!!! The deer are out of control . . . they are being pushed into Dalton by all of the out of control development around us and now we need controls in place. I have put up the appropriate fencing and they still push through it or try and jump over it and destroy it either way trying to get into my garden. The deer have gotten increasingly worse in the last year part of which I believe is due to people that are new to the area feeding them, can we up the fine for feeding to further deter this practice . . . I'm talking about deliberately putting out grain. Again I am begging you as a council to please start putting measures in place, you all rand on a platform of keeping Dalton rural and you are not doing

that from many of your constituents perspectives. PLEASE implement traffic control and deer mitigation!!!

1. CONSENT CALENDAR APPROVAL

A. **RWuest** made a motion to approve Minutes of the Regular Council Meeting of February 4, 2021. **RCraft** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

B. **RWuest** made a motion to approve Financial Statement from February 1, 2021 to February 28, 2021 and the claims so listed with the direction to the City Clerk/Treasurer to immediately submit payment to OpenGov and Bluebeam. **AO'Obrien** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

2. PUBLIC HEARING - REQUEST FOR RECONSIDERATION OF MIKE WHITE ALU – 6263 N. 17TH STREET

Paul Daughtry, Counsel for Mike White, asked for a 30-day continuance as they work with Rand Wichman to resolve. Rand Wichman projected that he would be able to inspect the property within the next week and approves the continuance with the expectation that he will see the ALU has been removed.

CChase made a motion to continue until the April meeting. **RCraft** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

3. PUBLIC HEARING IN ACCORDANCE WITH IDAHO CODE 50-1306A REGARDING VACATING A PLATTED 60 FT. EASEMENT FOR A PLATTED 60 FT. TURNAROUND LOCATED AT: LOT 1, BLOCK 1, AND LOT 1, BLOCK 2, CANFIELD MEADOWS FIRST ADDITION, RECORDED AT BOOK G OF PLATS, PAGE 157, RECORDS OF KOOTENAI COUNTY, IDAHO

Mike Chapman 402 W Canfield, Ste 2, Coeur d' Alene, ID. He's Counsel for Isaac Reinert 603 18th Street, Dalton Gardens. Reviewed request for vacation of cul-de-sac for a hammerhead driveway that will be created with a sign for 'No Parking Emergency Vehicles Only' at the hammerhead. Property Owner and City would enter into an easement agreement. Homeowner would be responsible for upkeep and maintenance of the driveway and hammerhead. Isaac Reinert acknowledged the request comes for aesthetic and resale consideration.

Council had questions about other commercial vehicles using the turn-around. The City currently has a 60' right of way that created the ½ cul-de-sac, what benefit would it be to the Dalton residents to vacate the current turn-around? Who is responsible for snow plowing and snow storage location for the hammerhead? Would like to see wording of easement agreement before decision on vacation. Ensure no cost will be coming back to the taxpayers.

CChase made a motion to continue the hearing to a date certain of April 1, 2021. **RCraft** seconded. Attorney Kling is to work with Mr. Chapman to draft easement agreement to address Council concerns to be presented to the Council at the April meeting.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

4. DIRECT HMH TO CREATE A PLAN TO LESSON TRAFFIC IN DALTON GARDENS FOR THE SAFETY OF LIFE FOR THE RESIDENTS. PLAN TO BE PRESENTED AT APRIL COUNCIL MEETING.

Matt Hall, HMH Engineering; is open to residents' suggestions about their ideas for traffic mitigation. There is no magic bullet to fix traffic, all measures will cost money (concrete barriers, light reconfiguration, etc). We are currently working on the traffic counts and anticipate they will be finalized by the end of the month.

RWuest said the Traffic Sargent at KCSO is very interested in working with us but with the growth of Kootenai County, they do not have the personnel to handle all of the incoming calls.

CChase made a motion to have HMH create the least expensive plan to try to lessen traffic in Dalton Gardens to be presented at the April meeting. **RCraft** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

5. APPROVAL OF THE SWEEP CONTRACT

AO'Brien made a motion to approve the Sweep Contract. **CChase** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

6. REAPPROVAL OF PARK CONTRACT FOR THE FISCAL YEAR 2021-2022

Attorney Kling clarified that it covers 2 fiscal years. Historically the contract has been 2 fiscal years for the past 4 contracts. Garuanteed the rate remains the same for two years, although he consistently comes in under the budgeted amount.

RWuest wants more bids. AO'Brien stated he requested bids from 6 Professional companies and only 1 replied. CKling clarified that the other bidder from last month is conflicted out as he's in a family relationship conflict with Councilmember Wuest by the Idaho Statute.

AO'Brien made a motion to approve the Sacco de Campos contract to change from 1-year to a 2-year cycle. **CChase** seconded. Attorney Kling will get revised contract to Mayor Edwards.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

7. SET BUDGET HEARING FOR THE FISCAL YEAR 2021-2022

AO'Brien made a motion to approve set the budget hearing for fiscal year 2021-2022 to be August 17, 2021 at 6:00 PM and have the City Clerk/Treasurer correct the reporting to Kootenai County Clerk before April 30, 2021. **RWuest** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

8. APPROVAL OF BEER & WINE LICENSE

CChase made a motion to approve P & N Corporation – dba Dalton Market – Pre-packaged only wine and beer and packaged bottles only licenses presented for renewal: no consumption on premises. As well as 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. **AO'Brien** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

9. APPOINTMENT OF DREW DITTMAN TO PLANNING & ZONING COMMISSION

Drew Dittman applied for a variance to build his house. It was granted, he was issued a building permit, and a certificate of occupancy for his home. He fills this shows his responsibility to the City has been fulfilled.

CKling clarified that the easement was never recorded on the property but we have had issues with poor record keeping of the City of Dalton Gardens. She was not the Attorney at the time of the easement. It has been almost 8 years since the easement should have been recorded.

RWuest made motion to continue until the City Attorney has drafted new deeded easement documents and then approve Mr. Dittman at the next council meeting. **RCraft** seconded.

Roll Call Vote:

AO'Brien: no **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

10. DISCUSSION/APPROVAL OF OPEN GOV SOFTWARE PROJECT MANAGER

RWuest wanted the entire Council to be the Project Manager with the Deputy Clerk being the liaison.

CChase clarified that there are to be no extra hours extended to the Deputy Clerk for software implementation. Wants to abstain from this vote or anything revolving around OpenGov as she does not approve that we have it.

CKling clarified that **CChase** can vote no, but is not able to abstain.

RWuest made a motion to appoint Deputy Clerk Janzen as the Project Liasion but not to allow any additional time for software implementation; be required to have weekly email updates sent to the Council; and if software implementation causes the need for more than 20 hours/ week for

the Deputy Clerk, and the City Clerk/Treasurer is not present, then City Hall is to be closed.
RCraft seconded.

Roll Call Vote:

AO'Brien: absent **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

11. DISCUSSION OF PROCESS AND PROCEDURE FOR NOMINATION AND CONFIRMATION OF CITY CLERK/TREASURER

Mayor Edwards clarified that it is his job to nominate a candidate and the Councils jobs to confirm and appoint a Clerk/Treasurer.

Attorney Kling clarified Idaho State Code; If the Council denies the Mayor's nomination, the Mayor has 10 days to nominate another candidate. He can repeatedly nominate until there is a confirmation. If the Mayor fails to nominate in the 10-day timeframe, the City Council has the right to appoint.

Mayor Edwards, Councilmember Chase, and Councilmember Wuest, Clerk/Treasurer Anderson to interview selected candidates.

10. EXECUTIVE SESSION – Idaho Code 74-206(1)(b): To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.

RWuest made a motion to enter Executive Session. **CChase** seconded.

Roll Call Vote:

AO'Brien: absent **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

Executive Session was entered into at 9:08 PM

Council came out of Executive Session at 9:40 PM

13. DISCUSSION/APPROVAL OF ACTION RELATED TO BUDGETED EMPLOYEE WAGES

RWuest made a motion to pay Valerie Anderson, Clerk/Treasurer her full salary for the month of March regardless of how many days she works, not require her to use vacation time for non-worked days in March, give her a 3% raise to be retroactive to March 1, 2021, and issue her a \$1,000 bonus for staying in March to train a new City Clerk/Treasurer. **RCraft** seconded.

Roll Call Vote:

AO'Brien: yes **RCraft:** yes **RWuest:** yes **CChase:** yes Motion carries.

COUNCIL REPORTS

RWichman- has asked for Council workshops on numerous items

14. ACTION ITEM – ADJOURN

CChase made a motion to adjourn. **RWuest** seconded. All in favor. Motion carries.

Dan Edwards, Mayor

Teresa Janzen, Deputy Clerk

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COUNCIL REPORTS

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**MINUTES OF THE SPECIAL MEETING OF THE
CITY OF DALTON GARDENS March 25, 2021
VIA TELECONFERENCE @ 10:00 AM**

Meeting was called to order by Mayor Edwards at 10:12 AM.

ROLL CALL:

Present were: Councilmembers Chase, O'Brien – via zoom, Wuest and Craft. Also present was Valerie Anderson, City Clerk.

The pledge was recited and led Mayor Edwards.

PUBLIC COMMENT PERIOD

No Comments

EXECUTIVE SESSION – Idaho Code 74-206(1)(a): To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.

Councilmember Wuest made a motion to go into executive session at 10:15 AM. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O'Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

DISCUSSION AND APPROVAL OF THE MAYOR'S NOMINATION AND APPOINTMENT OF A CLERK/TREASURER

Mayor Edwards announced that he would appoint Jessica Hutson as the new Clerk/Treasurer for the City of Dalton Gardens.

Councilmember O'Brien made a motion to appoint Jessica Hutson as the new Clerk/Treasurer for the City of Dalton Gardens. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O'Brien – yes, Councilmember Wuest – yes with conditions as discussed in Executive Session, Councilmember Craft – yes. Motion carried.

ADJOURN

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

Mayor Dan Edwards

Valerie S. Anderson, City Clerk



2818 N Government Way
 Coeur D Alene, ID 83815
 208-765-8505

Store: 83
 Quote: 8300829073
 Salesperson: Terri C

Customer Information

Customer ID: A009318418
 Name: CITY OF DALTON GARDENS
 Address: 6360 N 4TH ST
 City, State, DALTON GARDENS, ID 83815
 Phone: (208) 772-5301

Vehicle Information

Vehicle: 2009 GMC TRUCK SIERRA 2500HD PICKUP
 Color: WHITE
 Mileage:
 License: C4651

Exemption Type: A-Government

Certificate Government Agency

Les Schwab Quote

| Qty | Product Code | Product Description | Price/ea | FET | Amount |
|-----|--------------|--|----------|--------|----------|
| 4 | 16880 | LT Tire TPMS Rebuild | \$0.00 | \$0.00 | \$0.00 |
| 4 | 664667 | LT245/75R-16/10 120/116S WILD CTY 4SX | \$205.99 | \$0.00 | \$823.96 |
| 4 | 13731 | WHEEL SPIN BALANCE | \$16.99 | \$0.00 | \$67.96 |
| 4 | 13537 | TIRE PRESSURE MONITORING SYSTEM REBUILD KIT - PER TIRE | \$6.99 | \$0.00 | \$27.96 |

50K

Sales Tax: \$0.00
 Tire Tax: \$0.00

Quotation Total: **\$919.88**

| | | | | | |
|---|--------|--|----------|--------|----------|
| 4 | 16880 | LT Tire TPMS Rebuild | \$0.00 | \$0.00 | \$0.00 |
| 4 | 523526 | LT245/75R-16/10 120/116R BACK CTY AT | \$234.94 | \$0.00 | \$939.76 |
| 4 | 13731 | WHEEL SPIN BALANCE | \$16.99 | \$0.00 | \$67.96 |
| 4 | 13537 | TIRE PRESSURE MONITORING SYSTEM REBUILD KIT - PER TIRE | \$6.99 | \$0.00 | \$27.96 |

S

55K

Sales Tax: \$0.00
 Tire Tax: \$0.00

Quotation Total: **\$1,035.68**

| | | | | | |
|---|--------|--|----------|--------|------------|
| 4 | 16880 | LT Tire TPMS Rebuild | \$0.00 | \$0.00 | \$0.00 |
| 4 | 715435 | LT245/75R-16/10 120/116S OPENRANGE SQM3 | \$266.99 | \$0.00 | \$1,067.96 |
| 4 | 13731 | WHEEL SPIN BALANCE | \$16.99 | \$0.00 | \$67.96 |
| 4 | 13537 | TIRE PRESSURE MONITORING SYSTEM REBUILD KIT - PER TIRE | \$6.99 | \$0.00 | \$27.96 |

60K

Sales Tax: \$0.00
 Tire Tax: \$0.00

Quotation Total: **\$1,163.88**



2818 N Government Way
 Coeur D Alene, ID 83815
 208-765-8505

Store: 83
 Quote: 8300829073
 Salesperson: Terri C

Customer Information

Customer ID: A009318418
Name: CITY OF DALTON GARDENS
Address: 6360 N 4TH ST
City, State: DALTON GARDENS, ID 83815
Phone: (208) 772-5301

Vehicle Information

Vehicle: 2009 GMC TRUCK SIERRA 2500HD PICKUP
Color: WHITE
Mileage:
License: C4651

Exemption Type: A-Government **Certificate** Government Agency

Les Schwab Quote

| Qty | Product Code | Product Description | Price/ea | FET | Amount |
|-------------------------|--------------|--|----------|--------|---------|
| 1 | 15812 | AL3 THRUST ALIGNMENT-DOM/IMP | \$0.00 | \$0.00 | \$0.00 |
| 1 | 13579 | THRUST ANGLE ALIGNMENT - DOMESTIC/IMPORT CARS, PICKUPS, VANS | \$89.99 | \$0.00 | \$89.99 |
| Sales Tax: | | | | | \$0.00 |
| Tire Tax: | | | | | \$0.00 |
| Quotation Total: | | | | | \$89.99 |



* indicates sale price
 For more information on our products and services, visit www.LesSchwab.com.
 Prices good for 30 days, excluding promotions. **Quote Expires on 04-14-2021.**
 Quote Date/Time: 03-15-2021 11:49 AM

PSP Enterprises, Inc

PO Box 2074
Hayden, ID. 83835

Phone/Fax: 208-772-8418 www.pspsealandsupply.com
Please call first to let us know you are faxing.
Thank you.

Proposal

| Date | Proposal # |
|-----------|------------|
| 3/16/2021 | 2628 |

| | |
|--|--|
| Name / Address | |
| City of Dalton Gardens. 6360 N. Fourth Street Dalton Gardens, ID 83815 | |
| Phone # | |
| Customer... | |

| |
|---------|
| Ship To |
| |

| Terms | Due Date | Rep |
|-------|-----------|-----|
| | 3/16/2021 | BM |

We hereby propose to furnish the materials and perform the labor necessary for the completion of:

| Qty | Item | Description | Cost | Total |
|--------------|---------------|--|--------|----------------|
| 1 | Crack Sealing | Clean and seal cracks with hot pour rubberized crack sealer on Aqua Circle. | 800.00 | 800.00 |
| 1 | Crack Sealing | Clean and seal cracks with hot pour rubberized crack sealer on Hanley from 15th to 18th. | 250.00 | 250.00 |
| 1 | Crack Sealing | Clean and seal cracks with hot pour rubberized crack sealer on 16th Street. | 550.00 | 550.00 |
| 1 | Crack Sealing | Clean and seal cracks with hot pour rubberized crack sealer on Woodland Street. | 200.00 | 200.00 |
| 1 | Crack Sealing | Clean and seal cracks with hot pour rubberized crack sealer on Canfield from Gov't Way to Rude Street. | 250.00 | 250.00 |
| 1 | Crack Sealing | Clean and seal cracks with hot pour rubberized crack sealer on Canfield from 15th to 16th street. | 300.00 | 300.00 |
| Total | | | | 2350.00 |

All material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

Respectfully Submitted: Brad Mahoney
PSP Enterprises

Signature _____

*There will be a \$30.00 NSF fee on any returned checks.
*All proposals are subject to change in 30 days of proposal date.
*Please sign proposal and return by fax or mail ASAP to guarantee price and to be added to the schedule. Office and Fax # is 772-8418. Please call first to confirm fax.

Acceptance of Proposal
The above prices, specification and conditions are satisfactory and are hereby accepted. Please sign and email to bmahoney@pspealandsupply.com. All work is to be paid for upon completion.
Fax number is 208-772-8418.

Signature _____

Signature _____

Date of Acceptance: _____



6360 N 4th Street * Dalton Gardens, Idaho 83815

Alcohol Beverage License Application

Unless Licensee is disqualified, approval of this permit does certify that the licensee is entitled to hold and use this Alcohol Beverage Catering Permit at the below designated premises, subject to provisions of Title 23 of the Idaho State Code and Dalton Gardens City Code Title 3

LICENSE YEAR: 20 21

- New License Application – Period: _____ to _____
- Renewal of License – Period: 3-1-21 to 2-28-22
- Transfer of License – Transfer from _____

PREMISE SALES

- Beer by the Drink
- Wine by the Drink
- Liquor by the Drink
- Beer for Consumption OFF Premises
- Wine for Consumption OFF Premises

RETAIL SALES

- Beer Retail
- Wine Retail
- Catering (please complete Catering Permit application)

APPLICANT INFORMATION

Name of Applicant: James Hanson

Applicant Phone Number: 406 678 4326 Applicant Email: admin@thepaintbuzz.com

Name of Business: Janelle Music, LLC DBA The Paint Buzz

Business Address: 147 E Aqua Circle, #3 City: Dalton Gardens, ID Zip: 83815

Mailing Address: 2706 E Point Huplen Dr. City-State: Huplen Lake, ID Zip: 83835

Business Phone Number: 208 292 4422 Business Email: admin@thepaintbuzz.com

No license to sell alcoholic beverages will be issued to any applicant who:

1. Has, or any partner who has, or actual manager or officer of whom has:
 - a. Been convicted of the violation of any law of the state, or of the United States regulations, governing or prohibiting the sale of alcoholic beverages or intoxicating liquor within three (2) years or within three (3) years forfeited or suffered the forfeiture of a bond for their appearance to answer charges for such violation.
 - b. Been convicted of driving a motor vehicle under the influence of alcohol, drugs or any other intoxicating substances as defined in the jurisdiction in which the judgment was entered within three (3) years prior to the date of the making of the application for license and/or has not paid a fine, completed a sentence and/or parole for such conviction.
 - c. Engaged in the operation of, or has interest in, any house or place for the purpose of prostitution, or has engaged in the operation of any house or premises within the city limits of Dalton Gardens which has been declared and found to have been a moral nuisance as defined by city ordinances or state law.
 - d. Been convicted in any jurisdiction or received a withheld judgment for any crime concerning the possession of any controlled substance within five (5) years.
2. Has had a similar license revoked by any jurisdiction granting the license and/or had their license revoked by the state of Idaho or Kootenai County.

Please name all partners, officers, and managers (attach additional sheet if necessary):

1. James Hanson Position: sole member/owner
2. _____ Position: _____
3. _____ Position: _____
4. _____ Position: _____

City License # _____ County License # 2021-387 State License # 27128

County and State licenses must be presented prior to issuance of City license



APPLICANT SIGNATURE

I attest that I have read the above and that all partners, officers, managers, and I meet the qualifications listed, that the requirements of Section 3.2.08 of Ordinance #263 have been met, and declare under penalty of perjury that all statements made are true, correct, and complete

Applicant Signature: James Hanson Date: 3/24/2021

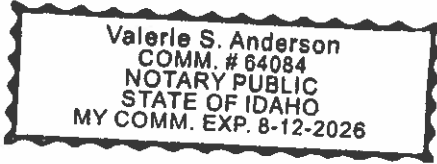
Please print name: James Hanson

Subscribed and sworn to before me this 24 day of March 2021

Valerie S. Anderson
Notary Public, Clerk or Deputy Clerk

Reside Kootenai County

My Commission Expires: 8-12-2026



FOR CITY USE ONLY

APPROVALS:

_____ Mayor Signature Date _____

_____ City Planner Signature Date _____

_____ This application cannot be approved for the following reason(s):

City Clerk Department:

- \$ 200.00 Beer or Wine by the Drink
- \$ 375.00 Liquor by the Drink
- \$ 50.00 Beer Retail
- \$ 200.00 Wine Retail
- \$ 20.00 Catering Alcohol Fee per day
- \$ 5.00 Beer Transfer Fee

\$ 200 Total Due

Date Paid 3/24/21 Receipt # _____

Cash/CK# 1033 Amount \$ 200.00

Received By: V. Anderson

City License # _____ County License # _____ State License # _____

County and State licenses must be presented prior to issuance of City license

2021-2022

NO 2021-387

KOOTENAI COUNTY
STATE OF IDAHO

RETAIL ALCOHOL BEVERAGE LICENSE

THIS IS TO CERTIFY THAT

JANELLA MUSIC LLC

doing business as

PAINT BUZZ (THE)

at

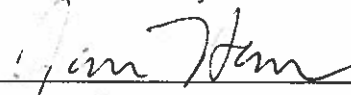
147 E AQUA CIRCLE STE 3, DALTON GARDENS ID 83815

a(n) LLC is licensed to sell Alcoholic Beverages as stated below, subject to the provisions

of Chapter 23-903 and 23-916 Idaho Code Annotated, and the laws of the State of Idaho, Municipal Ordinances, and the regulations of the Commissioner in regard to sale of Alcoholic Beverages and the resolution passed by the Commissioners of KOOTENAI COUNTY on July 6, 2004 at the Courthouse - County Ordinance 149B, Coeur d'Alene, State of Idaho.

| | |
|---|-----------------|
| Draft | <u>\$0.00</u> |
| Bottled/Canned Beer to be consumed on and/or off premises | <u>\$75.00</u> |
| Bottled/Canned Beer to be consumed off premises only | <u>\$0.00</u> |
| Liquor | <u>\$0.00</u> |
| Wine by the Bottle | <u>\$0.00</u> |
| Wine by the Drink | <u>\$100.00</u> |
| TOTAL FEE | <u>\$175.00</u> |

(SEAL)



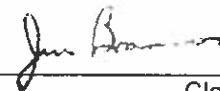
Signature of Licensee or Officer of Corporation

This license is TRANSFERABLE and EXPIRES

March 01, 2:00 AM 2022

Witness my hand and seal this 2nd

day of March, 2021



Clerk



(This license must be conspicuously displayed)

Idaho State Police

Retail Alcohol Beverage License

Premises Number: K-27128

License Year: 2022

License Number: 27128

This is to certify, that Janella Music LLC

doing business as: The Paint Buzz

is licensed to sell alcoholic beverages as stated below at:

147 E Aqua Circle Ste3, Dalton Gardens, Kootenai County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.

County and city licenses are also required in order to operate.

| | |
|-------------------------|---------------------|
| Liquor | No |
| Beer | Yes <u>\$50.00</u> |
| Wine by the bottle | No |
| Wine by the glass | Yes <u>\$100.00</u> |
| Kegs to go | No |
| Growlers | No |
| Restaurant | No |
| On-premises consumption | Yes <u>\$0.00</u> |
| Multipurpose arena | No |
| Plaza | No |

Signature of Licensee, Corporate Officer, LLC Member or Partner

| |
|--|
| JANELLA MUSIC LLC THE PAINT BUZZ 147 E AQUA CIRCLE STE3 DALTON GARDENS, ID 83815 Mailing Address |
|--|

TOTAL FEE: \$150.00

License Valid: 03/01/2021 - 02/28/2022

Expires: 02/28/2022



Director of Idaho State Police

City of Dalton Gardens

From: Tiffany Westbrook <twestbrook@kcgov.us>
Sent: Tuesday, January 26, 2021 4:04 PM
To: 'Renata McLeod (renata@cdaid.org)'; Mayor Mary Zichko (mayor@cityofathol.us); 'cityclerk@cityofathol.us'; 'clerk@daltongardens.com'; 'heidi@heidiacuff.com'; 'doriskhoffman@roadrunner.com'; 'Mayor@CityofHarrison.org'; 'clerk@CityofHarrison.org'; 'hausermayor@gmail.com'; 'hausercityhall@roadrunner.com'; 'asanchez@cityofhaydenid.us'; 'haydenlakeclerk@frontier.com'; 'showard@postfallsidaho.org'; 'senderud@postfallsidaho.org'; 'sherri@rathdrum.org'; 'mayor18@spiritlakeid.gov'; 'michelle.wharton@spiritlakeid.gov'; 'worleyambulance@aol.com'; 'info@cityofworley.org'; 'jlynn@eastsidefire.com'; 'chief@hauserfire.org'; 'danr@kootenaifire.com'; 'admin@mkfire.com'; 'pwriley@northernlakesfire.com'; 'nmechikoff@phd1.idaho.gov'; 'maamodt@shoshonefd2.com'; 'Chief John Debernardi'; 'admin@spiritlakefire.com'; 'firechief@smfpc.com'; 'jmasterson@smfpc.com'; 'dsneve@worleyfire.com'; 'scook@cdaschools.org'; 'jvoeller@cdaschools.org'; 'dkeck@cdaschools.org'; 'wpilloud@sd274.com'; 'Becky Meyer'; 'Lisa Sexton'; 'jkeane@sd273.com'; 'ben@es-hd.com'; 'eric@lakeshighwaydistrict.com'; 'kelly@postfallshd.com'; 'kevinhoward@worleyhwy.com'; 'Brandon Hermenet'; Chief Chris Way (chrisw@kootenaifire.com)
Cc: Rachel Irish
Subject: 2020 All Hazard Mitigation Plan Adoption
Attachments: Kootenai County.pdf; City of Post Falls.pdf; City of Coeur d'Alene.pdf; City of Harrison.pdf

Good Afternoon,

As many of you are aware for the past year our office has been working diligently with our partners on the 5 year update of the Kootenai County Multi-Jurisdictional All-Hazard Mitigation Plan (AHMP). I am happy to announce the plan has officially been approved by both the Idaho Office of Emergency Management and FEMA. Additionally, the Kootenai County Board of Commissioners formally adopted the plan on December 15th.

In order for your jurisdiction to be eligible for possible mitigation dollars should they become available it is crucial that your agency formally adopt the 2020 Kootenai County AHMP. Once the plan has been adopted by your jurisdiction please send the adoption to our office (rirish@kcgov.us). We will then forward these adoptions collectively to IOEM. Please note, this must be completed no later than November 2021. Attached are a few adoptions from the 2015 update for reference.

To access the finalized 2020 AHMP visit: <https://www.kcsheriff.com/192/Hazard-Mitigation-Planning>

We are thankful and appreciate all the effort each organization put into updating this plan, it truly would not have been possible without your involvement and input. As always, if you have any questions please feel free to reach out to our office.

Best,

TIFFANY WESTBROOK
DIRECTOR

KOOTENAI COUNTY
OFFICE OF EMERGENCY MANAGEMENT



Dalton Arena Use Restrictions and Reservation Policy

Draft December 23, 2020

Dalton Gardens Horse Complex
(Because the arena includes Large and Small Arenas, Picnic Gazebo, Trails, etc)

Dalton Arena reservations are made on a first-come, first-served basis. The arena will remain closed to the general public during any said reservation. The picnic gazebo, the large or small riding arenas

are available for reservation. Reservation shall require approval of a reservation

application filed with the City Clerk, along with the (required reservation fee, I recommend no fee) at least 5 business

days prior to the proposed use date. The City may also

require a refundable cleaning / damage deposit, to be returned in full if no clean-up or repairs are required to be completed by the City after the event.

If the event will result in attendance of 50 or more persons, an event permit (in accordance with City Code Title 3, Chapter 7?) shall be required prior to acceptance of the reservation.

Cancellations of reservations may occur at any time prior to the event. (The reservation fee shall be non-refundable, regardless of the timing of the cancellation.)No fee No refunds or credits will

be given if inclement weather conditions prevent use of the facility.

Rules for use of the facility

Arena must be left in the same or better condition than existed before any event or use of the facility. Any clean-up work or repairs by the City will be charged against the cleaning / damage

deposit. If the cleaning / damage deposit does not cover the cost of cleaning or repairs, the person or entity that made the reservation shall be liable to pay the balance of the costs.

The use of any City facility shall be at your own risk. The City of Dalton Gardens does not assume any liability or responsibility for injury or for any loss, theft or damage to personal items. Should an insurance liability waiver be mandatory?

The applicant is responsible for the behavior of all guests attending the event.

Vehicle parking is limited to designated parking areas only. Driving on the lawn area is prohibited. If large group is expected, parking and traffic management is expected.

The riding arena and round pen facilities are open from 7:00 a.m. to sunset (City Code Section 9-2-1 A.). Special exceptions may be granted by the City Council.

Leashed dogs are allowed at the arena, dogs must remain under control of the owner. The owner is responsible for cleaning up after the dog. Dogs are not allowed in horse arenas.

All manure is to be picked up and removed from the premises.

Sitting on the gates or fencing is not allowed. Gates are to remain closed at all times.

Horses are not allowed on the grass areas. Except on path and getting to gates. Horses are allowed on the path along south side of arena along fence.

Children under age 18 must wear a helmet when mounted. Helmets are recommended for adults when mounted. Insurance company do not require helmets. Adult supervision is recommended for children under the age of 18 when using the arena or round pen.

No alcohol is allowed at the riding arena facility, including the picnic gazebo, unless a permit is granted by City Council, in accordance with City Code Section 9-2-1 B.

Glass containers are prohibited.

The applicant is responsible for removal of all garbage, trash and litter created by the event.

Decoration or signage is allowed (not necessary with approval by the City,) and must be removed promptly after the event.

Music or noise must be kept at a reasonable level not to disturb other park patrons and neighbors.

No overnight camping is allowed.

Firearms, open fires, explosives and fireworks are prohibited.

Vegetation and landscaping rocks may not be disturbed or removed.

Picnic tables must be left on the concrete pad.

Access for other park / arena visitors must not be restricted.

For-profit activities are not permitted.(Should be allowed for non-profit activities, 4-H, BCH

Large groups such as wedding or other non-related horse activities should not be allow for liability purposes. Example, if there is a wedding by the gazebo we can't keep riders from entering the arena. Young children and adults not used to being around horses could get hurt. Decorations could spook horses.

Vandalism or destruction of City property is a crime and violators will be prosecuted.

I recommend that the gaming group using the arena as often as they do should be aske to help with maintaining areas around arena such as helping with replacing the arena fence.

Dalton Arena Use Restrictions and Reservation Policy

Draft December 23, 2020

Reservations

Dalton Arena reservations are made on a first-come, first-served basis. The arena will remain open to the general public during any said reservation. The picnic gazebo or the riding arena, or both, are available for reservation. Reservation shall require approval of a reservation application filed with the City Clerk, along with the required reservation fee, at least 5 business days prior to the proposed use date. Reservations are non-transferable. The City may also require a refundable cleaning / damage deposit, to be returned in full if no clean-up or repairs are required to be completed by the City after the event.

If the event will result in attendance of 50 or more persons, an event permit (in accordance with City Code Title 3, Chapter 7) shall be required prior to acceptance of the reservation.

Cancellations of reservations may occur at any time prior to the event. The reservation fee shall be non-refundable, regardless of the timing of the cancellation. No refunds or credits will be given if inclement weather conditions prevent use of the facility.

Rules for use of the facility

Arena must be left in the same or better condition than existed before any event or use of the facility. Any clean-up work or repairs by the City will be charged against the cleaning / damage deposit. If the cleaning / damage deposit does not cover the cost of cleaning or repairs, the person or entity that made the reservation shall be liable to pay the balance of the costs.

The use of any City facility shall be at your own risk. The City of Dalton Gardens does not assume any liability or responsibility for injury or for any loss, theft or damage to personal items.

The applicant is responsible for the behavior of all guests attending the event.

Vehicle parking is limited to designated parking areas only. Driving on the lawn area is prohibited.

The riding arena and round pen facilities are open from 7:00 a.m. to sunset (City Code Section 9-2-1 A.). Special exceptions may be granted by the City Council.

Leashed dogs are allowed at the arena, dogs must remain under control of the owner. The owner is responsible for cleaning up after the dog.

Alert those in the arena when you enter or leave. All manure is to be picked up and removed from the premises.

Sitting on the gates or fencing is not allowed. Gates are to remain closed at all times.

No more than 8 horses are allowed in the arena at one time.

Horses are not allowed on the grass areas. Horses are allowed on the path along the outside perimeter of the arena complex.

Children under age 18 must wear a helmet when mounted. Helmets are recommended for adults when mounted. Adult supervision is recommended for children under the age of 18 when using the arena or round pen.

No smoking is allowed on City property.

No alcohol is allowed at the riding arena facility, including the picnic gazebo, unless a permit is granted by City Council, in accordance with City Code Section 9-2-1 B.

Glass containers are prohibited.

The applicant is responsible for removal of all garbage, trash and litter created by the event.

Decoration or signage is allowed with approval by the City, and must be removed promptly after the event.

Music or noise must be kept at a reasonable level not to disturb other park patrons and neighbors.

No overnight camping is allowed.

Firearms, open fires, explosives and fireworks are prohibited.

Vegetation and landscaping rocks may not be disturbed or removed.

Picnic tables must be left on the concrete pad.

Access for other park / arena visitors must not be restricted.

For-profit activities are not permitted.

Vandalism or destruction of City property is a crime and violators will be prosecuted.

CITY OF DALTON GARDENS, IDAHO

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF DALTON GARDENS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 3, CHAPTER 7 TO REPEAL AND REPLACE THE EXISTING PROVISIONS FOR PARADES, PUBLIC EVENTS AND ASSEMBLY, PROVIDING SEVERABILITY, REPEALING CONFLICTING PROVISIONS, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DALTON GARDENS, IDAHO:

SECTION 1: AMENDMENTS TO TITLE 3, CHAPTER 7

REPLACE THE EXISTING CHAPTER WITH THE FOLLOWING:

PARADES, PUBLIC EVENTS AND ASSEMBLY

3-7-1: Definitions

3-7-2: Permit Required

3-7-3: Exceptions to Permit Requirement

3-7-4: Application and Proper Notice

3-7-5: Contents of Permit Application

3-7-6: Application Fee

3-7-7: Standards for Issuance

3-7-8: Notice of Determination of Application

3-7-9: Conditional Approval

3-7-10: Appeal Procedure

3-7-11: Duties of Permittee

3-7-12: Time, Place and Manner Restrictions

3-7-13: Violation; Penalties

3-7-14: Emergency Cancellation; Termination

3-7-1: DEFINITIONS:

The following words and phrases when used in this chapter shall have the meanings set out in this section:

APPLICANT: Any person applying for a "permit" as defined herein. The true applicant for any such permit shall be the sponsoring entity whether such sponsoring entity is an individual person, a corporation, a partnership or other legal entity of any type.

CITY CLERK: The clerk of the city or the clerk's authorized designee.

EVENT: A gathering or meeting of 50 or more people with or without vendors, including weddings, birthdays, reunions, and class reunions.

FIRE DEPARTMENT: Kootenai County Fire and Rescue.

PARADE: Any dash, demonstration, march, marathon, meeting, motorcade, parade, procession, public assembly, race, rally, or like activity consisting of persons, animals, or vehicles or a combination thereof within the city with an intent of attracting public attention or

achieving some other expressive purpose which might interfere with or has the potential to interfere with the normal flow or regulation of traffic upon the streets.

PERMIT: The permit as required by this chapter for a "parade", "public assembly" or "event" as defined herein. An approved application will serve as the permit.

PERMITTEE: Any person, firm, partnership, association, corporation, company or organization of any kind granted a permit for an activity regulated by this chapter.

PERSON: Any person, firm, partnership, association, corporation, company or organization of any kind.

PUBLIC ASSEMBLY: Any meeting, demonstration, rally or gathering of 50 or more persons for a common purpose as a result of prior planning that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic or occupies any street or other public property managed by the city of Dalton Gardens, including parks.

SHERIFF: The Kootenai County sheriff or the sheriff's authorized designee.

SIDEWALK: Any area or way set aside or open to the general public for purpose of pedestrian traffic, whether or not it is paved.

STREET: Any place or way set aside or open to the general public for primary purposes of vehicular traffic, including any berm or shoulder, parkway, right of way, or median strip thereof.

3-7-2: PERMIT REQUIRED:

No person shall engage in, participate in, or conduct any "parade", "public assembly" or "event" as defined by this chapter unless a permit has been issued by the city clerk for the date and location involved.

3-7-3: EXCEPTIONS TO PERMIT REQUIREMENT:

This chapter shall not apply to the following:

- A. Funeral processions;
- B. Government agencies acting within the scope of their function;
- C. Regular park usage by family, charitable, fraternal or other groups in the ordinary traditional use of the park, when the anticipated number of participants is less than fifty (50) where no vendors are present;
- D. Community block watch events that are organized and working with Kootenai County Sheriff's Office or city government;
- E. Students going to and from classes or participating in educational activities, provided such conduct is under the immediate direction and supervision of the proper school authorities;
- F. Other activities sponsored by the city of Dalton Gardens in its municipal capacity.

3-7-4: APPLICATION AND PROPER NOTICE:

A person seeking a parade/event permit shall obtain an application form and file a completed application with the city clerk on forms provided.

An application for a permit shall be filed with the city clerk as soon as the applicant knows sufficient information to complete an application and at least thirty (30) days and not more than one year before a parade or public assembly is proposed to commence. The time frame set forth herein may be waived in the discretion of the city clerk for good cause and upon a finding that such waiver would not compromise the ability of the city to prepare for the activity for which the permit is requested.

Good cause may be shown when the parade or event is related to an unanticipated or recently announced or occurring event and the application for permit or public assembly can be processed in compliance with the provisions of this chapter in sufficient time to allow the parade or event to proceed as scheduled without causing fiscal or operational hardship to the city's operations.

This section is subject to amendment or replacement at any time, and any application for a parade or event permit shall be issued pursuant to the ordinance in effect at the time of application, but conduct during the parade or assembly shall be governed by standards of behavior legally required at the time the event occurs.

3-7-5: CONTENTS OF PERMIT APPLICATION:

Each permit application shall state at least the following, and the applicant shall adhere to and be bound by any commitments made in an application submittal:

- A. The full name, street address, telephone number, e-mail address, and facsimile number, if any, of the person or organization sponsoring the parade or event;
- B. The name, street address, telephone number, e-mail address, and facsimile number, if any, of the person in charge of the parade or event;
- C. The date when the parade or event is to be conducted;
- D. The name of the parade or event, if any;
- E. The time the parade or event will begin to form, the time the parade will begin movement, and the expected duration of the parade or event;
- F. The place the parade or event will form;
- G. The route of the parade or event selected from the preapproved routes maintained by the city clerk;
- H. The place the parade or event will disband;
- I. The approximate number of participants, not including spectators, who will participate in the parade or event and the maximum number who will be allowed to participate;
- J. The number of marchers, animals, floats, automobiles, or other vehicles in the parade or event;
- K. The prior parade or event history of the applicant within Dalton Gardens, or the state of Idaho history if no Dalton Gardens history exists, including the number of permits previously applied for;
- L. A thoroughly documented plan for controlling disorderly or violent conduct if such might reasonably be expected, a plan for maintaining traffic flow to commercial and other establishments, a plan for sanitary and medical facilities, and for cleanup;
- M. Attach the required certificate of insurance, if applicable, as set forth elsewhere within this chapter;
- N. Identify any requested exception from any requirement established by this chapter premised upon the unique circumstances associated with the parade/event for which application has been made;
- O. Any other information required by the city clerk or sheriff to enable them to understand the impacts of the proposed parade or event.

3-7-6: APPLICATION FEE:

A nonrefundable application fee in an amount set by resolution of the city council to cover the expenses incident to processing the application for parade or event permit shall be paid to the city clerk at the time of filing of the application. This fee is not refundable unless the application is withdrawn on the same date it is submitted.

3-7-7: STANDARDS FOR ISSUANCE:

A. Statement Of Purpose: The purpose of these regulations is to set forth the standards of issuance for a parade or event permit. It is further the purpose of these regulations to:

- 1. Assure that emergency services such as police, fire, and ambulance services are available for a parade or event taking place within the corporate limits of the city of Dalton Gardens; and

2. Assure that emergency services such as police, fire, and ambulance services are not unreasonably inhibited in their ability to travel on and to cross public streets or property used by parades or events; and

3. Assure that private business activities in Dalton Gardens are not unreasonably impacted by parades or events; and

4. Assure that traffic on public streets is not unreasonably disturbed or disrupted by parades or events; and

5. Assure that public safety can be maintained; and

6. Assure that public property can be protected from harm.

B. Permit Issuance: Only one parade or event permit will be granted for the same calendar day unless absolute assurance can be provided that the permitted events will not conflict and that public service obligations will not exceed the fiscal and operational limits of city personnel. The city clerk shall issue the permit on a first come, first served basis. Except for the city and other public agencies, individual persons/organizations/corporations shall be limited to one parade and/or one public assembly per month. Prior to issuance of the permit for any group over 50 people where vendors will be present for a public event, the applicant shall provide a certificate of liability insurance in an amount not less than five hundred thousand dollars (\$500,000.00). Private events such as weddings, birthdays or family reunions shall not be required to provide insurance. Teresa suggested insurance for large private events – is that necessary or appropriate?

C. Health District Requirement: No permit shall be granted unless the applicant obtains the approval of Panhandle Health District indicating that the applicants for the permit have complied with the health requirements of such district for like or similar facilities. Such approval shall include the type and adequacy of water supply to be provided, the type and adequacy of toilet, waste collection and washing facilities to be provided, and if there is food or drink served on the premises, the type and adequacy of food and drink preparation, and food and drink service facilities to be provided.

D. Application Form; Approval: Affected city departments, if any, may request such information from the applicant as necessary to demonstrate compliance with applicable provisions of law. Information may be requested on the permit application form, through written instructions communicated from the city clerk, or through written or oral inquiries addressed to the applicant by any designated city staff member. The time for considering the permit may be extended by the time taken by the applicant in responding satisfactorily to any inquiry, not to exceed five (5) business days.

E. Discrimination Prohibited: There shall be no discrimination in granting, denying, or conditionally granting permits under this chapter based upon statutorily protected or constitutionally guaranteed individual rights.

F. Permit Denial: The city clerk may deny a permit if the applicant or the person on whose behalf the application is made has on prior occasions made material misrepresentations regarding the nature or scope of a parade or event previously permitted or has violated the terms of prior permits issued to or on behalf of the applicant; or if the applicant or the person on whose behalf the application was made has on prior occasions damaged city property and not paid in full for such damage.

G. Additional Reasons For Denial; Halting Of Event: A permit may be denied where the city clerk, upon the advice of the City Council, sheriff, or fire department determines that the parade or event would unreasonably disrupt traffic or public services or where there is clear and convincing evidence that the applicant, not opponents of the applicant, intends to engage in violence and that the time, place, and manner of the event cannot be adjusted such that the city will be able to control such potential violence without injury to bystanders, participants, or police. A parade or event may be halted by the sheriff or fire department if at any time participants fail

to conform to the permit or if an imminent risk of violence arises in the course of the parade or event. No application for a permit shall issue if the applicant fails to demonstrate compliance with all applicable provisions of law, including the requirements of this chapter.

3-7-8: NOTICE OF DETERMINATION OF APPLICATION:

The city clerk shall act upon the application for a permit promptly after the filing thereof accompanied by the applicant's submission of complete information. The clerk shall make a reasonable effort to notify the applicant, by facsimile, personal service, or certified mail, of any notice of denial or conditional approval and the reason(s) for denial or conditions as soon as practical upon the clerk's decision. Such decision shall be made with a promptness adequate to allow an opportunity for appeal pursuant to provisions of this chapter.

3-7-9: CONDITIONAL APPROVAL:

The city clerk may authorize the conduct of the parade or event requiring a permit at a date, time, place or in a manner different from that named by the applicant and may tender a conditional permit setting forth proposed modified terms which differ from those set forth in the application. An applicant desiring to accept a conditional permit shall, within five (5) days after notice of the action of the city clerk, file a written notice of acceptance with the city clerk. If the applicant fails to provide written notice of acceptance of the conditional permit within the time prescribed, the parade or event shall not be held.

3-7-10: APPEAL PROCEDURE:

Any applicant shall have the right to appeal the clerk's denial of a permit or imposition of conditions to the city council. The denied applicant must make any appeal within forty eight (48) hours after receipt of the denial or conditional approval from the city clerk by filing a written notice of appeal with the city clerk setting out the reasons therefor in writing. The city council will hear the appeal at a regular or special meeting, when available, and reach a determination prior to the planned date and time of the parade/public assembly, and in each instance no more than ten (10) business days after the date the notice of appeal is filed with the city clerk unless a quorum of the city council cannot be obtained.

3-7-11: DUTIES OF PERMITTEE:

A permittee hereunder shall comply with all permit conditions, the City's facility use policies and with all federal, state and local laws.

The following shall be attached to the parade or event application:

A. Approval of the Panhandle Health District indicating that the applicant has met all of the health requirements of the district for like or similar facilities.

B. If sponsor operated motor vehicles are involved, proof of comprehensive automobile liability insurance from an insurance company authorized to do business in Idaho. This coverage shall be in the amount required by Idaho Code. The city clerk may require a higher limit when in the opinion of the city clerk or sheriff the event demands a higher limit. Such reasons for higher limits shall be set forth in writing.

C. A performance bond may be required to guarantee damage repair to any structure within the public right of way or other public property, if in the opinion of the city clerk the nature of the activity is likely to cause damage to city property.

3-7-12: TIME, PLACE, AND MANNER RESTRICTIONS:

The following prohibitions and regulations shall apply to activities requiring a permit:

A. It shall be unlawful for any person in charge of, or responsible for the conduct of, a duly permitted activity requiring a permit to knowingly fail to comply with any condition of the permit.

B. No permit shall be issued for a parade or event to commence before seven o'clock (7:00) A.M. All parades and/or public assemblies shall terminate prior to eleven o'clock (11:00) P.M. No parade requiring a permit shall exceed two (2) hours in length. City street setup and dispersal, including barricade removal, shall not be included in the activity time limit.

C. All parade participants shall assemble for the parade at the time and location designated in the parade permit and shall disperse from public property after the conclusion of the parade in order that regular traffic patterns might be restored.

D. Parade or assembly organizers shall assure to the satisfaction of the sheriff: 1) do not intend to engage in violence or other unlawful conduct, and 2) do not intend to incite others to do so.

E. The permit may limit or condition the number of participants, the length of the event, the time and location of the event, or the manner of the event where necessary to prevent violence; to avoid serious inconvenience to those needing access to commercial or public services; to avoid interference with movement of police or fire vehicles or ambulances and where such limitations or conditions provide ample opportunity for exercise of constitutionally protected rights.

F. The permit may require that the applicant provide water supply and/or toilet, waste collection and washing facilities for participants and attendees of the parade or event. Permittee is required to work with the health district if additional portable facilities are required.

3-7-13: VIOLATION; PENALTIES:

Any person who violates or fails to comply with any of the provisions of this chapter or who, having obtained a permit hereunder, fails to comply with the conditions set forth in the approved permit is guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in subsection 1-4-1A of this code.

3-7-14: EMERGENCY CANCELLATION; TERMINATION:

Notwithstanding issuance of a permit pursuant to provisions of this chapter, the mayor is authorized to revoke a parade/event permit if the mayor determines, based upon competent evidence, that the conduct of the parade or event would bring about violence which would, with reasonable certainty, result in injury to the public or to public safety personnel or which would result in damage to private property. Any such cancellation shall be communicated to the sponsor/applicant as soon as possible after such determination has been made.

SECTION 2. SEVERABILITY.

If any provision of this chapter, or its application to any person or circumstances, be declared unconstitutional or invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter or the application of the provisions to other persons or circumstances.

Nothing in this chapter shall be construed as preventing the adoption of more restrictive provisions set forth in other sections of the Dalton Gardens Municipal Code. The more restrictive provisions of the code shall control.

SECTION 3. REPEAL OF CONFLICTING PROVISIONS.

All provisions of the 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 4. EFFECTIVE DATE.

Upon passage and approval and publication in one (1) issue of the Coeur d'Alene Press, the official newspaper of the City of Dalton Gardens, Idaho, this Ordinance shall be in full force and effect.

PASSED under suspension of the rules at which a roll call vote was taken at regular meeting of the city council of the City of Dalton Gardens, Kootenai County, Idaho, this _____ day of _____, 2021.

ATTEST:

DAN EDWARDS, Mayor

VALERIE ANDERSON, Clerk

Ward Newcomb Memorial Park Use Restrictions and Reservation Policy

Draft December 31, 2020

Reservations

Reservations for the Ward Newcomb Memorial Park are made on a first-come, first-served basis. The Park will remain open to the general public during any said reservation. The picnic shelter or the lawn area, or both, are available for reservation. Reservation shall require approval of a reservation application filed with the City Clerk, along with the required reservation fee, at least 5 business days prior to the proposed use date. Reservations are non-transferable. The City may also require a refundable cleaning / damage deposit, to be returned in full if no clean-up or repairs are required to be completed by the City after the event.

If the event will result in attendance of 50 or more persons, an event permit (in accordance with City Code Title 3, Chapter 7) shall be required prior to acceptance of the reservation. Vendors may be allowed at the Park with approval of an event permit.

Cancellations of reservations may occur at any time prior to the event. The reservation fee shall be non-refundable, regardless of the timing of the cancellation. No refunds or credits will be given if inclement weather conditions prevent use of the facility.

Rules for use of the facility

The Park must be left in the same or better condition than existed before any event or use of the facility. Any clean-up work or repairs by the City will be charged against the cleaning / damage deposit. If the cleaning / damage deposit does not cover the cost of cleaning or repairs, the person or entity that made the reservation shall be liable to pay the balance of the costs.

The use of any City facility shall be at your own risk. The City of Dalton Gardens does not assume any liability or responsibility for injury or for any loss, theft or damage to personal items.

The applicant is responsible for the behavior of all guests attending the event.

Vehicle parking is limited to the adjacent parking area only. Driving on the lawn area is prohibited.

The Park is open from 7:00 a.m. to 10:00 p.m.

Animals are generally prohibited at the Park, except for service animals. Dogs may be permitted in designated areas for special events with special permission from the City Council. (City Code Section 9-2-1 C.)

No smoking is allowed on City property.

No alcohol is allowed at the Park, including the picnic shelter, unless a permit is granted by City Council, in accordance with City Code Section 9-2-1 B.

Glass containers are prohibited.

The applicant is responsible for removal of all garbage, trash and litter created by the event.

Decoration or signage is allowed with approval by the City, and must be removed promptly after the event.

Music or noise must be kept at a reasonable level not to disturb other park patrons and neighbors.

No overnight camping is allowed.

~~Firearms, open~~ Open fires, explosives and fireworks are prohibited.

Vegetation and landscaping rocks may not be disturbed or removed.

Picnic tables must be left on the concrete pad.

Access for other park / arena visitors must not be restricted.

Vandalism or destruction of City property is a crime and violators will be prosecuted.



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 29, 2021

Code amendments

Draft code amendments that address setbacks for accessory structures in the residential zone, requirements for residential fences, new requirements addressing light trespass, and numerous adjustments to the standards of the Commercial zone have been completed and were recommended for approval by the Planning Commission at their June, 2020 hearing. The matter is awaiting a workshop with the City Council to discuss the amendments, prior to a public hearing with the Council.

On February 25, the Planning Commission held a third public hearing on proposed amendments for small cell wireless communication facilities. The Commission decided to remand the draft back to staff to broaden the scope to include large wireless facilities, and address additional concerns that were expressed during the hearing.

Variances / Special Use Permits

No new variances or special use permit applications were received by the City in the last month.

Subdivisions

The City received a new subdivision requests to subdivide a parcel into 2 lots. I have not yet reviewed the application for completeness.

Building Permits

Building permit activity continues to be light. Since the last monthly report, the City has issued 6 new permits, which are broken down as follows:

- 2 fence permits
- 1 demo permit
- 1 new residential accessory buildings
- 1 lean-to addition to accessory building
- 1 re-roof

Code enforcement

Code enforcement will see some changes as a result of the resignation of Eric Killen. Cases will be prioritized based on severity of the issue. Minor issues will not likely be pursued, until this position can be filled.

Annexation

Staff will proceed with the annexation of the Dalton Avenue right of way once we receive the legal description for the property from the City Engineer.

City park and facility reservation policies

Policies for reserving the City Park, the riding arena and city hall have been drafted and are awaiting Council review and approval. Staff also drafted a code amendment that addresses parades and large gatherings. Staff recommends the Council review the policies and draft amendments at a workshop.

City fee resolution

The Council decided to postpone further work on the fee resolution until park usage policies can be drafted, which will allow for inclusion of the park reservation fees in the fee schedule.

Respectfully submitted,



Rand Wichman
City Planner



CONTRACT CITY REPORT

CITY OF DALTON

FEBRUARY 2021

| SERVICE HOURS | MONTH | YTD |
|---------------------------------------|--------------|--------------|
| PATROL DIVISION | | |
| Patrol Deputies (Including Sergeants) | 167.0 | 397.0 |
| District Deputies | 23.0 | 45.0 |
| Animal Control Section | 5.5 | 7.0 |
| Community Service Section | 31.0 | 52.0 |
| TOTAL PATROL DIVISION | 226.5 | 501.0 |
| DETECTIVE DIVISION | 20.5 | 39.0 |
| TOTAL SERVICE HOURS | 247.0 | 540.0 |
| TOTAL C.O.P.P.S HOURS | 0.0 | 0.0 |
| TOTAL SCLP HOURS | 0.0 | 0.0 |

ACTIVITY

| | | |
|-----------------------|----|-----|
| Law Enforcement Calls | 63 | 161 |
| Accidents | 0 | 2 |
| Traffic Citations | 14 | 36 |
| Total Reports | 4 | 11 |
| Arrests | 0 | 0 |

Respectfully Submitted,
Robert Norris, Sheriff

