

City of Dalton Gardens
Code Compliance Workshop and
Regular City Council Meeting Minutes
Thursday, December 8, 2022 @ 5:00 PM
Meeting conducted via teleconference and in person.

1. **CALL WORKSHOP TO ORDER:** Mayor Edwards called workshop to order at 5:01 PM
2. **ROLL CALL:** Physically Present were City Councilmembers Scott Jordan, Aaron O'Brien, Robert Wuest, Tyler Drechsel and Mayor Edwards; Also present Teresa Janzen- City Clerk/Treasurer, and Ryan Hughes- City Planner. Via Zoom: Chris Gabbert- City Attorney.
3. **WORKSHOP:** City planner RHughes gave a summary of the Code Compliance manual as a policy guide for staff to use. The manual highlights city priorities, standard operating procedures, and creates templates regarding voluntary compliance requests, notice of violations, and escalation of title restrictions. City attorney CGabbert suggested leaving direct code references out of the manual, allowing for future changes, and made recommendation of enforcement by citation.

Council Discussion: TDrechsel inquired about RWuest's concerns and the large number of edits that he submitted for the Code Compliance manual. RWuest clarified his main concern was to have code references cited and not written out as presented. TDrechsel explained that the manual is to achieve code compliance and serves as a guideline for staff to support the city code. The council clarified the duties of the city planner as it pertains to enforcing code. Councilmembers agreed that the Code Compliance manual needs to better define the roles of authority, and proper protocol for various code violations. Council to review manual again and present any edits to the City Clerk in preparation for another workshop in early 2023.

4. **ADJOURN:** Mayor Edwards adjourned workshop at 5:57 PM

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1. **CALL CITY COUNCIL MEETING TO ORDER:** Mayor Edwards called to order at 6:02 PM
 2. **ROLL CALL:** Councilmembers Robert Wuest, Scott Jordan, Tyler Drechsel, Aaron O'Brien, and Mayor Edwards were physically present. Also present: Teresa Janzen-City Clerk/Treasurer, and Ryan Hughes-City Planner. Chris Gabbert- City Attorney was present via Zoom.
 3. **PLEDGE OF ALLEGIANCE:** Lead by Mayor Edwards

4. APPROVAL OF CONSENT CALENDAR:

- a. Minutes from the Regular Meeting November 10, 2022
- b. Monthly Financial Statement November 1-30, 2022
- c. Ratification of Bills from November 1-30, 2022

RWuest requested amendment in November 10, 2022 meeting minutes to reflect Dalton Gardens' contribution to the Transportation Department assists in the purchase of buses for Kootenai Health. The City Clerk- TJanzen objected to amending the minutes and clarified that the contribution from Dalton Gardens to the Transportation Department is strictly for the transportation service of Dalton residents and will verify with Jody Bieze. Correction to be made to November 10, 2022 minutes 5a. to read "Prairie to Mt. Carrol" rather than "Prairie to 15th St". Spelling corrections to AO'Brien.

RWuest made a motion to approve the consent calendar items a, b, and c. SJordan seconded.

AO'Brien: yes SJordan: yes RWuest: yes TDrechsel: yes Motion carries.

5. CITY REPORTS

- a. **City Engineer:** Not present. RWuest inquired about engineering fees covered in Child Pedestrian Grant. TJanzen reviewed the previous report that HMH stated that engineering fees are not covered under the grant funds. City Clerk to verify again with HMH Engineering.
- b. **City Planner:** Expressed appreciation for the joint Council/P&Z workshop and the aid that it has provided communicating to the P&Z Commission and staff. City Planner updated the council on P&Z's plan to review the Council edits and revisions made to short plats, lot line adjustments, and code revisions.
- c. **City Attorney:** No updates to address.
- d. **KCSO:** TJanzen gave a brief review of the report available and explained that the city has not yet received the most current information that is typically sent later in the month. Calculations of traffic citations and warnings are not available as a result of Deputy Wallace taking vacation. Mayor Edwards noted that KCSO has been diligent in communicating law enforcement information/updates relevant to Dalton Gardens. SJordan inquired about solutions to snow obstruction in roadways on Government Way and Aqua Circle. Mayor Edwards will be addressing the properties that are posing a safety issue with the snow.

The council inquired about the status of Dalton Market and if special use plans are being discussed to bring it into compliance. Mayor Edwards informed the council that the owner of Dalton Market reached out to him and inquired about the ability to make improvements to the market.

6. PUBLIC COMMENT: Opened 6:24 PM - Closed 6:31 PM

- a. Sue Supp- 7024 N 16th St; Would like the Code Manual to address the code enforcement complaint effect on residents. Suggested the city is responsible for communicating complaints and resolutions in a timely and enforceable manner to avoid unnecessary stress to residents. Seeking resolution from the treasurer's report regarding picnic fund and restricted donations.

- b. Andy Smith- 6871 N Mt Carrol St; Concerned about obstruction of snow on roads hindering traffic.

7. PUBLIC HEARING: Changes to Title 5- How Structural Height is Measured:

Opened 6:32 PM – Closed 7:02 PM

RHughes explained the language change is to align with the industry practice of how measurement is defined and practiced.

Council Discussion: Mayor Edwards supported the changes made to simplify and clarify the measurement process. RWuest asked if diagrams will be present as a visual representation in the code. RHughes verified that two diagrams will accompany the height definition change in the code. TDrechsel supported the changes to simplify. AO'Brien asked if the natural grade calculations were the common grievance amongst builders in Dalton. RHughes confirmed and explained that the changes will resolve confusion of code compliance when measuring height.

Public Testimony:

Andy Smith- 6871 N Mt Carrol St; Recommended using the center of street to center of lot as the reference point of measurement to avoid a manipulation of grade.

*RWuest inquired how lots on Woodland Dr would be measured. Andy Smith explained that the code would require special language to navigate unique properties that might be applicable to an extreme grade, and drainage would be a separate issue requiring a variance.

Council Discussion: Mayor Edwards commented that drastic grades are not a common issue for Dalton residents and suggested moving forward with the proposed language. TDrechsel asked what would limit a proposed finish grade from being filled to achieve a higher natural grade. Mayor Edwards responded that this has never been an issue in Dalton and the proposed language change is designed to define what the city code requires to build. TDrechsel would like to pursue a caveat to restrict and limit fill height to increase grade at a later meeting. RWuest would like to edit the ordinance change to include fill restriction before moving forward with the proposed ordinance change. Mayor Edwards suggested a variance request in applicable situations. Mayor Edwards would like to address the current code that refers to allowances of height vs levels of homes. CGabbert, the city attorney recommended completing the ordinance that is proposed and revisit a referral to P&Z for modifications of 3' or more at a later meeting.

8. CITY BUSINESS

- a. **Ordinance to Amend City's Zoning Ordinance as it relates to the method of how structural height is measured in Title 5.**

SJordan made a motion to suspend reading the Amended City Zoning Ordinance as it relates to method of structural height measurement of Title 5 on three different days and have the title of the proposed ordinance read once. TDrechsel seconded.

RWuest: no SJordan: yes AO'Brien: yes TDrechsel: yes Motion carries.

City Clerk TJanzen read the title of the proposed ordinance.

SJordan made a motion to adopt the Amended City Zoning Ordinance Title 5 as it relates to method of structural height measurement, and directed the City Clerk to assign the appropriate number and publish once upon passage in the Coeur d'Alene Press. TDrechsel seconded.

SJordan: yes RWuest: no AO'Brien: yes TDrechsel: yes Motion carries.

b. Review of 2023 City Council and P&Z meeting dates

Clerk-TJanzen presented the proposed meeting dates to address any potential conflicts. The council discussed changing dates from February 9, 2023 and May 11, 2023 to February 8, 2023, and May 9, 2023 to accommodate AO'Brien's work schedule. Clerk to amend City Council meeting schedule to reflect dates agreed by council.

c. Discussion of Planning & Zoning Executed Minutes for October 27, 2022

Clerk TJanzen provided the council with a detailed, graphic instruction sheet of how to access P&Z information on the City's website and offered to perform a simulation to council, in addition to scheduling individual instructional lessons.


d. Clerk/Treasurer Report:

- The Clerk handed out a copy of the Idaho State Statute Treasurer position roles and responsibilities to the council.
- The City Clerk/Treasurer gave visual presentation of the FY22 Picnic Fund in efforts of clarifying the municipal accounting process for the council and residents to understand and restated the amount designated and location of funds and how they can be used The Clerk/Treasurer verbally reviewed all aspects of the report with the council, advising proper municipal accounting procedure has been followed per GAAP. Including class tracking all picnic donations, expenditures, and highlighting the "funding" of the picnic expense line item in the budget is by use of General Funds of the city. She has consulted with the city accountant who has confirmed no further reporting accommodation is needed.
*Mayor Edwards asked resident and picnic committee member, Sue Supp, to step forward to express any remaining concerns regarding the final Picnic Fund report. Sue Supp expressed frustration that a custom asterisk note is not being added to the city's accounting system for FY22 Picnic Funds. The Clerk/Treasurer reminded council and residents to contact Clerk/Treasurer's office directly for assistance understanding city business or finances. RWuest supports SJordan's proposal to submit to the professional recommendation of the city accountant and auditors. Council President TDrechsel emphasizes that the auditor has approved the current method of municipal accounting principles.
- The Clerk/Treasurer presented the council with the current payoff balance amount of LID #2 at the request of RWuest. The Clerk/Treasurer explained that the LID loan does not generate a report and that the current dollar amount for payoff as of 12/8/2022 is \$408,264.55 effective through 05/2023 at an interest accrual rate of 3.11%.

e. **Discussion of January Agenda Items:**

- RWuest requested a printed statement for review to be provided by the Clerk at the January 2023 meeting.
- Council would like to revisit the Code Compliance Manual (possibly February)
- Records retention policy review (electronic records)
- AO'Brien proposed adjustments to the Clerk's schedule on City Council meeting dates.

9. **ADJOURNMENT:** SJordan made motion to adjourn. TDrechsel seconded.
All in favor. Adjourned 07:45 PM



Dan Edwards, Mayor
TYLER DRECHSEL, ACTING MAYOR

ATTEST:



Teresa Janzen, City Clerk/ Treasurer

