



Minutes for the Regular Council Meeting Dalton Gardens City Council

Thursday, June 3rd, 2021 @ 6:00 PM

Location: DALTON GARDENS CITY HALL, 6360 N 4th St., Dalton Gardens, ID

Meeting was conducted via teleconference and in person.

1. **CALL TO ORDER: Mayor Edwards called the meeting to order at 6:02 PM**
2. **ROLL CALL OF CITY COUNCIL MEMBERS:**
Physically Present: Councilors Carrie Chase, Robert Wuest, Ray Craft, Aaron O'Brien, and Mayor Dan Edwards Also Present: Fonda Jovick- Lake City Law, and Teresa Janzen-City Clerk/Treasurer.
3. **PLEDGE OF ALLIGANCE:** Led by Mayor Edwards
4. **AMENDMENTS TO THE AGENDA-ACTION-** none
5. **PUBLIC COMMENT PERIOD:**
 - a. **Brooke Baggett**-7743 Mt Carrol-supports residents' ordinance for small cell towers
 - b. **Ray Tapia**- 6471 N Colfax- does not like disparaging attacks on persons and wants more logic in Council decisions.
 - c. **Mike Chase**-7512 N 4th St- Item 9b-questioned if P&Z stalled
 - d. **Clark Gibb**- -it's time everyone in Dalton gets on the same page.
 - e. **Curtis Jernigan**- concerned about news articles. Wants Dalton to remain as is.
 - f. **Mona Moses**- 1295 E Wilbur- supports residents' ordinance for small cell towers. Concerned about news articles and division in the city. All voices need to be respected. Concerned about through traffic.
 - g. **Johnny Stenberg**-1216 E Wilbur-spoke on 3 restrictions of Telecommunications Act of 1996; 1) Telecom Contractors have jurisdiction over State and Local zoning when it comes to construction, modification, and placement of microwave towers, 2) physical and mental health are barred from legal considerations, 3) independent scientific studies are to be ignored and marginalized.
 - h. **Anna Strong**-9099 N Baldwin Ct, Hayden- Mayor read her written comment please do not approve telecommunication ordinance from Jan/Feb meeting.
 - i. **Johnny Randal Stenberg** -non-resident of Dalton Gardens. Lives in unincorporated area. Concerned about censorship from big Pharma/Telecom.
 - j. **Sue Supp**-7024 N. 16th Street- supports residents' ordinance for small cell towers. Workshop on 8/13/20. Workshop on 9/24/20 that resulted in 10/8/20 version of small cell ordinance that was published for hearing on 11/19/20. 1/28/21 version published for hearing on 1/28/21. 1/28/21 meeting was continued until February 2021. Motion to incorporate resident's ordinance into 1/28/21 version. P&Z meetings were canceled going forward. Wants the residents small cell ordinance on the June 24, 2021 P&Z agenda. Wants to move forward with the ordinance.
 - k. **Lezlie Laviola**- 1527 E. Woodland Dr.-hopes for healing and moving forward together. Wants to keep 15th Street stop signs.

- I. **Daniel Chiew**-6591 N 4th Street- consensus that small cell ordinance should be looked at again and concerned nothing has happened yet.

6. REPORTS:

a. Council Members

- i. **Robert Wuest:** In regards to the CdA Press article, he spoke to Governor's office regarding being annexed. Spoke with Chief Deputy, Brian King who claimed the State of Idaho will have nothing to do with a City ceding its authority to the State or wanting to annex into another city. Council members are still here and are solid. Mayor needs to stop scaring people with annexing. Apologized to the residents. Ward Newcomb told him that Dalton is special. You have to work hard to keep it. Don't give up.
- ii. **Ray Craft:** no report
- iii. **Aaron O'Brien:** Sacco de Campos is missing a payment for parks maintenance. Arena: fence needs to be painted all the same color. Asked Jim Wuest to get bids for the painting as it is in the budget already. Need new signs at the arena and to repaint lane lines. Ward Newcomb Park: Robert Wuest is supposed to meet with a structural engineer tomorrow for a temporary fix. Waiting until fall to address roof of gazebo as contractors are too busy. Wants to use art funds to fix the arch into the park.
- iv. **Carrie Chase:** wanted to respond to accusations of secret agendas. Her only agenda is to keep Dalton rural. She is opposed attempts to increasing housing density, oppose efforts to encourage through traffic, oppose any attempt to install urban infrastructure, oppose any nomination for people with proclivity for urban infrastructure. She agrees that she is unyielding and unwilling to compromise on any of the above. She agrees that she opposes the resident survey from 2020 as it was flawed. She states it was intentionally skewed to deliver the responses desired by the authors not canvas the residents. The survey she upholds is keeping Dalton rural as that was the resident's vote. She makes no apologies for being true to her word and will continue to represent the residents to keep Dalton rural and from those seeking profit above all else.

b. City Engineer- HMH Engineering

- i. Christine Baker of HMH gave update on Transportation plan:
 1. Traffic counts are complete
 2. Road inventory and assessments are in progress.
 3. Requested a workshop with residents at the end of the month to get input for Transportation Plan update on 6/29/21.
 4. Chip Seal 2021 project publication in CdA Press will be on 6/4/21 and 6/11/21 and bids are due to HMH on 6/18/21 at noon. Opening will be at City Hall on 6/21/21 at 9 AM.
- ii. Matt Hall of HMH gave update on:
 1. Reinert's 18th Street vacation of platted 60' easement. Jeryl Archer, Fire Marshall at KCFR is in receipt and reviewing schematics. Further work is happening on the requested turn around signs.
 2. ROW utility permits- Christine and Teresa have worked tirelessly to get the system cleaned up and get the permits pushed through.
 - a. Ziplly utility cabinets are pending and they are starting to get disgruntled. HMH will not be held responsible for not issuing the permit. He would like to send the permit back to the City for their action. Lake City Law will work through the timeline of issuing the permit.
 - b. Ziplly has disclosed address locations for cabinets, Mt. Carrol and Wilbur; Hanley and Mt. Carrol

- c. RCraft- last year Council made the ROW decisions and didn't involve the Engineer. MHall- new fiber optic service requires a different kind of cabinet. No prior request for node cabinets to prior councils as it is new service offering.
 - d. AO'Brien asked if the utility boxes could be in the commercial district. MHall- Nodes have to be central to where they serve.
 - e. Fonda Jovick- this is simply a staff report, not an action item. Ordinance has to go to P&Z first. Need input of City Planner on language for the residents ordinance. P&Z has to be the one to make the recommendation to City Council.
3. Temporary Stop Signs on 15th Street
- a. Traffic counts after stop signs were installed have gone up
 - b. Provided an article as to why stop signs shouldn't be up in areas that are unwarranted.
 - c. Unwarranted signs can increase vehicle cost for wear and tear, gas consumption, etc.
 - d. RCraft has received numerous calls from residents thanking him for stop signs. We understand you will not sanction stop signs, that is why we did it on our own.
 - e. RWuest -got the stop signs approved with Caitlin Kling. Residents are happy campers.
- c. City Clerk/Treasurer- Teresa Janzen- submitted a written report to Council.
- i. RWuest asked about getting financials updated before June 21, 2021. Would like to have a budget workshop on June 14, 2021 at 10:00 AM. Councilmember O'Brien is frustrated that meeting keep getting scheduled without consulting the full-time working member of the Council and nothing is getting done. He is out of town on 6/14/21.
 - 1. Called out that in last 2 reports to Council that Quickbooks needs to be fixed before financials can be trusted. Unable to find an Accountant willing to work with Dalton Gardens. Must be tracking in a financial software and not Microsoft Word.
 - 2. Urgent need to find an Accountant. Mayor is talking to a local Consultant to come help fix and clean-up.
 - 3. Robert will work with Teresa to get some round numbers and then bring Ray in for roads.
- d. Kootenai County Sheriff- written report submitted to Council. Mayor is working with Sherriff Norris on a plan to potentially be able to match what the City of Dalton Gardens can provide.

7. CONSENT CALENDAR- ACTION

- a. Minutes from the Regular Meeting May 24, 2021 and minutes from the Special Meeting May 27, 2021.
 - TJanzen- meeting minutes for Regular Meeting May 24, 2021 not ready and was tabled for July 1, 2021 meeting.
 - RWuest made motion to approve Special Meeting minutes from May 27, 2021. RCraft seconded.

Roll Call Vote:

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

- b. Financial Statements:

- i. March 1, 2021 to March 31, 2021
- ii. April 1, 2021 to April 30, 2021
- iii. May 1, 2021 to May 31, 2021

Council tabled until July 3, 2021 meeting

c. Claims listed from May 25, 2021 to June 3, 2021

RWuest made motion to approve claims listed from May 25, 2021 to June 3, 2021 to include the credit card bill in the amount of \$560.09 added after the packet was created. AO'Brien seconded.

Roll Call Vote:

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

8. OLD BUSINESS:

a. Facility Reservation Policy- ACTION

- i. For 2021 reservations already on the community calendar will be honored.
- ii. Groups may apply to Mayor for fee waivers and may apply for exception to use facilities for multiple days.
- iii. Council would like to have 4 hour reservation limit but the fee schedule will need to be revised and sent to public hearing before that can be implemented.
- iv. Reservations are first come, first served basis.
- v. All applications are to be considered and treated equally and the process fair for everyone. Would need very solid reasons for denials that do not fall into discrimination categories.
- vi. Add in provision that groups/individuals can be banned for misconduct/misuse
- vii. Clerk is responsible to check City Hall after group reservations and Park Maintenance will check the Park and Arena the first working day after the reservation.

CChase made motion to accept Facility reservation policy as presented with a request to amend fees to restrict to the 4-hour time limit and follow all codes required to amend the fees. RWuest seconded.

Roll Call Vote:

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

b. Discussion of AIC & ICCTFOA Conference in Boise Attendance June 15-18

- i. CChase asked to have Conference costs resent to Council
- ii. \$650 in scholarships was awarded for the Clerk's Training
- iii. CChase asked what will happen for office coverage? Mayor Edwards reminded Council that the Clerk is the only office employee so the office will be closed.

9. NEW BUSINESS:

a. iii-A Annual Presentation to the City Council

- i. Tabled until July 1, 2021 meeting

b. Discussion and Approval of Directive to Planning & Zoning to continue pursuing Small Cell Ordinance- ACTION

- i. FJovick: Lake City Law's recommendation is to wait until City Planner Staff in place to vet the 2 ordinances, incorporate suggestions and concerns of residents into an ordinance and present something to P&Z. P&Z will not be able to have a public hearing until there is a City Planner and City Attorney in place to thoroughly vet the 2 drafts.

- ii. RCraft made motion to table until City Planning Staff in place. AO'Brien seconded.

Roll Call Vote:

CChase: no **AO'Brien**: yes **RW**uest: yes **RC**raft: yes Motion carries.

- c. City of Hayden Cooperative Funding Agreement (Chip Seal Prairie Ave) with Waiver of Potential Conflict from Lake City Law- **ACTION**

Matt Hall acknowledges that the Agreement is written to Hayden's specifications.

To try and introduce our specifications into Hayden's would cause problems. HMH Engineering recommends agreement.

RCraft made motion to pass Cooperative Funding Agreement with Hayden with waiver of Potential Conflict from Lake City Law. RWuest seconded.

Roll Call Vote:

CChase: yes **AO'Brien**: yes **RW**uest: yes **RC**raft: yes Motion carries.

- d. Discussion and Approval of Josh Exley contract for IT maintenance – **ACTION**

RWuest made motion to approve contract for IT maintenance with Josh Exley with a change in wage to \$60/hour and update City Clerk to Teresa Janzen.

RCraft seconded.

Roll Call Vote:

CChase: yes **AO'Brien**: yes **RW**uest: yes **RC**raft: yes Motion carries.

10. PUBLIC COMMENT:

- iv. **Karen Kimball**- 6975 PBCH has a date on the schedule for June 19th where they will need the arena for Friday night, Saturday, and Sunday.
- v. **Clark Young**- 7064 N 16th- Had questions on legality of facility reservation fees for the park and horse arena as they were established with park & rec funds from the State of Idaho.
- vi. **Josh Exley**- 7055 Davenport- Thanked everyone for the contract
- vii. **Mona Moses**- Asked if Caitlin Kling can be our Attorney for the small cell ordinance? Would she be willing to write a letter of recommendation if the ordinance takes longer than her term of service?

11. ADJOURNMENT-ACTION

RWuest made motion to adjourn. RCraft seconded. All in favor. Motion carries.



Dan Edwards, Mayor

ATTEST:



Teresa Janzen, Clerk/Treasurer