

Minutes of the Regular Council Meeting
City of Dalton Gardens
Thursday, May 6, 2021 at 4:00 PM
Meeting was conducted in person and via ZOOM

1. **CALL TO ORDER: Mayor Edwards called the meeting to order at 4:02 PM**
2. **ROLL CALL OF CITY COUNCIL MEMBERS:**

Physically Present: Councilor Carrie Chase, Councilor Robert Wuest, Councilor Ray Craft (not in attendance after Executive Session) and Councilor Aaron O'Brien (present on conference call for Executive Session and physically present after 6:00 PM) Mayor Dan Edwards; Present via Zoom.

Also Present: Caitlin Kling- City Attorney, and Teresa Janzen-Deputy City Clerk. Katharine Bereton from Lake City Law called in for Executive Session. City Planner, Rand Wichman physically arrived at 6:00 PM.

3. **PLEDGE OF ALLIGANCE:** Led by Councilor Aaron O'Brien
4. **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, and 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 - **ACTION ITEM.**

CChase made a motion to enter executive session pursuant to Idaho Code 74-206(1)(b). RCraft seconded.

Roll Call Vote:

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

Executive Session began at 4:04 PM. Council came out of Executive Session at 5:54 PM

*Council anticipated to be in an executive session until 5:30 p.m. Remaining agenda items to be addressed at 6:00 p.m.

5. **AMENDMENTS TO THE AGENDA-ACTION-**
 CKling: 8c will be removed. The Quarterly finance report is not available at this time.
6. **PUBLIC COMMENT PERIOD:** No comments
7. **REPORTS:**
 - a. Council Members
 - b. City Planner-Rand Wichman
 - c. City Engineer- HMH Engineering
 - d. Kootenai County Sherrif's Office
 - e. City Clerk/Treasurer- ~~Jessica Hutson~~
 - f. Deputy City Clerk- Teresa Janzen

8. CONSENT CALENDAR- ACTION

- a. Minutes from the Regular Meeting April 1, 2021 and minutes from the Workshop April 1, 2021 and April 13, 2021.

CChase made motion to approve item 8a as listed. AO'Brien seconded.

Roll Call Vote:

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

- b. Financial Statement submitted for the April 1st, 2021 to April 30th, 2021.

RWuest made motion to approve claims so listed and table Financial Statement approval. AO'Brien seconded.

Roll Call Vote:

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

- ~~c. Quarterly Finance Report for 2nd Quarter~~

9. KCFR BOND LEVY PRESENTATION TO THE COUNCIL

Captain Pete Holley presented the May 18, 2021 Public Safety Bond presentation slideshow.

10. PUBLIC HEARING:

- a. Dalton Gardens Elementary Sign-**ACTION**

- i. City Planner, Rand Wichman gave summary overview that in 2018 School District began request to replace current sign that was erected as a reader board sign in 1997. In 2012 Dalton Gardens sign requirements changed to limit institutional signs to 12 square feet. The existing sign is almost 4x the allowable size but is considered legal non-conforming. Code allows replacement of sign under City Code 5-11-6-A-2 and 5-11-8-K.
- ii. Principal, Jody Hiltenbrand gave presentation of how the proposed sign is a significant improvement over their current sign, is smaller than the current sign, allows for easy community messaging, is dimmable and would be turned off at night.
- iii. Public Comment
 1. 14 people spoke In Favor of the electronic reader board sign
 2. 0 people spoke Against
- iv. AO'Brien made a motion to approve the Dalton Elementary Sign as presented. Motion dies for lack of a second.
- v. CChase made a motion to deny the Dalton Elementary Sign as presented. RWuest seconded.

Roll Call Vote:

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

- b. Platted 60' Easement and approval of Easement Agreement on 18th Street-**ACTION**

- i. City Planner, Rand Wichman gave a summary overview of the modified hammerhead design. One minor correction- it will be a 5' snow storage easement on south side of hammerhead driveway.
- ii. AO'Brien made a motion to vacate the existing platted 60' easement and replace it with a new temporary easement as proposed with the condition that HMM Engineering review and approve the design and consult with the City's Public

Works Staff and pass the cost of City Engineering on to the Reinert's. CChase seconded.

Roll Call Vote:

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

c. Fee Schedule Update and Adoption of Resolution 21-2 **-ACTION**

- i. City Planner, Rand Wichman gave an overview of proposed Fee Schedule
- ii. Public Comment
- iii. RWuest made motion to approve the Fee Schedule revised April 14, 2021 with the deletion of the \$1500 required deposit for Municipal Code Text Amendment as well as addition of a written reimbursement agreement with Council and the addition of provision . CChase seconded.

Roll Call Vote:

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

- iv. RWuest made a motion to approve Resolution 2021-2. AO'Brien seconded.

Roll Call Vote:

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

11. OLD BUSINESS:

a. Crack Seal Bid Presented by PSP Enterprises and AP Asphalt Pros- **ACTION**

- i. RWuest spoke on behalf of RCraft (not present) and stated his recommendation is to go with the PSP Enterprises Bid.
- ii. City Engineer, Matt Hall said that it matters what process is used for crack sealing and what the seal is made up of. He could provide crack sealing specification guidelines. The Road Cut Policy has some of those guidelines.
- iii. CKling will make sure RCraft has a copy of the Pavement Cut Policy.
- iv. RWuest made a motion to approve PSP Enterprises Crack Seal Bid. CChase seconded.

Roll Call Vote:

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

b. Facility Reservation Policy- **ACTION**

- i. RWuest made a motion to table the Facility Reservation Policy to the May 24, 2021 meeting. CChase seconded.

Roll Call Vote:

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

c. Resolution 21-1 Kootenai County All Hazard Mitigation Updated Plan- **ACTION**

- i. City Attorney Kling and City Planner Wichman have both reviewed and approve the adoption. Required to adopt via resolution under the Federal Disaster Mitigation Act of 2000 if Dalton Gardens is ever to receive Federal funds for a natural disaster.
- ii. CChase opposes multiple items in the All Hazard Mitigation Updated Plan and requested time to review the plan.
- iii. City Planner Wichman will provide the 16 pages that apply to the City of Dalton Gardens to the Council. Fire is the city's most significant risk.
- iv. AO'Brien made a motion to pass the Kootenai County All Hazard Mitigation Updated Plan as stated. Motion dies for lack of a second.
- v. RWuest made a motion to table until Council has read the 16 pages applicable to Dalton Gardens. CChase seconded.

Roll Call Vote:

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

d. Written Decision for Mike White Request for Reconsideration- **ACTION**

- i. CChase made a motion to approve the Order of Decision to deny the ALU reconsideration request. AO'Brien seconded.
Roll Call Vote:
AO'Brien: yes RWuest: yes CChase: yes RCraft: absent Motion carries.
- e. Events and Public Assembly Ord. #269 -**ACTION**
 - i. City Planner, Rand Wichman gave a summary that main change was removing Parades. Does not affect KCFR annual Santa Run. Requires a permit for public gatherings of more than 50 people.
 - ii. AO'Brien made a motion to place proposed Ordinance 269 to repeal and replace the existing provisions for parades, public events and assembly on it first and only reading by title only while under suspension of the rules. CChase seconded.
Roll Call Vote:
AO'Brien: yes RWuest: yes CChase: yes RCraft: absent

Mayor Edwards read the proposed ordinance title.

AO'Brien made a motion to pass Ordinance 269 to repeal and replace the existing provisions for parades, public events and assembly, directed the Deputy City Clerk to assign the appropriate ordinance number, and publish by summary only incorporating the title as to body of the summary. CChase seconded.

Roll Call Vote:
AO'Brien: yes RWuest: yes CChase: yes RCraft: absent Motion carries.

12. NEW BUSINESS:

- a. Discussion and Approval of staffing adjustments to fill the needs of the Clerk's office – **ACTION**
 - i. CKling highlighted the need to appoint a new Clerk/Treasurer and appoint an interim accountant as there are time limits for publications of monthly and quarterly financial reports.
 - ii. Mayor Edwards has had the Clerk/Treasurer job posting begin on Indeed
 - iii. CChase made motion to pursue a temporary accountant and appoint Teresa Janzen as interim Treasurer. RWuest seconded. RWuest would like to contact Mary Richter again for names of 2 accountants and would like to go out to bid for a new Auditor.
Roll Call Vote:
AO'Brien: yes RWuest: yes CChase: yes RCraft: absent Motion carries.
- b. Approval of HMH proposal for Chip Seal project – **ACTION**
 - i. HMH will prepare extensive document package that calls out exact streets and alternate streets for Chip Sealing in 2021 if funds are available.
 - ii. CChase made a motion to approve HMH Engineering moving forward to prepare bid documents that require Mayor's authorization before being sent for public notice for bids. RWuest seconded.
Roll Call Vote:
AO'Brien: yes RWuest: yes CChase: yes RCraft: absent Motion carries.
- c. Discussion on possible May dates for a Business License and Annexation Workshop
 - i. RWuest asked to table the workshop until June
 - ii. Council set a second Council meeting for Monday, May 24, 2021 at 6:00 PM
- d. AIC & ICCTFOA Conference in Boise Attendance- **ACTION**

- i. CChase made a motion to table until May 24, 2021 meeting. RWuest seconded.

Roll Call Vote:

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

13. PUBLIC COMMENT:

Mike Chase- Zoom link on Agenda did not work. Link on website worked. Felt it was an inappropriate venue for KCFR to present their Bond Levy presentation to the Council. No need to get involved with the Kootenai County All Hazard Mitigation Updated Plan. City Attorney and City Planner are inappropriate to give their recommendation for Council business.

14. ADJOURNMENT-ACTION

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

A handwritten signature in black ink, appearing to read "Dan Edwards", written over a horizontal line.

Dan Edwards, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Teresa Janzen", written over a horizontal line.

Teresa Janzen, Deputy City Clerk