

**MINUTES OF THE REGULAR MEETING OF THE
CITY OF DALTON GARDENS MAY 7, 2020
VIA TELECONFERENCE @ 6:00 PM**

Meeting was called to order by Mayor Edwards at 6:11 PM.

ROLL CALL:

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

The pledge was not recited at this meeting.

CONSENT CALENDAR:

A. Minutes of the Regular Meeting April 2, 2020, Workshop Meeting April 23, 2020
Councilmember Craft made a motion to approve the minutes of the April meetings.
Councilmember Chase seconded the motion. Roll Call Vote: Councilmember Chase - yes,
Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion
carried

B. Financial Statement from April 1, 2020 to April 30, 2020 and the claims so listed and 2nd
Quarter Finance Report.

Councilmember Chase made a motion to approve the financial statement for April and the 2nd
Quarter finance report. Councilmember Craft seconded the motion. Roll Call Vote:

Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes,
Councilmember Craft - yes. Motion carried

ADOPTION OF RESOLUTION 20-04 FOR DISPOSAL OF SURPLUS EQUIPMENT

Councilmember Craft made a motion to adopt Resolution 20-04 for disposal of surplus
equipment. Councilmember O'Brien seconded the motion. Roll Call Vote: Councilmember
Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft -
yes. Motion carried

ADOPTION OF RESOLUTION 20-05 FOR DESTRUCTION OF RECORDS

Councilmember Craft made a motion to adopt Resolution 20-05 for destruction of records.
Councilmember O'Brien seconded the motion. Roll Call Vote: Councilmember Chase - no,
Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion
carried

APPOINTMENT OF TYLER DRECHSEL TO PLANNING & ZONING COMMISSION

Councilmember Chase made a motion to approve the appointment of Tyler Drechsel to the
Planning & Zoning Commission. Councilmember Craft seconded the motion. Roll Call Vote:
Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes,
Councilmember Craft - yes. Motion carried

**APPROVAL FOR FEE WAIVER REQUEST FOR ROBERT & NORA JORDAN ON
VARIANCE**

Councilmember Chase made a motion to grant one-half of the fee waiver request for the Jordan
variance. Councilmember Wuest seconded the motion. Roll Call Vote: Councilmember Chase -

yes, Councilmember O'Brien - no, Councilmember Wuest - yes, Councilmember Craft - no.
Motion Failed due to Mayor Edwards vote to refund full amount.

Councilmember Craft made a motion to approve the fee waiver request by Robert & Nora Jordan in full. Councilmember O'Brien seconded the motion. Roll Call Vote: Councilmember Chase - no, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes.
Motion carried

APPOINTMENT AND STRUCTURE OF FINANCE COMMITTEE

Attorney Kling stated that the city does not have an Ordinance for committees, so she suggested that an Ordinance be drafted and be put on the next City Council meeting agenda. The Mayor directed the attorney to draft the Ordinance and have it put on the June Agenda.

ADMINISTRATIVE APPEAL PURSUANT TO 1-11-1A BROUGHT BY BOBBI PLUMLEE FOR APPEAL OF A NOTICE OF VIOLATION ISSUED BY THE PLANNING ADMINISTRATOR. THE ALLEGED VIOLATION IS RELATED TO BUILDING SETBACKS ON AN ACCESSORY BUILDING AT 6872 N. 15TH STREET
Appeal has been postponed until the June 4, 2020 Council meeting.

REQUEST FOR QUALIFICATIONS TO HIRE ENGINEER TO UPDATE TRANSPORTATION AND TRAFFIC ISSUES

Attorney Kling requested more information on what the City is looking for in order to put together an RFQ. Engineer Gillis stated that a transportation plan would cost around 30,000.00. Councilmember Wuest stated that he would like to have an engineer to update the transportation plan and look a traffic issues in the city, such as speed humps, closure of Wilbur Ave., stop sign locations, manage traffic issues for speeding.

Councilmember O'Brien made a motion to move forward on an RFQ for engineering firm to address traffic issues and update the transportation plan for the city. Councilmember Wuest seconded the motion. Roll Call Vote: Councilmember Chase - no, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried

APPROVAL OF SURVEY MONKEY QUESTIONS REGARDING TRAFFIC AND HIRING ONE DEPUTY SHERIFF FOR CITY FULL TIME AND INFORMATION FOR MAILING

Councilmember Wuest made a motion to move forward with the survey monkey mailer and find out what the residents of Dalton Gardens want to see for the City. Councilmember Craft seconded the motion. Roll Call Vote: Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried

Captain Matt Street explained the sheriff deputy information in the council packet to the residents of Dalton. He explained that the information included is for a five year period.

APPROVAL OF WILBUR AVE CLOSURE TO THROUGH TRAFFIC

Councilmember Chase explained her ideas for the closure of Wilbur Ave. to through traffic. She stated that she had talked to several of the citizens along Wilbur Ave. and got support for the

closure. She stated that she had also checked with our insurance provider on the liability for the closure. Their advice is to have projects done by professional and accepted by council. She proposed that the closure be for a temporary one year period of time.

Councilmember Craft asked about doing traffic counts before and after on all north and south streets before any closure of streets.

Attorney Kling stated that the 2015 International Fire Code requires a turn around on all streets.

Jeryl Archer with KCFR stated that any street over 150' in length will require a turn around, the fire hydrant location is also an issue, he stated that the lot north of the barricade is a concern, the response time for emergency vehicles and if barricades are hard or soft. He stated that life and safety are the first concerns of the fire department. He stated that the location of the barricade on Wilbur Ave. would be the place to do the placement. Mr. Archer stated that the fire department could support the closure of Wilbur Ave.

Mayor Edwards opened the issue up for public comment.

Captain Street stated that we need to have an ordinance in place for enforcement.

Ken Egbert – 7232 Rude Street – He stated that he was not surveyed on the closure and that he had talked to the neighbor on the south and he was not addressed about this issue. He stated that we need to get a survey going and check out the data.

Tyler Drechsel – 6552 N. 16th Street – He stated that he would be in support of the temporary closure, but would like to see the survey feedback before anything is done as the residents are the ones that should have the say in things.

Joe Myers – 7424 Mt. Carrol – He stated that the council is not addressing Dalton Gardens. If Wilbur Ave. is closed it is going to cause residents to drive further to get in or out of the City. He stated that the impact of the traffic light at Canfield will be removed. Give new patterns time to adjust to the traffic. There are also two commercial properties which will be forced to take heavy trucks down city streets.

Lila Tatum – 7080 Valley St. – She stated that she walks every day and the traffic in Dalton Gardens is bad and needs to be slowed down. She is in favor of the barricades.

Gary Sonnen – 7447 Valley St. – He stated that Wilbur Ave. is not being pushed thru to bring more traffic to Dalton, they are looking to reduce the traffic on Highway 95 over to Government. The pictures in the packet are not good examples for the city to use as most of them are on private property. We do need to do traffic counts before and after.

Vicki Rutherford – 7168 N. Rude St. – She stated that she disagreed with the statement that the closure would not affect the traffic on the north/south streets. The closure will increase the traffic on the side streets.

Dick Flugel – 7303 4th Street – He stated that he walks a lot in Dalton and that we do not need more traffic on Wilbur Ave. we need to do something soon.

Mike Chase – 7512 4th Street – He stated that we have dangerous conditions on Wilbur Ave. and in the traffic circle grant it was stated that the people would be looking for a short cut thru the city.

Close public comment.

Mayor Edwards stated that we need to move forward with the traffic counts and survey.

Councilmember Chase made a motion for temporary closure of Wilbur Ave to through traffic. The motion died due to lack of second.

Councilmember Wuest made a motion to table the closure of Wilbur Ave. until the traffic counts and survey are back from the residents and have an engineer on board. Councilmember Craft seconded the motion. Roll Call Vote: Councilmember Chase - no, Councilmember O'Brien - absent, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried

APPROVAL OF SPEED HUMP PILOT PROJECT

Councilmember Chase explained the speed hump to the council and public and stated that they are less than 3” high and are used on rural streets.

Jeryl Archer – KCFR – Section 503.4.1 of the Fire Code deals with traffic calming devices. For safety speed hump or bumps can slow emergency vehicles down and they are very hard on fire equipment. For these reasons the fire department is against the speed humps in Dalton Gardens. He stated that there are many other ways to calm traffic on city streets. The fire department would be happy to test one at their facility.

Mayor Edwards asked for the council to table the speed hump issue.

Councilmember Chase made a motion to approve the speed hump pilot project. Councilmember Craft seconded the motion. Roll Call Vote: Councilmember Chase - yes, Councilmember O'Brien - absent, Councilmember Wuest - no, Councilmember Craft - yes. Motion carried.

Mayor Edwards made is known that this vote is not in agreement with the mayor and councilmember Wuest. He also stated the speed humps are in direct approval of the fire code. The city also has to follow the fire code according to ordinance.

The community members made several comments on the speed humps: Janet Cavern, Dick Flugel, Mike Chase, Scott Jordan, Joe Myers, and Tyler Drechsel all of the statements involved the liability, the fire code violation, they should be tested, fire rating, and we are placing the city at a risk. We are opening ourselves up for a lawsuit. Traffic, we have to live with and we need to listen to the residents. We are going to have problems with the streets in drilling holes and water under the surface. KCFR has agreed to do pilot project test.

Jeryl Archer stated that the motion does not violate the fire code, but if the city was to purchase speed humps and place them on the city streets than we will be in violation of the code. We do not want to be in jeopardy of the safety of residents.

Councilmember Craft made a motion to approve a test of speed hump as a pilot test project with the fire marshal approval. Councilmember Chase seconded the motion. Roll Call Vote: Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - no, Councilmember Craft - yes. Motion carried.

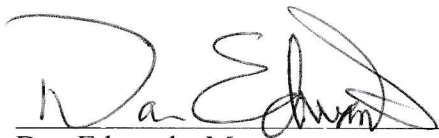
Councilmember O'Brien made a motion to move forward with the pilot test but no placement on streets following the test until another vote of the council. Councilmember Craft seconded the motion. Roll Call Vote: Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried.

EXECUTIVE SESSION – Idaho Code 74-206(1)(b): To consider the evaluation, dismissal or disciplining of, or to hear complaints or changes brought against, a public officer, employee, staff member or individual agent, or public school student; EXECUTIVE SESSION - Idaho Code 74-206(1)(c): To acquire an interest in real property not owned by a public agency. EXECUTIVE SESSION – Regarding direction of discussion in executive session pursuant to Idaho Code 74-206(1)(c)

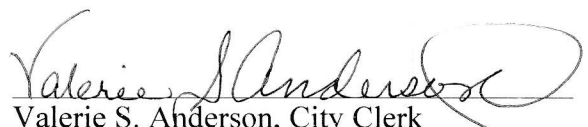
Councilmember O'Brien made a motion to go into executive session at 9:05 pursuant to Idaho Code 74-206(1)(b) and 74-206 (1)(c). Councilmember Craft seconded the motion. Roll Call Vote: Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes.

The council returned from executive session at 10:20 PM with no further action taken.

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



Dan Edwards, Mayor



Valerie S. Anderson, City Clerk