

**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF DALTON GARDENS NOVEMBER 5, 2020  
VIA TELECONFERENCE @ 6:00 PM**

Meeting was called to order by Mayor Edwards at 6:00 PM.

**ROLL CALL:**

Present were: Councilmembers Chase, O'Brien, Wuest and Craft. Also present were Attorney Caitlin Kling, Rand Wichman – City Planner and Valerie Anderson, City Clerk.

The pledge was recited and led by Attorney Kling.

**PUBLIC COMMENT PERIOD**

Vernon Church – 7351 Mt. Carrol – He had some concerns on the draft deer ordinance and that if this was put in place it would hurt the values of property in Dalton Gardens. He stated that the city has other issues which they should be addressing.

Jamie Smith – 6871 Mt. Carrol – She also had great concerns on the deer ordinance and was concerned about crossbows being shot in the city limits. She was also concerned about affect it would have on the community as a whole and the value of property and liability to the residents and the City.

Gary Perkins – 2216 Wilbur Ave. – He stated that the deer ordinance was a bad idea for Dalton Gardens and the liability to the people is much too great. He stated that he is against the draft ordinance on deer hunting in the city.

Richard Epstein – 7224 Valley Street – He agreed with the fact that the deer hunting in the city limits is unsafe and he is not in favor and would like to see different approaches NOT bow hunting. He also asked about the sale of the wing blade and why the city was not using it on the streets.

Public comment period was closed.

**CONSENT CALENDAR APPROVAL**

Councilmember O'Brien made a motion to approve the minutes of the Regular Meeting October 1, 2020. Councilmember Wuest seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried.

Councilmember Wuest made a motion to approve the financial statement from October 1, 2020 thru October 31, 2020 and the claims so listed. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – yes, Councilmember Wuest - yes, Councilmember Craft – yes. Motion carried.

**APPROVAL OF ORDER OF DECISION FOR WHITE APPEAL**

Councilmember O'Brien made a motion to approve the Order of Decision for the White appeal and to authorize the Mayor to sign. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – yes, Councilmember Wuest - yes, Councilmember Craft – yes. Motion carried.

**APPROVAL OF CONFLICT ATTORNEY**

Councilmember Chase made a motion to hire Bredeson Law Group as the conflict attorney for the City of

Dalton Gardens and to authorize the Mayor to sign the engagement letter/agreement. Councilmember Wuest seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – yes, Councilmember Wuest - yes, Councilmember Craft – yes. Motion carried.

**APPROVAL OF COOPERATIVE AGREEMENT ON SALE OF PROPERTY – WING BLADE TO THE CITY OF HAYDEN**

Councilmember Wuest made a motion to approve the Cooperative Agreement on the sale of the wing blade for the grader and also approve the waiver of conflict between the two cities. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – yes, Councilmember Wuest - yes, Councilmember Craft – yes. Motion carried.

**APPROVAL OF RESOLUTION 2020-07 DECLARING SURPLUS PROPERTY – TOSHIBA COPY MACHINE**

Councilmember Chase made a motion to approve Resolution 2020-07 declaring surplus property of the Toshiba copy machine. Councilmember Wuest seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – yes, Councilmember Wuest - yes, Councilmember Craft – yes. Motion carried.

**AFTER HOURS FACILITY RENTAL PROCEDURES**

The council discussed a procedure on letting Dalton Gardens residents use the facility, cleaning of the building and the security of the building. The council will work on some procedures for the facility and bring this item back at a later meeting.

**DISCUSSION OF DRAFT ORDINANCE FOR HUNTING WITHIN CITY LIMITS**

Attorney Kling stated that at the last meeting she was directed to put a draft ordinance together for the hunting of deer in the city limits. She met with Ron Sampert and Curtis Exley to come up with some language to start the process going. She stated that property owners would have to give permission to hunt on private property. She also suggested that a workshop be held and invite the Idaho Fish & Game to talk about some of the comments from the public. The council stated that the survey results asked that something be done with the deer population in Dalton. A workshop will be held on December 1<sup>st</sup>, 2020 @5:00 pm before the regular council meeting @ 6:00 pm.

**DISCUSSION /ACTION ON REDUCTION OF THROUGH TRAFFIC**

Councilmember Chase explained that a meeting was held with the Engineer, Attorney and Jeryl Archer, KCFR to discuss some traffic reduction options.

Councilmember Chase made a motion to declare through traffic to be a nuisance to the health and safety of the residents. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien – no, Councilmember Wuest - no, Councilmember Craft – yes. Mayor Edwards vote no. Motion failed.

The council set a workshop with the Engineer and Jeryl Archer - KCFR to discuss through traffic in Dalton Gardens on November 18<sup>th</sup>, 2020 @ 6:00 pm.

### **DISCUSSION/ACTION ON REPEALING THE COVID PROCLAMATION**

Councilmember Chase stated that we have no emergency according to the Center for Disease Control and that masks provide nothing to the person wearing them.

Councilmember Chase made a motion to repeal the Emergency Proclamation which was passed in March 2020 effective immediately. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien - no, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried.

### **DISCUSSION/ACTION ON CLARIFYING POLICY PROCEDURES**

Councilmember Chase made a motion to formulate a policy procedure clarifying the direction to council and staff to conduct business. Councilmember Wuest seconded the motion. Roll call vote: Councilmember Chase - yes, Councilmember O'Brien - yes, Councilmember Wuest - yes, Councilmember Craft - yes. Motion carried.

### **COUNCIL REPORTS**

Councilmember Chase reported that she has been working with the engineer on traffic issues.

Councilmember O'Brien reported that he is working on getting bids for the park & arena contract for the coming year.

Councilmember Wuest reported that we are having problems with trucks on Deerhaven and we need to find a solution for the ongoing problem. He also thanks the staff for the work they do in the office.

Councilmember Craft reported that all of the road work is done on the streets for the year and that he has also been getting several complaints on the trucks on the roads. He suggested that code enforcement should be called out to handle the heavy trucks.

Mayor Edwards reported that he is working on getting bids for the removal of a large tree on the corner of Hanley and 16<sup>th</sup> Street. He reminded everyone that the December Council meeting will be on the 1<sup>st</sup> of December and not the 3<sup>rd</sup>.

The council also asked City Planner - Rand Wichman to explain the top soil which was placed on 18<sup>th</sup> Street at the turn-around.

#### **Public Comment Period Opened:**

Scott Fields - 7312 Mt. Carrol - He stated that hunting a deer with a bow is not always a 100% guarantee and that he does not agree with hunting within the city limits. Send a notice out to residents by mail for their options.

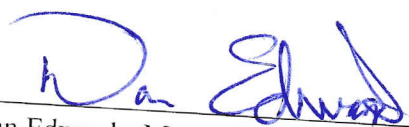
Sue Supp - 7024 N. 16<sup>th</sup> Street - She asked for a clarification of the declaration of traffic as a nuisance.

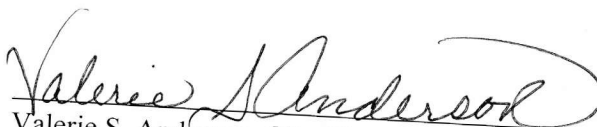
Gary Perkins - 2216 Wilbur Ave. - He suggested that a notice be put out for a meeting on the deer issue.

Mike Chase - 7512 N. 4<sup>th</sup> Street - He stated that not declaring through traffic a nuisance is a bad idea and that the council is not getting anything done.

Jamie Smith – 6871 Mt. Carrol – She suggested that the city look into a special hunt on forest service land.

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

  
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Dan Edwards, Mayor

  
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Valerie S. Anderson, City Clerk