

**MINUTES OF THE REGULAR MEETING OF THE
CITY OF DALTON GARDENS MARCH 5, 2020
CITY HALL 6:00 PM**

Meeting was called to order by Mayor Edwards.

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 led by Councilmember Wuest.

Mayor Edwards announced that this is a special night for the City of Dalton Gardens as it was 60 years ago that the City became a Village. Mayor Edwards read Ordinance #1 passed back in 1960.

CONSENT CALENDAR:

A. Minutes of the Special Workshop Meeting January 30, 2020, Regular Meeting February 6, 2020, Workshop Summary – February 20, 2020

Councilmember Wuest made a motion to approve the minutes listed in Item A for approval. Councilmember O'Brien 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 February 1, 2020 to February 29, 2020 and the claims so listed.

The council questioned the Welch Comer bills on 4th Street and the clerk explained that the bills are received in the rears due to the process which is gone through by LTHAC & ITD. Councilmember Wuest made a motion to approve the bills as listed on the agenda. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O'Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

PUBLIC COMMENT PERIOD

Each speaker will be allowed a maximum of three minutes to address the City Council on matters that relate to City government business. Comments related to future public hearings should be held for that public hearing. Please be advised that the City Council can only take official action this evening for those items already listed on the agenda.

Joe Meyers – 7424 Mt. Carrol – He questioned if the January 30, 2020 meeting was posted properly and if it was a legal meeting. He expressed his concern on the committees which the council voted in last month, as they are to be appointed by the Mayor. He questioned Caitlin O'Brien on the Planning & Zoning Commission as being legal and is a conflict of interest. He also cautioned the council on the school sign issue on the agenda, as he stated that should be a public hearing.

Mike Chase – 7512 N. 4th Street – He stated that Wilbur Ave. is about to be connected to Highway 95 and the intent is to make Wilbur a direct route and it is expected to bring more traffic and be a short cut for people coming off of the hill and it will impact the safety, health and welfare of Dalton Gardens. The city engineer suggested items that could control traffic such as traffic circles, speed bumps and stop signs and closure of Wilbur to Government Way was not suggested. According to Idaho Code 49-208 this action is

within the scope of traffic safety. He asked the council to direct City Engineer to develop a plan for Dalton Gardens.

Karen Kimball – 6975 N. 16th Street – She stated that we need to have the city engineer look at all of the streets in the city and do a study.

ADOPTION OF DATE FOR FY 2021 BUDGET HEARING

Councilmember Wuest made a motion to adopt August 20, 2020 as the Public Hearing date for the fiscal year 2021 budget. 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 BEER & WINE LICENSE

P & N Corporation – dba Dalton Market – Pre-packaged only wine and beer & packaged bottles only licenses presented for renewal; no consumption on premises. They have completed applications and copies of State & County licenses.

Smokes & Suds, Inc. - Pre-packaged only wine and beer & packaged bottles only licenses presented for renewal; no consumption on premises. They have completed applications and copies of State & County licenses.

Councilmember O’Brien made a motion to approve the Pre-packaged Beer & Wine Licenses for P & N Corporation and Smokes & Suds, Inc. 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 THE SWEEP CONTRACT

The council discussed the contracts and asked to have the bike path and city parking lot one adjusted to include the upper parking lot at the arena and to have clarification of the bike paths to be swept. This contract will be placed on the April Agenda for approval.

Councilmember Chase made a motion to approve the roundabout cleaning contract. Councilmember Craft seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

PUBLIC HEARING ON AMENDING APPEALS ORDINANCES

Rand Wichman – City Planner gave a brief explanation of the Appeals Ordinance for the council. He stated that the Planning & Zoning Commission had approved the amendments to the ordinance and that this ordinance deals with several parts of the city code.

Public Comment Period was opened and then closed due to no public comment.

Councilmember Wuest made a motion to place proposed amendments to the appeals ordinance on its first and only reading by title only while under suspension of the rules. Councilmember O’Brien seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O’Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

Mayor Edwards read the proposed ordinance title into the record.

Councilmember Wuest made a motion to pass the appeals ordinance and direct the city clerk to assign the appropriate ordinance number, and publish by summary only incorporating the title as to body of the summary. Councilmember Chase seconded the motion. Roll call vote: Councilmember Chase – yes, Councilmember O'Brien – yes, Councilmember Wuest – yes, Councilmember Craft – yes. Motion carried.

APPOINTMENT OF RONALD SAMPERT TO PLANNING & ZONING COMMISSION

Councilmember Chase made a motion to appoint Ronald Sampert to the Planning & Zoning Commission. 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 ORDINANCE AMENDING TITLE 8, CHAPTERS 1, 2, & 3 OF

DALTON CITY CODE – clarifying speed limits, prohibiting commercial vehicles from traveling over city streets and roads except for local deliveries and to amend the requirements and procedures for implementing load limits.

Attorney Kling explained to the council that there are still some changes which need to be made to this ordinance. We still need to address load limits for exemptions on buses and emergency vehicles, add a definition for commercial vehicles and add speed restriction on load limits. Street Maintenance equipment will also be checked into as traveling through the City.

Councilmember Chase is requesting that the speed limit on Prairie be all adjusted to 25 MPH.

The council will table the Ordinance changes until the April meeting.

APPROVAL FOR REPLACING NON-COMFORMING SIGN AT DALTON ELEMENTARY SCHOOL PURSUANT TO SECTION 5.11.6. A.2 OF THE DALTON GARDENS CITY CODE

Rand Wichman – City Planner explained the sign application which was submitted by the CDA School District to replace the sign at the Dalton Elementary School. The current code limits signs in the residential district in Section 5-11-8 and has a section for institutional signs which allows for a sign for schools not exceeding 12 square feet. The existing sign is about 48 square feet in size and would like to replace the sign. In section 5-11-6, A-2 which states that such sign may be replaced if, upon application, the city council finds that the replacement of the sign would improve the appearance of the sign, structure or premises on which the sign is located. It gives the applicant to make application to the city to ask for council approval to replace a non-conforming sign and if it improves the appearance of the premises than you can allow for replacement of the sign.

Michael Westrup – CDA School representative – He explained that all of the schools are going to an electronic reader board sign for posting of events. The sign which we are proposing would

improve the appearance with information for school activities and it would be able to be turned off in the evenings. We have full support from the parents at the school. The sign would be red and would not be a distraction.

Public comment was open.

Mike Chase – 7512 N. 4th Street – He asked how many parents going by see the sign and read it. He stated that the sign does not fit well in Dalton Gardens.

Marsha Becker – 2179 Totten Lane – She stated that the sign looks great and would have great technology and is in favor.

Lila Tatum – 7080 N. Valley Street – She is opposed to the sign and wants to stay rural and stated that it would be a savings to tax payers.

Joe Meyers – 7424 N. Mt. Carrol – He asked about the lines of text on the photo as that would involve the intensity of the sign. He stated that past sign applications had public hearings and had over whelming response from citizens of not wanting electronic signs in residential areas. He suggested that we go to the public and what you do for one you should do for others.

Dick Flugel – 7303 N. 4th Street – He stated that if the city approves the sign that they are making a mistake and should look at all of the aspects.

Teresa Janzen – 6680 N. Valley Street – She stated that she strongly approves the sign. They are going to accommodate the rural feel and lockdown are not fun if you do not know what is going on at the school.

Michael Westrup – He stated that he would like to have the issue put on the next meeting.

Cheryl Junkin – 1423 E. Deer Haven Ave. – She advised the council to look at the past sign issues with the Church, Dalton Market and other signs back in 2009 & 2010. The Church had a lot of issues in the placement and operation of the sign. This is a good idea and we need to have consistency in our signs.

The Dalton Elementary sign issue was tabled until the next meeting in April.

CITY CLERK:

Clerk Anderson reported that the LID #2 has been completed and all of the parcels have been recorded. The office is working on some record retention and surplus property disposal. The Spring AIC Conference will be held on April 21st at the Best Western CDA Inn from 9:00 to 3:00. We will be putting out a newsletter about the 1st part of April so she asked council to submit articles by the end of March.

CITY ENGINEER REPORT: No report

PLANNING CONSULTANT/CODE ENFORCEMENT REPORT:

Rand Wichman reported that we did not have any variances, special use permits or subdivisions this last month. He stated that he met with Councilmember Wuest on the fee resolution and would like to have a workshop with the council to go through the proposed schedule. He has been working with code enforcement and the office on a filing system and log sheet for code violations. The council asked for a record of the violations to be send to them monthly.

BUILDING INSPECTOR:

Jeryl Archer stated that we have had a mild winter and only 26 inspections this past month.

COUNCIL REPORTS:

Councilmember Chase reported that we had 16 traffic citations for the month of January. She stated that she had a visit with families on Wilbur and that they are concerned about the traffic which will be coming through Dalton Gardens with the punch through of Wilbur to US 95.

Councilmember O'Brien stated that he will be working with the contract for the park and arena to get that started in late March. He is also working on Canfield Mountain and Totten Area Access. He stated that his wife was on the Planning & Zoning Commission before he was elected to office and felt it was not a conflict of interest at this time.

Councilmember Wuest reported that he is working on some building issues for repair at City Hall. He also stated that the building which was discussed at the last meeting of being oversized and illegal has all been handled and everything is in compliance.

Councilmember Craft reported that several potholes have been repaired. He also reported that he had been working on several load limit permits for various companies.

Mayor Edwards reported that he is in the process of redoing the financial and traffic committees which were dealt with at the last meeting. He will have this issue on the April Agenda.

Public comment period:


Marsha Becker – 2179 Totten Lane – Asked why Councilmember Wuest mentioned the septic at the school. He stated that it does not have an effect on the sign.

Joe Meyer – 7424 N. Mt. Carrol – He cautioned the council on the commercial Ordinance 190 on the load limits enforcement and the State of Idaho code 49-208 which have to be enforced under the police powers. He stated that you cannot make exceptions for dump trucks while load limits are in place. Load Limits are there to protect the streets in the City.

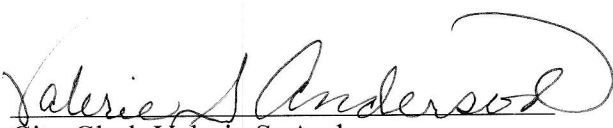
Mike Chase – 7512 N. 4th Street – He commented on highway maintenance and commercial trucks to travel on Dalton Streets. He also commented on Load Limits in Dalton and photo radar has not restriction in Idaho.

Public comment is closed.

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



Mayor Dan Edwards



City Clerk Valerie S. Anderson