

**MINUTES
PAYETTE CITY COUNCIL
REGULAR MEETING
August 6, 2007**

7:00 Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:00 PM by Council President Lee Nelson in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present: Ivan Mussell, Jeff Williams, Mark Heleker, Lee Nelson

Members Absent: Mayor Henderson, Vallery Klitch, Georgia Hanigan

Also Present: Mary Cordova, City Coordinator; Jeff Sands, Fire Chief; Kellie McCombs, City Treasurer; City Attorney Bert Osborn; Police Chief Mark Clark; City Engineer, Doug Argo;

PLEDGE

Lee Nelson led the Pledge of Allegiance.

APPROVAL OF MINUTES

- A. 7/02/07 Regular Meeting Minutes
- B. 7/16/07 Regular Meeting Minutes

A motion was made by Heleker and seconded by Mussell to approve the meeting minutes with noted corrections as presented.

At the roll call:
Ayes: Mussell, Nelson, Heleker, Williams
Nays:

The motion CARRIED.

APPROVAL OF BILLS & PAYROLL

A motion was made by Nelson and seconded by Williams to approve the City Bills & Payroll in the amount of \$334,445.09.

After a unanimous affirmative voice vote, the motion CARRIED.

COMMUNICATIONS

No comments heard.

SPECIAL ORDERS

None heard.

PLANNING & ZONING

None heard.

UNFINISHED BUSINESS

None heard.

NEW BUSINESS

A. Appointment of Airport Commission Members

Council President Nelson stated that the Mayor has recommended the appointment of Duane Youngberg and Gary Cox to the Airport Commission.

A motion was made by Mussell to approve the Mayoral appointment of Youngberg and Cox to the Airport Commission. The motion was seconded by Heleker.

After a unanimous affirmative voice vote, the motion CARRIED.

B. Claim for Damage – Ines Murphy

Councilor Williams asked Coordinator Cordova if we acknowledge that we had a malfunctioning sprinkler. Cordova responded that we do not acknowledge that. The administrative recommendation to the Council is to reject this claim and refer it to our insurance company.

Nelson moved and Heleker seconded a motion to reject the claim and submit the claim to the City's insurance carrier for investigation.

After a unanimous affirmative voice vote, the motion CARRIED.

**C. Ordinance 1283 – An Ordinance of the City of Payette, Idaho, Amending Sections 13.04.260, Table A2.1 Adjustment Factors, of the Payette Municipal Code to Repeal 1.5” and 3” Water Meter Service; Setting an Effective Date; Establishing Severability; Establishing a Repealer
~First Reading**

A motion was made by Heleker and seconded by Williams to introduce Ordinance 1283 by title only.

After a unanimous affirmative voice vote, the motion CARRIED, and City Attorney Osborn read Ordinance 1283 by title only.

Cordova explained that this is merely a housekeeping ordinance. The City has not or does not currently service any 1.5" or 3" meters, nor do we anticipate any meters of this size in the future. Cordova also recommended that the ordinance is adopted without section 7 which provides a penalty.

Mussell moved and Heleker seconded a motion to suspend the rules and pass ordinance 1283 on its first reading.

After a unanimous affirmative voice vote, the motion CARRIED.

Heleker moved and Mussell seconded a motion that ordinance 1283 do pass.

After a unanimous affirmative voice vote, the motion CARRIED.

D. River of Life Christian Center

~ Request to tap into existing sewer service line AND Request to waive or Reduce water/sewer fee

Pastor Joel Wendland, 2067 Decker Drive, Payette, explained that the church is in the process of constructing an additional 3,000 square foot building on their property for a youth and children's center for the community. The current existing sewer line runs through several properties to 6th Street. They would like to tap into that existing line as an additional line would be very hard for them to do. There is no sewer service on 17th Avenue or North 9th Street. They expect very little water usage as it will only have two bathrooms and a kitchen. Wendland continued that they called the State Plumbing Inspector, and he does not see a problem with that.

Councilor Mussell declared a conflict of interest on this subject. No objection was heard from the Council.

Councilor Williams noted that the sewer line ran to the south west of their property. And, the sewer line is behind the line of houses on 6th Street. Williams asked if the church owns all of the property that the sewer line crosses. Wendland explained that when they put the sewer line in thirty years ago, the person that owned the property gave a verbal permission to put the line in, but never placed an easement for the line. Williams stated that the only facility that the line services is the church facility. Williams asked when sewer is available on the adjacent streets, would the church be willing to install the line properly at that time? Wendland said it would not be a necessity if they have an easement. They do plan on a future sanctuary, and they will tie in at that time.

Councilor Heleker asked City Engineer Argo if he shared the same concern. Argo explained that it is a concern that needs to be addressed if the property develops. As long as they have a letter from the State Plumbing Board, he was not personally over concerned with it. They have joined the two lots together, and our code is more restrictive than the state code. State code will allow for two buildings on one lot to be connected to the same service line. Payette code does not allow this. It is an exception to our code that they are asking for. Argo did not have a large problem with the exception as long as they have a letter from the Plumbing Bureau that says it is OK. Heleker suggested that this is approved contingent on if development takes place, it is restructured.

Williams said they don't have a problem with what they want to do for now. He does not want to see anyone else connecting to the line. Usually the lines are in the streets. Argo stated that if the property were to develop, a new sewer line would need to be put in at that point.

Nelson asked if they have the letter from the plumbing inspector. Wendland replied they contacted him today, and he will submit a letter soon.

Williams asked if the church builds some more, what is going to stop them from connecting. Argo pointed out that our code says they will not. It is a thirty year old line and future connections would be tenuous. Argo suggested no future service lines be connected to the existing lines.

Cordova added that the City has worked closely with the church on this project, and after speaking with the state plumbing bureau, they have indicated that this is an exception, and no other service lines would be connected to this line. We have also spoken to the church about their future plans for a sanctuary on the northeast corner of their property, and they do know that planned building would have to have a separate sewer connection. Another concern is procuring an easement across the private property. Wendland stated they are almost done with obtaining an easement.

Heleker noted that if there is development, we will revisit this issue.

A motion was made by Heleker and seconded by Williams to grant an exception to the River of Life Christian Center to Municipal Code section 13.08.033, contingent on obtaining a letter from the state plumbing bureau.

At the roll call:

Ayes: Nelson, Heleker, Williams

Nays:

Abstain: Mussell

The motion CARRIED.

Pastor Wendland stated that their Youth Group tallied all of the community surveys in exchange for waiving the building permit fees for the new building. They believe that as a church, they do not want to ask for something without them doing anything. A number of things were brought up as to how to help out. The Youth Group spent 30 to 40 hours tallying the surveys. Wendland offered the services of the Youth Group once again. They are trying to build a center for youth in the community. They would like to do something in kind.

Heleker stated his feeling is this is a benefit to the entire community, not just to their church organization. With the time that their Youth Group has already put in as a benefit to the community, and their willingness to help out with further projects, and the fact that it benefits our entire community, he was in favor of waiving that fee.

Cordova stated that we appreciated the work that the Youth Group did with the community review surveys. That was a result of the Council's decision to waive the building permit fees. Building permit fees come out of general fund. Water and sewer hook-up fees come out of enterprise funds. Within our budget, we do not have a mechanism to make donations out of enterprise funds. Donations for the building permits came out of the donations line item. The

donation line item currently has about \$4,000 dollars left. If the Council grants a \$3,000 waiver, the general fund will write a check to the enterprise fund to pay for it. Please keep in mind there is another church which is watching very closely to what happens tonight, and they will be asking for a similar waiver. We do not have funds to donate.

Heleker asked how we could replenish those funds. Cordova stated it would have to come from somewhere in general funds. Williams asked how many hours it would take to utilize youth services. They will be working for us for a long time. Cordova said if that is the direction the Council wants to go, we will make it happen. Just keep in mind that this has the potential to be a \$6,000 donation, not a \$3,000 donation.

Pastor Wendland said they would consider a reduction as very generous.

Williams asked if we are even on the youth group working off the building permit. Cordova explained the permit has not yet been issued, so we do not know the value yet.

Heleker stated that he agreed with Williams, but to help somewhere in the \$500 to \$1,000 range.

City Treasurer McCombs said the City has never waived a water or sewer hook-up fee, even during the south Payette flood. We made arrangements to have the fees paid over time. She agreed with Cordova and stated that it is an enterprise fund, and they are strapped as it is.

Heleker agreed this is not a common practice. This is a little different situation where the building would be utilized by the youth in the community. We need to be careful in setting precedent, people look at what you do. A gesture to some extent is still appropriate in this situation.

A motion was made by Williams that the general fund send a check to the enterprise fund in the amount of \$750 to reduce the fees for the water & sewer hook-ups for the River of Life Christian Center. The motion was seconded by Heleker.

At the roll call:

Ayes: Nelson, Heleker, Williams

Nays:

Abstain: Mussell

The motion CARRIED.

E. Motion to Approve Janitorial Contract with Larry & Kathy's Janitorial

Cordova explained that since May of 2007, city staff have been cleaning toilets at city hall. The janitorial contract had expired, and the provider was no longer interested in providing the service. We did advertise for proposals for janitorial services and received three bids. Larry & Kathy's Janitorial from Payette submitted a proposal of \$1,100 per month, which was the lowest bid. The new contract will now include the library. The contracted amount of \$13,200 per year is far less than what we would be paying for an employee performing the same services. We do have enough funds in this fiscal year and next fiscal year to fund this contracted position.

Mussell asked what we have been paying before for the janitorial contracts. It determined to be approximately the same for all facilities.

A motion was made by Williams and seconded by Heleker to award a contract to Larry & Kathy's janitorial in the amount of \$1100.00 per month.

After a unanimous affirmative voice vote, the motion CARRIED.

DEPARTMENTAL REPORTS

Written reports were presented to the Council.

Councilor Heleker asked Chief Sands if there had been any more fires as of last week. Sands replied that there had not been. They are still investigating the previous suspicious fires.

CITIZENS COMMENTS

None heard.

Councilor Williams asked the status of Northgate Trailer Park. Cordova replied that at the last Council meeting the Council requested that a survey be conducted. Without having to go through the expense of a survey, we have been examining existing easements which has not been resolved. We will bring the issue in front of the Council when issue of the easement is resolved, and before a building permit is issued.

MAYOR'S COMMENTS

Mayor Henderson was not present.

ADJOURNMENT

A motion was made by Councilor Heleker and seconded by Councilor Mussell to adjourn.

After a unanimous voice vote, the Council adjourned at 7:38 PM.

Signed this _____ day of _____, 2007.

DOUGLAS E. HENDERSON, Mayor

ATTEST:

Mary Cordova, City Clerk