

**MINUTES  
PAYETTE CITY COUNCIL  
REGULAR MEETING  
June 16, 2008**

**6:00 PM –**

Presentation of City of Payette 2007 Annual Audit

**6:30 PM Public Hearing**

**An application by Thomas Ladley, Kirk Olson, Erma Olson Estate, Jim Wolery, Eulalia Everhart, Aaron Eckhart, Heather Madden and Fallon Enterprises for zoning change at 1082, 1102, 1088, 1176, 1076, 1150 and 1134 South Park Street, Dewitt's 1<sup>st</sup> Subdivision, Block 5, Tax 1, Tax 2, Tax 3, Tax 5, Rev Tax 8, Tax 9 and Tax 10 less Tax 11 and Block 4, Tax 1 from A-Residential to B-Residential and also property at the corner of 12<sup>th</sup> Avenue & South 11<sup>th</sup> Street, Carpenters Subdivision, Tax 1 in Blocks 2, 3 & 15 from C-Commercial to B-Residential.**

David Flowers – 1134 So Park St, Payette, ID 83661, explained on behalf of the neighbors on Park Street the reasons they wish to rezone their property. They all feel a designation of B-Residential will allow them to use their property to its fullest potential.

**An application by Bill & Sue Martsch for zoning change at 1465 3<sup>rd</sup> Avenue North, Sunshine Park Subdivision, Lot 3 from B-Residential to C-Commercial**

Kim Bruce spoke on behalf of the property owners and buyer. The buyer would like to place an office building on the property, and will not purchase the property unless it can be re-zoned. Ms. Bruce explained that the property had actually previously been zoned at Commercial, and she would like to see it go back to that designation.

Public Hearing adjourned at 6:48

**7:00 Regular Meeting**

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

**ROLL CALL**

Members Present: Mayor Henderson, Ivan Mussell, Jeff Williams, Mark Heleker, Georgia Hanigan, Lee Nelson, Les Cochran

Members Absent: None

Also Present: Police Chief Mark Clark; Street Supervisor Willie Hollis; City Engineer Doug Argo; Police Captain Dave Platt; Mary Cordova, City Coordinator/Clerk; Jennifer Kelley HR/Utility Clerk, Tiffany Howell Utility Clerk

**PLEDGE**

Mayor Henderson led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Heleker moved and Williams seconded a motion to approve the regular meeting minutes of 06/2/2008 with one noted changed

After a unanimous voice vote by the Council, the motion CARRIED.

### **APPROVAL OF BILLS & PAYROLL**

A motion was made by Cochran and seconded by Hanigan to approve the City Bills & Payroll in the amount of \$170,913.41 contingent upon the approval and review of the finance committee

At the roll call:

Ayes: Nelson, Mussell, Hanigan, Williams, Heleker, Cochran  
Nays:

The motion CARRIED.

### **SPECIAL ORDERS**

None Heard.

### **COMMUNICATIONS**

No comments heard.

### **PLANNING & ZONING**

None Heard.

### **OLD BUSINESS**

**Ordinance 1295 - An Ordinance of the City of Payette, Idaho, Amending Sections 13.04.100, 13.04.250 (A), and 13.08.090 (B) of the Payette Municipal Code to Allow Charges for Owner Requested Meter Relocation, to Adjust the Utility Account Deposit Fee, and to Provide for a Utility Account Delinquent Charge; Setting an Effective Date; Establishing Severability; Allowing for Publication by Summary; Establishing a Repealer; Establishing a Penalty**  
~ Second Reading

Heleker moved and Hanigan seconded a motion to introduce Ordinance 1295 by title only

After a unanimous voice vote by the Council, the motion CARRIED.

Councilor Williams asked if we were able to compare tenant vs. owner. Clerk Cordova stated no, we have no way of tracking that information. Councilor Williams asked if the paper reported on the last meeting. Did City Hall receive any calls? Clerk Cordova stated no. Mayor Henderson stated that he thinks this protects the people who pay vs. the people who don't pay. Councilor Nelson asked

Jennifer Kelley if she has any feel about who skipped out on last bills. Jennifer Kelley stated they were mostly renters. Councilor Cochran asked what the amount was for charge offs to the City. Jennifer Kelley stated around \$1,000. She expressed to the Council it's a good idea to raise the amount as the utility rates have risen.

Councilor Hanigan asked if the 10 days before a delinquent fee is imposed was a little harsh, and she still stands, and Councilor Nelson feet the same way. Councilor Heleker stated that as discussed at the last meeting there is no way to punish the owner if the renters default on his utility bill. Jennifer Kelley stated she had the understanding that it was the renter's responsibility of the bill. Councilor Hanigan asked if we would lien the property. Bert Osborn stated Yes. Doug Argo asked if the land owner is the only one who is allowed to sign up for the service. The owners have a contract with the renters as well. Councilor Mussell stated that 9 out of 15 cities require a deposit. The last list was the same way, most charged less than we are asking. Mayor Henderson stated that a number of these write off more than we have ever written off.

Councilor Nelson asked Mrs. Kelley how many new accounts we get a month. She stated around 20. Councilor Mussell stated that if a renter moves into town and pays his bill on time and moves out do they get there deposit back. Mrs. Kelley stated absolutely. Councilor Williams asked what kind of notification we are going to give the owners. Mrs. Kelley stated we are not requiring the old renters to pay more. Councilor Williams stated he thinks there should be some sort of notification for landlords. His company and Brent King are the largest property managers in the area and they represent landlords who live all over the world.

Hanigan moved and Nelson seconded a motion to amend section 4 to read "and if not paid shall become delinquent 10 days after the day the account becomes due".

At the roll call on the amendment to 1295  
Ayes: Nelson, Mussell, Hanigan, Williams, Heleker, Cochran  
Nays:

The motion CARRIED.

Nelson moved and Hanigan seconded a motion to send ordinance 1295 to its 3<sup>rd</sup> reading.

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

The motion CARRIED.

### **NEW BUSINESS**

#### **A. Ordinance 1296 – An Ordinance of the City of Payette, Idaho, Re-Zoning Certain Lands Lying Within the City Limits of Payette, Setting an Effective Date; Severability; Repealer ~First Reading**

Mussell moved and Nelson seconded a motion to introduce Ordinance 1296 by title only

After a unanimous voice vote by the Council, the motion CARRIED and City Attorney Osborn ready 126 by title only.

Williams moved and Hanigan seconded a motion to suspend the rules and pass Ordinance 1296 on its first reading.

At the roll call:

Ayes: Nelson, Mussell, Hanigan, Williams, Heleker, Cochran  
Nays

The motion CARRIED.

**B. Ordinance 1297 – An Ordinance of the City of Payette, Idaho, Re-Zoning Certain Lands Lying Within the City Limits of Payette, Setting an Effective Date; Severability; Repealer  
~ First Reading**

Heleker moved and Nelson seconded a motion to introduce Ordinance 1297 by title only

After a unanimous voice vote by the Council, the motion CARRIED and City Attorney Osborn read Ordinance 1297

Mussell moved and Nelson seconded a motion to suspend the rules and pass Ordinance 1297 on its 1<sup>st</sup> reading.

At the roll call:

Ayes: Nelson, Mussell, Hanigan, Williams, Heleker, Cochran  
Nays

The motion CARRIED.

**C. Request for Donation of Utility Bills ~ Payette Historical Society**

Councilor Mussell stated that there might not be cash flow for them, but what about the other entities that are hurting as well. Councilor Williams stated that he cannot rationalize why we never charged them for water, sewer, etc. I do not think we should continue. Clerk Cordova stated that the City is losing \$450.00 per year in revenue.

Williams moved and Mussell seconded a motion to pay for the Payette Historical Society bill through September 2008, after that period they will be responsible for their bill.

After a unanimous voice vote by the Council, the motion CARRIED.

**D. Request for Donation of Pool Pass for Bobbie Davis Scholarship**

Heleker moved and Williams seconded a motion to donate a pool pass for the Bobbie Davis Scholarship Fund.

After a unanimous voice vote by the Council, the motion CARRIED.

**E. Application for Mobile or Temporary Food Service Vendor  
~ Sweet River Concessions**

John Sandquist; 8087 No Pennsylvania Ave, Fruitland, ID 83619. Mr. Sandquist stated they used to serve sandwiches several years ago at the Red Apple Marketplace, but due to personal health issues they quit for a while. Mr. Sandquist stated they have taken the appropriate steps, and have fulfilled all the requirements of the State and the City.

Heleker moved and Mussell seconded a motion to approve the Mobile or Temporary Food Service Vendor for Sweet River Concessions.

After a unanimous voice vote by the Council, the motion CARRIED.

**F. Application for Mobile or Temporary Food Service Vendor  
~ The Ice Cream Man**

Heleker moved and Williams seconded a motion to approve the Application for Mobile or Temporary Food Service Vendor for The Ice Cream Man contingent upon getting owner/address information as well as getting current insurance information.

After a unanimous voice vote by the Council, the motion CARRIED.

**G. Approval of Idaho Gem Grant Contract**

Mayor Henderson explained this was for a pretreatment facility for Seneca Foods.

Mussell moved and Heleker seconded a motion to approve the Idaho Gem Grant Contract.

After a unanimous voice vote by the Council, the motion CARRIED.

**H. Application for "Safe and Sane" Fireworks Permit  
~ TNT Fireworks operating at Albertsons**

Heleker moved and Hanigan seconded a motion to approve the application for the "Safe and Sane" TNT Fireworks to operate at Albertsons.

After a unanimous voice vote by the Council, the motion CARRIED.

**I. Application for “Safe and Sane” Fireworks Permit  
~ Charles Lamm operating at Boise Cascade**

Heleker moved and Hanigan seconded a motion to approve the application for the “Safe and Sane” Fireworks Permit for Charles Lamm to operate at Boise Cascade building.

After a unanimous voice vote by the Council, the motion CARRIED.

**J. Special Event Permit Application  
~ Snake River Correctional Institute at Riverside Park**

Mussell moved and Cochran seconded a motion to approve the Special Event Permit for the Snake River Correctional Institute at the Riverside Park.

After a unanimous voice vote by the Council, the motion CARRIED.

**K. Special Event Permit Application  
~ Cub Scout Day Camp at Centennial Park**

Heleker moved and Nelson seconded a motion to approve the Special Event Permit for the Cub Scout Day Camp at Centennial Park.

After a unanimous voice vote by the Council, the motion CARRIED.

**L. Closure of Payette Greenway due to Extreme Hazard**

Mayor Henderson and Councilor Williams explained to the council that with the high water, it has created a dangerous condition on the unimproved portion of the Greenway. By ordinance, the City has the authority to close down the Greenway.

Heleker moved and Williams seconded a motion to approve the closure of the Payette Greenway due to Extreme Hazard.

After a unanimous voice vote by the Council, the motion CARRIED.

**DEPARTMENTAL REPORTS**

- A. Payette Police Department Monthly Report ~ May 2008
- B. Payette Fire Department Monthly Report ~ May 2008
- C. Syringa Network ~

Councilor Hanigan asked if we could send a personal invitation and invite them to the council meeting. Clerk Cordova stated she would definitely do that. Mayor Henderson stated they have always suggested doing more what we asked. Councilor Hanigan stated it's nearly critical to our community. Councilor Heleker stated the high school is currently the only client of Syringa Network.

### **Street Department Report**

Willie Hollis stated that in the past they have hired Double A Striping to do the painting of the curbs/crosswalk. This year they did it themselves. Everything is complete except for the curbing by Lonnie's Market; that will be completed tomorrow. Mr. Hollis stated that they did the taxi way and drain system by airport. Also, all city lots are mowed and drains are cleaned. Mayor Henderson asked about South 9<sup>th</sup> St. Mr. Hollis stated that the final list was given and all the asphalt patching was done. Lurre Construction has to fix some sidewalks; Mr. Hollis will call tomorrow to see what the official opening day is. Councilor Mussell asked where we get 680 gallons of paint from. Mr. Hollis stated that we piggy back from the State contract.

### **CITIZENS COMMENTS**

Councilor Heleker would like to report that the City of Payette has been very cooperative with the Payette County Recreational District in getting the fields trenched with the school district. Good cooperative effort and close to have fields out there.

Councilor Williams was approached by a developer; because of fuel cost ductile pipe for a development was at a premium opposed to c9 PVC pipe; it was \$72,823 dollars just for materials. Water lines from the City to a house using the copper vs. PVC pipe was \$26,827. I know this is not on the agenda but I found this to be "wow". Do we want to revisit in later dates. Mayor Henderson stated we will research and revisit at the next meeting.

Councilor Cochran asked if the resurfacing on highway 52 is the whole road, or just a section. Mayor Henderson stated yes, all the way from Oregon to Highway 95 all the asphalt from curb to curb. They require us to go 8-12 inches deep. Willie Hollis stated they should be out within 30 days. Councilor Nelson asked what is the Ordinance Officer Rose Henderson is doing about unmowed lots.

Councilor Nelson stated that he has had a complaint from a citizen on 1<sup>st</sup> Avenue North regarding a huge pile of limbs right in the middle of this lot; he is concerned about fire hazards. Chief Clark stated that he was sure they are already working on this.

### **MAYOR'S COMMENTS**

- ❑ Spoke with Dick Miller regarding the Payette Airpark Assoc; they are currently reviewing the contract, and we have almost come to an agreement. Should present to Council at next meeting
- ❑ Mayor Henderson will be attending the Association of Idaho Cities Conference June 23 through June 27, 2008.

- The City has made arrangements with the Lions Club for playground equipment. Mayor Henderson stated that Garden City is turning the park into a parking lot. He also stated that this is approximately \$15,000 worth of equipment that they are just giving to us, if we go and pick it up, it is a lot like the plastic equipment in Central Park.
- Next meeting will be July 7, 2008 at 7:00 p.m.

**ADJOURNMENT**

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

After a unanimous voice vote, the motion CARRIED, and the Council adjourned at 8:25 PM.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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DOUGLAS E. HENDERSON, Mayor

ATTEST:

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Mary Cordova, City Clerk