

**MINUTES  
PAYETTE CITY COUNCIL  
REGULAR MEETING  
November 5, 2007**

**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 (*arrived at 7:10PM*), Mark Heleker, Georgia Hanigan, Lee Nelson, Vallery Klitch (*via telephone*)

Members Absent: None

Also Present: Jeff Sands, Fire Chief; City Attorney Bert Osborn; Police Chief Mark Clark; WWTP Superintendent Randy Schwartz; Police Captain Dave Platt; Allen Massey; Brandi Mack, Independent Enterprise; Les Cochran; Jessica Keller, Argus Observer;

**PLEDGE**

Mayor Henderson led the Pledge of Allegiance.

Mayor Henderson informed the Council that under item B, in Planning & Zoning, there will be 2 change order requests, not one.

**APPROVAL OF MINUTES**

- A. 10/05/07 Regular Meeting Minutes
- B. 10/15/07 Special Meeting Minutes
- C. 10/29/07 Regular Meeting Minutes

Councilor Klitch wanted more clarification and more information regarding elements of the decision be included in the 10/05 meeting minutes.

Nelson moved and Mussell seconded a motion to approve the regular meeting minutes of 10/05/07, 10/15/07, and 10/29/07.

Klitch abstained from the vote on the 10/15 and 10/29 minutes.

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

**APPROVAL OF BILLS & PAYROLL**

A motion was made by Nelson and seconded by Hanigan to approve the City Bills & Payroll in the amount of \$440,051.66.

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

The motion CARRIED.

## **COMMUNICATIONS**

### **A. Update on Proposed Ball Fields behind McCain Middle School**

Councilor Heleker informed the Council that Bill Ford is moving dirt for us today behind the middle school. Heleker stated that there is enough money for him to get part way done, and we have reason to believe that another private donor will help us finish that project off. The Payette County Recreation Department is just waiting for flat ground, and will plant grass and begin to install fences and a sprinkler system as soon as it is ready.

Heleker continued that moving the dirt up there does cause dust. We tried to get the City's water truck up there, but our water truck is tied up on another project. We hope to free Willie from the project, or try to get him up there sporadically to help with the dust. Chief Sands may be able to help us.

## **SPECIAL ORDERS**

### **Introduction of New Fireman Jonathan Meek**

Chief Sands introduced Jonathan Meek to the Council as one of the newest recruits to the Fire Department.

Mussel moved and Heleker seconded a motion to approve Jonathan Meek as a new fireman.

After an affirmative unanimous voice vote, the motion CARRIED.

## **PLANNING & ZONING**

### **A. Request for Comment on Applications in City Impact Area**

#### **1. Conditional Use Permit (Meat Cutting Business) by Neal Whittaker. 10315 Hwy 95, Payette**

Some discussion ensued regarding whether Mr. Whittaker was already running a meat cutting business in this location. It was determined he was. Heleker noted that he has heard comments that people hope Mr. Whittaker is allowed to continue.

A motion was made by Heleker and seconded by Hanigan to send a favorable recommendation to the County.

After a unanimous voice vote, the motion carried.

#### **2. Rezone (AG to Light Industrial) by Diana Barela. 1835 NE 10<sup>th</sup> Avenue, Payette**

Fire Chief Sands reminded the Council that the water line is right there at the end of Teton, and they should take the water line through their property because eventually that is going to be in the City.

Klitch stated that it looks like they will put a manufactured home on there, how is the water & sewer going to be supplied. Mayor Henderson said that it is still outside the City, and assumed that it would be on well and septic.

City Coordinator Cordova informed the Council that the Planning & Zoning Commission recommended approval of the application by Diana Barela with the condition that they comply with City standards for development upon annexation to the City.

Cordova further explained that it is important to be consistent with our recommendations to the County that the City requires **all** development in the impact area meet with City standards.

A motion was made by Klitch to recommend to the County Planning & Zoning Commission to approve the application by Diana Barela on the condition that she comply with City standards and ordinance specifications upon annexation to the City limits.

The motion died due to a lack of a second.

Williams moved that we send a favorable recommendation to the County P & Z with the recommendation that they conform to City standards upon annexation. The motion was seconded by Klitch.

In discussion, it is the recommendation of the administration that all development within the impact area, especially property adjacent to City limits, be developed to City standards and specifications. However, we have not had good response to these efforts from the County.

After a unanimous affirmative voice vote, the motion  
CARRIED.

## **B. Change Order for 9<sup>th</sup> Street Storm Drain Project**

### **Approval of change order #2.**

City Engineer Argo explained that the first change order is for \$600 where the contractor ran into an unexpected service, and did not have the materials on site. They had some down time while they had to go and get the materials. This is still considerably less than the other bids for installing this type of service. Argo recommended approval of the change order.

Hanigan moved to approve change order #2 for the S. 9<sup>th</sup> Street project in the amount of \$600. The motion was seconded by Heleker.

After a unanimous affirmative voice vote, the motion  
CARRIED.

### **Approval of change order #3**

City Engineer Argo explained that change order #3 is additional work that could easily be handled under a new contract. We did go out for 3 bids for this project. State law says that for construction projects between \$100,000 and \$25,000, the cities do not necessarily have to go through the whole process. We prepared the specs, and called three qualified bidders and got quotes from them. We went out to Terra West, Warrington Construction and Eastern Oregon construction. All three of them bid on the same set of documents. We opened the bids last Wednesday, and it ranged from \$51,000 to \$56,000. Terra West was the lowest and EOC being the highest. The reason to do this as a change order is to purely simplify the contract. If the council would prefer, we could to a completely separate contract.

Bert Osborn asked why this was not included in the original contract. Argo explained that we did not have the money in that fiscal year. We are in a new fiscal year and have the budget for it. Bert asked if it is the same project, or two separate projects. Bert said since we got the three bids, he is satisfied this is fine. Williams asked that the only reason we are going to for a change order is that Terra West is the lowest on both proposals and this will merely streamline paperwork.

Mussel moved to approve Change Order #3 on the S. 9<sup>th</sup> Street project. The motion was seconded by Williams.

After a unanimous affirmative voice vote, the motion CARRIED.

### **UNFINISHED BUSINESS**

None heard.

### **NEW BUSINESS**

#### **A. Approval & Acceptance of Wastewater Treatment Facility Expansion Plan**

Hanigan moved to accept the Wastewater Treatment Facility Expansion Plan as presented. The motion was seconded by Williams.

After a unanimous affirmative voice vote, the motion CARRIED.

### **DEPARTMENTAL REPORTS**

Engineer Argo gave a brief update on the 7<sup>th</sup> Avenue North Project. The sewer line is installed, and the road was patched today. The contractor will be touching up the striping and the traffic light will be reprogrammed. Williams asked if the safety issue on the bridge as far as lighting was taken care of. Cordova stated that not as far as lighting, but flashing strobes were placed on the existing pedestrian crossing signs. Mayor Henderson said if anyone has ideas, we are more than willing to entertain them.

## **CITIZENS COMMENTS**

Councilor Heleker stated that we begin discussions on the extension of the impact area. Hanigan asked if it would be more than what was done in 2005? Heleker responded that it is a concern as it has been sitting in limbo. It needs to be done before any encroachment takes place. Williams asked if there is a specific area in mind. Heleker responded that South of Payette and the Washoe area. Mayor Henderson stated it will go on the agenda for a separate meeting.

Councilor Williams asked about the tow bill that was presented at the last meeting from an individual for a car that was towed. Mayor Henderson stated he investigated the situation. The ordinance was passed to ensure Main Street would be free of vehicles early Friday mornings so the street sweeper would be able to clean Main Street uninhibited. The incident did happen on a Friday morning when we do clean the streets. The requirement of not parking a vehicle during that time is clearly posted. Mayor Henderson presented a picture of the posted notice. The person who was towed did speak with multiple city personnel and admitted that he was well aware of this requirement. Williams thanked the Mayor for checking into it.

## **MAYOR'S COMMENTS**

Mayor Henderson informed the Council of the following:

- Saturday morning he met with and assisted Boy Scout Troop #361 with marking storm drains warning people not to put oils, chemicals and such into the drains.
- We have a special meeting Thursday, November 8 at noon, so the Council can canvass the November 6 election.
- We have successfully negotiated a wastewater permit with Seneca Foods, which they signed this afternoon. The contract will be presented for Council approval on November 8.
- Tomorrow is Election Day, please remember to vote, and follow all of the rules regarding electioneering. No campaigning within 300 feet of the polling place.

## **EXECUTIVE SESSION**

- A. Idaho Code § 67-2345(1)(b) to consider the evaluation, dismissal or evaluation of, or to hear complaints or charges brought against a public officer, employee, staff member, individual agent or public school student.

A motion was made by Heleker to recess to executive session as per Idaho Code 67-2345 (1)(b). The motion was seconded by Mussell.

After a unanimous affirmative voice vote, the motion CARRIED, and the Council recessed at 7:31 PM.

Councilor Klitch excused herself for the remainder of the meeting.

A motion was made by Heleker and seconded by Mussel to reconvene into regular session.

After a unanimous affirmative voice vote, the motion CARRIED, and the Council reconvened at 7:48 PM.

**ADJOURNMENT**

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

After a unanimous voice vote, the Council adjourned at 7:49 PM.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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DOUGLAS E. HENDERSON, Mayor

ATTEST:

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Mary Cordova, City Clerk