

**MINUTES
PAYETTE CITY COUNCIL
REGULAR MEETING
September 04, 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, Mark Heleker, Lee Nelson, Georgia Hanigan, Vallery Klitch

Members Absent: None

Also Present: Jeff Sands, Fire Chief; Kellie McCombs, City Treasurer; City Attorney Bert Osborn; Police Chief Mark Clark; City Engineer, Doug Argo; Police Captain Dave Platt; WWTP Superintendent Randy Schwartz

PLEDGE

Mayor Henderson led the Pledge of Allegiance.

Councilor Heleker moved Williams seconded a motion to amend the agenda to include a request to use the Kiwanis Park by the Apostolic Assembly, and to consider a temporary hardship in our impact area.

No objections were heard from the Council.

APPROVAL OF MINUTES

A. 8/20/07 Regular Meeting Minutes

A motion was made by Heleker and seconded by Mussell to approve the meeting minutes of 8/20/07.

No objections were heard from the Council.

The motion CARRIED.

APPROVAL OF BILLS & PAYROLL

A motion was made by Hanigan and seconded by Williams to approve the City Bills & Payroll in the amount of \$125,888.76.

At the roll call:

Ayes: Mussell, Nelson, Heleker, Williams, Hanigan, Klitch

Nays:

The motion CARRIED.

COMMUNICATIONS

No comments heard.

SPECIAL ORDERS

Russ introduced new firefighter Christopher Hughes to the Council.

Klitch moved and Heleker seconded a motion to accept Mr. Hughes as part of the Department.

No objections were heard from the Council.

PLANNING & ZONING

None heard.

UNFINISHED BUSINESS

A. Appointment of Airport Commission Members

Mayor Henderson encouraged members from the public who wish to be on this committee notify him.

B. Ordinance 1284 ~ AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, REPEALING SECTIONS 12.04.210 AND 12.04.260, AND CREATING NEW CHAPTERS 12.05 AND 12.06 OF THE PAYETTE MUNICIPAL CODE TO PROVIDE PROCEDURES FOR ISSUING ENCROACHMENT PERMITS AND TO ISSUE A SPECIAL EVENTS PERMITS; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY

~Second Reading

A motion was made by Nelson and seconded by Klitch to read Ordinance 1284 by title only.

No objections were heard, and City Attorney Osborn read Ordinance 1284 by title only.

Klitch moved and Heleker seconded a motion to suspend the rules and pass Ordinance 1284 on its second reading.

No objection was heard by the Council, and the motion CARRIED.

A motion was made by Klitch and seconded by Mussell that Ordinance 1284 do pass.

No objection was heard by the Council and the motion CARRIED.

NEW BUSINESS

A. Payette Chamber of Commerce ~ Request for Community Picnic

Linda Williams, 1438 2nd Avenue South, Payette, and Jody Clements, Boise, Idaho, addressed the Council. Mrs. Williams asked for City participation in the community bar-b-que in Kiwanis Park on September 27. It will be a fundraiser to help get a community center in Payette. Williams said it is a very viable project, and will be a good place for the kids to go back to school, and other awards and banquets. They are going to charge \$10 for adults and \$5.00 for children to go to the bar-b-que. They will also have the Harley they are raffling off there for everyone to view.

Linda continued that they would like to have the fire department, police department and the City Council to participate in some fun, competitive games. They would also like to have a meet the candidates that night. They would also like to have a beer garden, and have the City help with set up. The times will be from 5PM to 8PM.

Klitch made a motion to grant the Chamber of Commerce permission for a fundraiser in Kiwanis Park on September 27, for the block of time necessary to prepare, have the event, and clean up, and to allow the beer garden in a designated area. The motion was seconded by Heleker.

Hearing no objection from the Council, the motion
CARRIED.

B. "Harmon Killebrew" Sign

Mayor Henderson stated at one time they had talked about an interchangeable sign. Heleker stated that the main goal was to get it on the agenda & take action. He did not think there is a community in the State of Idaho that has someone as well renowned as Harmon Killebrew when it comes to athletics. We need to recognize him, and be proud it is his hometown. For the last three years we've had Harmon Killebrew Day in Payette. Signage is appropriate such as something along the lines of "Harmon Killebrew – Baseball Hall of Fame". Heleker wanted the Council to consider if we want to do this from a City standpoint or would like to partner with the Chamber of Commerce and the School District.

Mayor Henderson suggested we partner up and make one nice sign by Killebrew Field, one that can be seen from both directions. Heleker was concerned that people taking business 95 may not see it, but it is a possibility.

Councilor Williams stated that 3 of the 4 entrances into town, the Chamber does have a sign. He thought that if the Chamber is willing, something is put on top of those signs. Maybe we can add a 4th sign at Centennial Park.

Councilor Heleker said he would approach the School District.

C. Jim McCue – Idaho Sawtooth Bluegrass Assoc. – Request use of Kiwanis Park

Mr. Jim McCue, 2120 Moss Drive, Payette, asked permission to use Kiwanis Park for the Bluegrass Festival this year. They would like to do the same thing as last year. It was really cold last year, and was a deterrent to the musicians. The vendors did not see

anyone at the park, so they decided to move the vendors to the school. They now want to use the west side of the park for a campground. They intend to make a couple of big banners and would like to put them across Main Street about a week before the event. They plan on having 500-600 people. If it is nice, they will use the bandshell a lot. If it turns cold, they will use the school.

Councilor Hanigan expressed concern this may conflict with the health fair on the 6th of October, but there should be room for everyone.

Councilor Klitch asked if additional restrooms and trash receptacles would be provided. Mr. McCue replied that the Bluegrass committee would take care of those issues.

A motion was made by Klitch to grant permission for the use of Kiwanis Park to the Idaho Sawtooth Bluegrass Association for October 5, 6 and 7th, with quiet time in the park beginning at 12:00 midnight. The motion was seconded by Heleker.

No objection was heard from the Council, and the motion CARRIED.

D. Lease of Airport Ground to Base to Final, LLC.

Mayor Henderson stated that the draft agreement in the contract is outdated. We have since met with Dewayne and Frazer regarding a contract. The only monetary difference is we've dropped the lease per foot down to eight until they sell three of them, then it will go up to ten. Mayor Henderson asked that it be approved contingent on the final tweaks.

No objections were heard from the Council.

E. Declaration of Intent to Sell Real Property

Councilor Nelson asked if the property has been released from the PMDC lease. We can tie it to this decision, or deal with the letter and make the decision later. Mayor Henderson said if we cannot come to terms, can we declare it surplus. City Attorney Osborn said yes.

Councilor Williams asked if we would hold a public hearing. City Attorney Osborn pointed out the legal description is in the declaration. Nelson asked if it included the groundskeeper's residence.

Williams said if we don't have a diagram of the exact property, it will be a he said she said. Mayor Henderson said we will have one before the public hearing.

Williams moved that the City approve the declaration of intent to sell real property contingent on the release from the lease by PMDC. Heleker seconded the motion.

At the roll call:

Ayes: Mussell, Nelson, Heleker, Williams, Hanigan, Klitch

Nays:

The motion CARRIED.

F. Change order for South 9th Street sewer project

G. Change order for 7th Ave. North sewer project

City Engineer Argo stated the 1st change order request is on South 9th Street Sewer replacement project. We encountered a storm drain line that was not where everyone thought it was. There was one live, and one abandoned one. The live one broke, and needed to be repaired, so there was some down time for the contractor. There was a small change with a service line. The total was \$1221.23 change.

The 2nd change order was a no cost change. The initial plan for the project was to do it in conjunction with the federally funded road improvement project, and they were going to open cut the highway. We let the bids out either way, and it was cheaper to bore under the highway. We are requesting permission to bore rather than open cut, and the project will progress faster.

Williams asked if there was funding available to cover the 9th Street change. Argo replied yes.

Heleker moved to approve the change orders for the South 9th Street and 7th Avenue North project. The motion was seconded by Williams.

No objections were heard from the Council.

H. Temporary Hardship Request

Mayor Henderson explained that the County has asked for a temporary hardship request. The Debra Stewart of 10550 N. Iowa is asking to put a mobile home on the property to house her mother who is not in very good health.

Klitch moved that the Council send a favorable recommendation based that the petitioner has already stated that the residence will be removed once it is no longer needed. The motion was seconded by Heleker.

No objections were heard from the Council and the motion CARRIED.

I. Request for use of Kiwanis Park

Isaiah Velez, 9110 Washoe Road, asked for permission to use the Kiwanis Park for a church activity, a youth revival on September 14, 15 and 16. They will use a huge tent and will need to set up on the 13th. They plan to use the west side of the park. They would also like a sign to announce the activity. They plan to use a banner.

Klitch asked if they would use port-a-potties or vendors. Mr. Velez said they expect up to 200 people, but no vendors. The Apostolic Assembly is sponsoring the event, and the focus will be on the youth.

Klitch moved that the Apostolic Assembly be authorized to use the west side of Kiwanis Park on September 13 through September 17, and that adequate toilet facilities are used, and arrangements are made for an extra dumpster, there is a 10:00 PM curfew and a daily clean up of the park. The motion was seconded by Heleker.

No objection was heard from the Council, and the motion
CARRIED.

DEPARTMENTAL REPORTS

Written reports were presented to the Council.

CITIZENS COMMENTS

Duane Youngberg addressed the Council. He stated that he has been approached by the golf course people and they have a member and friends night in October that they scheduled for the same night that a big wedding was scheduled in October. They asked if they can use the main hangar at the airport. As a commission, we have approved that. The Friends of the Airport have offered to paint the floor with an epoxy paint with materials they will provide.

Youngberg continued that they have submitted a request to the Idaho Aviation Foundation for a grant for fuel. They should be acting on that in a week and a half.

MAYOR'S COMMENTS

Mayor Henderson informed the Council of the following:

He has had positive meetings with Seneca last week regarding the discharge permit. They were very positive and we are close to an agreement.

ADJOURNMENT

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

After a unanimous voice vote, the Council adjourned at 8:00 PM.

Signed this _____ day of _____, 2007.

DOUGLAS E. HENDERSON, Mayor

ATTEST:

Mary Cordova, City Clerk