



**AGENDA
PAYETTE CITY COUNCIL
June 6, 2011
REGULAR MEETING**

HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

**GEORGIA HANIGAN MARK HELEKER
LEE NELSON IVAN MUSSELL
KATHY DODSON LES COCHRAN**

6:45 PM – PUBLIC HEARING

- A. An application by Cora Ruth Lakey for a Variance to the front setback to construct a wood deck and extend the existing roof at 105 12th Avenue North, WESTSIDE SUBDIVISION, LOT 4, BLOCK 1. The property is zoned B-Residential.

7:00 PM – Regular Meeting

- I. ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. CITIZENS COMMENTS
- IV. APPROVAL OF MINUTES
 - A. 05-16-11 Regular Meeting..... 1
 - B. 05-23-11 Work Session & Special Meeting..... 6
- V. APPROVAL OF BILLS & PAYROLL..... 11
- VI. SPECIAL ORDERS
 - A. Beautiful Yard Contest
- VII. COMMUNICATIONS
 - A. Thank you – Apple Blossom Queens Court..... 12
 - B. Letter from Walt & Joanie Kaplin..... 13
- VIII. PLANNING & ZONING
- IX. OLD BUSINESS
- X. NEW BUSINESS
 - A. Narcotic Activity Report – Officer Smith
 - B. Ordinance #1344 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING SECTION 5.37 CHILD CARE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER – 1st Reading..... 14
 - C. Ordinance #1345 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 6.04.090 IN CHAPTER 6.04 OF TITLE 6, TO AMEND POULTRY; REQUIRED CONFINEMENT; AND SECTION 17.24.050 IN CHAPTER 17.24 OF TITLE 17, TO AMEND BUILDING AND USE RESTRICTIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1st Reading.... 16

D. Mobile Food Vendor License Application ~Jaswant Rattu.....	19
E. Findings of Facts, Conclusions of Law ~Chester G. & Sandra Boren.....	28
F. Special Event Permit ~Wheels for WICAP.....	32
G. Discussion of Helipad	
XI. DEPARTMENTAL REPORTS	
XII. MAYOR'S COMMENTS	
XIII. CITIZEN'S COMMENTS <i>(Limited to 5 minutes per person, at the discretion of the Mayor)</i>	
XIV. ADJOURNMENT	

All meetings of the City Council are held at Payette City Hall, in Council Chambers, unless otherwise posted. The public is invited and encouraged to attend. Special accommodations will be made in order to participate in the above noticed meeting by contacting the City 5 days prior to the meeting at 642-6024



NOTICE OF PUBLIC HEARING

The Payette City Council will be conducting a Public Hearing during a scheduled regular meeting to receive input concerning the following requests:

- A. An application by Cora Ruth Lakey for a Variance to the front setback to construct a wood deck and extend the existing roof at 105 12th Avenue North, WESTSIDE SUBDIVISION, LOT 4, BLOCK 1. The property is zoned B-Residential.

The Public Hearing on the above requests will be held **June 6, 2011 at 6:45PM**, or shortly thereafter, in the Payette City Council Chambers, 700 Center Avenue, Payette, Idaho. Interested citizens may appear with regard to the foregoing items and will be given the opportunity to be heard in support of, or in opposition to the proposals. The Public is invited and encouraged to attend.

Any person needing special accommodations to participate in the above noticed meeting should contact the City at least 5 days before the meeting at 700 Center Avenue or at 642-6024.

Bobbie Black, Deputy City Clerk



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Honorable Mayor & Members of City Council
From: Bobbie Black, Deputy City Clerk
Date: 5/6/2011
Re: Variance request – Cora Lakey

BACKGROUND & JUSTIFICATION: Cora Lakey is applying for a 5' variance to the 25' front yard setbacks. She would like to construct a 5' deck on the front of her home that will be covered at 105 12th Avenue North.

The Planning and Zoning held a public hearing on April 28th, 2011 and made a favorable recommendation to City Council to approve the variance request as submitted.

FISCAL IMPACT: None

RECOMMENDATION: Recommend that City Council approve the 5' variance application to the 25' front setbacks at 105 12th Avenue North.



City of Payette

Variance Application

OFFICE USE ONLY

Date Received 3-28-11 Paid (Y) / N

Date of Notice _____

Date of Hearing April 28th, 2011

P&Z Action _____

City Council Action _____

Non Refundable Fees:

Application..... \$100.00

Payette City Code 17.78.010

BL 5/31/11; 1:15pm Called Cora of June 6th, 2011 City Council meeting for 6:45pm

Applicants Name CORA RUTH LAKEY

Address 105 12TH AVE N

City Payette State Id Zip 83661

Phone 208 642 1468 Alt Number _____

Please attach the following:

_____ Legal Description

_____ Map

_____ Proof of ownership

_____ Name & Addresses of all property owners & residents within 300 feet of the exterior boundaries of the land being considered. (This can be obtained at the Payette County Assessor's Office)

Street Address of the property 105 12TH AVE N Payette Id

Size of the property FRONT & BACK 76.4ft. EAST side Length 136.14ft west side 136.98ft

What is the property zoned RESIDENTIAL-B

Nature of Request

Describe the nature of the Variance requested to extend the Roof 4 feet on the east 25' of the House to cover the sidewalk and end of driveway. Then INCREASE the extension to 5' over the doorway and to the west end of House with A wood deck under it.
See ATTACH STATEMENT

Existing use of the property _____

Residential Home

17.78.010 Variances – Permissible When: The City Council shall consider variances to the terms of this Title which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Title will result in undue hardship upon a landowner and under such conditions that the spirit of this Title shall be observed and substantial justice done. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of the characteristics of the site. In acting upon a variance request, the City Council shall make full investigation and shall only grant a variance upon finding that the following are true:

A. That the granting of the variance will not be in conflict with the spirit and intent of the comprehensive plan for the City, and will not affect a change in zoning.

B. That there are exceptional or extraordinary circumstances or conditions, applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the district, so that a denial of the relief sought will result in:

1. Undue loss in value of the property.
2. Inability to preserve the property right of the owner.
3. The prevention of reasonable enjoyment of any property right of the owner.

C. the granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment of such property improvements.

D. That the reason for a variance was not caused by the owners or previous owner's actions.
(Ordinance 1204, 2002)

Narrative statement indicating why the requested variance conforms to the guidelines set forth in the Zoning Ordinance The snow sliding off the roof creates a hardship

because we are no longer able to use our sidewalk to
get to driveway in the winter or sometimes even use our
front door. The sliding snow also creates a possible danger
to the 82 year old owner.

This change should not affect anyone else in the neighborhood

A variance requires an applicant to show two particular aspects before the variance is considered.

1. Describe the unique site characteristic (which is natural) showing reason for request _____

A sidewalk running parallel to the house and a
tin roof creating sliding snow problems

2. If unique site exists show how request granted is not contrary to public interest outline in the comprehensive plan and zoning ordinance The additional roof extension

will not affect any of the neighbors. And will still be
20' from property line

Requests for Granting a Variance

The following conditions must be fulfilled before a variance can be considered by the Planning & Zoning Commission. Showing that a variance is profitable or desirable for the owner and no harm will be done to others is not sufficient.

Below each requirement explain why your request conforms:

1. Show how granting of variance will not affect a change in zoning The Variance
request is for a 4' extension of the roof over the sidewalk on the east half
of a residential home and a 5' extension with a wood deck along the
rest of the front of the house for residential use.

2. Explain any exceptional or extraordinary circumstances or condition applicable to the property involved, or the intended use thereof, which do not apply, generally to the property of use in zoning district. So that if the request is denied it will result in undue loss in value, inability to preserve property rights _____

3. Indicate the alleged hardship. Has the hardship been created by the action of the property owner or the applicant? (i.e. applicant did not reduce size of the lot by prior sale) The elderly home

owner put a metal roof on her home which now results in the dangerous
sliding of snow onto the front steps and sidewalk that runs parallel to the
house. The snow has also built up to the point of making it impossible to open
the front door.

4. Approval of the variance will not be in conflict with the interest of the neighborhood or public interest in general. (Health, safety or welfare) This extension of the roof

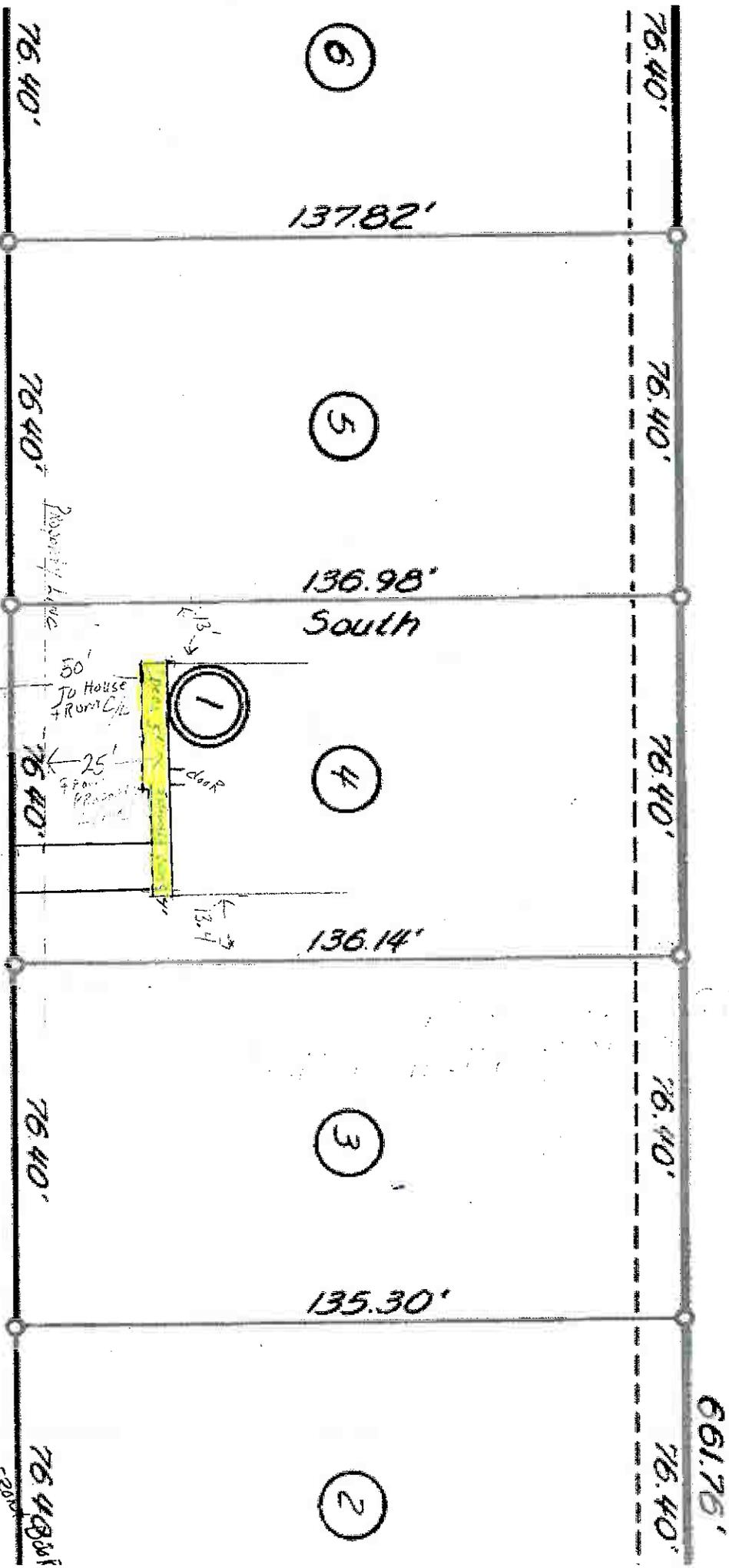
should not affect anyone in the neighborhood or the public in
any way.

3/28/2011
Date

Cora Ruth Lahey
Signature

IDOR ENGINEERING COMPANY

UNPLATTED



M.68949'W

18' Easement

50'
To House
+ Room C/L

7' 8"

door

25'
49' 0"
49' 0"
49' 0"

13' 4"

36' Easement

Additional Deck
4' Cover over deck
5' Cover over side
on other side
FRONT door

NORTH

76.40' to F 200'

Proposed

FRONT door
on other side
5' Cover over side
4' Cover over deck
Additional Deck

Physical Characteristics

Style: 42 Post 1950 801 - 1400 Sq Ft
 Occupancy: Single family - Owner
 Story Height: 1.0
 Finished Area: 1520
 Attic: None
 Basement: None
 ROOFING
 Material: Enamel steel
 Type: Gable
 Framing: Std for class
 Pitch: Not available
 FLOORING
 Sub and joists 1.0
 Base Allowance 1.0
 EXTERIOR COVER
 Hardboard 1.0
 INTERIOR FINISH
 Drywall 1.0

ACCOMMODATION
 Finished Rooms 6
 Bedrooms 4

HEATING AND AIR CONDITIONING

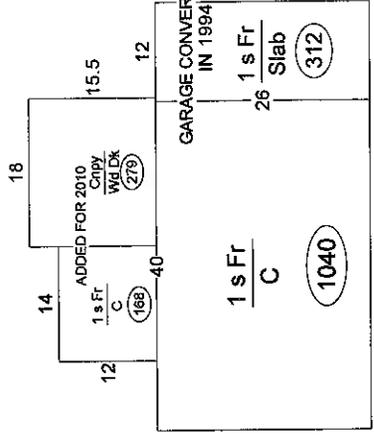
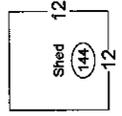
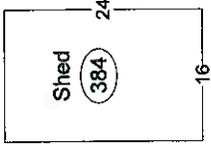
Primary Heat: Forced hot air-elec
 Lower Full Part
 /Bsmt 1 Upper Upper
 Air Cond 0 1520 0 0

PLUMBING

TF
 3 Fixt., Baths 1 3
 Kit Sink 1 1
 Water Heat 1 1
 TOTAL 5

REMODELING AND MODERNIZATION

Amount Date



Special Features

Description

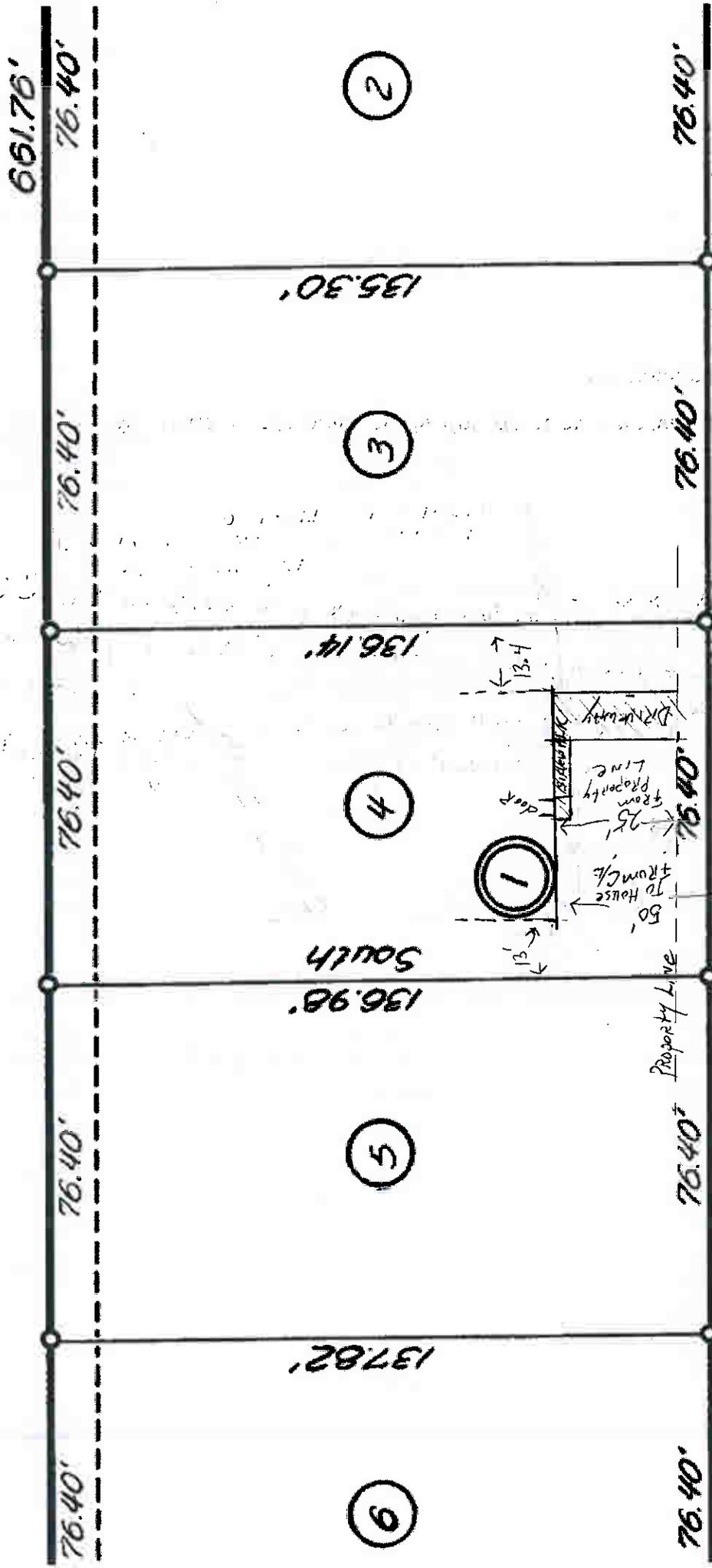
D : Remod 1994
 01 : Exhaust fan and hood
 01 : Concrete floor

Summary of Improvements

ID	USE	Story Height	Const Type	Grade	Year Cons	Eff Year	Cond	Size or Area
D	DWELL	0.00		Fair	1972	1983	AV	1520
01	SHED	8.00	1	AVG	1972	1972	AV	384
02	SHED	8.00	1	AVG	2008	2008	AV	144

IDOR ENGINEERING COMPANY

UNPLATTED



36' Street

NORTH

M. 64.68 S

EXISTING

5.00 | 71.67 | 63.84

77.71 | 78.27

68.50 | 67.84

ION [P1070]

13TH AVEN

5/079



5282-46 4007 P10700040079 7 102.88	5282-45 4006 P10700040060 6	5282-44 4005 P10700040050 5	5282-43 4004 P10700040040 4	5282-42 4003 P10700040030 3	5282-41 4002 P10700040020 2	5282-40 4001 P10700040010 1
80.00	80.00	80.00	80.00	80.00	83.03	60.15
76.00	76.00	76.00	76.00	76.00	76.00	76.00
5284-7 1008	5284-6 1007	5284-5 1006	5284-4 1005	5284-3 1004	5284-2 1003	5284-1 1002
P19300010080	P19300010070	P19300010060	P19300010050	P19300010040	P19300010030	P19300010020
8	7	6	5	4	3	2
1001	1001	1001	1001	1001	1001	1001
P19300010010	P19300010010	P19300010010	P19300010010	P19300010010	P19300010010	P19300010010
134.00	134.00	134.00	134.00	134.00	134.00	134.00

12TH AVEN

5284-15 2008	5284-14 2007	5284-13 2006	5284-11 2004	5284-10 2003	5284-9 2002	5284-8 2001
P19300020080	P19300020070	P19300020060	P19300020050	P19300020040	P19300020030	P19300020020
8	7	6	5	4	3	2
140.00	140.00	140.00	140.00	140.00	140.00	140.00

WESTSIDE SUBDIVISION

INVENTORY LIST

11	282-35	3014	070030110	10	5282-33	3009	3015	8	5282-31	3007	3006	6	7	5282-29	3005	4	5282-22	2010	5282-21	2009	8	7	5282-23	2011	5282-24	2012	9	7	5282-10	1010	5282-9	1009	8	7	5282-11	1011	5282-12	1012	9	8
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BUTLER SUBDIVISION [P10701]

13TH AVEN

N 1ST S

N 2ND S

130	13	5282-38	3015	14	5282-46	4007	4006	6	5282-45	4005	4004	4003	4002	4001	5282-40	4001	5282-44	4004	5282-43	4003	5282-42	4002	5282-41	4001	5282-40	4001
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12TH AVEN

8	5284-7	1008	7	5284-9	1007	6	5284-1006	5	5284-1005	4	5284-1004	3	5284-2	1003	2	5284-1	1002	1	5284-1001
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Locations of Names
5283 ONL
2000B
P1710062000B
Neighborhood

62 LIST

9	5284-16	2009	10	5284-17	2010	11	5284-18	2011	12	5284-19	2012	13	5284-20	2013	14	5284-21	2014	15	5284-22	2015	16	5284-23	2016	WESTSIDE SUBDIVISION [P19301]	1	5284-15	2008	2	5284-14	2007	3	5284-13	2006	4	5284-12	2005	5	5284-11	2004	6	5284-10	2003	7	5284-9	2002	8	5284-8	2001
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11TH AVEN

77	8	5284-24	2017	76	7	5284-25	2018	75	6	5284-26	2019	74	5	5284-27	2020	73	4	5284-28	2021	72	3	5284-29	2022	71	2	5284-30	2023	70	1	5284-31	2024
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WELLS ADDITION

54	5475-2	2001	2	5475-4	2003	3	5475-3	2004	5475	2004
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RIVERSIDE [P171]

6833 P1710059000B T2

9000B P1710055000B T1

5268-1 P1710055000B

54

11TH AVEN

DE [P17101]

Larry Lakey

For Cora Lakey

To Planning and Zoning

My elderly mother in her eighties put a tin roof on her house a few years ago. Now the snow slides off creating not only a danger for her but also fills her sidewalk to her driveway with snow. The snow also builds up against her front storm door, which swings out. This has caused her to be trapped in her house twice in the last couple of years. I am no longer physically capable of shoveling the volume of snow that accumulates.

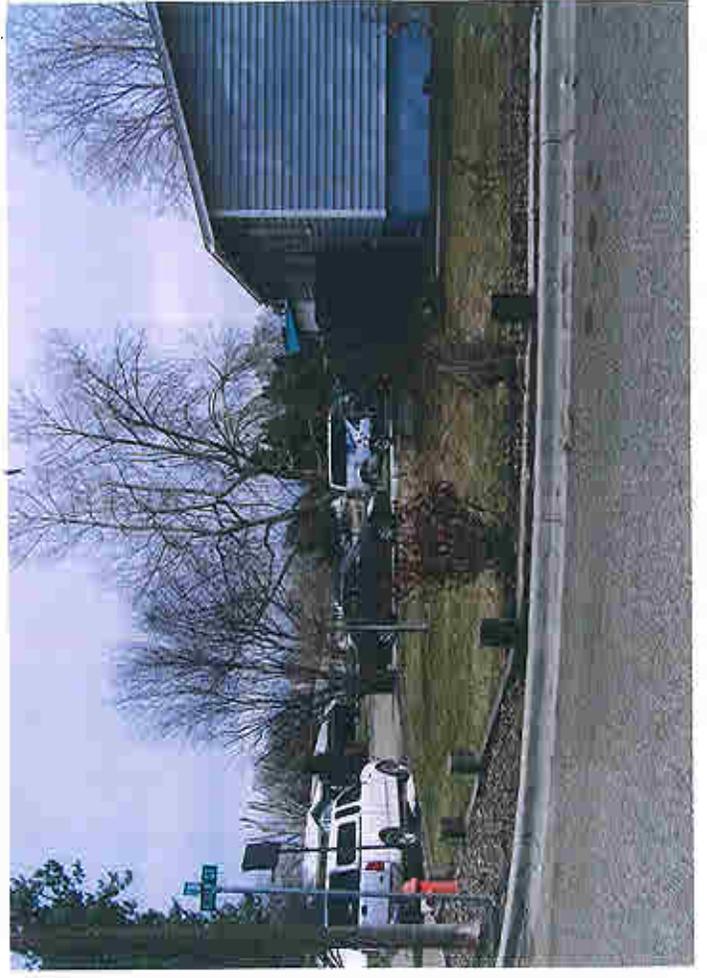
Therefore we would like to cover the portion of her house that starts on the east end of her house and goes to her front door (see attached photos) with a 4 foot extension of the roof supported on the outside edge with a post and beam system. Over the front door and to the west end of her house we would like to increase this overhang to 5 feet with a wood deck under it for her to sit on during the nice spring and fall days. I checked with the building inspector and he said that we had to be 55 feet from the center of the road or 25 feet from the property line. The street is a 36-foot street and we are only 50 feet from centerline and 25 feet from property line. Our block is one long block with River Street on one end and 2nd street on the other (see Photo). All the homes appear to be 25 feet from property line therefore all of the front steps are closer than 25 feet. However there are three existing large structures on the street that are closer than 25 feet. They consist of a home, a deck, and a large set of block steps (see photo).

Larry Lakey

A handwritten signature in black ink that reads "Larry Lakey". The signature is written in a cursive style with a large, sweeping flourish at the end.



EXISTING STRUCTURES CLOSER
THAN 25' FROM PROPERTY LINE
ALL HOUSES ARE ON PROPERTY LINE
EXCEPT ONE ABOVE WHICH IS CLOSER
THEN THERE IS A DECK AND A LARGE
BLOCK STEP.



The AREA we WANT cover
4' From EAST to DOOR
5' From DOOR to West end





12TH AVE N / LONG BLOCK LONG RIVER ST AT ONE
end & 2ND AT OTHER



**PAYETTE CITY COUNCIL
REGULAR MEETING
May 16, 2011**

7:00 PM – Regular Meeting

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

ROLL CALL

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

Members Absent: None

Staff Present: Mary Cordova, City Coordinator/Clerk; Doug Argo, City Engineer/Holladay Engineering; Jamie Couch, Street Supervisor; Jennifer Kelley, Deputy Treasurer/HR; Mark Clark, Police Chief; Steve Castenada, Interim Fire Chief, Bobbie Black, Deputy City Clerk.

PLEDGE

Darrel Draper led the Pledge of Allegiance.

CITIZENS COMMENTS

None.

APPROVAL OF MINUTES

A motion was made by Cochran and seconded by Heleker to approve the regular meeting minutes of 05-02-2011 with correction.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Mussell and seconded by Dodson to approve the City Bills & Payroll in the amount of \$449,928.38.

At the roll call:

Ayes: Hanigan, Dodson, Nelson, Mussell, Cochran, Heleker

Nays:

The motion CARRIED.

SPECIAL ORDERS

- A. Introduction of New Fire Chief – Mayor Williams introduced Tracy Carleton as the new Fire Chief. The Mayor thanked Steve Castenada for being the interim Chief and he is still in charge until Tracy Carleton starts on June 27, 2011. He also told the Council that he has promoted Steve to Assistant Chief. Mr. Carleton thanked everyone and is excited about working with everyone and the rural department.
- B. Play Day Proclamation – Mayor Williams stated that the City has an opportunity to become a Play Day City USA. He read the Play Day Proclamation proclaiming May 17, 2011 as “Play Day” in the City of Payette.

COMMUNICATIONS

- A. Payette Fire Department Rescue
- B. Open House – Don Dressen’s Retirement
- C. Thank You Note – Payette County Historical Society
- D. Idaho Community Tree Bulletin had Payette listed as receiving the Sterling Award for Arbor Day

PLANNING & ZONING

- A. March 24, 2011 meeting
- B. 2010 Planning & Zoning transactions

OLD BUSINESS

- A. Change Order #1 – KEPHA Construction – Payette Library – The Council asked for options from their last meeting on this change order. Mary Cordova stated that this new change order is a permanent ADA ramp. This will be the primary ADA access during construction. The first change order the Council rejected and has been presented with a new design. This will create a permanent ramp with an arched sidewalk for \$6,210.36. No hand rails will be needed. The Library Board has seen the new design and liked the idea.

A motion was made by Hanigan and seconded by Mussell to approve Change Order #1 for KEPHA Construction for the Library Expansion in the amount of \$6210.36.

At the roll call:

Ayes: Hanigan, Dodson, Nelson, Mussell, Cochran, Heleker

Nays:

The motion CARRIED

NEW BUSINESS

- A. Payette County Chamber of Commerce – Stacey Spelman & Craig Jensen addressed the Council. Mr. Jensen thanked the City for all the support they have given to the Chamber. He stated that for Payette and Fruitland Chambers to merge it required a super majority of the members. He was one of the main speakers against the merger, until he saw that it was the best for both chambers to merge. The Chamber has a lot of new members joining. Mr. Jensen updated the Council on the Community Center. They have put new flooring in and it now has kitchen facilities. It is rented almost every weekend. The Chamber splits the rent revenue with Lee Reed. Every Chamber meeting the attendance is growing. He stated that they would be happy to help with any economic development the City might have. Stacey Spelman gave an overview of what the Chamber’s new website will look like. She showed different templates and what benefits people will be able to access. They hope to have the new website up and running by July 1st.

- B. Public Safety Committee appointment – The Mayor offered Larry Dove for appointment to the committee.

A motion was made by Hanigan and seconded by Heleker to approve the appointment of Larry Dove to the Public Safety Committee.

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

- C. Donation Request – Bobbie Davis Scholarship

A motion was made by Dodson and seconded by Nelson to approve the donation of a 3 month family pool pass to the Bobbie Davis Scholarship auction.

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

D. Resolution #2011-04 – Surplus Equipment & Property

A motion was made by Heleker and seconded by Mussell to approve Resolution #2011-04 – Surplus Equipment & Property.

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

E. Kepha Pay Request #2 – Library Expansion

A motion was made by Hanigan and seconded by Dodson to approve Pay Request #2 in the amount of \$52,141.77 to KEPHA Construction for Library Expansion.

At the roll call:

Ayes: Hanigan, Dodson, Nelson, Mussell, Cochran, Heleker

Nays:

The motion CARRIED.

F. Kepha Pay Request #8 – Fire Station

A motion was made by Mussell and seconded by Dodson to approve Pay Request #8 in the amount of \$230,788.25 to KEPHA Construction for Fire Station.

At the roll call:

Ayes: Hanigan, Dodson, Nelson, Mussell, Cochran, Heleker

Nays:

The motion CARRIED.

**G. Ordinance #1341 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 15.04.061 IN CHAPTER 15.04 OF TITLE 15, TO MAKE THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS GENDER NEUTRAL; BY SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER –
1st Reading:**

A motion was made by Nelson and seconded by Mussell to introduce Ordinance #1341 by title only.

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

A motion was made by Mussell and seconded by Hanigan to suspend the rules and pass Ordinance #1341 on its first reading.

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

A motion was made by Heleker and seconded by Mussell that Ordinance #1341 do pass.

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

- H. Ordinance #1343 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 15.17.040 LICENSE; FEES; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING A SEVERABILITY; ESTABLISHING A REPEALER – 1st Reading:

A motion was made by Heleker and seconded by Nelson to introduce Ordinance #1343 by title only.

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

A motion was made by Heleker and seconded by Dodson to suspend the rules and pass Ordinance #1343 on its first reading.

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

A motion was made by Mussell and seconded by Heleker that Ordinance #1343 do pass.

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

DEPARTMENTAL REPORTS

- A. Police Department – April 2011 – Mark Clark, Police Chief, addressed the Council. He stated that for the most part Apple Blossom was uneventful. They had 41 reportable incidents. The Police Department will be participating in a seat belt campaign starting May 27th to June 2nd. This is a state wide campaign and will be advertisement on it. Chief Clark also told the Council that 2 of his officers will be participating in the phlebotomy program. This will be a 2 week training and traffic safety resource is paying for it. He also stated that Steve Castenada, Jamie Couch and himself have been watching the river. He showed a graph from the advanced hydrologic prediction service. The Greenway has been closed due to flooding.
- B. Fire Department – April 2011
- C. Doug Argo, City Engineer handed the Council his engineering Status Report dated May 16, 2011
- D. Mary Cordova addressed the Council. She showed them the product that Skip Cochran is making for backyard chicken food. One of the requirements was that it had to say Payette on the package. She stated that everyone did an awesome job during Apple Blossom and the Commission sent the City a bouquet of flowers.

MAYOR'S COMMENTS

Mayor Williams showed a copy of Outdoor Life Magazine with Payette listed in it.

CITIZEN'S COMMENTS

Councilor Nelson stated that Scott Masingill from the PMDC would like to give the Council an update. He also wanted to discuss the Monday work sessions and wanted to suggest/consider having work sessions before City Council meetings if they were needed. Mayor Williams asked how the council felt on this. Everyone seemed to agree that the work session before a council meeting would work best.

Councilor Heleker discussed the banners for entrances into Payette for Harmon Killebrew. He stated that he started talking about this in 2005. Mr. Heleker stated that Mr. Killebrew could not make it to Killebrew Days this year due to his health. He has received calls from people wanting to know about his hometown. Staff informed the Council that 4 banners have been ordered and will arrive on Monday.

Mayor Williams talked about the billboard and possibly placing something on it for Harmon Killebrew. He stated that the banners would be good at the entrances to Payette.

Sandy Massey stated that she has noticed that the Killebrew diamond sign is falling apart. Councilor Heleker said that it is already being fixed.

Immediately following the meeting the Council toured the construction site of the new Fire Station.

ADJOURNMENT

A motion was made by Mussell and seconded by Dodson to adjourn to at 8:30 PM.

The motion CARRIED.

Signed this _____ day of _____, 2011.

Jeff Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

PAYETTE CITY COUNCIL
Work Session & Special Meeting
May 23, 2011

5:20 PM – Work Session

ROLL CALL

Members Present: Mayor Jeff Williams, Georgia Hanigan, Les Cochran, Lee Nelson, Ivan Mussell and Mark Heleker
Members Absent: Kathy Dodson
Staff Present: Mary Cordova, City Coordinator; Jennifer Kelley, Human Resources; Doug Argo, City Engineer; and Becky Lynch, Utility Clerk

OLD BUSINESS

None Heard.

NEW BUSINESS

- A. PMDC- Scott Masingill:** Scott Masingill, President of the PMDC, went before the Council with a presentation featuring Scotch Pines Golf Course. He gave a detailed history of the course and informed the Council of some struggles they are having. The two main struggles Mr. Masingill stressed were the need of golfers and also the need of people to promote and support the golf course. Councilor Heleker stated that there are people from many different counties who play at the golf course; Scotch Pines has brought many visitors to Payette alone. The course will be having their first annual Founder's Day golf event on October 1st, 2011. This is their 50th Anniversary and they would like to have as many people there as possible. Councilor Cochran suggested to Mr. Masingill that he should go to the Chamber of Commerce to help promote Scotch Pines, they are developing a new program they are excited about and should be willing to help with the promotion of the golf course. Mayor Williams also informed Mr. Masingill that the city would be happy to help as long as it doesn't interfere with other projects; the golf course makes Payette, Payette.
- B. Child Care Ordinance:** Clerk Cordova started the discussion that the child care draft ordinance was brought before the Public Safety Commission. The State is coming down on childcare providers having background checks, licensing, basically criteria they need to meet before they can be issued a license. Our code currently states that anyone can have a child care facility, six kids and under, but they are not required to meet the State licensing requirements. This childcare draft ordinance is telling any childcare provider, at any level, that they must get a State license before issuing them a City license. Mayor Williams stated that there is a loop hole in our code presently that people could get through. Clerk Cordova went on to say that this ordinance could make all childcare providers in the City be required to meet the comprehensive State licensing requirements and regulations. Rather than having these regulations directly in our code while also being responsible for the enforcement of these regulations, we would require the childcare provider to have a State permit, and then the State would enforce these regulations. Councilor Mussel asked Clerk Cordova what is going to happen with the current childcare providers, are they grandfathered in? Clerk Cordova replied that the current providers who have six children and under are not required to get a yearly license unless there is a complaint in which case they would have to get a conditional use permit. Those childcare providers with six kids and over already have to meet the State licensing requirements. This new ordinance would apply to any new childcare providers regardless of how many children. Mayor Williams asked Clerk Cordova who in our

organization deals with this now. Clerk Cordova replied that the Planning and Zoning commission issues the conditional use permits and the fire department does the fire inspections prior to issuing the childcare licenses. Mayor asked the City Council if they would like to see this draft ordinance follow through, and the general consensus was yes.

- C. Poultry Ordinance:** Councilor Hanigan said that they discussed poultry in the Public Safety meeting and the recommendation from the commission was to have a limit of five or six poultry in the City while also not allowing roosters for the noise factor. The general consensus of that meeting was that it didn't matter if poultry was in an A or B zoning, but someone had mentioned that there is a portion that contradicts in code which would need to be taken out. Mayor Williams suggested that they bring forth this ordinance at a later time.
- D. Proposed Gas & Oil Drilling Ordinance:** Clerk Cordova stated that we have a lot of activity around the County and now in the City limits. We haven't had any drilling yet but they have been offering lease agreements to many different people including the City of Payette for a property that we own. What we need to ask ourselves is what do we want in our backyard, and what is important to our citizens? Councilor Heleker stated that what is important to him is aquifer integrity, which agreeably to Clerk Cordova is very important. Clerk Cordova went on to state; what are the setbacks, how close is too close to a residence, what kind of parameters do we want to set on that? Items such as visual impacts and aesthetics, noise impact, the exhaust, compliance with environmental regulations. This is the starting point, it is here and we need some regulations set in place. Councilor Nelson asked if the drillers were to approach a private citizen to drill, would that be allowed to happen. Mayor Williams stated that yes, right now it would be allowed. The approach is the lease amount that you get up front, and if it is a producing well you will get 1/8th of the revenue. People may not think of the impact the drilling has on the City. We need to think of how we are to protect our citizens and our water source. Clerk Cordova urged the City Council to read through Colorado's ordinance, which was provided to the council from the City of New Plymouth. Mayor Williams wants this issue to go before the Public Works Committee because this is urgent enough to get them involved.
- E. Payette Skateboard Park Proposal- Kim Bruce:** Kim Bruce, citizen of Payette, came before the City Council to give a proposal for replacement and/or expansion of the Payette Skate Park. She explained that the need of this came up because she has two boys growing up who skateboard, ride bikes, and scooters. On their way to Portland they made stops at different skate board parks, and they realized how great the different skateboard parks were and would like to see the same greatness here in the City of Payette. Kim went on to say that we should have a more concrete structure to keep from deteriorating as quickly as the one we have now. The surface area of concrete slab is not enough for the amount of kids that skate at our skate park, kids ride over top of each other because of the small space as well as the ramps being too close. A Tony Hawk grant booklet was mailed to the City and then given to Kim Bruce to help the community get more involved in improving the skate park. Clerk Cordova informed the council that the grant from the Tony Hawk Foundation will not consider you unless there is community support. Inside of this booklet are statistics and guides to help with getting grants for the community skate park started. Kim went on to explain facts of what is needed according to our size of community as well as why this would be important to replace or expand the skate park. She stated, for the kids who can't afford or get into sports, this would be an inexpensive sport and activity for them to be involved in. Kim is looking for insight on what is the next step to get this proposal started from the City Council. Councilor Heleker mentioned that when the skate park was first put in we had a handful of kids

in here at the meeting saying they were going to help pick it up and keep the skate park maintained. For the first few months they did a great job of maintaining the skate park but now the City workers are the ones who take care of it now. Councilor Heleker stressed that there needs to be some organization ideas for enforcing the upkeep of the skate park. In response, Kim said that when the design of the new park is made, it should be made to make it easy for the youth to maintain as well as having community clean up days the youth are in charge of. With that, she stressed as well that the youth are the ones who need to design the park. Kim thinks the location is a great location but she just wanted to know if the Council is receptive to this idea of rebuilding or expanding the skate park. There are no plans yet, but these items are just the building blocks for a new park to be developed. Mayor Williams suggested that she needs to build a team, find out costs, the time that will be involved, and then bring those plans to our City staff to further the process.

GENERAL DISCUSSION

Mayor Williams wanted to give his appreciation to the school for the memorial service held for Harmon Killebrew and also the City Police department with traffic control and assistance; it was a really nice service. Councilor Heleker also wanted to thank the City Police department as well for help with parking cars and doing things that could have been a nightmare without them. Mayor Williams's next item he brought up for discussion is at the last work session meeting the Council had discussed having the work session meeting right before the Council meeting all on the same day. Councilor Nelson informed the council it would be beneficial for him to free up a Monday in case he needed to leave town he could do it on a Monday instead of a Tuesday. He also pointed out that the Council has been committing a lot more time than they used to with work sessions, which is fine and is useful, but having both meetings together would be more convenient. Councilor Mussel agrees that it would be more convenient for him as well because he travels to these meetings. Mayor Williams stated that he likes to have things brought before the Council so he has time to think about it before they all have to make a decision. Councilor Hanigan also agrees with what Mayor Williams stated, she likes to have the time to think of what decision to make for items brought before the Council, but she does like the idea of the occasional Monday for special meetings as well. Councilor Heleker has School board meetings on the second Monday of the month and it would be tough to have everything together then needing to make a decision on it an hour later. He does see how it would be more convenience for Councilor Nelson in case he needed to leave town, and also the same convenience for Councilor Mussel since he is coming into town from a job in another city. Mayor Williams asked the council when they would like to start having the meetings pushed together and the general consensus of the council was to start in June. Mark Heleker wanted to commend the Street department for having the banners up so quickly for the people coming in for the Harmon Killebrew memorial to see them.

MAYOR'S INFORMATIONAL POINTS TO THE COUNCIL

None Heard

The work session ended at 6:39 PM

Immediately Following Work Session – Special City Council Meeting

A special meeting of the Payette City Council was called to order at 6:39 PM by Mayor Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

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

Members Absent: Kathy Dodson

Staff Present: Mary Cordova, City Clerk; Jennifer Kelley, Human Resources; Doug Argo, City Engineer; Becky Lynch, Utility Clerk

NEW BUSINESS

Special Events Permit-Payette School District-Picnic in the Park

A motion was made by Councilor Mussel and seconded by Councilor Cochran to approve the special event permit for the Payette School District, Picnic in the Park and waive the fees.

After a unanimous affirmative voice vote, the motion CARRIED

Change Order #2-Kepha Construction-Library Expansion

A motion was made by Councilor Heleker and seconded by Councilor Mussel to approve change order #2 to Kepha Construction for the Library Expansion Project in the amount of \$1,783.86.

After a unanimous affirmative voice vote, the motion CARRIED

Change Order #6-Kepha Construction-Fire Station

A motion was made by Councilor Heleker and seconded by Councilor Hanigan to approve change order #6 to Kepha Construction for the Fire Station in the amount of \$73,922.19

After a unanimous affirmative voice vote, the motion CARRIED

ADJOURNMENT

A motion was made by Heleker and seconded by Mussel to adjourn at 6:52 PM.

The motion CARRIED.

Signed this ____ day of _____, 2011.

Jeff Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

Claims by Vendor Report
For the Accounting Period: 06-06-2011

	Vendor	Claim #	# of Lines	Date Accepted	Check	Amount
30	A-PLUS AMAROS	CL 4574	2	05/31/11	4946	50.00
43	ACTION COURIERS, INC.	CL 4625	1	06/01/11	4947	25.41
60	ADVANCED CONTROL SERVICE, LLC	CL 4575	1	05/31/11	4948	269.00
214	AVENET, LLC	CL 4577	1	05/31/11	4949	600.00
160	BEAR GRAPHICS	CL 4578	1	06/01/11	4950	221.34
623	BUCKLEN, KEITH	CL 4579	1	06/01/11	4951	450.00
197	BURKE ELECTRIC	CL 4580	1	06/01/11	4952	1,669.00
467	CHAMBER THRU DIRT	CL 4581	1	06/01/11	4953	107.11
490	CITY CLEANERS	CL 4582	1	06/01/11	4954	207.05
650	D&B SUPPLY	CL 4583	18	06/01/11	4956	1,608.16
685	DART'S TRIM VALUE	CL 4584	1	06/01/11	4957	75.00
6130	D&S TECHNOLOGIES	CL 4585	1	06/01/11	4958	1,464.00
830	ERWIE'S ELECTRIC, INC.	CL 4586	1	06/01/11	4959	85.00
883	FRANK GALLERY	CL 4624	1	06/01/11	4960	70.80
900	FRUITLAND NURSERY	CL 4587	1	06/01/11	4961	235.94
920	GALT'S INC.	CL 4588	2	06/01/11	4962	2,500.00
985	GIZ ARCHITECTURE	CL 4589	1	06/01/11	4963	625.21
1090	HARDIN SANITATION, INC.	CL 4590	6	06/01/11	4964	340.20
1270	IDAHO ASPHALT SUPPLY	CL 4591	1	06/01/11	4965	15,242.57
1410	INDEPENDENT ENTERPRISE	CL 4592	7	06/01/11	4966	264.48
1430	INTERMOUNTAIN GAS	CL 4593	5	06/01/11	4967	3,623.46
1440	INTERSTATE ELECTRIC	CL 4594	1	06/01/11	4968	49.79
1444	ISBERG	CL 4597	3	06/01/11	4969	160.00
1485	JOB'S SAFE LOCK	CL 4598	1	06/01/11	4970	75.00
1630	L.N. CURTIS AND SONS	CL 4599	1	06/01/11	4971	63.21
199	LHFGC	CL 4600	1	06/01/11	4972	200.00
1695	M&C CORPORATION	CL 4601	1	06/01/11	4973	101.19
562	MATERIALS TESTING	CL 4602	2	06/01/11	4974	812.00
609	MCKINSTRY ESSENTION, INC	CL 4603	1	06/01/11	4975	1,671.40
1006	NATIONAL HOSE TESTING	CL 4604	1	06/01/11	4976	3,200.50
599	NEWMAN TRAFFIC SIGNS	CL 4605	1	06/01/11	4977	202.88
1910	NERCO	CL 4606	1	06/01/11	4978	423.00
1970	OMPAPIO HEATING & HYDRAULIC	CL 4627	1	06/01/11	4979	58.56
2027	OMPAPIO TOOL AND RENTAL	CL 4628	1	06/01/11	4980	74.00
2180	PALETTE PRINTING	CL 4607	1	06/01/11	4981	38.95
2310	PITNEY BOWES	CL 4576	6	05/31/11	4982	765.42
6108	POST ACADEMY	CL 4608	1	06/01/11	4983	245.00
2353	PRISM STRIPES	CL 4609	1	06/01/11	4984	265.00
801	CP TECHNOLOGIES	CL 4610	1	06/01/11	4985	436.00
2396	RHINEHART, LARRY & KATHY	CL 4611	2	06/01/11	4986	1,300.00
2407	SAH TERMINAL, INC.	CL 4612	1	06/01/11	4987	178.97
622	SANITARY EXPERIMENT EQUIP., INC.	CL 4613	1	06/01/11	4988	1,704.99
2540	STAPLES CREDIT PLAN	CL 4614	1	06/01/11	4989	127.96
2650	SYNE ELECTRIC	CL 4615	3	06/01/11	4990	3,901.16
2842	UNITED PARCEL SERVICE	CL 4617	2	06/01/11	4992	18.54
205	UNITED PIPE & SUPPLY	CL 4618	1	06/01/11	4993	1,739.58
2994	WESTERN STATES CHEMICAL	CL 4619	1	06/01/11	4994	149.88
123	WINDHOFF DRUG TESTING	CL 4620	3	06/01/11	4995	155.00
2986	WILBUR-ELLIS	CL 4621	1	06/01/11	4996	379.00
624	WMS AQUATICS	CL 4622	1	06/01/11	4997	385.69
6193	XEROX CORPORATION	CL 4623	1	06/01/11	4998	320.35
2990	ZEE SERVICE CO.	CL 4622	2	06/01/11	4998	115.73
	CITY PAYROLL			5/20/2011	XP	111,707.63
	HARDIN SANITATION, INC.			5/20/2011		26,582.20
	PAVETTE COUNTY CLERK			5/31/2011		20,685.71

GRAND TOTAL:

208,056.60

Thank
You

RECEIVED
MAY 25 2011
CITY OF PAYETTE

Dear City of Payette,
Thank you for your donation at
the Apple Blossom Coronation Banquet.
Your gift truly added to our enjoyment
of the night and we appreciate it. The
Apple Blossom Festival could not succeed
without the support of generous
sponsors like yourself. Thank you!

Sincerely,
The 2011 Apple
Blossom Queen's Court

Kathy King

Jessie Warrington

Jan Cutler

Walt & Joanie Kaplin
4106 101st St Ct NW Gig Harbor, WA 98332
Phone: 253.858.8739 email: wkaplin@comcast.net

Mr. Jeffrey T. Williams, Mayor
700 Center Street
Payette, Idaho 83661

Dear Mayor Williams,

My name is Walter Kaplin, a 1954 graduate of Stadium High School in Tacoma, Washington who graduated the same year as the late, great Harmon Killebrew. As a former amateur baseball player, I was a huge fan of Mr. Killebrew and followed his career throughout his playing days. I have also been married for 50 years to the former Joanie Park, a 1957 graduate of Buhl High School, Buhl, Idaho. We met during Joanie's college years at Pacific Lutheran in Parkland, Washington.

As a Cancer Patient, I was saddened to hear about Mr. Killebrew's passing. When I read in a local newspaper that Mr. Killebrew desired to spend his remaining time with his family at home, I didn't realize time was so short.

Please accept this commemorative desk clock token of my appreciation. It was a pleasure to watch Mr. Killebrew on television, read about him in newspapers and sports magazines, but most of all, talk about his career with fellow friends and players I associated with when I was younger. To me Mr. Killebrew was the "Pride of Payette".

Kindest Regards;


Walter Kaplin



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Honorable Mayor & Payette City Council
From: Bobbie Black, Deputy City Clerk
Date: 5/19/2011
Re: Child Care Ordinance

BACKGROUND & JUSTIFICATION: During the 2009 Legislative Session the Senate passed a bill to make improvements in daycare regulations. One of the changes was that a state license was required for a daycare facility having more than 7 children and fewer than 7 children is voluntary licensing. For the protection of the children in our community we would like to require state licensing mandatory in the City of Payette for all child daycare providers. Per our code a Conditional Use Permit is required for all zones within the City.

RECOMMENDATION: Recommend that City Council approve Ordinance #1344 regarding Child Care facilities be required to have a State license before the Conditional Use Permit is issued.

ORDINANCE 1344

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING SECTION 5.37 CHILD CARE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. A new Chapter 5.37 of the Payette Municipal Code is hereby created, which Chapter shall read as follows:

CHAPTER 5.37

5.37.010 CHILD CARE

5.37.010 No person shall operate a Childcare Center, a Family Home Childcare or a Group Childcare, as those terms are defined in section **17.08.010** until that person has obtained a license from the State of Idaho and a Conditional Use Permit from the City. No permit for a Conditional Use Permit shall be issued by the City until a copy of the State license is provided to the City Clerk.

Section 2. This Ordinance may be published in summary form as permitted by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statues of the State of Idaho.

Section 6. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2011.

CITY OF PAYETTE, IDAHO

Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Honorable Mayor & Payette City Council
From: Bobbie Black, Deputy City Clerk
Date: 5/19/2011
Re: Poultry; Required Confinement

- 1. BACKGROUND & JUSTIFICATION:** At a City Council work session on March 28, 2011 the discussion of roosters in the city limits was brought up for discussion. The City Council discussed passing an ordinance that no roosters are allowed within City limits. They felt that it should be brought before the Public Safety Committee for a recommendation. Our current code does not allow for chickens in A-Residential zoning. The code does allow for chickens in other zones as long as they are confined within a shed or other enclosure sufficient to retain them, with no limit on how many they can have. T-Transitional zoning allows for up to 25 poultry. The City has received complaints regarding roosters crowing and by not allowing roosters our citizens would still be able to raise poultry on their property.

I have done research on what other towns do and it varies. Most allow poultry, with limits and there are a lot of cities that do not allow roosters in their city limits. Most all say that they must be kept securely enclosed and not allowed to roam into their neighbors yard.

The Public Safety Committee recommends to City Council to approve the ordinance with the change that poultry is allowed in A-Residential zones. I have changed the ordinance to reflect that.

FISCAL IMPACT: None

RECOMMENDATION: Recommend that City Council approve Ordinance #1345 as recommended by the Public Safety Committee.

ORDINANCE 1345

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 6.04.090 IN CHAPTER 6.04 OF TITLE 6, TO AMEND POULTRY; REQUIRED CONFINEMENT; AND SECTION 17.24.050 IN CHAPTER 17.24 OF TITLE 17, TO AMEND BUILDING AND USE RESTRICTIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. Section 6.04.090 of Title 6, Chapter 6.04 of the Payette Municipal Code is hereby amended to read:

6.04.090: POULTRY; REQUIRED CONFINEMENT:

It is unlawful for any person to keep any chickens, ducks, geese, turkeys or other poultry within the city limits, except the same shall be confined within a shed or other enclosure sufficient to retain the same and prevent them from trespassing upon the streets, alleys and other property within the city limits. A limit of no more than 6 chickens, ducks, geese, turkey or other poultry is allowed, except as outlined in T-Transitional District. No roosters are allowed in the corporate city limits. (Prior code § 6-2-9)

17.24.050: BUILDING AND USE RESTRICTIONS:

- A. The roofs of buildings shall not project to within four feet (4') of the side property line.
- B. If garages open on side streets, they shall be at least ten feet (10') from the side property line, and, if the opening is on an alley, the setback shall be eight feet (8') from the property line.
- C. No building of more than two (2) stories, except public shall be permitted except by approval of the planning and zoning commission.
- D. No permanent signboards of any kind shall be permitted.
- E. No animals, other than household pets, shall be permitted except as outlined in 6.04.090, Poultry: Required Confinement.
- F. Sidewalks shall be constructed in all residential areas either adjacent to street curbs or set back away from the curb so the outer edge of the sidewalk lies adjacent to the property line. The planning and zoning commission shall designate which option may be utilized. If the sidewalk is set back from the curb, a planting strip shall be maintained between the sidewalk and street curb. A planting strip is an area between a curb and sidewalk which is landscaped or maintained as a lawn.
- G. All dwelling units shall be at least twenty feet (20') in width and forty feet (40') in length. (Ord. 1204, 2002: Ord. 971 § 9, 1987: Ord. 887, 1978: Ord. 847, 1976: prior code § 11-6-1(C))

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the
City of Payette, Idaho this _____ day of _____, 2011.

CITY OF PAYETTE, IDAHO

BY _____

Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk



City of Payette

Mobile Food Vendor License Application

OFFICE USE ONLY

Date Received 5/13/11 Approved/Denied _____
 Amount owing \$50- Date Paid _____
 Background check completed on 4 day of May, 2011.
 Approved Denied _____
 Completed by John A. [Signature]
 Payette Police Department

Non Refundable Fees:

Application..... \$50.00 (per 90 days)
 Background Check..... \$20.00

Please see requirements in the Payette City Code 5.15

First Name JASWANT R Middle Initial _____ Last RATTY

Social Security Numl [Redacted] Phone Number 702-642-7203

Applicant's Address 625 South main St. Payette ID 83661

Nature of Business Selling ice cream

Type of Goods to be sold Sel ice cream

Location of sale of goods Payette Dates of Sale _____

Public Health Permit Number, if applicable N/A

FIRM OR CORPORATION name, address, phone number, state incorporated under and Company EIN represented by applicant 175 S BS ICE cream

List all business locations, mailing addresses used, and nature of business in the previous six months
625 S main St PAYETTE ID 83661

List all persons having management or supervision duties, their address, and the capacity in which such person will act (such as proprietor, agent or otherwise) SATOSH RUMMAI

Identify any persons having management or supervision duties who have been convicted of a crime, felony or misdemeanor, etc. N/A

[Signature]
Signature

5-13-2011
Date

TAILORED PROTECTION POLICY DECLARATIONS

CITY OF ONTARIO
07/09/2010

10:34 AM

MI 48917-3999

Renewal Effective 06-09-2010

Receipt No. 6422541

R 105 (208) 887-5300

POLICY NUMBER 092339-57041229-10

Cust.# 000000
JASWANT RATTU
625 S MAIN ST
PAYETTE, ID 83661-3506

Company
Bill

POLICY TERM
12:01 a.m. 12:01 a.m.
06-09-2010 to 06-09-2011

Receipt Total \$220.00

premium shown below, this policy is renewed. Please attach this
policy. If you have any questions, please consult with your agent.

COMMON POLICY INFORMATION

Cream Vendor

Cash Amt: 0.00
Check Amt: 220.00 Ck# 515
Change Amt: 0.00

1-000-469210
Background Check 20.00
1-000-469200
License Fee - 200.00

Agent: JULIA
License: CH-FDK-2333

THE FOLLOWING COVERAGE PART(S).

PREMIUM

GENERAL LIABILITY COVERAGE

\$253.00

TOTAL

\$253.00

PAID IN FULL DISCOUNT

\$25.00

TOTAL POLICY PREMIUM IF PAID IN FULL

\$228.00

The Paid in Full Discount does not apply to fixed fees, statutory charges or minimum premiums.
The Paid in Full Discount is based on favorable loss experience for the collective group of
policyholders who choose to pay their premiums in full directly to the Company.

PREMIUM SHOWN ABOVE FOR COMMERCIAL GENERAL LIABILITY COVERAGE IS AN ADVANCED PREMIUM
DEPOSIT AND MAY BE SUBJECT TO AUDIT.

FORMS THAT APPLY TO ALL COVERAGE PART SHOWN ABOVE (EXCEPT GARAGE LIABILITY, DEALER'S
BLANKET, COMMERCIAL AUTOMOBILE, IF APPLICABLE)
55003 (01-87)

A Merit Rating Plan Factor of 0.97 Applies.

Countersigned By:



SEE RELEASE OF LIABILITY FORM ON REVERSE SIDE

LICENSE NO.	LICENSE EXPIRES	YEAR	MAKE	MODEL	COLOR
1P58534	05/31/2011	1996	FORD	WIN	SIL
VEHICLE IDENTIFICATION NO.		TITLE NO.	BODY TYPE		
2FMDA5149TBC33841		093016414	VAN		



Idaho Transportation Dept
Division of Motor Vehicles
PO Box 7129
Boise, ID 83707-1129

THIS IS NOT A BILL

**I
D
A
H
O**

DESCRIP:
RC: 38020090327120002

REG TYPE PC CAR

ISSUED:
03/27/09
12:00:02

RATTU, JASWANT
KUMARI, SANTOSH

OR

625 S MAIN ST
PAYETTE

ID 83661

TRAN: TR
JJ 38/0



65.00
We certify under penalty of law that this vehicle is and will be continuously insured as prescribed by law. (see reverse side)

PAYETTE PAYETTE COUNTY ROAD & BRIDGE
THESE LICENSE PLATES BELONG TO YOU - REMOVE THEM WHEN YOU SELL THE VEHICLE

APPLICANT MUST SIGN TO BE VALID

Your ID Cards



CLAIMS SERVICE JUST FOR YOU

Rest easy. We're here 24/7 when you need us.
To report a claim call 800-274-4499.

IF YOU'RE IN AN ACCIDENT

1. Remain at the scene. Don't admit fault.
2. Call the police to report the accident.
3. Exchange information with the other driver(s).
4. Report your claim to Progressive immediately.

INSURANCE IDENTIFICATION CARD - Idaho

PROGRESSIVE

Policy Number: 07928096-0 Effective Date: 04/13/2011 to 04/13/2012

Insurer: United Financial Casualty Company

Your Agent: **TEMPORARY** Named Insured:

JASWANT RATTU
SANTOSH RATTAN
625 MAIN ST
PAYETTE, ID 83661

Vehicle: Year Make Model VIN
1996 FORD WINDSTAR WAGON 2FMDA5149TBC33841



**IDAHO STATE POLICE
BUREAU OF CRIMINAL IDENTIFICATION**



NAME BASED CRIMINAL BACKGROUND CHECK FORM
of the Idaho Central Repository of Criminal History Records

J# 103902288127
10\$

A separate form must be used for each request. Do not use staples on the forms. A \$10 processing fee must be included. Make checks or money orders payable to the Idaho State Police. We do not accept personal checks from the applicant when a company or agency is the requesting party. Please print clearly in blue or black ink only. A \$20.00 fee will be charged for any returned checks.

RECEIVED

REQUEST

Please provide an Idaho Criminal History on the individual named below.

MAY 06

Last Name KUMARI		First Name SANTOSH		Middle Name ISP/BCI
Alias Names (Include Maiden/prior Married Names) Santosh Rattan	Date of Birth (mm/dd/yy) [REDACTED]	Sex R	Race IA	Social Security Number [REDACTED]

Address **625 South Main St** City **Payette** State **ID** Zip **836601**

WAIVER

Idaho law does not require a waiver. However, without a signed waiver from the subject of the record, any arrest more than 12 months old, without a disposition, cannot be given to a non-criminal justice agency.

I hereby give permission for the requester, named below, to receive any information maintained by the Idaho Bureau of Criminal Identification concerning myself.

Signature **[Signature]**

Date **5/4/11**

This signature on the waiver must be within 180 days of the name check submission.

TO BE COMPLETED BY COMPANY OR PERSON REQUESTING BACKGROUND INFORMATION

Requesting Person or Company Payette Police Department	Address of Requester (Results will be mailed to this address) 700 Center Avenue; Payette, ID 83661
Printed Name of Requestor (Print Legibly) JOHN PLAZA	Signature of Requestor [Signature]

Results of Non-Certified Record Search

Record Attached No Record Found BCI Initials **VS** Date **5-9-11**

General Information:

Idaho law does not require a person to give consent. However, without a signed release from the subject of record, any arrest more than 12 months old, without a disposition, cannot be given to a non-criminal justice agency.

Criminal history record information furnished as a result of a non-fingerprint based computerized search is based solely on a search of identifiers provided in the request. Be aware it is not uncommon for criminal offenders to use alias names and false dates of birth, which would adversely affect the completeness and accuracy of a non-fingerprint based search of the Idaho Central Repository of Criminal History Records. No other state or federal agency records can be searched under current law. The bureau does not telephone or fax responses. Please allow ample time for processing this request. Requests are processed on a first come basis.

The records maintained by the Idaho Bureau of Criminal Identification (BCI) are based upon the felony and serious misdemeanor arrests reported to BCI from other Idaho criminal justice agencies. If a person disputes the accuracy of information obtained, that person may challenge the information by writing to the address on this form.

Idaho code 67-3008 (6) states, "A person or private agency or public agency, other than the department, shall not disseminate criminal history record information obtained from the department to a person or agency that is not a criminal justice agency or court without a signed release of the subject of record unless otherwise provided by law.

700 S. STRATFORD DR. STE. 120 • MERIDIAN, ID 83642
(208) 884-7130 • FAX (208) 884-7193



IDAHO STATE POLICE
700 S. STRATFORD DR.
MERIDIAN, ID 83642

Ship
To: PAYETTE POLICE DEPT

Receipt

Invoice Number: S1070121
Invoice Date: 05/09/11

Page: 1

Bill
To: PAYETTE POLICE DEPT

Customer No. BCI0132

Item No.	Item/Description	Quantity	Unit Price	Total Price
NAMECK	PAYETTE POLICE DEPT/KUMRI,SANTOSH	1	10.00	10.00

Payment Method: BCI Check Receipts
Check No. R103902288127

Subtotal: 10.00
Invoice Discount: 0.00
Sales Tax: 0.00
Amount Paid: 10.00
Total: 0.00



**IDAHO STATE POLICE
BUREAU OF CRIMINAL IDENTIFICATION**



J# 103902288116
109

NAME BASED CRIMINAL BACKGROUND CHECK FORM
of the Idaho Central Repository of Criminal History Records

A separate form must be used for each request. Do not use staples on the forms. A \$10 processing fee must be included. Make checks or money orders payable to the Idaho State Police. We do not accept personal checks from the applicant when a company or agency is the requesting party. Please print clearly in blue or black ink only. A \$20.00 fee will be charged for any returned checks.

RECEIVED

REQUEST

Please provide an Idaho Criminal History on the individual named below.

MAY 06 2011

Last Name <i>RATTY Rattu</i>	First Name <i>JASWAN? Jaswant</i>	Middle Name <i>ISP/BCI</i>
Alias Names (Include Maiden/prior Married Names) <i>SINGH / Jersy</i>	Date of Birth (mm/dd/yy) [Redacted]	Sex <i>M</i>
	Race <i>ASIAN</i>	Social Security Number [Redacted]

Address *625 Spruce St.* City *Payette* State *ID* Zip *83661*

WAIVER

Idaho law does not require a waiver. However, without a signed waiver from the subject of the record, any arrest more than 12 months old, without a disposition, cannot be given to a non-criminal justice agency.

I hereby give permission for the requester, named below, to receive any information maintained by the Idaho Bureau of Criminal Identification concerning myself.

[Signature]
Signature

5-4-2011
Date

This signature on the waiver must be within 180 days of the name check submission.

TO BE COMPLETED BY COMPANY OR PERSON REQUESTING BACKGROUND INFORMATION

Requesting Person or Company <i>Payette Police Department</i>	Address of Requester (Results will be mailed to this address) <i>700 Center Avenue; Payette, ID 83661</i>
Printed Name of Requestor (Print Legibly) <i>JOHN PLAZA</i>	Signature of Requestor <i>[Signature]</i>

Results of Non-Certified Record Search

Record Attached No Record Found BCI Initials *VS* Date *5-9-11*

General Information:

Idaho law does not require a person to give consent. However, without a signed release from the subject of record, any arrest more than 12 months old, without a disposition, cannot be given to a non-criminal justice agency.

Criminal history record information furnished as a result of a non-fingerprint based computerized search is based solely on a search of identifiers provided in the request. Be aware it is not uncommon for criminal offenders to use alias names and false dates of birth, which would adversely affect the completeness and accuracy of a non-fingerprint based search of the Idaho Central Repository of Criminal History Records. No other state or federal agency records can be searched under current law. The bureau does not telephone or fax responses. Please allow ample time for processing this request. Requests are processed on a first come basis.

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Idaho code 67-3008 (6) states, "A person or private agency or public agency, other than the department, shall not disseminate criminal history record information obtained from the department to a person or agency that is not a criminal justice agency or court without a signed release of the subject of record unless otherwise provided by law.

700 S. STRATFORD DR. STE. 120 • MERIDIAN, ID 83642

(208) 884-7130 • FAX (208) 884-7193



IDAHO STATE POLICE
700 S. STRATFORD DR.
MERIDIAN, ID 83642

Ship
 To: PAYETTE POLICE DEPT
 ATTN JOHN PLAZA
 700 CENTER AVE
 PAYETTE ID 83661

Receipt

Invoice Number: S1070120
 Invoice Date: 05/09/11

Page: 1

Bill
 To: PAYETTE POLICE DEPT
 ATTN JOHN PLAZA
 700 CENTER AVE
 PAYETTE ID 83661

Customer No. BCI0132

Item No.	Item/Description	Quantity	Unit Price	Total Price
NAMECK	PAYETTE POLICE DEPT/RATTY,JASWANT	1	10.00	10.00

Payment Method: BCI Check Receipts
 Check No. R103902288116

Subtotal:	10.00
Invoice Discount:	0.00
Sales Tax:	0.00
Amount Paid:	10.00
Total:	0.00



920 Main Street • Caldwell • Idaho • 83605 PH. (208) 455-5400/Fax: (208) 455-5405

Low Risk Food Establishment

To whom it may concern:

An individual or operation that is only selling non-potentially hazardous foods (Low Risk Food Establishment) at an organized event, or as a mobile operation, is not required to have a food establishment license, and will not be inspected by Southwest District Health.

- IDAPA 16.02.19.13 **Low Risk Food Establishment.** A low-risk food establishment provides factory-sealed, pre-packaged, non-potentially hazardous foods. The establishment may have limited preparation of non-potentially hazardous foods only.

➤ Although a food establishment license may not be required with Southwest District Health, it is the operator's responsibility to contact the event coordinator, city, or county offices to obtain the correct sellers permits. Without approval from any of these offices, the operation may be closed.

Applicant Name: JASWANIT RATTU Phone: 642-2203 Fax: 642-5241
(Print)

Business Name: DS & BS ice cream
(Print)

Mailing Address: 625 South main st. Payette ID-83661
(Print)

Event	Location	Dates
May, June, July	Payette	7 DAY a week
August, Sept oct		

Menu Items: Pre PAKed ice cream Bars
Southwest District Health must be notified of all menu changes

Applicant Signature: [Signature]

Reviewed by: [Signature] Date: 5-17-11

Approved:
An application is on file with Southwest District Health; however, a license is not required for non-potentially hazardous foods. **Renewal is necessary for each calendar year.**
Comments:

Disapproved:
Food establishment license is needed.
Comments:

If you have questions about this vendor and/or the licensing requirements of Southwest District Health, please call 455-5400.

➤ Please fill out a new form every calendar year. Expiration Date: _____
Keep this form on site.

Promoting and Protecting your Health in Adams, Canyon, Gem, Owyhee, Payette, and Washington Counties:

Caldwell
920 Main Street 83605
455-5400
Fax 455-5405

Emmett
1008 E. Locust 83617
365-6371
Fax 365-4729

Nampa
824 S. Diamond 83686
465-8402
Fax 442-2809

Payette
1155 3rd Ave. N 83661
642-9321
Fax 642-5098

Weiser
36 West Court 83672
549-2370
Fax 549-2371

Revised 11/1/07



CERTIFICATE OF LIABILITY INSURANCE

OP ID: LB

DATE (MM/DD/YYYY)

05/18/11

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER J & K Insurance, Inc. 236 W. Cherry Lane P.O. Box 907 Meridian, ID 83680-0907 KEITH THURGOOD		208-887-5300 208-887-4646	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: DJ&BJ-1	FAX (A/C, No):
INSURED DJ & BJ Ice Cream 625 S Main St Payette, ID 83661		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: AUTO OWNERS INSURANCE GROUP		18988
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR		POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
		INSR	WVD					
A	GENERAL LIABILITY			57041229	06/09/10	06/09/11	EACH OCCURRENCE	\$ 500,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 500,000
							GENERAL AGGREGATE	\$ 1,000,000
							PRODUCTS - COMP/OP AGG	\$ 1,000,000
								\$
								\$
								\$
								\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS							\$
	<input type="checkbox"/> NON-OWNED AUTOS							\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	EXCESS LIAB						AGGREGATE	\$
	DEDUCTIBLE							\$
	RETENTION \$							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	N/A				E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

6421412

CERTIFICATE HOLDER**CANCELLATION**

CITY OF PAYETTE
 700 CENTER AVE
 PAYETTE, ID 83661

CITYOPA

MAY 31 2011

CITY OF PAYETTE

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
 KEITH THURGOOD

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**BEFORE THE CITY OF PAYETTE
CITY COUNCIL**

FINDINGS OF FACT, CONCLUSIONS OF LAW

IN THE MATTER OF AN APPLICATION BY:)
)

Chester G. & Sandra Boren
FOR DE-ANNEXATION

I. APPLICATION PROCESS

LEGAL

A. An application by the Chester G. & Sandra Boren to de-annex the following described property.

Parcel I: A portion of Block 3 of Assessor's Riverside Plat, according to the map thereof on file and of record in the office of the Recorder of Payette County, Idaho, said tract being situate in Government Lot 1 of Sec. 28, T9N, R5W, BM, and more particularly described as follows: Beginning at a point 1320 feet West and 661 feet North of the SE corner of aforesaid Government Lot 1; run thence North 339 feet, more or less, to the Easterly meander line of the Snake River; thence in a Southwesterly direction following said meander line of said river to a point 385 feet West of the point of beginning; thence East 385 feet, more or less, to the point of beginning.

NOTIFICATION

On April 8th, 2011, notice was mailed to affected parties within the de-annexation area, and to neighbors living within 300' of the de-annexation area, of a public hearing to be held May 2nd, 2011. The public hearing notice was also published in the Independent Enterprise April 13th, 2011.

EXISTING CONDITIONS

The subject property is within the City of Payette Impact Area and was annexed into the City Limits on January 1, 2011. The property is surrounded by Riverside Cemetery on the east side, Highway 52 and Centennial Park on the west side, of which all are in the city limits. The north side is the Snake River.

STANDARDS THAT MAY APPLY

IDAHO CODE

I.C. 67-6511, I.C. 67-6526, I.C. 50-222 through 50-225

CITY OF PAYETTE COMPREHENSIVE PLAN

CITY OF PAYETTE MUNICIPAL CODE

ALL OTHER APPLICABLE STATE AND FEDERAL REGULATIONS

PUBLIC HEARING TESTIMONY

The City Council heard this case on May 2, 2011.

WITNESSES TESTIFYING IN FAVOR:

Chet Boren, 2089 North 6th Street, Payette, Idaho, addressed the Council. He is requesting the de-annexation of the property. He is surrounded by the Snake River, a park and a cemetery. He doesn't use city services and is a triangle all by himself. Water and sewer services are too far away and it would cost \$60,000 to connect to the City's system. The state said he can't put another septic system on his property because it's too small and there are three wells on the property. The job of the City is to provide services to citizens. He and his wife have lived in the house for 45 years and they don't want to move. They will have to if they're not de-annexed. This town likes to spend money with the tajmahal of fire stations and the 7th Avenue North road to nowhere. Why doesn't the town curb speeding and put money into things that need to be taken care of? Some laws are good, some are bad and forced annexation without water and sewer is a bad law. The Council needs to do what's right and de-annex his property.

The Mayor asked Mr. Boren how de-annexation would help his sewer problem. Mr. Boren said Health Department is the path of least resistance. Councilor Mussell asked Mr. Boren if his septic system is condemned because of annexation and he stated it's because of violation of Southwest District Health Standards. Councilor Heleker asked if it would cost \$60,000 to connect to our system. Randy Schwartz, WWTP Superintendent, said yes, close to it.

Sandra Boren, 2089 North 6th Street, addressed the Council. She said she's lived over half of her life in that house and bringing her into the City will destroy her way of life and deny her rights. Hell hath no fury like a woman scorned. Councilor Hanigan asked her what freedoms she would be losing? Clerk Cordova stated property and current animals are able to remain as is until altered.

Chad Boren, 2091 North 9th Street, addressed the Council. He said it's cheaper for him to live in the County and that property isn't surrounded by City property as required by law. The police don't patrol down there now. Why can't they follow the same timeframe as ordinance 1275 and the house is 1200' away from a water or sewer line. They've been paying \$10.75 per garbage services not rendered.

WITNESSES TESTIFYING IN OPPOSITION:

Mary Cordova, City Clerk, said the RV dump in Centennial Park is the closest sewer line and there was a sewer problem on the Boren's property before the annexation. Ordinance #1275 which Mr. Boren referred to was the area known as Gold Ridge Estates and the City was aware the owner was not going to develop as planned.

APPLICANT REBUTTAL

None heard.

FINDINGS OF FACT

The City of Payette City Council agreed with the following points as presented in the staff report:

1. *Promote other goals of population balance, contiguous development and prevention of costs due to leap frog development.*

Part of the intent behind the annexation in the area of development was to prevent the sort of "leap frog" development that has resulted in the unplanned, haphazard development patterns which are seen on the fringe of Payette. By annexing where feasible and practical, the City did help to ensure that future development, as much as possible, occurs contiguous with City limits and thereby facilitates the more efficient and economical delivery of services.

2. *The annexation was consistent with the public purposes addressed in the annexation plan prepared by the City.*

Public purposes addressed in the annexation plan included:

- A. Police Protection. Payette Police Department services have extended to the annexed property described herein without significant adjustment of current staffing levels or organizational structure.
- B. Fire Protection. Fire Protection services have extended to the annexed area with essentially the same level of service as is being provided in the rest of the City.
- C. Public Works. Water and Sewer services will be provided under the same policies and rules after annexation
- D. Streets: The City did take over operation and maintenance of existing streets in the annexed area.
- E. Library Services. All residents are eligible to use the Payette Public Library without individual payment of a non-resident fee.
- F. Parks and Recreation Services. The City of Payette's parks, pool, and greenbelt are available for all residents, whether annexed or not.

3. *The annexation was reasonably necessary for the orderly development of the City.*

It was the intent of the report and the annexation plan to demonstrate that the annexation would contribute to the efficient delivery of services and will thus benefit the entire community. The state legislature declared that it is also the policy of the State of Idaho.

.....That cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal service, to enable the orderly development of private lands which benefit from the cost effective availability of municipal services in urbanizing areas to equitably allocate the costs of public services in management of development on the urban fringe. (I.C. 50-222(1))

The goal of orderly development is hindered when a city has urbanizing areas receiving municipal services adjacent to its borders that are not annexed. The City is unable to fully implement the goals and policies of its comprehensive plan in such circumstances.

The annexation did contribute toward the stated goal of equitable allocation of costs by requiring a consistent property tax assessment among residents who have access to all of the municipal services offered by the City.

CITY COUNCIL DISCUSSION

None

DECISION

Standards noted under Section III were followed, which allowed for the procedures and processes of this hearing to be conducted.

Based upon the foregoing Findings of Fact and Conclusions of Law, the City Council procedure conducted throughout the City, the comments, both oral and written, received at the public hearing held here on, of the City Council of Payette, Idaho, De-Annexation request for Chester G. & Sandra Boren:

A motion was made by Mussell and seconded by Dodson to approve the de-annexation request for Chester G. and Sandra Boren as described.

At the roll call:
Ayes: Dodson, Mussell
Nays: Hanigan, Nelson, Heleker
The motion FAILED.

Dated this 6TH day of June, 2011.

PAYETTE CITY COUNCIL
PAYETTE, IDAHO

JEFF WILLIAMS, MAYOR

ATTEST:

BOBBIE BLACK, DEPUTY CITY CLERK



City of Payette

Special Event Permit Application

CITY OF PAYETTE

OFFICE USE ONLY

Council Action _____

Approved and Issued _____

Not Approved _____

 City Clerk/Deputy City Clerk

Non Refundable Fees:

Application..... \$100.00
 Security Deposit..... \$100 refundable

Complete application must be received by the City Clerk no less than 30 days prior to the scheduled event to ensure application review by staff and still afford the opportunity for appeal (if necessary) prior to the planned event date.

- EVENT NAME Wheels for WICAP - Car, truck, tractor & Motorcycle Show
- LOCATION OF EVENT (Be specific, i.e. west side of Kiwanis Park, all of Center Ave. between 9th & Main, 2 N. Main)

Payette Kiwanis Park Public Property Private Property

ENTIRE PARK RIVERSIDE & FRONTAGE

3. EVENT SCHEDULE

Special Events are limited to four days, including set-up and tear-down days. No more than eight events per calendar year can be conducted by a single party or organization, unless a modification is granted by the City Council.

Date(s) of Event	Hours		Estimated # of Attendees
9-24-11	Start Time: 11 am	End Time: 3 pm	All Day: 150-250
	Start Time:	End Time:	All Day:
Date of Set-Up	Start Time: 8 am	End Time: 11 am	
9-24-11	Start Time:	End Time:	
Date of Tear Down	Start Time: 3 pm	End Time: 5 pm	
9-24-11	Start Time:	End Time:	

4. FEES

Special Event Permit Application Fee \$100.00 * Separate Checks pd 5/27/11
 Staff Per Diem Fee (as set by Council) \$ _____
 Security Deposit \$100.00 * Separate Checks pd 5/27/11
 Additional Deposit Required \$ _____
 TOTAL DUE \$ 200-

5. ORGANIZATION INFORMATION

Applicant Name Western Idaho Community Action Partnership (Rob Christensen) Title EXECUTIVE DIRECTOR
 Mailing Address 315 S. MAIN st, Payette, ID 83661
 Street Address <SAME>
 Day Telephone 208-642-9086 Evening Telephone 208-741-1608 Cell _____
 FAX Number 208-642-9201 Email Address christensenr@wicap.org

Special Event Permit, continued.

Sponsoring Organization Western Idaho Community Action Partnership (WICAP)

Non-profit? Yes No

Tax Exempt # see attached

Federal Tax # [Redacted]

State Tax # None [Redacted]

6. EVENT INFORMATION

New Event: Yes No Annual Event: Yes hopefully No Years Operating 1st

Event Category: Commercial Non-commercial

Estimated Gross Ticket Sales & Revenues (commercial event only) fund raiser

Description of Event WICAP will host a show for all manner of motorized vehicles: cars, trucks, motorcycles and tractors, as a fund raiser. Other vehicles on display.

Additional Details WICAP will also do a ^{hot dog} picnic lunch available for nominal fee. These will be other fundraising activities and fun events.

As a non-profit, WICAP wants to host a community event that will also serve to raise funds for our programs to assist people in need.

7. INSURANCE REQUIREMENTS

It is the responsibility of your Special Event organizers to maintain a COMPREHENSIVE GENERAL LIABILITY insurance policy with coverage of not less than \$1,000,000.00 combined single limit per occurrence. Each policy shall be written as a primary policy, not contributing with or in excess of any coverage with the City may carry. A certificate naming the State of Idaho, Payette County, the City of Payette, as additional insured shall be delivered to the City of Payette with this application. The adequacy of all insurance required by these provisions shall be subject to approval by the City Clerk. Failure to maintain any insurance coverage required by this agreement shall be cause for immediate termination of the application.

Insurance Company The Insurance Group Agent Name Dennis Holmes
Address 211 N. Whitley Fruitland ID Phone 208 452-3543
Suite 1 83619

HOLD HARMLESS CLAUSE

Permittee (organization/applicant) shall indemnify and hold harmless the City of Payette, its agents, its employees and authorized volunteers from and against all claims, damages, losses and expenses, including attorney's fees, arising out of the permitted activity or the conduct of Permittee's operation of the event if such claim (1) is attributable to personal injury, bodily injury, disease or death, or to injury to or destruction of property, including the loss of use there from, and (2) is not caused by any negligent act or omission of willful misconduct of the City of Payette or its employees acting within the scope of their employment.

(Attach any additional pages as needed)

SPECIAL EVENT ACTIVITIES & CITY SERVICES REQUESTED

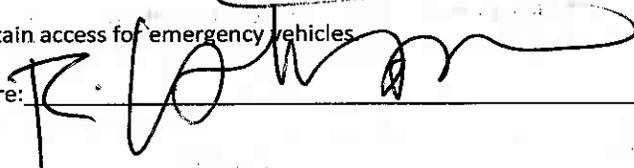
Your event organizer is responsible for providing a complete list of event activities including a list of suppliers providing services. An event logistics map is required, detailing the location for all road closures, event set up, canopies, stages, vendors, booths, and any other major services or events planned.

Check all Planned Activities		Check all Planned Activities	
NO	Street Closures & Access/Parade Detailed map listing areas of closure, parade Route is required. An ITD permit is required for Hwy 95 Organizer must notify all affected businesses, Churches, schools and neighborhoods	NO	Alcohol Served (name of provider) Requires alcohol catering permit (PMC 5.15)
		YES	Beverages will be served List Caterers <u>WLCAP</u> <u>Canned soda pop</u>
X	Security (detail who, number of officers, times, Attach plan.) <u>no security but numerous WLCAP staff</u>	NO	Medical Services (Circle) First Aid and/or EMS Services Who is providing service? _____
NO	Electricity/Generators (Size _____) detailed electrical plan	NO	Lighting Plan: attach plan
NO	Water Drinking /Washing (circle)	NO	Gray Water Barrel/Grease Barrel (circle/detail # and locations) <u>N/A</u>
2	Porta Toilets / Wash Stations Quantity ADA Regular <u>A-Company</u>	NO	Sanitation – Trash bins, Dumpsters (circle / detail # and locations) <u>any excess will be taken off site</u>
NO	Canopies/Tents/Temporary Structures (number and sizes) City of Payette Fire Department, Fire Code Enforcement	NO	Stages (number and sizes)
NO	Vendors Items sold/solicitation	15	Booths Profit / Non-profit <u>WLCAP booths</u>
NO	Control/Shuttle Buses (number of buses / locations / hours of operation, Attach plan)	NO	Barricades How many / identify locations and attach
35	Number of Staff working event	20	Number of volunteers working
150	EVENT estimated attendance		

I hereby certify that I have read and will abide by the laws, rules and regulations set forth by the City of Payette, Payette County, and the State of Idaho, and in signing this application, I hereby agree that I and the organization I represent, shall hold the City of Payette and all of its agents or employees free and blameless from any claim, liability or damage which may arise from use of City facilities or equipment, whether or not the City of Payette, its agents or employees are jointly negligent. I further agree to promptly reimburse the City of Payette and all of its agents for any clean up, loss or damage to City property resulting from this use, as well as permitting, staffing, equipment use/rental, property use/rental, clean up, inspections involving the use of public property, public employees or public equipment for the Special Event. In the event the deposit exceeds the actual charges, the City Clerk shall refund the balance to the applicant.

Permittee agrees to maintain access for emergency vehicles

Event Organizer's Signature:



Date:

5-27-11

THIS PAGE FOR OFFICE USE ONLY

Date Application Received 5/27/11 Date Fees Paid 5/27/11

DEPARTMENT COMMENT/APPROVAL

FIRE: Steve Casimiro
Check if special requirements attached:
APPROVED: DENIED:
COMMENTS:

POLICE: [Signature]
Check if special requirements attached:
APPROVED: DENIED:
COMMENTS:

Est. Hours _____ x Hourly Rate \$ _____ =\$ _____

Est. Hours _____ x Hourly Rate \$ _____ =\$ _____

PARKS: Randy Fales
Check if special requirements attached:
APPROVED: DENIED:
COMMENTS:

STREETS: [Signature]
Check if special requirements attached:
APPROVED: DENIED:
COMMENTS:

Est. Hours _____ x Hourly Rate \$ _____ =\$ _____

Est. Hours _____ x Hourly Rate \$ _____ =\$ _____

CITY CLERK: [Signature]
Check if special requirements attached:
APPROVED: DENIED:
COMMENTS:

RISK MANAGEMENT:
Check if special requirements attached:
APPROVED: DENIED:
COMMENTS:

\$1,000,000 Insurance Certificate _____

Street Closure Information:

Street Closure Necessary? Yes No ITD Permit required? Yes No
Time of Street Closure: From _____ To _____
ITD Approval Received? Yes No N/A

Comments:

All funds raised go to serve low-income families in western Idaho

Shine your ride, shine your pride!



WESTERN IDAHO COMMUNITY ACTION PARTNERSHIP

Helping People. Changing Lives

SEPTEMBER 24, 2011



To enter vehicle in show and judging: \$ 10.00

To check out the great rides: FREE!

WHEELS for WICAP

Car, Truck, Tractor & Motorcycle Show
KIWANIS PARK

PAYETTE, IDAHO

10 am to 3 pm

Customized Cars, Trucks and Motorcycles

Vintage and Restored Cars, Trucks and Motorcycles

Vintage and New Tractors & Farm Vehicles

Other vehicles: military, work, buses, etc.

SPECIAL CATEGORY FOR KID'S BICYCLES
No entry fee for kid's bikes!

Bouncy House for children

Hot Dogs, Chips & Drink
\$ 4.00



WESTERN IDAHO COMMUNITY ACTION PARTNERSHIP (WICAP)

315 S Main St
Payette, ID 83661

Call to REGISTER: Ken at 739-6934
Rob at 741-1608

Winners in multiple categories