

**MINUTES
PAYETTE CITY COUNCIL
REGULAR MEETING
April 21, 2008**

7:00 Regular Meeting

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

ROLL CALL

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

Members Absent: None.

Also Present: City Attorney Bert Osborn; Police Chief Mark Clark; Fire Chief Jeff Sands; Willie Hollis, Street Superintendent; Police Captain Dave Platt; Dave Jeffries; Susan Jeffries; Max Barker ; Jeff Eckberg; Brenda Carter; Frazer Peterson; Duane Youngberg; Joel Aleman; Marisa Aleman; Diana George

PLEDGE

Mayor Henderson led the Pledge of Allegiance.

A motion was made by Williams and seconded by Heleker to add two items to the agenda; 1. Definition of proposed impact area and 2. Arbor Day proclamation

After a unanimous voice vote, the motion CARRIED.

APPROVAL OF MINUTES

A motion was made by Williams and seconded by Heleker to approve the March 17 meeting minutes with changes noted.

After a unanimous affirmative voice vote, the motion CARRIED.

A motion was made by Heleker and seconded by Mussell to approve the regular meeting minutes of April 7, 2008.

After a unanimous affirmative voice vote, the motion CARRIED.

APPROVAL OF BILLS & PAYROLL

A motion was made by Hanigan and seconded by Cochran to approve the City Bills & Payroll in the amount of \$128,342.95

At the roll call:

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

Nays:

The motion CARRIED.

COMMUNICATIONS

No comments heard.

PLANNING & ZONING

None heard.

OLD BUSINESS

A. Susan Jefferies, PHS Boosters President

- Request for Waiver of Building Permit Fees for Weight Room Addition at High School

Susan Jefferies, 10839 Silver Sage Lane, Payette addressed the Council representing the Booster Club. The Booster Club has been trying to get together an expansion for the sports facility. The hard costs for the expansion was originally planned for \$21,000 dollars. They qualified for a grant from ICB for matching funds, so it seemed like a doable project. It has become important because it has gone from a \$21,000 facility to over a \$30,000 facility due to the permitting costs. Mrs. Jefferies said they have also realized that entire building permit fees for other facilities in the community have been waived. When that was brought to their attention, they believe their structure qualifies for the fees to be waived. Mrs. Jefferies stated she didn't know how much of the building permit fee was in hard costs or how much would be just revenue lost. City Clerk Cordova explained that the way the building permits are right now, it is all hard costs, and the building permit will actually be less than the actual value of the time put into it.

Councilor Heleker noted that he had previously voiced his conflict of interest but reminded his fellow Council members that not all requests can be looked at as being weighted the same. He has always spoke in the past in favor of helping those people who came to us with similar requests, but as Mrs. Jefferies pointed out, there is not another project in the City of Payette that will affect our families and children. This one should be weighted more heavily, and encouraged a positive vote.

Councilor Mussell asked if the building would be free standing. Jefferies said it would not be free standing, but would be attached to the existing facility.

Jefferies continued that their goal is to alleviate costs for fees for the building permit. It becomes more important now that it is a \$21,000 compared to a \$30,000 facility. We also realized that prior fees have been waived, and we feel we qualify as well.

Mayor Henderson asked Mrs. Jefferies if the building is currently designed to be sprinkled. Jefferies replied that Gowan-Johansen has been working on a plan that will go to the state.

Dave Jefferies, 10839 Silver Sage Lane, Payette, explained that everything was originally proposed to do the building all volunteer, and going into this, we were under the understanding that we could just walk into this. We now are governed under totally different set of rules and it is way bigger than we ever imagined. We are now at \$9,400 dollars just in fees. We should have walked into this and not had to pay a damn thing. Mayor Henderson asked if Mr. Jefferies was suggesting that we shouldn't inspect this building and hold it up to standards. No, Jefferies replied that to do what our building permit is asking for now, is not what we started with. Mayor Henderson said the building department is under the same rules it always has been under. Cordova stated that school buildings are regulated by the state.

Jefferies stated it is attached to the existing building. We are going to do it for about \$80,000 when it is done. Mrs. Jefferies explained that the Boosters offered a shell to the school to get them to a point where they could finish it. But, it is not where it stopped. Mr. Jefferies asked the City Council to waive the building permit fees just like it has been done in a few other instances in this town this year. It will benefit more than just one religion.

Mayor Henderson stated that this building will be full of our children, so we don't want to cut any corners.

Councilor Williams asked if the combined square footage is short enough of the requirement for sprinkling. Jefferies answered yes.

Councilor Cochran said asked if the 400 foot rule applied to schools. Jefferies stated the architect determines what they are going to call the facility. If it is a classroom or a multi-purpose room, what they call it depends on what rules regulate it. Mrs. Jefferies said that Dion Zimmerman stepped in and he can write it for what we intend to use it for. We have to add a mock station, bathrooms need to be enlarged by 8 inches and another set of double doors have to be added, and there is a gray area between storage area and useable space.

Councilor Hanigan asked Chief Sands to address the sprinkler system issue. Sands replied that Dion knows the codes adopted in the City of Payette. He needs to draw the plans for what they are going to do with it, call it what they call it, and that's what they're going to use it for. We are not going to call it a storage area and use it for a classroom. What needs to happen, is Dion needs to draw what they need to do, and per those codes, we will review them, and they'll either be OK or not OK. Chief Sands said they will do what needs to be done, and his biggest concern is there is no water back there. You just can't keep adding buildings with no fire protection back there. Storage is one thing, but 100 kids is a different story. There is just a different set of requirements that come with that. It is a great project and everyone is trying to eliminate costs, but within that realm, we still need to review. Dion will draw them to meet the code. It is hard to say whether it needs sprinklers or not without seeing the plans. The state guarantees the taxpayers that the building is to code. The next logical step is to draw the plans and review them.

Councilor Williams asked if Heleker has knowledge if the school has plans to run a line back there for a hydrant in the future. Heleker was not aware of any conversation for that, but they could certainly be entered into if this project hinges on that. Williams admired the Boosters for doing this, but not having a fire hydrant back there doesn't seem to be in the best interest of the taxpayer's money. It is may be something the school should think about.

Heleker asked Chief Sands where the nearest hydrant is and what would it take to get a line back there. Sands explained where the nearest hydrant is, and there is a main going back at least to the foyer part. He did not know exactly where it was. It would not be a long run from there to get it back. Again, keep in mind one building is fine, but you keep growing, and pretty soon you have a 20,000 square foot building. Can we get away with one, but now we are going to attach to it so the fire load gets bigger. Heleker noted the building would primarily be cinder block and metal, where would the best location be for a hydrant. Sands replied that code will tell you 250 feet from road access you have to have one, period. Somewhere to the back of it, it is negotiable. Some discussion followed about the logical placement for a water line & hydrant would be at the high school.

A motion was made by Cochran and seconded by Mussell to waive the building permit fees for the Payette Booster Club in the amount of \$2,290.90 under condition that all life safety codes are met to Chief Sand's satisfaction, the building official, and state standards.

At the roll call:

Ayes: Williams, Hanigan, Cochran, Nelson, Mussell

Nays:

Abstain: Heleker due to conflict of interest.

The motion CARRIED.

NEW BUSINESS

A. Special Event Permit Application ~ EOU Soccer Camp

A motion was made by Heleker and seconded by Williams to approve the Special Event Permit by Eastern Oregon University for a Soccer Camp.

After a unanimous affirmative voice vote, the motion CARRIED.

B. Payette Municipal Airport Ground Lease Agreement ~ Max Barker

A motion was made by Hanigan and seconded by Mussell to approve the Ground Lease at the Payette Municipal Airport for Max Barker.

Mr. Barker explained to the Council that he is constructing a hangar for 3 planes at the Payette Airport.

After a unanimous affirmative voice vote, the motion CARRIED.

**C. Payette Municipal Airport Ground Lease Agreement
~JSE Enterprises, LLC.**

A motion was made by Williams and seconded by Mussell to approve the Ground Lease at the Payette Municipal Airport for JSE Enterprises, LLC.

Mr. Jeff Ekberg explained to the Council that he is constructing one building with a wood frame. It will be a fully engineered building and have firewalls between each hangar space. Much discussion ensued regarding the issue of no water being available at the airport. Fire Chief Jeff Sands informed the Council that if it were to catch fire, it would burn down as there is no water available for fire protection, and that the Council should consider that future developers should be required to place a hydrant near their structures. Discussion ensued regarding future water capabilities at the airport.

After a unanimous affirmative voice vote, the motion CARRIED.

**D. Application for Mobile or Temporary Food Service Vendor
~ Joel Aleman**

A motion was made by Heleker and seconded by Mussell to approve a Mobile Food Service Vendor for Joel Aleman dba Tacos Dos Hermanos at 521 S. 9th Street, Payette, and to grant the permit for a period of one year.

After a unanimous affirmative voice vote, the motion CARRIED.

E. Change Order #1 South 9th Street Road Improvement Project

Doug Argo explained the reason for the change order on the South 9th Street project. The intersection of 3rd Avenue South needs to be repaired and was not included in the original plan; irrigation lines were broken, and a tree needs to be removed. The net effect is a change in the amount of \$4,750. Mayor Henderson noted that the amount is still within the budget for the project.

A motion was made by Mussell and seconded by Nelson to approve change order #1 in the amount of \$4750.00 for the South 9th Street project.

After a unanimous affirmative voice vote, the motion CARRIED.

**Added Item
Expanded Impact Area**

Mayor Henderson stated this topic was discussed in the Council work session, and he was looking for a motion of concurrence of the proposed new impact area.

Cochran wondered if we are asking for too much. Mayor Henderson explained that our City limit line is butting up to the north side, so it makes sense to expand it. Some discussion followed.

A motion was made by Heleker and seconded by Hanigan to negotiate with the County for the proposed boundaries of the Payette City Impact Area to include all of Washoe, up to 21st Street, and the Payette Industrial property.

After a unanimous affirmative voice vote, the motion CARRIED.

F. Resolution 2008-12 Approving Federal Highway Aid Project A009 (968)

A motion was made by Hanigan and seconded by Nelson to approve Resolution 2008-12.

After a unanimous affirmative voice vote, the motion CARRIED.

Added Item - Arbor Day proclamation

Mayor read the following proclamation into the record:

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
Whereas, Arbor Day is now observed throughout the nation and the world, and
Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
Whereas, trees are a renewable resource giving up paper, wood for our homes, fuel for our fires and countless other wood products, and
Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I Douglas E. Henderson, Mayor of the City of Payette, Idaho do hereby proclaim April 25, 2008, as *Arbor Day* in the City of Payette, and I urge all citizens

to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and,
Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

G. Authorization to Dispose of Miscellaneous Surplus Property

A motion was made by Heleker and seconded by Williams to approve the sale of City surplus property on May 2, 2008.

After a unanimous affirmative voice vote, the motion CARRIED.

H. Request to Purchase 10 in PVC for PCRD Ball field Project

Councilor Heleker explained that the City has been working with the PCRD and the County to bring irrigation to the ball fields. The cost to the City will be \$3,552.00 for the PVC irrigation pipe.

A motion was made Heleker and seconded by Nelson to purchase 400 feet of 10 inch irrigation pipe to help with the McCain Ball field project in the amount of \$3,552.00.

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

The motion CARRIED.

DEPARTMENTAL REPORTS

None heard.

CITIZENS COMMENTS

Councilor Williams asked Cordova regarding the revenue, under general fund, miscellaneous revenue, we had appropriated \$500 and we have brought in \$2576.00. We approved an expenditure tonight for \$2200, we are constantly reminded of that, what about the extra revenue we receive? Cordova explained that some of those items were specifically donated for our Police Department, it shouldn't be looked at that we have extra revenue to offset the donations.

Williams then asked that we did not budget for interest in the insurance fund, but we got \$1500 interest. Cordova pointed out that on several of the funds, the interest was not budgeted, and she was not sure why.

Williams said there are a couple of black holes, we have some revenue coming in there on the LID fund, but where does it go? Cordova explained that the revenue funds reflect the payments being made annually, or some people choose to pay monthly. The expenditure goes toward the bond payments. Williams said we are getting extra revenue, does that mean that we pay off our bond

earlier? Cordova said that some people pay off earlier, but it all goes toward payment of the bond. Williams asked once an LID is all paid off, if there is any extra money, where does it go? Cordova said there shouldn't be any "extra" money in the LID fund. Williams asked about the revolving loan fund, where does that interest go? Cordova explained that it goes back into the revolving loan fund. Williams stated that his whole point is that we are constantly reminded of extra expenses that we haven't budgeted for, here we have some examples of extra income.

Councilor Williams said that he knows we had a pretty rough winter, and Willie only used half of what we budgeted, so he did a good job with the budget.

MAYOR'S COMMENTS

Next meeting is 7PM Monday May 5.

ADJOURNMENT

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

At the roll call:

Ayes: Nelson, Cochran, Heleker, Hanigan, Mussell

Nays: Williams

The motion CARRIED, and the Council adjourned at 8:10 PM.

Signed this _____ day of _____, 2008.

DOUGLAS E. HENDERSON, Mayor

ATTEST:

Mary Cordova, City Clerk