

**MINUTES
PAYETTE CITY COUNCIL
REGULAR MEETING
June 4, 2007**

7:00 Regular Meeting

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

ROLL CALL

Members Present: Mayor Doug Henderson, Ivan Mussell, Jeff Williams, Georgia Hanigan, Vallery Klitch, Mark Heleker

Members Absent: Lee Nelson was excused.

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

PLEDGE

Mayor Henderson led the Pledge of Allegiance.

Councilor Hanigan moved and Klitch seconded a motion to add two additional items to the agenda. 1) introduction of new police officer Kayann Cheney, 2) change order for Quality Electric installation of pedestrian crossing signals.

After a unanimous voice vote, the motion CARRIED.

APPROVAL OF MINUTES

A. 6/04/07 Regular Meeting Minutes & Public Hearing

A motion was made by Williams and seconded by Mussell to approve the regular meeting minutes of 6/04/07.

Hearing no objections, the meeting minutes were APPROVED.

APPROVAL OF BILLS & PAYROLL

A motion was made by Hanigan and seconded by Williams to approve the City Bills & Payroll in the amount of \$252,396.86.

After a unanimous voice vote, the motion CARRIED.

COMMUNICATIONS

No comments heard.

SPECIAL ORDERS

Chief of Police Mark Clark introduced new police officer Kayann Chaney. Ms. Chaney was chosen for the position out of 25 applicants. Mayor Henderson administered the oath of office to Officer Chaney.

PLANNING & ZONING

None heard.

UNFINISHED BUSINESS

A. ORDINANCE NO. 1279 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADOPTING A NEW TITLE 18 AND NEW CHAPTER 18.01 OF THE PAYETTE MUNICIPAL CODE ENTITLED ANNEXATION PROCEDURES PROVIDING FOR AN APPLICATION AND REVIEW PROCESS FOR ANNEXATIONS; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

~ SECOND READING

A motion was made by Heleker and seconded by Klitch to read Ordinance 1279 for the second time.

After a unanimous voice vote, City Attorney Osborn read Ordinance 1279.

Councilor Williams said that he was pleased with the revisions of the ordinance.

Heleker moved and Mussell seconded a motion to suspend the rules and pass Ordinance 1279 on its second reading.

After a unanimous voice vote, the motion CARRIED.

Klitch moved and Heleker seconded a motion that Ordinance 1279 DO PASS.

After a unanimous voice vote, the motion CARRIED.

B. ORDINANCE 1278 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTIONS 6.08.040 AND 6.08.060, OF THE PAYETTE MUNICIPAL CODE TO PROHIBIT KENNELS WITHIN THE CITY LIMITS; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY.

~SECOND READING

Osborn read for second time

A motion was made by Heleker and seconded by Mussell to read Ordinance 1278 for the second time.

After a unanimous voice vote, City Attorney Osborn read Ordinance 1278.

Councilor Hanigan stated she was pleased with the revisions of the ordinance. Councilor Williams pointed out a couple of grammatical changes.

Mayor Henderson stated he thinks this will still keep the options open to those who want to operate a commercial kennel in the City. Councilor Williams wondered if someone is in a residential area, and wants to jump through all of the hoops, should they be able to construct a kennel.

Mayor Henderson stated that the humane society has indicated that you cannot build a soundproof kennel. Hanigan said she wanted something in the code to allow kennels, and this satisfies her needs.

Heleker moved and Mussell seconded a motion to suspend the rules and pass Ordinance 1278 on its second reading.

After a unanimous voice vote, the motion CARRIED.

Klitch moved and Heleker seconded a motion that Ordinance 1278 DO PASS.

After a unanimous voice vote, the motion CARRIED.

NEW BUSINESS

A. River of Life Church ~Request for Building Permit Fee Waiver

Councilor Mussell declared a conflict of interest on this subject.

Robert Bainbridge explained to the Council that the River of Life Church would like to build a 3,000 foot annex building. The building permit will be about \$1,000. They would like to volunteer an in-kind exchange of their youth group to help with such projects as clean up after a City sponsored event, or beautification work along the river trail. They would meet all other codes of the City.

Councilor Williams wanted a flavor for how many youth would be involved. Bainbridge stated that they have 30 to 50 youth that would participate in such projects.

Councilor Klitch asked if the building will require water and sewer hookups. Bainbridge replied that they will hook in to their existing infrastructure. Klitch asked for the youth to help with cruise night in September.

Bainbridge continued that in light of the fact they are a non profit organization, they are not asking for something for free.

A motion was made by Klitch and seconded by Williams to waive the building permit fee for the River of Life Church annex building.

After a unanimous voice vote, the motion CARRIED.

B. Approval of 2006 City of Payette Audit
~(copy of audit available at City Hall upon request)

A motion was made by Klitch and seconded by Mussell sell to approve the 2006 Audit for the City of Payette.

After a unanimous voice vote, the motion CARRIED.

C. Payette Soil & Water Conservation District
~ Presentation of History & Facts

Charlene Wimpy of the Payette Soil and Water 501 N 16th Street, Suite 2, Payette, presented a power point presentation of information on the history and operations of Payette Soil and Water Conservation District.

Councilor Klitch asked about the reorganization of the drainage districts. Wimpy explained that the irrigation and drainage districts have come together. Growth is enormous right now. There have been a lot of changes. Now that they have collected all of this information, it has gone to the Bureau of Reclamation, and they are GIS mapping the compilation.

D. Dick Miller & Darcy Mogg
~ Airpark Proposal

Dick Miller with Cartell, Inc. explained it is a firm that develops and designs airparks throughout the country. Mr. Miller asked for the Council to consider selling 66 acres around the Payette Municipal Airport for the purpose of developing a skypark.

Miller explained that an airpark is a planned residential community. Currently there are 700 to 800 airparks in the US. Payette is a rather unique opportunity. Idaho has 6 airparks at this time. There are only 2 in the southern part of the state. On page two of the handout presented to the Council, Mr. Miller pointed out the proposed plan for Payette. The skypark would be a gated secure community. They are truly development plans for pilots, by pilots. Recent surveys have shown airpark homes average 300 to 500 thousand dollars in value. This would bring in 30 million in increased value to the City.

Mr. Miller went on to explain that the city airport should receive revenue on each aircraft for through the fence operations, and also a substantial increase in fuel flowage. There would be 60 to 70 aircraft. Residents would be contributing greatly to the local economy. The average

age is 45 to 65 years of age, with an excess of \$100,000 in income. They are empty nesters, so the development would not make a huge impact on schools. The setting here is ideal. It is a desirable quiet setting next to a metro area. The golf course is a wonderful attribute.

Councilor Heleker asked if the proposal in front of the Council, would that constitute a need for an increase in the size of the airport. Mr. Miller stated they have looked at a 500 foot extension, and a taxiway down the western side of the airport. The length of the strip is short now, but adequate for the types of planes in the airport. A 500 foot extension would be a good safety measure.

Heleker asked if it will it be solely residential. Miller replied that there would be no commercial at all ventures at all in the skypark. He explained that there will be some condo type dwellings each with a hangar. Miller stated that there are very few lots in any airparks in the US where there is any availability, they are all sold out.

Councilor Hanigan stated that she caught a public radio dissertation that Oregon is experiencing several problems with security issues at their airports. Hanigan asked what would be done to prevent security problems. Mr. Miller stated that they would have a gated community so the only people allowed in would be the occupant. According to FAA standards, the airport now needs a 7 foot chain link fence with razor wire on top. We have a very unique security plan. If you walked on to an airport and wasn't challenged within the first five minutes, he'd be surprised. The skypark itself would be totally locked off to access by the public.

Councilor Heleker asked where the fence would be around the airport. Mr. Miller replied that they have looked at the 2000 airport master plan, which took those issues in to consideration. They are concerned with fencing around the golf course. There is plenty of room on the west side. The small type of aircraft would not require a great deal of room between the taxiway and the fence. He was not sure, as all of those things change weekly. TSA is always coming up with new security requirements.

Mayor Henderson asked if we need a fence. Miller said if TSA showed up, most likely the City would have to shut down the airport. They did not fence the north side of Caldwell because it is impossible to get to it by road. Their proposal would fence a lot of accessible land. Councilor Mussell stated that it sounds like the fence will be required for the airpark regardless.

Councilor Klitch noted that looking at the layout; she is not seeing that the landing strip will be part of the development. How would the City fairly extract funding from the people using the facility, and do we have an estimate for the city's requirement for bringing the airport up to snuff. Miller stated they will not worry about bringing the airport up to 'snuff'. Everything in the airpark would be assessed for maintenance and operation of streets, as well as our through the fence per aircraft fee per year. Klitch asked if provisions have been made in other communities. Yes, Oregon and Washington have many airparks. Everyone negotiates with the municipality for the fees.

Councilor Williams asked how many acres were they interested in. Miller replied about 66. We have a clearway at the end of the runway, so we are not interested in buying that. The rest came to 66 acres. Williams asked if the City is interested in disposal of this property, would Cartell, Inc. be willing to enter into an agreement with the City a cost per touch on the runway. Miller responded that would be something the City could negotiate. Miller explained that he

has two hangars on the Caldwell airport. That is another revenue source that should be forthcoming for the airport.

Councilor Williams asked if they have a time frame from the time the City bid out the land, to construction. Miller stated that build out would be about 24 months. There would be no problem with that at all. Miller stated that he just had a call from Mr. Steinbacher, who just built an airpark in South Carolina that sold out in 3 months. The airpark they just built in Wyoming was half sold out in 2 months.

Councilor Williams asked if the residents would be absentee owners, and if that was the case, with Idaho's tax structure, if someone doesn't get a homeowners exemption, would that deter someone from purchasing a home here. Mr. Miller believed that would not be trouble for the type of people who usually build in these types of developments. It would definitely help our tax base.

Mayor Henderson noted that with a fence, someone will have to monitor the entry; how will that all be handled? Miller explained that the general public could access the ramp area. They proposed a revamp of the ramp area for the airport committee. That whole area is secured except with a FBO and they are required to monitor everyone who goes through. Our facility would be a code or card pass with gated entry at every entrance.

Williams stated that the way it was presented, there is a possibility it may be fenced, if we do declare it surplus, we can use those funds.

Heleker stated that in regards to FBO's, we have made attempts in the past, and it hasn't worked out. How could our airport support it? Miller advised that people will be knocking on your door for the opportunity. The shop would be a good place for them to make funds if there are 60 to 70 aircraft there. The reason it didn't work before is you just don't have the traffic necessary for anyone to make a living. There may be two or three commercial ventures out there.

Williams asked City Attorney Osborn how many appraisals the City needs, and asked Mr. Miller if his group would be willing to pay for an appraisal. Osborn explained to the Council the process would be public hearing, public auction, and public bidder. The appraisal should set the minimum price.

Miller suggested that once it goes to public auction; stipulate it has to be an airpark, or airport development. Klitch was concerned with the process. Mayor Henderson explained that we have made a decision to consider the decision. To make any decision, we have to have a value. We are not making any commitment whatsoever.

Miller stated that we have it CADD off it is not an official engineered survey. Williams stated because we have more than one appraiser in town, and we happen to have one in the audience, he asked Mr. Bainbridge, what is the required process to choose an appraiser. Mr. Bainbridge replied that an appraiser would have to be state certified. They were recently involved in the Gold Ridge sale.

Heleker asked if Mr. Miller can refer some references to the Council for their previous developments.

Councilor Klitch asked if there was a recommendation from the airport committee. Frazier Peterson of the airport committee, 2075 Killebrew Drive, Payette, stated that this is a dream come true for us. That area will be a residential area. We happen to know professionally the caliber of people proposing this project. Mr. Peterson stated they are completely in support of this project. They did have some concerns before, but they work very well with us.

Mr. Peterson informed the Council that Homeland Security was at the airport in the last year, and since we are not under any obligation to Federal funding, we were not required to fence at this time. Idaho Aviation Foundation is interested to help acquire things at the airport; they have offered to do whatever they can do. Payette airport is known throughout the state and we are on their radar. There may be some other funding to help build the airport as well. Williams stated that we have talked in the past about where the airport is going. He asked Mr. Peterson in your crystal ball, how will this affect the airport. This would bring everything to the nth degree; we see the golf course as the perfect dovetail to the airport development. We are working well together with the golf course. If an operation like this came in, it will feed upon itself. Right now everyone flies somewhere else to have their annuals done.

Cartell, Inc. agreed to provide the Council with an appraisal.

**E. Request for Conditional Use Permit in City Impact Area
~1808 NE 10th Avenue**

A motion was made by Klitch and seconded by Williams to send a favorable recommendation to the Payette County Planning & Zoning Commission regarding the Conditional Use Permit at 1808 NE 10th Avenue, and that the new structure is placed no less than 60 feet from centerline of the road, and that construction of the new structure is compliant with County Code 12-1-5.

After a unanimous voice vote, the motion CARRIED.

DEPARTMENTAL REPORTS

Written reports were presented to the Council.

CITIZENS COMMENTS

Councilor Williams asked what happened to the City/County airport agreement. Mayor Henderson replied that it has been with the County for three weeks.

Councilor Klitch asked where we are on the 9th street project. City Engineer Argo replied that we put the sewer line out separately; it should be ready to go out to bid and will cost \$200,000 for that work. The design for the remainder of the project is nearly complete, and will go on the shelf for when it is funded.

MAYOR'S COMMENTS

Mayor Henderson informed the Council of the following:

Informed everyone the Payette Senior Center experienced another mishap in their building, and their kitchen has flooded again due to a line on the roof for the swamp cooler. Danielle Martinez of the senior center stated they are having a hard time finding a kitchen for meals on wheels. It was suggested that she call churches around town to help out.

Over the weekend, remember a year ago when the kitchen caved in because the swamp cooler. Someone had done repairs on the in line and one of the joints busted over the weekend. And the kitchen looks like it did in the past. Basement has quite a bit of water. Now the kitchen is unusable. He is doing what he can to help them move things along.

Jeff, Mark, Vallery, Mary and I will attend the AIC conference next week.

Phil Choate, senior planner with ITD wants to meet with the City regarding the Highway 95 corridor. We will inform the Council of the meeting date.

Thanked Gary & Susan LaMue for the mural they painted at the airport.

Williams asked about the grant for the sidewalks along 95 that we talked about years ago. In discussion, it was determined that the City put in for the grant, and it wasn't funded. We have applied again for the same grant this year.

City picnic is on Thursday.

ADJOURNMENT

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

After a unanimous voice vote, the Council adjourned at 8:35 PM.

Signed this _____ day of _____, 2007.

DOUGLAS E. HENDERSON, Mayor

ATTEST:

Mary Cordova, City Clerk