

**PAYETTE CITY COUNCIL
REGULAR MEETING
December 20, 2010**

6:45 PM – Public Hearing

An application by the City of Payette for WWTP subdivision for preliminary and final subdivision plat within Block 34 of Tioga plat in the NW ¼ of Section 33, Township 9 North, Range 5 West, B.M., City of Payette, Payette County, Idaho.

Clerk Cordova was asked to give an overview of the hearing. Clerk Cordova stated that on the 2nd page of your packet we have a proposed plat of the WWTP subdivision. This is the piece of property that was purchased from Mr. Adams to construct the new clarifier. What we want to do is prepare ourselves to sell the house one day, unless the council decides to keep the home. Tonight this is the preliminary and final plat for the subdivision and we are doing them together.

Mayor Williams stated that lot one is the fence line around the house. Clerk Cordova and I talked about adding additional acreage to that, but then from the back two corners there would be approximately one acre with the house. Mary and I discussed it and do we want to do that now, but we will just do a lot line adjustment in the future if someone wants to buy that and wants additional acres. Councilor Heleker asked how many acres it is now. Mayor Williams stated it was .36 of an acre.

The public hearing closed at 6:51 p.m.

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, Mark Heleker, Lee Nelson, Les Cochran, Ivan Mussell

Members Absent: None

Staff Present: Mary Cordova, City Coordinator/Clerk; Tiffany Howell, Utility Clerk; Mark Clark, Police Chief; Randy Schwartz, Wastewater Supervisor; Doug Argo, City Engineer

PLEDGE

Alan Massey led the Pledge of Allegiance.

CITIZENS COMMENTS

Alan Massey – 1920 3rd Avenue South; Payette, ID 83661

Mr. Massey read the following letter aloud:

Library Bond Speech

I would like to encourage the council to approve going forward with issuance of voter approved library bond. Receiving news of the loss of the expected federal grant was not good news, but I believe that there are ways to go forward with the library expansion without any increases over the \$10.00 per \$100,000.00 of property value everyone expected.

The community came together on this issue because most people understand the need and the value of an active and vibrant library. Our present library is bursting at the seams and increasing in patron usage every year. Colleen and her staff have done a laudable job of bringing new programs, vibrancy and excitement to our library. The computers are in use constantly during open hours. Reading groups and activities are available for all age groups. The planned library expansion is a very worthwhile project and is needed now.

While we lost the anticipated \$400,000.00 federal grant, I understand we have been promised nearly \$100,000.00 in other grants available in 2011. I would like to see our city officials use their expertise in sourcing grant money to actively pursue all available federal, state and private sources for additional grants. To make up the difference in needed and available funding, we will need community involvement and active involvement from our civic and business leaders.

Phasing in portions of the expansion, such as the amphitheatre, over a period of two or three years, as money for the project becomes available is a possibility and an immediate cost savings. Some other possible ways to save costs and involve the community would be to convince the various civic groups such as Rotary, Kiwanis and the local Chambers to take a portion of the library expansion as a club project. The lighting or blinds might be a good project that some group might want to help complete. Landscaping is an area that a local gardening club or community group might want to take on as a civic project. I buy a value discount card from one of the Payette football team members every year to support the athletic program. Perhaps a discount card supported by local area business could be sold to generate some funds. The FOPPL members are always looking for new members and are actively looking for new ways to generate new funds for library projects. They are a 501 C3 non-profit group and will gladly accept any donations.

Councilman Heleker has been emphasizing high school student's involvement with the city. Perhaps one or more of the classes could take on a portion of the expansion as a year long class project. I certainly don't have all the ideas on how to make this expansion a reality. I just know that it is an important project that the community needs and voted overwhelmingly to get. The funding is important and keeping taxes in line is critical. Getting active participation from our civic, club and business leaders to involve the community in supporting this project will be of tremendous benefit to our community. I would encourage the council to not only approve the bond issuance, but to actively and vocally support it.

*GOLF
TOURNAMENT
A POSSIBILITY*

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Nelson to approve the regular meeting minutes of 12/06/2010 as written and the special meeting minutes of 12/13/2010.

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 \$424,812.20

At the roll call:

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

Nays:

The motion CARRIED.

SPECIAL ORDERS

None Heard.

COMMUNICATIONS

None Heard.

PLANNING & ZONING

None Heard

OLD BUSINESS

A. Decision on Appeal of CUP – Steve Nunes

Mayor Williams stated that even if we deny this tonight that he can always reapply when he is ready to complete the project. Clerk Cordova stated that he has not done enough work that would merit an inspection from the building or fire department. Councilor Heleker stated that he was looking for some guidance from the fire department as to what Mr. Nunes needs to do to complete the building.

A motion was made by Nelson and seconded by Cochran to uphold the decision of the Planning and Zoning Commission to deny the application for a conditional use permit for Steve Nunes.

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

NEW BUSINESS

- A. ORDINANCE 1331: AN ORDINANCE OF THE CITY OF PAYETTE, PAYETTE COUNTY, IDAHO, AUTHORIZING THE ISSUANCE AND SALE OF A GENERAL OBLIGATION BOND, SERIES 2010, IN THE PRINCIPAL AMOUNT OF \$1,500,000; PROVIDING FOR THE DATE, FORM, DESIGNATION, AND REGISTRATION OF THE BOND; PROVIDING FOR THE SALE OF THE BOND TO THE UNITED STATES OF AMERICA; PROVIDING FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE BOND BY THE ANNUAL LEVY OF TAXES; ESTABLISHING CERTAIN FUNDS AND ACCOUNTS; PROVIDING COVENANTS WITH RESPECT TO THE TAX-EXEMPT STATUS OF INTEREST ON THE BOND; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE .**

-1st Reading

A motion was made Mussell and seconded by Hanigan to introduce Ordinance 1331 by title only.

Mayor Williams asked if we want to pass it tonight do we have to read it in its entirety. Attorney Osborn stated yes, we have to read it in its entirety. Councilor Mussell asked if there was a rush to get this

approved. Mayor Williams stated yes, we have to have this completed before the end of the year in order to qualify for the Build America Bonds.

At the roll call:

Ayes:

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

The motion FAILED.

A motion was made by Heleker and seconded by Nelson to introduce Ordinance 1331 in its entirety.

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

Attorney Bert Osborn read aloud Ordinance 1331 in its entirety.

Councilor Nelson asked since we are not voting on the one for \$1,500,000 why it is in there for that amount. I know that is the amount we originally asked for but just curious why. Clerk Cordova stated that yes we are authorized to bond up to the \$1,500,000; the loan approval amount is \$1,100,000.

A motion was made by Mussell and seconded by Nelson to suspend the rules and pass Ordinance 1331 on its first reading.

Councilor Heleker asked how we are doing on the additional \$80,000. Mayor Williams stated that because of timing we have to pass this Ordinance, but we do not have final approval from USDA for the \$80,000. So the next item agenda will be put on hold until next Monday's work session.

At the roll call:

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

Nays:

The motion CARRIED.

A motion was made by Mussell and seconded by Heleker that Ordinance 1331 do pass.

At the roll call:

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

Nays:

The motion CARRIED.

B. Award of Contract for Library Expansion Project –

Mayor Williams stated that we are not able to award the bid yet due to the 10 page document we received from USDA. It is my understanding that what we are looking for is, does the Council feel comfortable that when we do have the approval USDA will say we need to enter into the agreement, I will have to sign that agreement. At next Monday's meeting we will approve the awarding of the contract. Councilor Nelson asked if there is a chance that the USDA office out of Washington is going to hold off and we not meet our deadline. Clerk Cordova stated yes, and we don't want to award this because we would be obligating ourselves to a contract. Clerk Cordova stated that if the State level does not get money from the National level we would not qualify for the Build America Bonds. Yes, we

are approved to go up to \$1,500,000 but that is not what the bond was sold to the public as. Mayor Williams stated that we feel pretty comfortable that we will be getting this. Councilor Hanigan asked if the Council needs to give you authorization to sign the forms that are referenced in the USDA letter. Clerk Cordova stated yes, that is correct. Mayor Williams asked Clerk Cordova if she has read the forms and if she is comfortable. Clerk Cordova stated yes, they are standard forms, and most of them are already completed. What we are looking for tonight is to give the Mayor approval to sign the draft letter. If that approval comes tomorrow then we could sign this and send it off, then all we have to do is award the bid.

A motion was made by Heleker and seconded by Mussell to authorize Mayor Williams to sign the draft of the library project expansion.

At the roll call:

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

Nays:

The motion CARRIED.

**C. ORDINANCE 1329 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 1.12.010 IN CHAPTER 1.12 OF TITLE 1 OF THE PAYETTE MUNICIPAL CODE, GENERAL PENALTY; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER -
- 1ST READING**

Mayor Williams stated this Ordinance is to get our city laws current with state laws.

A motion was made by Heleker and seconded by Nelson to introduce Ordinance 1329 by title only.

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

Attorney Osborn read the title aloud.

A motion was made by Heleker and seconded by Dodson to suspend the rules and pass Ordinance 1329 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 1329 do pass.

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

D. ORDINANCE 1330: AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTIONS 17.08.010 IN CHAPTER 17.08 OF TITLE 17, DEFINITIONS, GENERALLY, AND 17.32.030 IN CHAPTER 17.32 OF TITLE 17, C

**COMMERCIAL DISTRICTS, CONDITIONAL USES; SETTING AN EFFECTIVE DATE;
ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY;
ESTABLISHING A REPEALER –
- 1ST READING**

A motion was made by Heleker and seconded by Hanigan to introduce Ordinance 1330 by title only.

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

Attorney Osborn read the title aloud.

A motion was made by Hanigan and seconded by Cochran to suspend the rules and pass Ordinance 1330 on its first reading.

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

A motion was made by Heleker and seconded by Dodson that Ordinance 1330 do pass.

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

E. WWTP Subdivision – Preliminary/Final -

Clerk Cordova said that if the Council chooses to pass this that it be contingent upon one change. To have an additional 10 foot of right of way on the western property line of both parcels. We don't want to ever have to buy right of way and this way we would have right of way. Mayor Williams stated did you mean the eastern and the west side of the road. Clerk Cordova stated yes. Mayor Williams asked if we want to do anything with the expansion of the road to the WWTP. Clerk Cordova stated it is all city property at this point and we can easily do a lot line adjustment in the future.

A motion was made by Mussell and seconded by Heleker to approve the preliminary and final plat for the WWTP Subdivision contingent upon additional ten foot of right of way on the west side of the road on River Street.

At the roll call:

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

Nays:

The motion CARRIED.

Mayor Williams asked why we don't have to enter into an agreement with ourselves about the curb, gutter, and sidewalk agreement. Clerk Cordova was going to do some research on this item. Clerk Cordova stated that she has not looked into that item yet, but her initial feeling is yes, we do require this when you pull a building permit or developing a subdivision, otherwise no I have not done any research. Mayor Williams stated that it is splitting hairs, but when we did the conversion on the shop and we put in the water and sewer and built partitions did we need a permit for ourselves. Mayor Williams stated I

know why we are doing this, but does this take it a step further. Doug Argo stated that if someone from the public was doing this we would either make them put in the sidewalk or enter into an agreement. It would make sense to me to have an agreement with ourselves that we would contribute when this street is developed. Clerk Cordova stated that we would make other people do it, so we should make ourselves do it. Mayor Williams stated that in my other business if it's not recorded that this improvement has to be done it could get lost in the transfer of property. Attorney Osborn stated you cannot have an agreement with one party; I think we should do a development statement and have you and the clerk sign it and have it notarized.

F. Surplus Vehicles – Police Department –

Chief Clark stated these three cars have been rotated out of our fleet; they have high miles and have become unsound.

A motion was made by Hanigan and seconded by Heleker to approve Chief Clark's request to approve the 3 old police cars as surplus and to sell them at the next public auction.

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

G. Annual Business License Renewals –

A motion was made Heleker and seconded by Mussell to approve the list of businesses that have submitted all the completed information and approve the business that have not provided adequate information contingent upon receiving completed information.

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

DEPARTMENT REPORTS

None Heard.

MAYORS COMMENTS

1. Hope everyone has a safe and happy holiday.
2. If we do get a call from USDA about the library, we might have to have a special meeting sometime this week.

CITIZENS COMMENTS

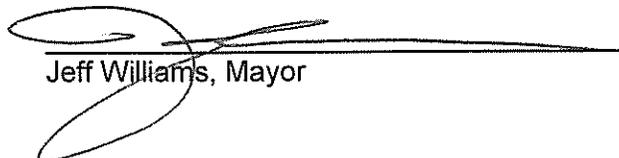
Councilor Nelson asked about the fire chief position. Mayor Williams stated we have 2 people to interview after the first of the year. One of them is local and one is out of town. There is not urgency to get one hired, our interim chief is doing very well.

ADJOURNMENT

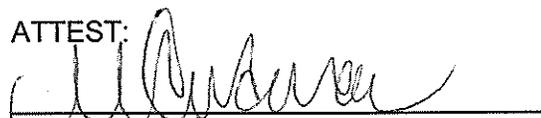
A motion was made by Heleker and seconded by Dodson to adjourn to at 8:08 PM.

The motion CARRIED.

Signed this 3rd day of January, 2010.


Jeff Williams, Mayor

ATTEST:


Mary Cordova, City Clerk

BILLS & PAYROLL PRESENTED TO CITY COUNCIL
 "December 20, 2010"

	<i>Vendor Name</i>	<i>Check Amount</i>
ET	Payroll - All Dept.	114,502.69
4187	Iowa Ave. - Street	20629.77
	ABC Stamp - Admin	33.51
	ACCO - Pool	599.29
	Albertsons - All Dept.	220.32
	Analytical Lab - Water	98.00
	BDS - Water & WWTP	1590.61
	Cintas - Street	119.25
	Davison, Copple & Copple - Admin	760.00
	DCS Tech- Admin, WWTP, Police & Legis	622.99
	Digline - Street, Water & WWTP	58.40
	Everyday with Rachael Ray - Library	20.00
	Fleet Services - All Dept	6824.89
	Fruitland Electric - Police	409.24
	Galls - Police	109.98
	Garden Valley District Library - Library	150.00
	GFOA - Admin	320.00
	Grafix Shoppe - Police	388.54
	Holladay Eng. - Library, Admin & WWTP	6985.63
	ICB - All Dept.	1800.67
	Idaho Power - All Dept.	10636.52
	Idaho State Police - Police	2550.00
	Independent Enterprise - Admin & WWTP	64.98
	Intermountain Gas - All Dept.	4822.47
	Interstate All Battery - Fire	108.80
	J.P. Cooke - Admin	58.67
	Jerry's - Street	84.16
	Kelley, Jennifer - Admin	867.95
	Lindsay Ecowater - Library	5.00
	MARC - Street	3595.06
	Metroquip - Street	480.00
	Micromarketing - Library	527.16
	Ontario Starter Repair - Park	172.60
	Ontario Tool - Fire & Park	192.50
	Osborn, Bert - Admin	1785.56
	Outdoorsman - Fire	39.16
	Paetec - All Dept.	25.78
	Palmer Backflow - WWTP	155.00
	Payette Collision - Police	998.00
	Payette County Paramedics - Police	100.00
	Payette Printing - Admin	138.65
	Payette/Washington County UCC - Street	25.00
	Penworthy Company - Library	912.86
	Qwest - All Dept.	1009.77
	Reliant Behavioral - Admin	275.00
	Robertson Supply - Water	13.98
	RT's - Street	129.00
	Rush Truck - Street & WWTP	338.61
	S & H - Street	18.55
	Staples - Admin & Police	162.88
	State of Idaho - Dept. of Insurance - Fire	20.00
	Street Décor - Admin	2000.28
	Superior Lamp - Street	468.69
	Three Rivers Insurance - Admin	60.00
	Toombs Janitorial - Library	44.69
	UPS - Police	24.30
	USDA - WWTP	234056.61
	Verizon - All Dept.	936.14
	Wienhoff Drug - Shop, Water, WWTP & Street	165.00
	Xerox - Admin	320.35
	Zee - WWTP & Park	178.69
	TOTAL ALL DEPARTMENTS	424,812.20