

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
January 3, 2012**

5:15 PM – Joint Work Session – with City Council, Planning & Zoning & Public Works Committee

Present: Mayor Jeff Williams, Mark Heleker, Lee Nelson, Ivan Mussell, Les Cochran, Kathy Dodson, Jeff Sands, Craig Jensen, Randy Choate, Kevin Hanigan, Larry Hogg, Jim Franklin, Cassandra McElravy and Stan Clements.

A. Oil & Gas Ordinance

Mayor Williams stated this is an intro to the oil and gas ordinance. In his opinion the most important thing is to protect our aquifer, then what do we want to see happen. Rob Woyak stated his concerns are with the aquifer, the delineation zone and testing before and after the project. He would like to see testing at 3, 5 & 9 years out. Would like to see a problem coming our way if there is one. DEQ & EPA come up with new tests every year. He is concerned about people that live within the County and have their own wells. How will they be tested and protected? Mr. Woyak was asked about the 3, 5 & 9 years and would it take this long to get to our wells. Mr. Woyak stated yes. If we find contamination can we hold the company accountable and will we receive clean drinking water. Mr. Clements talked to other insurance companies and it could cost the City a lot of money if contaminated. We could require them to have a tail on their policy that could provide a specific time and amount. We can ask for whatever, but can we get it. Discussion followed what distance the contamination and time frame to get to our water supply. It depends if ground is porous or not. Doug Argo stated it is mapped out. State says ¼ mile and this is not very far from an existing well. The State rules do not take Cities into concern. Idaho rules governing oil & gas is not approved by the county association and can't imagine that AIC will support. IDAPA will be the rules once back in session. Ms. Cordova handed out a map from EPA website on our delineation zone. You have to remember that anything that happens in the County, we don't have control over. She handed a flyer out as to what we can regulate as a City. Mark Heleker stated that he has a concern about all the chemicals used and once fracking starts you can't stop it. Jim Franklin stated that our area is unique due to the shallow water and is in favor of the closed loop system. Doug Argo stated he is in favor of the drilling as long as it is safe and our aquifer is safe. Larry Hogg stated that he didn't know if it is appropriate in the City. Mayor Williams believes there are some areas within the City limits that would be appropriate. Mayor Williams asked where we go from here, right now we don't have any codes to control drilling. Kevin Hanigan stated that there should be strict parameters on the permits. The City's ordinance would supplement IDAPA and it has to be in the best interest of the health, safety and welfare of our citizens. Consensus was to proceed with an ordinance and conditional use permit. Discussed hours, industrial zone allowed, noise, decibel rating, closed loop system, insurance policy with a tail included, monitoring and education of fire fighters and 1st responders. Mary Cordova stated that New Plymouth tried for education of fire fighters and they said no. They should provide us with an emergency plan. If they are using our right of way for their gathering lines, would they need to enter into a franchise agreement? The ordinance needs to be in the best interest of our citizens for their protection.

The work session concluded at 6:45 PM.

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, Mark Heleker, Lee Nelson, Ivan Mussell, Les Cochran & Kathy Dodson

Members Absent: Georgia Hanigan, excused

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney, Doug Argo, City Engineer, Randy Schwartz, WWTP Supervisor; Rob Woyak, Water Supervisor; Steve Castenada, Fire Chief; and Bobbie Black, Deputy City Clerk.

PLEDGE

Linda Williams led the pledge of allegiance.

CITIZENS COMMENTS

None Heard.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Nelson to approve the minutes of December 19, 2011, as written.

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 \$198,757.05.

At the roll call:

Ayes: Heleker, Nelson, Mussell, Cochran & Dodson

Nays:

ADJOURN SINE DIE

A motion was made by Cochran to adjourn sine die. The motion was seconded by Mussell.

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

OATHS OF OFFICE

Clerk Cordova administered the oath of office to Mark Heleker, Jeff Sands and Craig Jensen for their 4 year Council term.

CALL MEETING TO ORDER/ROLL CALL

Mayor Jeff Williams called the new council to order at 7:10PM.

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Lee Nelson, Ivan Mussell, Jeff Sands & Craig Jensen.

Members Absent: Georgia Hanigan, excused

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney, Doug Argo, City Engineer Randy Schwartz, WWTP Supervisor; Rob Woyak, Water Supervisor; Steve Castenada, Fire Chief; and Bobbie Black, Deputy City Clerk

COMMUNICATIONS

None

PLANNING & ZONING

Meeting Minutes of November 17th & November 28th

OLD BUSINESS

None

SPECIAL ORDERS

A. Resolution 2012-01

~Expressing Appreciation to Mike Hanigan

This item will be placed on the next agenda because Mr. Hanigan was not in attendance.

B. Resolution 2012-02 ~Appreciation to Katherine Dodson for Service on Council

Mayor Williams read Resolution 2012-02 & Resolution 2012-03 for the appreciation to Katherine Dodson & Les Cochran for their service on the Council.

C. Resolution 2012-03 ~Appreciation to Les Cochran for Service on Council

Mayor Williams read Resolution 2012-02 & Resolution 2012-03 for the appreciation to Katherine Dodson & Les Cochran for their service on the Council.

NEW BUSINESS

A. Election of Council President

A motion was made by Mussell to elect Lee Nelson as Council President. The motion was seconded by Heleker.

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

B. Appointment of Standing Committees

Committee	Chairperson- Department Head	Council Member	Community Members
Historic Preservation Commission	Ann Curtis	Lee Nelson & Mark Heleker	Diane Kinney, Patty Theurer, Don Belvoir, Linda Williams Karen Pollock & Marcia Gray
Public Works	Jamie Couch, Randy Schwartz & Rob Woyak	Ivan Mussell & Lee Nelson	Taylor Fry, Stan Clements & Mike Phillips
Public Safety	Mark Clark & Steve Castenada	Ivan Mussell & Mark Heleker	Alan Massey, Larry Dove & Barbara Choate
Parks & Recreation	Randy Fales & Kelly Franek	Jeff Sands & Georgia Hanigan	Kim Bruce, Les Sweeney & George Mattice

Payette Community Forestry Commission	Gene Gray & Randy Fales	Georgia Hanigan	Tony Mell, Dick Bronson, Kirk VanPatten & Larry Kelley
Finance & Administration	Mary Cordova & Jennifer Kelley	Lee Nelson, Craig Jensen & Mark Heleker	David Gray, Rick Grief, Ray Wickersham & Kevin Coats
Airport	Duane Youngberg	Craig Jensen	Frazer Peterson Gary Cox, Bert Osborn, Brenda Carter & Dave Koeppen, Alt
Library	Colleen Bonnell	Jeff Sands	Claire Ames, Anne Hanigan, Jean Ruud, Erica Bazil & John Held
Golf Course	Scott Masingill	Ivan Mussell	Jim Bivens, Frank Sanders, Mike McCrea, Mike Holcomb, Jeff Matsubu & Lyle Kennell
Planning & Zoning Commission	Tiffany Howell	Council Members are not members of this body	Randy Choate, Jim Franklin, Kevin Hanigan, Larry Hogg, Tom Ladley, Gary Youngberg & Cassandra McElravy

A motion was made by Heleker to approve the appointment of Standing Committees as presented by the Mayor. The motion was seconded by Mussell.

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

C. Appointment of Council Liaison to Airport & Library Commission

A motion was made by Jensen to approve the appointment of Craig Jensen as Council Liaison to the Airport and Jeff Sands as Council Liaison to the Library. The motion was seconded by Heleker.

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

D. Council Liaison to PMDC Board

A motion was made by Heleker to approve the appointment of Ivan Mussell as Council Liaison to the PMDC. The motion was seconded by Nelson.

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

E. Ordinance #1355 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 12.18 IN TITLE 12 OF THE PAYETTE CITY CODE; CHANGING THE TITLE OF CHAPTER 12.18; CREATING FINDINGS; ADDING NEW DEFINITIONS; RENUMBERING CODE

SECTIONS 12.18.040 THROUGH 12.18.190; CREATING A NEW SECTION 12.18.070 ESTABLISHES AND DEFINES THE DUTIES OF THE CITY FORESTER; PROHIBITING THE INTERFERENCE WITH THE CITY FORESTER; CREATING COMPENSATORY PAYMENTS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; PROVIDING A PENALTY –
1ST Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance #1355 by title only.

The motion CARRIED.

A motion was made by Heleker and seconded by Nelson to suspend the rules and pass Ordinance #1355 on its first reading

The motion CARRIED

A motion was made by Nelson and seconded by Heleker that Ordinance #1355 do pass

The motion CARRIED

F. Airport Ground Lease Agreement – Paul Hart

The Council was informed that this is a house keeping item. Ralph Barker sold two of his three hangars. One to Paul Hart and the other one to Monty Stimmel. These agreements are the same as Mr. Barker's, just with the new owners.

A motion was made by Mussell to approve the airport ground lease agreement for Paul Hart.
The motion was seconded by Heleker.

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

G. Airport Ground Lease Agreement – Monty Stimmel

A motion was made by Heleker to approve the airport ground lease agreement for Monty Stimmel.
The motion was seconded by Heleker.

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

H. Iowa Avenue Project – Change Order #8 & #9

A motion was made by Nelson to approve Iowa Avenue Change Order #8 for \$1,749.00 and Change Order #9 for -\$375.00. The motion was seconded by Nelson.

At the roll call:
Ayes: Heleker, Nelson, Mussell, Sands & Jensen
Nays:

I. Ordinance #1356 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADOPTING A NEW CHAPTER 16.26 OF THE PAYETTE MUNICIPAL CODE ESTABLISHING SHORT PLAT PROCEDURES; PROVIDING FOR A SEVERABILITY CLAUSE; ESTABLISHING A REPEALER CLAUSE; ESTABLISHING A PENALTY; ALLOWING FOR PUBLICATION IN SUMMARY FORM; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW – 1st Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance #1356 by title only

The motion CARRIED.

Councilor Heleker stated that this has been discussed thoroughly and needs to be expedited. Doug Argo stated his concerns about A-2 should be 5 years instead of 1 year. The intent is for in-fill. On A-3 it should include private streets, on A-4 there should be clarification on the main line, A-7 they should be required to sign a side walk agreement if no sidewalks exist and F-7 needs clarification. Mayor Williams stated he forwarded to a surveyor and their recommendation were on A-6-c the shared parking agreement should be recorded and B-6 a line should be added to include that the City signs off on the survey.

A motion was made by Mussell and seconded by Nelson to suspend the rules and pass Ordinance #1356 on its first reading as amended.

The motion CARRIED

A motion was made by Heleker and seconded by Nelson that Ordinance #1356 do pass

The motion CARRIED

J. Rescue Program - Standard Operating Procedures

Mark Heleker stated that the Public Safety Committee discussed this and the Fire Chief did an excellent job explaining the program. Steve Castenada said that the program has been running for about a year. The fire department responds with the police department. They scaled back the program and since has discussed with the State what is allowed under the Good Samaritan laws. They respond 8 am to 5 pm and in the evenings when needed. They do respond to motor vehicle accidents 24/7. This has freed up the police department if they are needed at another call. They do no medical. Mayor Williams stated that the community likes this program. Councilor Sands asked if they put a statement on their reports under the remarks what they did. Mr. Castenada stated yes.

A motion was made by Heleker to approve the Standard Operating Procedures for the Rescue Program as presented. The motion was seconded by Mussell.

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

DEPARTMENTAL REPORTS

- A. Payette Fire Department – December 2011 & Year End Report
- B. Doug Argo stated that the Greenway Project started today.

MAYOR'S COMMENTS

Mayor Williams stated that there will be different seating arrangements at the next meeting.

CITIZEN'S COMMENTS

None Heard

EXECUTIVE SESSION

Pursuant to Idaho Code 67-2345 (1) (f)

At 7:30 PM a motion was made by Heleker and seconded by Nelson to adjourn to executive session per Idaho Code 67-2345 (1)(f); pending litigation.

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

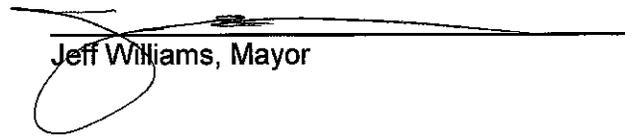
The Council reconvened at 8:00 PM.

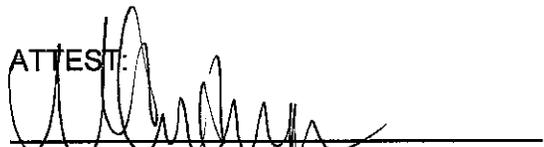
ADJOURNMENT

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 8:02 PM.

The motion CARRIED.

Signed this 17 day of January, 2012.


Jeff Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

CITY OF PAYETTE

January 3, 2012

CITY PAYROLL	12/30/2011	ET	79,129.78
HARDIN SANITATION, INC.	12/20/2011	5871	26,582.20
KEITH'S SPORTING GOODS	12/28/2011	5874	350.00
KEPHA CONSTRUCTION	12/21/2011	5873	67,710.06
SNAKE RIVER ECONOMIC ALLIANCE	12/21/2011	5872	6,250.00
ACTION MEDICAL, INC.	1/3/2012	5875	71.00
ADVANCED CONTROL SYSTEMS	1/3/2012	5876	269.00
ADVANCED SERVICE & REPAIR	1/3/2012	5877	781.00
BEAR GRAPHICS	1/3/2012	5878	418.82
BRADY INDUSTRIES, INC.	1/3/2012	5879	109.00
CENTER POINT LARGE PRINT	1/3/2012	5880	109.05
CROSS STITCH GOLD	1/3/2012	5881	31.95
D&B SUPPLY	1/3/2012	5882	359.94
DART'S TRUE VALUE	1/3/2012	5883	1,472.68
DURHAM GRAVEL WORKS	1/3/2012	5916	3,050.00
FISHER SCIENTIFIC	1/3/2012	5884	417.20
GALL'S INC.	1/3/2012	5885	54.87
GRANT'S PETROLEUM	1/3/2012	5886	488.28
HANIGAN CHEVROLET	1/3/2012	5887	30.02
HARDIN SANITATION, INC.	1/3/2012	5888	615.71
HUGHES FIRE EQUIPMENT	1/3/2012	5889	25.22
IDAHO POWER, PROCESSING CENTER	1/3/2012	5890	3,345.57
IDAHO POWER, PROCESSING CENTER	1/3/2012	5915	124.00
IDAHO STATESMAN	1/3/2012	5891	235.04
IDEXX DISTRIBUTION CORP.	1/3/2012	5892	123.11
INDEPENDENT ENTERPRISE	1/3/2012	5893	44.46
INTERSTATE ELECTRIC	1/3/2012	5894	60.56
MARC CORPORATION	1/3/2012	5895	355.46
METROQUIP, INC.	1/3/2012	5896	417.69
ONTARIO BEARING & HYDRAULIC	1/3/2012	5897	16.73
OXARC	1/3/2012	5898	913.64
PAYETTE AUTO SUPPLY	1/3/2012	5899	351.28
PAYETTE COUNTY PARAMEDICS	1/3/2012	5900	100.00
PAYETTE COUNTY SHERIFF	1/3/2012	5901	1,128.00
PAYETTE PRINTING	1/3/2012	5902	143.15
R.T.'S COMMERCIAL TIRE	1/3/2012	5903	40.00
RENEWABLE CHOICE ENERGY	1/3/2012	5904	320.66
REPCO MARKETING INC	1/3/2012	5905	99.00
RESPOND FIRST AID SYSTEMS	1/3/2012	5906	151.75
RIVERSIDE INC	1/3/2012	5907	1,091.40
ROBERTSON SUPPLY	1/3/2012	5908	20.91
SWDH	1/3/2012	5917	150.00
TREASURE VALLEY PLUMBING	1/3/2012	5909	310.00
UNITED PARCEL SERVICE	1/3/2012	5910	16.85
VAL'S FLORAL	1/3/2012	5911	32.00
VICTORIA	1/3/2012	5912	30.00
VIVID INK & TONER	1/3/2012	5913	120.87
WESTERN STATES CHEMICAL	1/3/2012	5914	689.14

198,757.05