

MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
April 4, 2016

6:30 -Work Session

A work session of the Payette City Council was called to order at 6:30 PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present: Mayor Williams, Lee Nelson Ray Wickersham, Nancy Dale, Alan Massey, Kathy Dodson and Craig Jensen.

Members Absent:

Staff Present: Mary Cordova, City Coordinator; Brad Davis; Street Department; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Jake Hust, Water Supervisor; Randy Fales, Parks Supervisor; Supervisor; Doug Argo, Holladay Engineering; Bert Osborn; City Attorney; Matea Gabiola Administrative Assistant

A. Apple Blossom- Mobile Vendors- Twana Morin; 507 North 4th Street Payette & Kathy Clements 9948 Ash Lane Payette, addressed the City Council. Ms. Clements stated that the Apple Blossom Committee isn't complaining about the mobile vendors on the private property, and is fine with whatever the City Council decides. Ms. Morin stated that the Apple Blossom Committee listened to the minutes of the previous Council meeting held on March 21, 2016 and wanted to clear a few things up. Ms. Morin handed out a rate sheet of what the Apple Blossom Committee charges for vendors during the festival. The Apple Blossom Committee pays for all the extra officers during that time, not the City. Ms. Morin stated yes last year the electrical at the City park was a nightmare, but this year they will be more prepared. Ms. Clements stated the only reason the Apple Blossom Committee wanted to expand the outline area more is to try and stop vendors from setting up on a corner someplace without talking to anyone, other than the property owner. The vendor's fees aren't as high as everyone thinks, they are very reasonable. Ms. Morin stated that power is included in those fees because the Apple Blossom Committee pays for the state required electrical inspection every year for all vendors and carnival. Ms. Morin stated that the Apple Blossom Committee is responsible for all the vendors state tax, as well as forms and have to be manually handed out and retrieved. Mr. Nelson asked isn't that something the vendors have to do themselves? Ms. Clements stated that because the vendors are coming to our festival the Apple Blossom Committee is responsible to make sure they have the proper paperwork to file. They file the forms but don't collect the sales tax, that is some they the vendors pays directly to the state. There is a lot of small stuff that the committee does that no one knows about. Ms. Morin stated that the Apple Blossom Committee isn't wanting to hurt the private people, they just don't want vendors from out of state to come and set up in the City anywhere during the Apple Blossom Festival. Apple Blossom Committee is asking for one week, that is all, Monday through Sunday. Mr. Wickersham asked how many vendors do they argue with every year or avoid the Apple Blossom vendor charges. Ms. Clements stated it varies every year. Mr. Wickersham stated that he is more comfortable with changing the mobile vendor fee through the City at that time frame, so the vendor would then have to go through the Apple Blossom Committee, because you can't constantly change the lines of the new effected area each year. Mayor Williams asked Ms. Clements & Ms. Morin is if there is any way they have added up lost revenue from these mobile vendors not paying the fees to the Apple Blossom Committee. Ms. Clements stated that the Apple Blossom Committee doesn't take a percentage of their earnings they just charge a setup fee. A lot of the surrounding

festivals do take a percentage as well as a set-up fee but the Apple Blossom Festival does not. Mayor Williams stated the City Council is trying to aid the Apple Blossom Festival in gaining back some potential lost revenue. Mr. Massey asked how many vendors does the Apple Blossom Festival get every year that pays these fees? Ms. Morin stated it varies from year to year. Ms. Clements stated that when the cutoff ends May 1st, they should have roughly 35-50 vendors. Mr. Massey stated the Apple Blossoms Festival's main source of revenue is these vendors' fees correct? Ms. Clements stated yes, between the vendor fees and a percentage of the presale of tickets for the carnival, that is how they keep the festival going every year. Mr. Massey asked is the committee coming close to breaking even or making a profit? Ms. Clements stated they break even every year and have enough money to have the festival next year. Ms. Clements stated the Apple Blossom Committee isn't asking for any money from the Council. Mayor Williams stated it is to just protect their revenue stream. Mr. Massey asked if they are getting sponsorships from the community? Ms. Clements stated no, they do not ask for sponsorships. Ms. Morin stated at one time we had surrounding banks handle the Ice Cream Social, but they started having problems with it because the banks were only allotted a certain amount of money for ice cream and once that amount was used up the ice cream truck would leave. Then there would be a lot of people in attendance for the social and wouldn't get ice cream so the Apple Blossom Committee would take money from their own pockets and buy the ice cream and serve it themselves. Ms. Morin stated we are actually better off to do it on our own. Mr. Jensen stated when the City originally turned it over the Apple Blossom Committee it was to be ran by you as a no profit and be self-sufficient, and it has been that way for years. Ms. Clements stated the Apple Blossom Festival isn't listed as non-profit with the IRS. We are with the State of Idaho, but not with the IRS. Mr. Wickersham asked if the Apple Blossom Festival is incorporated? Ms. Clements stated yes they are. Mayor Williams stated that in listening to the previous meeting what Cleo Thompson stated hit the nail on the head. Mayor Williams summarized that she stated you either help the committee to protect their revenue stream or give them some money. Mayor Williams stated that Jim Boyer comes to the City Council for Cruise Night, and they give him \$500.00 a year, so maybe we could do that for the Apple Blossom Festival. Mr., Wickersham stated if they are able to do it alone and don't need the help, he would rather not give out tax payer dollars. Ms. Morin & Ms. Clements stated thank you, because that is what they are trying not to do. Ms. Dale asked if there was a is reason as to why the Apple Blossom Festival didn't want to file as a non-profit? Ms. Clements stated she submitted the paperwork to the IRS four years ago, and they wouldn't recognize the festival as any kind of entity at all. Ms. Cordova stated that when the Council approves the Special Events permit they already designate areas where vendors can set up on public property. Anything outside of those areas or on private property the vendors would have to go through the City.

7:00 PM – Regular Meeting

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

ROLL CALL

Members Present: Mayor Williams, Lee Nelson Ray Wickersham, Nancy Dale, Alan Massey, Kathy Dodson and Craig Jensen.

Members Absent:

Staff Present: Mary Cordova, City Coordinator; Brad Davis; Street Department; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Jake Hust, Water Supervisor; Randy Fales, Parks Supervisor; Ed Franek, Shop Supervisor; Doug Argo, Holladay Engineering; Bert Osborn; City Attorney; Matea Gabiola Administrative Assistant

PLEDGE

The Pledge of Allegiance was led by Byron Dale.

CITIZENS COMMENTS

None.

APPROVAL OF MINUTES

A. 03-21-2016 – Public Hearing & Regular Meeting

A motion was made by Dodson and seconded by Jensen to approve the minutes of 03-21-2016 Public Hearing & Regular Meeting as written.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Massey and seconded by Nelson to approve the City Bills & Payroll in the amount of \$211,502.56.

Mr. Jensen asked about the Ferguson bill, Sherwin Williams & ICRMP. Mr. Massey broke it down and explained it to him.

At the roll call:

Ayes: Wickersham, Massey, Nelson, Dodson, Jensen and Dale.

Nays: None

The motion CARRIED.

SPECIAL ORDERS

A. Arbor Day Proclamation

A motion was made by Wickersham and seconded by Jensen to approve the Arbor Day Proclamation.

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

COMMUNICATIONS

A. Thank You – Dr. Max Branscomb II

PLANNING & ZONING

A. Meeting Minutes of March 24^h, 2016

B. Appointment of new P&Z Member- Mayor Williams made a recommendation to fill the vacant position on the Planning & Zoning Commission with Ron Wallace, a business owner in the City of Payette.

A motion was made by Nelson and seconded by Dodson to appoint Ron Wallace to the Planning & Zoning Commission to fulfill Kevin Hanigan's term to expire 12/31/2016.

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

AGENDA ITEMS

- A. Appointment to Airport Commission- Gene Wilkie- Gene Wilkie 130 North 20th Street Payette, ID; addressed the Council and gave a history on his life. After retiring he decided to buy a few planes and live in Payette. He is wanting to be a part of the Commission and improve the Airport. Mayor Williams made a recommendation to appoint Gene Wilkie to the Commission.

A motion was made by Jensen and seconded by Dodson to appoint Gene Wilkie to the Airport Commission to fulfill the term of Brenda Carter to expire 6/30/2017.

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

- B. Ordinance #1404 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.34.070 IN CHAPTER 17.34 OF TITLE 17, EXTENDING AND DEFINING THE DISTRICT BOUNDARIES FOR C-1 COMMERCIAL DISTRICT; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER. – 2st Reading

A motion was made by Nelson and seconded by Jensen to introduce Ordinance #1404 by title only.

Bert Osborn read by title only.

Cleo Thompson 75 North Iowa Avenue; Ms. Thompson addressed the Council and asked again what this changing of the code meant and where this was located. Mayor Williams explained the Council wanting to change the Chase property at 307 North 9th Street, to C-1 Commercial Downtown because it allows Commercial and residential use on the same parcel. So changing the code to define the boundaries is the first step.

A motion was made by Massey and seconded by Dodson to move Ordinance #1404 to suspend the rules and pass on 2nd Reading.

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

A motion was made by Nelson and seconded by Jensen that Ordinance #1404 do pass.

At the roll call:

Ayes: Wickersham, Massey, Nelson, Dodson, Jensen and Dale.

Nays: None

The motion CARRIED.

C. Ordinance #1406 AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 5.15.050 A IN CHAPTER 5.15 OF TITLE 5; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER. – 2st Reading

A motion was made by Massey and seconded by Nelson to introduce Ordinance #1406 by title only.

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

Mr. Osborn read by title only.

Mr. Wickersham stated he is questioning the definition of what the City considers a mobile vendor. Mr. Osborn stated mobile means temporary, because you can't discriminate people coming from out of town. Ms. Dodson questioned the current ordinance, and if it covers vendors selling merchandise rather than just food and drink. Mr. Osborn said by simply changing the title to Mobile Concessions. Mr. Massey stated that Denny Croner emailed the Council, stating that he was concerned that the Apple Blossom Committee would have the ability to charge non-profits. Ms. Clements stated they do not charge any non-profits; they give them any area or booth. Ms. Clements said the Apple Blossom Committee doesn't charge the schools, military or any nonprofit that asks to set up a booth, the committee just requires them to fill out an application. Mr. Massey stated he would potentially like to see the map not be used as a geographical boundary, but go along with what Mr. Wickersham was saying and during the time of the Apple Blossom the mobile vendor fees go through the Apple Blossom Committee. If a property owner decides to set up a booth, for his own profit, then instead of going through the City they would have to go through the Apple Blossom Committee. Ms. Dale stated if a property owner wants to have a booth on their property or have someone pay to be on the property they should have a say in it. It is owned by them, not the City.

Liz Amason 490 North 20th Street Payette; Ms. Amason addressed the Council and stated that she is in favor of anything that the Apple Blossom does, but she doesn't think it is fair to charge a property owner a permit fee to conduct business on their own property.

Mr. Nelson stated maybe to help the Apple Blossom and save the revenue they lose from some vendors not paying, the City Council donates \$500 each year. Mr. Massey stated instead of having an area delegated for the vendors, change the mobile vendor fee during the week of the Apple Blossom Festival to encourage vendors to go through the Apple Blossom Committee rather than pay the higher fee through the City. Ms. Dale stated to clarify what we are trying to accomplish is leave this ordinance as is regarding the public areas, leave the private property owners out, and the only change would be to make the ordinance title Mobile Concessions. Also like Mr. Nelson said build into the budget of a donation of \$500.00 each year. Ms. Cordova stated that there is a section of code that covers itinerant merchants.

A motion was made by Dodson and seconded by Massey to move Ordinance #1406 to suspend the rules and pass on 2nd Reading.

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

A motion was made by Nelson and seconded by Dodson that Ordinance #1406 do pass.

At the roll call:

Ayes: None.

Nays: Wickersham, Massey, Nelson, Dodson, Jensen and Dale.

The motion FAILED.

C. Beer & Wine Transfer- Meechans Briq Haus Grill-

A motion was made by Jensen and seconded by Dale to approve the transfer of the beer and wine license to Meechans Briq Haus Grill.

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

E. Non- Aerial Fireworks Permit- TNT Fireworks-

A motion was made by Dale and seconded by Nelson to approve the Non- Aerial Fireworks Permit for TNT contingent on inspection approval from Fire Chief Steve Castenada.

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

F. Surplus Property- Mayor Williams stated in the previous meeting there was discussion on how the Library disposes, exchanges, re-sells books or materials from there stock. Mayor William stated that by State code the City Council has to approve any surplus property that it sold or disposed of. Power cannot be delegated.

G. Request for Work on Miracle Field- Mayor Williams stated him, Alan Pollock and Jamie Couch met regarding the Miracle Field and compiled a list of improvements. Ms. Cordova stated with the work requested would cost an estimated \$500.00.

A motion was made by Dodson and seconded by Dale to allocate improvements the Miracle Field not to exceed \$500.00.

At the roll call:

Ayes: Wickersham, Massey, Nelson, Dodson, Jensen and Dale.

Nays: None

The motion CARRIED.

DEPARTMENTAL REPORT

A. Public Works Committee- April 4th- No discussion

MAYOR'S COMMENTS

Mayor Williams stated that after a presentation by Idaho Cities on roles and responsibilities and much discussion amongst the Council members we have all decided to restructure things and no longer have committee meetings. Mayor Williams wanted to thank everyone for making his idea happen and to all the community member's involvement. Moving forward all departments will be meeting with the full Council in a work session prior to the regularly scheduled meetings. Each department will vary on which meeting. Mr. Jensen believe this is a much better idea and will get the citizens of Payette work done faster.

CITIZEN'S COMMENTS

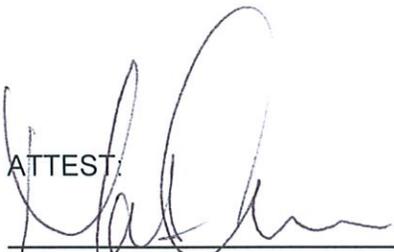
None.

ADJOURNMENT

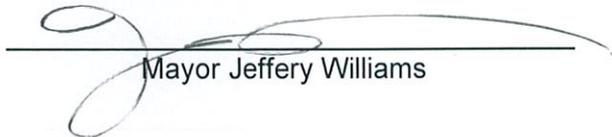
A motion was made by Jensen and seconded by Dodson to adjourn the regular meeting at 8:32 PM.

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

Signed this 4/25 day of, 2016.

ATTEST:


Matea Gabiola
Administrative Assistant



Mayor Jeffery Williams