

**MINUTES
PAYETTE CITY COUNCIL
Work Session, Public Hearing & Regular Meeting
April 15th, 2013**

ROLL CALL

Committee Members Present: Alan Massey, Barbara Choate, Taylor Fry, Stan Clements, Larry Dove
Council Present: Mayor Jeff Williams, Georgia Hanigan, Craig Jensen, Mark Heleker, Lee Nelson, Jeff Sands, Ivan Mussell
Staff Present: Mark Cordova, City Administrator; Mark Clark, Police Chief; Steve Castenada, Fire Chief; Jamie Couch, Street Superintendent; Doug Argo, City Engineer; Jennifer Kelley, HR.

6:00 PM – Joint Work Session with City Council, Public Safety and Public Works Committees

A. LHTAC Traffic Safety Audit – 6th Avenue South / Highway 52

Doug Argo explained the findings of the safety audit conducted by LHTAC at 6th Avenue South, Highway 52 and Wayne Drive. The purpose is for safety concerns and LHTAC outlined courses of action. LHTAC contacted all those involved with the maintenance and public safety of the intersection and then conducted the study on their own. The City has opportunity to express concerns. Chief Clark said the intersection is one of our most dangerous intersections in town. There is major potential for serious injury or a fatal accident and speed is a factor. We will have a fatality – it's not if, but when. There have been accidents requiring extrication because it's a dangerous intersection. Jamie Couch said the City doesn't own the two streets/paths that go from 6th Avenue South to Highway 52. There was an accident there two days ago. He said the signage has been changed at some point, but he's not sure when and in the wintertime there are issues with cars spinning out and getting stuck on the hill. He said it's a dangerous intersection. If the street were to close Steve Castenada said a cul-de-sac would provide room for a fire truck to turn around and there is room in the Deer Meadows Subdivision. The City would have to put up dead end street signage. Councilor Heleker asked about changing the speed at Iowa and 52 and Doug Argo said the City would request the State change the speed. Chief Clark said a driver has 2 seconds to determine course of action when crossing the highway. Stan Clements said there are a lot of kids that walk down that hill. Those kids will still walk down that area. We don't have public right of way and it could be a liability issue. He said it only takes a few more minutes to go to the stop light. It's a public safety issue. Councilor Heleker said the first thing we should do is lower the speed limit. Doug Argo mentioned the parking in front of the house on the east side of the intersection. The City Council can prohibit parking along the highway. He also said the two lanes from 6th Avenue up to the highway are prescriptive right of way – we have the ability to close it or improve it. Mary Cordova said the City can address some items in the short term, but we need to start planning for the long term, budgeting, saving, etc. Councilor Hanigan said foot traffic is a huge concern as well and how do you fix that? Doug Argo said you could put a crosswalk in. There haven't been any reported pedestrian accidents at the intersection. The Mayor said the item will remain on the agenda to discuss long term solutions and we can complete some of the short term improvements now. If the City decides to make 6th Avenue South a dead-end what is the process? Doug Argo said we'd have to work closely with ITD. If we improved the intersection we'd have to buy a house

and property. We have some preliminary estimates to improve the intersection, but they are a couple of years old. Councilor Sands asked about widening the road out of town. Doug Argo said traffic counts don't warrant it. Chief Clark said closing the section would also relieve congestion at the intersection of Highway 95 and 6th Avenue South. Barb Choate said it needs to be closed and to spend 1.2 million dollars on improving the intersection doesn't make sense. Taylor Fry concurred. Council Heleker said he would like to see updated numbers on improving the intersection, not just for him but for all that use the intersection. Stan Clements said the Council just needs to make a decision, it's in their hands. Alan Massey mentioned the possibility of having a crosswalk sign. That would slow traffic down as well.

6:30 PM – Public Hearing

NOTICE IS HEREBY GIVEN, in accordance with Idaho Code 63-1311A, by the City of Payette, Idaho, that the Payette City Council will meet at 6:30 p.m. on April 15th, 2013, at the Payette City Council Chambers, 700 Center Avenue, Payette, Idaho, to consider public comment regarding the institution of new municipal fees for the Administration department for building permit fee violation.

City Attorney, Bert Osborn, read the notice and asked for public comment. Stan Clements, 9948 Ash Lane, Payette, asked if the fee will apply to someone who has made a mistake or weren't aware of the building permit requirement. Is it just for those who willfully don't get a permit after being informed of the requirement? Councilor Hanigan said the building inspector has latitude to determine applicability. Mike Phillips, 535 16th Avenue North, Payette, asked what the fees are for? Is it for the 200 square foot storage shed that is on the property line and the water run-off falls on the neighbor's property. Does it address those issues? The Mayor said the fee is 100% of the building permit cost and those affected do have an opportunity to appeal to the Council. There is additional staff time and costs associated with people who don't get building permits when their required.

The hearing closed at 6:43 PM.

6:45 PM – Public Hearing

An application by Jake & Heather Ruth for a Variance Application to the lot size requirements on a corner lot to build a 16x32 addition at 304 10th Ave No, N 99.5' of the W 69' of Lot 3 in Block 6 of T J. Lloyd's Sub. The property is zoned A- Residential.

Bert Osborn, City Attorney, read the public hearing notice and asked for public comment.

Heather Ruth, 304 10th Avenue North, owner, addressed the Council. She said they want to square off the back part of their house and by doing so would actually bring the current structure in one foot from the existing structure.

No other public comments and the hearing closed at 6:55 PM.

The work session was reconvened.

Proposed Changes to Open Burning

Fire Chief Castenada said the fire chiefs of surrounding communities would like to have the same open burning requirements as each other to promote uniformity. Malheur County has already approved it and now we're waiting on Payette County.

Adjourn at 7:03 PM

7:00 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:05PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Ivan Mussell, Jeff Sands, Georgia Hanigan, Lee Nelson, and Craig Jensen

Members Absent: None

Staff Present: Mary Cordova, City Administrator; Bert Osborn, City Attorney, Jennifer Kelley, HR; Steve Castenada, Fire Chief; Mark Clark, Chief of Police; Jamie Couch, Street Superintendent; Doug Argo, City Engineer.

PLEDGE

All in attendance cited the pledge of allegiance.

CITIZENS COMMENTS

None heard

APPROVAL OF MINUTES

Councilor Hanigan said the aye and nay votes for the Gabbano Club License are backwards.

A motion was made by Heleker and seconded by Mussell to approve the public hearing and regular meeting minutes of 04-01-13 as corrected.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Jensen and Heleker to approve the City Bills & Payroll in the amount of \$224,243.30.

At the roll call:

Ayes: Heleker, Mussell, Hanigan, Sands, Jensen and Nelson

Nays:

The motion CARRIED.

COMMUNICATIONS

A. Thank You – Rawhiders 4-H Club

B. Arbor Day Foundation – 2012 Tree City USA & Growth Award

C. Heritage Byway Update – Ann Curtis: Ann Curtis informed the Council of the byway designation. It's been in the works for about 4 years and it's a great way to get people in to our town and create tourism.

D. Folke CPA

PLANNING & ZONING

None heard

OLD BUSINESS

A. Gabbano Club – Beer & Wine License

Sergio Castro, 716 NW 3rd Street, Fruitland, addressed the Council. He said it will be just a beer bar with no hard liquor. He works at Heinz and with his wife wanted to open a little business. This opportunity came along. Chief Castenada said the business meets all of requirements. Council Sands asked if he intends to host any events like catering events or meals. Mr. Sergio said no, but maybe in the future, but he doesn't think so. Councilor Nelson asked about dances and Mr. Castro said there will be light music Thursdays – Saturdays and he will have security for the dances. Councilor Sands said in the past there have been issues with parking and/or broken glass and asked Mr. Castro is he's prepared to handle those situations if they arise. Mr. Castro said yes. Councilor Heleker asked if all patrons will be age 21 and older and Mr. Castro said yes.

A motion was made by Jensen and seconded by Nelson to approve the beer and wine license for Sergio Castro at the Gabbano Club.

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

NEW BUSINESS

A. Variance Application—Ruth

A motion was made by Sands and seconded by Mussell to approve the variance for 304 10th Avenue North subject to the drawings in the application and building meets all city requirements.

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

B. Apple Blossom Committee – Amend Special Events Permit

Jody Clements and Bailey Thomas were present. Ms. Clements asked to include Bancroft Park as part of their permit. As part of the Hometown Competitiveness project, they want to get the school more involved in the Apple Blossom festivities. Clubs, classes and organization will have a booth Friday and Saturday during and after and the parade. They would like to be able to use the power and water if the need arises. Ms. Clements mentioned next year will be the 90th anniversary of the Apple Blossom.

A motion was made by Sands and seconded by Hanigan to approve the special events permit amendment to include Bancroft Park.

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

C. Airport Lease Agreement – Jan Zatoukal

D. Airport Lease Agreement – Brenda Carter

A motion was made Jensen and seconded by Heleker to approve both airport lease agreements as presented.

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

E. ORDINANCE #1375 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING A NEW SECTION 15.04.100 TO CHAPTER 4 OF TITLE 15 OF THE PAYETTE MUNICIPAL CODE, WHICH SECTION SETS A FEE TO BE CHARGED FOR FAILING TO OBTAIN A BUILDING PERMIT; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER – 1st Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance #1375 by title only.

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

Bert Osborn, City Attorney, read the title.

A motion was made by Hanigan and seconded by Heleker to suspend the rules and pass Ordinance #1375 on the first reading.

After a unanimous roll call vote by the Council, the motion CARRIED.

A motion was made by Heleker and seconded by Nelson that Ordinance #1375 do pass.

After a unanimous roll call vote by the Council, the motion CARRIED.

F. Special Events Permit – Killebrew Days

Councilor Heleker explained Killebrew Days and abstained from voting.

A motion was made by Sands and seconded by Mussell to approve the Special Events Permit for Killebrew Days and to waive the permit fee.

After a unanimous roll call vote by the Council, the motion CARRIED.

G. Appointment to Admin & Finance – Mike Dart

A motion was made by Heleker and seconded by Nelson to approve the appointment of Mike Dart to the Administration and Finance Committee.

After a unanimous roll call vote by the Council, the motion CARRIED.

H. FY 2014 Budget Public Hearing Date

A motion was made by Heleker and seconded by Nelson to set the FY 2014 budget public hearing for August 19, 2013, at 6:00 PM.

After a unanimous roll call vote by the Council, the motion CARRIED.

I. Police Department Request for Destruction of Records

A motion was made by Mussell and seconded by Jensen to approve the list of items for destruction.

After a unanimous roll call vote by the Council, the motion CARRIED.

J. Appointment to Historical Commission – Pat Townsend

A motion was made by Heleker and seconded by Jensen to approve the appointment of Pat Townsend to the Historical Commission.

After a unanimous roll call vote by the Council, the motion CARRIED.

DEPARTMENTAL REPORT

- A. Police Department – March 2013
- B. Fire Department – March 2013
- C. Treasurer's Report – March 2013
- D. PMDC – April 3rd – Councilor Mussell said the golf course was wondering about using the City's asphalt zipper and some materials for their trails. He wasn't sure if anyone had contacted the City or not.
- E. Airport Commission – April 8th
- F. Library Commission – April 9th – Councilor Sands they're working on their 5 year plan and a new automation system. Also, turning patrons over to collections that haven't paid for lost books and/or excessive fines.
- G. Urban Renewal – April 10th – Councilor Heleker said the Urban Renewal Commission met and will be meeting again in a few weeks.
- H. Admin & Finance – April 11th – Councilor Nelson said they'll start working on the budget soon.
- I. Historical Commission – April 15th – Councilor Nelson said the walking tour brochure is close to completion.

MAYOR'S COMMENTS

The sidewalk around the 1st Christian Church will be closed for a while until some structural issues are corrected. Mayor Williams mentioned raising Council salaries because it was brought up last budget season. August 22nd is the last day to publish an ordinance passed to change salaries.

CITIZEN'S COMMENTS

Alan Massey asked why the Executive Session is before the Kepha Partial payment #14. He was told to stay and find out.

Ann Curtis said the museum has a new roof.

Jonny Cochran of Waste Connections introduced himself to the Council. He is the facility manager of Hardin Sanitation and wanted to let the City know his company will be a responsible and active part of the community.

Jose Mejia addressed the Council requesting to be added to the permit for the soccer teams because they've told him they'd allow it. The Council informed him that the applicant would need to address it, not him.

EXECUTIVE SESSION ~ Pursuant to I.C. 67-2345(1)(f), the City Council will recess into Executive Session to discuss with legal counsel for the public agency pending litigation or where there is general public awareness of probable litigation.

A motion was made by Heleker and seconded by Mussell to adjourn to executive session per Idaho Code 67-2345 (1)(f) pending litigation or where there is general public awareness of probable litigation.

After a unanimous roll call vote by the Council, the motion CARRIED.

The Council adjourned at 8:10 PM and reconvened at 8:21 PM.

Kepha Partial Payment #14

A motion was made by Heleker and seconded by Mussell to approve a partial payment #14 in the amount of \$600 to Kepha Construction.

After a unanimous roll call vote by the Council, the motion CARRIED.

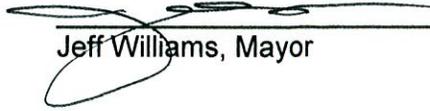
Alan Massey asked if KEPHA is still working on a punchlist of items.

ADJOURNMENT

A motion was made by Heleker and seconded by Jensen to adjourn at 8:25 PM.

After a unanimous roll call vote by the Council, the motion CARRIED.

Signed this 7th day of May, 2013.



Jeff Williams, Mayor

ATTEST: 

Mary Cordova, City Clerk

CITY OF PAYETTE
APRIL 15, 2013

CITY PAYROLL	4/5/2013	ET	91,681.95
ACTION COURIERS	4/15/2013	7944	25.20
ACTION MEDICAL	4/15/2013	7945	34.75
ALBERTSON'S	4/15/2013	7946	334.29
AMERICAN CHILLER SERVICE	4/15/2013	7947	716.46
ANALYTICAL LABORATORIES	4/15/2013	7948	98.00
ANDERSON EXCAVATING	4/15/2013	7949	1,100.00
BDS	4/15/2013	7950	1,570.10
BRANOM INSTRUMENT	4/15/2013	7951	506.85
BURKE ELECTRIC	4/15/2013	7952	75.00
CENGAGE LEARING	4/15/2013	7953	59.96
CENTURYLINK	4/15/2013	7954	1,332.81
CITY CLEANERS	4/15/2013	7955	179.70
CLAY PEAK LANDFILL	4/15/2013	7956	1,009.25
DERRICK, DUSTY	4/15/2013	8004	71.95
DIG LINE	4/15/2013	7957	63.82
ERA	4/15/2013	7958	499.02
FEDEX	4/15/2013	7959	100.14
FERGUSON	4/15/2013	7960	1,377.18
FLEET SERVICES	4/15/2013	7961	5,788.71
GALLS	4/15/2013	7962	374.72
HARDIN SANITATION	4/15/2013	7963	872.36
HEATHERLY FORENSIC POLYGRAPH	4/15/2013	7964	375.00
HOLLADAY ENGINEERING	4/15/2013	7965	3,899.72
ICRMP	4/15/2013	7966	44,678.42
IDAHO DEPT. OF LABOR	4/15/2013	7967	1,368.32
IDAHO POWER	4/15/2013	7968	15,279.55
INDEPENDENT ENTERPRISE	4/15/2013	7969	38.76
INTERMOUNTAIN COMMUNITY BANK	4/15/2013	7970	3,125.62
INTERMOUNTAIN GAS	4/15/2013	7971	3,744.01
INTERSTATE ALL BATTERY	4/15/2013	7972	96.75
ISPEED	4/15/2013	7973	160.00
KEPHA CONSTRUCTION	04/02/13	7942	6,650.00
L.N. CURTIS	4/15/2013	7974	32.91
LHTAC	4/15/2013	7975	520.00
LIBRARY STORE	4/15/2013	7976	128.77
NAPA AUTO PARTS	4/15/2013	7977	922.24
ONTARIO BEARING	4/15/2013	7978	73.62
ONTARIO PIPE SUPPLY	4/15/2013	7979	344.92
OREGON CORRECTIONS	4/15/2013	7980	303.00
OSBORN, BERT L.	4/15/2013	7981	2,700.00
OXARC	4/15/2013	7982	915.64
PAETEC	4/15/2013	7983	20.02
PAPERCLIPS A MORE	4/15/2013	7984	926.36
PAYETTE COUNTY PARAMEDICS	4/15/2013	7985	100.00
PAYETTE COUNTY SHERIFF	4/15/2013	7986	21,497.21
PAYETTE TIRE CENTER	4/15/2013	7987	1,426.97
PETTY CASH	4/15/2013	7988	38.48
PROPET DISTRIBUTORS	4/15/2013	7989	236.90
RADAR SHOP	4/15/2013	7990	590.00
RHINEHART, LARRY & KATHY	4/15/2013	7991	1,450.00
RIPPIN' STITCHES EMBROIDERY	04/09/13	7943	1,751.00
RUSH TRUCK	4/15/2013	7992	8.70
S & H	4/15/2013	7993	182.51
SAV-ON BLDG	4/15/2013	7994	159.44
STATE TAX COMMISSION	04/02/13	7941	332.81
SYME ELECTRIC	4/15/2013	7995	178.20
T.A. WELDING	4/15/2013	7996	240.00
TOOMBS JANITORIAL	4/15/2013	7997	148.93
TREASURE VALLEY PLUMBING	4/15/2013	7998	550.00
UPS	4/15/2013	7999	17.67
UPSTART	4/15/2013	8000	401.96
VERIZON WIRELESS, BELLEVUE	4/15/2013	8001	649.67
WATER ENVIRONMENT FEDERATION	4/15/2013	8002	82.00
WIENHOFF DRUG TESTING	4/15/2013	8003	25.00

224,243.30