

**MINUTES
PAYETTE CITY COUNCIL
Work Session, Public Hearing & Regular Meeting
April 20, 2015**

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Ray Wickersham, Craig Jensen, Jeff Sands, Nancy Dale and Lee Nelson

Members Absent: None

Staff Present: Mary Cordova, City Administrator, Steve Castenada, Fire Chief, Doug Argo, City Engineer and Bobbie Black, Deputy City Clerk

6:00 PM – Work Session

Railroad Boxcars/Motor Vehicles Cargo Containers

The Council was handed additional ideas on storage containers. Ms. Cordova stated this is how the ordinance reads now, at the last Planning & Zoning meeting they gave recommendations. Staff is looking for a census of which way to go. If going to allow in commercial and industrial what stipulations would you like to see. We need to think about the comprehensive plan and community design that is important. One thing outlined in the plan was to enhance the corridors and gateways to the city. Would we allow different criteria for certain areas in the city? Councilor Nelson stated he is not on the corridor and has containers, Mayor Williams stated his office is on two corridors and do we want different criteria. Councilor Dale asked, do we want them at all, just to start the conversation. The only way we allow now is for construction. Councilor Wickersham stated he does agree there are places that they don't belong. He actually has one on his residential property. If out of sight and neighbors don't care then do we care as a City? Councilor Heleker, doesn't have feeling either way, the way it is right now they have the opportunity to apply for a CUP, he prefers to keep it the way it is. Councilor Wickersham stated he doesn't have a problem with his neighbor having one. Councilor Heleker stated if they can prove why they should have one, then we can grant them a CUP. Mary Cordova stated with the CUP process, we are running into a problem that people want them to be permanent, which we don't allow. She has done a lot of research what other Idaho cities do and states around us are not allowing and she hasn't found one that allows in residential area, not through a CUP, only for construction. Mayor Williams stated if we set parameters and this is where it has to be, then they don't have to apply for a CUP. If we allow and the area changes, we shouldn't allow them to be permanent. Councilor Dale stated do we not consider the taxes on permanent storage buildings. Councilor Heleker stated the recommendations from Planning & Zoning and the sound pretty strongly about having a CUP done. Time frame is not defined in current code. Ms. Cordova stated it has been almost 10 years for Councilor Nelson's containers and would you want to have to remove them now. The Council discussed what a valid complaint was. This is something we could address through additional ordinances. State where you can have them or do you want them to go through the CUP process. Do we want them to be shielded from public view if along corridor? Councilor Dale stated we are completely ignoring the tax questions and building. Why do we want to allow at all when there is a way that is profitable for the City. We have to take in what is best for the city and the citizens. Councilor Wickersham stated most people would not build a storage shed, we need to think about personal property rights. Councilor Sands stated we need to remember how long it took to clean up the corridor and city and why would we take away from our businesses that offer that service. He doesn't think it is encouraging growth in our city. People will start placing all over, it

will be just like the canopies that he fought hard to get cleaned up. If they want to go in county then go to the county. Councilor Dale stated we have responsible citizens and then we have irresponsible ones. How do we handle ones that already have them? Councilor Nelson stated if we want to restrict in residential and we like what Planning & Zoning recommends then we do that. Councilor Dale stated the issues are community members being put into an uncomfortable situation, problem tax and supporting business. Councilor Heleker likes the CUP permit process. The Council discussed excluding residential completely. The Council would like this put on agenda next time.

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Ray Wickersham, Craig Jensen, Jeff Sands, Nancy Dale and Lee Nelson

Members Absent: None

Staff Present: Mary Cordova, City Administrator, Steve Castenada, Fire Chief, Doug Argo, City Engineer, Bert Osborn, City Attorney and Bobbie Black, Deputy City Clerk

Bert Osborn conducted public hearing.

6:30 PM – Public Hearing Continuation

Continuation of Residential in Commercial Zones -

No one addressed Council on this item. Staff has come up with a proposal for recommendation. Ms. Cordova stated this is a solution from many hours of research and we think this will fix our dilemma. She showed the Council the current non-conforming section of our code. Existing nonconforming single family residential use would not have to get a CUP when the use changes. Mayor Williams asked about downtown corridor with apartments above, and that was stated that is not a single family use. If a single structure in downtown they would be allowed without a permit. Mayor Williams asked about rebuild letter, won't change very much. Councilor Dale asked what started this discussion. It was stated several vacant houses that have had to get a CUP to sell.

6:45 PM – Public Hearing

A. Variance application by Brandy Taylor for a variance to the street frontage requirements at 1839 1st Ave. South, w 37.5 vacated 19th Street, Block 1 Payette Heights. The property is zoned A Residential –

James and Brandy Taylor, 1839 1st Ave. South addressed the Council. They live at 1835 and 1839 sits right beside them. They are 7 ½ 'short on street frontage for one of the houses if they split the lot. They stated the property has two homes and they are being taxed on two homes, but they cannot sell two homes. They would like to make this two properties. They are both on separate water and sewer and pay separate taxes on them. They want to clean up the property lines. 1835 will meet frontage and 1839 will be 7 ½ short to meet frontage. Both houses will meet setback requirements. Mayor Williams stated it is a tough property to sell and this will help in the future. The Taylor's think it will raise the property value when split.

No one else address the Council.

The public hearing closed at 6:53 pm.

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 Jeff Williams, Mark Heleker, Ray Wickersham, Craig Jensen, Jeff Sands, Nancy Dale and Lee Nelson
Members Absent: None
Staff Present: Mary Cordova, City Administrator, Steve Castenada, Fire Chief, Doug Argo, City Engineer; Bert Osborn, City Attorney and Bobbie Black, Deputy City Clerk

PLEDGE

The Pledge of Allegiance was led by Dennis Haren.

CITIZENS COMMENTS

None Heard.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Wickersham to approve the minutes of public hearing and regular minutes 04-06-2015 with correction on page 21 regarding dog protected by ADA be added verbatim.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Heleker and seconded by Nelson to approve the City Bills & Payroll in the amount of \$352,553.11.

At the roll call:
Ayes: Wickersham, Heleker, Dale, Nelson, Jensen and Sands.
Nays:

The motion CARRIED.

SPECIAL ORDERS

None

COMMUNICATIONS

None

PLANNING & ZONING

None

AGENDA ITEMS

- A. Ordinance #1392
AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.32.030 IN CHAPTER 17.32 OF TITLE 17, ALLOWING RESIDENTIAL USE IN A COMMERCIAL ZONE TO CONTINUE WHEN SUCH USE HAS LAPSED FOR A PERIOD OF MORE THAN NINETY DAYS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1ST READING – No action taken on this item.
- B. Variance application by Brandy Taylor for a variance to the street frontage requirements at 1839 1st Ave. South, w 37.5 vacated 19th Street, Block 1 Payette Heights. The property is zoned A Residential –

A motion was made by Jensen and seconded by Sands to approve the variance of 7 ½' frontage to front property line.

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

- C. Special Events Permit – Apple Blossom Festival:

A motion was made by Wickersham and seconded by Heleker to approve the special events permit for Apple Blossom Festival, May 11 through May 18 and waive \$100 permit fee.

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

- D. Special Events Permit – Summer Lunch Program:

A motion was made by Nelson and seconded by Sands to approve the special events permit for Summer Lunch Program, June 1st through July 24th and waive \$100 permit fee.

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

- E. Heather Ruth – Reader Board Request:

A motion was made by Jensen and seconded by Sands to approve the reader board requests (chamber board and pool reader board) to place Payette Primary School Carnival on April 21st through April 25th.

After a unanimous voice vote by the Council, the motion

CARRIED.

- F. Appoint P & Z Members – Nial Bradshaw & Peggy Childers
Mayor talked to all 4 applicants.

A motion was made by Sands and seconded by Dale to approve the appointment of Nial Bradshaw to fulfill Cassandra McElvary's term to expire 12-31-2017 and appointment of Peggy Childers to fulfill Tom Ladley's term to expire 12-31-2015.

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

- G. Precision Grading – Boat Ramp Phase II – Certificate of Substantial Completion
Doug Argo stated the contractor did a great job, and a final walk through was done. The Council authorized Mayor to sign.

- H. Donation Request – Special Olympics Idaho
Melissa Montgomery, 312 S. 11th Street and Kristy Craft, 5206 SE 1 ½ Ave. New Plymouth addressed the Council. They are asking for a decrease in the cost of training sessions. Now it is \$100 and have had to cut their training in half right now. They may be willing to pay guard costs, maybe pay a one month or three month non-resident or \$10.00 per athlete and they have about 30 athletes right now. We could budget that, but it is the fundraiser efforts that is hard to do. There are 5-10 kids that have to raise money for 30 athletics. Councilor Dale asked if they have you approached Payette County, Fruitland or New Plymouth to help contribute to these costs. They state no they haven't, but will do that. The City's donation budget is down to \$718, and we already gave \$780.00 for this budget year for a family pool pass to the Cline Family for the next 9 months, and a pool pass to both of Olivia's coaches and donated swimming lessons for her Special Olympics training. They were asked if they can swim during the normal times when pools are open and they responded that they were told they had to have their own time due to the large group. Ms. Montgomery stated she was unaware that Olivia had even received money from the City. Councilor Jensen asked if something was funded by the local group and they stated everything we do, we have to raise on our own. Councilor Sands asked if there was something they could do at the pool that could go towards their fees. They stated they could definitely find people that would help. They were asked from what areas are the athletics from and they stated Eastern Oregon, Payette, New Plymouth, Fruitland and Weiser. They will look into other opportunities available to them. They had funds to pay for practices starting tomorrow

No action taken on this item.

- I. Set Public Hearing for Budget 15-16

A motion was made by Dale and seconded by Jensen to set the public hearing for budget year 15-16 for August 17th, 2015 at 6:00 pm.

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

J. City Motto

Council was given all mottos submitted to the Historical Commission. The original recommendation from the Historical Commission was "Payette, come play with us". Councilor Dale stated in given this some thought, there are some nice options, and she would like some consideration why we like our town. The Council discussed pride and ownership for our town. Discussed asking what the citizens feel and maybe more personnel. "Payette, it just feels like home" was suggested. Councilor Heleker would like to see this discussion continue. Mayor Williams appointed Councilor Dale and Councilor Jensen to come back with recommendations for the Council at the next meeting. It was suggested to have the paper run an article for voting for their favorite motto on Facebook.

DEPARTMENTAL REPORTS

- A. Police Department – March 2015
- B. Fire Department – March 2015 – Councilor Dale stated medical calls are up and asked Chief Castenada if everything was okay, he stated yes.
- C. Treasurers Report – March 2015
- D. Library Commission – April 9th – Councilor Dale asked that the report be included with packet.
- E. Airport Commission – April 13th – Councilor Wickersham stated we had some bad news, the cost came in really high, but good news is state will fund an additional \$200,000. Our match is 25% of grant and we will have in-kind work and some money budgeted. Kudos to staff again, we received a lot of mileage when went to state to testify.
- F. Admin & Finance Committee – April 20th – Councilor Sands stated they had a short discussion on water and sewer hookups and RV dump fees. Maverick is running separate 1" water line. Some discussion on new budget and time frame.
- G. Historical Commission – April 20th – Councilor Sands stated major importance was that motto was turned over to Council. Councilor Jensen stated we should have on web site the downtown inventory soon.
- H. Public Works Committee – April 20th – Councilor Sands stated small up keep for check refunding, policy recommendation. The permit for sewer almost completed. The street department had 150 loads during spring cleanup. Boat ramp is finished. The Street Department helped with road work on miracle field. They will start painting crosswalks in next couple weeks to get ready for Apple Blossom. Hwy 52 guard rail will start soon. Discussed RV dump fee and water and sewer rates. Discussed there is no battle between two communities, and no reason to drop fees at this time, we are very competitive.

MAYORS COMMENTS

Arbor Day celebration at Padgett Park at 12:45 pm.
AIC district workshops on April 28th in Weiser.

CITIZEN'S COMMENTS

Councilor Wickersham – Boys and Girls Club have been meeting with school and calling people. They have a meeting coming up in a couple weeks. Mike Holladay and Dale Uehlin have looked at the building and are willing to come in and help.
Councilor Jensen gave kudos to Jamie and Street Department for help on Miracle Field.

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 Nelson to adjourn to executive session pursuant to I.C. 67-2345(1)(f).

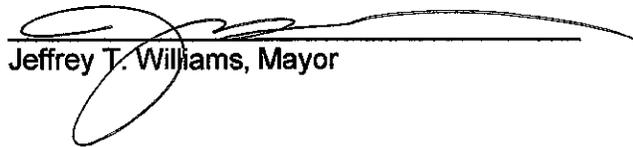
After a unanimous voice vote by the Council, the motion CARRIED.

ADJOURNMENT

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 8:37 pm.

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

Signed this 5th day of May, 2015.



Jeffrey T. Williams, Mayor

ATTEST:



Bobbie Black, Deputy City Clerk