

**PAYETTE CITY COUNCIL
REGULAR MEETING
May 2, 2011**

6:30 PM – Public Hearing

City Attorney, Bert Osborn opened the public hearing at 6:30 PM and read the public hearing notice.

A request by Chester G. and Sandra Boren to be DE-ANNEXED for property at 2089 North 6th Street, Riverside Plat, A portion of Block 3, situated in Government Lot 1 of Sec. 28, T9N, R5W, BM, and more particularly described as follows: Beginning at a point 1320 feet West and 661 feet North of the SE corner of aforesaid Government Lot 1; run thence North 339 feet, more or less, to the Easterly meander line of the Snake River; thence in a Southwesterly direction following said meander line of said river to a point 385 feet West of the point beginning; thence East 385 feet, more or less, to the point of beginning. The property is B-Residential.

Chet Boren, 2089 North 6th Street, Payette, Idaho, addressed the Council. He is requesting the de-annexation of the property. He is surrounded by the Snake River, a park and a cemetery. He doesn't use city services and is a triangle all by himself. Water and sewer services are too far away and it would cost \$60,000 to connect to the City's system. The state said he can't put another septic system on his property because it's too small and there are three wells on the property. The job of the City is to provide services to citizens. He and his wife have lived in the house for 45 years and they don't want to move. They will have to if they're not de-annexed. This town likes to spend money with the tajmahal of fire stations and the 7th Avenue North road to nowhere. Why doesn't the town curb speeding and put money into things that need to be taken care of? Some laws are good, some are bad and forced annexation without water and sewer is a bad law. The Council needs to do what's right and de-annex his property.

The Mayor asked Mr. Boren how de-annexation would help his sewer problem. Mr. Boren said Health Department is the path of least resistance. Councilor Mussell asked Mr. Boren if his septic system is condemned because of annexation and he stated it's because of violation of Southwest District Health Standards. Councilor Heleker asked if it would cost \$60,000 to connect to our system. Randy Schwartz, WWTP Superintendent, said yes, close to it.

Sandra Boren, 2089 North 6th Street, addressed the Council. She said she's lived over half of her life in that house and bringing her into the City will destroy her way of life and deny her rights. Hell hath no fury like a woman scorned. Councilor Hanigan asked her what freedoms she would be losing? Clerk Cordova stated property and current animals are able to remain as is until altered.

Chad Boren, 2091 North 9th Street, addressed the Council. He said it's cheaper for him to live in the County and that property isn't surrounded by City property as required by law. The police doesn't patrol down there now. Why can't they follow the same timeframe as ordinance 1275 and the house is 1200' away from a water or sewer line. They've been paying \$10.75 per garbage services not rendered.

Mary Cordova, City Clerk, said the RV dump in Centennial Park is the closest sewer line and there was a sewer problem on the Boren's property before the annexation. Ordinance #1275 which Mr. Boren referred to was the area known as Gold Ridge Estates and the City was aware the owner was not going to develop as planned.

There being no further testimony, Attorney Osborn closed the public hearing at 7:12 PM.

7:00 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:12 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, Lee Nelson, Les Cochran, Ivan Mussell, Mark Heleker

Members Absent: None

Staff Present: Mary Cordova, City Coordinator/Clerk; Randy Schwartz, Wastewater Supervisor; Doug Argo, City Engineer/Holladay Engineering; Jamie Couch, Street Supervisor; Bert Osborn, City Attorney; Jennifer Kelley, Deputy Treasurer/HR; Mark Clark, Police Chief; Dave Platt, Police Captain

A motion was made by Heleker and seconded by Mussell to amend the agenda adding change order #5 – Fire Station under New Business.

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

PLEDGE

Chet Boren led the Pledge of Allegiance.

CITIZENS COMMENTS

None.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Cochran to approve the regular meeting minutes of 04/18/2011 and work session and special meeting minutes of 04/25/2011 as written.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Dodson and seconded by Hanigan to approve the City Bills & Payroll in the amount of \$167,372.77.

At the roll call:

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

Nays:

The motion CARRIED.

SPECIAL ORDERS

COMMUNICATIONS

- A. Sterling Tree City USA Certificate
- B. Snake River Transit Ridership Summary
- C. Correspondence from Denny Croner ~ Code Enforcement Officer

PLANNING & ZONING

- A. 04-28-2011 Finding of Facts ~ Chester G. & Sandra Boren

OLD BUSINESS

None

NEW BUSINESS

- A. Apple Blossom Committee: Committee members Twana Morin and Kathy Clements addressed the Council with a report on the upcoming Apple Blossom festivities. This year they would like to add a beer garden in Central Park and the power issues in the past should be solved.
- B. De-Annexation request for Chester G. & Sandra Boren:

A motion was made by Mussell and seconded by Dodson to approve the de-annexation request for Chester G. and Sandra Boren as described.

At the roll call:

Ayes: Dodson, Mussell

Nays: Hanigan, Nelson, Heleker

The motion FAILED.

- C. Ordinance #1342 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.64.06 IN CHAPTER 17.64 OF TITLE 17, BY CHANGING THE 120 SQUARE FEET REQUIREMENT TO 200 SQUARE FEET; SETTING EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1st Reading:

A motion was made by Cochran and seconded by Mussell to introduce Ordinance #1342 by title only.

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

A motion was made by Hanigan and seconded by Heleker to suspend the rules and pass Ordinance #1342 on its first reading.

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

A motion was made by Heleker and seconded by Heleker that Ordinance #1342 to pass.

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

- D. Payette County Historical Society ~ Budget Donation Request: This item will be referred to the Administration and Finance Committee.

E. Treasure Valley Transit ~ Budget Donation Request: This item will be referred to the Administration and Finance Committee.

F. Special Event Permit ~ Library Summer Reading Program:

A motion was made by Heleker and seconded by Dodson to approve the special event permit for the Library Summer Reading Program.

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

G. Special Event Permit ~ Apple Blossom Festival: This year the festivities, in addition to the normal activities, include a beer garden in Central Park. Councilor Dodson abstained from voting because her business is catering the beer garden. Police Chief, Mark Clark, reminded Ms. Clements and Ms. Morin of state law governing beer gardens.

A motion was made by Mussell and seconded by Nelson approve the special events permit for the Apple Blossom Festival and the approve the beer garden in Central Park contingent upon the police chief's approval.

After a unanimous voice vote by the Council with Councilor Dodson abstaining, the motion CARRIED.

H. Fireworks Show Permit ~ Homeland Fireworks, Inc:

A motion was made by Heleker and seconded by Hanigan to approve the fireworks show permit.

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

I. Mobile Food Vendor Permit ~ Wilfrido Perez:

A motion was made by Heleker and seconded by Hanigan to approve the mobile food vendor permit for Wilfrido Perez as presented.

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

J. Change Order #4 - KEPHA Construction ~ Fire Station:

A motion was made by Mussell and seconded by Dodson to approve Change Order #4 in the amount of \$1,805.98 to KEPHA Construction.

At the roll call:

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

Nays:

The motion CARRIED.

K. Change Order #5 ~ KEPHA Construction ~ Fire Station:

A motion was made by Heleker and seconded by Hanigan to approve Change Order #5 in the amount of \$8,977.27 to KEPHA Construction.

At the roll call:

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

Nays:

The motion CARRIED.

L. Change Order #1 ~ KEPHA Construction ~ Library: Clerk Cordova explained the change order is for a handicapped ramp on the side of the building. The Council discussed temporary ramps and wanted more information for the work session.

A motion was made by Heleker and seconded by Mussell to table the item.

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

M. Special Event Permit ~ Payette Kiwanis ~ Carson & Barnes Circus: Carson & Barnes Circus will be in town in June for one day with two shows on the property south of the bus barn. The Kiwanis Club will be sponsoring the event. The Kiwanis Club paid the \$5 circus permit, but asked for the special events permit fee to be waived.

A motion was made by Heleker and seconded by Mussell to approve the special event permit for the Carson & Barnes Circus and waive any additional fees.

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

N. Public Safety Committee Appointments: The Mayor offered Barbara Choate for appointment to the committee.

A motion was made by Heleker and seconded by Cochran to approve the appointment of Barbara Choate to the Public Safety Committee.

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

O. Mobile Food Vendor Permit ~ Apostolic Assembly Church

A motion was made by Heleker and seconded by Nelson to approve a mobile food vendor permit for the Apostolic Assembly Church.

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

DEPARTMENTAL REPORTS

A. GJZ Architecture ~ Payette Fire Station Field Report FR 15

MAYOR'S COMMENTS

Mayor Williams said Payette Pride was a success and City employees picked up a lot of garbage along the side of the road and city property to enhance our corridors.

CITIZEN'S COMMENTS

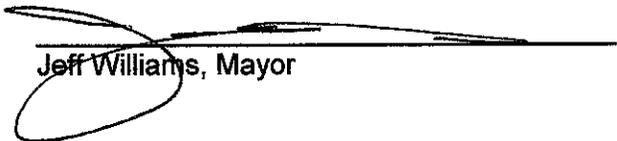
None were heard.

ADJOURNMENT

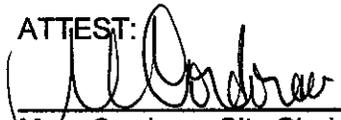
A motion was made by Heleker and seconded by Mussell to adjourn to at 8:15 PM.

The motion CARRIED.

Signed this 10th day of May, 2011.



Jeff Williams, Mayor

ATTEST:


Mary Cordova, City Clerk

Claims by Vendor Report
For the Accounting Period: /

Vendor	Claim #	# of lines	Date Accepted	Check	Amount
30 A-PLUS AWARDS	CL 4423	1	04/29/11	4818	4.50
60 ADVANCED CONTROL SERVICE, LLC	CL 4424	1	04/29/11	4819	269.00
612 ALERT-ALL CORP.	CL 4425	1	04/29/11	4820	80.00
89 AMERICAN RED CROSS	CL 4426	1	04/29/11	4821	130.00
110 ANALYTICAL LABORATORIES, INC.	CL 4427	1	04/29/11	4822	86.00
220 B.C. SALES	CL 4428	2	04/29/11	4823	113.05
280 BIG SKY SPORTSWEAR	CL 4429	1	04/29/11	4824	479.40
477 C & M FENCE	CL 4432	3	04/29/11	4825	1,507.66
372 CHRISTIAN FEED	CL 4430	1	04/29/11	4826	26.45
550 CONSOLIDATED SUPPLY	CL 4431	1	04/29/11	4827	147.18
6015 CORDOVA, MARY	CL 4433	1	04/29/11	4828	15.99
685 DART'S TRUE VALUE	CL 4434	15	04/29/11	4829	1,181.53
885 FISHER SCIENTIFIC	CL 4435	1	04/29/11	4830	3,738.70
890 FRUITLAND ELECTRIC	CL 4437	1	04/29/11	4831	190.00
900 FRUITLAND NURSERY	CL 4438	1	04/29/11	4832	49.75
1090 HARDIN SANITATION, INC.	CL 4439	6	04/29/11	4833	585.21
2415 HOLLIS R.V. REPAIR	CL 4440	2	04/29/11	4834	46.20
1270 IDAHO ASPHALT SUPPLY	CL 4441	1	04/29/11	4835	259.20
1370 IDAHO POWER, PROCESSING CENTER	CL 4442	1	04/29/11	4836	3,342.26
1410 INDEPENDENT ENTERPRISE	CL 4443	2	04/29/11	4837	141.36
1412 INDUSTRIAL WORLD	CL 4444	1	04/29/11	4838	59.00
1431 INTERNATIONAL INSTITUTE OF, MUNICIPAL CL	CL 4445	1	04/29/11	4839	135.00
1470 JERRY'S BUYWAY	CL 4446	1	04/29/11	4840	31.03
609 MCKINSTRY ESSENTION, INC	CL 4447	1	04/29/11	4841	1,671.50
1800 METROQUIP, INC.	CL 4448	1	04/29/11	4842	882.68
1910 NORCO	CL 4449	2	04/29/11	4843	162.15
127 ONTARIO FLOORS TO GO	CL 4436	1	04/29/11	4844	38.00
580 PAYETTE COUNTY CHAMBER OF COMMERCE	CL 4450	3	04/29/11	4845	245.00
321 PAYETTE COUNTY HISTORICAL SOCIETY	CL 4451	1	04/29/11	4846	1,000.00
4809 PAYETTE COUNTY SHERIFF	CL 4452	1	04/29/11	4847	384.00
2190 PAYETTE PRINTING	CL 4453	2	04/29/11	4848	87.38
229 PUBLIC AGENCY TRAINING COUNCIL	CL 4454	1	04/29/11	4849	250.00
2390 R.T.'S COMMERCIAL TIRE	CL 4455	1	04/29/11	4850	25.00
2400 ROBERTSON SUPPLY	CL 4456	1	04/29/11	4851	128.66
2407 S&H TERMINAL, INC.	CL 4457	1	04/29/11	4852	46.19
521 SHEEPDOG AMMO	CL 4458	1	04/29/11	4853	675.00
294 SIRCHE FINGER PRINT LAB	CL 4459	1	04/29/11	4854	41.90
613 SNAKE RIVER FIRE CHIEFS ASSN	CL 4460	1	04/29/11	4855	278.00
2474 SNAKE RIVER VETERINARY CENTER	CL 4461	1	04/29/11	4856	208.21
2540 STAPLES CREDIT PLAN	CL 4462	3	04/29/11	4857	213.46
614 TID BITS	CL 4463	1	04/29/11	4858	288.00
425 UNITED INDUSTRIES	CL 4464	1	04/29/11	4859	2,608.91
2842 UNITED PARCEL SERVICE	CL 4465	1	04/29/11	4860	15.99
615 WESCHEM INC.	CL 4466	1	04/29/11	4861	3,565.00
HARDIN SANITATION, INC.			04/20/11	4816	30,295.70
CITY PAYROLL			04/15-29/11	WIRE	111,647.57
Total:					167,372.77