

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
May 21st, 2012**

6:00 PM – Work Session

ROLL CALL

Members Present: Mayor Jeff Williams, Ivan Mussell, Georgia Hanigan, Lee Nelson, Craig Jensen and Mark Heleker
Members Absent: Jeff Sands
Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; Randy Schwartz, WWTP Superintendent; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Jennifer Kelley, Deputy City Treasurer/HR and Bobbie Black, Deputy City Clerk
Planning & Zoning: Randy Choate, Larry Hogg & Gary Youngberg

Streamlining our Zoning process: Mayor Williams stated that the Council has had discussions on how to streamline zoning in the past. Planning & Zoning Commission currently approves all conditional use permits and recommends variances to City Council. The Council discussed the possibility of the Commission approving variances also. Mr. Hogg stated that they have the ability to make those decisions and if they don't get the decision from Planning & Zoning they could go to City Council. Mr. Choate stated that variances is a challenge to code and the City Council is who made the law on the code and felt that variances are better governed by City Council. Councilor Hanigan stated that if they overturn a decision by Planning & Zoning it is due to the Council hearing something different. The Council was informed that Administration runs legal notices and mailing simultaneously when allowed so that the applicant does not have to wait an additional 3 weeks before coming to Council. If we want the City to acquire the name list and plat map from the county, it would push the applicant's deadline up by at least two days. If variances are approved by the Planning & Zoning and the applicant wants to appeal the decision before City Council, there could be a 3 week delay to meet legal requirements. Mr. Choate stated the the process is getting better. The consensus of the Council is that they don't want an applicant to wait longer than is needed to get application processed.

Proposed changes/modifications to a request for a temporary hardship permit: Mayor Williams asked the Council if they see anything that needs to be changed. The Council discussed the pros and cons of granting the hardship permits and how this would be enforced. It would have to be monitored in the future to make sure that they are still in compliance with the permit that was granted. Mary Cordova handed a spreadsheet of what other cities allow. Most allow what we do. If we want to grant temporary hardship permits we would have to change our ordinance.

HUD House: Ms. Cordova stated that ROSE Advocates would like to have the house as transitional housing. The City would sell it for what we have into it and declare as surplus property. The consensus of the council is to have ROSE Advocates acquire the property.

The work session closed at 7:02 pm.

A regular meeting of the Payette City Council was called to order at 7:03 PM by Mayor Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

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

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; Randy Schwartz, WWTP Superintendent; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Jennifer Kelley, Deputy City Treasurer/HR and Bobbie Black, Deputy City Clerk

PLEDGE

The Pledge of Allegiance was led by Alan Massey.

CITIZENS COMMENTS.

None

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Nelson to approve the regular meeting minutes of May 7th 2012, with correction on page 10, Alan Massey said thank you for listening and for all comments and dedication to find ways to take away ~~things~~ burdens from tax payers.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Heleker and seconded by Jensen to approve the City Bills & Payroll in the amount of \$248,738.32.

At the roll call:

Ayes: Heleker, Mussell, Hanigan, Jensen, Nelson

Nays:

The motion CARRIED.

SPECIAL ORDERS

COMMUNICATIONS

- A. Payette County Historical Society
- B. Payette County Chamber of Commerce – Thank You

PLANNING & ZONING

None

OLD BUSINESS

- A. Utility Services Provided to PCRD Sports Complex- Councilor Heleker stated that he didn't get the Commissioners final input. The City has already committed \$17,000 and we are looking at another \$15,000 to put water and sewer lines into the complex. The school district is firm on their portion being the land. The recreation district will be committing between \$140,000-\$150,000 towards the project. It comes back to the County and they have spent more than double on moving the earth with the City involved in some degree of the moving of the earth. The County feels they have committed much more. Discussed possible grants being obtained. If somehow as a City we come up with the \$15,000 it could provide many dividends for us, if we wait we miss out every month.

A motion was made by Mussell and seconded by Heleker to approve the water and sewer line be placed to the sports complex, not exceed \$15,500.00.

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

The motion CARRIED.

- B. Resolution 2012-05 – A Resolution Approving and Adopting Fees: The Council was given a revised resolution.

A motion was made by Nelson and seconded by Hanigan to approve Resolution 2012-05 as presented.

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

The motion CARRIED.

NEW BUSINESS

- A. Mobile Food Vendor Permit – Laura Romero

A motion was made by Heleker and seconded by Mussell to approve the Mobile Food Vendor Permit for Laura Romero and insurance be clarified as additional insured.

After a unanimous voice vote by the Council the motion CARRIED

- B. Idaho Power Franchise Fee – Councilor Nelson stated that if we are just trading dollars for dollars he sees no need for it. Councilor Heleker agrees with Councilor Nelson. Councilor Mussell hasn't been for this at all, it is a back door tax. Councilor Hanigan feels it is the appropriate thing to do. Councilor Jensen stated that it is a good thing if we don't charge a fee on Idaho Power. No action taken on this item.

- C. Police Department – approval of auction items

A motion was made by Nelson and seconded by Heleker to approve the auction items as surplus and place a minimum bid on the car based on what it would make at the recycling place.

After a unanimous voice vote by the Council the motion CARRIED

- D. Special Events Permits – E.F.W.C. annual pic-nic

A motion was made by Heleker and seconded by Mussell to approve the special events permit for E.F.W.C. annual pic-nic on June 9th on Riverside from 10:00 am to 5:00 pm and insurance be clarified as additional insured.

After a unanimous voice vote by the Council the motion
CARRIED

E. Elect Voting Delegate & Alternate for AIC Conference

A motion was made by Nelson and seconded by Jensen to appoint Mayor Williams as voting delegate and Councilor Heleker as alternate for the AIC conference.

After a unanimous voice vote by the Council the motion
CARRIED

DEPARTMENTAL REPORTS

A. Treasurer's Report – April 2012

B. Fire Department Report – April 2012

Mark Clark, Police Chief, stated that Apple Blossom was uneventful and went well.

MAYOR'S COMMENTS

Mayor Williams thanked everyone for all their help during Apple Blossom.

The walk to the cross was a success and had people ask where to donate money for the cross.

CITIZEN'S COMMENTS

Geri Newman – Ms. Newman addressed the Council. She is building a new home in Uehlin's senior part. It will be a duplex and city code requires her to have 2 sewer hookups. She stated that seniors don't need two hookups. She is asking the Council for a waiver. She doesn't want to tear up the road just to put in a sewer line. She stated that there are no plumbing requirements for the State to have two separate connections, it is just City code. The Council discussed their options to accommodate Ms. Newman's request. Bert Osborn stated the Council has three options: 1. Follow City Code, 2. Follow City Code and grant a variance, and 3. Change City Code. Ms. Cordova addressed the Council. She stated that it is in our ordinances that each unit has a separate sewer connection and we have made people that convert places to place an additional line. We have plans in the future to chip seal the road, so you won't see the cut in the street. The property is being marketed as 55 & older, but the City does not regulate that.

Keith Thompson – Mr. Thompson addressed the Council. He is here on the widening of Iowa Avenue. He has to walk up 4' to get his mail. In all the construction meetings they talked and talked about not hydro seeding his slope. Today they hydro seeded. He has talked to staff on how to resolve the problem. He is so irritated; his irrigation pipes froze and broke. His driveway was never opened during construction; this is the height of incompetence. No one knows what is going on and he really wants some answers. He is not going to water or mow the slope that has been hydro seeded and you have made him responsible for it. He hasn't had a working sprinkler system and in exhibit B of his documents it says the sprinkler system will be equal or better than what he had before construction. Ms. Cordova stated that she has been assured that they were not going to hydro seed Mr. Thompson's slope. EPA requires that all banks be stabilized to close the project out. The City is planning on placing black barrier and rock on the slope. She stated that the irrigation water has been a challenge. The sprinkler system was definitely part of the project and we shouldn't incur an expense for that. There is no specific date when this will all be completed; we have to coordinate with LHTAC and the contractor. There has to be a base placed before we can place the rock.

Councilor Heleker stated that two students attended the Historical meeting today. There was no quorum, but still had good discussion.

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 Jensen to adjourn at 8:05 PM to executive session pursuant to I.C. 67-2345 (1) (f).

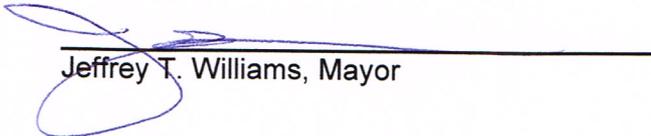
After a unanimous voice vote by the Council the motion CARRIED.

ADJOURNMENT

A motion was made by Heleker and seconded by Nelson to adjourn the regular meeting at 8:12 PM.

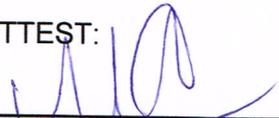
After a unanimous voice vote by the Council the motion CARRIED.

Signed this 8 day of June, 2012.



Jeffrey T. Williams, Mayor

ATTEST:



Mary Cordova, City Clerk

CITY OF PAYETTE
MAY 21, 2012

CITY PAYROLL - Admin	5/18/2012	ET	108,492.27
HARDIN SANITATION - Admin	05/17/12	6565	26,566.89
A COMPANY - Greenway	05/17/12		103.96
A-PLUS AWARDS - Fire	05/17/12		90.00
ACTION COURIERS - WATER	05/17/12		24.99
ACTION MEDICAL - Pool	05/17/12		109.70
ALBERTSON'S- All Dept.	05/17/12		503.09
ALLIED BUSINESS SOLUTIONS - Library	05/17/12		8.52
ANALYTICAL LABORATORIES - Water	05/17/12		118.00
ARGUS OBSERVER - Pool & Library	05/17/12		348.25
ASSN. OF IDAHO CITIES - Legis	05/17/12		1,400.00
BDS - Water & WWTP	05/17/12		1,650.47
BIG SKY SPORTSWEAR - Park & WWTP	05/17/12		564.36
BURKE ELECTRIC - Admin	05/17/12		75.00
CENTURYLINK - All Dept.	05/17/12		1,272.24
CLAY PEAK LANDFILL - Park, Street & WWTP	05/17/12		2,173.86
CODE 4 - Police	05/17/12		198.00
CORDOVA, MARY - Admin	05/17/12		130.35
DCS TECHNOLOGIES - Library, Police, Fire, Water & WWTP	05/17/12		1,726.53
DIG LINE - Street, Water & WWTP	05/17/12		63.82
ERA - WWTP	05/17/12		272.02
ERNIE'S ELECTRIC - Pool	05/17/12		71.20
FLEET SERVICES - All Dept.	05/17/12		7,207.57
FRUITLAND ELECTRIC - Street	05/17/12		488.10
GALL'S - Police	05/17/12		2.71
GRANITE EXCAVATION - Greenway	05/17/12		11,000.00
GRANT'S PETROLEUM - Shop	05/17/12		324.00
HACH CHEMICAL - WWTP	05/17/12		591.68
HOLLADAY ENGINEERING - All Dept.	05/17/12		11,389.15
HOLLIS R.V. REPAIR - Park & Street	05/17/12		98.80
ICOPA - Police	05/15/12	6564	100.00
IDAHO RURAL WATER ASSOCIATION - Water	05/17/12		100.00
IDAHO TRANSPORTATION DEPT. - Park	05/17/12		23.00
INDEPENDENT ENTERPRISE - Admin	05/17/12		86.96
INTERMOUNTAIN COMMUNITY BANK - All Dept.	05/17/12		3,846.84
INTERMOUNTAIN GAS - All Dept.	05/17/12		3,251.32
IWORQ - Street	05/17/12		1,908.00
KEPHA CONSTRUCTION - Library	05/17/12		16,923.22
LIBRARY STORE - Library	05/17/12		395.87
MCCREA HEATING AND PLUMBING - Pool	05/17/12		667.31
MES-NORTHWEST - Fire	05/17/12		30.98
METROQUIP - WWTP	05/17/12		373.08
NAPA AUTO PARTS - All Dept.	05/17/12		955.97
NATIONAL GEOGRAPHIC KIDS - Library	05/17/12		34.00
NATIONAL GEOGRAPHIC SOCIETY - Library	05/17/12		34.00
NATIONAL HOSE TESTING - Fire	05/17/12		3,091.70
NORCO - Fire	05/17/12		55.40
ONTARIO FLOORS TO GO - Pool	05/17/12		480.00
ONTARIO TOOL AND RENTAL - Park	05/17/12		139.00
OSBORN, BERT L. - Admin	05/17/12		2,600.00
OXARC	05/17/12		135.62
PAETEC - All Dept.	05/17/12		19.66
PAYETTE PRINTING - Police	05/17/12		36.00
PETTY CASH - Library	05/17/12		12.89
PIPECO - Park	05/17/12		171.61
PIPELINE INSPECTION - WWTP	05/17/12		370.00
PUBLIC SAFETY CENTER - Police	05/17/12		134.70
QUILTER'S WORLD - Library	05/17/12		34.97
RHINEHART, LARRY & KATHY - Admin & Library	05/17/12		1,250.00
SAFARILAND - Police	05/17/12		38.90
SAV-ON BLDG - Water, Police & Street	05/17/12		52.03
SCOTT HEDRICK CONSTRUCTION - ROSE Advocates	05/14/12	6563	26,157.00
SHERWIN-WILLIAMS - Street	05/17/12		1,998.18
SHORELINE PEST - Library	05/17/12		125.00
STAPLES - Police & Street	05/17/12		1,567.62
T.A. WELDING - WWTP & Street	05/17/12		2,992.95
TID BITS - Pool	05/17/12		288.00
TOOMBS JANITORIAL - Pool	05/17/12		158.36
UNITED PARCEL SERVICE - Police	05/17/12		35.72
VERIZON WIRELESS - All Dept.	05/17/12		710.01
WATER ENVIRONMENT FEDERATION - Water	05/17/12		82.00
WIENHOFF DRUG TESTING	05/17/12		50.00
ZEE SERVICE - WWTP & Park	05/17/12		154.92

Total: 248,738.32