

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
June 2, 2014**

5:30 PM – Work Session

ROLL CALL

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

Members Absent: None.

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

- A. Discussion of Proposed Gas & Oil Ordinance – Ms. Cordova provided examples from across the United States of setbacks, application requirements and etc. She stated that this evolves over time as new development happens in Payette. Councilor Heleker agrees but is concerned about directional drilling and how much difference does it really make. He is concerned for our aquifer, and how that could potentially harm the health & welfare of our citizens, farther kept away the better. The Council needs to put something in place and build from there. Councilor Dale understands that most of the damage comes from the fracking. Water that has been used and then injected back into the ground causes the problems. It makes a higher concentration of arsenic. All we can control are location and setbacks in our community. Councilor Dale likes the Santa Fee example. Ms. Cordova stated that we have a well head protection ordinance. The Council stated a lot of these issues could be addressed in a source water protection ordinance. Putting setbacks in place will help the City. If we set numbers large and then can treat on individual basis if they want to deviate, then the council can make a decision at that time. The State is 200' from house and we can say 300' feet. Flood plain would encompass a lot of the city. As price of gas goes up and demand, they are promising they are not doing any fracking. That was stated at Payette County Planning & Zoning and now they are asking to do. Councilor Sands likes idea of including the flood plain. The Council need to decide what type of setbacks or verbiage they would like to see in the ordinance. Councilor Dale stated we should give consideration to a source water protection ordinance, then blending in the setbacks and then turning Mary lose with her expertise. Remove reference if going to do an ordinance, and clean up some of the fluff language. If we change later it will become more stringent. The driller could come before the council and see if they can convince us to see if they can do. Discussed how important well spacing becomes. Gas and oil will learn from their mistakes, and we don't want to shut the door on them, but show us something that is safe. Our county is blessed with these resources, we will still see the benefits trickle down, but keep our aquifer and citizens safe. If we don't have water, we don't have a town. Our job is not to sustain their business; our job is to protect our community. We need to err on the side of caution and set numbers bigger. The Council would like to direct staff to compile an ordinance like Santa Fee & Rio Arriba County for a basis. The Council likes the 1000 ft from wells. Discussed the drilling process is usually 2-3 weeks. They are drilling in the County constantly. Until they hit then they put up fences. The County didn't want fencing around the well site, but the city is denser and needs fencing. Maybe allow temporary fencing, maybe need to define the difference while drilling and when they are done. Discussed open pits in the City limits. The Council asked about the closed loop system. Put in what you think is important. Compile a draft ordinance that gives choices and council can make decision by next meeting work session. The Council discussed contractors wanting to purchase water to test oil & gas lines. Councilor Sands stated it only makes sense to get more information from them, and if our employees have to perform extra work then we have to recoup our labor costs. Maybe set a weekly limit for all contractors. Councilor Dale stated when they want to start fracking they would now need 5 million gallons, we need to set restrictions and have some kind of contract. They also need to be aware that the City could shut off at any given time if had a major fire. We would need to have a contract with each one, set limits and

restrictions. The Council would also like to see a source water protection ordinance to go along with oil and gas ordinance.

Work session ended at 6:47pm.

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, Nancy Dale, Ray Wickersham, Lee Nelson, Craig Jensen and Jeff Sands

Members Absent: None.

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

PLEDGE

Judy Watkins led the pledge of allegiance.

A motion was made by Sands and seconded by Jensen to amend the agenda to add item H, water purchases other than domestic usage.

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

CITIZENS COMMENTS

None.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Nelson to approve the Work Session & Regular meeting minutes of 05-19-2014 as amended, on page 2, Jensen made motion.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Nelson and seconded by Heleker to approve the City Bills & Payroll in the amount of \$145,544.07.

At the roll call:

Ayes: Wickersham, Dale, Heleker, Nelson, Jensen, Sands

Nays:

The motion CARRIED.

COMMUNICATIONS

None

PLANNING & ZONING

OLD BUSINESS

A. Treasure Valley Transit – FY 15 Funding Request – Terri Lindenberg, Executive Director addressed the Council. She stated that Idaho and Alabama are the only two states that don't receive state funding. They have had challenges with funding from the City of Ontario. It is up to MCOA to meet the contract requirements. The contract will be renewed in July. They want to maintain existing service, and might have to get Medicare dollars on the Idaho side. The service build lose through the Medicaid program. Will know in the next month. The cost for each City is figured on distance. She stated a similar number of stops are equal between Idaho and Oregon; Idaho has more stops than Ontario. The grant is based on revenue hours of service. They are asking for an additional \$8,700 from three entities to purchase a new bus. They currently split their mileage between two buses so there is not so much wear and tear on one bus. Treasure Valley Transit will look at the viability of servicing if they don't receive funding from Oregon side. If they lose federal funding, they won't be able to do the match. The Council asked if this additional funding could happen in the future again Ms. Lindenberg stated yes. The cost for a new bus is \$128,000 and they rarely trade, due to the value being so low. They might allow backup bus to make a run to Weiser. They had 21,463 rides just for Payette and Fruitland. The Council asked what is considered a ride, and she stated every time a person gets on the bus. They would like to replace a bus every 6 years, so could ask for additional funding for a new bus in the future.

B. Personnel Policy Amendments – Paid Time Off –

A motion was made by Heleker and seconded by Dale to approve the Personnel Policy Amendments – Paid Time Off as presented.

After unanimous voice vote, the motion approved.

NEW BUSINESS

A. AIC Voting Delegate

A motion was made by Jensen and seconded by Dale to approve the Mark Heleker as AIC Voting Delegate.

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

B. Ordinance1382 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING OF TITLE 15 OF THE PAYETTE MUNICIPAL CODE BY ADDING NEW CHAPTER 15.06 ENTITLED REBAR REQUIREMENTS; CREATING PENALTIES FOR VIOLATION; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING REPEALER.
– 1st Reading

A motion was made by Heleker and seconded by Jensen to introduce Ordinance #1382 by title only.

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

Ms. Cordova read the ordinance by title only.

A motion was made by Nelson and seconded by Heleker to suspend rules and pass Ordinance #1382 on its 1st reading.

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

A motion was made by Nelson and seconded by Heleker that ordinance #1382 do pass.

At the roll call:

Ayes: Wickersham, Dale, Heleker, Nelson, Jensen, Sands

Nays:

The motion CARRIED.

- C. Impact Fees – Payette Commercial Complex – There was nothing in the packets, this is just for discussion. Our impact fees are a cost to people to build here. Discussion followed on the use of our revolving loan fund on a case by case basis to off-set commercial impact fees. A transfer could be made from the revolving loan fund to the impact fee account. This is just a creative way for development. The Council discussed if they will pay it back and was stated no, this gives them an incentive. This would not be a revolving loan it would be a disbursement fund. The Council was informed that by ordinance we can't forgo the impact fees. When we received the money it was for economical development and the council decided to set up a revolving loan fund. Heleker likes that we are looking for ways to encourage development in our City. The revolving fund is something unique, this is something that goes out, but comes back. Discussed allocating money towards economic development. Mr. Goodwin has indicated several big projects in the works and this will provide taxes for years to come.

A motion was made by Jensen and seconded by Heleker to allocate \$25,000 from the existing revolving loan fund to offset commercial impact fees by 50% until September 30, 2014, at the discretion of City staff.

At the roll call:

Ayes: Wickersham, Dale, Heleker, Nelson, Jensen, Sands

Nays:

The motion CARRIED.

- D. Resolution #2014-08 – Surplus Property

A motion was made by Heleker and seconded by Wickersham to approve Resolution #2014-08, surplus property.

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

- E. Western Treasure Valley Urban Fire & Rescue Mutual Aid Agreement – Chief Castenada talked about the current SRV mutual aid agreement to which we pay a yearly fee for and we train together. Fruitland's Fire Chief wants to get out of SRV and he has approached Ontario and Payette City to enter into an agreement with the City of Fruitland. 70% of Fruitland's calls are mutual aids. It's a money thing with his Council. He has approached SRV about not calling so much for mutual aids. Chief Castenada stated we called Fruitland three times last year. They are a great bunch of guys to work with. He would feel comfortable entering into this agreement on a

year to year basis. Council Sands stated he doesn't see any benefit of the agreement. The Council discussed what will happen to the SRV system if Cities dropped out. The Council felt it was important to keep a strong SRV.

The Council recommended that this be sent to the Public Safety Committee for their recommendation

F. Personnel Policy Amendments – Chapter VI

A motion was made by Heleker and seconded by Sands to approve the Personnel Policy Amendments – Chapter VI.

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

G. Phone system – Phoneworks Proposal

A motion was made by Nelson and seconded by Jensen to approve the sales agreement with Phoneworks for a new phone system not to exceed \$10,187.60.

At the roll call:

Ayes: Wickersham, Dale, Heleker, Nelson, Jensen, and Sands

The motion CARRIED.

H. Purchases of water from City for non-domestic use – The Council discussed that this would need to be a contract. Council directed staff to draw up a contract for the purchase of water for non-domestic use. Inspect truck and make sure not contaminating our system. The City will negotiate in contract for purchase of water.

A motion was made by Sands and seconded by Wickersham to direct staff to enter into contract for non domestic water use on a case by case basis.

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

DEPARTMENTAL REPORT

Council Heleker thanked Jake Hust and his department for the face lift given to the well house by McCain School. He also stated at the Public Work Meeting that the water department has been updating downtown meters to read at specific times. He also stated that the crosswalk by the track on Highway 95 had been hit and is being replaced. They are also putting the lights up at Wayne and Hwy 52, which is much needed for pedestrian traffic. Councilor Heleker stated they are in need of another citizen member for their committee. The Committee also reviewed design standards for development and public works construction.

MAYOR'S COMMENTS

Mayor Williams stated Friday is the opening ceremony for the Special Olympics. The Police Department will be participating in the torch run from the Dough Boy to Kiwanis Park and at 7:00 PM the Chief will be lighting the torch for opening ceremony. He stated that Patricia Metcalf has been hired as the part-time interim librarian director by the Library Board of Trustees. The City hired Ken Johnson as a maintenance person for the City. This Wednesday is the SREDA meeting at the fire station at 7:00 am. Mayor Williams stated that the City has received a make a wish

request. The agreement was signed for bike Terrain Park today. Next meeting Mayor Williams will not be in attendance.

CITIZEN'S COMMENTS

Mary Cordova stated that the city received funding for Phase II for the boat ramp. She also stated that the Fire Department received a grant for medical bags for children. The Rural Department received funding for shelters and packs. On Thursday at 10:15 will be the ribbon cutting for our new amphitheater.

Jonny Cochran – Hardin Sanitation addressed the Council. He would like some time to talk to the Council about price increases. He stated he would like to be considered for annexation.

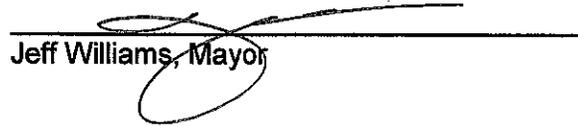
The Council was informed that the Miracle league field was granted \$10,000 from the Minnesota Twins.

ADJOURNMENT

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 8:47 PM.

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

Signed this 20th day of June, 2014.



Jeff Williams, Mayor

ATTEST:



Bobbie Black, Deputy City Clerk