

**MINUTES  
PAYETTE CITY COUNCIL  
Public Hearing & Regular Meeting  
June 15, 2015**

**6:30 PM – Public Hearing Library Fee Increase; Rural Patron Dues**

**ROLL CALL**

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

Members Absent: None

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

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 June 15, 2015, at the Payette City Council Chambers, 700 Center Avenue, Payette, Idaho, to consider public comment regarding the institution of new or increased municipal fees for the Library rural patron dues.

Bert Osborn conducted Public Hearing.

Mayor Williams asked library liaison Dale to explain the reason behind the fee increase. Councilor Dale stated the reason was so rural patrons could get summer reading cards and not be charged for the entire year. Councilor Nelson asked if that was in addition to the \$60 annual fee and it was stated no. Councilor Heleker stated we use to show as a benefit when annexed and now we won't be able to do. Councilor Jensen stated this is a great idea, if grandkids are here for the summer they could take advantage. This could be more revenue in the long run.

Closed Public Hearing at 6:36 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, Lee Nelson and Nancy Dale

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Mark Clark; Police Chief; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Doug Argo, City Engineer and Bobbie Black, Deputy City Clerk

A motion was made by Sands to amend the agenda to include Leak Repair Refund by Tim Shelton, the motion was seconded by Jensen.

After a voice vote by the Council the motion CARRIED.

Dale made motion to amend the agenda to add under Executive Session, pursuant to Idaho Code 67-2345 (1)(a) – to consider hiring a public officer, employee, staff member, or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. The motion was seconded Nelson.

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

### **PLEDGE**

The Pledge of Allegiance was led by Councilor Heleker

### **CITIZENS COMMENTS**

None Heard.

### **APPROVAL OF MINUTES**

A motion was made by Heleker and seconded by Dale to approve the minutes of work session & regular meeting of 06-01-2015 as written

After a 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 \$191,568.56.

At the roll call:

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

The motion CARRIED.

### **SPECIAL ORDERS**

None Heard.

### **COMMUNICATIONS**

None Heard.

### **PLANNING & ZONING**

None Heard.

### **AGENDA ITEMS**

#### **A. Special Event Permit – Hot August Nights**

Don Belvoir, 1207 7<sup>th</sup> Avenue North, addressed the Council on behalf of Patrick's Pub. Last year they did a benefit for the museum. There was not as much word out last year and have done better this year. The event will be on 2<sup>nd</sup> Avenue South in front of Patrick's Pub. The event will be a fundraiser for the museum again this year. It is a family type atmosphere and last year was really nice to see kids dancing and visiting the museum. He would like permission and consent to do this again this year. He is asking to use city barricades again.

The event will be the same as last year, except he has had a request from Eagles Lodge to set up their booth to sell scones. There were no problems last year. Councilor Heleker noted that the department heads have signed off, and asked why Admin hasn't signed off yet. It was stated we are waiting for proof of insurance.

A motion was made by Heleker and seconded by Nelson to approve the special event permit for Hot August Nights, August 1<sup>st</sup> and allow the use city barricades, the City receiving proof of insurance and fee to be donated to museum. Include the Eagles as a vendor after obtaining proper permits. Fundraiser is for the benefit of the museum.

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

Don Belvoir stated event is contingent on one thing, they received an eviction notice and they are trying to negotiate with landlord. The owners decided they wanted to do something else with building. He appreciates the support from the City on this event. He should know by the 1<sup>st</sup> of July.

**B. Donation Request – A & W Cruise Night**

Jim Boyer, 9927 Elm Drive, Payette, addressed the Council. He is asking for help with cruise night and is asking for \$500. He uses the money for everything. He appreciates the support from the City. Councilor Nelson we have done this in the past because it has brought so many people to town. Councilor Dale asked if could be split with the mayor's donation line item, and Mayor Williams stated he doesn't have a problem with that.

A motion was made by Nelson and seconded by Jensen to approve the donation request for A & W Cruise Night in the amount of \$500.00, half from legislative and half from executive line item.

At the roll call:

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

The motion CARRIED.

**C. Resolution #2015-07- Library Rural Patron Fee Increase/Industrial Fees**

A motion was made by Heleker and seconded by Nelson to approve resolution #2015-07 regarding library rural patron fees increase and industrial fees.

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

**D. CPI Increase – Water & Sewer**

A staff report is included in the packet and this has gone before the Public Works Committee. Councilor Jensen asked if the water and sewer department actually need a 3.9% increase. Mayor Williams stated we are trying to stay with inflation. Councilor Sands stated last year we settled at 2%. Councilor Wickersham thought 2% was adequate. Councilor Nelson stated you have to remember these are enterprise funds and not tax based, and they have to have

funds when something happens. Mayor Williams stated we have some of the lowest water and sewer rates around, and doesn't know if we need or not. Ms. Cordova stated funds are healthy, it is prudent to take increase yearly and not raise fees all at once. Councilor Jensen doesn't see anything in budget that would have us raise rates. Ms. Cordova state one year we skipped taking the increase and then had to raise a lot in one year. The USDA stated we weren't charging enough. Councilor Nelson stated we don't qualify to get loans if we have low rates. Doug Argo stated we had to go for bond on clarifier, and we should not fall behind on CPI increases. If next year costs go up, you fall behind and lose ground ever year. CPI increase was his idea to keep pace with the cost of doing business. There are no major projects on the horizon, but we have a lot of ongoing maintenance. Councilor Dale asked if sewer fund is healthier than the water fund. Ms. Cordova stated she would have to look into that. Councilor Heleker stated if accounts are healthy, we could look at 1% to 2% area. He would hate to see it go over 2%. Councilor Sands stated he is curious on gallons charged out for last year, what did they receive in revenue. That would help him decide.

A motion was made by Heleker and seconded by Jensen to table the CPI increase for water & sewer until next meeting.

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

E. Resolution #2015-08 - Ice Machine surplus

A motion was made by Heleker and seconded by Dale to approve resolution #2015-08 declaring the ice machine as surplus.

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

F. Idaho Gem Grant Application Resolution

A motion was made by Dale and seconded by Heleker to approve Resolution #2015-09 for the Idaho Gem Grant Application Resolution.

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

G. Rudkin Request for Extension (Old Courthouse)

Mayor Williams declared a conflict of interest with this agenda item. Councilor Heleker stated that according to the request from Mindy Rudkin, their bids on gravel was more and she didn't know they needed to do a french drain at the time of the original request. Councilor Sands commented that the weeds need to be kept down, and come into compliance. Councilor Dale agreed with the weeds and phase II should not be extended more if this extension is granted. Ms. Cordova stated October 1<sup>st</sup> is deadline for completion.

A motion was made by Nelson and seconded by Jensen to approve the extension request for Mindy Rudkin on the Old Courthouse to October 1, 2015, weeds are to be kept down and in compliance, and this extension for Phase I does not extend the completion date of Phase II out farther.

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

H. Donation Request - Holiday Downtown Committee

Loni Debban, 2187 6<sup>th</sup> Ave South, addressed the Council. She belongs to the Holiday Downtown Committee (HDC) and their purpose is to promote local business and activities that are going on downtown. We have representation from the City, museum, Darts and Masingills. We have a core group, and last year they raised money and had punch cards distributed during the Christmas holiday season. She also participated in the event at her shop and did it for the good of the community. They need to apply for a 501C3 status. The funds they had raised was unknowingly given to the Payette Chamber, and were told that the funds were set aside for them, but it wasn't. Their mission is provide a sense of community and their goal is to educate people about our town history and pride. She is asking for fee to apply for 501C3 and for a domestic non-profit license, which totals \$430.00. The committee provides events that help youth and promotes community pride. Ms. Debban was asked if have an accountant lined out to help with the paperwork and she stated not yet. She does have people that will provide her some guidance. Councilor Dale asked if she is familiar with HTC and she stated yes. Councilor Wickersham asked if she knew about the Chamber and she stated yes, but their group really wants to stand alone. Mayor Williams asked what it cost for the Miracle League to get their 501C3 and Councilor Jensen stated \$400.00. He suggested that maybe get with those people and partnering with them. This might be a way to be successful with this and benefit all. Speaking for her group, they had discussed participating with HTC, and have chosen not to at this time, and acknowledged that HTC does a great thing for the community. She stated the Chamber had about \$700-800 of the HDC funds, and the money has since disappeared. Liz Amason spoke from the audience and stated she is a vista food security person, she is a sub site supervisor and would like to talk to Ms. Debban about this. Mayor thinks there are other organizations to help with it. Councilor Nelson asked if there was a way to piggy back on the Chamber. She stated if you were in a playground and someone else got all the money you would not play with them anymore. Councilor Nelson stated that is an unfortunate thing that happened. Ms. Debban stated it happened last Christmas and the new chamber was involved. Ms. Cordova pointed out to the Council that this organization, the HDC, is your original downtown revitalization movement. The façade program, flower pots, window decoration contest, and the holiday downtown event all came from them; they are the ones that started it all and they have been around a long time. Ms. Debban asked when the new City budget takes effect, and she was told October, to which she replied she will be back. Councilor Jensen asked if their group have talked to local merchants about donating. He stated if the Council can't fund the whole amount, maybe business donations can fund some seed money. Councilor Sands stated he would be more inclined if they already have merchants funding some. Councilor Jensen thinks they can still raise funds and get this accomplished. She stated they have expanded and are not just downtown.

No action taken.

I. Bounce House Permits/Policy

Councilor Jensen stated we originally looked at some proposals from other cities and they were very restrictive. Knew we needed to look at bounce house and if allowed to be on city property, wanted to allow our citizens to have them if they wanted to. We wanted to have the right to direct where to put bounce houses and need to address generators with noise. If there is use of electricity at the park, there is a fee. Councilor Sands asked about equipment during apple blossom, was stated all covered under Apple Blossom. Asked if there was any clause if

they break a sprinkler line will they have to pay to repair. Electricity fee is already established for the parks. Councilor Dale stated it sounded like a nightmare on how it will be policed. Ms. Cordova stated sometimes they do say they will have a bounce house and sometimes they don't when getting a park permit at City Hall. Councilor Jensen's concern is about privately owned bounce houses on city property and what the liability would be. He doesn't want to not allow citizens to do what they would like, but signed hold harmless agreements are good to have, but also need liability to protect the City. Councilor Sands asked if you reserve the park do you have to get a permit for a certain amount of people. Ms. Cordova stated we don't have a check list, but if 50 or more we are charging a fee. Maybe we shouldn't charge a fee and then they can do what they want in the park. Councilor Nelson stated who is to say you don't own a private commercial one? Councilor Dale stated then our police department would have to go down and see if they meet the criteria. A lot of cities are not allowing at all. Councilor Heleker appreciates the concerns that have been brought to Council. Councilor Sands would like to see what other cities are doing and what AIC might be doing for a policy that is enforceable. Councilor Jensen asked where we got our policy and Ms. Cordova stated we got input from other cities. Bert Osborn stated we need liability insurance, if people get hurt and have no money they will try and sue the City. Councilor Heleker asked what if someone sneaks down there could we be liable and Mr. Osborn said yes. If we don't allow do we need to post that they are not allowed. Mr. Osborn stated either we don't allow or we require them to have insurance. Councilor Sands stated the problem with having a policy if we can't follow it. Council discussed having a work session on this policy.

A motion was made by Heleker and seconded by Nelson to table the bounce house permit and policy and more research and direction provided at work session.

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

- J. Water Leak – Tim Shelton, 2038 Center Avenue, Payette, addressed the Council. He is here to dispute a sewer bill. He received a \$247.00 bill and asked the office what he needed to do. He filled his hot tub and used a lot of water, then took the water from the hot tub and ran it out into the yard. It was all water usage and sewer rates are tied together. He feels that he shouldn't be charged the sewer when the water didn't go through the sewer system. He did made payment for the majority of the bill and left \$100 in dispute and took off and when got back he found out that water had been shut off. He is asking for determination of \$100 for not using sewer and \$60 in water fine. Mayor stated that it is our error that it was turned off. The \$60.00 goes away and how do we give him credit. Councilor Sands said we have addressed this before with filling pools and watering yards. If water runs through your tap you are charged for sewer also. His water is back on now. Councilor Dale has accepted that she has a 32,000 gallon pool and hot tub and has to pay, and she came to the conclusion that it is not possible so have staff monitor usage at her meter when she fills. It is her choice to have a pool and your choice to fill a hot tub. He stated that he didn't think it would cost that much to fill his hot tub, 350-500 each time and he filled it about five or six times trying to clean it. Councilor Sands suggested we put a reminder on water bills.

### **DEPARTMENTAL REPORTS**

- A. Police Department – May 2015
- B. Fire Department – May 2015
- C. Treasurers Report – May 2015
- D. Parks & Rec Committee – June 3<sup>rd</sup>

E. Airport Commission – June 8<sup>th</sup>

**MAYORS COMMENTS**

Mayor Williams stated he attended the AIC conference and the breakfast session was about water rights. He asked what date of the Cities water rights were and also our sewer recharge into river. He also attended the Mayors round table, and we are doing a lot of things really well. He asked Ms. Cordova to give update on budget. Budget time-line flyers were handed out and meeting will be scheduled soon with department heads.

**CITIZEN'S COMMENTS**

Marcus Ward, 2217 Airport Road, stated there is a taxiway he would like to use, but there is a lock on gate. He asked a couple years ago and wants to get things moving. There were several issues and he doesn't know answers to issues. He doesn't know if he has to go to the Airport Commission first and asked how the Council would like him to proceed. It was stated he should revisit with the Airport Commission and have a work session. Decision followed that no through the fence operations are allowed.

Councilor Wickersham stated there is a Boys and Girls meeting June 23<sup>rd</sup> at the Portia Club. Councilor Heleker talked about AIC conference. They were asked to check on water rights and understand them. He attended several breakout sessions on urban renewal and received good information in the breakout sessions. One was on gas and oil and are we able to defend ourselves.

**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 and Code 67-2345 (1)(a) – to consider hiring a public officer, employee, staff member, or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need.

A motion was made by Heleker and seconded by Jensen to adjourn into executive session pursuant to I.C. 67-2345(1)(f) and I.C 67-2345(1)(a) at 8:43 PM

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

The Council reconvened into regular meeting with no action taken.

**ADJOURNMENT**

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 9:05 pm.

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

Signed this 7<sup>th</sup> day of July, 2015.

  
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Jeffrey T. Williams, Mayor

ATTEST:

*Bobbie Black*  
Bobbie Black – Deputy City Clerk