

**MINUTES PAYETTE CITY  
COUNCIL  
Work Session & Regular Meeting  
June 16, 2014**

**6:00 PM -Work Session**

**ROLLCALL**

Members Present: Mark Heleker, Nancy Dale, Ray Wickersham, Lee Nelson, Craig Jensen and Jeff Sands  
Members Absent: Mayor Jeff Williams  
Staff Present: Staff Present: Mary Cordova, City Administrator; Bobbie Black Deputy City Clerk; Doug Argo, City Engineer; Bert Osborn, City Attorney; and Brenda Stowe, Administrative Services Clerk

**A. Discussion of Proposed Gas & Oil Ordinance**

The City Administrator, Mary Cordova was asked to present a new Ordinance before the Council for review. Ms. Cordova stated that 17.90.020 Definitions, page 3; *Oil or Gas Facility or Facilities* was added to provide an Ordinance for the Oil & Gas Companies who have drilled and are now returning to add equipment to the sites. Page 4; *100- year Floodplain* was added to protect our water source. Page 5; *Well Site*: refers back to Oil & Gas Facility or Facilities. Page 7 F; gives the City Council the ability to grant one (1) six month extension upon request of the applicant. Page 10 includes *General Requirements and Setbacks*; Council President Heleker was in favor of the larger setbacks as that gives the City more control. Councilor Jensen would like to add to 17.90.070 B. 1. *Setbacks* to say "*No Oil or Gas Facility shall be permitted within a 100- year flood plain...*" Councilor Sands would like it to see it extend further by saying: "*20 feet away from 100-year flood plain...*" It was asked what a KNOX BOX was as listed on page 13. Councilor Sands explained that it is a storage box with keys and codes for a facility or property. The key is held by the Fire Department to provide them access in the event of an emergency. Councilor Sands suggested that each Knox Box be clearly designated and labeled to responsible department. Councilor Sands questioned if our water zone ordinance will handle this or should we add it into this ordinance? How will it affect our taxpayers? Our Irrigation wells? Cordova responded that these issues should be covered under the title of Water Systems, and should not cause adverse effect to the public as water wells within the City are limited to 50', however it could affect those installing septic systems. G. *Noise*: #4. Councilor Dale would like to remove the word "next" as it is used in referring to the next 7pm. Councilor Dale would prefer it to read "7am to 7pm". Councilor Wickersham pointed out that prior to this ordinance there were no noise level guidelines in place and he feels it important to have going forward. The Council would like the above setbacks amended, as well as the wording for the noise time frame. The Ordinance will be added to the July 7<sup>th</sup> City Council Meeting Agenda and subject to approval.

**B. Discussion of Source Water Study Ordinance**

The City was questioned as to the necessity of having both the Purposed Gas & Oil Ordinance and the Source of Water Ordinance. Ms. Cordova felt that both were required and are structured as to reflect and support each other. A Water Protection Plan was started in 2005 and finished in 2011. Our actual Source Water Study is fairly current. The Tiers are covered in the Source Water Report, the Zones are referenced. City Engineer, Doug Argo said all we are doing is enlarging and documenting. We have the State's blessing we need to take the proposal to the County Commissioners for their blessing. Mr. Argo replied that the Ordinance should be put together and put it in place. Council President Heleker has concerns regarding angle drilling without restrictions. City Attorney Bert Osborn stated it is advisable to have Ordinance in place so the City would have recourse if the water source were to be contaminated. Councilor Dale said that by preventing fracking or injection wells it would help prevent water contamination. Council President Heleker would like to know how deep our aquifers are. Argo stated that our aquifers are rather shallow. There is a higher risk of contamination with a well drilled straight down rather than with an angle well that is angled beneath the aquifer. Heleker stated that the

Ordinance offers the City a measure of protection, holding the companies responsible in the case of contamination, and it is his understanding that after that 10 year period the companies no longer are responsible. Ms. Cordova stated that was correct and that the Ordinance template was from the AIC.

Work session ended at 6:52pm.

### **7:00 PM – Regular Meeting**

A regular meeting of the Payette City Council was called to order at 7:00 PM by Council President Mark Heleker in the City Council Chambers of Payette City Hall, 700 Center Avenue.

#### **ROLLCALL**

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

Members Absent: Mayor Jeff Williams

Staff Present: Mary Cordova, City Administrator; Steve Castenada, Fire Chief; Bobbie Black,  
Deputy City Clerk; Jamie Couch, Street Super Intendant; Mark Clark, Chief of  
Police; Doug Argo, City Engineer; Bert Osborn, City Attorney; and Brenda  
Stowe, Administrative Services Clerk

#### **PLEDGE**

Rick Watkins led the pledge of allegiance.

#### **CITIZENS COMMENTS**

None.

#### **APPROVAL OF MINUTES**

A motion was made by Nelson and seconded by Jensen to approve the Work Session & Regular meeting minutes of 06-02-2014 as written and Special Meeting Minutes of 06-09-2014, as written.

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

#### **APPROVAL OF BILLS & PAYROLL**

A motion was made by Sands and seconded by Nelson to approve the City Bills & Payroll in the amount of \$223,267.66.

At the rollcall:

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

Nays:

The motion CARRIED.

#### **COMMUNICATIONS**

A. Thank you – Pat Donohue – Special Olympics

B. Thank you – Delgado Family

#### **PLANNING & ZONING**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

A. City of Fruitland – Mutual Aid Agreement

Fruitland's Mayor Ken Bishop and Fire Chief Rick Watkins made a proposal to enter into a Mutual Aide agreement with the City of Payette as well as the City of Ontario. This agreement would not be extended to other surrounding cities. Mayor Bishop and Chief Watkins explained that half of their current Mutual Aid calls are to communities outside their own and would like to lessen the expense to their citizens by only contracting with Payette and Ontario exclusively. Chief Watkins explained that their Fire Department is specifically equipped to respond to City fires, and the majority of their Mutual Aid calls through the SRV are to rural areas, and a majority of their budget is spent responding to fires outside their City. Councilor Dale questioned if the Fruitland Fire Department would be terminating their contract with the SRV? They responded that they would fulfill the remainder of their current contract. They feel they are not properly equipped to assist in future rural fire calls to assist and wish to only respond to calls received from Payette & Ontario, where they can effectively help. Their main obligation is to the City of Fruitland. Councilor Dale asked who fights the Fruitland rural fires. Chief Watkins responded that currently the City of Fruitland has an Automatic Aide agreement for Woodgrain, in which anytime there is a fire both Payette Rural and the City Of Fruitland Fire Department are called. They do not have a rural department, Payette Rural and New Plymouth Rural respond to all call outside the City of Fruitland. Mayor Bishop stated that the City Of Fruitland may consider other arrangements like this for a fee. Councilor Nelson asked if called, would the Fruitland Fire Department respond to a rural fire in Payette and he stated "No." Councilor Jensen asked what the City of Fruitland will do if Payette and/or Ontario refuse to sign the purposed contract. Ken Bishop stated they would look at the risk benefit. The Council asked if Fruitland was called for more mutual aid requests than anyone else and Chief Watkins stated yes. They have had 17 runs this year of which 5 were mutual aid requests. Councilor Sands stated that this seems to be a SRV Chief's Association issue and has concerns isolating departments. He is a firm believer in the SRV and would like to see this handled by the Chiefs. The call's are good for the firefighters and doesn't want to see the SRV Association fail. Mr. Watkins stated he has tried talking to them. He also stated that New Plymouth stated that they don't need to raise their budget they will just call Fruitland. The Council asked Chief Watkins why he doesn't just say no, and he stated that it is a moral issue to not respond. If you are called you are called for a reason.

B. Gene Wilkie-Temporary Storage Container Land Lease

A motion was made by Nelson and seconded by Wickersham to approve the Temporary Storage Container Land Lease for Gene Wilkie for temporary storage containers at the City's airport for \$250.00 per container period.

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

C. ROSE Advocates – Donation Request

A motion was made by Jensen and seconded by Wickersham to approve the donation request for 30 pool day passes for clients and children of Rose Advocates.

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

D. Salsa Grill-Beer & Wine

A motion was made by Sands and seconded by Nelson to approve the Beer & Wine License for Salsa Grill, contingent upon Planning & Zoning approving the Conditional Use Permit.

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

E. Westside Grocery-Beer & Wine

A motion was made by Jensen and seconded by Sands to approve the Beer & Wine License for Westside Grocery contingent upon Planning & Zoning approving the Conditional Use Permit.

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

F. Design Standards Update-City Administrator, Mary Cordova was questioned as to any changes, she stated that there have been no changes to the drawing and all is pre-approved by the state. The purpose was to set easy perimeters for commercial use and development.

A motion was made by Wickersham and seconded by Jensen to approve the Design Standards Update.

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

G. Parks & Rec-Bike Terrain Trial-Kim Bruce was not present. This will be added to the July 7<sup>th</sup> Council Meeting Agenda.

H. Burn Ban for City of Payette-Chief Castenada, stated that the City in conjunction with Payette County, New Plymouth, Ontario, Vale, Nyssa, and Weiser will be placing a burn ban in effect June 21<sup>st</sup>. The ban would be in place until the first week of September depending upon weather conditions. This year a special burn permit for fire pits will be allowed provided all safety conditions are met. This is new and is in a trial status.

I. Donation Request - McCain Middle School

A motion was made by Sands and seconded by Wickersham to approve the donation request to waive the Pool rental fee and lifeguard fees for McCain Middle School Washington DC Fundraiser.

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

J. Sunset Rim Final Plat- Doug Argo stated that there are a few items left to be corrected, ADA ramps, repainting damaged fire hydrants; the remaining items to be completed are minor. Once these items are completed, it is ready for final plat to be signed. All have signed off on this except the City. Mr. Goodwin is still in the process of getting the bond. Councilor Sands stated that he would prefer to await payment of the bond; therefore this will be placed on the next City Council Meeting, July 7, 2014.

**K. Re-appointment to Airport & Historical Commission**

A motion was made by Jensen and seconded by Sands to approve the re-appointment of Patty Theurer and Marcia Gray on the Historical Commission with term expiring 7-31-2017 and Brenda Carter and Dave Koeppen (alternate) on the Airport Commission with term expiring 6-30-2017.

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

- L. Impact Fees- Payette Commercial Complex, this has been postponed until the City Council Meeting on July 7, 2014.

**DEPARTMENTAL REPORT**

- A. Police Department- May 2014
- B. Fire Department- May 2014
- C. Treasurer's Report- May 2014
- D. Airport Commission – June 9th
- E. Library Commission- June 10<sup>th</sup>

Councilor Dale praised Patty Metcalf for the wonderful job she is doing. The Library has over 200 reading logs this summer. The Summer Reading Program has been a success with the Discovery Center visiting and other events on the schedule. The Board is working on policies.

- F. Parks & Rec Committee- June 10<sup>th</sup>

Councilor Jensen stated that Parks Superintendent Randy Fales reported all is working well. Board member Kim Bruce will be addressing the Council soon regarding the Bike Terrain Trail.

- G. Public Safety Committee- June 11th

Councilor Nelson stated they reviewed new budget with both Chiefs. Most of the discussion centered on the Fruitland SRV pullout and how that would affect our community.

- H. Historical Commission- June 16<sup>th</sup>

General discussion was held with the County around funding for the Museum. It is required that the request be issued in writing and presented at the next meeting August 18<sup>th</sup>.

- I. Admin & Finance Committee- June 16th

The members of the Admin & Finance board reviewed the preliminary budget numbers and proposed insurance premiums. The board feels we're paying more for less coverage. If we opt out of our current policy we cannot get back in. If we stay in it could mean a budget increase of \$52,000.00.

**COUNCIL PRESIDENTS COMMENTS**

We received positive comments from all involved in the Special Olympics, kudos to all the participating departments.

**CITIZEN'S COMMENTS**

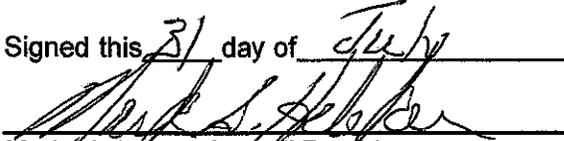
Barb Choates responded that the City of Payette should look at City of Fruitland's request to contract with their Fire department from a fiscally responsible point of view. Should Fruitland tax payers spend 50% of their budget to pay for the fire calls outside their city. Police Chief, Mark Clark said his biggest concern is that we would be limiting our resources if we didn't sign with Fruitland, we want the back -up Fruitland provides. Councilor Sands argued if it's not broke

don't fix it. Councilor Dale understands the need for budget as well as the need to aide other communities.

**ADJOURNMENT**

A motion was made by Jensen and seconded by Wickersham to adjourn the regular meeting at 9:02 PM.

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

Signed this 31 day of July, 2014.  
  
Mark Heleker- Council President

ATTEST:

  
Brenda Stowe- Administrative Services Clerk