



PAYETTE CITY COUNCIL

WORK SESSION AGENDA

June 20, 2016

6:00 PM

HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

COUNCILORS

Lee Nelson,
Council President

Craig Jensen

Ray Wickersham

Alan Massey

Nancy Dale

Kathy Dodson

CALL TO ORDER

ROLL CALL ATTENDANCE

AGENDA ITEMS

DEPARTMENT REPORTS

- a. Street Department
- b. Water Department
- c. WWTP Department
- d. Park Department
- e. Pool Department
 - 1. Pool Information – Solar & Water Temperature..... 1
 - 2. Juanita Rynearson – Closing Pool on Sunday..... 10
- f. Shop Department

FUTURE MEETING TOPICS

ADJOURNMENT

PAYETTE CITY COUNCIL

REGULAR MEETING AGENDA

June 20, 2016

7:00PM

I. CALL TO ORDER

II. ROLL CALL ATTENDANCE

III. PLEDGE OF ALLEGIANCE

IV. CITIZEN COMMENTS

This time is reserved for the public to address their elected officials regarding concerns or comments they would like to provide to the City Council regarding subjects not on the agenda. At times, the City Council may seek comments/opinions regarding specific City matters during this allotted time. This is not the time slot to give formal testimony on a public hearing matter, or comment on a pending application or proposal.

V. APPROVAL OF MINUTES

- A. 06-06-2016 – Work Session & Regular Meeting..... 11

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VII. SPECIAL ORDERS

A. Oath of Office – Police Officer – Trevor Mattson

VIII. COMMUNICATIONS

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IX. PLANNING & ZONING

A. Meeting Minutes – May 19th 20

X. AGENDA ITEMS

A. Youth Advisory Committee

B. Agenda Request – Treasure Valley Transit..... 30

C. **Ordinance #1408** – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 8.28.020 IN CHAPTER 8.28 OF TITLE 8 BY ADDING A SUB-SECTION D RELATING TO FIELD BURNING; AMENDING MUNICIPAL CODE SECTION 8.28.050 IN CHAPTER 8.28 OF TITLE 8 SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER. – 1st Reading..... 31

D. **Ordinance #1409** - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 13.04.250 D IN CHAPTER 13.04 OF TITLE 13 BY CHANGING INACTIVE PERIOD OF TIME; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1st reading..... 34

E. Resolution #2016-11 – Amending Fees..... 36

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G. Library ADA Doors

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A. Library Commission – June 9th 56

B. Airport Commission – June 13th 57

C. Historical Commission – June 20th

XII. MAYOR’S COMMENTS

XIII. CITIZEN’S COMMENTS

(Limited to 5 minutes per person, at the discretion of the Mayor)

XIV. EXECUTIVE SESSION - Pursuant to I.C. 74-206(1)(b), the City Council will recess into Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent as provided in I.C. chapter 1, title 74.

XV. Actions after executive session (if needed)

XVI. ADJOURNMENT

All meetings of the City Council are held in Council Chambers at
Payette City Hall, 700 Center Avenue, Payette

Any person needing special accommodations to participate in the above noticed meeting should contact the City
at least 5 days before the meeting at 642-6024.

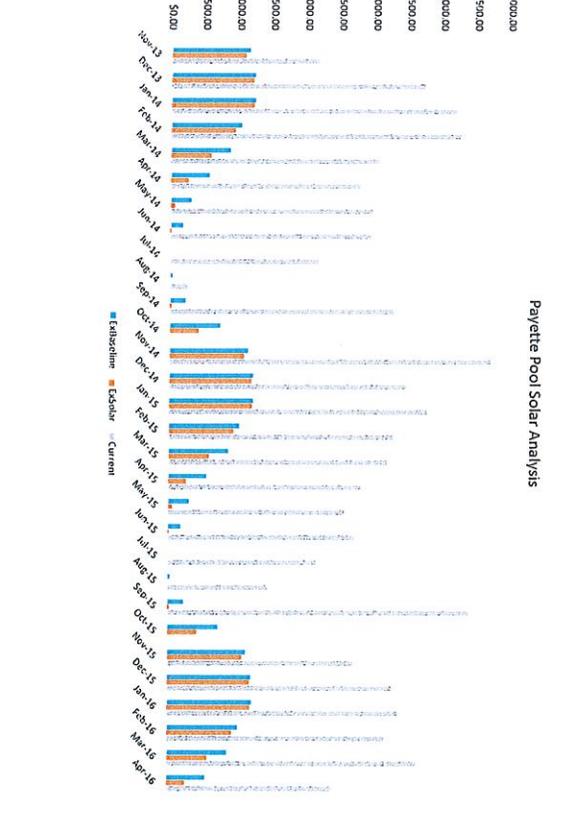
Pool Project Outline

- 1) Contacted Boise Parks and Recreation. Consulted with Levi Conner, Aquatics Director.
 - a) E-mail listing suggestions is attached.
- 2) Spoke with Caldwell YMCA
 - a) They operate the lap pool at 82 degrees and the rec pool (water slide, wading area) at 84 degrees
- 3) Contacted Newberg Parks and Recreation, Jim McMaster and Don Loving
 - a) Newberg passed a twenty million dollar bond and is building a new facility.
 - b) Jim McMaster suggested we use \$380.00 to \$400.00 per square foot to estimate the cost of a new facility.
 - c) Don Loving said they decided to build a new pool because the old pool had iron piping beneath it. They believed they would have to tear out the old pool in order to refurbish it.
- 4) Contacted Greg and Ross Strawn All Solar Idaho
 - a) Received proposal for new/upgraded solar system.
- 5) Contacted Knorr Systems – commercial pool supplier
 - a) They were interested in quoting us a price and potential pay back for a variable speed pumping system. Randy Fales gathered some information about our existing system and I submitted it. No communication since our change in structure.
- 6) Contacted CEM Aquatics, SLC
 - a) They provided information and a rough estimate for an automated chemical handling system and a UV system. The chemical handling system is very affordable. The UV system is pretty high dollar.

Baseline Converted
Proposed 29400 F @ 80 Degrees

Month	Solar%	KRTU	Example	Gas Exp	Electric
Nov-13	4	12638	\$1,137	\$4,599.90	\$2,142.24
Dec-13	1	134989	\$9,956	\$3,740.52	\$9,015.8
Jan-14	1	135738	\$4,295.2	\$3,740.52	\$9,427.77
Feb-14	8	114083	\$4,865.57	\$4,191.02	\$1,081.87
Mar-14	31	95441	\$4,106.59	\$4,274.71	\$1,146.30
Apr-14	54	61908	\$2,476.32	\$3,057.09	\$935.36
May-14	77	32945	\$1,186.62	\$2,783.14	\$964.05
Jun-14	88	17904	\$644.54	\$2,995.03	\$995.45
Jul-14	100	53	\$0	\$3,185.44	\$1,284.54
Aug-14	98	3038	\$109.37	\$2,895.94	\$1,161.03
Sep-14	82	23510	\$846.36	\$3,288.55	\$1,138.93
Oct-14	41	80542	\$2,893.51	\$4,714.64	\$1,111.83
Nov-14	4	12638	\$1,137	\$4,599.90	\$2,142.24
Dec-14	1	134989	\$9,956	\$3,740.52	\$9,015.8
Jan-15	1	135738	\$4,295.2	\$3,740.52	\$9,427.77
Feb-15	8	114083	\$4,865.57	\$3,286.74	\$983.71
Mar-15	31	95441	\$4,106.59	\$3,200.53	\$990.40
Apr-15	54	61908	\$2,476.32	\$2,883.33	\$978.82
May-15	77	32945	\$1,186.62	\$2,573.42	\$979.70
Jun-15	88	17904	\$644.54	\$2,794.61	\$1,156.00
Jul-15	100	53	\$0	\$1,91	\$2,163.32
Aug-15	98	3038	\$109.37	\$1,455.95	\$1,422.69
Sep-15	82	23510	\$846.36	\$4,427.48	\$1,282.70
Oct-15	41	80542	\$2,893.51	\$7,211.67	\$1,125.00
Nov-15	4	12638	\$1,137	\$4,599.90	\$2,142.24
Dec-15	1	134989	\$9,956	\$3,288.00	\$1,008.11
Jan-16	1	135738	\$4,865.57	\$3,384.33	\$1,092.18
Feb-16	8	114083	\$4,106.59	\$3,181.04	\$1,092.31
Mar-16	31	95441	\$3,435.88	\$3,663.04	\$1,024.70
Apr-16	54	61908	\$2,228.69	\$2,399.37	\$986.95

Month	Ex-Baseline	Ex-Solar	Current
Nov-13	\$1,137.47	\$1,091.98	\$2,142.24
Dec-13	\$1,214.90	\$1,202.75	\$3,740.52
Jan-14	\$1,221.64	\$1,209.43	\$4,191.02
Feb-14	\$1,026.75	\$944.61	\$4,274.71
Mar-14	\$858.97	\$592.69	\$3,057.09
Apr-14	\$557.17	\$356.30	\$2,783.14
May-14	\$296.51	\$68.20	\$2,995.03
Jun-14	\$161.14	\$19.34	\$2,165.44
Jul-14	\$0.48	\$0.00	\$2,499.94
Aug-14	\$27.34	\$0.55	\$2,895.94
Sep-14	\$211.59	\$35.97	\$3,288.55
Oct-14	\$724.88	\$427.68	\$4,714.64
Nov-14	\$1,137.47	\$1,091.98	\$4,714.64
Dec-14	\$1,214.90	\$1,202.75	\$3,471.14
Jan-15	\$1,221.64	\$1,209.43	\$3,794.53
Feb-15	\$1,026.75	\$944.61	\$3,286.74
Mar-15	\$858.97	\$592.69	\$3,200.53
Apr-15	\$557.17	\$356.30	\$2,828.33
May-15	\$296.51	\$68.20	\$2,573.42
Jun-15	\$161.14	\$19.34	\$2,794.61
Jul-15	\$0.48	\$0.00	\$2,163.32
Aug-15	\$27.34	\$0.55	\$1,455.95
Sep-15	\$211.59	\$35.97	\$4,427.48
Oct-15	\$724.88	\$427.68	\$7,211.67
Nov-15	\$1,137.47	\$1,091.98	\$2,142.24
Dec-15	\$1,214.90	\$1,202.75	\$3,288.00
Jan-16	\$1,221.64	\$1,209.43	\$3,384.33
Feb-16	\$1,026.75	\$944.61	\$3,181.04
Mar-16	\$858.97	\$592.69	\$3,663.04
Apr-16	\$557.17	\$356.30	\$2,399.37



Payette City Pool

Appropriate Water Temperature

Three Goals

- Appropriate for as broad of use as possible
- Maximize benefit for cost
- Minimize maintenance

USA Swimming Recommendations

Swim Team & Lap Swim 78–82 F = 25.5–27.5 C Slightly warmer may be workable

Resistance Training 83–86 F = 28–30

Therapy & Rehab 91–95 F = 33–35 C Can be as low as 87 F for many types of therapy

Multiple Sclerosis 80–84 F = 26.5–29 C Warmer water can cause adverse affects

Pregnancy 78–84 F = 25.5–29 C Warmer water can cause adverse affects

Arthritis 84–88 F Arthritis Foundation minimum 86–90 F ATRI low function program

Fibromyalgia 86–96 F = 30–35.5 C

Aerobic activity 84–88 F = 29–31 C

Older adults – vertical 83–86 F Moderate to high intensity 86–88 F Low intensity

Children, fitness 83–86 F = 28–30 C

Children's swim lessons 82+ F = 27.5+ C Varies with age and class length

Obese 80–86 F = 26.5–30 C

United States Water Fitness Association Recommendations are very similar

Aquatic Consulting Service

Avalon, CA

- As water temperature increases, costs of pool operation also increase. Besides the obvious cost of energy to heat the pool and surrounding area, evaporation rates speed up and destruction to the surrounding equipment and surface materials intensifies. Chemical usage goes up. Calcium is less soluble in warm water, so water is more difficult to balance and problems associated with calcium scale deposits mount. Perspiration rates increase and more ammonia is added to the pool. Chloramine levels escalate rapidly as a result. Organic loading escalates. TDS levels also increase at a faster rate, requiring more frequent dilution, and draining and refilling of the pool.

PAR POOL FAQs

- For example a 10,000 gallon pool, with a water temperature of about 78 degrees, will typically (considering good water balance and lack of visible algae high bacteria levels) use about 8 oz of slow dissolving trichloro tablets or sticks in a seven day period. That will provide a consistent chlorine level of about 1.0 - 1.5 ppm. The same pool with all of the same parameters at a temperature of 85 degrees F, will use almost 16 oz of slow dissolving trichloro chlorine. If the water temperature climbed to 95 degrees (unlikely, but possible in certain parts of the country), that same pool will use at least 32 oz - that's 2 pounds - of trichloro sticks or tablets!

Energy.gov Recommendations

- Pool water temperatures typically range from 78°F to 82°F. The American Red Cross recommends a temperature of 78°F for competitive swimming. This coincides with good fuel savings. However, this may be too cool for young children and the elderly, who may require a temperature of 80°F or higher.
- The energy consumption for each degree rise in temperature will cost 10%–30% more in energy costs, depending on your location. In warmer climates, this percentage is higher because of the relatively low cost of heating a pool at 78°F.
- Our annual energy expense is approximately \$40K

Aquatic Consulting Services

Air Temperature Guidelines

- Ambient air temperature in indoor pools should be maintained for the comfort of participants and instructors, coaches or therapists who are in the water – not for spectators on the deck who are dressed in street clothes. To prevent excessive loss of heat due to evaporation, make sure air temperature is always maintained 1-3 degrees warmer than pool water temperature. Relative humidity should be maintained around 50%. At a minimum, ventilate in compliance with ASHRAE Standard 62-1989 "Ventilation for Acceptable Indoor Air Quality". Provide at least 8 complete air exchanges per hour in the natatorium with a minimum 40% fresh air. Make sure you have the capability of bringing in 100% fresh air when needed. Since pollutants travel from positive to negative pressure areas, natatoriums should be positively pressured in relation to the outside of doors, and negatively pressured in relation to surrounding occupied spaces. Maintain air contaminants below specified values or concentrations.



City of Payette

Agenda Request Form

OFFICE USE ONLY

RECEIVED

Date Received JUN 14 2015

Received by City of Payette

By: [Signature] Time: _____

Date faxed _____

Faxed by _____

First Name Justina Last Name Ryerson

Current Address 2245 NE 19th Ave

Home Number 208-642-3854 Cell Number 208-740-0699

Date of City Council meeting June 20th

Describe what you would like to address the Council on

Closing the pool the Sunday - we are wearing out the lifeguards - to many hrs!

DATE _____ SIGNATURE _____

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
June 6, 2016**

6:30 PM – Work Session

A work session of the Payette City Council was called to order at 6:33 PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present: Mayor Williams, Lee Nelson, Ray Wickersham, Nancy Dale, Alan Massey, Kathy Dodson.
Members Absent: Craig Jensen
Staff Present: Mark Clark; Chief of Police, Steve Castenada; Fire Chief, Bobbie Black; Deputy City Clerk, Denise Rueschhoff; Administrative Assistant and Bert Osborn; City Attorney

AGENDA ITEMS

DEPARTMENT REPORTS

- a. Fire Department – Castenada addressed the Council regarding the burn policy. He stated they are starting to have problems with large farm fields being burned under the same permitting process as yard debris. The large burns can create more problems with smoke and the chance for a fire to be out of control. He would like to see a policy change to make large field burning obtain a specific permit before burning. He would inspect the area prior to the burn and be sure no structures or hazards are nearby. Dale likes the idea of establishing a time frame on the permit. Dale also asked if there is actually any reason to allow burning within the city limits. Dodson asked about people that have a fire pit in their yards. Wickersham does like the idea of revamping the procedure for field burning. Mayor Williams told Castenada to move forward with proposed changes that can come before the Council for an ordinance change. Massey addressed the April 2016 report regarding the increased calls. Castenada related that increased calls are across the board for incidences. The busiest months are ahead of us for calls. Mayor Williams asked about the smoke detector and carbon monoxide detector program. Castenada stated that both of these have seen an increase in units provided to the public. Dale asked about the fund for the reader board. Black addressed the Council and stated that with an upcoming yard sale and the spaghetti feed, we will be very close to the goal.
- b. Police Department – Clark addressed the Council regarding the current hiring. There will be three new officers in the department. A new officer will be introduced tonight. An officer did resign over the weekend. Dale asked if we do pre-employment for the POST academy. Both Black and Clark outlined the procedure. Massey asked about heroine usage in the area and if it is in fact increasing. Clark stated that it is increasing due to foreign drugs available. Clark also addressed the use of the overdose antidote that is available and we do have this available with our local ambulance.
- c. Administration
Treasurers Report – May 2016 - Mayor Williams stated that we are approximately sixty-six percent into the year. Dodson had a question regarding insurance that seems to be underfunded. Black stated that it will balance out with transferring from other funds that has not yet happened. This will take place later in the year. Dale thanked Black for the more understandable percentages. Dale asked about insurance reimbursements. Black addressed the Council regarding the earlier look into changing or maintaining current insurance this year. She is pleased with the employee response regarding the questionnaire that was sent out. All employees have completed and submitted their responses. Massey asked about the frequency of receiving property tax, liquor and shared-revenue payments. Black outlined the time frame for each. Black addressed the Council regarding the

recent IIMC conference that she and Cordova attended in Omaha. She felt this conference was extremely informative and beneficial. Several topics were very timely, including the struggles that other cities face with Councils and Mayors, writing job descriptions and active shooter situations. Black thanked the Council for the opportunity to attend and felt it was a phenomenal experience with information that can benefit our city. Dale asked about the total attendance. Black stated there were more than 600 attending with 7 others from Idaho.

Building & Business Permits -- April & May 2016 – Mayor Williams stated that so far for the year, we are about twenty-five percent busier than last year for building permits, but business license numbers are about the same.

FUTURE MEETING TOPICS

Mayor will have Kurt Key coming in two weeks to talk about the pool heating system and Jim Franklin will have information on that as well.

ADJOURNMENT

Mayor Williams adjourned the work session meeting at 7:03 PM.

7:00 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order at 7:04 PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

Members Present: Mayor Williams, Lee Nelson, Ray Wickersham, Nancy Dale, Alan Massey, Kathy Dodson.

Members Absent: Craig Jensen

Staff Present: Mark Clark; Chief of Police, Steve Castenada; Fire Chief, Doug Argo; Holliday Engineering, Bert Osborn; City Attorney, Bobbie Black; Deputy City Clerk and Denise Rueschhoff; Administrative Assistant

PLEDGE

The Pledge of Allegiance was led by Tony Mell.

CITIZENS COMMENTS

None

APPROVAL OF MINUTES

A. 05-16-2016 – Work Session & Regular Meeting

A motion was made by Dale and seconded by Wickersham to approve the minutes of 05-16-2016 Work Session and Regular Meeting as written.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Nelson and seconded by Dale to approve the City Bills & Payroll in the amount of \$213,033.05

At the roll call:

Ayes: Dodson, Massey, Wickersham, Nelson and Dale.

Nays: None

The motion CARRIED.

SPECIAL ORDERS

- A. Oath of Office – Police Officer – Cody Freeman
Chief Clark introduced Cody Freeman as a new patrol officer for the City. Mayor Williams administered the Oath of Office to Cody Freeman and welcomed him to the City staff and Police Force.

COMMUNICATIONS

None

PLANNING & ZONING

None

AGENDA ITEMS

- A. Agenda Request – Aaron Sobers – Weed Abatement
Aaron Sobers, 2855 Center Avenue, addressed the Council regarding mustard weeds that are all around their property. There have been major fires in the past that have damaged and destroyed some of their property and that of neighbors. They are here to ask the City Council for their help with preventative measures as well as getting rid of the current weeds. Mayor Williams has talked to Chief Clark because this sounds like an ordinance issue. He asked Clark if he has had an opportunity to discuss this concern with the Ordinance Officer. Clark stated that he had. Clark stated that they intend to get in touch with the property owner, Mr. Lancaster, to have a solution for the weeds and creating fire breaks to protect the adjoining homeowners.
- B. Agenda Request – JoAnne Smith, Chairman, Payette Soil & Water Conservation District
JoAnne Smith, 2730 NE 25th Avenue, addressed the Council and thanked them for the previous financial support. They are currently working on a grant program for farmers. They are also working with the irrigation districts. She is hoping that the City Council will continue with financial support in the future to help with operating expenses. The state of Idaho will match donated funds. Wickersham asked what previous donation has been made in the past. Mayor stated it has been \$1,000. Massey asked about additional support from other cities or the county. Black stated that Payette Soil & Water Conservation normally gives a letter for the formal request of funds. There has not been one submitted for the current budget year.
- C. Agenda Request – Laura Gross – Farmer's Market
Laura Gross, 750 River Street, and Liz Amason, 490 North 20 Street, addressed the Council regarding a Farmer's Market at the Agape Coffee Shop. Ms. Gross highlighted some of the problems of getting a successful Farmer's Market started last year. She stated what they have come up with for this year. The markets will be held on Tuesday afternoons so as not to compete with the market in Ontario. They will be holding the market for seven weeks from July to August. These ladies wanted to let the Council know exactly what will be taking place and they are hoping that this will become more of a community-wide farmer's market. The Council is excited for the upcoming venture.
- D. Resolution #2016-09 – Surplus Property – bikes

Dodson made a motion to approve Resolution #2016-09 to dispose of 30 bikes to be donated to Help Them To Hope. The motion was seconded by Wickersham.

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

E. Resolution #2016-10 – Pay Vendors Prior to Submitting to Council

Dale made a motion to approve Resolution #2016-10, to pay vendors prior to submitting to Council. The motion was seconded by Dodson.

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

F. Library ADA Doors – Mayor Williams stated that there is not enough documentation to address this issue. This is a topic better addressed in the Executive Session.

Massey made a motion to table the discussion of Library ADA Doors to the next regular meeting. The motion was seconded by Wickersham.

After a voice vote by the Council, the motion CARRIED

G. Certified Local Government – Historical Commission

Wickersham made a motion to approve the recommendation from the Historical Commission for the City to become a Certified Local Government. The motion was seconded by Massey

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

H. Donation Request – Payette School District – Building Permit Fee

Massey made a motion to deny the donation of the Building Permit fee as request by the Payette School District. The motion was seconded by Dale.

At the roll call:

Ayes: Dodson, Massey, Dale, Nelson, and Wickersham.

Nays: None

The motion CARRIED.

I. Appointment of Airport and Historical Council Liaison

Massey made a motion to approve the recommendation of Alan Massey as liaison to the Airport Commission, and Lee Nelson as liaison to the Historical Commission. The motion was seconded by Dodson.

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

J. T-O Engineers – Agreement for Professional Services -Airport

Nelson made a motion to approve the agreement for professional services for T-O Engineers to extend runway 13-31 at the Airport, with the scope of the work not to exceed \$25,000 unless approved by the Mayor and City Council. The motion was seconded by Dodson.

At the roll call:

Ayes: Wickersham, Dodson, Nelson, Dale and Massey.

Nays: None

The motion CARRIED.

K. Lopez Development Agreement

Massey made a motion to enter into a Development Agreement with Lopez that will contain all of the items of concern from Osborn and a completion date of 365 days from original April, 2016 date. The motion was seconded by Dale.

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

L. Youth Advisory Committee - Postponed to next meeting

BOARD & COMMISSION REPORTS

None

MAYOR'S COMMENT

Last Wednesday the SREDA meeting was held here in Payette. Massey and Nelson were both in attendance. Massey addressed the Council regarding growth in the Payette area. More active solicitation of new businesses has taken place but there is always room for improvement. Nelson addressed the Council regarding his own thoughts on the meeting. Valley Family Health attended this same meeting and presented their plans for an enlarged medical and dental clinic here in Payette. Many people in the community are working towards the betterment of the area.

Impact fee analysis is taking place with the help of Clark and Castenada. They met last week with Anne Westcott. She is the same individual that will be doing our strategic plan. She will be contacting each of the Councilors to schedule personal meetings to learn what each Council member has for their vision for the future of Payette. Her firm will be sending a survey out to citizens of our community for similar purposes.

We need to schedule the first of two four-hour work sessions during the week of June 27 to work on the strategic plan. Tuesday June 28, 2016 at 4:00 PM was scheduled. The strategic plan should drive the budget work. Work sessions are also coming up for the budget, July 11, 2016 is set up as a tentative date.

CITIZEN'S COMMENTS

Liz Amason, 490 North 20th Street, addressed the Council regarding opening day for the Miracle Field on Saturday. More kids are signing up. Some are even from outside Payette County. July 24 will be a fundraiser with Boise Hawks. They have also committed to having players come here to work with the children.

EXECUTIVE SESSION - Pursuant to I.C. 74-206(1)(b), the City Council will recess into Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges

brought against a public officer, employee, staff member or individual agent as provided in I.C. chapter 1, title 74.

A motion was made by Nelson and seconded by Dodson to adjourn to executive session Pursuant to I.C. 74-206(1)(b), the City Council will recess into Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent as provided in I.C. chapter 1, title 74.

At the roll call:

Ayes: Massey, Wickersham, Dale, Nelson, and Dodson

Nays: None

The motion CARRIED.

ACTIONS AFTER EXECUTIVE SESSIONS (if needed)

No action taken

ADJOURNMENT

A motion was made by Dodson and seconded by Massey to adjourn the regular meeting at 8:54 PM.

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

Signed this _____ day of, 2016.

Jeff Williams, Mayor

ATTEST:

Denise Rueschhoff
Administrative Assistant

CITY OF PAYETTE
JUNE 20, 2016

CITY PAYROLL - Admin	6/10/2016	\$ 114,095.96
1-VOIP BILLING - Library	6/20/2016	53.58
ACTION COURIERS - Water	06/15/16	37.08
ALL VALLEY FIRE INSPECTION - Library	6/20/2016	200.00
ALLIED BUSINESS SOLUTIONS - Police & Admin	6/20/2016	1,371.91
ALS LAND SURVEYING - Admin	6/20/2016	3,305.00
AMERICAN STAFFING - Park	6/20/2016	1,977.92
ANALYTICAL LABORATORIES - Water & WWTP	6/20/2016	1,306.38
BDS - Water & WWTP	6/20/2016	1,667.32
BIZ ZONE - Police	6/20/2016	169.98
BRUCE, JAMES - Police	6/20/2016	550.00
BURKE ELECTRIC - Library	6/20/2016	610.50
CABLE ONE - Admin, Pool & Police	06/09/16	165.48
CABLE ONE - Library	06/10/16	126.95
CAMPO & POOL - Street	6/20/2016	589.99
CENGAGE LEARNING - Library	6/20/2016	244.30
CENTURYLINK - All Dept.	06/09/16	851.70
CENTURYLINK - Library	06/10/16	45.17
CENTURYLINK - Admin, Police & Fire	6/20/2016	338.52
CINTAS FIRST AID	6/20/2016	79.66
CITY CLEANERS - WWTP	6/20/2016	82.98
CLAY PEAK LANDFILL - Water & WWTP	6/20/2016	120.77
COLUMBIA BANK - All Dept.	06/09/16	2,379.81
COLUMBIA BANK - Library	06/10/16	157.52
DART'S TRUE VALUE - Library	6/20/2016	18.57
DCS TECHNOLOGIES - Police & Library	6/20/2016	177.24
DIG LINE - Street, Water & WWTP	6/20/2016	70.12
FLEET SERVICES - All Dept.	6/20/2016	4,276.50
GALLS - Police	6/20/2016	157.25
HARDIN SANITATION - All Dept.	06/09/16	372.76
HD SUPPLY - Water	6/20/2016	502.50
HENDON WELDING - WWTP	6/20/2016	27.12
IDAHO MATERIALS - Street	6/20/2016	1,276.50
INDEPENDENT ENTERPRISE - Admin	6/20/2016	64.98
INTERMOUNTAIN GAS - All Dept.	06/09/16	3,463.98
INTERMOUNTAIN GAS - Library	06/10/16	68.14
KENWORTH SALES - Street	6/20/2016	15.14
LINCOLN AQUATICS - Pool	6/20/2016	2,404.49
METROQUIP - WWTP	6/20/2016	287.28
MICROMARKETING - Library	6/20/2016	147.23
NAPA AUTO PARTS - All Dept.	6/20/2016	2,668.16
ONTARIO BEARING - Street	6/20/2016	105.04
ONTARIO BUILDING - Street	6/20/2016	136.88
ONTARIO TOOL - Fire & Shop	6/20/2016	287.00
OSBORN, BERT L. - Admin	6/20/2016	2,700.00
OUTDOORSMAN - Police	6/20/2016	359.82
OVERHEAD DOOR - Police	6/20/2016	473.90

CITY OF PAYETTE
 JUNE 20, 2016

PAETEC - All Dept.	06/10/16	21.34
PAYETTE COUNTY DRIVER'S LICENSE - Police	6/20/2016	10.00
PAYETTE PRINTING - Admin	6/20/2016	28.00
PAYETTE TIRE CENTER - Police	6/20/2016	70.69
PETTY CASH - Library	6/20/2016	125.00
PIPECO - Park	6/20/2016	20.59
PROTEX LLC - Library	6/20/2016	1,032.10
RHINEHART JANITORIAL - Admin & Library	06/10/16	1,450.00
ROBERTSON SUPPLY - Water	6/20/2016	333.80
RODDA PAINT - WWTP	6/20/2016	161.28
SAV-ON BLDG - Park, Street, Water & WWTP	6/20/2016	437.75
SHERMIN WILLIAMS - Street	6/20/2016	920.00
SNAKE RIVER ECONOMIC ALLIANCE - Legis	6/20/2016	7,500.00
SNAP ON TOOLS - Shop	6/20/2016	6,800.00
STAPLES - Pool	6/20/2016	163.27
STOWE, BRENDA - Library	6/20/2016	33.31
T.O. ENGINEERS - Airport	6/20/2016	9,001.25
TELEDYNE ISCO - WWTP	6/20/2016	332.00
TRAFFIC SAFETY SUPPLY - Street	6/20/2016	395.71
TRANSPORTATION SYSTEMS - WWTP	6/20/2016	28.32
UNITED PARCEL SERVICE - Police	6/20/2016	36.47
VERIZON - All Dept.	6/20/2016	738.96
WESTSIDE MARKET - Street & Shop	6/20/2016	156.18
WIENHOFF DRUG TESTING - All Dept.	6/20/2016	215.00
WILSON TIRE - Street	6/20/2016	428.00

\$ 181,028.10



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JUN 13 2016

CITY OF PAYETTE

June 6, 2016

Meals On Wheels
Payette Senior Center
Meals On Wheels Program
137 N Main St
Payette, ID 83661

To Whom It May Concern:

Enclosed with this letter is the quarterly contribution check in the amount of \$225.95 on behalf of City of Payette. Please mark all records on their behalf.

If you have any questions or concerns, please don't hesitate to call our office or email me at tdamore@echelongroup.com

Thank you,

A handwritten signature in black ink, appearing to read 'Theresa D'Amore'.

Theresa D'Amore
Communications Manager

Enclosure

Cc: City of Payette (without enclosure)

**MINUTES
PAYETTE PLANNING & ZONING
Regular Meeting
May 19, 2016**

6:00 PM – Regular Meeting

- I. ROLL CALL: Jim Franklin, Jody Henderson, Gary Youngberg, Nial Bradshaw and Ron Wallace.
Members Absent: Chairman Randy Choate and Peggy Childers
Staff Present: Mary Cordova & Matea Gabiola

- II. APPROVAL OF MINUTES
 - A. 04-14-2016 Special Meeting
 - B. 04-28-2016 Regular Meeting

A motion was made by Youngberg and seconded by Henderson to approve the minutes of 04-14-2016 Special Meeting and 04-28-2016 Regular Meeting as written.

After unanimous voice vote, motion CARRIED

- III. COMMUNITCATIONS
None

- IV. PUBLIC HEARING

- A. A re-zone application by Frank & Kimmie Serrano for property located at 307 N. 9th Street, from Commercial to C1-Commercial Downtown, Chase Addition, Block 2, Lots 1 thru 5, Payette County Records.

No one was in attendance to speak on this item.

- B. An application by Frank & Kimmie Serrano for a Conditional Use Permit for property located at 307 N. 9th Street, to allow residential use in a C1-Commercial Downtown, Chase Addition, Block 2, Lots 1 thru 5, Payette County Records. The property is zoned Commercial.

No one was in attendance to speak on this item.

- C. An application by Frank & Kimmie Serrano for a Conditional Use Permit to sell beer & wine at 307 N. 9th Street, Chase Addition, Block 2, Lots 1 thru 5, Payette County Records. The property is zoned Commercial.

No one was in attendance to speak on this item.

D. An application by Karen Eby for a Conditional Use Permit to have a home occupation/retail shop located at 1844 7th Ave North # 13. North Payette Tax 3 BLK 46 Less S 40' Sec 27-9-5. The property is zoned B-residential. Karen Eby, 1844 7th Ave North #13, Payette, ID addressed the Commission. Ms. Eby has purchase this property, it has a duplex on it. The previous owners, the Ashton's, had a small diary and vet clinic. The back buildings is where the vet clinic was, and has not been used in over 15 years, so she is cleaning them up and wants to use them for her home occupation. Ms. Eby has property in New Meadows with 100-year-old barns. She takes pieces of these old barns and makes furniture out of them for home decor. She would also have her mother's handmade jewelry, western clothing and fabric. There would be only one business under her name, not multiple vendors. Mr. Youngberg asked about possible signs and available parking. The signage she wants to do out front is simply a small 2 ft. x 2 ft. sandwich board sign by the sidewalk pointing to the building. And there is more than enough adequate parking. Ms. Eby stated she will only be open 3 days a week, Thursday & Friday 12 pm -7pm and Saturday 10 am- 4 pm. Mr. Youngberg asked Ms. Eby on how many employees will there be. Ms. Eby stated herself, and sometimes her mother if need be. Mr. Franklin asked Ms. Eby if she has ever considered a retail space downtown. Ms. Eby stated yes, but due to having a daughter that is disabled, she would prefer to be closer to home in case of emergencies. Ms. Eby's hope is one day she will get big enough to be able to move into a space in the downtown. Mr. Youngberg asked Ms. Eby if she is aware of the restrictions of a residential zoned area. Ms. Eby stated yes. Mr. Bradshaw asked Ms. Eby is she plans on making this building a salon. Ms. Eby stated she only does nails, and isn't advertising this business, she just does a few old clients once and a while, but this isn't the main purpose. Ms. Eby stated that it would be a good place to have it so it isn't in her home, but no she doesn't advertise or have a big client base. Mr. Youngberg asked if there are any restrooms available for the retail space. Ms. Eby stated she was going to get a portable restroom, so the clients aren't using her home until she can construct a bathroom in the space.

E. An application by Larry Armstrong for a Conditional Use Permit to have 4 trucks for his trucking company, as well as use the shop for his own repairs at property located 1700 North 6th Street. W 175' of Blk 12 Riverside Plat. The property is zoned B- Residential. Larry Armstrong, 1700 North 6th Street Payette, ID addressed the Commission. Mr. Armstrong owns a trucking company and at this time he and his son only own two trucks. He purchased the home and is wanting to use the garage and acreage to work, repair, and park their trucks. Mr. Armstrong stated they would only be coming in on the weekends for

repairs. There could be a possibility of during the week if repair is needed. Mr. Armstrong doesn't plan on running any type of business out of the garage or from his home, this is specifically for his personal use. Mr. Franklin addressed possible noise issues. Mr. Armstrong stated he would only have noise generated from the truck engines, air compressors, air guns or any other tool used in repairs, but again this would be on an as need basis for the trucks. It would be during the day time anyway, not during the night where it would cause a disturbance. Mr. Franklin asked Mr. Armstrong if the Commission put restrictions on use times (7am-7pm on the weekends) would he have any issues. Mr. Armstrong stated that would be fine and has no problems with that.

- F. An application by James & Mardelle Kropp for a Conditional Use Permit to have a 20'x 21' storage shed on an existing cement pad at the property located at 2059 Decker Drive. Lot 6 BLK 3 Deckers 2nd sub. The property is zoned A- Residential. James Kropp, 2059 Decker Drive Payette, ID addressed the Commission. Mr. Kropp placed a steel carport building on the existing cement pad, that was already there. Mr. Kropp just purchased this home and was wanting a place to keep his boat, lawnmower and camper trailer. Most of his neighbors don't even know it is there because it sits behind the house hidden from sight. Mr. Franklin asked if it meets the setback requirements. Mr. Kropp stated no, he took pictures and the City building inspector and Fire Chief looked at them and said it was ok. Mr. Youngberg asked what are the setbacks, and how far is it from the property lines. Mr. Kropp stated from the property lines he believes about 15 feet. Mr. Youngberg asked how far from the garage. Mr. Kropp stated about 3.5 feet. Mr. Youngberg asked if that is from wall to wall or hang over to building. Mr. Kropp stated wall to wall. Mr. Youngberg asked what is the distance from roof to roof. Mr. Kropp stated it sets a great deal above this steel building, and he was told this wasn't a fire hazard. Mr. Bradshaw asked if this was completely enclosed. Mr. Kropp stated the sides and back are closed the front is open.
- G. An application by Gene Lancaster for a Conditional Use Permit to allow pasturing of no more than 54 horses on the land for the property located at the Lancaster Development between Center Avenue and Payette Heights road. W1/2SWNE LESS TAX 39 & 40 SEC 35-9-5 & W1/2E1/2SWNE LESS S 264' SEC 35-9-5. The property is zoned A-residential. Gene Lancaster, 11428 Scotch Pines Road, Payette, ID addressed the Commission. Mr. Lancaster stated that he has had horses on the property for 10-15 years, but he is before the Commission tonight because his permit has expired. One of his neighbors is protesting that we cannot have barb wire fencing in the City of Payette, but this fencing has been containing the horses for years. This neighbor wanted to construct a hog wire fence on his

personal property. Mr. Lancaster stated that was fine with him, but he wanted to construct another fence six to eight back that will hold the horses in and out of this neighbors fence. Mr. Franklin asked Ms. Cordova if all of this property in the City limits. Ms. Cordova stated yes, all the ground he is running the horses on. Mr. Bradshaw asked Mr. Lancaster how long has his permit been expired. Mr. Lancaster wasn't sure when it expired, he just learned of it when he contacted Mayor Williams and he looked into it. Mr. Bradshaw asked Mr. Lancaster if there is a weed problem. Mr. Lancaster stated yes, that is what the horses are for. They eat and stomp down the weeds. Mr. Lancaster stated he received a letter for the City of Payette ordinance officer about the weeds, and he told her he was getting his permit back into place.

David Mitchell, 2817 Center Ave, Payette, ID addressed the Commission. Mr. Mitchell stated that Shannon Pierce is the owner of the horses, and is currently getting water from his personal well to water the horses. There a group of Stallions on the south side and a group of mares and fillies in this area that he is requesting the permit for. Mr. Mitchell stated there was a fire last summer that came up to the back of his property, but he had taken precautions in creating a fire barrier. Mr. Mitchell has no objection to the horses, or Mr. Lancaster. The horses do help the weed problem. Mr. Mitchell also stated that the fence that the protesting neighbor constructed isn't horse worthy, so the fence that Mr. Lancaster plans to build 6-8 feet back would be a good idea. The barb wire fencing has been there for many years, and he has no issues. Mr. Mitchell stated that mowing these properties would be difficult due to there being debris all over. Mr. Mitchell is in favor of this permit.

Public hearing closed at 6:21 pm.

V. AGENDA ITEMS

- A. A re-zone application by Frank & Kimmie Serrano for property located at 307 N. 9th Street, from Commercial to C1-Commercial Downtown.

No action was taken on this item.

- B. An application by Frank & Kimmie Serrano for a Conditional Use Permit for property located at 307 N. 9th Street, to allow residential use in a C1-Commercial Downtown.

No action was taken on this item.

- C. An application by Frank & Kimmie Serrano for a Conditional Use Permit to sell beer & wine at 307 N. 9th Street.

No action was taken on this item.

- D. An application by Karen Eby for a Conditional Use Permit to have a home occupation/retail shop located at 1844 7th Ave North # 13.

Ms. Henderson stated that she thinks is a great idea, because of the property and how it is set up. Mr. Wallace stated he is most concerned with the portable and how long it is going to be there. Ms. Cordova stated that we contacted the City attorney and made sure we were interpreting the code correctly and retail isn't allowed in B- residential zones, and the home occupation space she has stated she was using exceeds the 20% required. So we may need to look into a change to the Comprehensive Plan, because the plan designates the property being residential in the future. Ms. Cordova stated that there could only be a 2' x 2' sign on the building nothing in the streets or on the sidewalks. This request would comply if it was scaled down a bit. Mr. Bradshaw asked Ms. Cordova if the room the applicant plans to put this in needs to be scaled down. Ms. Cordova stated yes, it is too big to meet the requirements of a home occupation. Ms. Cordova stated there is enough space, but it doesn't go with the current zoning, as well as the Comprehensive Plan. Ms. Cordova stated that this was annexed into the City not long ago. Mr. Youngberg stated making that area Commercial would make sense due to there being more businesses that residential uses. Mr. Franklin stated that currently the City has Commercial zoning along HWY 95, so this makes sense. The question in this area is how far from HWY 95 on the north side of 7th Ave North would you go back. Mr. Franklin stated the Commission could send a favorable recommendation to the Council to rezone that area to Commercial. Even then what we have before us won't be addressed. Mr. Youngberg stated yes, but that would give her a path, if this request was rejected. Mr. Franklin stated if the Commission sent a favorable recommendation to the Council, once the applicant applies for the rezone then we would view this as an appropriate use for this property. Mr. Youngberg stated well yes it, under Commercial. Mr. Franklin stated that the portable is an issue. Mr. Youngberg asked Ms. Cordova if retail spaces are required to have bathroom facilities. Ms. Cordova stated yes they are required. Ms. Cordova stated that if this use is scaled down and meets all requirements for a home occupation, then it would be an allowed use. Mr. Bradshaw asked if the Commission could ask the applicant that if they scaled this down, would it still work for now, until a possible rezone. Mr. Franklin stated if she meets all the requirements of a home occupation then this Conditional Use Permit can be approved. Mr. Franklin stated the Commission can grant this Conditional Use Permit provided it complies with all home occupation requirements. Ms. Cordova stated yes.

A motion was made by Youngberg and seconded by Henderson to approve the Conditional Use Permit by Karen Eby for a home occupation/ retail space at 1844 7th Ave North contingent upon all home occupation requirements can be met, and can be revisited upon complaint.

After unanimous voice vote, motion CARRIED

- E. An application by Larry Armstrong for a Conditional Use Permit to have 4 trucks for his trucking company, as well as use the shop for his own repairs at property located 1700 North 6th Street.

Ms. Henderson's only concern is that if he was only going to work on his trucks on the weekends. Mr. Franklin stated that Mr. Armstrong was ok with having a time and days of the week stipulation in his permit.

A motion was made by Bradshaw and seconded by Youngberg to approve the Conditional Use Permit by Larry Armstrong with the following stipulations:

1. Repairing of trucks between 7am-7pm.
2. No business is being conducted at the shop
3. Owners trucks will remain parked on owners' property, not City Streets.
4. Will be revisited upon complaint.

After unanimous voice vote, motion CARRIED

- F. An application by James & Mardelle Kropp for a Conditional Use Permit to have a 20'x 21' storage shed on an existing cement pad at the property located at 2059 Decker Drive.

A motion was made by Henderson and seconded by Bradshaw to approve the Conditional Use Permit by James & Mardelle Kropp to have a 20' x 21' storage shed on the existing cement pad at 2059 Decker Drive, with an agreement to only allow the storage of motorized or recreational vehicles, and to be revisited upon complaint.

After unanimous voice vote, motion CARRIED

- G. An application by Gene Lancaster for a Conditional Use Permit to allow pasturing of no more than 54 horses on the land for the property located at the Lancaster Development between Center Avenue and Payette Heights road.

Mr. Youngberg stated that the original permit was for two years and has now since expired, and keeping a time frame he thinks is a good idea. Mr. Franklin stated yes, but once developing becomes practical he doesn't think they would be keeping the horses on the property. Mr. Bradshaw asked why was this permit limited to only two years, and how was this expired permit not caught? Ms. Cordova stated that when permits are issued, it can be difficult to keep track of everyone and if they have an expiration date. We hope that the applicant would aid the City in this endeavor. This permit was first issued in 2009, and the applicant asked to run no more than 54 head of horses on 64 acres. At the time of the original application there were a few neighbors not in favor because it had been annexed, and they came to complain about the weeds. The idea was to run the horses on this property to help with the weed problem. There were neighbors also opposed to electric and barbwire fences, and that's why Ms. Cordova stated there was a two-year limit put on it. With this new application the applicant is asking to allow no more than 54 horses on 76+ acres of land. Until a citizen comes and complains it's not usually addressed. Ms. Cordova addressed Mr. Bradshaw regarding his weed issue. Ms. Cordova stated that even with the horses being there doesn't exempt him from maintaining the weeds.

A motion was made by Youngberg and seconded by Henderson to approve the Conditional Use Permit by Gene Lancaster to allow pasturing of no more than 54 horses on the property located at the Lancaster Development between Center Avenue and Payette Heights Road with the following stipulations of:

1. Pasturing of horses between April 1 – July 31 of each year.
2. Construct a fire break around the adjacent residential homes
3. Must be compliant with weed control ordinances.
4. Will be revisited upon complaint.

After unanimous voice vote, motion CARRIED

H. Ordinance Change- Liquor License Locations

Ms. Cordova stated this item was brought to the Planning & Zoning per the Council's request. The Council is wanting to get input on a drinking establishments that serves beer & wine in any Commercial Zone. It would be Permitted Use and no longer a required Conditional Use. Mr. Franklin stated he believes that a function of a Conditional Use Permit in this situation is a good idea, because it allows the neighbors and public to have input, and how it will affect the area. Ms. Cordova stated that State code already states that you can't be within 300 feet from a school or church, but the City Council can grant exceptions to that. Ms. Cordova stated that this is brought in front of you to be a friendlier City and allow it in any Commercial zone. Ms. Cordova stated that we have researched and called other cities in the surrounding areas, and every City except Boise, has a Special Use Permit or Conditional Use Permit for this type of use. The only City that does allow this type of use or doesn't make the applicant go through a Permit process is Boise, but they have specific areas in which this use is permitted. The Commissioners looked at the Comprehensive Plan Map for future zoning and land use. Mr. Youngberg asked the restrictions that the Idaho State Liquor board makes for the applicants. Ms. Cordova stated that the applicant has to comply with City Codes, pay the fees and are given an extensive background check. Mr. Youngberg asked if there is a limit to how many liquor licenses, or drinking establishments a City can have. Ms. Cordova stated yes there is a limit of liquor establishments. Mr. Franklin is in favor of keeping this ordinance a Conditional Use, because it allows for public input. Mr. Bradshaw believes that defining in a Commercial district as a permitted use, would be too broad. Due to having a lot of residential use in Commercial zones. Ms. Gabiola informed the Commission that in speaking with the City of Caldwell, that if a new owner came in and bought an existing drinking establishment they transferred the permit to the new owner within a time frame of conducting business. If there was a new license holder, with a new establishment coming to town, they had to go through a Special Permit process. The Commissioners liked this idea. Ms. Gabiola stated that in Caldwell they gave perimeters on a time frame, to begin business, and if that time frame lapsed the applicant had to re-apply for a Special Permit. Mr. Youngberg stated this would be easier for an applicant who purchased an existing establishment, but would also give the Planning & Zoning and the general public a say on a new establishment. Ms. Cordova stated that the City can draft something up to bring to the next Planning & Zoning meeting, and if you approve, the City can hold a public hearing at the following meeting.

- I. Non-Conforming Lots- Payette City Code Chapter 17.56- Ms. Cordova stated this has been brought to the Commissions attention due to a situation regarding the Iwasa home on 915 3rd Ave North which is currently a non-conforming lot. Ms. Cordova stated that the City changed our code not long ago to say:

Any single-family structure, located in any district that was in use as a single-family residence at the time of adoption or amendment to this chapter, and which has continued as a residential use, shall not be considered to be a nonconforming use but shall be considered a special use until such time that the residential use is replaced with another approved use. A single-family residential structure, granted special use status, shall have the same privileges as a permitted residential structure and may be replaced/remodeled if a building permit has been obtained, and as long as the setbacks can be met or a variance is granted. Upon a change in use, to commercial or industrial, the residential structure shall not be changed back to a residential use unless a conditional use permit has been approved through following the public hearing process. A change in use shall not be considered to have occurred until the structure has actually been converted to a nonresidential use. (Ord. 1392, 2015)

The underwriters involved in the Iwasa house situation wanted a 100% rebuild letter for this home. Currently this home doesn't meet the setbacks, so the City cannot issue a 100% rebuild letter. Then the underwriters wanted the City to grant a variance for this property, but the City doesn't know what they are wanting to vary, so the variance can't be issued. Mr. Youngberg stated this was put into place for nonconforming lots, to rebuild within the setbacks and eventually comply. Ms. Cordova stated that a Council member called another surrounding City, and they allow the home owner to re-build on the same foot print within a years' time. Ms. Cordova stated that the City can draft something up for the next meeting to bring in front of the Commission.

- J. Source Water Protection Ordinance- Ms. Cordova stated that many cities have this ordinance, but Payette does not. Ms. Cordova stated this is an effort to protect the City's well water, which is crucial to Payette. Ms. Cordova directed the Commissioners to the overlay map on page 86, and stated that the hydrological reports show is that anything that goes into the ground water between can affect the well water within a certain amount of years. Ms. Cordova gave an example of having a Landfill in the 3-6-year zone, and if there are any containments or leaking seepage that will be in our water. The purpose of this ordinance is to create an overlay zone in our zoning code to protects our wells. Ms. Cordova asked the Commissioners, what do they want to protect and keep out of our water. Mr. Youngberg asked if we currently have some ordinance in place right now? Ms. Cordova stated we have a well head protection ordinance that is required by the State, but not a source water protection. Ms. Cordova stated that the City can draft something up for the next meeting to bring in front of the Commission.

K. Sidewalk Café's- Ms. Cordova stated this would be guidelines or design perimeters, for the downtown district zone to allow outdoor dining areas for restaurants. Ms. Cordova stated this is currently not allowed. Mr. Youngberg asked if it is currently going on. Ms. Cordova stated that Meechans requested a Special Use Permit for that purpose and would like to eventually make it permanent. The Planning & Zoning can set perimeters to what would be allowed, for example: height of fencing, number of tables, umbrellas or only food establishments. The Council wanted to have the main focus be a restaurant that serves beer and wine, not bars. Mr. Franklin thinks this would be a good addition to our downtown area. Ms. Cordova stated that the City can draft something up for the next meeting to bring in front of the Commission.

VI. PUBLIC COMMENT
None

VII. ADJOURNMENT

A motion was made by Henderson and seconded by Youngberg to adjourn the meeting at 7:55 PM

After unanimous voice vote, motion CARRIED.

Matea Gabiola
Recording Secretary



City of Payette

Agenda Request Form

OFFICE USE ONLY

RECEIVED
MAY 10 2016
CITY OF PAYETTE

Date Received _____

Received by _____

Date faxed _____

Faxed by _____

First Name TERRI Last Name LINDENBERG

Current Address 1136 W. FINCH DR. NAMPA, IDAHO 83651

OFFICE
Home Number 208-463-9111 Cell Number _____

Date of City Council meeting 6-20-2016

Describe what you would like to address the Council on

TREASURE VALLEY TRANSIT, INC. OPERATES SNAKE RIVER
TRANSIT SERVING THE CITY OF PAYETTE. I HAVE
SUBMITTED THE FY17 BUDGET REQUEST FOR \$17,000
AND WOULD LIKE THE OPPORTUNITY TO MEET WITH
THE MAYOR + CITY COUNCIL TO ANSWER ANY
QUESTIONS THEY MAY HAVE.

DATE 5-10-2016 SIGNATURE TERRI LINDENBERG

ORDINANCE 1408

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 8.28.020 IN CHAPTER 8.28 OF TITLE 8 BY ADDING A SUBSECTION D RELATING TO FIELD BURNING; AMENDING MUNICIPAL CODE SECTION 8.28.050 IN CHAPTER 8.28 OF TITLE 8 SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. Section 8.28.020 of Title 8, Chapter 8.28 of the Payette Municipal Code is hereby amended to read as follows:

8.28.020: PERMIT REQUIRED:

- A. Open Burning: "Open burning" is defined as the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Any person seeking to conduct an open burn shall apply with the city clerk, fire chief or their designee and obtain a permit for burning. This permit shall expire within five (5) days. Provided, however, that in the event an air quality advisory is issued, a burning ban is in effect, outside air or temperatures exceeding ninety degrees Fahrenheit (90°F), or winds is blowing in excess of ten (10) miles per hour, or for any other reasons or condition exists which in the opinion of the Fire Chief would constitute a public hazard, burning permits may can be terminated and no further permits issued.
- B. Recreational Fire Permit And Use Requirements: A "recreational fire" is defined as any small fire in an approved, self-enclosing portable device or noncombustible structure located at a residence for the purposes of recreation and personal enjoyment. With the exception of fires used in approved outdoor cooking devices that are fueled by natural gas, propane, or charcoal, a city permit must be obtained prior to having a recreational fire. Each city permit shall be effective for ninety (90) days.
- C. Bonfires And Ceremonial Burns: Bonfires and ceremonial burns, hereafter called bonfires, are permitted by permit only. All permitted bonfires must be conducted in accordance with the rules established herein. Any violation may result in issuance of a citation. An application for a permit must be filed with the fire chief, city clerk or their designee a minimum of one week prior to the requested burn date. Permits are only valid for the day of the bonfire.
- D. Fields: A "field" is defined as an area of open land. Field burning is permitted by permit only. All permitted field burns must be conducted in accordance with the rules established herein. Any violation is a misdemeanor. An application for field burning shall be obtained from the fire chief, city clerk or their designee at least seven (7) calendar days prior to the requested burn date. In the event is issued, it will be issued for a specific day and will be valid only for that specified day. No less than twenty four (24) hours before and no more than forty eight (48) hours before the proposed burning date, the permit holder shall contact the fire department to inquire if conditions exist which would invalidate the burn permit.
- E. The fire chief, city clerk, or their designee shall have the right to reject or modify any application which, while meeting these requirements, may present an unreasonable hazard to the safety, health or property of others.

8.28.050: RECREATIONAL BURNING REGULATIONS AND RESTRICTIONS:

A. Minimum Safety Procedures To Be Followed:

1. Recreational fires shall be no closer than fifteen feet (15') from any building, structure, property line, or any other combustible materials.
2. Any person who obtains a permit for recreational fire shall be responsible for any damages caused by the fire.
3. "Portable devices" (defined as devices commercially designed and intended to contain and control outdoor wood fires) shall be used in accordance with the manufacturer's recommendations and must be employed upon a noncombustible surface.
4. The width of the noncombustible surface must be twice the height of the approved portable device or noncombustible structure.
5. All recreational fires shall have a diameter of no more than three feet (3') and may not extend more than two feet (2') high. No person shall maintain a recreational fire in an approved portable device or combustible structure so that flames extend beyond the fire chamber.
6. No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause smoke, embers, or other burning materials to be carried by the wind toward any other combustible and/or flammable materials. Wind speeds may not be in excess of ten (10) miles per hour.
7. Smoke from any recreational fire shall not create a nuisance for neighboring property owners. Persons with permits are encouraged to speak with surrounding neighbors regarding recreational fire usage to reduce the possibility of nuisance complaints. The fire shall be extinguished immediately upon the complaint of a neighboring property owner in regard to nuisance smoke.
8. Only clean, dry, and untreated wood shall be burned, provided that the wood does not extend outside of the fireplace. Material for fires shall not include rubbish, garbage, recyclable items, trash, any material made of or coated with rubber, plastic, leather or petroleum based materials, and shall not contain any flammable or combustible liquids.
9. Either a charged water hose, or a five (5) gallon water bucket, or a five (5) pound ABC fire extinguisher shall be available in a safe location near the recreational fire within twenty five feet (25').
10. All recreational fires shall be attended by at least one person who is eighteen (18) years of age or older, from the ignition of the fire until the fire is completely extinguished.

B. Bonfires, Field Burning and Ceremonial Burns:

1. The fire chief or a designee may inspect the site of the bonfire or field burn prior to approving the application to ensure the area is safe and accessible to emergency equipment.
2. Excessive winds or any other adverse conditions may result in an order requiring the cancellation or extinguishing of a bonfire or field burn in progress.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2016.

CITY OF PAYETTE, IDAHO

BY _____
Jeffrey T. Williams, Mayor

ATTEST:

City Clerk

ORDINANCE 1409

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 13.04.250 D IN CHAPTER 13.04 OF TITLE 13 BY CHANGING INACTIVE PERIOD OF TIME; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. Section 13.04.250 D of Title 13, Chapter 13.04 of the Payette Municipal Code is hereby amended to read as follows:

13.04.250: STATEMENT OF WATER CHARGES; TURN ON CHARGE:

- A. The city clerk shall furnish to each account holder or owner of property for which water service is provided, or to his agent, on a monthly basis, a statement of the amount due for water for the preceding month or up to the time that the meter has been read; and, if said account holder or property owner neglects to pay his water charges within ten (10) days of the date of mailing of the statement, his account shall be delinquent, and a charge as set by resolution shall be added to the account ten (10) days after the account becomes due. The delinquent account holder or property owner shall be notified by regular mail of this delinquency and, if the bill is not paid in full within five (5) days after service of this notification, the right to water shall cease and terminate. The city may require a utility fund deposit as set by resolution, as a condition of receiving water service again, if the deposit has not previously been made, or if the same has been refunded.
- B. In addition, the expense of turning the water on again, shall be set by resolution, or as may be determined by the council, must also be paid.

Until such time that the payments are made, the person who applied for the use of the water at the premises to which water service was terminated because of nonpayment will not be entitled to any water service at any other place or premises within the city.

- C. All monthly meter charges for inactive accounts must be paid by the owner of the property upon which the same is used and not by the tenants thereof.
- D. The city clerk, or a designee, is hereby authorized to collect delinquent payments by any legal method as approved by the city attorney. At such time as any delinquency shall become inactive for a period of time exceeding ~~one year~~ 90 days, said debt may be deemed uncollectible. The city clerk or a designee may prepare a request for write off of the account for the city council's consideration. A written off account may still be collected if the clerk discovers that sufficient assets are available to make collection efforts worthwhile. (Ord. 1371, 2012; Ord. 1359, 2012)

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this _____ day of _____, 2016.

CITY OF PAYETTE, IDAHO

BY _____
Jeffrey T. Williams, Mayor

ATTEST:

City Clerk

RESOLUTION 2016-11

**A RESOLUTION OF THE
PAYETTE CITY COUNCIL
AMENDING FEES**

WHEREAS, the City of Payette, Idaho ("City") is a municipal corporation operating under the laws of the State of Idaho and is authorized to fix rates and charges to offset the costs of administration, operations and maintenance of various programs; and

WHEREAS, pursuant to Title 50, of the Idaho Code the City is authorized to take actions incidental to the management and operation of all City operations; and

WHEREAS, the City has the authority to establish or change fees when conditions warrant; and

WHEREAS, the City has determined that some fees should be changed to reflect the present cost of providing services; and

WHEREAS, a public hearing was held prior to the adoption of this resolution giving the public notice of the proposed fee increases and giving the public the opportunity to comment on the proposed increases;

NOW, THEREFORE, Be It Resolved by the Mayor and City Council of the City of Payette, Idaho that the following fee schedule, which reflects the fees to be charged by the City of Payette, is hereby adopted and set out as follows.

ADMINISTRATIVE FEES

Beer License (off premises)	\$50.00	Annually
Beer License (on premises)	\$200.00	Annually
Wine License (off premises)	\$50.00	Annually
Wine License (on premises)	\$100.00	Annually
Liquor/Wine (on premises)	\$562.50	Annually
Liquor/Wine (Golf Course)	\$225.00	Annually
Liquor License Transfer	\$ 75.00	
Beer and/or Wine License Transfer	\$ 10.00	
Catering Permit	\$20.00	Per day
Door to Door Solicitation	\$50.00	Quarterly
Eating Establishment	\$50.00	Annually
Business License	\$25.00	One Time
Mobile Food Vendor	\$50.00	Quarterly
Gaming Devices	\$8.00	Per device
Pool Table	\$8.00	Per table
Card Table	\$10.00	Per year per table

Billiard Table	\$6.00	Per year per table
Bowling Alley	\$10.00	Per year
Each additional alley	\$5.00	Per year
Shuffleboard	\$8.00	Per year
Taxi Cab License	\$10.00	Per vehicle
Each addition vehicle owned and operated by same party	\$5.00	Per vehicle
Pawn Shop License	\$100.00	Annually
Dance Hall License	\$100.00	Annually
Used Car Dealer License	\$100.00	One-Time
Used Car Dealer Renewal (if not in compliance)	\$100.00	One-Time
Used Car Dealer License Transfer	\$ 25.00	
Mobile Home Park License	\$100.00	
Mobile Home Park Renewal	\$ 10.00	Annually
Tree Care Business License	\$25.00	Annually
Bench Advertising	\$100.00	Annually
Encroachment Permit	\$ 50.00	
Tie down Fees @ airport	\$ 10.00	Per month per plane
Non-sufficient funds fee	\$ 20.00	Per occurrence
(Returned check or electronic transaction)		
(After 2 returned account holder checks or ACH returns, no account holder checks will be taken on the account for 1 year)		
Administrative Fee for a lien	\$100.00	
Auctioned Impounded Vehicles-Notice of Sale	\$10.00	Per vehicle
Salvage Parts Permit	\$25.00	Annually
Building Permit (When Not obtained)	Double the original price of permit (Ord. #1375)	
Parking Violation	1 st Violation	\$5.00
	2 nd Violation	\$10.00
	3 rd Violation +	\$15.00 <90 days
Private Investigator License	\$50.00	Annually
Private Patrolman	\$50.00	Annually
Temporary Parking/ Camping License	\$ 1.00	<30 days
Civil Subpoena Service Fee	\$20.00	
Marriage ceremony performed by Mayor	\$ 5.00	
Notary Fee	\$ 2.00	per signature
Copies	\$.10	Per page (black & white)
	\$.50	Per page (color)
Fax	\$3.00	
Maps		At cost from supplier
Background Check	\$30.00	Per person (ISP - \$20.00 – Admin \$10.00)
Adult Entertainment Business (annually)		
1. Class A license: Three hundred dollars (\$300.00)		
2. Class B license: One hundred twenty five dollars (\$125.00)		
3. Class C license: Two hundred dollars (\$200.00)		
4. Class D license: Fifty dollars (\$50.00) per adult arcade machine		

5. Class E license: Three hundred dollars (\$300.00) plus applicable fees for class A content and fees for each arcade machine under class D

Dog Licensing Fees

Dog License		\$ 20.00	Annually
	Unsexed	\$10.00	Annually
	Sr. Citizen Owner	\$ 6.00	Annually if unsexed
Vicious Dog		\$100.00	Annually
	Unsexed	\$ 75.00	Annually
Late Fee (after February April 1 st)		\$ 10.00	
Kennel License		\$ 75.00	
Boarding Fee		\$ 10.00	Per Day
Impound Fee		\$ 30.00	1 st occurrence
		\$ 50.00	2 nd occurrence
		\$ 75.00	3 rd occurrence
Replacement Tag		\$ 5.00	

Planning & Zoning Fees

Conditional Use Permit Application	\$100.00	
Variance Application	\$200.00	
Annexation Application	\$250.00	
Well Development	\$500.00	per lot
Rezone Application	\$300.00	
Decision Appeal	\$100.00	
Comprehensive Plan Amendments	\$300.00	
Short Plat Application	\$250.00	
Lot Line Adjustment Application	\$100.00	
Preliminary Plat Application	\$200.00	+ \$20.00 per lot
Final Plat Application	\$200.00	+ \$20.00 per lot
Miscellaneous Zoning Application	\$ 50.00	
Impact Fees		
Police Fees:		
Residential	\$457.00	per dwelling unit
Nonresidential	\$ 0.28	per sq. foot
Fire Fees:		
Residential	\$363.00	per dwelling unit
Nonresidential	\$ 0.22	per sq. foot
Building Permit- Prefabricated Building or Structure	\$150.00	
Sign Permit	\$ 50.00	
Engineering Review Deposit	\$1,000.00	

Fire Department Fees

Fire Inspection	\$25.00	Per occurrence (no fee for first inspection)
Daycare Inspection	\$25.00	Per occurrence
Fireworks Sale Permit	\$25.00	Annually
Fireworks Show Permit	\$25.00	Per show

Park & Pool Fees

Special Events Permit	\$200.00	(\$100.00 refundable)
Bandshell Rental	\$ 25.00	Per day
Power usage	\$ 25.00	Per day
Park Permit	\$ 1.00	Per 50 people
Swimming Lessons	\$ 30.00	Per person
Non-refundable	\$ 27.50	each add'l family member
Semi Private Lessons (5 students or less per class)	\$60.00	Ten 30 minute classes
Non-refundable		
Private Lessons	\$10.00	30 minutes per lesson
Non-refundable		
Pool General Admission	\$ 3.00	Per person
Pool Passes		
	Individual	
	\$ 50.00	1 month resident
	\$100.00	3 month resident
	\$ 80.00	1 month non-resident
	\$160.00	3 month non-resident

Senior (62+)	10%	Discount on individual pass	
		Family - Resident	\$100.00
		5 household members	\$ 15.00
			\$200.00
			\$ 30.00
			1 month +
			Per person over 5 count
			3 month +
			Per person over 5 count
		Family – Non-resident	\$130.00
		5 household members	\$ 15.00
			\$260.00
			\$ 30.00
			1 month +
			Per person over 5 count
			3 month +
			Per person over 5 count
		Annual Corporate Pass	\$800.00
		Up to 5 Employees	\$120.00
			12 month +
			Per employee over 5 count
Pool Rentals			\$100.00
			Per hour UP to 35 swimmers
			Addtn'l \$25 for each
			increment of 10
School Groups		Payette School District	\$2.25
			Per person

Shower @ the pool	Other School Districts	\$2.75	Per person
		\$3.00	Per shower

All pool fees are non-refundable

Library Fees

Non-Resident Library Card		\$60.00	Annually, OR
Non-Resident Library Card		\$20.00	Per every 3 months
Fines		\$.25	Per library business day
Meeting Room Reservation		\$ 60.00	(\$50.00 refundable)

Public Works Fees

WATER FEES

Base Rate	¾ - inch	\$6.67	Per dwelling unit 10-01-15
	1-inch	\$11.98	10-01-15
	2-inch	\$46.63	10-01-15
	3-inch	\$106.58	10-01-15
	4-inch	\$186.51	10-01-15
	6-inch	\$426.29	10-01-15
Usage Fee		\$.238	Per 100 gallons water 10-01-15
Rural Water (outside City limits)	¾ - inch	\$13.34	10-01-2015
Usage Fee (outside City limits)		\$.476	Per 100 gallons water 10-01-15
Tap Fees	¾ inch	\$1,500	
	1-inch	\$1,800	
	2-inch	\$3,000	
	4-inch	At city cost	
	6-inch	At city cost	
Permit Fee		\$750.00	Per unit
Meter Placement		\$125.00	Per meter
Utility Account Late Fee		\$ 5.00	
Utility Account Deposit		\$125.00	Per living unit
		\$300.00	Restaurant
		\$125.00	Per non-residential unit
Utility Account Deposit – Trailer Courts		\$125.00	Per space
Involuntarily shut off fee		\$30.00	
Turn on fee after involuntary shut off		\$30.00	
Voluntary shut-off		One free per calendar year/ \$30 after first free one	
Voluntary turn-on		One free per calendar year/ \$30 after first free one	
Commercial Purchase Water		\$.01	Per gallon

SEWER FEES

Base Rate		\$ 16.87	Per dwelling unit 10-01-15
		\$.268	Per 100 gallons water 10-01-15
Rural Sewer (outside City limits)		\$ 33.74	10-01-2015
Usage Fee (outside City limits)		\$.536	Per 100 gallons water 10-01-15
Sewer Permit		\$ 750.00	Per dwelling unit

Fire Protection Fee	\$ 5.25	per household/month
Reconstruction/ Replacement Fund	\$ 2.55	deducted from base rate of sewer charge/user
Sewer Only Users Base Rate	\$ 29.13	per month 10-01-15
Portable Toilet Waste	\$ 5.00	+ \$1.00/100 gallons

INDUSTRIAL CHARGES- Loading Sewer System

Biochemical Oxygen Demand (BOD):

0-3000 pounds	\$ 0.19	per pound
3001 pounds +	\$ 0.38	per pound

Total Suspended Solids (TSS):

0-1500 pounds	\$ 0.13	per pound
1501 pounds +	\$ 0.26	per pound

Flow:

0-500,000 gallons	\$ 0.61	per 1000 gallons
500,001 gallons +	\$ 1.22	per 1000 gallons

Settleable solids:

Higher than 7 mg/l	\$100.00	
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REFUSE FEES

Residential:

Service	\$ 11.24	per month
Can	\$ 2.35	per month

Commercial:

Temporary Container Service

Can-size: 4 cubic yards	Delivery Charge	\$15.00	
	On Call Service	\$ 23.00	per dump
	Rent	\$ 13.00	per month
6 cubic yards	Delivery Charge	\$15.00	
	On Call Service	\$ 32.00	per dump
	Rent	\$ 17.00	per month
2 cubic yards		\$ 42.48	once/week
		\$ 67.93	twice/week
		\$ 97.34	three/week
3 cubic yards		\$53.18	once/week
		\$ 88.62	twice/week
		\$112.84	three/week
4 cubic yards		\$ 68.75	once/week

		\$131.54	twice/week
		\$177.96	three/week
6 cubic yards		\$ 96.15	once/week
		\$164.18	twice/week
		\$221.94	three/week
8 cubic yards		\$121.12	once/week
		\$179.34	twice/week
		\$259.18	three/week
300 Gallon Tub		\$ 35.75	once/week
		\$ 55.14	twice/week
20 cubic yard compactor		\$178.00	per dump
Monthly Rent on Containers			
2 cubic yards		\$10.00	per month
3 cubic yards		\$ 11.00	per month
4 cubic yards		\$ 13.00	per month
6 cubic yards		\$ 17.00	per month
8 cubic yards		\$ 19.00	per month
300 gallon tub		\$ 7.50	per month
Recycling Container		\$ 28.50	per month
Appliance Disposal			
Non-freon unit		\$ 22.00	per unit
Freon unit		\$ 44.00	per unit
Commercial Can			
1-4	32-Gallon Cans	\$ 16.50	each per month
	95-Gallon Cart	\$ 14.50	per month
Commercial Roll-Off Drop Boxes			Per Dump
Container:			
20 cubic yards		\$ 2.85	Daily Rent
		\$135.00	Per Dump
30 cubic yards		\$ 3.15	Daily Rent
		\$142.00	Per Dump
35 cubic yards		\$ 3.40	Daily Rent
		\$147.00	Per Dump
40 cubic yards		\$ 3.50	Daily Rent
		\$155.00	Per Dump

City staff is directed to take all administrative actions necessary to implement the forgoing fee schedule.

Any resolution or any fee inconsistent with the provisions of this resolution is hereby repealed or superseded to the extent of such inconsistency.

This fee schedule shall be effective beginning June 20, 2016 and shall remain in force until revised by subsequent resolution of the Payette City Council.

DATED this 20th day of June, 2016.

Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Payette City Council
From: Bobbie Black, Deputy City Clerk
Date: 6/14/2016
Re: Airport Commission

Handwritten initials "EB" inside a circle.

BACKGROUND & JUSTIFICATION: Bert Osborn, Gary Cox and Jan Zatloukal's position on the Airport Commission will expire on 6-30-2016. They have all agreed to continue on the Airport Commission.

FISCAL IMPACT: None

RECOMMENDATION: Recommend that City Council approves the appointment from the Mayor of Bert Osborn, Gary Cox and Jan Zatloukal to the Airport Commission to expire 6-30-2019.

LEASE AGREEMENT - CITY HANGAR

THIS AGREEMENT made and entered into this _____ day of July, 2016, by and between the CITY of Payette, Idaho, a municipal corporation, hereinafter referred to as "CITY" and Brad McDonald, hereinafter referred to as "TENANT."

1. GENERAL DESCRIPTION: The CITY agrees to rent to the TENANT one hangar within the CITY owned facility at the Payette Municipal Airport. This area does not include the pilot's lounge or restroom area. Tenant may have access to that area in the same manner as other pilots.

2. TERM: This lease agreement shall continue on a month to month basis not to exceed a term of twelve (12) consecutive months. The TENANT shall be required to vacate the rented space upon and after the expiration of the lease agreement. In the event the CITY receives a bona fide offer which would afford the CITY a higher monthly rental, the CITY may give the TENANT notice in writing of the offer and require the TENANT to match the offer within thirty (30) days of receiving such notice. In the event the TENANT agrees to match the terms of the better offer, the parties hereto will renegotiate this lease to the new rental rate. If the TENANT chooses not to match the higher rental offer the CITY shall be allowed to remove the TENANT and TENANT will vacate the CITY owned hanger within fifteen (15) days.

3. RENT: TENANT shall pay to the CITY a monthly rent in the sum of TWO HUNDRED dollars (\$200.00) per month, for use of the Municipal Hangar. The rental shall be paid on or before the 1st day of the month. Payment shall be mailed, or delivered in person, to: Payette CITY Hall, 700 Center Avenue, Payette, Idaho, 83661.

5. SECURITY DEPOSIT: With the signing of this Agreement, the TENANT has deposited with the CITY the sum of \$100.00 as security for the TENANT's performance of all the terms and conditions of this lease agreement. The CITY shall return said sum to the TENANT

after the TENANT has fully and faithfully carried out the terms of this agreement. The CITY may apply such portions of the security deposit as are necessary to restore the premises to its original condition after the TENANT has surrendered the lease premises. The CITY may apply such portions of the security deposit as are necessary to cover any losses the CITY has occasioned by the TENANT's breach of this agreement. The CITY shall not pay the TENANT interest on the security deposit.

6. RIGHT OF ENTRY: CITY reserves the right for itself or agents to go on, into, and have access at all times during the existence of this lease, to said premises for the purpose, including, but not limited to, inspection and showing of the building.

7. TAXES: Any and all taxes assessed by any governmental unit shall be the responsibility of the TENANT.

8. CITY SERVICES: It is expressly understood that the CITY will not provide cleaning, janitorial, water, sanitary sewer, sanitation removal, or any other services to the rented space.

9. USE: The hangar shall be used exclusively for construction or reconstruction of personal recreational "homebuilt" aircraft or amateur experimental aircraft and associated equipment and supplies. Storage of aircraft with an airworthiness certificate is not allowed. Storage outside the hangar shall not be allowed. TENANT shall be allowed to build aviation style clocks.

10. OBLIGATIONS OF TENANT:

(A) Any new construction or improvements made on the property are to be approved in writing by the CITY prior to commencement of either and the same is to be constructed and operated in conformity with all ordinances and regulations of the CITY. Any improvements shall become the property of the CITY upon termination of lease.

b. The TENANT will keep all the leased property in a constant state of good repair, and will not store any airplane parts, automobiles, motor homes, motor vehicles, equipment, or debris outside buildings and will keep the premises in a clean condition.

c. The TENANT shall spray or otherwise control weeds within fifty (50) feet of the hangar.

d. The TENANT shall not use leased land for any purposes other than those authorized herein without the written consent of the CITY. Any repair, maintenance or other work on any aircraft shall be done in compliance with all EPA, DEQ, state, local and federal laws and regulations.

e. Waste Prohibited. TENANT shall not commit any waste or damage to the premises hereby neither leased nor permit any waste or damage to be done thereto.

f. The CITY reserves the right to further develop the airport or landing area of the airport as it sees fit.

h. The TENANT accepts the hangar property as, where is, with all faults, without exception.

i. During any time of war or national emergency, the CITY shall have the right to lease the landing area or any part thereof to the United States government for military or naval use, and if such lease is executed, the provisions of this instrument insofar as they are inconsistent with the provisions of the lease to the government shall be suspended.

j. Except with respect to activities for which the CITY is responsible, the TENANT shall pay as due all claims for work done on and for services rendered or material furnished to the leased premises for which TENANT is responsible. If TENANT fails to pay such claims or to discharge any lien, CITY may terminate the lease forthwith or collect the cost as additional rent. Any amount so added shall bear interest at the rate of 12% per annum from the

date expended by CITY and shall be payable on demand. Such action by CITY shall not constitute a waiver of any right or remedy which CITY may have on account of TENANT's default.

TENANT may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, so long as CITY's property interests are not jeopardized. If a lien is filed as a result of non-payment, TENANT shall, within ten days after knowledge of the filing, secure the discharge of the lien or deposit with CITY cash or a sufficient corporate surety bond or other security satisfactory to CITY in an amount sufficient to discharge the lien plus any costs, attorney fees and other charges that could accrue as a result of a foreclosure or sale under the lien.

k. **Hazardous Substances.** TENANT represents and warrants that the premises will never be used for the generation, manufacture, storage, treatment, disposal, release or threatened release of any hazardous substances, hazardous waste or hazardous materials as those terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 USC Sec. 9601 et seq. ("CERCLA"), Superfund Amendments and Reauthorization Act ("SARA") applicable state laws or regulations adopted pursuant to either of the foregoing. TENANT agrees to indemnify and hold harmless CITY against any and all claims and losses resulting from a breach of this provision of this Agreement. This obligation ceases upon termination of this agreement and a written inspection report by CITY certifying that the premises is free from such hazardous substances. Inspection shall take place within thirty (30) days or upon a new lease of the premises by CITY, whichever occurs first.

l. **Fire Hazards.** The TENANT shall not do anything in the premises or bring or keep anything therein which will increase the risk of fire, or which will conflict with the regulations of the fire department or any fire laws, or with any fire insurance policies on the buildings, or with any rules or ordinances established by the board of health, or with any municipal, state or federal laws, ordinances or regulations.

m. **Liability.** CITY shall not be liable for any loss or injury to persons or damage to property from any cause or causes whatsoever, which at any time may be suffered or sustained by TENANT or by any person who may be using, occupying or visiting the premises and property covered by this lease. The TENANT agrees to indemnify and save CITY harmless from any and all claims, costs and expenses whatsoever arising out of any such injury or damage however occurring on said premises or property.

11. PROHIBITIONS: TENANT shall be subject to all airport rules and regulations, including but not limited to, the following:

(A) No private locks of any type will be allowed on doors. If private locks are installed, they will be removed at the discretion of the CITY.

(B) All items detrimental to the environment shall be disposed of properly. The TENANT of the Hangar unit shall be responsible for the proper disposal of all materials generated from or within that unit. The cost of cleaning up any materials improperly disposed of on airport properties shall be charged to the TENANT of the unit which generated or was the source of the material.

(C) TENANT's private vehicle shall be allowed to be placed in Hangar when the aircraft is removed for a trip. Parking on the apron or grass will not be permitted.

(D) TENANT shall be responsible for cleanliness of the Hangar unit. When, in the opinion of the CITY, a safety hazard is found to exist within the Hangar unit, TENANT will be provided with notice providing for cleanup within seven (7) days, or by such date as the CITY shall demand. If the cleanup is not completed within the designated time, the CITY will perform all cleanup, which, in its discretion, it deems necessary, and the cost of which shall be charged to the TENANT.

(E) This lease shall not be sold, assigned, or in any manner transferred or encumbered by TENANT, nor shall the leased premises or any part thereof be sublet without the prior consent of CITY in writing. TENANT shall keep and use the hangar for no unlawful purpose whatsoever.

(F) TENANT shall comply with the Payette Municipal Airport Minimum Standards now existing or as hereafter amended or adopted by the CITY.

12. INSURANCE: The TENANT, at its sole expense, shall procure and maintain in full force and effect and shall name CITY as additional insured

- a. Comprehensive General Liability Insurance or Commercial General Liability Insurance for bodily injury (including death) and property damage which provides limits of not less than one million dollars (\$1,000,000) each occurrence and written on an occurrence basis. If the insurance has a General Aggregate, it must be no less than two million (\$1,000,000). For either type of general liability insurance, coverage shall include the following endorsement:
 1. **Additional insured endorsement:** Insurance afforded by this policy shall also apply to the City of Payette, and its officers, agents and employees, individually and collectively, as additional insureds.
 2. **Primary Insurance Endorsement:** Insurance afforded by the Additional Insured Endorsement shall apply as primary insurance, and other insurance maintained by the City of Payette, its officers, agents and employees shall be excess only and not contributing with insurance provided under this policy.
 3. **Notice of Cancellation of Change of Coverage Endorsement:** Insurance provided by this policy shall not be canceled or changed so as to no longer meet the specified City insurance requirements without thirty (30) days prior written notice of such cancellation or change being delivered to the City of Payette at the address to which the Certificate of Insurance is sent as specified above.
 4. **Severability of Interest Endorsement:** Insurance provided by this policy shall apply separately to each insured who is seeking coverage or against whom a claim is made or a suit brought, except with respect to the policy's limits of liability.
 5. **Environmental Impairment Endorsement:** Shall be maintained by Lessee who will store, distribute, or use hazardous substances on premises. Insurance provided by this policy shall apply to liability arising out of impairment of the environment by pollutants introduced into or upon the environment as a result of services rendered or activities allowed under this Lease.

B. Workers' Compensation and Employer's Liability Insurance with statutory Workers' Compensation coverage and Employer's Liability coverage of not less than one million (\$1,000,000) per occurrence for all employees engaged in services or operations under the Lease shall be maintained by Lessee who has employees who will be on premises.

Coverage shall include an endorsement whereby the insurer agrees to waive all rights of subrogation against the City of Payette, its officers, officials, employees and volunteers of the City for losses arising from work performed by the Leaseor under this Lease.

C. Fire Legal Liability Insurance shall be maintained by Lessee with limits of not less than fifty thousand dollars (\$50,000) on all real property being leased; including improvements and betterments owned by the City and shall name the City as loss payee. Fire Insurance shall be maintained by Lessee on all personal property contained within or on the leased premises. The policy shall be written on a standard "at risk" Lease, excluding earthquake and flood. The policy shall insure for not less than ninety percent (90%) of the actual cash value of the personal property and shall name the City as an additional insured.

D. Comprehensive Aircraft Liability Insurance shall be maintained by Lessee operating aircraft on airport premises for bodily injury (including death) and property damage which provides total limits of not less than one million (\$1,000,000) combined single limit per occurrence applicable to owned, non-owned and hired aircraft. A minimum of one hundred thousand dollars (\$100,000) per passenger seat is required.

13. DEFAULT: The following shall be events of default:

- a. Failure of TENANT to pay any rent within ten (10) days after it is due.
- b. Failure of TENANT to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within ten (10) days after written notice by CITY specifying the nature of the default with reasonable particularity.

In the event of a default, the lease may be terminated at the option of the CITY by notice in writing to TENANT. The notice may be given before or within thirty (30) days after the grace period for the default. If the property is abandoned by TENANT in connection with a default, termination shall be automatic and without notice.

14. TERMINATION: If the lease is terminated for any reason, TENANT's liability for damages ceases upon the production of a written inspection report by CITY certifying that the premises is free

from such hazardous substances and any other damage. Inspection shall take place within (7) seven days or upon occupancy of CITY or his assigns, whichever occurs first. TENANT shall vacate the property immediately, leaving the premises in the original condition, or better, as when TENANT first occupied the property. Any improvements not removed within thirty (30) days after the termination of this agreement shall become the property of the CITY. CITY may re-enter, take possession of the premises and remove any persons or property by legal action or by self-help with the use of reasonable force and without the liability for damages.

15. **REMEDIES:** The foregoing remedies shall be in addition to and shall not exclude any other remedy available to CITY under applicable law.

16. **WAIVER:** Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

17. **ATTORNEY FEES:** If suit or action is instituted in connection with any controversy arising out of this lease, the prevailing party shall be entitled to recover in addition to the costs such sum as the court may adjudge reasonable as attorney fees, including attorney fees upon appeal.

18. **NOTICE:** Any notice required or permitted under this lease shall be given when actually delivered or when deposited in the United States mail as certified mail, addressed as follows:

To CITY: CITY of Payette
 700 Center Avenue
 Payette, ID 83661

To TENANT: Brad McDonald

or to such other address as may be specified from time to time by either of the parties in writing.

19. Subject to the above-stated limitation on transfer of TENANT's interest, this lease shall be binding upon and inure to the benefit of the parties, their respective successors and assigns.

20. In construing this lease, it is understood that the CITY or TENANT may be more than one person; that if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

21. Prior to execution of this agreement, the parties hereto agree to an inspection of the premises.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the date and year first above written.

CITY OF PAYETTE, IDAHO

TENANT

Jeffrey T. Williams, Mayor

Brad McDonald

ATTEST:

CITY Clerk

STATE OF IDAHO)
 :ss
County of Payette)

On this, the ____ day of _____, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared Jeffrey T. Williams, Mayor, and _____, City Clerk, known to me to be the persons executing the foregoing lease, and acknowledged to me that they executed the same as the Mayor and City Clerk of the City of Payette, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for said State
Residing at: _____
Commission Expires: _____

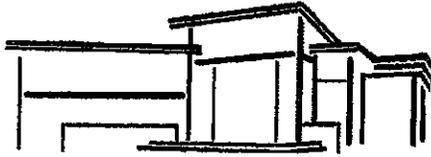
STATE OF IDAHO)
 :ss

County of Payette)

On this, the _____ day of _____, 2016, before me, a Notary Public in and for the State of Idaho, personally appeared Brad McDonald, known to me to be the person who executed the foregoing agreement, and acknowledged to me that he executed the same as the TENANT.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the and year first above written.

Notary Public for said State
Residing at: _____
Commission Expires: _____



Payette Public Library
 24 South 10th Street
 Payette, ID 83661



Library Director's Report

June 9, 2016

Highlights

- 5/18-Notification of award of J.A. and Kathryn Albertson Foundation Grant, Summer of Code Idaho
- 5/20- VMLC Consortium Meeting, Cambridge Community Library
- 5/23-Conducted 1st Grade Field Trips simultaneously as Wendy handled the Kindergarten Field Trips
- 5/25-Hosted Treasure Valley Christian School 2nd Grade Field Trip
- 5/26-Hosted Westside Elementary 4th Grade Class Field Trip
- 5/26- Book sale donation total: \$290.50
- 5/31-Start of Summer Reading, handing out reading logs
- 6/1-STEM Science Camp "Terrarium," Senior Project Payette High School
- 6/1-6/7-Erin out of office
- 6/2-Magician Performance in Amphitheater
- 6/8-STEM Science Camp "SLIME"
- 6/9-Create Day, Summer Reading

Programs: May 2016

Event	Attendance
Storytime	645
Maker Space	59
LEGO Club	66
Outreach /Tours	908
	Total: 1678

Library Statistics: May 2016

	May FY15/16	May FY14/15	May FY13/14
Patron Count	4672	3810	3483
Computer Sessions	769	1106	1049
Items Checked Out	6423	5936	6143
New Items Added (including donations)	205	248	164
Monetary Intake	\$1028.90	\$1179.36	\$1005.69

Library Director Report: June 2016

Library Board of Trustees Approved: 6/9/16

MINUTES OF A REGULAR SCHEDULED CITY OF PAYETTE AIRPORT COMMISSION MEETING HELD JUNE 13, 2016, AT 4:15 P.M. IN THE AIRPORT MEETING ROOM, PAYETTE, IDAHO.

THE MEETING WAS CALLED TO ORDER BY COMMISSIONER PETERSON AT 4:15 PM.

MEMBERS PRESENT: Dave Koeppen, Frazer Peterson, Gene Wilkie, Gary Cox and Jan Zatloukal **ABSENT:** Bert Osborn

Also in attendance was Councilor Massey, Councilor Dodson and Bobbie Black

APPROVAL OF MINUTES:

Cox moved and Zatloukal seconded a motion to approve the minutes of May 9, 2016 as written. Motion carried.

COMMUNICATIONS:

- A. City of Fruitland

AGENDA ITEMS:

1. New Council Liason: Alan Massey was introduced as the new City Council liason for the Airport Commission.
2. Fuel at Airport: The Commission was given updated reports on fuel for May. Koeppen reported we have 590 gallons of av-gas and 369 of mo-gas. He will try to order fuel before the price goes up. Cox asked about getting jet fuel due to fire season coming up.
3. Golf Carts at Airport: Peterson stated they met with Mr. Holcomb and the would prefer to have a sign on the airport and they will come and pick up the pilot and take to golf course.
4. Trees at Golf Course: Peterson showed Mr. Holcomb pictures of the trees in question and he didn't have a problem with the trees being taken out.

GENERAL DISCUSSION:

Black asked Cox and Zatloukal if they would still like to continue on the Airport Commission. They both responded yes.

Koeppen discussed the letter from Payette County Gopher Control regarding gopher concerns for property at 2109 Shelley Drive. Koeppen stated they are not gophers, but whistle pigs. He showed the Commission several photos.

Councilor Dodson commented about the building looking shabby and possibly needs painting, along with some poles. The Commission also discussed the cleaning and vacuuming of the building. The hangar door also needs to be repaired.

Peterson stated when it was raining, we had four wheelers on the airport property and they went on the taxiway and there was mud all over. The Sheriff's office came out and said there was nothing they could do because we did not have signs posted. Two days later had the same thing happened. Peterson stated he hates airports with gates and doesn't want that.

The Commission would like to have an exact date for the RFP for the runway extension.

Koeppen stated the tractor he uses to mow the weeds is having to be repaired.

CITIZENS COMMENTS:

April Ehrlich from the Independent Enterprise asked the Commission about the agreement between the City and County for funding on capital projects.

NEXT AGENDA:

Next meeting July 11, 2016

The Commission discussed the city hangar and would like to have on next agenda.

Tractor bill

Meeting adjourned 5:05 PM.

Recording Secretary

Bobbie Black