

**MINUTES  
PAYETTE CITY COUNCIL  
Work Session & Regular Meeting  
July 5, 2011**

**5:30 PM – Work Session**

**ROLL CALL**

Members Present: Mayor Jeff Williams, Georgia Hanigan, Les Cochran, Lee Nelson, Mark Heleker, Kathy Dodson and Ivan Mussell

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Jennifer Kelley, Human Resources; Mark Clark, Chief of Police; Doug Argo, Holladay Engineering; Bert Osborn, City Attorney

- A. Proposed Used Car Sales & Used Car Lots: Use of an Electronic Wireless Communications Device for Texting** – Clerk Cordova explained the Planning and Zoning Commission reviewed and recommended the City develop an ordinance in back in 2007. An ordinance is on the agenda for introduction during the City Council meeting which places parameters and licensing requirement on lots. The Council was in favor of establishing guidelines and parameters but wanted language addressing leasing a parking spot with a vehicle for sale.
- B. Employee Handbook Revision** – The Council was presented with two options addressing employee involvement with City elections. Option 1 stated employees may not engage in political activities during work hours, while on duty in public service or acting as a representative of the City. Option 2 included examples and encouraged employees to inform their supervisor of a request by a candidate to utilize their knowledge of City facilities. The Council decided Option 1 is sufficient for the employee handbook.

**6:00 PM – Public Hearing**

- A. An application by Josh Jackson for a Conditional Use Permit to build a 30' x 50' garage to store vehicles at 1005 Center Avenue, Gorrie Addition, Lots 1 & 2, Block 16. The property is zoned B-Residential.** – City Attorney, Bert Osborn, read the notice and asked if Josh Jackson was present or if anyone wished to comment. Chris Christopher, 1010 1<sup>st</sup> Avenue North, addressed the Council with concerns about the noise that would be coming from a shop that big. The garage doors would be opening and closing and there would be banging in inside the shop. The only access to the garage would be from the alley and she didn't think that was allowable. She said he is going to have a business and he already told the Planning Zoning Commission that he may sell some cars, which is allowable either. There will be kids screaming from the daycare and she wants her neighborhood to remain quiet. Mayor Williams asked her to limit her comments to the garage only. He asked Ms. Christopher if noise was the only issue she had and if the noise ordinance was adhered to, would she have a problem with the garage. She stated the noise is her issue only. She's lived there for 21 years and wants a quiet neighborhood because her bedroom window faces the alley where the garage will be accessed.

Because Josh Jackson was not present, Mr. Osborn continued the public hearing to July 18<sup>th</sup> at 6:30. Mr. Jackson arrived at 6:45 and was informed of the continuation. He though the meeting began at 7:00 PM.

- B. To receive testimony from interested persons regarding an update to the Capital Improvement Plan/Impact Fees for police, fire, parks and streets. Regarding the possible adoption of the Capital Improvement Plan Update as an amendment to the Payette Comprehensive Plan per IC 67-6509.

Anne Wescott explained the Capital Improvement Plan and how the proposed Impact Fees would affect the City.

Mary Cordova, 700 Center Avenue, addressed the Council. She explained the process to develop Impact Fees began a few years ago when construction was booming. It has slowed down, but the City will be prepared when growth happens again. She said the fees can be phased in and can be developed to fit our needs and City growth as appropriate.

There being no further testimony, the public hearing closed at 7:03 PM.

### **7:00 PM – Regular Meeting**

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

#### **ROLL CALL**

Members Present: Mayor Jeff Williams, Katherine Dodson, Georgia Hanigan, Lee Nelson, Les Cochran, Mark Heleker, and Ivan Mussell

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Jamie Couch, Street Supervisor; Jennifer Kelley, Human Resources; Mark Clark, Chief of Police; Bert Osborn, City Attorney; Doug Argo, City Engineer / Holladay Engineering.

#### **PLEDGE**

Dave Henderson in the audience led the pledge.

#### **CITIZENS COMMENTS**

#### **APPROVAL OF MINUTES**

A motion was made by Heleker and seconded by Cochran to approve the work session and regular meeting minutes of June 20<sup>th</sup>, 2011 as written.

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

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

A motion was made by Mussell and seconded by Dodson to approve the City Bills & Payroll in the amount of \$175,624.26.

At the roll call:

Ayes: Hanigan, Dodson, Nelson, Cochran, Heleker, Mussell

Nays:

The motion CARRIED.

#### **SPECIAL ORDERS**

- A. Fire Chief Oath of Office ~ Tracy Carleton  
The Mayor administered the oath of office to Tracy Carleton as Payette City Fire Chief.

**COMMUNICATIONS**

- A. Idaho Heritage City
- B. Idaho Department of Labor

**PLANNING & ZONING**

- A. 06/02/2011 Meeting Minutes

**OLD BUSINESS**

- A. ORDINANCE #1346- AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING A NEW CHAPTER 10.45 OF THE PAYETTE CITY CODE AND ADDING A NEW SECTION 10.45.010 PROHIBITING THE USE OF AN ELECTRONIC WIRELESS COMMUNICATIONS DEVICE FOR TEXTING WHILE OPERATING A MOTOR VEHICLE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER- 2<sup>nd</sup> Reading

A motion was made by Heleker and seconded by Mussell to introduce Ordinance 1346 by title only.

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

The Council received written comments from the Mayor's Facebook page, most of them favorable. Chief Clark described the difference between an inattentive driving situation and this ordinance. An inattentive driving infraction involves damage to yourself or other property/person. The Police will use this mostly as an educational and awareness tool for our citizens. The fee should be more than \$50 to cover costs. They also discussed reading a GPS system or other electronic device. The Council asked for those changes and will send to a third reading.

A motion was made by Mussell and seconded by Heleker that Ordinance 1346 is passed to a 3<sup>rd</sup> reading.

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

- L. ORDINANCE #1347- AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING A NEW SECTION 5.37 TO THE PAYETTE CITY CODE WHICH SECTION REGULATES PRECIOUS METAL AND GEM DEALERS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.- 2<sup>nd</sup> Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance 1347 by title only

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

The Council received no negative or positive feedback comments from the community regarding the proposed ordinance.

A motion was made by Hanigan and seconded by Heleker to suspend the rules and pass Ordinance 1347 on a 2<sup>nd</sup> reading.

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

A motion was made by Mussell and seconded by Heleker that Ordinance 1347 do pass.

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

### **NEW BUSINESS**

A. Payette Youth Council ~ Mark Heleker - Tess Warzyn, a senior at Payette High School, addressed the Council. Eleanor Johnson, a junior, was unable to attend. Ms. Warzyn described how the Youth Council will be more active once school starts with finding out students interests. They want to complete a mural at Bancroft Park. The Youth Council is very excited to be working on projects for the community. Mayor Williams mentioned including Middle School kids.

B. Appeal of Decision of Planning & Zoning Commission Conditional Use Permit  
~Josh Jackson – This item was not discussed.

C. Beer & Wine License Application ~ Kloy's Pizza

A motion was made by Heleker and seconded by Dodson to approve the beer and wine license for Russ & Julie Warden as Kloy's Pizza.

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

D. ORDINANCE #1349 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING A NEW SECTION 17.80 TO THE PAYETTE CITY CODE WHICH SECTION REQUIRES DEVELOPMENT IMPACT FEES; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER ~ 1<sup>st</sup> Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance 1349 by title only

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

Discussion followed about how the fees would be implemented, what they would be and overall implementation. Councilor Nelson asked if the commercial pricing is correct because it seems kind of high.

A motion was made by Hanigan and seconded by Heleker to move Ordinance 1349 to a second reading.

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

E. Revised Change Order #2 – Payette Library -

A motion was made by Mussell and seconded by Dodson to approve Revised Change Order #2 without the retainage.

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

At the roll call:

Ayes: Hanigan, Dodson, Nelson, Cochran, Heleker, Mussel

Nays:

The motion CARRIED.

**DEPARTMENTAL REPORTS**

A verbal report from Council and staff was given on the AIC conference.

**MAYOR'S COMMENTS**

Mayor Williams stated he had received an email before the meeting and stated that the Payette County Commissioners unanimously approved the re-zoning request for the Nuclear Power Plant.

**CITIZEN'S COMMENTS**

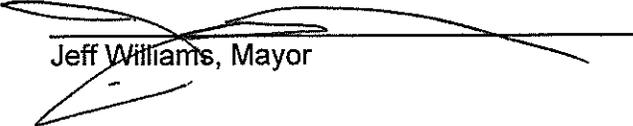
None Heard.

**ADJOURNMENT**

A motion was made by Heleker and seconded by Mussell to adjourn the regular meeting at 8:03 PM.

The motion CARRIED.

Signed this 18 day of July, 2011.

  
Jeff Williams, Mayor

ATTEST:

  
Mary Cordova, City Clerk

06/30/11  
16:37:19

CITY OF PAYETTE  
Claims by Vendor Report  
For the Accounting Period: 6/11

Page: 1 of 4  
Report ID: AP220

Vendor	Claim #	# of Lines	Date Accepted	Check	Amount
559 ACCO	CL 4712	1	06/30/11	5078	766.97
ADVANCED CONTROL SERVICE, LLC	CL 4713	2	06/30/11	5079	2,725.69
214 AVENET, LLC	CL 4714	1	06/30/11	5080	90.00
349 BOISE VAULT & PRECAST	CL 4715	1	06/30/11	5081	2,160.00
329 BRADY INDUSTRIES, INC.	CL 4716	2	06/30/11	5082	462.86
685 DART'S TRUE VALUE	CL 4717	21	06/30/11	5083	982.16
6130 DCS TECHNOLOGIES	CL 4710	6	06/28/11	5077	3,400.00
	CL 4718	2	06/30/11	5084	150.00
443 ENVIRONMENTAL EXPRESS	CL 4719	1	06/30/11	5085	191.56
920 GALL'S INC.	CL 4721	4	06/30/11	5086	329.15
1070 HANIGAN CHEVROLET	CL 4722	1	06/30/11	5087	520.72
1090 HARDIN SANITATION, INC.	CL 4708	2	06/20/11	5076	26,368.68
	CL 4723	6	06/30/11	5088	585.21
370 IDAHO POWER, PROCESSING CENTER	CL 4724	4	06/30/11	5089	5,119.53
1410 INDEPENDENT ENTERPRISE	CL 4725	5	06/30/11	5090	331.74
562 MATERIALS TESTING	CL 4726	1	06/30/11	5091	481.00
1800 METROQUIP, INC.	CL 4727	3	06/30/11	5092	2,923.94
2050 OUTDOORSMAN	CL 4728	1	06/30/11	5093	335.00
231 PAYETTE COUNTY PARAMEDICS	CL 4729	1	06/30/11	5094	6.00
119 PAYETTE HIGH SCHOOL	CL 4731	1	06/30/11	5095	250.00
2190 PAYETTE PRINTING	CL 4730	2	06/30/11	5096	283.35
2250 PAYETTE TIRE CENTER	CL 4732	2	06/30/11	5097	100.00
2310 PITNEY BOWES	CL 4733	1	06/30/11	5098	126.48
485 PNCWA	CL 4734	1	06/30/11	5099	395.00
6065 SMITH, KAYANN	CL 4735	1	06/30/11	5100	15.00
2540 STAPLES CREDIT PLAN	CL 4736	2	06/30/11	5101	111.94
2690 TERRITORIAL SUPPLIES	CL 4737	1	06/30/11	5102	5,625.00
6078 TOTH, GARRY	CL 4738	1	06/30/11	5103	15.00
629 TREASURE VALLEY PLUMBING	CL 4739	1	06/30/11	5104	195.00
205 UNITED PIPE & SUPPLY	CL 4740	1	06/30/11	5105	1,638.18
6143 VAL'S FLORAL	CL 4741	1	06/30/11	5106	37.00
6170 WATER GEAR	CL 4742	1	06/30/11	5107	113.93
1826 WHITE CLOUD COMMUNCATIONS	CL 4743	2	06/30/11	5108	622.26
CITY OF PAYETTE - PAYROLL	ET				106,369.45
CITY OF PAYETTE - FIRE PAYROLL	ET				11,796.46
Total:					175,624.26