

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

6:30 PM – Work Session

A work session of the Payette City Council was called to order at 6:35 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, Nancy Dale, Kathy Dodson, Ray Wickersham and Craig Jensen.
Members Absent: Alan Massey
Staff Present: Mary Cordova, City Clerk; Mark Clark, Chief of Police; Steve Castenada, Fire Chief; Randy Schwartz, WWTP Supervisor; Ed Franek, Shop Supervisor; Denise Rueschhoff, Administrative Assistant and Darwin Decroo (of the WWTP, arrived at 6:50 PM).

AGENDA ITEMS

None

DEPARTMENT REPORTS

1. Police Department – July 2016 – Clark stated that July was the busiest month ever with over 800 calls during the month. POST Academy has postponed one candidate to January. Officer Kyro is set to leave for POST on Sunday. Officer Yates was injured with bruises and an injured arm Monday evening September 5, following a traffic stop. The suspect ran after the initial stop. In the stop, there were both drugs and counterfeit money confiscated. Additional taser and tactical training is slated for the month of September. The department is ready for the annual Cruise Night this upcoming weekend. The Mayor asked about the current arson situation. Clark stated that after putting potential vehicle information out to the public, there has not been any further instance of an arson related fire.
2. Fire Department – July 2016 – Castenada stated that a grant in the amount of \$10,000, has been received for extrication equipment. This new equipment will be battery operated and will cut more of the new metals in newer cars. This piece of equipment will save time during an accident. The Grant was written by Bobbie Black.
3. Administration
 1. Treasurer's Report – July 2016 – Cordova stated that all of the changes that were talked about in the previous meeting were made and all of the applicable cuts were made. The Airport was changed to reflect the loan fund increase. Dale asked about a jump in particular numbers and Cordova stated that the revenue was shown from the sanitation fund, but not expense. The Sewer Vacuum Truck will come out of this fiscal year, not next year's budget. Wickersham asked about certain State shared revenues. Cordova stated that the State gives estimates early on and then actual figures can be applied during the year. The additional \$7000 for Snake River Transit is not listed. Some categorization is actually a housekeeping function. Dale asked about the sand and gravel only showing \$6000. Cordova stated that the large purchases for seasonal sand and gravel are still to come out. Cordova related the differences in the print date of the reports versus the report date. The report date will always be for the time frame as indicated at the top of the report. Cordova stated that the last Treasurer's report was for June, 2016. Mayor Williams asked Castenada about the run reports for this July

versus last July. Castenada could not account for a particular reason. Dodson asked about sanitation expenditure and contract. Cordova stated that the auditor made adjustments that are reflected in the General Fund, audit report and balance sheet.

FUTURE MEETING TOPICS

None heard.

ADJOURNMENT

Mayor Williams adjourned the work session meeting at 6:59 PM.

7:00 PM – Regular Meeting

A regular meeting of the Payette City Council was called to order 7:00 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, Nancy Dale, Kathy Dodson, Ray Wickersham and Craig Jensen.

Members Absent: Alan Massey was excused.

Staff Present: Mary Cordova; Mark Clark, Chief of Police; Steve Castenada, Fire Chief; Randy Schwartz, WWTP Supervisor; Ed Franek, Shop Supervisor; Bert Osborn, City Attorney; Darwin Decroo, WWTP and Denise Rueschhoff, Administrative Assistant.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Williams.

PUBLIC HEARINGS

Bert Osborn conducted the public hearings.

- A. Liquor Locations – Amending the Payette Municipal Code section 17.32.030 in Chapter 17.32 of Title 17, 17.34.030 in Chapter 17.34 of Title 17, and 17.36.060 in Chapter 17.36 of Title 17 by allowing licensee to operate upon existing licensed premises without obtaining a Conditional Use Permit. Cordova stated that there was a work session in May regarding suggested changes to go to the Planning and Zoning Commission. They had hearings and input and returned with suggestions to the City Council. The proposed ordinance will allow for not having a Conditional Use Permit if the existing license is in force and no changes are to be made with new ownership. Nelson asked of Osborn about turnover of ownership of bars. Prior transfers may have been held up by the wait on the Conditional Use Permit. If new owners made hour or serving changes, then the Conditional Use Permit regulations would apply. Dodson stated that she thought that this discussion started when a potential owner has had to go through many regulations to reach the point of having their business actually open. She stated that we were actually making it harder still for these potential business owners.

There were no comments from the general public.

- B. Non-Conforming Lots – Amending Payette Municipal Code section 17.56 to allow certain exceptions to rebuilding on non-conforming lots. Cordova stated that this came before the City Council for rebuilding on non-conforming lots. The last Planning and Zoning meeting did not address residential lots. Jensen asked about the rebuild threshold of 60%. Osborn stated that the purpose of this ordinance was to reference,

residential lots that can be rebuilt on the same footprint. Are some owners limited to building a smaller house because of setbacks and the footprint? We have not had this issue in the residential zones. They would not necessarily be exempt from other codes such as fire.

There were no comments from the general public.

- C. Sidewalk Cafes- Amending the Payette Municipal Code section 17.34.020 in Chapter 17.34 of Title 17, by adding permitted use. Cordova stated that this meets the criteria for what the Council was intending toward sidewalk Cafes. Nelson asked if this was supposed to be geared toward food establishments rather than bars. Osborn stated that it would apply to all food and beverage establishments. In order meet the requirements, all state and health department laws would apply to food and alcohol establishments.

There were no comments from the general public.

Public hearings were closed at 7:28 PM.

CITIZENS COMMENTS

Lewis Blakely, 1424 3rd Avenue South, Space 13, Payette, addressed the Council. He stated that he would like to see the Neighborhood Watch program started again in our City.

APPROVAL OF MINUTES

- A. 08-15-2016 -- Work Session & Regular Council Meeting
- B. 08-22-2016 -- Special Meeting
- C. 08-29-2016 -- Work Session -- Strategic Plan

A motion was made by Dale and seconded by Nelson to approve the minutes of 08-15-2016 Work Session & Regular Council Meeting and 08-29-2016 Work Session -- Strategic Plan Meeting as written but not the minutes of 08-15-2016 due to missing page 2 of the minutes.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Jensen and seconded by Nelson to approve the City Bills & Payroll in the amount of \$222,749.71.

At the roll call:

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

Nays: None

The motion CARRIED.

SPECIAL ORDERS

None

COMMUNICATIONS

- A. Thank You -- Payette Historical Museum
- B. Hometown Hero -- Scotch Pines Golf Course

PLANNING & ZONING

A. Meeting Minutes – August 25th

B. Utility Pole/Antennae Heights discussion – Cordova stated that this has come about due to the increased request for placement of power, cell and utility poles. There is currently not a height restriction in any zone. The question has arisen due to the potential for poles or towers that may be considered invasive or contain lighting that would light neighbors' yards, etc. The need is to have something in place prior to the actual problem. The Council stated that Planning & Zoning should continue forward and bring a recommendation back to City Council for a proposed ordinance.

AGENDA ITEMS

A. Agenda Request – Jared Bake – Fishing Dock at Greenway –Mr. Bake did not attend the meeting. Mayor Williams asked Rueschhoff to contact Mr. Bake and find out his future intentions towards the project.

B. ORDINANCE 1415 - ANNUAL APPROPRIATIONS ORDINANCE
AN ORDINANCE ENTITLED ANNUAL APPROPRIATIONS FOR THE TWELVE MONTH PERIOD FROM THE FIRST DAY OF OCTOBER 2016 TO AND INCLUSIVE OF THE THIRTIETH DAY OF SEPTEMBER 2017; APPROPRIATING NINE MILLION, TWO HUNDRED SEVENTY-EIGHT THOUSAND, ONE HUNDRED FIFTY-EIGHT DOLLARS (\$9,278,158) TO PAY THE EXPENSES OF THE CITY OF PAYETTE, PAYETTE COUNTY, IDAHO, AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE – 1ST Reading

A motion was made by Nelson and seconded by Jensen to introduce ordinance 1415 by title only.

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

Dale stated she would like to have further review of the budget and have this ordinance go to a second reading. Dale stated that the work session could be held Thursday in order to get to the County by Friday. Jensen stated that he too would like to see a second reading. The Mayor does not want to see another meeting just for the sake of another meeting. He asked Dale what she actually wanted to see differently than what has been presented. The Mayor stated that he thinks all of the information is in front of the Council. Dale had talked directly to the County Clerk to be sure that this time frame would actually work for getting the numbers to the County Commissioners. She was assured that this timing would work. The Mayor asked Dale to expound on what she does not feel comfortable with in the budget presentation and adjustments that have been made. Dale wants to be sure of what she is voting for in the budget. Jensen also felt another meeting would be in order because he is not comfortable with or understanding some of the figures and the 3% wage increase is one area he has concerns with in this budget.

A motion was made by Dale and seconded by Dodson to move Ordinance 1415 to a second reading.

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

A Budget Work Session Meeting will be Thursday at 4 pm.

- C. ORDINANCE 1410 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.32.030 IN CHAPTER 17.32 OF TITLE 17, 17.34.030 IN CHAPTER 17.34 OF TITLE 17, AND 17.36.030 IN CHAPTER 17.36 OF TITLE 17 BY ALLOWING LICENSEE TO OPERATE UPON EXISTING LICENSED PREMISES WITHOUT OBTAINING A CONDITIONAL USE PERMIT; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; PROVIDING A PENALTY– 1st Reading

A motion was made by Nelson and seconded by Jensen to introduce Ordinance 1410 by title only.

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

Nelson asked about what would happen if the new owners got the CUP and then changed their hours. Osborn said that would be prohibited under this ordinance. The wording needs to be changed for increased hours of operation.

A motion was made by Nelson and seconded by Wickersham to suspend the rules and pass Ordinance 1410 on the first reading with the change of increased hours of operation in the wording.

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

A motion was made by Nelson and seconded by Jensen of Ordinance 1410 do pass.

At the roll call:

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

Nays: None

The motion CARRIED.

- D. ORDINANCE 1412 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.56.060 IN CHAPTER 17.56 OF TITLE 17 BY ADDING A NEW SUB-SECTION 1, EXCEPTIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1st Reading

A motion was made by Jensen and seconded by Nelson to Introduce ordinance 1412 by title only.

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

A motion was made by Jensen and seconded by Nelson to suspend the rules and pass Ordinance 1412 on the first reading.

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

A motion was made by Jensen and seconded by Nelson of Ordinance 1412 do pass.

At the roll call:

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

Nays: None

The motion CARRIED.

- E. ORDINANCE 1413 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTIONS 5.10.020, 5.10.030 AND 5.10.040 IN CHAPTER 5.10 OF TITLE 5 TO ALLOW FOR OUTDOOR CONSUMPTION OF ALCOHOLIC BEVERAGES WHEN CONSUMED AT A SIDEWALK CAFÉ OR OUTDOOR DINING AREA; AMENDING SECTION 5.12.010 IN CHAPTER 5.12 OF TITLE 5, BY ADDING NEW SUBSECTIONS PROVIDING FOR SIDEWALK CAFES AND OUTDOOR DINING AREAS; CREATING A NEW SECTION 5.12.020 PROVIDING FOR SIDEWALK CAFES AND OUTDOOR DINING AREAS; SETTING OUT A STATEMENT OF FINDINGS; PROVIDING FOR AN APPLICATION AND PERMIT PROCESS; REQUIRED INFORMATION IN THE APPLICATION; PROVIDING FOR REVOCATION OF A PERMIT; LIMITING THE USE TO THE PARAMETERS SET IN THE APPLICATION; RENUMBERING SECTIONS 5.12.020 AND 5.12.030; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY – 1st Reading

A motion was made by Nelson and seconded by Jensen to Introduce Ordinance 1413 by title only.

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

A motion was made by Nelson and seconded by Dodson to move Ordinance 1413 to a second reading.

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

- F. ORDINANCE 1411 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 17.34.020 IN CHAPTER 17.34 OF TITLE 17, BY ADDING PERMITTED USE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER – 1st Reading

A motion was made by Wickersham and seconded by Jensen to introduce Ordinance 1411 by title only.

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

A motion was made by Dodson and seconded by Jensen to move Ordinance 1411 to a second reading.

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

- G. ORDINANCE 1414 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 12.16.020 INCREASING THE NUMBER OF PERSONS FROM 50 TO 199 BEFORE A RESERVATION IS REQUIRED; ALLOWING FOR RESERVATIONS IN CITY PARKS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; PROVIDING A PENALTY.

A motion was made by Jensen and seconded by Dodson to introduce ordinance 1414 by title only.

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

In discussion, Jensen stated that he was hoping to make our park system more user friendly. This would allow for signs to be placed for reserving specific areas, rather than just on a first come, first served basis. The fee structure would allow for more reasonable fees and uses. Dale asked if someone called what would be the procedure. Jensen stated that they would come to City Hall to get signs that they could then place where their park use would be located. Signage would be returned to City Hall after the use.

A motion was made by Dale and seconded by Jensen to move Ordinance 1414 to a second reading.

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

- H. Sidewalk Cafe guideline approval was moved to the next meeting, The Mayor asked Jensen to speak with Kathy Patrick of the Senior Citizen's for input because we need to understand what uses and needs may entail in the future. The Mayor stated that there may be other interested parties, such as Kimmie Serrano of Meechan's Briq Haus, that can have input as well to see if this is reasonable.

- I. Library request for consideration – Capital Improvement Expenditure

A motion was made by Nelson and seconded by Jensen to move \$1100 to Capital Improvement line item and leave \$835 as Library Repairs and Maintenance line item.

The Mayor stated that the procedure should have been handled differently and Cordova affirmed that the recent purchasing policy covered the expenditure. The Mayor stated that approval should have been gotten prior to the actual work being contracted for and completed.

At the roll call:

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

Nays: None

The motion CARRIED.

- J. Resolution #2016-12– fee changes

A motion was made by Jensen and seconded by Wickersham to approve Resolution 2016-12 to reflect the following

changes, Park Permit Use Fee is eliminated for parties under 200, and electric fee is reduced from \$25 to \$10 per day.

At the roll call:

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

Nays: None

The motion CARRIED.

- K. Contract Award - Airport Runway Extension Project – The Mayor stated that we had five bids come in for the Airport Runway Extension. Dave Koeppen, Airport Commissioner, addressed the Council regarding the Airport Runway Extension Project. There may actually be extra money that can address additional paving. Dodson also asked about ground sterilization for weed control. Mr. Koeppen stated that weed spraying and the sterilization has created some problems with the golf course when leaching into their area occurred. Osborn stated that there is also some in-kind work coming into the project.

A motion was made by Jensen and seconded by Dodson to approve the Airport Runway Extension Project contract and award the bid to the contractor, Diamond Construction.

At the roll call:

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

Nays: None

The motion CARRIED.

- L. Proposed Meeting Date Change for October 3rd

A motion was made by Jensen and seconded by Dodson to move the October 3, 2016 Regular Council meeting to Tuesday, October 4, 2016 at the same time and location.

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

BOARD & COMMISSION REPORTS

- A. Forestry Commission – August 25th – No comments heard.

MAYOR'S COMMENT

The new utility assistance program is rolling out and has had a response already. As of today, \$18 has been donated for this program. Dodson asked if there is a place on the utility billing statement for this contribution. Cordova stated that yes, there is a line for the donation. The Mayor stated that it has only been a couple of weeks from the introduction. The Mayor also stated that Mr. Higley from the High School came in to City Hall with the question of having an intern work with the staff at City Hall. A student started today and will continue as an office intern.

CITIZEN'S COMMENTS

Dave Koeppen addressed the Council and thanked the Council for the long, hard work on the Airport project.

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 Jensen and seconded by Wickersham 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: Nelson, Dale, Wickersham, Dodson, and Jensen.

Nays: None

The motion CARRIED, and the Council recessed into Executive Session at 8:45PM.

A motion was made by Jensen and seconded by Nelson to reconvene into the regular meeting.

After a unanimous affirmative voice vote, the Council reconvened into regular session at 9:44PM.

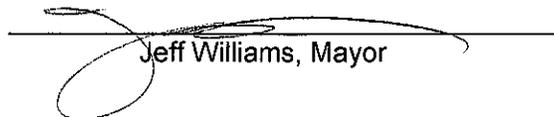
The Council agreed to move the time of the earlier discussed budget meeting scheduled for Thursday, September 8, at 4:00PM to 10:00AM the same day.

ADJOURNMENT

A motion was made by Jensen and seconded by Nelson to adjourn the regular meeting at 9:45 PM.

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

Signed this 9/20 day of, 2016.


Jeff Williams, Mayor

ATTEST:


Denise Rueschhoff
Administrative Assistant