

**MINUTES**  
**PAYETTE CITY COUNCIL**  
**Work Session & Regular Meeting**  
**September 15, 2014**

**6:30 PM – Work Session - Contractors**

**ROLL CALL**

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

**Members Absent:** None.

**Staff Present:** Steve Castenada, Fire Chief; Clint Benson, Building Inspector; Mark Clark, Chief of Police; Bert Osborn, City Attorney; Mary Cordova, City Administrator; Brenda Stowe, Administrative Services Clerk.

Mayor Williams and Councilor Jensen talked some time ago about some of the things builders say about how we can expedite our services or make it easier, this is not to pick on our Building Inspector but a communication effort so that we learn what the public may say versus what is actually happening, so its an open dialog with the Building Department too. A couple of things the Mayor has heard is the timely manner in which inspections are held, working with contractors when there is a violation or challenges after the last inspection instead of shutting the whole project down. Councilor Jensen said that he has heard what the Mayor had brought up, in regards to a re-inspection that closed the entire project down instead of just the affected area, they should be able to keep working on the project that doesn't have a violation until it is corrected and then have it re-inspected. The other things he has heard from the builders in the area is in regards to the Impact Fees, our surrounding neighbors do not have these, why do we feel the need to have them. Where do they go, are they ear-marked to a particular department, what is it they are paying for? He feels there is some miscommunication between builders the inspectors and or the City. The Mayor explained that he served as a member of a legislative task force with the Idaho Association of Realtors, he was still a Council member then, that legislative body cautioned cities about charging development fees, which we were, that was not the way to go about it. The Council at that time engaged our Planning & Zoning Commission, they had committee meetings, the Council had work sessions and they hired someone to come in and talk to the Council about the legalities, it involved months of meetings and public hearings to become legal with that process. The fees cover Fire and Police, however there could be additional fees implemented in the future as well, to Parks and Streets. The Council at that time felt that by charging for all would be too expensive (over \$2000.00), and they would only charge for the two which is about \$825.00. The theory there is new people who come into our community have impact on our police, fire, streets and parks that those new comers should pay their way. Impact Fees currently are in place for Fire Dept. and Police Dept. At the time of the Public Hearings it was decided to go with the smaller amount. Councilor Sands replied in perspective, we were going through quick expansion of development at the time and the Impact fees were put in place to get ahead of the curve and to offset expansion fees. We had no subdivisions at one time, and then a change of mode where we had several, everyone around us was booming too. Of course we've had five or six years of depressed market and we solved that somewhat by our reduction in building permit fees. We have offset to a point, but still looking down the road He feels that was a good choice made by the Council because down the road somewhere the markers get called in. He doesn't think it is anything that they can't adjust as a Council, we went too pretty great lengths, it was after months of study, and it was no quick act thing. The Mayor said from his other job he knows we have lower water fees, lower sewer bills, sewer hookup fees, and development fees. We are the only ones that have impact fees, but he still feels that for someone building a new house, Payette still has lower fees. Councilor Nelson said that Ontario is looking to get rid of impact fees. Councilor Wickersham wanted to know what our numbers are. Are we putting fees on top of other fees? Jensen is concerned our fees are prohibiting us from new business. Mary Cordova stated that the Council had a lot of foresight in

doing this with the theory "Growth must pay for itself". Why should existing homeowners pay for an additional road just because someone new wants to build? We were charging \$850.00 and calling it a development fee, about that time Ontario got in a pickle for charging fees without a legal process. We were doing the same thing. So the Council at that time said if we want to continue charge a fee we must continue to do so in a legal manner. We worked on it about a year to develop a Capital Improvement Plan. The County hired the same company we did to develop the same process, Ann Westcott, but when the economy began to slow down they dropped the idea. Mayor Williams replied because of his other job he is aware that our fees are lower and he is proud of that. Builders can know that it is cheaper and that one thing will stick in your mind. Councilor Dale stated that a developer can say why do we have to pay impact fees? When I don't have to pay an impact fee somewhere else? Councilor Wickersham thought that Councilor Jensen could have said yes, you are paying impact fees but you are still paying less than you would anywhere else. Building Inspector, Clint Benson replied that it is on the building permit that he has a 24 hour window to complete the inspection and he does do so unless he is sick. It is rare that if they call the day before that he doesn't do the inspection the next day. Sometimes if they call early enough he is able to do so the same day. Benson stated that in a framing inspection if he comes across something that structurally doesn't meet the code he'll write a correction list and leave a copy on the site that is one thing that may hold up construction. He does work with people and he understands that time is money. The Mayor did hear a great compliment about working with Mr. Benson; the builder did enjoy working with our City Inspector. Benson invites people to come to him; he would rather meet face to face to discuss a problem. There are a few builders that anytime a correction must be made it makes him the bad guy. If you are stopping somebody from working because they don't have a permit or ask them to make corrections they are not going to look at you like your best friend. Benson always tries to write notes in red ink to bring awareness to foreseeable issues in the field they may encounter, or changes to the plans that must be made with a date and his signature. Some of the problems he runs into is they don't read the plans or lose them. Another question is in helping them move things along we're not helping them move along by ignoring the codes. Jensen asked if there was a way to keep from stopping a whole project and keep people working? Benson replied that would put the City at risk, by allowing work to be completed that may not meet code. If there is a way to keep things moving he will, time is money, he does try to work with folks, but if there is not a building permit work has to stop. Ms. Cordova brought to the Council's attention that they set it that if there is no building permit, work is stopped and fees are doubled. Having a building permit is important. Heleker feels that most businesses are always jockeying for the best deal they can get just like any other business, yes, we can market it better, but overall he feels good about what we offer builders in our community. Mayor Williams said Building codes interpretations are up to the builder, if an individual is building and choses to put themselves at risk by using a lower grade product, it is one thing, but a business putting the public at risk is something else. Our building inspector has to make sure public structures are done to code. Councilor Sands was in the building inspectors shoes for many years, the key to code is uniformity. We're paying these guys to enforce our code. If we can't support our help, there is something wrong; if the builders lose their plans or don't bother to read their plans then it's their fault not the building inspector. He commends Benson for doing his job. Sands reminded the council that the inspectors are not designers; they are being paid to make sure the build is to code.

### **7:00 PM – Regular Meeting**

A regular meeting of the Payette City Council was called to order at 7:10 PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

### **ROLL CALL**

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

Members Absent: None.  
Staff Present: Steve Castenada, Fire Chief; Clint Benson, Building Inspector; Mark Clark Chief of Police; Bert Osborn, City Attorney; Mary Cordova, City Administrator; Brenda Stowe Administrative Services Clerk.

**PLEDGE**

The Pledge of Allegiance was led by Janet Loveland.

A motion was made by Jensen and seconded by Dale to amend the agenda to include item B. Contract for Airport Improvement, C .Modification to PPD Fitness Policy, D. Rose Advocates Donation, E. Clarification of Museum Donation and F. Extension of Hwy 95 Developments Landscape Plan.

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

**CITIZENS COMMENTS**

None.

**APPROVAL OF MINUTES**

A motion was made by Heleker and seconded by Sands to approve the Regular meeting minutes of 09-02-2014 with the changes made to New Business Item F clarifying Councilor Heleker's statement and identifying the County Commissioners as those who wish not to ask tax payers for more money.

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

**APPROVAL OF BILLS & PAYROLL**

A motion was made Sands and seconded by Nelson to approve the City Bills & Payroll in the amount of \$264,288.64.

Councilor Jensen questioned the amount for Holladay Engineering and the Payette County Sheriff.

At the roll call:

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

The motion CARRIED.

**SPECIAL ORDERS**

None

**COMMUNICATIONS**

None

**PLANNING & ZONING**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

- A. **Building Permit Fee Discussion** –Ms. Cordova explained that in August of 2013 our building permit fees were at 53% of the national average and the Council dropped them down to 45% to compete with our neighbors. At that time our building fees were less than our neighbors to encourage building in our city. We need to decide if we wish to continue with the discount and tell builders “Our building permits are on sale, come build in Payette” or do we want to raise it back to where it was. The Council wished to know where we are in comparison with our neighboring cities. Are we still lower than our neighbors?

A motion was made by Wickersham and seconded by Heleker to approve the extension of the discount of 45% of our building fees to August 31, 2015.

At the roll call:

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

Nays:

The motion CARRIED.

- B. **Contract for Airport Improvements- Runway Extension** – Councilor Nelson asked if we still have money from the state to pay for the improvements, Ms. Cordova replied yes the project is state funded; we have some matching money for Phase I and Phase II. Doug Argo stated that we do not do aviation planning it is handled by the state. Councilor Heleker asked if the extension would impact Mr. Gray’s land, Cordova answered hopefully not. Councilor Nelson asked if the Golf Course had trimmed the trees that were affecting the runway, Ms. Cordova stated that the trees will be taken care of in the master plan. Cordova would like to get some of this out of the way before the end of this budget. Attorney Bert Osborn stated that to get the job the contractor would have to agree to his terms.

A motion was made by Sands and seconded by Heleker to approve entering into Contract with T.O. Engineering for Airport Improvements subject to Attorney Bert Osborn’s final modifications.

At the roll call:

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

Nays:

The motion CARRIED.

- C. **Modification of Payette Police Fitness Policy** – Chief of Police, Mark Clark explained that currently his officers take a Post fitness test twice a year, at this time it is the same test in spring and fall. His officers have asked to make one of those test a SWAT team fitness test, it is a more physically demanding course. He stated that policy wording only addresses the Post test that the officers are currently doing twice a year. He would like to do the Post fitness test in the spring and the SWAT fitness test in the fall. There is a small increase in the fees that are included in the budget.

A motion was made by Dale and seconded by Heleker to accept the Modifications to the Payette Police Department Physical Fitness Program.

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

- D. Rose Advocate Fundraiser Request- Councilor Dale wished to make aware that October 6<sup>th</sup> is the annual fundraiser for Rose Advocates. Rose Advocates currently serves Adams, Gem, Payette, Valley and Washington Counties as well as part of Boise with the main office in Payette. The fundraiser is to be held in Weiser at the Vendome Event Center. Possible Guest Speaker Abbey Lee, if not her then Brian Lee, participants will receive a great dinner and opportunity to participate in a silent auction. Councilor Dale would like 2 or 3 couples to represent Payette and is asking the City Council's support by purchasing those tickets.

A motion was made by Heleker and seconded by Sands to purchase 6 tickets at \$20.00 each for the October 6<sup>th</sup>, 2014 Rose Advocate Fundraiser.

At the roll call:

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

Nays:

The motion CARRIED.

- E. Museum – It was asked if when the City agreed to waive water and sewer fees were they also going to waive the garbage and cart fees. Councilor Jensen stated that most assumed that the garbage and cart fees would be waived as well. Councilor Heleker agreed.
- F. Extension of Highway 95 Development Landscape Plan- Mr. Goodwin has asked the requirement of landscaping for his project on Hwy 95 be extended until after the C of O. Ms. Cordova reported that Mr. Goodwin has not yet submitted a landscaping plan. Because Mr. Goodwin is putting in multiple businesses it is thought that he wishes to put one plan all at once not in three or four different plans. The Council understands that, but they need to have a plan. If we are not uniform with this and consistent it can cause problems with other businesses. Jensen would like to work with the developers by giving a time frame and perhaps charging only one fee, instead of adding fees each time they change their plans. Ms. Cordova stated that we try to make things easier for the contractor, save him a few dollars, usually the contractor needs to submit landscape plans with the building plans. Benson said typically landscaping is complete prior to issuing a Certificate of Occupancy, if it isn't we have no way to make sure it gets done. Cordova stated that Mr. Goodwin wishes to landscape in the spring but he wants a Certificate of Occupancy in October. Mayor Williams said the Council needs a landscaping plan and landscape in front of the building.

### **DEPARTMENTAL REPORTS**

- A. Police Department – August 2014
- B. Fire Department – August 2014
- C. Treasurer's Report –August 2014

- D. Airport Commission – Wickersham commented that the Airport Commission is looking into purchasing an additional fuel tank from Weiser to be able to buy more fuel.
- E. Library Commission – Dale stated that the Board of Trustees would like to do a patron survey after the first of the year to better serve our community. The Library Director Erin Hailey will be attending the ILA Conference.
- F. Historical Commission – Councilor Jensen said the Chamber of Commerce will be coming up with a new City Motto and the committee will also be working on setting downtown business inventory on line in the future..

**MAYORS COMMENTS**

The Mayor commented that Phase 2 of the Boat Ramp Grant Project is out for bid.

**CITIZEN'S COMMENTS**

Councilor Heleker wished to thank the Council and everyone for the support during Homecoming.

**ADJOURNMENT**

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 8:10 PM.

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

Signed this 16<sup>th</sup> day of September, 2014.

  
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Jeffery T. Williams, Mayor

ATTEST:

  
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Brenda Stowe