



AGENDA
PAYETTE CITY COUNCIL
October 1st, 2012
PUBLIC HEARING, WORK SESSION &
REGULAR MEETING
HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

GEORGIA HANIGAN MARK HELEKER
LEE NELSON IVAN MUSSELL
CRAIG JENSEN JEFF SANDS

6:30 PM – Public Hearing

- A. An application by RCG, Inc, PO Box 220, New Plymouth, ID, 83655 for a preliminary plat for Sunset Rim Subdivision. Property is located at 2292 7th Avenue North. The property is zoned B-Residential. 1

- B. An application by RCG, Inc for a Variance Application to reduce the front setback to 20' from the property line and 45' from street, and side setback to 6' for proposed new residential subdivision located at 2292 7th Avenue North, a portion of the SE ¼ SE ¼, Sec. 27, T9N, R5W, BM, Payette County, Idaho and more particularly described as follows: Commencing at the SE corner of said Sec. 27, from which E 1/16 corner common to said Sec. 27 and Sec. 34 bears N89°31'12" W a distance of 1330.61'; thence along the S line of said Sec. 27, N89°31'12" W a distance of 736.61' to a point; thence leaving said S line, N 00°38'45" E a distance of 40' to a point on the Northerly ROW line of 7th Ave. North, the POINT OF BEGINNING. Thence N 00°38'45" E a distance of 608.51' to a point; Thence S 89°22'59" E a distance of 526.00' to a point; Thence S 00°38'44" W a distance of 400.00' to a point; Thence S 89°22'59" E a distance of 170.40' to a point on the Westerly ROW line of Iowa Avenue; Thence along said Westerly line, S 00°35'48" W a distance of 206.84' to a point of intersection within the Northerly ROW line of 7th Avenue North; Thence along said Northerly line, N 89°31'12" W a distance of 696.58' to the point of beginning. Said parcel containing 8.151 acres (355,043 sq ft), more or less. The property is zoned B-Residential..... 32

6:35 PM – Work Session

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7:00 PM – Regular Meeting

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XIII.	CITIZEN’S COMMENTS	
	<i>(Limited to 5 minutes per person, at the discretion of the Mayor)</i>	
XIV.	ADJOURNMENT	

Any person needing special accommodations to participate in the above noticed meeting should contact the City at least 5 days before the meeting at 700 Center Avenue or at 642-6024.



NOTICE OF PUBLIC HEARING

The Payette City Council will be conducting a Public Hearing during a regular scheduled meeting to receive input concerning the following requests:

- A. An application by RCG, Inc, PO Box 220, New Plymouth, ID, 83655 for a preliminary plat for Sunset Rim Subdivision. Property is located at 2292 7th Avenue North. The property is zoned B-Residential.

- B. An application by RCG, Inc for a Variance Application to reduce the front setback to 20' from the property line and 45' from street, and side setback to 6' for proposed new residential subdivision located at 2292 7th Avenue North, a portion of the SE ¼ SE ¼, Sec. 27, T9N, R5W, BM, Payette County, Idaho and more particularly described as follows: Commencing at the SE corner of said Sec. 27, from which E 1/16 corner common to said Sec. 27 and Sec. 34 bears N89°31'12" W a distance of 1330.61'; thence along the S line of said Sec. 27, N89°31'12" W a distance of 736.61' to a point; thence leaving said S line, N 00°38'45" E a distance of 40' to a point on the Northerly ROW line of 7th Ave. North, the POINT OF BEGINNING. Thence N 00°38'45" E a distance of 608.51' to a point; Thence S 89°22'59" E a distance of 526.00' to a point; Thence S 00°38'44" W a distance of 400.00' to a point; Thence S 89°22'59" E a distance of 170.40' to a point on the Westerly ROW line of Iowa Avenue; Thence along said Westerly line, S 00°35'48" W a distance of 206.84' to a point of intersection within the Northerly ROW line of 7th Avenue North; Thence along said Northerly line, N 89°31'12" W a distance of 696.58' to the point of beginning. Said parcel containing 8.151 acres (355,043 sq ft), more or less. The property is zoned B-Residential.

The Public Hearing on the above requests will be held **October 1st, 2012 at 6:30 PM**, or shortly thereafter, in the Payette City Council Chambers, 700 Center Avenue, Payette, Idaho. Interested citizens may appear with regard to the foregoing items and will be given the opportunity to be heard in support of, or in opposition to the proposals. The Public is invited and encouraged to attend.

Any person needing special accommodations to participate in the above noticed meeting should contact the City at least 5 days before the meeting at 700 Center Avenue or at 642-6024.

Bobbie Black, Deputy City Clerk



City of Payette

Preliminary Plat Application

Non Refundable Fees:

Application..... \$200.00 (per lot is in addition to application)
Per Lot Cost \$20.00

Payette City Code 17.78.010

OFFICE USE ONLY

Date Received 8/31/12

Fee Paid Y / N Amount Paid \$800

Date Fee Paid 8-31-12

P&Z Action Favorable rec.

City Council Action _____

Name of Subdivision Sunset Rim Subdivision

SUBDIVIDER INFORMATION

First Robert Clark Goodwin Living Trust Middle _____ Last _____

Street Address PO Box 220

City New Plymouth State Idaho Zip 83655

Phone _____ Cell 208-440-4463 Work _____

Fax 208-642-1018 Email _____

AGENT INFORMATION

RCG, Inc.

First Bob Middle _____ Last Goodwin

Address PO Box 220

City New Plymouth State Idaho Zip 83655

Phone _____ Cell 208-440-4463 Work _____

Fax 208-642-1018 Email _____

REQUESTED PLANNING & ZONING COMMISSION DATE 09 27 12

PRIMARY CONTACT (APPLICANT)

This is the person who will receive all correspondence regarding this case. If the applicant(s) is/are different than the owner(s) of Record, the Proof of Authorization Form is included in this application must be completed and attached to the application when submitted.

RCG, Inc.

First Bob Middle _____ Last Goodwin

Address PO Box 220

City New Plymouth State Idaho Zip 83655

Phone _____ Cell 208-440-4463 Work _____

Fax 208-642-1018 Email _____

LAND SURVEYOR

First _____ Middle _____ Last _____

Address _____

City _____ State _____ Zip _____

Phone _____ Cell _____ Work _____

Fax _____ Email _____

ENGINEER

Aspen Engineers

First Lance Middle _____ Last Warnick

Address 2422 12th Ave Rd #323

City Nampa State Idaho Zip 83686

Phone 208-466-8181 Cell 208-989-4531 Work _____

Fax 208-442-7858 Email lance@AspenEngineers.com

SUBDIVISION LOCATION

Parcel Identification Number P00000279480
(Contact Payette County Assessor)

Legal Description of Property A portion of the SE 1/4 of the SE 1/4 of Section 27, T9N, R5W, Boise Meridian

City of Payette, Payette County, Idaho

Gross Acreage of Subdivision 8.15 acres

Square Feet 355,045 sf

Total Number of Lots 35 (32 buildable, 3 common)

Zoning Classification "B" Residential

Existing Land Use Vacant

Proposed Land Use Residential Subdivision

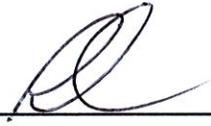
Is the Subdivision located with the City Corporate Limits? Y / N

Does this subdivision involve an Annexation or Annexation Agreement with the City? Y / N

Additional Waiver(s) Requested Variance from front setback to 20' and side setback to 6'

No street or utility improvements on Iowa, due to utility conflicts and no users north of this property

SIGNATURE(S) OF APPLICANT



8-31-12

Section 3. Owner is a Corporation N/A

The undersigned hereby states that _____ is a corporation duly incorporated in the state of _____, and that said is the owner of the property that is the subject of the forgoing Preliminary Plat Application. The undersigned states further that she/he has read said application, she/he is the _____ of said corporation, is an authorized agent of said corporation's agent in processing said application for the purposes set forth therein.

Name of Agent (printed or typed): _____

Signature of Agent: _____

Section 4. Owner is a Trust

The undersigned hereby states that The Robert Clark Goodwin Living Trust is a trust duly created in the state of Idaho, and that said trust is the owner of the property that is the subject of the forgoing Preliminary Plat Application. The undersigned states further that she/he is the trustee of said trust and that the following individuals or entities are the beneficial owners of said trust: *If additional parties, please attach additional names, addresses and phone numbers.* The undersigned states further that she/he has read said application and that the beneficiaries of said trust have authorized her/him to authorize Bob Goodwin, President of RCG, Inc. to act as said trust's agent in processing said application for the purposes set forth therein.

Name of Trustee (printed or typed): Robert C. Goodwin, Trustee

Signature of Trustee: *RC*

Name of Beneficial Owner Address Phone Number

- 1.
- 2.
- 3.

NOTARY SEAL

STATE OF Idaho)

COUNTY OF Lauette) ss.

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Robert C. Goodwin is/are personally known to me, that said person(s) appeared before me this day in person and severally acknowledged that he/she/they signed and delivered the forgoing Owner Authorization Form as his/her/their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 31st day of August, 2012.

Melissa Garate
Notary Public

Comm exp. 09-06-17



ATTACHMENT 2
LEGAL DESCRIPTION

KESTREL LAND
SURVEYING

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land being a portion of the Southeast Quarter of the Southeast Quarter of Section 27, Township 9 North, Range 5 West, Boise Meridian, Payette County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 27, from which the East 1/16 corner common to said Section 27 and Section 34 bears North 89°31'12" West a distance of 1330.61 feet, Thence along the South line of said Section 27, North 89°31'12" West a distance of 736.61 feet to a point; thence leaving said South line, North 00°38'45" East a distance of 40.00 feet to a point on the Northerly right-of-way line of 7th Avenue North, the **POINT OF BEGINNING**;

Thence North 00°38'45" East a distance of 608.51 feet to a point;

Thence South 89°22'59" East a distance of 526.00 feet to a point;

Thence South 00°38'44" West a distance of 400.00 feet to point;

Thence South 89°22'59" East a distance of 170.40 feet to a point on the Westerly right-of-way line of Iowa Avenue;

Thence along said Westerly line, South 00°35'48" West a distance of 206.84 feet to a point of intersection with the Northerly right-of-way line of 7th Avenue North;

Thence along said Northerly line, North 89°31'12" West a distance of 696.58 feet to the point of beginning.

Said parcel containing 8.151 acres (355,043 square feet), more or less

End Description
Project No. 12-128
Prepared August 31, 2012

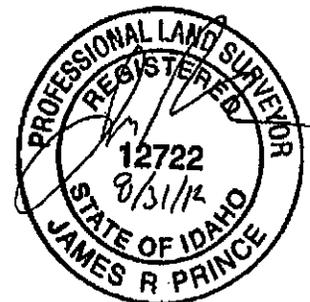


EXHIBIT B

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 27,
T.9N., R.5W., B.M., PAYETTE, COUNTY, IDAHO

UNPLATTED

S 89°22'59" E 526.00'

S. 1/16 CORNER

27.26

N 00°35'48" E 1306.75'

N 00°38'45" E 608.51'

UNPLATTED

E. 1/16 CORNER

N 00°38'45" E
40.00'

N 89°31'12" W 696.58'

736.61'

7TH AVENUE NORTH

40'

N 89°31'12" W 1330.61'

27.26

34

35

SECTION CORNER

S 00°38'44" W 400.00'

UNPLATTED

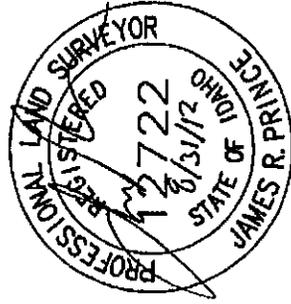
S 89°22'59" E 170.40'

IOWA AVENUE

S 00°35'48" W 206.84'

- LEGEND
- BOUNDARY LINE
 - - - SECTION LINE
 - PARCEL LINE
 - BRASS CAP MONUMENT
 - 5/8" IRON PIN
 - ▲ CALCULATED POSITION
 - P.O.B. POINT OF BEGINNING

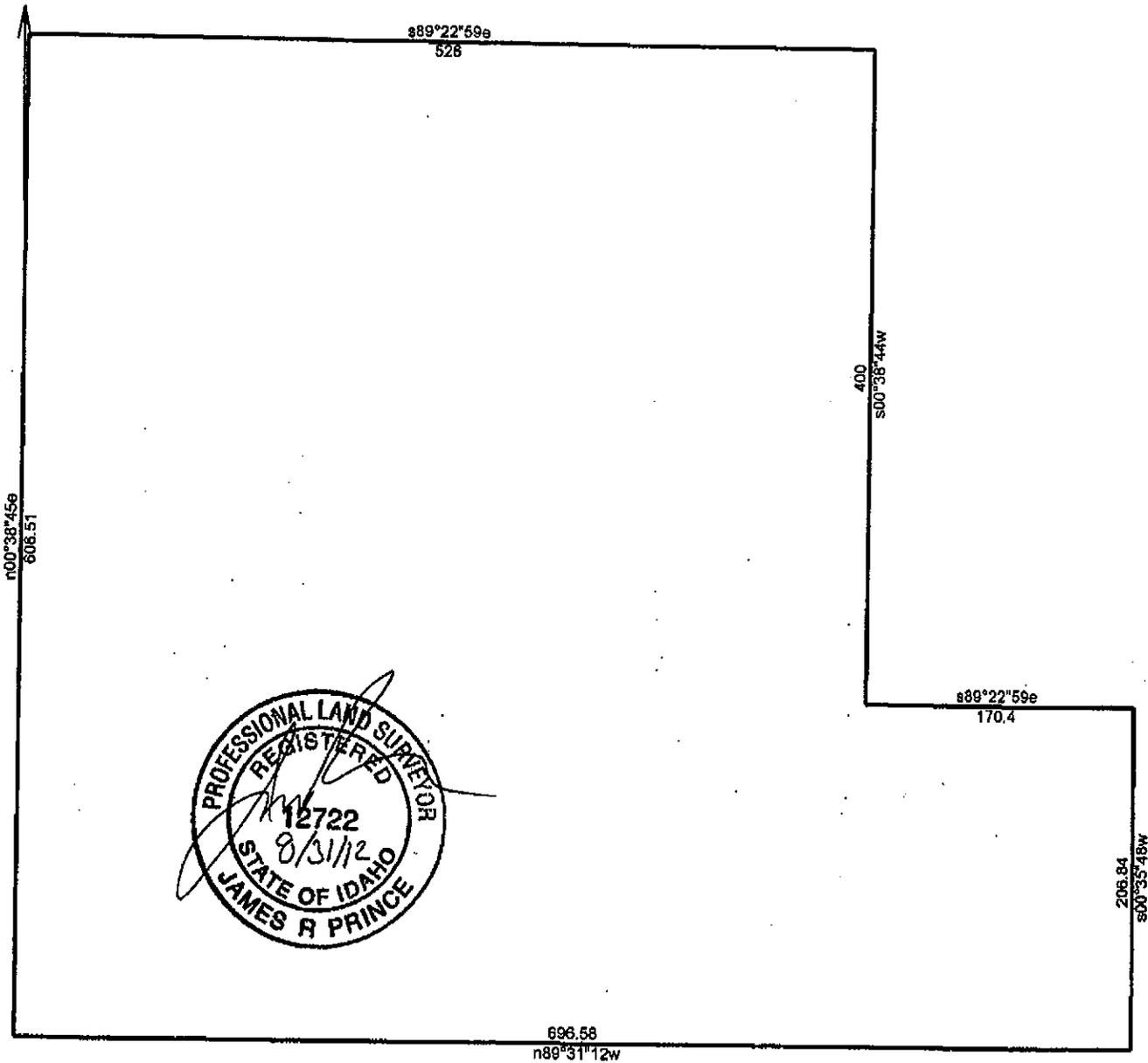
SCALE: 1"=120'



PROPOSED SUNSET RIM SUBDIVISION PARCEL

8.151 ACRES
355043 S.F.±

KESTREL LAND SURVEYING 1674 W. HILL RD., # 6, BOISE, ID 83702 PHONE: (208) 888-7345



Sunset Rim Subdivison Boundary

8/31/2012

Scale: 1 inch= 100 feet

File:

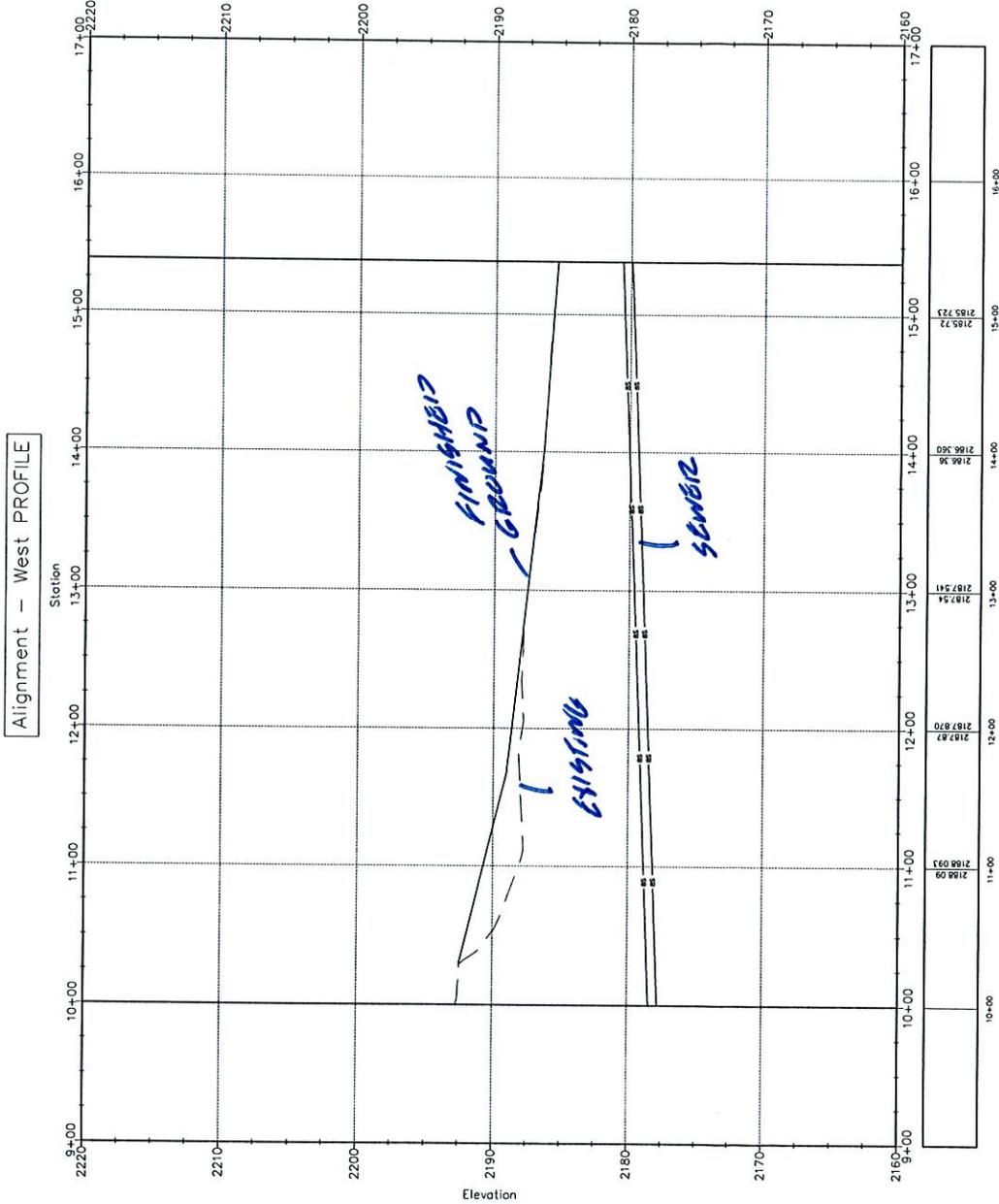
Tract 1: 8.1507 Acres (355043 Sq. Feet), Closure: s24.4117w 0.01 ft. (1/469706), Perimeter=2608 ft.

- 01 n00.3845e 608.51
- 02 s89.2259e 528
- 03 s00.3844w 400
- 04 s89.2259e 170.4
- 05 s00.3548w 206.84
- 06 n89.3112w 696.58

ATTACHMENT 3
COPIES OF PLAT

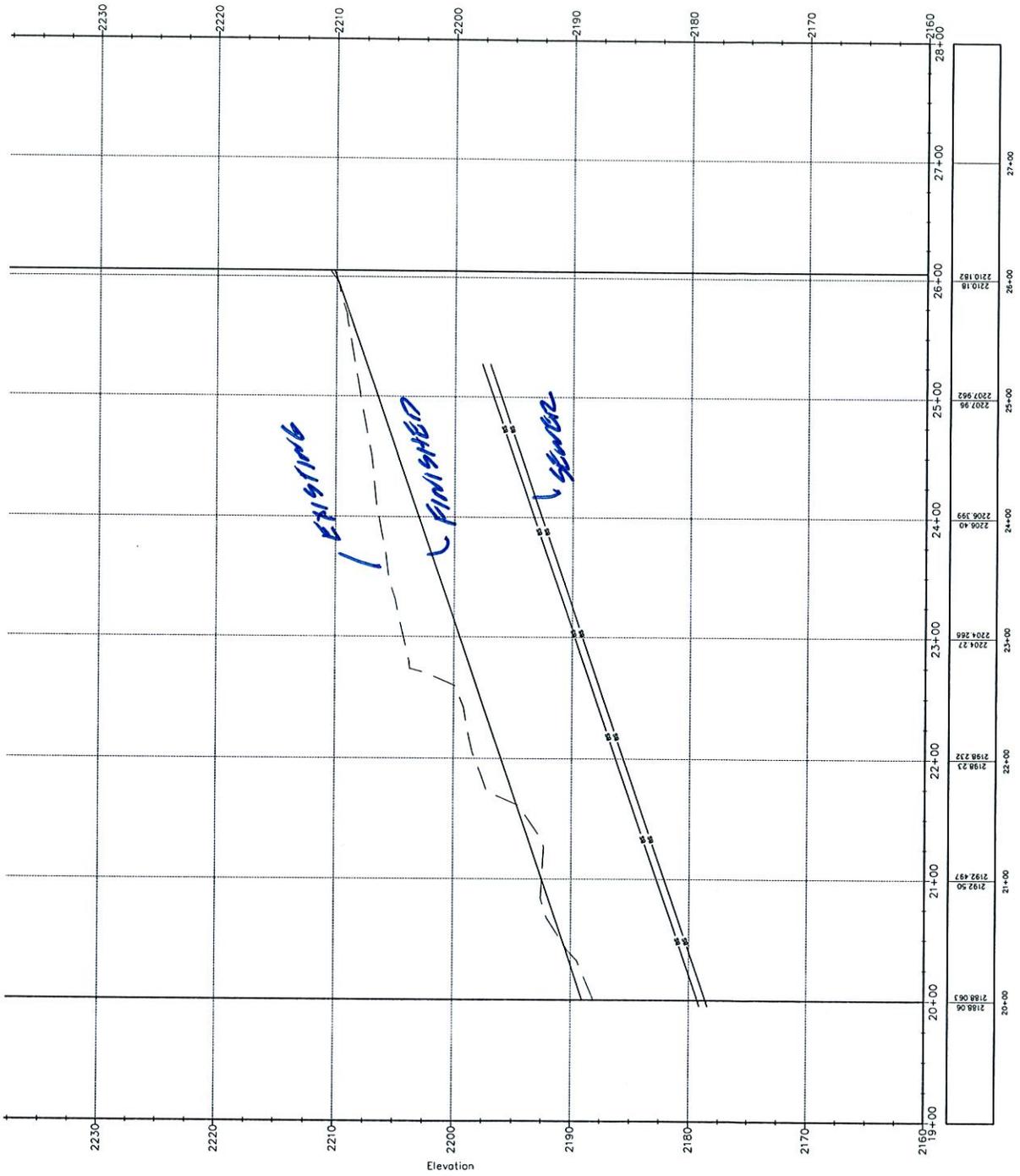
ATTACHMENT 4

**CONCEPTUAL SEWER, WATER AND
STORMWATER MANAGEMENT WITH
SOILS INFO**

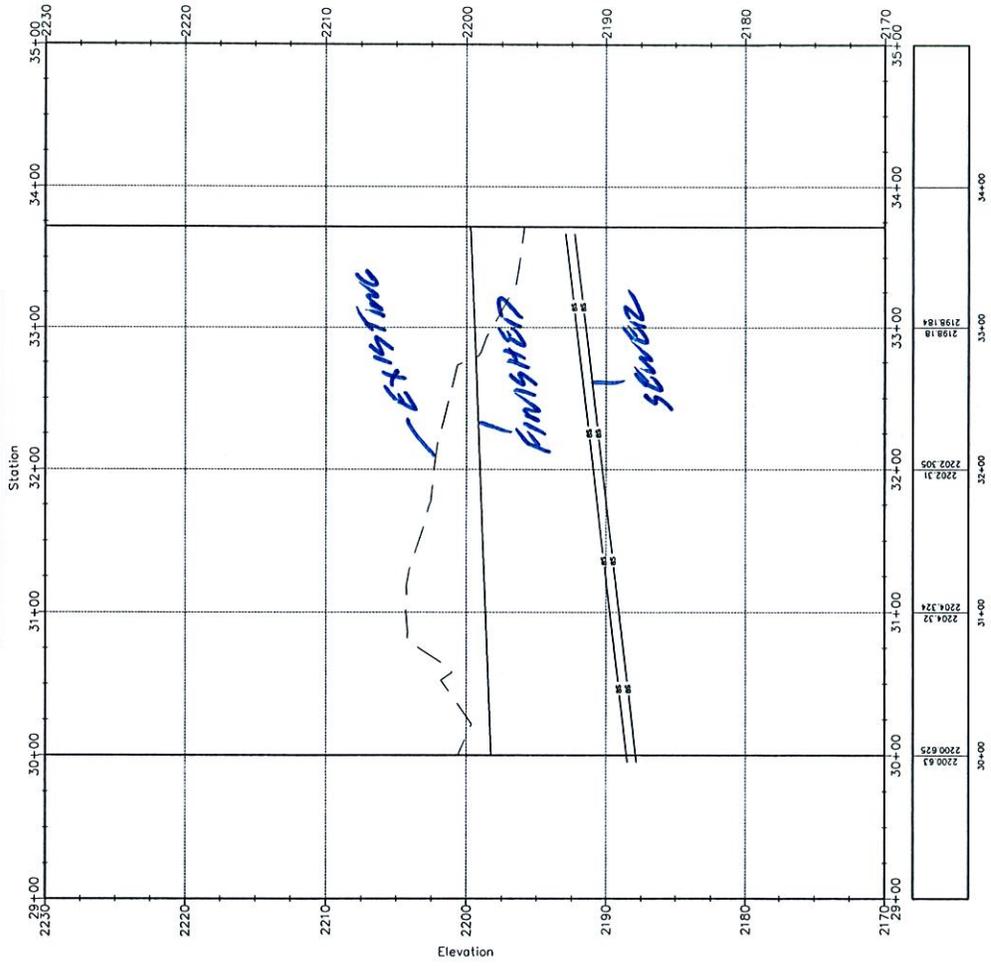


Alignment - West (1) PROFILE

10+00 11+00 12+00 13+00 14+00 15+00 16+00 17+00 18+00



Alignment - West (2) PROFILE



Soil Map—Payette County, Idaho
(Sunset Rim Subdivision)



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MAP INFORMATION

Map Scale: 1:1,720 if printed on A size (8.5" x 11") sheet.
The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 11N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Payette County, Idaho
Survey Area Data: Version 7, Aug 13, 2012

Date(s) aerial images were photographed: 6/29/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

MAP LEGEND

	Area of Interest (AOI)		Very Stony Spot
	Soils		Wet Spot
	Soil Map Units		Other
	Special Point Features		Special Line Features
	Blowout		Gully
	Borrow Pit		Short Steep Slope
	Clay Spot		Other
	Closed Depression		Political Features
	Gravel Pit		Cities
	Gravelly Spot		Water Features
	Landfill		Streams and Canals
	Lava Flow		Transportation
	Marsh or swamp		Ralls
	Mine or Quarry		Interstate Highways
	Miscellaneous Water		US Routes
	Perennial Water		Major Roads
	Rock Outcrop		Local Roads
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

Map Unit Legend

Payette County, Idaho (ID659)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CIB	Clems fine sandy loam, 0 to 3 percent slopes	4.8	56.8%
CIC	Clems fine sandy loam, 3 to 7 percent slopes	1.7	19.7%
GeC	Greenleaf silt loam, 3 to 7 percent slopes	0.5	5.6%
OwB	Owyhee silt loam, 1 to 3 percent slopes	1.5	17.9%
Totals for Area of Interest		8.5	100.0%

Map Unit Description

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. All the soils of a series have major horizons that are similar in composition, thickness, and arrangement. Soils of a given series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Additional information about the map units described in this report is available in other soil reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the soil reports define some of the properties included in the map unit descriptions.

Report—Map Unit Description

Payette County, Idaho

CIB—Clems fine sandy loam, 0 to 3 percent slopes

Map Unit Setting

Elevation: 2,000 to 4,400 feet

Mean annual precipitation: 8 to 12 inches

Mean annual air temperature: 46 to 52 degrees F

Frost-free period: 135 to 155 days

Map Unit Composition

Clems and similar soils: 95 percent

Description of Clems**Setting**

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium and/or eolian deposits

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 25 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water capacity: Moderate (about 8.9 inches)

Interpretive groups

Land capability classification (irrigated): 1
Land capability (nonirrigated): 6c

Typical profile

0 to 9 inches: Fine sandy loam
9 to 52 inches: Fine sandy loam
52 to 60 inches: Silt loam

CIC—Clems fine sandy loam, 3 to 7 percent slopes**Map Unit Setting**

Elevation: 2,000 to 4,400 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 135 to 155 days

Map Unit Composition

Clems and similar soils: 95 percent

Description of Clems**Setting**

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium and/or eolian deposits

Properties and qualities

Slope: 3 to 7 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained

Capacity of the most limiting layer to transmit water
(Ksat): Moderately high (0.20 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 25 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water capacity: Moderate (about 8.9 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability (nonirrigated): 6e

Typical profile

0 to 9 inches: Fine sandy loam
9 to 52 inches: Fine sandy loam
52 to 60 inches: Silt loam

GeC—Greenleaf silt loam, 3 to 7 percent slopes**Map Unit Setting**

Elevation: 2,100 to 3,200 feet
Mean annual precipitation: 7 to 12 inches
Mean annual air temperature: 48 to 52 degrees F
Frost-free period: 120 to 170 days

Map Unit Composition

Greenleaf and similar soils: 85 percent

Description of Greenleaf**Setting**

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed alluvium and/or lacustrine deposits and/or loess

Properties and qualities

Slope: 3 to 7 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water
(Ksat): Moderately high (0.20 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 40 percent
Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
Available water capacity: High (about 11.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability (nonirrigated): 6e

Typical profile

0 to 10 inches: Silt loam
 10 to 26 inches: Silty clay loam
 26 to 33 inches: Silty clay loam
 33 to 60 inches: Silt

OwB—Owyhee silt loam, 1 to 3 percent slopes**Map Unit Setting**

Elevation: 2,000 to 4,500 feet
 Mean annual precipitation: 7 to 12 inches
 Mean annual air temperature: 48 to 52 degrees F
 Frost-free period: 110 to 170 days

Map Unit Composition

Owyhee and similar soils: 90 percent

Description of Owyhee**Setting**

Landform: Terraces
 Down-slope shape: Linear
 Across-slope shape: Linear
 Parent material: Lacustrine deposits and/or loess and/or silty alluvium

Properties and qualities

Slope: 1 to 3 percent
 Depth to restrictive feature: More than 80 inches
 Drainage class: Well drained
 Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.60 in/hr)
 Depth to water table: More than 80 inches
 Frequency of flooding: None
 Frequency of ponding: None
 Calcium carbonate, maximum content: 25 percent
 Maximum salinity: Nonsaline (0.0 to 2.0 mmhos/cm)
 Sodium adsorption ratio, maximum: 5.0
 Available water capacity: High (about 10.7 inches)

Interpretive groups

Land capability classification (irrigated): 2e
 Land capability (nonirrigated): 6c

Typical profile

0 to 27 inches: Silt loam
 27 to 37 inches: Silt loam
 37 to 60 inches: Silt loam

Data Source Information

Soil Survey Area: Payette County, Idaho
 Survey Area Data: Version 7, Aug 13, 2012

ATTACHMENT 5

DEED

Instrument # 375674

PAYETTE COUNTY
2012-01-10 10:40:56 AM No. of Pages: 2
Recorded for: PAYETTE CO. TITLE & ESCROW
BETTY J DRESSEN Fee: \$13.00
Ex-Officio Recorder Deputy Kathryn Johns
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

CORPORATION DEED

Escrow No. 11-1844-MG

FOR VALUE RECEIVED

Payette Properties, LLC

a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby Grant, Bargain, Sell and convey unto

Robert C. Goodwin, Trustee of The Robert Clark Goodwin Living Trust

whose current address is: **PO BOX 220
New Plymouth, ID 83661**

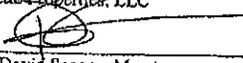
the following described real estate, to-wit:

That portion of the SE1/4 SE1/4 of Sec. 27, Twp. 9 N., R. 5 W., B.M., Payette County, State of Idaho, described as follows:
Beginning at the NW corner of said SE1/4 SE1/4;
run thence South and parallel to the East sideline of said SE1/4 SE1/4 a distance of 660 feet;
thence East and parallel to the North sideline of said SE1/4 SE1/4 a distance of 396 feet to the True Point of Beginning for this description. From this True Point of Beginning, run East and parallel to the North sideline of said SE1/4 SE1/4 a distance of 724 feet;
thence run South and parallel to the West sideline of said SE1/4 SE1/4 a distance of 400 feet;
thence run East and parallel to the North sideline of said SE1/4 SE1/4 a distance of 200 feet, more or less to the Highway;
thence run on a curve following said highway South and West to a point 396 feet East of the West sideline of said SE1/4 SE1/4
thence North and parallel to the West sideline of said SE1/4 SE1/4 to the Point of Beginning

EXCEPTING therefrom the West 198 feet thereof.
ALSO EXCEPTING that portion conveyed to The City of Payette for right of way recorded May 29, 2009, Instr. No. 360539.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that it is the owner of said premises; that they are free from all encumbrances EXCEPT: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 6th day of January, 2012.

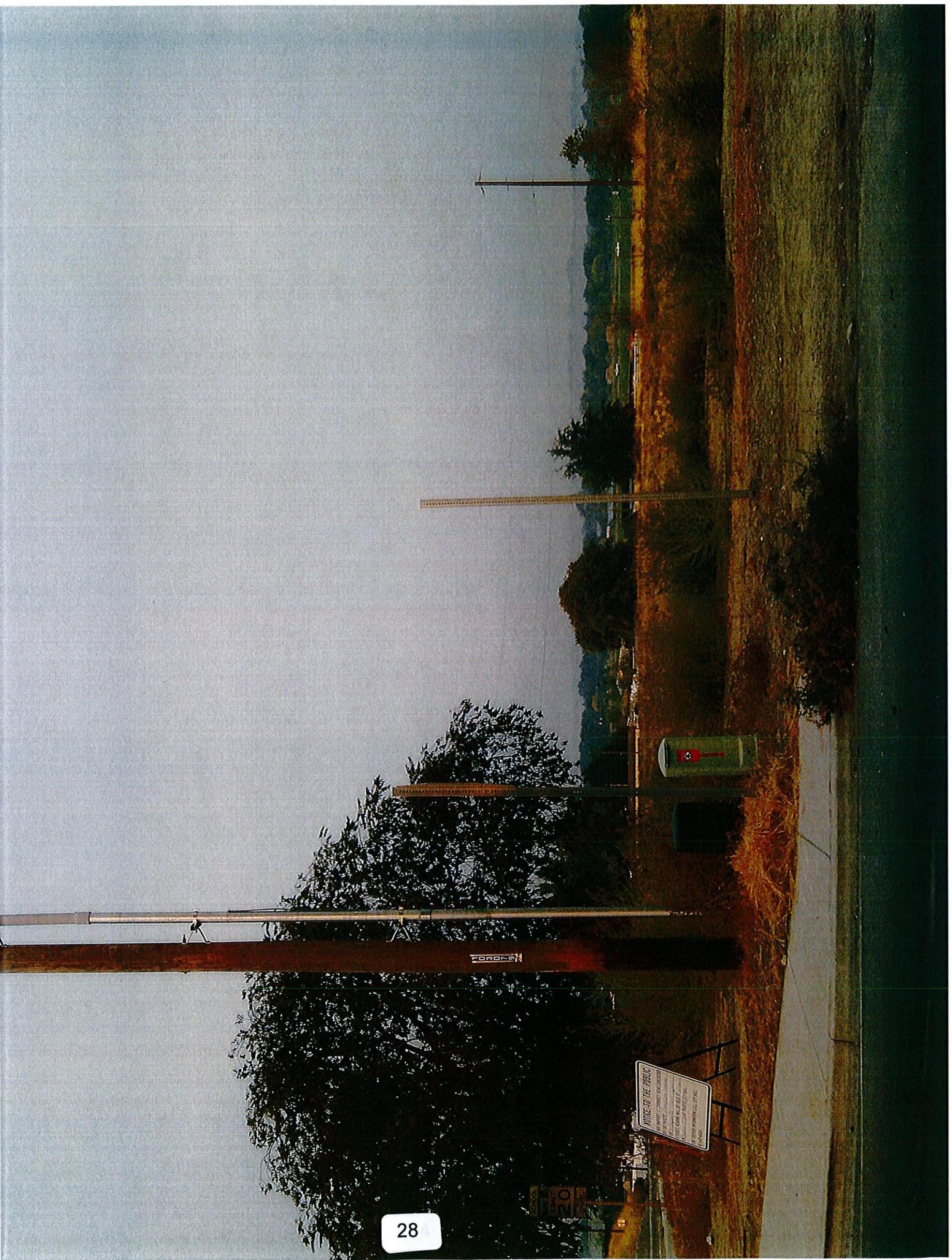
~~Payette Properties, LLC~~

By: David Scaggs, Member
President of S & D Development Inc., as member of
Payette Properties, LLC

BIKE LANE

27

NOTICE TO THE PUBLIC
THIS PROPERTY IS CURRENTLY BEING CONSIDERED
BY THE PAVETTE CITY BOARD OF APPOINTMENTS
FOR AN UNDESIRABLE USE. A PUBLIC HEARING WILL BE HELD AT
ON AT PAVETTE CITY HALL
FOR FURTHER INFORMATION CALL CITY HALL
AT 42-4024







HOLLADAY ENGINEERING CO.

September 26, 2012

Planning and Zoning Commission
City of Payette
700 Center Avenue
Payette, Idaho 83661

Regarding: Sunset Rim Subdivision
Preliminary Plat Review
Variance Request Review

Dear Commission:

We have reviewed the proposed preliminary plat for the Sunset Rim Subdivision which is to be located in the NW corner of the intersection of 7th Avenue North and Iowa Avenue. The drawing which we reviewed was prepared for RCG, Inc. by Aspen Engineering and is dated August 31, 2012.

We also reviewed the request for variance with respect to reducing side setbacks to 6 feet (City Code requires 8 feet) and reducing front setbacks to 20 feet from property line or 45 feet from center of street (City Code requires 25 feet and 55 feet, respectively) for this proposed subdivision. We have the following comments:

VARIANCE:

- I. The developer is in control of the proposed lot arrangement. Side yard setbacks are a fire safety consideration. The developer has the ability to modify the layout if additional buildable space is desired on each lot. We recommend against reducing side setbacks.
- II. The developer is proposing 50 foot right of way for the streets within the subdivision whereas 60 feet is the minimum width required by City Code. We support this variance in right of way width in this street configuration because there is no opportunity for the streets to be extended beyond the limits of this subdivision.
- III. The developer is requesting reducing the front setback lines which are typically 25 feet from edge of right of way or 55 feet from center of right of way, whichever is greater. For a 60 foot right of way, these two distances coincide to the same point. One of the purposes of the front setback is to provide space for parking a vehicle in the driveway without blocking the sidewalk. We recommend maintaining the 25 foot setback from the edge of right of way and reducing the setback from center of right of way to 50 feet based on the narrow right of way which is proposed.



PRELIMINARY PLAT

We recommend approval of the Preliminary Plat subject to the comments below. Additional questions might arise during preparation of the construction plans. Nothing in this review should be construed as exempting any part of the proposed development from City Code and Standards except as described in the "Variance" section above.

I. Sewer

1. In accordance with City Development Standards, sewer mains are to extend to the boundaries of the subdivision to facilitate gravity connection with future adjacent development. These lines need to be extended accordingly. Such extension could be accomplished to the north through either Sundown or Summit Place and east to Iowa Avenue along Ridgeview Avenue.
2. No sewer services are to connect into manholes.

II. Water

1. Fire hydrant spacing exceeds 500 feet. Additional hydrants will likely be required.
2. In accordance with City Development Standards, water mains are to extend to the boundaries of the subdivision to facilitate connection with future adjacent development. These lines need to be extended accordingly. Such extension could be accomplished to the north through either Sundown or Summit Place and east to Iowa Avenue along Ridgeway Avenue.
3. The water master plan requires the extension of the 10-inch high pressure water main north on Iowa Avenue. Per the City Development Standards, the developer is required to extend this water line to the point where the northern property line intersects with Iowa Avenue (approximately 280 feet).
4. The proposed development is within the intermediate pressure zone. Water pipe must use the appropriate class of pipe as outlined in the development standards.

III. Streets

1. The proposed cul-de-sac length at full build out meets the maximum allowable length. However, at the completion of Phase I, the cul-de-sac length will exceed the allowable length. We recommend that the phasing be modified to keep the cul-de-sac length in compliance with City Code or that an emergency access be constructed along the future extension of Ridgeview Avenue or other suitable location.
2. A note should be added to the face of the plat prohibiting access for any individual lot to either 7th Avenue North or Iowa Avenue. The existing curb cut(s) along 7th Avenue North and adjacent to this parcel which will not otherwise be removed for construction of this development, should be removed and replaced with vertical curb and sidewalk to match the adjacent construction.



3. The pavement section shown coincides with the minimum allowable section. If unsuitable subgrade soils are encountered, the section might need to be thickened.
4. The Phase I/II line is shown diagonally across the roadway. The phase line should cross the roadway perpendicular to the roadway at the east edge of proposed Lot 2, Block 2.
5. Per City Code, the west half of Iowa Avenue should be widened and improved with curb, gutter, sidewalk, and drainage facilities to the north edge of the frontage of the proposed development. The typical section should match the section on Iowa Avenue south of 7th Avenue North.
6. Street lights will be required per City Code.

IV. Stormwater

1. Large areas are proposed to drain along rolled curb and gutter to reach the infiltration swale. Calculations will be required during design to demonstrate that the runoff will not over-top the curb or encroach on the 10-foot minimum driving lane. Additional piping might be required to convey stormwater.
2. Soils data from the Natural Resources Conservation Service was presented to support the conceptual location of the stormwater swale, which is appropriate. Actual soil exploration data will be required for the final design of the stormwater swale.

Please note that

Sincerely,

Holladay Engineering Company,

By: 
Douglas E. Argo, PE,
Payette City Engineer

Cc: Bob Goodwin, RCG, Inc.
Mary Cordova, Payette City Clerk
Lance Warnick, PE, Aspen Engineers





City of Payette

Variance Application

Non Refundable Fees:

Application..... \$200.00

Payette City Code 17.78.010

OFFICE USE ONLY

Date Received 8/31/12 Paid Y N

Date of Notice _____

Date of Hearing 9/27/12

P&Z Action Favorable rec

City Council Action _____

Applicants Name Owner: Robert Clark Goodwin Living Trust (Robert C. Goowin, Trustee)
Applicant: RCG, Inc (Bob Goodwin, President)

Address PO Box 220

City New Plymouth State Idaho Zip 83655

Phone 208-440-4463 Alt Number _____

Please attach the following:

Legal Description (Attachment 1)

Map (Copy of Preliminary Plat in Attachment 2)

Proof of ownership (Attachment 3)

Name & Addresses of all property owners & residents within 300 feet of the exterior boundaries of the land being considered. (This can be obtained at the Payette County Assessor's Office) (Attachment 4)

Street Address of the property 2292 7th Ave N

Size of the property 8.15 acres

What is the property zoned "B" Residential

Nature of Request

Describe the nature of the Variance requested Reduce front setback to 20' from property line and 45' from street, and side setback to 6' for proposed new residential subdivision. Preliminary plat application is being submitted at same time as this variance request.

Existing use of the property Vacant

17.78.010 Variances – Permissible When: The City Council shall consider variances to the terms of this Title which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Title will result in undue hardship upon a landowner and under such conditions that the spirit of this Title shall be observed and substantial justice done. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing of undue hardship because of the characteristics of the site. In acting upon a variance request, the City Council shall make full investigation and shall only grant a variance upon finding that the following are true:

A. That the granting of the variance will not be in conflict with the spirit and intent of the comprehensive plan for the City, and will not affect a change in zoning.

B. That there are exceptional or extraordinary circumstances or conditions, applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the district, so that a denial of the relief sought will result in:

1. Undue loss in value of the property.
2. Inability to preserve the property right of the owner.
3. The prevention of reasonable enjoyment of any property right of the owner.

C. the granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment of such property improvements.

D. That the reason for a variance was not caused by the owners or previous owner's actions.
(Ordinance 1204, 2002)

Narrative statement indicating why the requested variance conforms to the guidelines set forth in the Zoning Ordinance _____

*THE GOAL OF THE CITY ZONING ORDINANCE SHOULD ALLOW FOR THE
CREATION OF ORDERED GROWTH. THE REQUESTED VARIANCES
FROM FRONT AND SIDE SETBACKS WILL ALLOW DEVELOPMENT
OF HOUSES IN A PROPOSED RESIDENTIAL SUBDIVISION THAT
COULD NOT OTHERWISE BE DEVELOPED AND PREVENT ANY
REASONABLE DEVELOPMENT OUT OF THIS VACANT PARCEL.*

A variance requires an applicant to show two particular aspects before the variance is considered.

1. Describe the unique site characteristic (which is natural) showing reason for request _____

*THE SUBSTANTIAL SLOPE OF THE GROUND CREATES A SITUATION
WHERE MORE FLEXIBILITY IN GRADING AND DEVELOPING THE SITE.*

*IN ADDITION THE SHALLOW DEPTH OF CITY SEWER CREATES A
SITUATION WHERE SITE LAYOUT AND SERVICE DEPTH CONTROL THE SITE.*

2. If unique site exists show how request granted is not contrary to public interest outline in the comprehensive plan and zoning ordinance _____

*THE SIDE SETBACK AND FRONT SETBACKS ARE ALL INTERNAL
TO THE SUBDIVISION AND WILL NOT IMPACT ANY ADJACENT
PROPERTY OWNER OR USE.*

Requests for Granting a Variance

The following conditions must be fulfilled before a variance can be considered by the Planning & Zoning Commission. Showing that a variance is profitable or desirable for the owner and no harm will be done to others is not sufficient.

Below each requirement explain why your request conforms:

1. Show how granting of variance will not affect a change in zoning THE PURPOSE OF
THIS VARIANCE IS NOT TO INCREASE DENSITY, OR SKIRT APPLICABLE
ZONING RULES. IT IS INTENDED TO GIVE THE BUILDERS
MORE FLEXIBILITY IN LOCATING THE MOUNDS AND ACCOMMODATE
GRADING NEEDED FOR THE LOTS.
2. Explain any exceptional or extraordinary circumstances or condition applicable to the property involved, or the intended use thereof, which do not apply, generally to the property of use in zoning district. So that if the request is denied it will result in undue loss in value, inability to preserve property rights THE SLOPE ON THIS PROPERTY IS VERY SIGNIFICANT WHEN COMPARED
TO MANY OTHER PROPERTIES IN THE CITY THAT HAVE SIMILAR
ZONING. DENYING THE VARIANCE WOULD CAUSE A LOSS OF
VALUE IN LOTS SINCE ADDITIONAL GRADING MAY BE REQUIRED ON
MOUNDS AND DOWNHILL & UPHILL SLOPES AND REDUCE AREAS TO BUILD.
3. Indicate the alleged hardship. Has the hardship been created by the action of the property owner or the applicant? (i.e. applicant did not reduce size of the lot by prior sale) NO HARDSHIP
WAS CREATED BY THE OWNER OR APPLICANT. THE SLOPE AND
GEOMETRY OF THE GROUND HAVE BEEN THIS WAY FOR A LONG
TIME. THE CITY INSTALLED SEWER IS ONLY AVAILABLE
AT THE FAR WEST SIDE OF THE PROPERTY TO SERVE THE DEVELOPMENTS.
4. Approval of the variance will not be in conflict with the interest of the neighborhood or public interest in general. (Health, safety or welfare) THERE ARE NO IMPACTS TO
THE NEIGHBORHOOD FROM THE VARIANCE TO REDUCE THE
FRONT AND SIDE SETBACKS. HEALTH, SAFETY AND PUBLIC
WELFARE ARE ALL PRESERVED.

8-31-12
Date


Signature

ATTACHMENT 1
LEGAL DESCRIPTION

KESTREL LAND
SURVEYING

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land being a portion of the Southeast Quarter of the Southeast Quarter of Section 27, Township 9 North, Range 5 West, Boise Meridian, Payette County, Idaho and more particularly described as follows:

Commencing at the Southeast corner of said Section 27, from which the East 1/16 corner common to said Section 27 and Section 34 bears North 89°31'12" West a distance of 1330.61 feet, Thence along the South line of said Section 27, North 89°31'12" West a distance of 736.61 feet to a point; thence leaving said South line, North 00°38'45" East a distance of 40.00 feet to a point on the Northerly right-of-way line of 7th Avenue North, the **POINT OF BEGINNING**;

Thence North 00°38'45" East a distance of 608.51 feet to a point;

Thence South 89°22'59" East a distance of 526.00 feet to a point;

Thence South 00°38'44" West a distance of 400.00 feet to point;

Thence South 89°22'59" East a distance of 170.40 feet to a point on the Westerly right-of-way line of Iowa Avenue;

Thence along said Westerly line, South 00°35'48" West a distance of 206.84 feet to a point of intersection with the Northerly right-of-way line of 7th Avenue North;

Thence along said Northerly line, North 89°31'12" West a distance of 696.58 feet to the point of beginning.

Said parcel containing 8.151 acres (355,043 square feet), more or less

End Description
Project No. 12-128
Prepared August 31, 2012

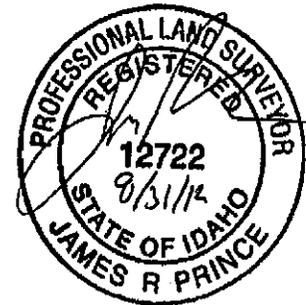
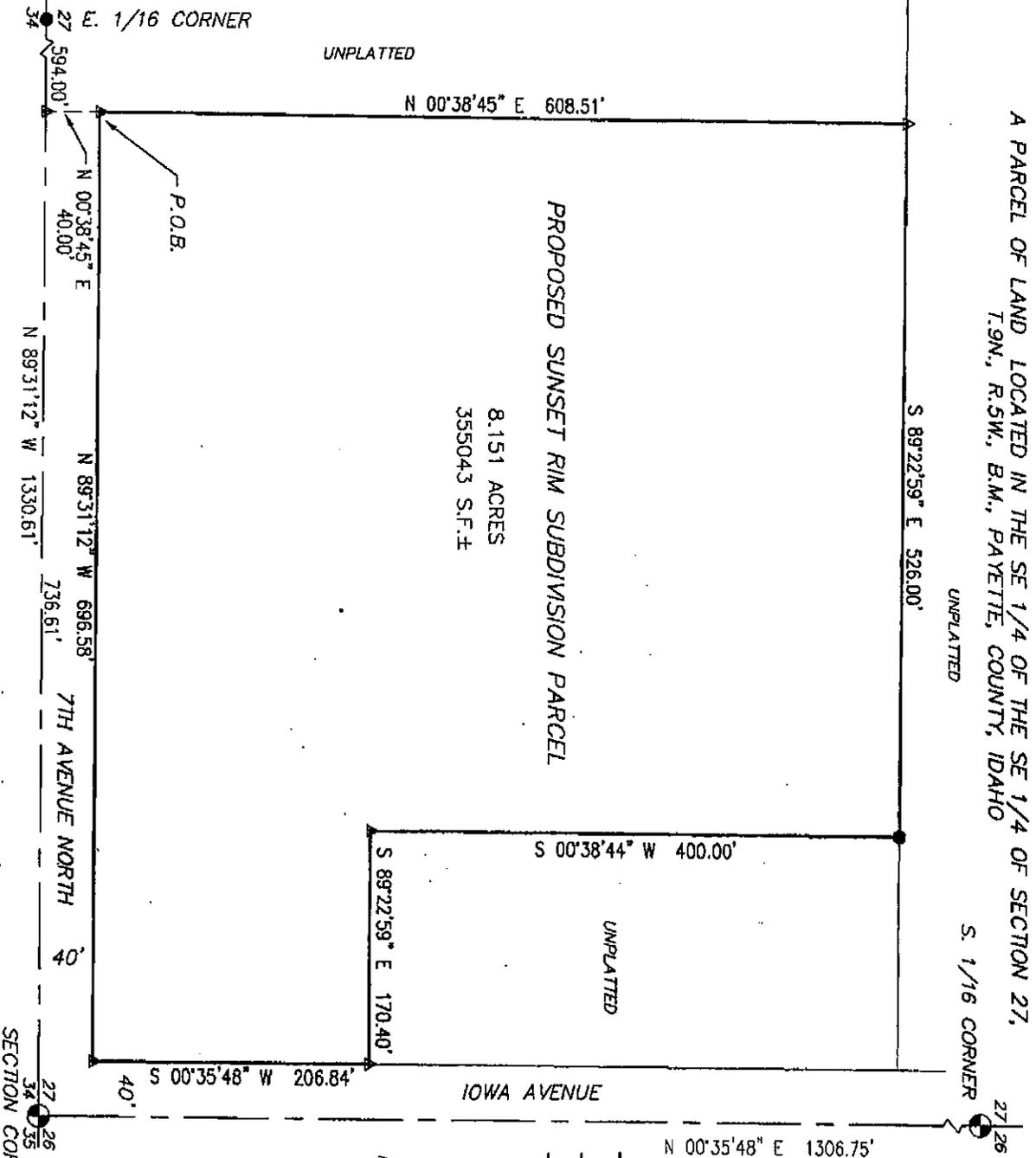


EXHIBIT B

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 27,
T.9N., R.5W., B.M., PAYETTE, COUNTY, IDAHO



UNPLATTED

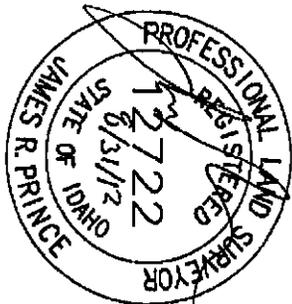
UNPLATTED

SCALE: 1"=120'

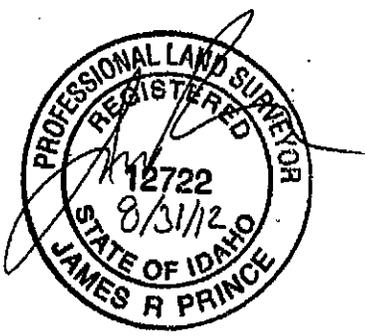
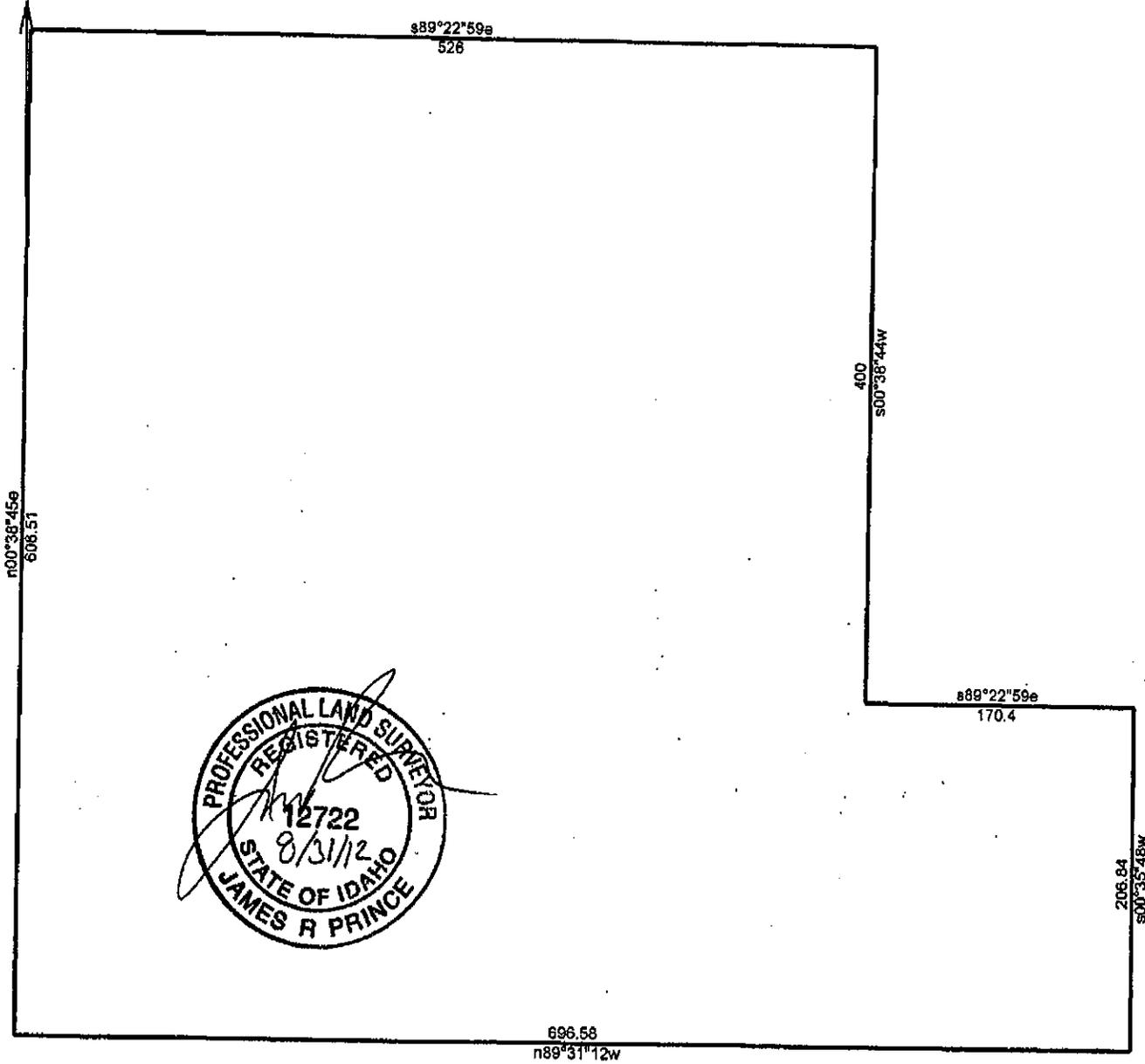


LEGEND

- BOUNDARY LINE
- - - SECTION LINE
- PARCEL LINE
- ⊙ BRASS CAP MONUMENT
- 5/8" IRON PIN
- ▲ CALCULATED POSITION
- P.O.B. POINT OF BEGINNING



KESTREL LAND SURVEYING 1674 W. HILL RD., # 6, BOISE, ID 83702 PHONE: (208) 888-7345



Sunset Rim Subdivison Boundary

8/31/2012

Scale: 1 inch= 100 feet

File:

Tract 1: 8.1507 Acres (355043 Sq. Feet), Closure: s24.4117w 0.01 ft. (1/469706), Perimeter=2608 ft.

- 01 n00.3845e 608.51
- 02 s89.2259e 526
- 03 s00.3844w 400
- 04 s89.2259e 170.4
- 05 s00.3548w 208.84
- 06 n89.3112w 696.58

ATTACHMENT 2

MAP SHOWING PRELIMINARY PLAT WITH SLOPE



ATTACHMENT 3
PROOF OF OWNERSHIP

Instrument # 375674

PAYETTE COUNTY
2012-01-10 10:40:68 AM No. of Pages: 2
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EXCEPTING therefrom the West 198 feet thereof.
ALSO EXCEPTING that portion conveyed to The City of Payette for right of way recorded May 29, 2009, Instr. No. 360539.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that it is the owner of said premises; that they are free from all encumbrances EXCEPT: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 6th day of January, 2012.

~~Payette Properties, LLC~~

By: David Scaggs, Member
President of S & D Development Inc., as member of
Payette Properties, LLC

The following framework should be individualized, and all other possibly relevant factors considered, in order to meet the needs of each local jurisdiction.

NOTE: Sections below shown in [brackets] and *italicized* are intended to provide commentary, background and considerations for the subsequent section of the model ordinance and are not intended for inclusion in any adopted ordinance.

MODEL ZONING ORDINANCE FOR OIL AND GAS OPERATIONS

(Insert Appropriate Local Introduction and Recitals)

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION 1. Purpose.

The purpose of this ordinance is to provide, through zoning provisions, for the reasonable development of land for Oil and Gas drilling while providing adequate health, safety and general welfare protections of the (LOCAL JURISDICTION) residents. Oil and Gas exploration, drilling and extraction operations involve activities that are economically important and will impact the (LOCAL JURISDICTION). Accordingly, it is necessary and appropriate to adopt reasonable requirements for Oil and Gas resource development so that these resources can be obtained in a manner that is economically remunerative, and that minimizes the potential impact on the residents of the (LOCAL JURISDICTION).

Local governments are preempted from regulating the same features Oil and Gas Well operations or accomplishing the same purposes regulated under Idaho Statute 47-317. Local zoning regulates surface land use as authorized under the Local Land Use Planning Act (I.C. 67-65).

[For any terms in Section 2 that also appear in IDAPA's Oil and Gas rules, the State's definition is used so as to prevent any potential conflict in terms or interpretation between state and local rules.]

SECTION 2. Adoption of New Chapter ## to Zoning Ordinance

The (LOCAL JURISDICTION ZONING ORDINANCE) is hereby amended to add the following new Chapter [OR ARTICLE OR PART, AS APPROPRIATE]:

SECTION 3. Definitions.

For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Administrative: A regulatory review and/or action performed by an employee or contractor of [LOCAL JURISDICTION] and not deemed a legislative or quasi-judicial action.

Applicant: Any person, Owner, Operator, partnership, company, corporation and its subcontractors and agents who has an interest in real estate for the purpose of exploring or drilling for, producing, or transporting Oil or Gas.

[If a jurisdiction retains the "Collector Street" term in their ordinance, ensure it does not conflict with any already codified definitions of the same term.]

Collector Street: A public street or road which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets.

Department: The Idaho Department of Lands.

Development: Any work which actively promotes bringing in production.

Drilling Pad: The area of surface operations surrounding a proposed or existing well or wells and accessory structures and equipment necessary for drilling, completion, recompletion, work over, development and production activities

[If a jurisdiction retains the "Local Street" term in their ordinance, ensure it does not conflict with any already codified definitions of the same term.]

Local Street: A public street or road designed to provide access to abutting lots and to discourage through traffic.

Oil and Gas: Crude oil, natural gas, methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well.

Oil and Gas Well: A hole drilled into the earth for the purpose of exploring for or extracting oil, gas, or other hydrocarbon substances.

Road Repair Agreement: A written agreement between the applicant and the local highway jurisdiction obligating the applicant to repair damage, excluding ordinary wear and tear, if any, to public streets, including but not limited to bridges, caused by the operator or its employees, agents, contractors, subcontractors or representatives in the performance of drilling or production of any wells authorized by the city or county.

Well: An oil and gas well or an injection well, including but not limited to directional drilling wells (for example, any well hole drilled into the ground).

[I.C. 47-317(4) (b) states that a local ordinance or standard cannot "actually or operationally prohibit the extraction of oil and gas, subject to reasonable provisions." As such, not only should any new local ordinance not prohibit or conditionally allow oil and gas operations in particular zones but it is suggested that existing zoning ordinances be reviewed and, if necessary, amended to comply with the new law.]

Section 4: Zoning Classifications

Subject to the provisions of this ordinance:

- A. An oil or gas well site shall be considered a permitted use by right within any Zoning District(s), subject to the standards listed herein.

Section 5. PERMIT REQUIREMENT:

[The emphasis on an "administrative" permit in Section 5 is partially driven by the 21-day rule adopted in I.C. 47-317(4) (b). It is not feasible to require a CUP/SUP application and also comply with the 21-day rule because I.C. 67-6512(b) has minimum public noticing requirements for these hearings.]

A. No oil or gas well site, or an addition to an existing oil or gas well site, shall be constructed or located within (LOCAL JURISDICTION) unless an administrative zoning permit under this ordinance has been issued by the (LOCAL JURISDICTION) to the applicant approving the construction or preparation of the site for oil or gas development or construction of natural gas compressor stations or natural gas processing plants.

B. Each application shall be submitted with the fee established pursuant to resolution of the (LOCAL JURISDICTION) as adopted. Such fee shall be reasonable related to the cost of administering this (SECTION OF CODE).

C. Any modification to an existing and/or permitted oil or gas well site that materially alters the size, location, number of wells or accessory equipment or structures, shall require a modification of the permit under this ordinance. Like-kind replacements shall not require a permit modification.

D. Wells that were permitted and constructed prior to the adoption of this ordinance shall not be required to meet the requirements of this ordinance. Any modification to an existing or permitted oil or gas well site that occurs after the effective date of this ordinance and materially alters the size, type, location, number of wells and other accessory equipment or structures, shall require compliance with this ordinance.

[The section below is optional. The local authority is not required to notify property owners. It is included as potential language because even though the Oil and Gas Commission will notify a local jurisdiction that an

application has been submitted, they will not notify local or affected property owners.]

E. Upon receiving notice from the Department that an application has been submitted, the local jurisdiction will notify all property owners within _____ feet of the affected tax parcel that an application for a new Oil and Gas operation has been filed with the (City, County, Planning & Zoning Department). The notice is for informational purposes only and will not solicit any public comments on the application.

F. An oil or gas well permit shall not be required for exploration for oil or gas. Exploration of oil or gas means geologic or geophysical activities, including, but not limited to surveying and seismic exploration, related to the search for oil, gas, or other sub-surface hydrocarbons.

G. If an applicant does not conduct said business for a period of one (1) year, the administrative zoning permit shall be null and void. Permits issued under this ordinance shall not be transferable to any other applicant, except by a majority vote of the (LOCAL JURISDICTION], and the filing of an application BY the applicant to whom such license is, or may be, transferred or assigned.

[Section 6 - Under I.C. 47-317, the Department is required to remit, electronically, a copy of all state application materials to the respective local jurisdiction. The intent of this section is to require those application materials of particular interest and import to the land use impacts of an oil and gas operation and not necessarily require duplicative material already being sent to the State.]

Section 6. PERMIT APPLICATION:

A. The applicant shall provide to the (LOCAL JURISDICTION) at the time of permit application:

1. A narrative describing an overview of the project including the number of acres to be disturbed for development, the number of wells to be drilled including Department permit number(s) for all wells, if available, at the time of submittal and provided when issued later, and the location, number and description of equipment and structures to the extent known.

2. The address of the oil or gas well site and a legal description of the parcel as determined by the (LOCAL JURISDICTION) and information needed to gain access to the well site in the event of an emergency.

3. The contact information of the individual or individuals responsible for the operation and activities at the oil or gas well site shall be provided to the (LOCAL JURISDICTION) and all applicable Emergency Responders as determined by the (LOCAL JURISDICTION). Such information shall include a phone number where such individual or individuals can be contacted twenty-four hours per day, three-hundred sixty-five days a year. Annually, or upon any change of relevant circumstances, the applicant shall update such information and provide it to the (LOCAL JURISDICTION) and all applicable Emergency Responders as determined by the (LOCAL JURISDICTION).

4. A scaled site plan of the oil or gas well site showing the drilling pad, planned access roads, the approximate location of derricks, drilling rigs, equipment and structures

and all permanent improvements to the site and any post construction surface disturbance in relation to natural resources. Included in this map shall be an area within the development site for vehicles to locate while gaining access to the oil or gas well site.

5. A narrative and map describing the planned access routes to the well sites on public roads including the transportation and delivery of equipment, machinery, water, chemicals and other materials used in the siting, drilling, construction, maintenance and operation of the oil or gas well site.

6. A statement that the applicant will make the operation's Preparedness, Prevention and Contingency Plan available to the (LOCAL JURISDICTION) and all Emergency Responders at least 30 days prior to drilling of an oil or gas well and at least annually thereafter while drilling activities are taking place at the oil or gas well site.

7. An appropriate site orientation of the Preparedness, Prevention and Contingency Plan for all applicable Emergency Responders as determined by the (LOCAL JURISDICTION). The cost and expense of the orientation shall be the sole responsibility of the applicant. If multiple wells/well pads are in the same area (covered by the same emergency response agencies), evidence from the appropriate emergency response agencies that a training course was offered in the last 12 months shall be accepted.

8. A narrative describing the environmental impacts of the proposed project on the site and surrounding land and

measures proposed to protect or mitigate such impacts shall be provided to the (LOCAL JURISDICTION).

Section 7. ISSUANCE OF PERMIT:

A. Within _____ business days after receipt of a permit application, the (LOCAL JURISDICTION) will determine whether the application is complete and advise the applicant accordingly. **[Number of business days must be reasonable.]**

B. If the application is complete and fulfills the requirements of this ordinance, the (LOCAL JURISDICTION) shall issue a permit within 21 days following the date the complete application was submitted.

C. If the application is incomplete or does not fulfill the requirements of this ordinance, the (LOCAL JURISDICTION) will notify the applicant of the missing and/or inadequate material and, upon receiving said material, shall issue the permit within twenty-one (21) days following the date the complete application was submitted.

D. As a condition of permit approval, applicant shall provide all permits and plans from the Department and all other appropriate regulatory agencies within 30 days of receipt of such permits and plans.

[Paragraph E - Housing is a separate use category from oil and gas and not addressed under I.C. 47-413. As such, oil and gas applications and permits that include a housing component are not subject to the 21-day limitation for processing these applications.]

E. If temporary housing for well site workers is proposed on the well site, a plan showing the number and location of the units shall be provided to the (LOCAL JURISDICTION).

Temporary housing plans shall be in compliance with all applicable (LOCAL JURISDICTION) regulations.

Section 8. SITE DESIGN AND INSTALLATION:

[Section 8 A addresses 1) access and road maintenance permitting during the oil and gas extraction process for state and local roads. A road repair agreement or road management plan, created through the local road jurisdiction (city, county, highway district) will set standards (ex. dirt, dust, debris control and other standards unique to the location) and provide bonding for mitigation of impacts to local roads.]

A. Access.

1. Vehicular access to a natural gas well, oil well or well pad solely via a residential street is prohibited unless it can be proven that the only viable vehicular access to the well site is via the residential route. The use of collector streets is preferred.

2. (LOCAL JURISDICTION) adopted professional standards pertaining to minimum traffic sight distances for all access points shall be adhered to.

3. Access directly to State roads from a well site may require a Idaho Transportation Department (ITD) Approach Permit. Prior to initiating any work at a drill site, the (LOCAL JURISDICTION) shall be provided a copy of the any required Approach Permit.

4. Access directly to (LOCAL JURISDICTION) local streets shall require a (LOCAL JURISDICTION) Road Repair Agreement prior to initiating any work at a well site. Operator shall comply with any generally applicable bonding and permitting requirements for (LOCAL JURISDICTION) roads that are to be used by vehicles for

site construction, drilling activities and site operations.

B. Height.

1. There shall be an exception to the height restrictions contained in this section for the temporary placement of drilling rigs, drying tanks, pad drilling and other accessory uses necessary for the actual drilling or redrilling of an oil or gas well. The duration of such exemption shall not exceed the actual time period of drilling or redrilling of an oil or gas well or pad drilling.

[Section 8 C addresses well site setbacks. The Rules Governing Oil and Gas Conservation set minimum well spacing standards. Local jurisdictions may set minimum setback requirements from structures, roads and property lines. The customary industry minimum is 200' but may be adjusted as seems reasonable.]

C. Setbacks/Location.

1. Setback distances shall, at minimum, follow requirements listed in the Department Rules Governing Oil and Gas Conservation.

2. Recognizing that the specific location of equipment and facilities is an integral part of the oil and gas development, and as part of the planning process, operator shall strive to consider the location of its temporary and permanent operations, where prudent and possible, so as to minimize interference with (LOCAL JURISDICTION) residents' enjoyment of their property and future (LOCAL JURISDICTION) development activities as authorized by the (LOCAL JURISDICTION) applicable ordinances.

3. Exception from the standards established in this subsection may be granted by the (LOCAL JURISDICTION) upon good cause by the operator that it is not feasible to meet the setback requirements from surface tract property lines and that adequate safeguards have or will be provided to justify the exception.

D. Screening and Fencing.

1. Security fencing shall not be required at oil or gas well sites during the initial drilling, or redrilling operations, as long as manned 24-hour on-site supervision and security are provided.

2. Upon completion of drilling or redrilling in Residential or Commercial Zones, security fencing consisting of a permanent chain link fence shall be promptly installed at the oil or gas well site to secure well heads, storage tanks, separation facilities, water or liquid impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.

3. The (LOCAL JURISDICTION) may use its discretion to determine whether fencing requirements shall be enforced for well heads, storage tanks, separation facilities, and other mechanical and production equipment and structures on the oil or gas well site in those Zones.

4. Security fencing shall be at least 6 feet in height equipped with lockable gates at every access point and having openings no less than 12 feet wide.

Additional lockable gates used to access oil and gas well sites by foot may be allowed, as necessary.

5. Warning signs shall be placed on the fencing surrounding the oil or gas well site providing notice of the potential dangers and the contact information in case of an emergency. During drilling and hydraulic fracturing, clearly visible warning signage must be posted on the pad site.

6. In construction of oil or gas well sites, the natural surroundings should be considered and attempts made to preserve existing trees and other native vegetation. Existing trees and respective root systems should not be disturbed whenever possible. Re-forestation/re-vegetation of the well site will be provided by the owner/operator as required by rules governing Oil and Gas Conservation.

D. Lighting.

Lighting at the oil or gas well site, either temporary or permanent, shall be directed downward and inward toward the activity, to the extent practicable, so as to minimize the glare on public roads and adjacent properties.

E. Noise.

The (LOCAL JURISDICTION) recognizes that oil and gas development is accompanied by inherent noise. However, the operator shall consider, to the extent possible, mitigation of noise resulting from the oil or gas well development.

[The local jurisdiction may already have noise levels already established in ordinance for different zones. If this section is used, it should be consistent with existing ordinance and should provide for an exception to noise levels during drilling operations.]

G. Dust Control

Operator shall control fugitive dust control arising from operations. Operator shall dust proof work area by sprinkling with water or a water/calcium chloride mixture where necessary.

H. Work hours

Site development, other than drilling shall be conducted only between 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday. Truck deliveries of equipment and materials associated with drilling and, well servicing, site preparation and other related work conducted on the site shall be limited to the above same work hour restrictions except in cases of an emergency. The operator may request an exception to this section for good cause shown.

[The local jurisdiction may already have work hours established in ordinance. If this section is used, it should be consistent with existing ordinance and should provide an exception to work hours during drilling operations.]

Section 8. This Ordinance may be published in summary form allowed by Idaho Code.

Section 9. 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 10. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 11. 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 (LOCAL JURISDICTION), Idaho this _____ day of _____, 2012.

DRAFT

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
September 17th, 2012**

6:15 PM – Work Session

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Ivan Mussell, Jeff Sands, Lee Nelson, Craig Jensen, and Georgia Hanigan

Members Absent:

Staff Present: Mary Cordova, City Coordinator; Jennifer Kelley, HR; Randy Schwartz, WWTP Supervisor; Doug Argo, City Engineer; Steve Castenada, Fire Chief; Bobbie Black, Deputy City Clerk

- A. **Attributes of the City of Payette:** The Mayor said this is about marketing our City and making a good impression. Will submit with recommendations from previous meeting. Jennifer Kelley will fine tune the letter and present draft to Council at next meeting before being submitted.
- B. **Discussion on Open Meeting Rules:** The Mayor discussed that talking amongst the council or committee's is ruled as a serial meeting. Basing your decision on something you hear outside the public hearing is a violation of the rules. If there is a concern it should be discussed at a meeting. Discussed e-mails that are received, if you receive an e-mail that you might be basing your decision on, send to staff to be distributed to the entire council. Mary Cordova handed out pamphlet on Idaho open meeting law manual to the Council. Just be aware that the public is watching. Alan Massey stated that he had sent an e-mail to the Council and realized that was in violation of the open meeting rules, he was not aware that you could not talk to someone and understand their point of view. The way he understood it is that individual communication is fine.
- C. **Letter from Senator Hill:** Staff has not responded to this, they would like some input from the Council. If this does cut revenue for local government, how are we going to fill the void if this happens? Next year would mean \$119,000 decrease to us. It was felt that cities and counties will be lobbying against this. Talked about is Payette a good place for an enterprise zone. Looking for any suggestions on how to respond to this letter. Ms. Cordova stated that staff has all the questions answered, just need to know where the Council stands. Phase it and if state can off-set some of it that would be the Council suggestions.

The work session ended at 7:00 PM

Regular Meeting—7:00 PM

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, Mark Heleker, Ivan Mussell, Jeff Sands, Lee Nelson, Craig Jensen, and Georgia Hanigan

Members Absent:

Staff Present: Mary Cordova, City Coordinator; Jennifer Kelley, HR; Randy Schwartz, WWTP Supervisor; Doug Argo, City Engineer; Steve Castenada, Fire Chief; and Bobbie Black, Deputy City Clerk.

PLEDGE

Liz Belvoir led the pledge of allegiance.

CITIZENS COMMENTS

None Heard

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Mussell to approve the minutes of 09-04-2012 Regular Meeting and 09-06-2012 Special Meeting as written.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Jensen and seconded by Heleker to approve the City Bills & Payroll in the amount of \$173,630.12.

At the roll call:

Ayes: Heleker, Nelson, Mussell, Hanigan, Sands, and Jensen

Nays:

The motion CARRIED

SPECIAL ORDERS

None

COMMUNICATIONS

None

PLANNING & ZONING

None

OLD BUSINESS

A. ROSE Advocates – HUD Home: Delores Larson discussed that the Council is ready to move on the house and has possible people to occupy. Ms. Larson asked if the \$3,035.33 could be waived by the Council to take possession of the house. She realizes that everyone has tight budgets and one grant they are not able to apply for until next year. Would like to start working on the house. If can't waive, asked for a payment plan to be arranged for them. The Mayor stated that there is some work that needs to be done to be habitable. She stated yes they were aware and they have volunteers that can help. Suggested that they might like to do a walk through before accepting. She stated that she has wonderful staff; they are each taking turns staying the night at the facility. Ms. Larson presented the City of Payette with a plaque for the appreciation and support that the City has shown to ROSE Advocates.

NEW BUSINESS

A. Valley Family Health – The city has an agreement with Valley Family Health to defer curb, gutter and sidewalk for two years that will expire in November 2012. They want to do some expansion and would like to ask for an extension of the original agreement for an additional year. Sands stated that his wife is on the board and abstained.

A motion was made by Mussell and seconded by Heleker to extend the original agreement to November 30, 2013.

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

B. Patrick's Pub – transfer of beer & wine license

A motion was made by Sands and seconded by Nelson to approve the transfer of beer & wine license for Don Belvoir of Patrick's Pub contingent upon:

1. Approval by the Planning & Zoning Commission
2. Copy of the State license is received
3. Copy of the County License is received
4. Copy of the SWDH permit is received
5. All local, State & Federal codes are followed

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

C. Library Meeting Room Policy

Councilor Sands stated that the Library Commission had discussed and approved the policy. They looked at several different formats and issues with the policy. Changes and modifications can always be made in the future; this policy is just to get something started. The fee would have to have a public hearing before being implemented. It was discussed that this might also be used for the new fire station.

A motion was made by Heleker and seconded by Jensen to approve the library meeting room policy as presented.

After a unanimous voice vote, the motion
CARRIED

D. ORDINANCE #1369 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING A NEW CHAPTER 8.30 KEY LOCK BOX SYSTEM TO TITLE 8 OF THE PAYETTE MUNICIPAL CODE, REQUIRING CERTAIN BUILDINGS OR STRUCTURE BE EQUIPPED WITH A KEY LOCK BOX SYSTEM; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER – 1st Reading

A motion was made by Heleker and seconded by Nelson to introduce Ordinance #1369 by title only.

After a unanimous voice vote the motion
CARRIED

Councilor Heleker stated that discussion that the public safety committee had a question on 8.30.010 #B, should it define what buildings. Councilor Sands questioned what the expense might be. The Council discussed that this is for new construction. Chief Castenada stated that it is being done now and would like to have it in City Code. Sands stated that we have adopted the code and we have the power now to enforce it now. This is a great tool for the fire department. He likes the idea of given the chief the authority to determine who needs to install a Knox box. Do we want to make every commercial buildings be required to have a Knox box.

A motion was made by Heleker and seconded by Mussell to move #1369 on its second reading.

After a unanimous voice vote the motion,
CARRIED

E. Recommendation of appointment to Historical Commission

A motion was made by Heleker and seconded by Jensen to approve the appointment of Ken Gissell to the Historical Commission with term expiring on July 31, 2013.

After a unanimous voice vote, the motion
CARRIED

F. Police Copier Lease Agreement

A motion was made by Hanigan and seconded by Nelson to approve the copier lease agreement for the Police Department.

At the roll call:

Ayes: Heleker, Nelson, Mussell, Hanigan, Sands, and Jensen

Nays:

The motion CARRIED

DEPARTMENTAL REPORTS

- A. Police Department – August 2012
- B. Fire Department – August 2012
- C. Treasurers Report – August 2012
- D. Airport Meeting – Sept. 11th Craig Jensen talked about the fog coat being done at the airport last week, taxiway being swept, and repair potholes in taxiway
- E. Library Meeting – Sept. 11th- Jeff Sands stated a filtering policy will be coming before Council soon, will be closing for a few days to do the move, October 27th will be their fund raiser for the year. Also discussed the rural patron's fees and various fines.
- F. Parks & Rec Meeting – Sept. 12th – Georgia Hanigan reported on pool reduced hours, closed and covered outdoor pools and attic work is still continuing. Possible rate increases in the future. Pool will be working on a mural for the pool. Parks very clean after cruise night. Playground equipment will be installed on 7th Ave. North Park soon; the parts to be ADA compliant have been received. Discussed the greenway and city has purchased rock to be placed. Sept. 25th the committee will meet at the greenway for a meeting. The water filtration pump went out today at the pool.
- G. Public Safety Meeting – Sept. 12th – Ivan Mussell gave an overview of the meeting. Talked about Spaghetti Feed for the burn out fund, burn ban, Knox box ordinance, cruise night and an officer resigned.

MAYOR'S COMMENTS

Play Day USA tomorrow at 10:00 am.

CITIZEN'S COMMENTS

Councilor Mussell asked if there were plans to have grass planted around the library. The library is close to being done, the first punch list has been done.

ADJOURNMENT

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 8:00 PM.

The motion CARRIED.

Signed this _____ day of _____, 2012.

Jeff Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

CITY OF PAYETTE
OCTOBER 1ST, 2012

CITY PAYROLL	09/27/12	105,347.77
DCS	9/20/2012	526.99
HARDIN SANITATION	9/17/2012	26,628.42
ADVANCED CONTROL	09/27/12	1,163.75
AMERICAN STAFFING	09/27/12	819.36
B.C. SALES	09/27/12	469.45
ASSOC. IDAHO CITIES	10/1/2012	2,991.00
BNS MARKETING	09/27/12	121.50
BLACK, BARBARA JEAN	09/27/12	66.00
BLACK MOUNTAIN SOFTWARE	09/27/12	995.00
BURKE ELECTRIC	09/28/12	132.00
BWI	09/28/12	48.65
CHOATE, RANDY	09/28/12	315.00
CORDOVA, MARY	09/27/12	64.90
D & B	09/28/12	174.95
DART'S	09/27/12	1,480.51
DCS	09/27/12	545.54
DCS	09/28/12	110.00
DRAPER ENTERPRISES	09/27/12	200.00
DRAPER'S OUTDOOR POWER EQUIP.	09/27/12	35.69
EFOOTBRIDGE, LLC	09/27/12	2,660.00
EHLERACH, MARK	09/28/12	1,736.82
ERNIE'S ELECTRIC	09/27/12	1,049.79
FISHER SCIENTIFIC	09/28/12	634.35
FRANKLIN, JIM	09/28/12	420.00
FREEMAN, DAVE	09/27/12	136.99
FRUITLAND NURSERY	09/27/12	535.00
GALL'S	09/27/12	1,624.27
GRAYLORD BROS., INC	09/28/12	1,390.50
GRANT'S PETROLEUM	09/28/12	827.30
GRANT'S PETROLEUM	09/28/12	175.40
GREENWOOD AVE. IRRIGATION	10/1/2012	125.00
HANIGAN CHEV	09/28/12	92.29
HANIGAN CHEV	09/28/12	78.73
HANIGAN DODGE	09/27/12	26.60
HANIGAN, KEVIN	09/28/12	315.00
HARDIN SANITATION	09/27/12	822.36
HERITAGE METAL WORKS	09/28/12	60.00
HOGG, LARRY	09/28/12	385.00
HOLLADAY ENGINEERING, INC.	09/27/12	12,310.78
ICRMP	10/1/2012	44,678.43
IDAHO ASPHALT	09/27/12	5,605.00
IDAHO POWER	09/27/12	6,428.96
IDAHO POWER	09/28/12	2,574.48
INDEPENDENT ENTERPRISE	09/27/12	229.14
IRVCO ASPHALT & GRAVEL, INC.	09/28/12	83,055.47
JOHNNY B TRANSPORT	09/27/12	1,500.00
KEPNA CONSTRUCTION	09/27/12	44,285.89
KING, BRENT	09/28/12	35.00
KMD MECHANICAL	09/27/12	17,323.00
LADLEY, THOMAS	09/28/12	175.00
LOMER PAYETTE DITCH	10/1/2012	410.00
McELRATH, CASSANDRA	09/28/12	315.00
McKEAN, NOEL & MARVEL	09/28/12	6,000.00
MED-TECH RESOURCE, INC	09/27/12	146.63
METROQUIP	09/27/12	422.69
MICROMARKETING	09/27/12	102.23
MICROMARKETING	09/28/12	71.74
MOON, THOMAS & MAUVIA	09/28/12	3,200.00
NORCO	09/27/12	116.00
NORTHEAST WISCONSIN TECHNICAL COLLEGE	09/27/12	350.00
ONTARIO BEARING	09/27/12	40.61
ONTARIO TOOL	09/27/12	553.00
OVERHEAD DOOR COMPANY	09/27/12	106.66
PAYETTE HIGH SCHOOL	09/27/12	818.00
PETTY CASH	09/27/12	355.63
PITNEY BOWES	09/27/12	3,300.00
PROTEX	10/1/2012	369.00
RIPPIN' STITCHES EMBROIDERY	09/27/12	788.14
RIVERSIDE INC	09/27/12	2,126.58
S&H TERMINAL, INC.	09/27/12	158.40
SHERMAN WILLIAMS	09/27/12	207.59
STAPLES	09/27/12	139.95
SYME ELECTRIC	09/27/12	457.95
T.A. WELDING	09/27/12	1,400.00
TETON COMMUNICATIONS, INC.	09/27/12	12,470.00
TOOMBS	09/27/12	339.62
TREASURE VALLEY TRANSIT	10/1/2012	7,500.00
UPS	09/27/12	35.38
VIVID INK & TONER	09/27/12	246.00
WARRINGTON CONSTRUCTION	09/28/12	48,980.00
WATCHGARD VIDEO	09/27/12	305.50
WEST CENTRAL HIGHLANDS	10/1/2012	300.00
WF CONSTRUCTION	09/28/12	134,720.00
WILBUR-ELLIS	09/28/12	2,000.00
YOUNGBERG, GARY	09/28/12	245.00
ZEE SERVICE CO.	09/27/12	36.95
		602,528.34

Mayor Williams
& the Fayette City
Council;

Thank you for making
adjustments so
the pool can stay
open all year. My
health has been
better since I can
exercise at the pool.
My doctors are
pleased.

a faithful customer
Carroll Parsons
Briarland



RECEIVED

SEP 04 2012

CITY OF PAYETTE

*Thank you to the
City of Payette
Mayor
Maureen Condit
Senior*

 We can not Say

Thank You Enough 

for your thoughtfulness

The Payette
Senior Center

Thank
You

We can not Say
Thank You Enough
for your thoughtfulness

The Payette

Senior Center

*Thank you for
choosing the Payette
Senior*

Maura Kucha



©AGC, Inc.



RECEIVED
SEP 04 2012
CITY OF PAYETTE

2600 Rose Hill Street, Suite 206
Boise, Idaho 83705

Toll free 888.631.9598
Phone 208.345.9944
Fax 208.345.9967
www.echelongroup.com

Creating financial strategies to ENHANCE YOUR LIFESTYLE

August 17, 2012

Meals on Wheels
137 North Main
Payette, ID 83661

To Whom It May Concern:

Attached is a contribution check in the amount of \$201.63 on behalf of our client City of Payette. As a participant in our Community Connection™ program, they chose your organization as the charity of their choice for 2nd Quarter 2012.

If you have any questions or concerns, please don't hesitate to call 208-345-9944.

Thank you,

Donald L. Reiman, CFP®
President/Founder
Echelon Group

Cc: City of Payette

City of Payette
700 Center Ave.
Payette, Idaho

We just wanted to let the city street crew know how much we appreciate the great job they did on our street, 6th Ave. So., putting in the curbs, gutters, and the paving that was done. All of the workers were very polite and willing to answer any questions we might have. They also made any adjustments that had to be made to make things all work out for the best. IT IS ALL SO APPRECIATED.

THANKS TO ALL OF YOU,

Sincerely,

David and Virginia Greif

**PAYETTE PLANNING & ZONING COMMISSION
REGULAR MEETING
August 23, 2012**

6:00 PM –Planning & Zoning Meeting

ROLL CALL

Members Present: Randy Choate, Larry Hogg, Jim Franklin, Cassandra McElravy, Thomas Ladley and Gary Youngberg

Members Absent: Kevin Hanigan

Staff Present: Mary Cordova, and Tiffany Howell

APPROVAL OF MINUTES

A motion was made by Franklin and seconded by McElravy to approve the regular meeting minutes 07-26-12 as written.

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

COMMUNICATIONS

None Heard.

PUBLIC HEARINGS

The public hearing opened at 6:00pm.

- A. An application by Norma Ruiz for a Conditional Use Permit to operate a childcare group for 7-12 children at 2055 Shelley Drive, Lot 7, Block 2 Vistair Replat Sec 26-9-5. The property is zoned A residential.

Commissioner Youngberg stated that he is the president of the home owners association and that he has been contacted by a few of these members.

Norma Ruiz – 2055 Shelley Drive; Payette, Idaho 83661

Mrs. Ruiz stated that she applied for a State license and they told her that she needs to get a City license. Mrs. Ruiz stated that she has been doing daycare there for about 8 years since she moved there. Commissioner Franklin asked if she has a fenced yard. Mrs. Ruiz stated yes. Commissioner Franklin asked how long she has been doing a daycare. Mrs. Ruiz stated 8 years, but she was just notified that she has to have a City license. Commissioner Hogg asked if the number of children has to increase. Mrs. Ruiz stated no, that she applied for 7-12 children because she doesn't want to get in trouble if she has 7 children.

Janet Medley – 2057 Shelley Drive; Payette, Idaho 83661

Mrs. Medley stated that she has lived there for 8 years and she has never had a problem. The children are very well behaved and most of the time the dogs are worse than they are. My husband and I are in support of her daycare and that the traffic has not been a problem. We would like her to continue her daycare.

Gary Youngberg – 2091 Shelley Drive; Payette, Idaho 83661

Mr. Youngberg stated that he did get calls regarding what the homeowner's covenants were and if there was a conflict. Mr. Youngberg stated that he does wear two hats and that he couldn't talk about that but he did tell them that the covenants only allows up to 8 children. Commissioner Choate asked what his opinion was. Mr. Youngberg stated that he is friends with them and has no problems.

- B. An application by Ricardo Sotelo for a Variance Application for a 5; side setback, 218 North 10th Street, N 59' of LOTS 1&2, BLK 18, Gorrie Addition. The property is zoned B-Residential.

None Heard.

The Public Hearing closed at 6:09pm.

NEW BUSINESS

- A. Norma Ruiz – Conditional Use Permit – 2055 Shelley Drive

A motion was made by Franklin and seconded by Hanigan to grant the conditional use permit for Norma Ruiz at 2055 Shelley Drive to operate a childcare group for 7-12 children and that the permit can be revisited upon complaints.

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

- B. Ricardo Sotelo – Variance Application – 218 North 10th Street

Commissioner Youngberg asked if there was a penalty for not complying with the ordinance. Clerk Cordova stated yes. Commissioner Hogg stated that at first he wasn't in favor, but it does look like they improved it.

A motion was made by Franklin and seconded by Ladley to send a favorable recommendation to City Council with the following stipulations: 1. No residential use of structure at any time in the future. 2. Must obtain a building permit. 3. Structure must be brought up to code. 4. All State, Local, and Federal regulations shall be met.

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

- C. Gas & Oil Ordinance

Commissioner Hogg stated that the way he reads this is that basically they tell us what they are doing and we approve it. Commissioner Franklin stated that are hands are basically tied. Commissioner Franklin stated that if he was to push for something it would be the close loop system. Clerk Cordova asked if that would be in certain zones or out of city limits or what? Commissioner Franklin stated probably zones. Commissioner Choate asked if the molting equipment has to comply with setbacks. Clerk Cordova stated no, not necessarily. Clerk Cordova stated that basically the States opinion is if its gas and oil or natural gas, it is allowed. Commissioner Hogg stated that he would like to see a little more teeth into the roads section.

Commissioner Choate asked if there equipment has to comply with the setback guidelines. Clerk Cordova stated no. Commissioner Choate asked if we could. Clerk Cordova stated yes, possible. There standard is 200 foot form a structure. Commissioner Youngberg stated that he assumes if they build a permanent structure that it has to comply with the setbacks. Commissioner McElravy stated yes. Commissioner McElravy asked Clerk Cordova if down the road they find that there is something that needs to be added if it can be amended. Clerk Cordova stated yes. Clerk Cordova stated that it is not required to notify the property owners by law, but it is a suggested that we do. Clerk Cordova stated that it cost us to send out the notifications, but we could add that into the permit. Commissioner Franklin stated that the only issue he sees with the draft ordinance is the closed loop system. Commissioner Youngberg stated that in a previous meeting it was stated that once they start drilling they cannot stop for a while. Clerk Cordova stated yes, but if that is something you want to see changed let me know. Commissioner Youngberg stated that my big thing is the construction process and making sure they don't ruin our roads and the noise and so on. Commissioner Hogg asked if we have a noise ordinance. Clerk Cordova stated not for this type of issue. Clerk Cordova stated that we could regulate the noise by zones and what kind of machines can be used. Commissioner Hogg stated that he would like to see something in the draft ordinance about noise. Commissioner Youngberg stated that he would like to see something about decibel levels around residences. Clerk Cordova stated that will not happen. Commissioner Choate asked Clerk Cordova if the Council had seen the draft ordinance. Clerk Cordova stated no, would you like them to see it. Commissioner Choate yes, let's get their input because I remember the Council being very adamant on a few items.

OLD BUSINESS

None Heard.

PUBLIC COMMENT

None Heard.

ADJOURNMENT

A motion to adjourn was made by Franklin, and seconded by Ladley. The meeting was adjourned by a unanimous vote at 6:55pm.

Recording Secretary
Tiffany Howell

ORDINANCE 1369

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING A NEW CHAPTER 8.30 KEY LOCK BOX SYSTEM TO TITLE 8 OF THE PAYETTE MUNICIPAL CODE, REQUIRING CERTAIN BUILDINGS OR STRUCTURE BE EQUIPPED WITH A KEY LOCK BOX SYSTEM; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.

WHEREAS, the City of Payette has previously adopted the International Fire Code, which addresses various fire related issues, including key boxes; and

WHEREAS, the City of Payette recognizes the importance and need of providing the fire department rapid entry in locked buildings. Delays in the fire department gaining rapid entry reduces the occupants chance of survival in a fire, the chances for substantial property damage increases because of delays in gaining entry to the structure and fire fighter safety and survival may be compromised because of said delays; and

WHEREAS, the benefits of installing Knox Boxes include providing immediate emergency access to firefighters and police officers; preventing costly forced entry damage allowing undamaged doors to be re-secured after the emergency; and protecting property, inventory, equipment and supplies as well as firefighters and police officers against possible injuries.

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

Section 1. A new Chapter 8.30 of the Payette Municipal Code is hereby created, which Chapter shall read as follows:

CHAPTER 8.30 KEY LOCK BOX SYSTEM

8.30.010 Key Lock Box Required for Certain Buildings or Structures

The following buildings or structures shall be equipped with a key lock box at or near the main entrance or such other location required by the fire chief or his/her designee:

- A. All commercial or industrial buildings or structures that are secured in a manner that restricts access during an emergency; state or federally regulated banks, savings and loans, and credit unions are excluded from compliance with this ordinance.
- B. Any building or facility containing a quantity of hazardous materials;
- C. Governmental structures;
- D. Nursing care facilities;
- E. Educational or child care facilities;
- F. All places of assembly

8.30.020 Commercial and Industrial Structures: All commercial and industrial structures requiring a change of occupancy (use) inspection subject to this ordinance shall have the key lock box installed an operational prior to final inspection and occupancy.

8.30.030 Type of Lock Box System: The fire chief shall designate the type of key lock box system to be implemented within the city and shall have the authority to require all structures to use the designated system. The fire chief shall be authorized to implement rules and regulations for the use of the lock box system.

8.30.040 Maintenance of Lock Box: The owner or operator of a structure, gated community, or complex required to have a key lock box shall, at all times, maintain the operation of the lock box, and keep labeled keys in the lock box that will allow access to the following:

- (1) Keys to locked points of egress, whether on the interior or exterior of such buildings;
- (2) Keys to locked mechanical equipment rooms;
- (3) Keys to locked electrical rooms;
- (4) Key to elevator controls;
- (5) Keys to any other areas as designated by the Payette Fire Department.

8.30.020 Installation and Location: All key lock boxes (also known as a "Knox Box") shall be recess mounted into the building/structure at a height of not less than 6' above the ground (surface grade). The face place of the key lock box shall be flush with the exterior façade of the structure/building on new construction. All key lock boxes shall be located as close as reasonably possible to the main entrance to the structure/building.

Section 2. This Ordinance may be published in summary form as permitted 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. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the misdemeanor statues of the State of Idaho.

Section 6. 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 _____, 2012.

CITY OF PAYETTE, IDAHO

Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk



City of Payette

Donation Request Form

Note: Requests must be received two (2) weeks prior to your event. We cannot fill requests without proper advance notification. One donation will be given per calendar year. A submitted request does not guarantee a donation.

Please initial that you have read the above statement LS

OFFICE USE ONLY

Date Received 9-17-12

Received by [Signature]

Call made by/time emailed 9-17-12
mtg 10-1-12 @ 7pm

Donation Awarded Y/N CC Date _____

Organization Information

Name of Organization/Club Fruitland middle School Boosters

Organization's Address PO Box A

City Fruitland State ID Phone 83619

Organization E-mail for this event only leighs @ dsfactors.com

Tax Exempt Number _____

Contact Person Information

Contact Name Leigh Simmons

Contact E-mail leighs @ dsfactors.com

Contact Cell Number 283-5881 Work/Home Number 482-31900 xt 5043

Event Information

Event Name FMS Jog-A-Thon

Event Date and Time 10/18/12 8:30 - 2:45

Projected Attendance 500 Cost per Person (if applicable) N/A

Item to Be Used For (Door Prize, Silent Auction, Live Auction, Etc.) prize for kids

Are you requesting a pool pass Y N If not, list your request _____

(Please Check One) Day Pass X Month Pass _____ Three Month Pass _____

Event Description Fundraiser for FMS this year is a jog-a-thon with proceeds to benefit the educational well-being and needs for all FMS students. Includes purchase of educational tools and programs.

October 1, 2012

Dear Parents/Guardians:

On October 18th FMS students will participate in a Jog-a-thon fundraiser at the FHS track. The Jog-a-thon promotes a healthy lifestyle for our students, is a great way to involve their families, gives our staff an opportunity to connect with kids outside of the classroom and 100% of the proceeds go towards our students. We appreciate the support of our parents and community members by sponsoring our kids. This fundraiser replaces the Cookie Dough fundraiser.

The School Board has approved a modified dress day for FMS students. The appropriate attire for this day, since all students will be participating whether or not they received pledges, should be: athletic shoes, sweat pants or athletic shorts, t-shirts and/or sweatshirts (Attire should be modest, ie., knee length shorts, no tank or spaghetti strap shirts, etc.).

The first date to turn in pledge sheets and money is **OCTOBER 15TH**. Pledge Sheets will be returned to students the following week to finish money collections. The final pledge sheet and money turn in date is **OCTOBER 30TH**. Students who turn in their pledges after October 30th will not be considered for prizes. Our goal for total pledges is \$10,000. The School Board has approved a "free dress day" should the goal be met. Generous members of our community have donated a number of wonderful prizes to give away for our top fundraiser students as well.

The Schedule for October 18th:

Time	Class/Grade
8:30-9:17	7th grade A-L, Eicher
9:30-10:10	7th grade M-Z
10:25-11:03	8th grade A-L
11:15-11:56	8th grade M-Z
12:30-1:15	6th grade (Olson, Hill, Seamons) Daniels, Eicher
1:15-2:00	6th grade (Malson, MacDonald) 5th grade (Mahler, Knee)
2:00-2:45	5th grade (Starkey, Steiner, Norton)

APPLICATION AND CERTIFICATE FOR PAYMENT DOCUMENT G702

TO OWNER: City of Payette
700 Center Avenue
Payette, Idaho 83661

PROJECT: Traffic Signal @ Int. of US-95 & SH-52
Payette, Idaho

FROM CONTRACTOR: WF Construction and Sales
PO Box 575
Meridian, Idaho 83680

ENGINEER: Holladay Engineering
32 North Main
Payette, Idaho 83661

APPLICATION NO: 2 **Distribution to:**
 OWNER
 ENGINEER
 CONTRACTOR
 FIELD OFFICE
 File, WBP 001 5.3

PERIOD TO: 9/30/2012
PROJECT NO: CP114-0326C
CONTRACT DATE: 7/16/2012

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, and Absaroka Construction Invoice #40, as attached.

1. ORIGINAL CONTRACT ONE SUM..... \$324,858
2. Net change by change orders..... \$0
3. CONTRACT SUM TO DATE..... (Line 1 + 2)..... \$324,858
4. TOTAL COMPLETED & STORED TO DATE..... \$229,091
(Column G on G703)

5. RETAINAGE:
 - a. 5.0% of completed Work..... \$9,380
(Columns D + E on G703)
 - b. 5.0% of Stored Material..... \$2,075
(Columns F on G703)

Total Retainage (Line 5a + 5b or Total in Column I of G703)..... \$11,455
6. TOTAL EARNED LESS RETAINAGE..... \$217,637
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate)..... \$82,917
8. CURRENT PAYMENT DUE..... \$134,720
9. BALANCE TO FINISH, INCLUDING RETAINAGE..... \$107,221

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0	
Total approved this Month	\$0	
TOTALS	\$0	
NET CHANGES by Change Order	\$0	

CONTRACTOR'S CERTIFICATE FOR PAYMENT

The undersigned Contractor certifies that to the best of his knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: WF Construction and Sales

By: 
Kevin Wade, LLC MEMBER

PROJECT MANAGER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the PM certifies to the Owner that to the best of the PM's Knowledge, Information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the amount indicated.

Doug Argo, Payette City Engineer

 Date: 9/26/12

Date:

CONTINUATION SHEET DOCUMENT 6703

APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certificate, is attached in tabulators below, amounts are stated to the nearest dollar. Use Column I on contracts where variable retainage for life items may apply.

APPLICATION NO.: 2
 APPLICATION DATE: 9/26/2012
 PERIOD TO: 9/30/2012
 PROJECT NO.: CP11-0326C

A	B	C	D		E		F	G		H	I
			WORK COMPLETED FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD	MATERIALS STORED (NOT IN D OR E)	TOTAL COMPLETED TO DATE (D+E+G)		% (G - C)	BALANCE TO FINISH (C-G)		
203-005A	Removal of Obstructions and Exc.	\$13,200.00	\$13,200.00	\$0.00	\$0.00	\$13,200.00	100%	\$0.00	\$660.00		
203-070A	Excavation of Soft Spots	\$30.00	\$0.00	\$0.00	\$0.00	\$30.00	0%	\$30.00	\$0.00		
301-005A	Granular Subbase	\$5,040.00	\$5,040.00	\$0.00	\$5,040.00	\$5,040.00	100%	\$0.00	\$252.00		
303-022A	Aggregate Type B for Base	\$6,400.00	\$6,400.00	\$0.00	\$6,400.00	\$6,400.00	100%	\$0.00	\$320.00		
405-025A	Superpave HMA CI SF-4	\$12,000.00	\$12,000.00	\$0.00	\$12,000.00	\$12,000.00	100%	\$0.00	\$600.00		
613-005A	Concrete Sidewalks and Ramps	\$11,850.00	\$11,850.00	\$0.00	\$11,850.00	\$11,850.00	100%	\$0.00	\$592.50		
615-430A	Comb. Curb & Gutter Ty A or C, 2	\$5,793.00	\$5,964.00	\$0.00	\$5,964.00	\$5,964.00	104%	-\$231.00	\$298.20		
616-000	Sign Salvage & Install	\$3,650.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$3,650.00	\$0.00		
626-000	Traffic Control	\$8,750.00	\$3,062.50	\$3,937.50	\$7,000.00	\$7,000.00	80%	\$1,750.00	\$350.00		
666-005A	Traffic Signal Installation	\$186,280.00	\$46,570.00	\$3,937.50	\$123,756.06	\$123,756.06	66%	\$62,523.94	\$6,187.80		
S105-05A	Directed Surveying-Field	\$320.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$320.00	\$0.00		
S105-05B	Directed Surveying-Office	\$840.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$840.00	\$0.00		
S105-10A	Survey	\$2,525.00	\$1,262.50	\$1,010.00	\$2,272.50	\$2,272.50	90%	\$252.50	\$113.63		
S203-20A	Orbiteration of Pav. Markings	\$1,545.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$1,545.00	\$0.00		
S600-05A	Adjust Valve Covers	\$1,026.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$1,026.00	\$0.00		
S605-05A	Adjust Manhole	\$456.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$456.00	\$0.00		
S656-10A	Multiple Approach Video Det. Sys.	\$21,965.00	\$0.00	\$0.00	\$10,875.76	\$10,875.76	50%	\$11,089.22	\$543.79		
S900-50B	Power Service	\$8,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$8,000.00	\$0.00		
S900-60A	Pav Marking	\$663.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$663.00	\$0.00		
S900-65A	Special Pav Markings	\$870.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$870.00	\$0.00		
S901-05A	Adjust Fire Hydrant	\$3,150.00	\$3,150.00	\$0.00	\$3,150.00	\$3,150.00	100.00%	\$0.00	\$157.50		
S901-05B	Remove and Reset Sign	\$182.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$182.00	\$0.00		
S911-05A	Temporary Construction Fence	\$540.00	\$270.00	\$270.00	\$540.00	\$540.00	100.00%	\$0.00	\$27.00		
S912-05A	Landscape Repair	\$5,000.00	\$0.00	\$2,500.00	\$2,500.00	\$2,500.00	50.00%	\$2,500.00	\$125.00		
Z629-05A	Mobilization	\$24,543.00	\$14,725.80	\$9,817.20	\$24,543.00	\$24,543.00	100.00%	\$0.00	\$1,227.15		
GRAND TOTALS		\$324,858.00	\$87,280.80	\$100,318.70	\$41,491.84	\$229,091.34	70.52%	\$95,766.66	\$11,454.57		

Change Order

No. 1

Date of Issuance: October 1, 2012 Effective Date: October 1, 2012

Project: Traffic Signal @ Intersection US-95 & SH-52	Owner: City of Payette	Owner's Contract No.:
Contract: Traffic Signal @ Intersection US-95 & SH-52		Date of Contract: July 16, 2012
Contractor: WF Construction		Engineer's Project No.: CP 11-0326C

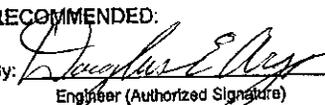
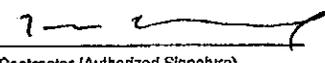
The Contract Documents are modified as follows upon execution of this Change Order:

Description: The contract time is extended to November 10, 2012 for substantial completion. This extension is for unexpected delays in shipping the signal poles and mast arms. The delay is due to demand and manufacturing delays which were beyond the contractor's control. The contractor could not have anticipated this delay because the manufacturer informed the contractor of the delay well after the contract was signed.

Attachments: (List documents supporting change):

none

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$324,858</u>	Original Contract Times: <input checked="" type="checkbox"/> Working days <input type="checkbox"/> Calendar days Substantial completion (days or date): <u>October 24, 2012</u> Ready for final payment (days or date): <u>November 14, 2012</u>
[Increase] [Decrease] from previously approved Change Orders No. <u>n/a</u> to No. <u>n/a</u> : <u>\$n/a</u>	Increase from previously approved Change Orders No. <u>n/a</u> to No. <u>n/a</u> : Substantial completion (days): <u>n/a</u> Ready for final payment (days): <u>n/a</u>
Contract Price prior to this Change Order: <u>\$</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>October 24, 2012</u> Ready for final payment (days or date): <u>November 14, 2012</u>
[Decrease] of this Change Order: <u>n/a</u>	Increase of this Change Order: Substantial completion (days or date): <u>November 10, 2012</u> Ready for final payment (days or date): <u>November 30, 2012</u>
Contract Price Incorporating this Change Order: <u>\$324,858</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>November 10, 2012</u> Ready for final payment (days or date): <u>November 30, 2012</u>

RECOMMENDED: By: <u></u> Engineer (Authorized Signature) Date: <u>9/26/12</u>	ACCEPTED: By: _____ Owner (Authorized Signature) Date: _____	WF CONSTRUCTION, SALES LLC ACCEPTED: By: <u></u> Contractor (Authorized Signature) Date: <u>SEPT. 26, 2012</u>
Approved by Funding Agency (if applicable): <u>N/A</u>		Date: _____

APPLICATION AND CERTIFICATE FOR PAYMENT DOCUMENT G702

TO OWNER: City of Payette
700 Center Avenue
Payette, Idaho 83661

PROJECT: 8th Ave N. Sewer Repl
Payette, Idaho

FROM CONTRACTOR: Warrington Construction
PO Box 910
Ontario, OR 97914

ENGINEER: Holladay Engineering
32 North Main
Payette, Idaho 83661

APPLICATION NO: 1
PERIOD TO: 9/30/2012
PROJECT NO: CP12-0318C
CONTRACT DATE: 8/30/2012

Distribution to:
 OWNER
 ENGINEER
 CONTRACTOR
 FIELD OFFICE
 File, WBP 001 5.3

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, and Absaroka Construction invoice #40, as attached.

1. ORIGINAL CONTRACT ONE SUM..... \$52,358
2. Net change by change orders..... \$0
3. CONTRACT SUM TO DATE..... (Line 1 + 2)..... \$52,358
4. TOTAL COMPLETED & STORED TO DATE..... \$51,558
(Column G on G703)

5. RETAINAGE:
 - a. 5.0% of completed Work..... \$2,578
(Columns D + E on G703)
 - b. 5.0% of Stored Material..... \$0
(Columns F on G703)
 Total Retainage (Line 5a + 5b or Total in Column I of G703)..... \$2,578
6. TOTAL EARNED LESS RETAINAGE..... \$48,980
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate)..... \$0
8. CURRENT PAYMENT DUE..... \$48,980
9. BALANCE TO FINISH, INCLUDING RETAINAGE..... \$2,578

CHANGE ORDER SUMMARY		
ADDITIONS	DEDUCTIONS	
Total changes approved in previous months by Owner	\$0	
Total approved this Month	\$0	
TOTALS	\$0	
NET CHANGES by Change Order	\$0	

CONTRACTOR'S CERTIFICATE FOR PAYMENT

The undersigned Contractor certifies that to the best of his knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

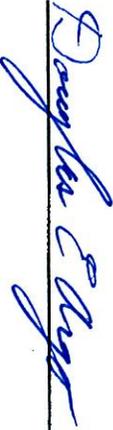
CONTRACTOR: Warrington Construction

By: 
Andrea Warrington
9-26-12

PROJECT MANAGER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the PM certifies to the Owner that to the best of the PM's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the amount indicated.

PROJECT MANAGER: Doug Argo, Payette City Engineer


Date: 9/27/12

Date:

MEMO

PAYETTE COUNTY
PLANNING AND ZONING

RECEIVED
SEP 25 2012
CITY OF PAYETTE



FROM: Isnarda Rodriguez

DATE: September 25, 2012

TO: Mary Cordova
700 Center Ave.
Payette ID 83661

REGARDING: Planning and Zoning hearings pertaining to properties that are within the Payette City Impact Area on the Payette County Planning and Zoning Agenda for October 11, 2012.

The Payette County Planning and Zoning Commission is requesting a recommendation from the City Council and P&Z regarding the following application prior to our October 11, 2012 meeting. Please find enclosed a copy of the following hearing information.

1. The purpose of the hearing is to consider the issue of whether property which has been rezoned from Agricultural to Industrial-1 should revert back to its original Agricultural designation. The property is located at 1835 NE 10TH Ave., Payette, ID and is owned Teton Machine Company.

Property is described more specifically:
A portion of land in Blocks 53, 54, & 55 of Westslope Plat located in the SE1/4 of Sec.3, T.8N., R.5W., Boise Meridian, Payette County, ID.



September 20, 2012

Payette County Planning & Zoning
Attn: Lindsey Royston Bratcher
1130 3rd Ave. North Room #107
Payette, ID 83661

Dear Lindsey:

I'm writing regarding your letter dated September 14th, 2012 in which you refer to the property at 1835 N.E. 10th Ave. and Ordinance 2007-13.

We recently purchased the aforementioned property in early August of 2012 and have not had the opportunity to make any improvements to the property. Our business is growing and we anticipate potentially building a new facility on this property in the very near future. We certainly want to maintain the current zoning of this property and we'll need some time to make any improvements. That said, I'm formally requesting a 5 year extension of the current zoning designation of this property in order to properly plan and develop the property.

Please address your response and any questions directly to me at our business address below or you may call me directly at 208-642-9344.

Sincerely,

A handwritten signature in black ink, appearing to read "Andres Oyervides".

Andres (Andy) Oyervides
President

*Received
9/20/12*

CITY OF PAYETTE
ENGINEERING STATUS REPORT
OCTOBER 1, 2012

A. Subdivision

We have reviewed a preliminary plat for RCG, Inc. Proposed plat is on the NW corner of 7th Ave. N. and Iowa Avenue. We recommend approval of the preliminary plat contingent on the comments in our Staff Report of October 26, 2012.

B. Sewer

Construction for the replacement of the sewer line on 8th Avenue N. is substantially complete. A pay application for the full amount, less retainage is included. The amount is slightly reduced from the contract amount because of a reduction in quantity of the estimated number of service connections and manhole collars required. We anticipate that the retainage can be released at the next Council meeting.

C. Stoplight

The construction of the stoplight is now on hold until delivery of the poles and mast arms. The delivery of these items was delayed by the manufacturer, and this delay was beyond the control of the contractor. A change order to allow the contractor additional time for completion is included. This is a no cost change order.

D. Streets and Grants

The City has recently been lumped in with Fruitland as an "urban area" for purposes of receiving Federal funding through LHTAC. As we understand it, this means that we will now have to coordinate with Fruitland to submit projects for funding consideration and we will be limited to one funding application between us for a given funding cycle. Neither city is eligible to apply for funding this year. As more information becomes available, we will share it with the Council.

