

**MINUTES
PAYETTE CITY COUNCIL
Regular Meeting
October 20, 2014**

7:00 PM – Regular Meeting

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

ROLL CALL

Members Present: Mayor Jeff Williams, Mark Heleker, Nancy Dale, Ray Wickersham, Craig Jensen and Jeff Sands
Members Absent: Lee Nelson was excused.
Staff Present: Bert Osborn, City Attorney; Mary Cordova, City Administrator; Mark Clark, Chief of Police; Jamie Couch, Street Superintendent; Doug Argo, City Engineer; Steve Castenada, Fire Chief; and Bobbie Black, Deputy City Clerk.

PLEDGE

The Pledge of Allegiance was led by Ray Wickersham

CITIZENS COMMENTS

None.

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Dale to approve the public hearing & regular meeting minutes of 10-06-2014 as written. The Mayor recommended an amendment to the previous minutes should read, "the codes are up to the interpretation of the building inspector". No objection was heard.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Sands and seconded by Heleker to approve the City Bills & Payroll in the amount of \$269,720.32 as long as Nelson is okay with them.

Councilor Jensen asked about the HD Waterworks bill and was told it was for radio reads and pipe for S. 14th Street. He also asked about the Toothman-Orton bill and was informed that this is for airport runway extension which was previously approved by the council at their last meeting.

At the roll call:
Ayes: Sands, Wickersham, Jensen, Dale, Heleker.
Nays:

The motion CARRIED.

SPECIAL ORDERS

None

COMMUNICATIONS

- A. Thank You to Street Department – Jerry Hinton
- B. Celebrate My Drive Grant Contest for Payette High School – Gerald Loveland, teaches drivers education in Payette. He informed the Council that they received notice from State Farm about the grant contest. Grand prize is \$100,000, of which 10% of each grant must be allocated to teen driver safety programs. He encouraged everyone to log on to 'Celebrate My Drive' and click on Payette High School. Winner is determined by clicks on website. He thanked the City for putting on its website. We are the only small school in Idaho competing in this contest.

PLANNING & ZONING

None

OLD BUSINESS

- A. Bike Terrain Park Update – Councilor Jensen stated that the person that has the plans and designs was not able to make the Parks & Rec meeting, so another meeting was scheduled.

NEW BUSINESS

- A. Special Event Permit – Concert for the Cross

Alex Mussell informed the Council that he is trying to get bands together for this event. He stated that tickets are being printed, and signs posted. He just needs Council approval to get going. Councilor Heleker stated his concerns regarding the power. Alex Mussell stated they have a PA system already set up. His dad can get a couple of generators if needed, which would be enough power. Chief Clark stated the parking issues have been addressed, he also discussed times will be 6-9PM for the concert. He was asked about concerns crossing the highway, and he encourages all attendees to use the crosswalk.

A motion was made by Wickershamand seconded by Heleker to approve the Special Event Permit for Concert for the Cross at Agape Coffee House and waive the permit fee.

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

- B. Special Event Permit – Chamber/Lions Halloween Costume Contest

A motion was made by Heleker and seconded by Jensen to approve the Special Event Permit for Chamber/Lions Halloween Costume Contest at Bancroft Park, October 31st from 4-5 and waive the permit fee.

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

- C. Donation Request – Treasure Valley Christian School

Councilor Sands would like staff to contact them to see what they are really wanting.

- D. Donation Request – Miracle Field

Councilor Jensen is asking the City to haul 100 yards of gravel from Bruce Peterson's gravel pit in Fruitland for the Miracle Field. Jamie Couch stated it would take a day and half or more to haul. He asked if they have a way to load it at the gravel pit. Councilor Jensen stated it needs to be done by end of next week. Mr. Couch stated he has a lot going on to be honest. Durham Gravel is prepping and gravel needs moved before asphalt plants close. There has been 200 yards are already hauled in, but still need 100 yards to complete. Fall

clean up starts November 3rd, and trucks will be all tied up. Ms. Cordova stated they estimate this will take 6 hours, 3 trucks, and 3 guys to complete at a cost of \$1,723.20. Councilor Jensen stated he has a conflict of interest on voting on this. Mayor Williams asked the City Attorney about himself being on the Miracle League Board. Mr. Osborn stated the Mayor is okay, because he does not vote. Councilor Sands stated it is a matter if the Street Department has the time or not to do it. Mr. Couch stated it depends on how this week goes if they would be able to do it.

A motion was made by Heleker and seconded by Wickersham to haul the 100 yards of gravel, subject to street department's availability.

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

- E. Ordinance #1385 - AN ORDINANCE FOR THE ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH OF 7th AVENUE NORTH, EAST OF THE CANAL, AND WEST OF SUNSET RIM SUBDIVISION, WHICH PROPERTY IS OUTLINED IN EXHIBIT "A", ALL SITUATED IN PAYETTE COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE CITY LIMITS; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LAND AS B-RESIDENTIAL; DESIGNATING THAT PROPERTY DESCRIBED IN EXHIBIT A AS A CATEGORY B ANNEXATION; MAKING CERTAIN FINDINGS IN THE OFFICIAL MINUTES OF THE CITY CLERK; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE PAYETTE COUNTY ASSESSOR, THE PAYETTE COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.~First Reading

A motion was made by Heleker and seconded by Jensen to introduce Ordinance 1385 by title only.

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

Bert Osborn read Ordinance #1385 by title.

A motion was made by Heleker and seconded by Sands to send Ordinance #1385 to second reading.

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

- F. Approval of Findings of Fact – 7th Avenue North Annexation – This item was tabled.

- G. Ordinance 1386 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, VACATING THAT PORTION OF A PUBLIC EASEMENT LOCATED ON A PARCEL OF LAND LOCATED IN SECTION 34, TOWNSHIP 9 NORTH, RANGE 5 WEST, BOISE MERIDIAN, SITUATED IN SE CORNER OF THE SW ¼ NE ¼ ; PROVIDING FOR EXECUTION OF A QUITCLAIM DEED BY THE MAYOR CONVEYING TITLE OF THE VACATED PROPERTY TO THE LANDOWNERS; RESERVING UTILITY EASEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.~First Reading

A motion was made by Heleker and seconded by Dale to introduce Ordinance 1386 by title only.

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

Bert Osborn read Ordinance #1386 by title.

A motion was made by Heleker and seconded by Sands to suspend the rules and pass Ordinance 1386 on first reading.

At the roll call:

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

Nays:

The motion CARRIED.

A motion was made by Heleker and seconded by Jensen that 1386 do pass.

At the roll call:

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

Nays:

The motion CARRIED.

- H. Ordinance 1387 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 12.18.130 OF THE PAYETTE MUNICIPAL CODE TO CORRECT CERTIFIED ARBORIST REQUIREMENTS; ESTABLISHING A PENALTY FOR VIOLATIONS; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER~First Reading

A motion was made by Heleker and seconded by Jensen to introduce Ordinance 1387 by title only.

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

Bert Osborn read Ordinance #1387 by title.

A motion was made by Heleker and seconded by Sands to suspend the rules and pass Ordinance 1387 on first reading.

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

A motion was made by Heleker and seconded by Sands that 1387 do pass

At the roll call:

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

Nays:

The motion CARRIED.

- I. Ordinance 1388 - AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 9.32 OF THE PAYETTE CITY CODE BY AMENDING SECTION 9.32.050 TO CHANGE THE PENALTY FOR VIOLATING THE CHAPTER; AMENDING SECTION 9.32.020 WHICH MAKES IT UNLAWFUL TO DISRUPT A COURT PROCEEDING, A PUBLIC MEETING OR A PUBLIC HEARING OR REFUSE TO LEAVE AFTER DISRUPTING A COURT PROCEEDING, A PUBLIC MEETING OR A PUBLIC HEARING; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY.~First Reading

A motion was made by Heleker and seconded by Jensen to introduce Ordinance 1388 by title only.

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

Bert Osborn read Ordinance #1388 by title. He stated the past several years the city and county has been blessed. When holding a public hearing everyone is allowed to speak. During a public meeting you don't get away with screaming and hollering, you will be escorted out. This is has been happening in Gem County. In addition, at the last County P & Z public hearing everyone was allowed to speak, and when going into the deliberation part, they were starting to be interrupted. The person was asked to be quiet and wouldn't and this person was arrested. If asked to leave and you do not, it is trespassing. We do not have an ordinance regarding this and it is extremely important. During a county meeting the City ordinances are the law since it is in the City of Payette.

A motion was made by Heleker and seconded by Sands to send Ordinance #1388 to second reading.

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

- J. Ordinance 1389 – AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.08 OF THE PAYETTE CITY CODE BY AMENDING SECTION 5.08.190 TO ADDING NEW REQUIREMENTS FOR ISSUING CATERING PERMITS FOR SPECIAL EVENTS, AND ADDING MINIMUM REQUIREMENTS FOR CATERING PERMIT APPLICATIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY.~First Reading

A motion was made by Heleker and seconded by Jensen to introduce Ordinance 1389 by title only.

Bert Osborn read Ordinance #1389 by title. Chief Clark stated he is trying to get control of the catering permits. We had problems with California Dance coming in every week to get permits. The Community Center is getting permits every week and not sure who is actually getting them and that they are not for the same people every weekend. Councilor Sands stated we had some major issues a long time ago. The Police Department needs to be able to have the authority to say he has a concern with issuing a permit. Then the applicant can appeal to City Council if denied. Councilor Wickersham stated he is having a hard time reading the current draft, and would like to go to second reading. Councilor Dale asked if this had gone to the Public Safety Committee, and it was stated yes, in June. They did not make a recommendation, just talked about it. Ms. Cordova stated this will set a time limit; the applicant will need to come 5 days before the event to City Hall to be considered. The City has talked about doing this for a long time.

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

A motion was made by Heleker and seconded by Sands to send Ordinance #1389 to second reading.

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

- K. Award Boat Ramp Phase II – Doug Argo stated that all bids came in higher than expected. The specification requires precast panels. The lowest bidder suggested changes that would allow us to get into budget. The City will do some work that will save money. Mr. Argo stated if he deducts the work the City will be doing from everyone else's bids, it wouldn't change who the low bidder is. The contractor will use different technique on installing the ramp. He will do one large piece instead of several pieces. Councilor Jensen asked if there are any issues with pushing the slab, and Mr. Argo stated that he doesn't have any issues. Doug Argo verified the contractor's work in Arkansas. If doesn't work, the contractor would have to fix it. Councilor Sands asked Mr. Argo if they are doing inspections on the project and he stated yes. He was also asked if the grade is fixed in the design, Mr. Argo stated yes.

A motion was made by Wickersham and seconded by Jensen to award Boat Ramp Phase II in the amount of \$74,840.80 to Precision Grading.

At the roll call:

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

Nays:

The motion CARRIED.

- L. Use of Airport Lounge Room – Gary Cox, 2105 Shelley Drive, Payette. He stated a woman wants to start flight training classes and use the airport lounge. He stated this is a good thing and would get more people at the airport. He didn't see any problem with it. The room is currently used two days a month. Ms. Cordova stated the City does have policies for room use. The Council discussed if this was being done for a profit and was stated not at the moment. The Airport Commission's recommendation was to allow her to use the room. Ms. Cordova stated we do have airport minimum standards, and presented to the Council that extra electricity will be used and also asked if we are going to have to remove snow. Will we have to keep checking with her to see if she is making money or not. Mayor Williams asked if this would need to be done at the airport or would someplace else work, Mr. Cox stated no, it could be done other places. The Library room is \$10.00 to rent. Would be easier for Council to waive fee at airport than library. Maybe she could provide a blueprint of what her intent is. She doesn't have any students at the moment, just finding a place. The Council would like her to come and make a proposal to Council.
- M. Discussion of annexation for NE 10th Avenue
Mayor Williams stated Johnnie Cochran has been in several times and made reference to wanting his property annexed. The Mayor's preference is for Hardin's and Teton Machine to ask for annexation and not the City. Councilor Wickersham asked about water and sewer. Water is close by. Councilor Sands stated running an 8" line across to them for water, is good infrastructure. Councilor Heleker supports the mayor's idea. City will reach out to them to see if they want to move forward.

DEPARTMENTAL REPORTS

- A. Forestry Commission – October 14, 2014 – All trees have been inventoried in City parks by Curt VanPatten and Ron Mahler.
- B. Airport Commission – October 14, 2014 – Councilor Wickersham stated that we thought we had a fuel tank to buy and price was misunderstood when negotiating.

- C. Library Commission – October 14th – Councilor Dale stated the Council was provided with a copy of the library director's report, and numbers are up substantially. Erin Haley is doing a great job. The Friends of Library fundraiser had a good turnout; they did not receive as many donations. They will do more advertising next year.
- D. Parks & Rec Committee – October 20th – Councilor Jensen stated the parks department is in the process of shutting bathrooms down and winterizing sprinklers. Swim lessons are going well; the outside pool is still open due to weather and demand.

MAYORS COMMENTS

Bobbie Black informed the Council of flu shots, Hep A & B and shingles shots that are available through our insurance.

CITIZEN'S COMMENTS

Councilor Heleker talked about the unfortunate accident on Highway 95 by the High School. People are wondering if speed limit can be lowered. This is a state highway and they have to be the ones who change it. It wouldn't be unprecedented to lower speed through our town. That is the concern of the community. The City received new lights that will be installed this week. Chief Clark stated as far as speed reduction, it is problematic. We would have to do a study. If we slowed traffic down it could back up the traffic. If an officer is there then people start to depend on it. They could be called away for another call and that could be more of a liability by doing that. He has other schools also, but is open for ideas. Trees on the West side have been trimmed as of today. The light will not keep someone from getting hit; it is education on how the lights are to be used. Councilor Heleker has talked to kids about safety needs. Chief Clark did a sting and there was tickets written all the time. SRO stated that if students violate the crosswalk rules, they have ISS. Pedestrians have a responsibility also.

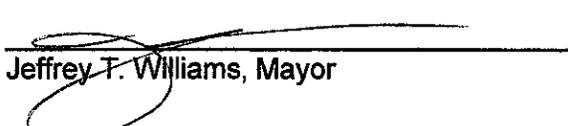
Ms. Cordova stated it costs \$11,000 for one of the flashing systems. Crosswalk is a crosswalk; we have taken the extra effort to install four of the flashing systems around town. We cannot change any speed limit on a state highway. We would have to do an official engineered traffic study.

ADJOURNMENT

A motion was made by Heleker and seconded by Sands to adjourn the regular meeting at 8:29 PM.

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

Signed this 3rd day of November, 2014.



Jeffrey T. Williams, Mayor

ATTEST:



Bobbie Black, Deputy City Clerk