

AGENDA
PAYETTE CITY COUNCIL
November 2, 2015
WORK SESSION & REGULAR MEETING

HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

LEE NELSON	MARK HELEKER
CRAIG JENSEN	JEFF SANDS
NANCY DALE	RAY WICKERSHAM

6:30 PM – Work Session

- A. Special Event Permit Application/Procedure.....1

7:00 PM – Regular Meeting

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XI. MAYOR'S COMMENTS

XII. CITIZEN'S COMMENTS

(Limited to 5 minutes per person, at the discretion of the Mayor)

XIII. EXECUTIVE SESSION ~ *Pursuant to I.C. 74-206(1)(f), the City Council will recess into Executive Session (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.*

XIV. ADJOURN

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.

Chapter 12.06

SPECIAL EVENTS

12.06.010: DEFINITIONS:

For the purposes of this chapter, the words and phrases defined in this section apply:

APPLICANT: The person, or group of people, who is or are the organizer(s) and with whom the responsibility for conduct of the special event lies. The applicant signs the special event permit application and all other documents relevant to the special event.

CITY CLERK: The city clerk of the city of Payette, Idaho, or his/her designee acting as the permitting officer.

FEES: Charges assessed by the city for permitting, staffing, equipment use/rental, property use/rental, cleanup, inspections involving the use of public property, public employees or public equipment assessed to a special event and established within the special event permitting process.

PUBLIC STREET OR PLACE: Any sidewalk, street, alley, highway, public right of way, park, parking lot, or other place owned in fee by the city, or in, on or over which an easement exists in the name of or held by the city, or which exists for the benefit and use of the public.

SPECIAL EVENT: Any event held on public or private property to which the general public is invited with or without charge and which creates significant public impact through:

- A. The attraction of crowds of over two hundred (200) people;
- B. The necessity for street closures or use of other public property;
- C. The required use of city equipment and/or services; or
- D. Could reasonably be interpreted to cause significant public impact via disturbance, crowd, traffic/parking or disruption of the normal routine of the community or affected neighborhood.

STREET CLOSURE: The deliberate or incidental blockage of all, or a portion of, a public street, a right of way or a city owned parking facility to prohibit the flow of traffic or access of vehicles. (Ord. 1284 § 2, 2007)

12.06.020: SPECIAL EVENTS PERMIT REQUIRED:

It shall be unlawful for any person to conduct a special event, with or without charge for admission, on public or private property, or to cause a street closure, without first applying for and being granted a special event permit for the specific special event or street closure. All permits issued pursuant to this chapter are nontransferable and expire at the completion of the given special event. (Ord. 1284 § 2, 2007)

12.06.030: EXCEPTIONS:

Any governmental taxing district sponsoring or engaging in an activity or event upon its own property or the property of another governmental taxing district, which activity or event is customary and incidental to the primary purpose of that governmental entity, is exempt from the requirements of this chapter. The use of a governmental taxing district's property by a nongovernmental entity does not qualify as an exception under this section. (Ord. 1284 § 2, 2007)

12.06.040: STANDARDS FOR ISSUANCE OF SPECIAL EVENTS PERMIT:

- A. A special events permit shall be issued only to applicants when the following findings can be made:
1. The conduct of the special event will not substantially interrupt the safe and orderly movement of traffic contiguous to its venue;
 2. The conduct of the special event will not require the diversion of so great a number of police officers to properly police the venue and the area contiguous thereto as to prevent normal police protection to the city;
 3. The conduct of the special event will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed special event and the area contiguous thereto;
 4. The concentration of persons and vehicles at assembly points of the special event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;
 5. The conduct of the special event will not interfere with the movement of firefighting equipment en route to a fire;

6. The conduct of the special event is not reasonably likely to cause injury to persons or property, or to provoke disorderly conduct or create a disturbance; and
7. The event is in the best interest of the public.

B. A special events permit shall be issued only to applicants who meet the following conditions:

1. The event shall not be of duration longer than four (4) days, and the organizer shall have applied for no more than eight (8) events in a calendar year. Any application for exception to these time limitations shall be submitted to the city council. The city council shall consider materials provided by the applicant demonstrating that a significant public interest exists to warrant the extension of time. The city council shall make findings pertaining to the extension of time and to the findings set forth in this section.
2. The city clerk shall, in his/her discretion, find that adequate steps are provided for protection of public property, including proof of the applicant having obtained general liability insurance coverage in the minimum amount of one million dollars (\$1,000,000.00) covering the city as an additional insured, and compliance with administratively adopted requirements for providing additional trash receptacles and/or dumpster, portable toilets, and security measures, which requirement shall depend upon the nature and size of the event.
3. The applicant has agreed to indemnify, defend and hold harmless the city and its officers and employees from any and all demands, claims or liability of any nature, caused by or arising out of, or connected with the special event.
4. The applicant has paid fees as set by resolution of the city council for special events, including per diem fees and security deposits.
5. The applicant has made no false statements or misrepresentations upon any present or former application for special events permit.
6. The applicant has not violated any provisions of city, state, or federal laws, including the provisions of this chapter, in conducting any previous special event.
7. The special event is not for an unlawful purpose.
8. The special event permit is subject to other applicable city, state, federal or other governmental rules, regulations or laws. (Ord. 1284 § 2, 2007)

12.06.050: RIGHT OF APPEAL:

An appeal from any decision of any city official or employee made in the administration or

enforcement of this chapter may be made to the city council by filing a written appeal and fee with the city clerk within fifteen (15) days following the date of the action or decision giving rise to the appeal. Upon hearing the appeal, the city council shall consider the record, the decision of the city officer, and the written appeal together with oral presentation by the appellant, the city officer or administrator, and the applicant. The city council may affirm, reverse, or modify the decision of the city clerk. The city council shall not substitute its judgment for that of the city clerk as to the weight of the evidence on questions of fact. The council shall affirm the city clerk's decision unless the city council finds the decision is: a) clearly erroneous; b) arbitrary, capricious or an abuse of discretion; or c) not supported by substantial evidence in the record as a whole. The city clerk shall transmit a copy of the city council's decision and findings to the appellant, the applicant and any other who has requested a copy in writing. The fee for processing the appeal shall be set by resolution of the city council. (Ord. 1284 § 2, 2007)

12.06.060: ENFORCEMENT:

- A. **Criminal Liability:** Any violation of this chapter shall be a misdemeanor punishable by fine and/or imprisonment up to but not exceeding the maximum penalties set forth in Idaho Code section 50-302, as amended. Each day a violation continues shall be considered a separate offense, punishable as described in this section.

- B. **Civil Liability:** Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of the provisions stated in this chapter, to prevent any violation of these regulations, to recover damages, to restrain, correct or abate a violation of this section and to prevent illegal occupancy of public property. These remedies shall be in addition to the penalties described above. (Ord. 1284 § 2, 2007)

SPECIAL EVENT PERMIT APPLICATION

Guidelines for Event Organizers

Step by step guide to Request, Schedule and Obtain approval to hold a community event in the City of Payette.

- A completed application must be received by the City no less than 30 days prior to the scheduled event for processing. Incomplete applications will be returned. Specific permits may be required by City, County or State agencies depending on the event needs. For help in filling out your application, contact the City Clerk's office.

- Attach all information requested (i.e. Applications, permits, maps, insurance, property owner approval, non- profit status, activity agenda, contact information). An event plan with logistics is required for all events including (but not limited to); parades, marches, fun runs & walks, concerts, carnivals & fairs, street closures, vendors, and alcohol sales. Please note that any use of city equipment (i.e. barricades and cones) is not available except for City co-sponsored events. All applications must be signed. Include all information pertaining to the event.
 1. Events with tents, canopies, membrane or temporary structures over 200 sq. feet may require a permit from the City Fire Department.
 2. Determination of EMS services is dependent upon event size and type of event.

- Your application will be evaluated by the City. At that time, determination will be made for:
 1. Further information required, in which case you will be contacted, or
 2. Your application will be submitted to City Departments for review and comments at which time the City will provide:
 - a. Preliminary approval with conditions, or
 - b. Denial and/or request for additional information

- Applications with preliminary departmental approval will be placed on the next City Council Agenda for final approval. You will be contacted with the specific date and time. At the time you are welcome, but not required, to make an appeal to the City Council for your event and any special requirements or waivers that may apply.

- Once your application is approved, it is your responsibility to coordinate the City services that are requested and were approved with the appropriate City Department providing the service.

- You will be contacted by the City a week prior to the event for confirmation of details and coordination of special needs.

A list of contact telephone numbers are included in this application. Please contact the City Clerk's office for assistance.



City of Payette

Special Event Permit Application

OFFICE USE ONLY

Date Received _____

Council Action _____

Approved Y / N Date _____

City Approval _____

Non Refundable Fees:

Application..... \$100
Security Deposit..... \$100 refundable

Complete application must be received at City Hall no less than 30 days prior to the scheduled event to ensure application review by staff and still afford the opportunity for appeal (if necessary) prior to the planned event date.

1. **EVENT NAME** _____

2. **LOCATION OF EVENT** (Be specific, i.e. west side of Kiwanis Park, all of Center Ave. between 9th & Main, 2 N. Main)

Public Property

Private Property

3. EVENT SCHEDULE

Special Events are limited to four days, including set-up and tear-down days. No more than eight events per calendar year can be conducted by a single party or organization, unless a modification is granted by the City Council.

Date(s) of Event	Hours		Estimated # of Attendees
	Start Time:	End Time:	All Day:
	Start Time:	End Time:	All Day:
Date of Set-Up	Start Time:	End Time:	
	Start Time:	End Time:	
Date of Tear Down	Start Time:	End Time:	
	Start Time:	End Time:	

4. FEES

Special Event Permit Application Fee	\$100.00	* Separate Checks
Staff Per Diem Fee (as set by Council)	\$ _____	
Security Deposit	\$100.00	*Separate Checks
Additional Deposit Required	\$ _____	
TOTAL DUE	\$ _____	

5. ORGANIZATION INFORMATION

Applicant Name _____ Title _____

Mailing Address _____

Street Address _____

Day Telephone _____ Evening Telephone _____ Cell _____

FAX Number _____ Email Address _____

Special Event Permit, continued.

Sponsoring Organization _____

Non-profit? Yes No Tax Exempt # _____

If Non-profit, please attach proof of Non-Profit status.

Federal Tax # _____ State Tax # _____

6. EVENT INFORMATION

New Event: Yes No Annual Event: Yes No Years Operating _____

Event Category: Commercial Non-commercial

Estimated Gross Ticket Sales & Revenues (commercial event only) _____

Description of Event _____

Additional Details _____

7. INSURANCE REQUIREMENTS

It is the responsibility of your Special Event organizers to maintain a COMPREHENSIVE GENERAL LIABILITY insurance policy with coverage of not less than \$1,000,000.00 combined single limit per occurrence. ***Each policy shall be written as a primary policy, not contributing with or in excess of any coverage with the City may carry. A certificate naming the State of Idaho, Payette County, the City of Payette, as additional insured shall be delivered to the City of Payette with this application.*** The adequacy of all insurance required by these provisions shall be subject to approval by the City Clerk. Failure to maintain any insurance coverage required by this agreement shall be cause for immediate termination of the application.

Insurance Company _____ Agent Name _____

Address _____ Phone _____

HOLD HARMLESS CLAUSE

Permittee (organization/applicant) shall indemnify and hold harmless the City of Payette, its agents, its employees and authorized volunteers from and against all claims, damages, losses and expanses, including attorney's fees, arising out of the permitted activity or the conduct of Permittee's operation of the event if such claim (1) is attributable to personal injury, bodily injury, disease or death, or to injury to or destruction of property, including the loss of use there from, and (2) is not caused by any negligent act or omission of willful misconduct of the City of Payette or its employees acting within the scope of their employment.

(Attach any additional pages as needed)

SPECIAL EVENT ACTIVITIES & CITY SERVICES REQUESTED

Your event organizer is responsible for providing a complete list of event activities including a list of suppliers providing services. An event logistics map is required, detailing the location for all road closures, event set up, canopies, stages, vendors, booths, and any other major services or events planned.

Check All Planned Activities		Check All Planned Activities	
	Street Closures & Access/Parade Detailed map listing areas of closure, parade Route is required. An ITD permit is required for Hwy 95 Organizer must notify all affected businesses, Churches, schools and neighborhoods		Alcohol Served (name of provider) Requires alcohol catering permit (PMC 5.15)
			Beverages will be served List Caterers
	Security (detail who, number of officers, times. Attach plan.)		Medical Services (Circle) First Aid and/or EMS Services Who is providing service? _____
	Electricity/Generators (Size _____) detailed electrical plan		Lighting Plan: attach plan
	Water Drinking / Washing (circle)		Gray Water Barrel/Grease Barrel (circle/detail # and locations)
	Porta Toilets / Wash Stations Quantity ADA Regular)		Sanitation – Trash bins, Dumpsters (circle / detail # and locations)
	Canopies/Tents/Temporary Structures (number and sizes) City of Payette Fire Department, Fire Code Enforcement		Stages (number and sizes)
	Vendors Items sold/solicitation		Booths Profit / Non-profit
	Control/Shuttle Buses (number of buses / locations / hours of operation, Attach plan)		Barricades How many / identify locations and attach
	Number of Staff working event		Number of volunteers working
EVENT estimated attendance			

I hereby certify that I have read and will abide by the laws, rules and regulations set forth by the City of Payette, Payette County, and the State of Idaho, and in signing this application, I hereby agree that I and the organization I represent, shall hold the City of Payette and all of its agents or employees free and blameless from any claim, liability or damage which may arise from use of City facilities or equipment, whether or not the City of Payette, its agents or employees are jointly negligent. I further agree to promptly reimburse the City of Payette and all of its agents for any clean up, loss or damage to City property resulting from this use, as well as permitting, staffing, equipment use/rental, property use/rental, clean up, inspections involving the use of public property, public employees or public equipment for the Special Event. In the event the deposit exceeds the actual charges, the City Clerk shall refund the balance to the applicant.

Permittee agrees to maintain access for emergency vehicles.

Event Organizer's Signature: _____ Date: _____

THIS PAGE FOR OFFICE USE ONLY

Date Application Received _____ Date Fees Paid _____

DEPARTMENT COMMENT/APPROVAL

FIRE: _____

Check if special requirements attached:

APPROVED: DENIED:

COMMENTS: _____

Est. Hours _____ x Hourly Rate \$ _____ = \$ _____

POLICE: _____

Check if special requirements attached:

APPROVED: DENIED:

COMMENTS: _____

Est. Hours _____ x Hourly Rate \$ _____ = \$ _____

PARKS: _____

Check if special requirements attached:

APPROVED: DENIED:

COMMENTS: _____

Est. Hours _____ x Hourly Rate \$ _____ = \$ _____

STREETS: _____

Check if special requirements attached:

APPROVED: DENIED:

COMMENTS: _____

Est. Hours _____ x Hourly Rate \$ _____ = \$ _____

CITY CLERK: _____

Check if special requirements attached:

APPROVED: DENIED:

COMMENTS: _____

RISK MANAGEMENT: _____

Check if special requirements attached:

APPROVED: DENIED:

COMMENTS: _____

\$1,000,000 Insurance Certificate _____

Street Closure Information:

Street Closure Necessary? Yes No ITD Permit required? Yes No

Time of Street Closure: From _____ To _____

ITD Approval Received? Yes No N/A

Comments:

CONTACT INFORMATION

This page is for your information. You do not need to include it with your application.

	Address	Phone Number	Email & websites
City of Payette – City Clerk’s Office	City of Payette 700 Center Avenue Payette, ID 83661	208-642-6024	www.cityofpayette.com
City of Payette Police Department Chief of Police	City of Payette 700 Center Avenue Payette, ID 83661	208-642-6026	www.cityofpayette.com chiefclark@cityofpayette.com
City of Payette Fire Department Fire Chief Steve Castenada	City of Payette 600 North 16 th Street Payette, ID 83661	208-642-6028	scastenada@cityofpayette.com
City of Payette Park Department Randy Fales, Superintendent	City of Payette 700 Center Avenue Payette, ID 83661	208-642-6045	rfales@cityofpayette.com
Sale of Merchandise Idaho State Tax Commission Sales Tax Division	800 Park Blvd., Plaza IV Boise, ID 83712	208-334-7660	www.tax.idaho.gov
Sale of Food/Beverages Southwest District Health	1155 Third Ave North Payette, ID 83661	208-642-9231	www.publichealthidaho.com
Sanitation Hardin Sanitation	1840 NE 10 th Ave. Payette, ID 83661	208-642-2629	
A-Company Porta-potties	12 th Street Payette, ID 83661	208-362-3193	
Payette County Clerk’s Office	1130 3 rd Avenue North Payette, ID 83661	208-642-6000	www.payettecounty.org
Payette County Sheriff	1130 3 rd Avenue North Payette, ID 83661	208-642-6006	www.payettecounty.org
Road Closure Equipment Contract Flaggers			
Signs or Banners City of Payette	700 Center Avenue Payette, ID 83661	208-642-6024	www.cityofpayette.com

MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
October 19th, 2015

WORK SESSION

- A. Dog License Application: Mayor Williams stated the first item on the work session is about dog license this should of went to Public Safety, but they don't meet until December and we start selling dog license December 1st. He just recently licensed a dog and paid the extra money due to not showing proof of being spayed/neutered. The real issue is on rabies vaccination, staff came up with an idea of having applicant sign that they have been vaccinated. Ms. Cordova stated we brought this item last time and asked if you wanted to enforce. We can have them sign under perjury of law state that they have been vaccinated. If something happens they would have to show proof or be cited. Chief Clark stated if someone got bit we would make them produce document at that time. Heleker likes the plan. Wickersham said how many people walk around with spayed/neutered papers. Mayor stated they get discount if spayed/neutered. Sands stated dog license program is to get people to license their dogs. The simpler you can keep it the better off you are. Chief Clark concerns are we get dog and house them for a couple days and then if we make them produce a vaccinate slip and they can't, they don't pick up dog and leave it with us. People are given dogs and can't produce paperwork then they leave City Hall and don't license. Gerald Loveland stated it is not being fair to people that follow the law like himself. Chief Clark stated people vouch for insurance for their car and then when stopped they don't have, and then there are penalties. Sands asked how many dog bites a year are reported and Chief Clark stated approximately 20. Liz Amazon has licensed dog for 15 years in Ontario and they don't have a problem getting the paperwork, never has been an issue. The dog bites cases she sees they haven't even licensed them. Heleker would vote in favor of them signing for proof of vaccination. Ms. Cordova stated we have enough direction to order forms.
- B. Façade Grant Program: Mayor stated maybe we can streamline this and make it easier for people. There is confusion on downtown and it had to be historical. Nelson asked if there is a problem other what we discussed at last meeting. Mayor stated a couple things are a little redundant in the application and some things that elude it has to go to Historical Commission. We want to make it easier so people can take advantage of it. Dale stated when going through process, that is when it came to light who has to go to Historical Commission. Nelson asked what about owners that don't want to be on the historical register. Dale stated when she meant with state they said if owner is taking a tax or financial benefit, then yes they have to been on registry. Mayor asked if there are things in application that staff can expedite process. Nelson stated if application meets all criteria maybe it just comes to Council for approval. Heleker seems like this has become a bigger thing, it was for downtown business to make improvements. Mayor stated it states for downtown façade application. Dale stated it is already built into to catch those outside of downtown area. Sands agrees with Heleker, sees it as a little face lift for a downtown building and hopefully generate some more business for them. People brainstorm to how it will work for them. Doesn't fit under this umbrella for historical plaques. Jensen stated plaque identification is one. Sands stated he took that as public safety information plaques. Sands stated maybe to add to it, if applying for grant, taxes should be current. Wickersham would like to see insurance on building. Council would like staff to come back with some ideas on how to stream line process. Jensen asked about \$1,000 minimum to apply,

doesn't think there should be a minimum. Ms. Cordova we allow progress payments and it does take time. Do you want this to go back to the Admin & Finance or just come back to Council, Ms. Cordova asked. Heleker stated any recommendations that staff makes will come back to Council.

- C. Special Events Permit Procedure: Mayor said we talked at last council meeting to maybe try and stream line this process. Jensen stated if thought they were going to have 200 or more people they need to tell us what they are doing. He doesn't think we want to tell a private property what they can or can't do. If using our property they should have to. We already had ordinances in place to handle problems on private property. Chief Clark said a couple of incidents come to mind. As an example, Agape Coffee has no parking and we need to know about that, because it will affect the neighborhood. Bonfire party that is on private property that would impact the neighborhood, we need to know about that. We need to be careful about that part and his department needs to know. Mayor stated if medical issue arises, we should know about the event. Chief stated if a riot breaks out and he doesn't have enough officers on duty that could create a problem. Kathy Patrick said she shouldn't have to pay a fee to use a park, she pays taxes. Ms. Cordova stated definition of special event creates a significant public impact, meaning closed street and might need to use barricades. Park permit is something different, it is \$1.00 per every 50 people and then our park department can make sure water is off. It is different than an event that alcohol is involved. We are talking about private not public. Mayor stated he doesn't recall every charging for private events. Dale doesn't think if private they should be charged. Wickersham asked about the R & L event center. Sands stated code says we have to get everyone involved. Council needs to figure out what the important items are and re-visit at a later date. Ms. Cordova perhaps this and other sections of code go to parks & rec and/or admin & finance. There is a lot of housekeeping that needs to be done.

ROLL CALL

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

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; Mark Clark, Chief of Police; Steve Castenada, Fire Chief and Bobbie Black, Deputy City Clerk

Work Session Closed at 6:58

Ms. Cordova stated today is Mayor Williams's birthday.

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, Ray Wickersham, Craig Jensen, Jeff Sands, Lee Nelson, Mark Heleker and Nancy Dale

Members Absent: None

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; Mark Clark, Chief of Police; Steve Castenada, Fire Chief and Bobbie Black, Deputy City Clerk

PLEDGE

The Pledge of Allegiance was led by Veterans in audience.

CITIZENS COMMENTS

None heard

APPROVAL OF MINUTES

A. 10-05-2015 Regular Meeting

A motion was made by Heleker and seconded by Jensen to approve the minutes of 10-05-2015 Regular Meeting as written.

Mayor questioned during Ms. York tenant discussion should it reflect that he is the realtor and Attorney Osborn stated no.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Nelson and seconded by Heleker to approve the City Bills & Payroll in the amount of \$299,912.99

At the roll call:

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

Nays: None.

The motion CARRIED.

SPECIAL ORDERS

A. Purple Heart Proclamation: Tim McBride addressed the Council and introduced various members of the group. Mayor Williams read A Purple Heart City proclamation. The veterans presented the City with a plaque representing the City of Payette as a Purple Heart City. They present the first sign free and if want additional ones there is a charge.

COMMUNICATIONS

None

PLANNING & ZONING

None

AGENDA ITEMS

A. Historical Commission Appointment – Chuck Kinney

A motion was made by Nelson to approve the appointment of Chuck Kinney to the Historical Commission to fill the term of Patty Theurer till 7-31-2017. The motion was seconded Heleker.

After a voice vote by the Council, the motion CARRIED

B. Resolution #2015-17 – Surplus Property

A motion was made by Heleker to approve Resolution #2015-17. The motion was seconded Jensen.

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

DEPARTMENT REPORT

A. Library Commission – October 8th: Dale stated they are having increase attendance and with that increased crime.

MAYORS COMMENTS

Mayor Williams stated his opinion is the request for the historical plaque could possibly have other means to fund that in our budget. Have as an agenda item for next meeting, it will benefit community and business owners.

He reminded everyone October 22nd is the candidate's forum at the Portia Club. Encourage everyone to attend. Also veterans walk this Saturday, if want to pledge he can help with that.

CITIZEN'S COMMENTS

Dan Grigg– Invited everyone to the dedication ceremony for veteran's memorial. November 11, 2015 at 11:00 am on Hwy 52.

ADJOURNMENT

A motion was made by Heleker and seconded by Jensen to adjourn the regular meeting at 7:19 PM

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

Signed this _____ day of October, 2015.

Jeffery T. Williams, Mayor

ATTEST:

Bobbie Black
Deputy City Clerk

CITY OF PAYETTE
NOVEMBER 2, 2015

CITY PAYROLL	10/30/2015	\$	88,702.32
BLACK MOUNTAIN SOFTWARE	10/20/2015		394.00
HARDIN SANITATION	10/20/2015		32,829.33
A COMPANY	11/2/2015		300.50
ADVANCED CONTROL SYSTEMS	11/2/2015		629.00
ALLIED BUSINESS SOLUTIONS	11/2/2015		878.36
AMERICAN STAFFING	11/2/2015		3,039.44
BURKE ELECTRIC	11/2/2015		264.00
C & A PAVING	11/2/2015		378.40
CAMPBELL TRACTOR	11/2/2015		203.85
CONSOLIDATED SUPPLY	11/2/2015		780.49
D&B SUPPLY	11/2/2015		114.96
DART'S TRUE VALUE	11/2/2015		1,001.14
FEDEX	11/2/2015		207.42
FERGUSON	11/2/2015		163.90
FILTRATION TECHNOLOGY	11/2/2015		534.88
FRANK'S EXTINGUISHER SERVICE	11/2/2015		1,083.75
GALL'S	11/2/2015		269.43
IDAHO DEPT. OF LABOR	11/2/2015		47.30
IDAHO POWER	11/2/2015		4,703.33
INTELLICHOICE	11/2/2015		1,500.00
INTERSTATE ELECTRIC	11/2/2015		127.04
METROQUIP	11/2/2015		1,176.26
MOORE SMITH BUXTON & TURCKE	11/2/2015		117.00
ONTARIO BEARING & HYDRAULIC	11/2/2015		103.12
OREGON CORRECTIONS ENTERPRISES	11/2/2015		229.00
OUTDOORSMAN	11/2/2015		399.80
OXARC	11/2/2015		198.26
PAYETTE PRINTING	11/2/2015		50.00
PIPECO	11/2/2015		8.91
RESPOND FIRST AID	11/2/2015		272.49
RIPPIN' STITCHES EMBROIDERY	11/2/2015		585.98
S&H	11/2/2015		57.30
SNAKE RIVER VETERINARY CENTER	11/2/2015		161.08
STAPLES	11/2/2015		181.61
T.A. WELDING	11/2/2015		2,476.00
TASER TRAINING ACADEMY	11/2/2015		200.00
UNITED PARCEL SERVICE	11/2/2015		9.06
WATER RECOVERY SERVICES	11/2/2015		27,425.00
WILKINS SAW	11/2/2015		54.49
YSI	11/2/2015		930.30
		\$	172,788.50

MINUTES
PAYETTE PLANNING & ZONING
Regular Meeting
October 22, 2015

6:00 PM – Regular Meeting

- I. ROLL CALL: Chairman Randy Choate, Jim Franklin, Jody Henderson, Nial Bradshaw, Gary Youngberg and Peggy Childers
Members Absent: Kevin Hanigan
Staff Present: Mary Cordova, Matea Gabiola

- II. APPROVAL OF MINUTES
 - A. 09-24-2015 Regular Meeting Minutes

A motion was made by Franklin and seconded by Henderson to approve the public hearing & regular meeting minutes 09-24-2015 as written.

The motion CARRIED.

- III. COMMUNICATIONS
None heard.

- IV. PUBLIC HEARING
 - A. An application by Juan & Sheryl Lopez for a zoning change to change the zoning from A-Residential to C-2 Commercial; Lots 1&2, BLK 3, Browns Addition. The property is zoned A-Residential - Juan Lopez- 934 3rd Ave. South, Payette addressed the Commission. Mr. Lopez stated he wants to build a warehouse in the empty lot behind Westside Market for the excess product of his store, as well as storage units around the building and rent them out in the future. Mr. Franklin asked Mr. Lopez if there will be any plumbing in the building. Mr. Lopez replied there will be a toilet facilities and that he ultimately wants an office space type room in the warehouse. Mr. Bradshaw asked if there was any retail space in the warehouse and if he will conduct retail from the warehouse. Mr. Lopez stated no, it is just for excess storage of goods. Mr. Bradshaw asked if he knew how big the warehouse was going to be. Mr. Lopez stated he wasn't sure how big the structure was going to be, but the contractor who will be building it for him is here tonight on his behalf. Mr. Choate stated on the application the building was going to be 44'x36'. Mr. Lopez stated after conferring with his contractor that is indeed the size of the building. Mr. Choate also asked if there will be storage units within the warehouse. Mr. Lopez stated that the actual size of the warehouse to be built will be big, so he wanted to take advantage of the space and put storage units around it. Mr. Franklin asked if they will have any parking for this lot. Mr. Lopez stated that there will be quite a bit of extra space after they build the warehouse. Mr. Franklin also asked if this will be the parking for the storage spaces that he is wanting to rent out. Mr. Lopez replied even with the warehouse there is enough room to drive and park because of the lot size. Mr. Choate stated per the picture in the packet that the storage units would be on the right side of the building. Ms. Henderson asked if this was going to be next to 7th Ave No. Mr. Bradshaw asked if the alley will remain accessible. Mr. Lopez said yes it will. Mr. Choate asked if the lot Westside Market is currently on is zoned Commercial, Mr. Lopez said yes he believes so. Mr. Choate asked Ms. Cordova if this application is just to deal with the zoning portion, and the storage units fall in if it's within proper setbacks. Ms. Cordova stated it could be part of a rezone and the local land use planning act enables the Planning & Zoning Commission to set parameters that could be spelled out in a development

agreement if it is going to be done for commercial purposes, which this building is going to be.

Steve King- Superior Painting & Construction- 2850 No. River Road, Payette addressed the Commission- Mr. King stated that he spoke with the City Building Inspector, Steve Pierson, prior to applying for the permit to rezone. Mr. King stated that earlier he heard if there was going to be plumbing in the building, there are already city services on that lot. Mr. King didn't know at one time there was a double wide that burnt down and it has been empty ever since, but the services are still there, all you have to do is hook up to it. Mr. Bradshaw asked what type of structure this building will be. Mr. King stated this will be pole barn style metal building with insulation. Mr. King stated the temperature will be regulated to above 40 degrees. Mr. King stated that currently he has the building plans with a licensed engineer, Rouge Richardson, in Nampa, ID. He also stated that in visiting with the City's Building Inspector, that as long as you follow engineered plans and setbacks that he doesn't foresee a problem. Mr. King stated that the City Building Inspector encouraged Mr. King to rezone this lot from A-Residential to C-2 Commercial. Mr. King informed the Commission that as it is now the semi's with product pull in on the left side of the building on the concrete parking area and in positioning the warehouse there it will give a direct access to store the excess product. Mr. Bradshaw asked how many storage units there was going to be. Mr. King stated they will be added in the future due to financial reasons, but there is enough room to put 4 10x12 units along the 7th Ave. North side of the building. Mr. Bradshaw asked if that would be the whole side of the building, Mr. King replied yes it will. Mr. Bradshaw asked what type of doors would be used for the storage units. Mr. King stated commercial grade steel rollup doors. Mr. Youngberg asked if there was to be any fencing around the building for security purposes, Mr. King stated at this time no. Mr. King stated that the storage unit idea is more down the road, because it is roughly \$800.00 per door, and the main idea right now is the warehouse. Mr. King stated that Mr. Lopez thought if he was investing all this money why not put the units on one side to use all of the space provided. Mr. King stated that our City Building Inspector stated that in having those units it could require separate license through the City. Ms. Cordova stated unless you want to set the parameters what the Commission has in front of them now is the storage building. Mr. Choate stated that what the Commission has before them right now is a change of zoning. Ms. Cordova added with commercial development of a storage building. Mr. Choate asked Ms. Cordova is this allowed in a C-2 Commercial Zone correct. Ms. Cordova stated as a part of a rezone you can enter into a development agreement on how it is going to happen. Mr. Bradshaw asked how high the building will be. Mr. King stated the restrictions state that the peak has to be no more than 24 feet, per Idaho Building Code.

- A. B. An application by Louis Oliver for a conditional use permit to allow 2-3 horses at 733 River St; BLK 65 of Riverside Plat W 211 of Tax 14. The property is zoned B-Residential- No one addressed the Commission.

Public hearing closed at 6:25pm.

V. AGENDA ITEMS

- A. Re- Zoning from A- Residential to C-2 Commercial – J. Lopez 653 North 7th St – Franklin stated with it being adjacent already to a Commercial property and with the location of the intersection that he believes this is a good idea. Ms. Henderson agrees. Mr. Bradshaw was concerned with the storage units not having doors on them at the moment leaves room to crime. Ms. Cordova stated there could be potential to enter into a development agreement. Mr. Youngberg stated if the Commission entered in to a development agreement what would the conditions be. Would it be talking about the facility that is being

constructed or the developing conditions upon the lot where it is being constructed, will it have to comply with landscaping ordinances, does it require curb, gutter and sidewalks. Ms. Cordova stated that she hasn't seen the site plan yet, but she believes that there isn't anything that is out of the ordinary. This is why she suggested the development agreement, due to hearing about the storage units. Mr. Choate stated if the Commission follows what is on the application, which states storage unit, any deviation from that would require some input. Ms. Henderson stated then the storage units would have to come before the Commission. Mr. Choate stated that they could still be there; they just have to go through all the various levels of building codes.

A motion was made by Henderson to recommend to the City Council to approve application from Juan & Sheryl Lopez for a zoning change of 653 North 7th Street from A- Residential to C-2 Commercial. Lots 1 & 2, BLK 3, Browns Addition. The motion was seconded by Franklin.

Ms. Cordova stated the Planning & Zoning Commission finds that the recommendation to the City Council is based upon the criteria found in the Comprehensive Plan because it conforms to promoting to build within the city and it is adjacent to an existing commercial zone.

The Motion CARRIED.

B. Louis Oliver- Conditional Use Permit- 733 River Street- Mr. Franklin asked is 2-3 horses too many animals for that size of property. Ms. Cordova pulled up this location on Google earth. Ms. Cordova stated on the application this property is only 1.07 acres. Mr. Choate stated that per code one horse can be maintained on a lot provided there is at least 21,000 square foot of fenced irrigated pasture, so as long as they have ½ an acre that is fenced they can have 1 horse, 2 cows, and 3 sheep, but Planning & Zoning may expand the number of animals. The Commission brought up the fact that they approved a Conditional Use Permit just recently involving horses/mules so approving this shouldn't be a problem.

A motion was made by Franklin to approve the Conditional Use Permit for Louis Oliver for 2-3 horses provided that there is at least ½ acre of fenced irrigated pasture on the lot at 733 River Street. The motion was seconded by Henderson.

The Motion CARRIED.

B. Impact Area Application for the CUP-11454 HWY 95, Car Storage/ Tow Yard- Mr. Franklin stated in reviewing this we are to send a favorable recommendation to the County Planning and Zoning. Ms. Cordova stated this goes to the county due it being a Conditional Use Permit within the County. Ms. Cordova showed the Planning & Zoning Commission the Comprehensive Impact Plan chart. Mr. Franklin stated his concerns for this type of business would be the cars and the type of mess they bring with them. Regarding this property Mr. Youngberg stated that 20 years down the road will we be ok with a junk yard in the city. Mr. Franklin stated it is typical along the Highway and is zoned Commercial, so this could be a good use for the property. Ms. Cordova stated the only problem with that is that in the Comprehensive Plan Map that area is zoned B- Residential, so they would have to make an amendment to the current map. Ms. Childers asked how someone could apply for the application if they don't not own the property. Mr. Franklin stated that because it in the City's impact area, that they should send a favorable recommendation provided they comply with city code regarding the

salvage cars. Mr. Youngberg stated that in the letter that Mr. Burley sent over states that he wants to store the cars within the barn. Mr. Choate stated if they comply with City Code regarding salvage cars and yard then they would send a favorable recommendation.

A motion was made by Franklin to send a favorable recommendation to the County Planning & Zoning provided they comply with the current City Code. The motion was seconded by Henderson.

The Motion CARRIED.

C. Impact Fee Advisory Committee- Discussion of Annual Review- Mr. Choate understood that the Impact Fee Advisory Committee was to look at the potential for impact fees on an annual basis and report back to the City Council. Mr. Choate stated that because the Commission, they can't send any recommendations. Ms. Cordova stated this stems from the mayor and looking at the different ways to develop and promote businesses in the City. Ms. Cordova stated after reviewing state code on the Impact Fee Advisory Committee she found that the committee is supposed to send an annual report to the Council. The original Impact Fee Advisory Committee consisted of this body and two other people. State code does say that the Planning & Zoning Commission can act as the Impact Fee Advisory Committee as long as there are at least 2 people from real estate, development or building on the Commission itself. So this Commission can be part of the impact fee advisory committee, this is something that the Planning & Zoning Commission deals with. Ms. Cordova stated what the annual review consists of is the Capital Improvement Plan. Mr. Choate brought up there used to be a Planning & Zoning Sub-Committee that handled the impact fees. Ms. Henderson stated that this Sub-Committee happened around the development of the Two Rivers subdivision. Ms. Cordova stated in 2007 when the Council adopted the impact fees, and they came up with only streets, parks, fire and police. Then in 2007 they officially only adopted two which were the fire and police, then the great recession hit and they suspended the fees until 2011, then it came back in front of the Council. Ms. Cordova stated there will be an Impact Fee Advisory Committee meeting before the next Planning & Zoning meeting. Mr. Franklin asked if we are currently charging impact fees, Ms. Cordova stated yes just for Police and Fire.

VI. PUBLIC COMMENT
None heard

VII. ADJOURN

Meeting adjourned at 6.54 pm.

Matea Gabiola
Recording Secretary

Payette Fire Department

Medical Supervision Plan

Credentialing

1. Medical Director of Payette Fire Dept. is responsible for initial credentialing of all EMS providers under his/her direction.
2. Credentialing is reviewed and/or renewed on an annual basis.
3. All records on EMS related personnel will be maintained for 5 years.
4. Payette Fire Dept. will provide documentation of all EMS related personnel that have met the necessary requirements in order to maintain affiliation.
5. Orientation for all EMS related personnel will be documented and include at minimum the following:
 - a. EMS System Policies, Procedures and Standards.
 - b. EMS System Operational Guidelines.
 - c. EMS System and Emergency Medical Responder (EMR) Patient Care Treatment Guidelines, Assessment and Procedural Guidelines.
 - d. Radio communication procedures.
 - e. Level of emergency response training.
 - f. The Medical Director is responsible for the credentialing of Payette Fire Dept. EMS related personnel including the Idaho Physician Commission approved Optional Modules for each level of certification.

Training

1. Documentation of continuing training will be provided to Medical Director and EMS Bureau.
2. Payette Fire Dept. will provide training that is mandatory for all EMS related personnel.
3. Emergency Physicians are requested to give feedback to Bonner County EMS System Medical Director on QA issues regarding any concerns for medical care delivered or omitted and use of protocols and guidelines.
4. National Incident Management System training will be completed by all EMS personnel.
5. Medical Director will reevaluate yearly standards of supervision and training for EMS related personnel in accordance with Idaho State EMS Bureau.
6. Medical Director may participate in observation of providers in action, as a routine, or as need in cases of mandatory remediation.
7. The Fire Chief will assure the clinical proficiency of personnel through both cognitive and psychomotor evaluations. Training and evaluation of providers, including new providers will follow the Idaho Physician Commission approved Optional modules for each level of certification. The Medical Director will have ultimate clinical oversight of the Option Module training and evaluation process.

Optional Module Training (Authorized optional modules to be utilized by our agency):

1. Emergency Medical Responder (EMR)
 - Cervical Stabilization – Cervical Collar
 - Spinal Immobilization - Long Board
 - Spinal Immobilization – Seated Patient
 - Extremity Splinting

Off-line Medical Direction

1. Off-line Medical Direction includes all guidance of clinical activities provided by the Medical Director or his/her designee through
 - a. Protocol and Guideline establishment and yearly evaluation
 - b. Collaborative Quality Improvement (CQI) activities
 - c. Formal and informal teaching session
 - d. All clinical training ultimately under the direction and supervision of the Medical Director or his/her designee.
 - e. Questions, concerns and protocol clarifications that may be directed to the Medical Director by any provider at any time requested.

On-line Medical Direction

1. On-line Medical Direction will be provided by St. Alphonsus Ontario Emergency Physicians.

Quality Assessment/Quality Improvement

1. The Payette Fire or designee will review a minimum of 25% of all runs.
2. Medical Director will review all selected runs identified as worthy of review by the QA process.
3. Medical Director may request a written response from EMS personnel on a variety of issues, including but not limited to:
 - a. Patient care issues
 - b. Response time
 - c. Documentation of patient care
 - d. Level of emergency response appropriate for the patient
 - e. Canceling appropriate ALS or inappropriate assessment of patient
4. Quality improvement actions include
 - a. Mandatory attendance of all providers at 50% of Quarterly Payette Fire Dept. CQI meetings.

- b. Problems identified from the QA/CQI process involving quality of care may result in a remediation plan which will be developed by the Fire Chief and signed off by the Medical Director.
5. Any issue of concern related to a negative patient consequence or repeated issue be reported in writing to the Medical Director and include the involved EMS personnel, date, time, patient name, and nature of incident.
6. CQI meetings will occur quarterly.

Clinical Incident Review Process

1. Purpose:

To establish guidelines for reporting, reviewing, and resolving clinical incidents related to clinical skills performance of providers with the Payette Fire Dept.

2. Definitions:

Medical Director- Morris Smith, M.D. is responsible for the oversight of all medical practices adhering to the established clinical Guidelines set by State of Idaho and Payette County Paramedics.

Clinical Review and Mentoring- Is made up of designated active Emergency Medical Responders from Payette Fire Dept. and other outside resources as needed. The Fire Chief is designated as the point of contact and coordinator for clinical incidents and quality improvement.

Informal Medical Review- A review of patient care where minor deviation from established patient care standards may have occurred. These deviations shall have had no known impact on patient outcome.

Formal Medical Review- A review of patient care where serious deviations from the standard of care may have occurred. Examples of such concerns include: repeated minor deviations from the standard of care resistant to improvement, deviations with a potential for negative impact on patient outcome, and deviations which had a negative impact on patient outcome.

Provider- Any individual who acts in the capacity of an emergency medical care provider for the Payette Fire Dept.

Investigating Officer- The Fire Chief is assigned to conduct a formal and/or informal reviews of a medical care complain/concern.

Critical Event- A case where the alleged action or lack of action on the part of the provider raise concerns about the individual's ability to function adequately as an emergency medical care provider. This can include cases where allegations of significant negligence are present.

Temporary Suspensions to Practice- A non-punitive suspension of the provider's ability to function as an emergency medical care provider with in the Payette Fire Department.

3. Policy Statement:

Incident reviews are important tools for providing quality customer service to the community. They are designed to be teaching and learning experiences and are rarely punitive in nature. All parties are encouraged to participate with that approach in mind. Any member can report patient care concerns regarding incidents that the Payette Fire Department and provide medical care. This can include patients, hospital staff, firefighters, law enforcement, citizens, etc. Input should be made in writing whenever possible (Whenever formal reviews with potential for disciplinary action are conducted, complaint/concerns must be in writing). Concerns from sources within the Fire Dept. should be reported to the Fire Chief via an incident report. External customers (i.e. citizens or hospital staff) should contact the Payette Fire Chief. The Fire chief will make initial contact or follow-up with the customer or Department Head as appropriate. The Fire Chief determines whether or not the concern is a medical review matter. Complaints of a non-medical nature will be referred to the appropriate agency's officers for resolution. Most concerns can be resolved at a low level. Individuals are encouraged to address matters face-to-face whenever possible. If the concern is determined to be a medical matter, the Fire Chief will initiate an informal or formal review. Additional informal preliminary fact-finding may be conducted to help make this determination. This effort can include personal interviews and data collection. If the Fire Chief feels at any time that a serious violation has occurred, more formal procedures shall be implemented.

4. Informal Quality Review:

An investigating officer with the appropriate knowledge level and experience to effectively review the case will conduct the informal review. The reviewing officer will contact the provider and or other providers involved with the incident. The reviewing officer will complete the investigation and make a report of the findings within two weeks. Recommendations for follow-up remedial actions, if any, should also be provided. It is expected that the reviewing officer will conduct any appropriate counseling at the time of the review. The Fire Chief shall maintain a record of informal reviews and will routinely bring the Medical Director along with any trends.

5. Formal Quality review:

The Fire Chief will conduct the formal review. This effort may include interviews, patient follow-up, documentation review, etc. All information collected will be provided to the Medical Director. Based on the findings of the investigation, the Medical Director has the option to downgrade the matter to an informal review or arrange for a formal meeting with the provider to resolve the matter. A meeting of the provider, the Fire Chief and the Medical Director shall conclude formal review. The Medical Director shall review all facts of the case and discuss the incident with the provider. The Medical

Director at his discretion will determine the severity of the incident. If the concerns are determined to be unfounded, the case will be closed. For incidents where deviations have occurred, the Medical Director will recommend appropriate follow-up action based on the severity of the incident. These actions can include, but are not limited to, the following:

- a. Counseling
- b. Skills remediation, including additional field internship time
- c. Classes related to deficient area
- d. Assigned research project in deficient area
- e. Recommendations for disciplinary action

No disciplinary action will be given to providers in relationship to having deficient skills provided they comply with remediation. This does not prevent disciplinary action due to negligent care. The Fire Chief will document the outcome of the review. The provider will be notified of the findings in writing within two weeks. The Fire Chief will ensure that the provider completes any assigned actions.

6. Critical Event:

Any provider who observes a critical incident should contact the Fire Chief or their Duty Officer immediately. An incident report must be completed and submitted to the Fire Chief. The Fire Chief shall initially try to resolve any conflict, but shall maintain record of any critical information. In accordance with the Idaho Office of Emergency Medical Services' regulations, the Medical Director may at his discretion remove a provider's authorization to practice as an emergency medical care provider anytime he feels it necessary. This is a significant decision and requires serious consideration. Should a critical event occur, the Fire Chief might find it necessary to issue an immediate temporary suspension to practice until the matter can be fully reviewed by the Medical Director. Based on the findings of the formal review, the Medical Director will recommend that the suspension be ended, continued for a specific time period, or made permanent.

Patient Care Documentation

1. Payette Fire Dept. will provide a PCR through electronic documentation via the Idaho State Bridge PERCS or similar program form within 12 hours of the patient encounter. Data must be capable of being reported to the State of Idaho EMS Bureau.
2. An electronic copy of any PCR may be reviewed by the Medical Director at any time.
3. Cases that are deemed by any Payette Fire Dept. Providers to warrant additional review must be submitted in writing with all other relevant patient records to the Fire Chief who will begin the critical incident review process.
4. Medical Director may ask for written communication from personnel on any case for purposes of CQI.

On-Scene medical Supervision

1. If a physician is on scene at an accident or medical incident he/she may assume medical control with the following conditions:
 - a. Payette County Paramedics must be informed either by radio or face to face notification.
 - b. The physician must accompany the patient to the destination hospital and assume responsibility for the patient.
 - c. EMS personnel can only provide patient care within their scope of practice.
 - d. All documentation of clinical activity must be completed in the usual manner.

Equipment

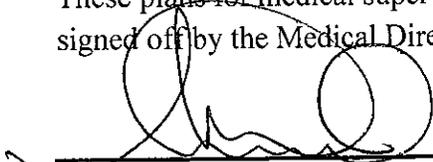
1. Payette Fire Dept. designated units will carry in inventory and maintain all equipment approved by Idaho EMS Bureau for their level of licensure. Any equipment omitted or added must be approved by the EMS Bureau and will be in conjunction with the appropriate Licensure Level, and approved by the Medical Director. Documentation of equipment or on site inspection by the Medical Director must be available upon request.

Payette Fire Department

It is the intention and goal that Payette Fire Dept. will provide EMR care within the boundaries of their jurisdiction may be under the Medical Direction of a single Medical Director, although associate Medical Directors may be appointed to share in the duties of Medical Direction. It is the collective interest of the Payette Fire Dept. to have a single set of Patient Care Treatment Guidelines (protocols) and Procedures, to standardize care delivered with their jurisdiction.

Medical Supervision Plan Review

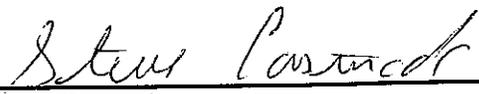
These plans for medical supervision of the Payette Fire Dept. will be reviewed annually and signed off by the Medical Director.



Morris Smith, MD
Medical Director

10-21-15

date



Steve Castenada
Fire Chief

10-21-15

date

Jeff Williams
Mayor

INDEPENDENT CONTRACTOR AGREEMENT
City of Payette (Fire Department) and Morris Smith, MD

AGREEMENT made and entered this ___ day of _____, 2015 by and between **The City of Payette**, a political subdivision of the State of Idaho ("Service"), and **Dr. Morris Smith** ("Contractor").

WHEREAS, the Service and the Contractor desire to enter into an Agreement for the provision of professional services for the Contractor to assist the Service as an Emergency Medical Services Medical Director (EMSMD), and;

WHEREAS, the Service is duly authorized and empowered to enter into such an Agreement, and the Contractor is duly authorized and empowered to enter into such an agreement on behalf of Service;

NOW THEREFORE, in consideration of the above recitals, the agreements, covenants, conditions and mutual promises herein set forth, it is hereby agreed as follows:

1. **Services Provided.** The Service and the Contractor agree that the Contractor shall provide services as an EMSMD as directed by the Idaho EMS Physician Commission. The Service and the Contractor agree that Contractor will have responsibility for both on-line and off-line medical direction.

2. **Duties of Contractor.** The Contractor shall oversee all medical aspects of both rescue and dispatch in the City of Payette Fire Department. EMSMD authority and responsibilities will include those established in the rules of the Idaho EMS Bureau, including but not limited to:

- The EMSMD will hold responsibility and ultimate authority of medical oversight of both structure and operations, including both direct and indirect medical oversight.
- The EMSMD shall maintain liaison with other physicians, including Medical Directors and local emergency department physicians, and attend regional and state meetings.
- The EMSMD is to interact with regional, state and local EMS authorities to ensure standards, needs and requirements are met and resource utilization is optimized.
- The EMSMD is to provide liaison with the state Department of Health and state EMS Advisory Committee.
- The EMSMD will collaborate agency chief officers on a procedure for the management of complaints involving EMS and hospital emergency departments.
- The EMSMD will direct the development of agency Standard Operating Guidelines (SOG) and policy development as it relates to EMS.

- The EMSMD may appoint supervising physicians for direct medical control and for indirect medical control in his / her absence.
- The EMSMD shall evaluate pre-arrival instructions rendered by the agency personnel and maintain direct participation in the agency system evaluation and continuous quality improvement process.

- Direct Medical Oversight:

Direct medical oversight is the contemporaneous medical consultation and direction provided by the on-duty emergency department physician at St. Alphonsus Medical Center, Ontario, by telephone or radio to EMS providers in the field. This consultation will be consistent with the SOG and scope of practice of the credentialed EMS Providers.

- Indirect Medical Oversight:

Indirect Medical Oversight is provided by the EMSMD who is responsible for the ultimate medical accountability and appropriateness of the system including overall system design, implementation and evaluation.

- Prospective:

- The EMSMD will develop, review and approve EMS protocols or guidelines for all certified EMS Providers at the agency, with the option to amend or adjust to meet specific needs.
- The EMSMD will advise individual agencies on continuing education for EMS providers to meet state and national requirements and guidelines and to meet identified quality goals.
- The EMSMD will review and approve, before implementation, new and emerging technologies in ambulance and rescue equipment, supplies and operations.
- The EMSMD should be involved with local and regional EMS for disaster and mass- casualty planning.
- The EMSMD should be involved in coordination of activities such as mutual aid, backcountry rescue, tactical and HAZMAT exposures.

- Retrospective:

- The EMSMD will oversee a quality assurance program that includes evaluation of EMS Providers.

- The EMSMD may provide individual consultation and written evaluation of each or any EMS Provider at his / her discretion.
- The EMSMD will provide counseling to specific EMS providers if inappropriate care is rendered. The EMSMD may withhold or qualify credentials of any EMS Provider as deemed necessary.
- The EMSMD should be involved in disciplinary proceedings of EMS providers when patient care issues are involved.

3. Term of Agreement. The term of this agreement shall be for the period beginning on the effective date hereof and ending November, 2017. However, either party may terminate this agreement without cause before the end of the term by providing thirty (30) days' written notice of such termination to the other party.

4. Compensation. Service agrees to pay Contractor as compensation for general and specific assignments as determined by the Idaho EMS Physician Commission. Dr. Morris Smith defers compensation for responsibilities as the Medical Director..

5. Entire Agreement. This instrument constitutes and embodies the entire integrated agreement between the parties relative to utilizing the Contractor's services as a Contractor. The parties agree that all prior and contemporaneous oral and written agreements, between and among themselves and their agents and representatives, relating to the Contractor services as a Contractor are merged into and superseded by this agreement.

6. Amendment. This agreement may be altered, amended, modified or revoked only by written instrument duly executed by the parties hereto.

7. Waiver. The failure of any party to insist upon strict performance of any of the obligations contained herein shall not be deemed a waiver of any rights or remedies that said party may have, and shall not be deemed a waiver of any preceding or subsequent breach in the performance of any of the terms and provisions contained herein by the same or any other person. No covenant, term or condition, or the breach thereof, shall be deemed waived, except by the written consent of the party against whom the waiver is claimed.

8. Assignment. Contractor may not assign, sub-contract or delegate his / her rights and duties hereunder to any person or entity without the prior written consent of the Service.

9. Authority of Board. Contractor understands and agrees that only the Service is empowered to alter, amend, modify, revoke and permit waiver, assignment, sub-contract and delegation under this agreement on behalf of Service. Contractor shall not rely upon any representation, warranty or other statement by any other contractor or agent of Service, and any such reliance by Contractor shall be at Contractor's peril and shall not give rise to any claim or cause of action, in law or equity, against Service, its contractors or agents.

10. Representations. Contractor agrees and warrants that in entering into this agreement, it has relied upon no representations, express or implied, of Service, its contractors or agents or of the Board that are not expressly stated herein.

11. Successors and Assigns. Unless otherwise provided in this agreement, this agreement inures to the benefit of, and will be binding upon, the parties and their respective heirs, representatives, successors and permitted assigns.

12. Third-Party Beneficiary Rights. This agreement is not intended to create, nor shall it be in any way interpreted or construed to create, any third party beneficiary rights in any person not a party hereto unless otherwise expressly provided herein. It further is not intended to create any substantive or procedural right for an applicant not otherwise provided in code.

13. Construction. No presumptions shall exist in favor of or against any party to this Agreement as a result of the drafting and preparation of this agreement. The headings and captions of paragraphs of this agreement are for convenience only and shall not be deemed to be relevant in resolving any question of interpretation or construction of this agreement.

14. Severability. If any term or provision of this agreement shall, to any extent, be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this agreement shall not be affected thereby, and each term and provision of this agreement shall be valid and be enforceable to the fullest extent permitted by law.

15. Governing Law and Venue. All disputes arising out of or related to the formation, interpretation, performance and enforcement of and under this agreement shall be governed by the laws of the state of Idaho. The Contractor hereby consents to the jurisdiction and venue of the state courts of Idaho to resolve any and all such disputes with Service; the Contractor waives all defenses to such jurisdiction and venue including, but not limited to, any defense based upon inconvenient forum.

16. Service of Notices. Any notice hereunder may be served upon Service by certified mail to Service at 700 Center Avenue, Payette, Idaho, 83661, and any notice may be served upon Contractor by certified mail to

Notice by certified mail shall be deemed complete upon the date of the postmark by certified mail. Either party may change the address for services of notice by written notice to the other party.

17. Hold Harmless Clause. **The City of Payette** agrees to indemnify, defend and hold harmless Contractor from any and all claims, costs, liability, judgment, complaint, judicial review petition or cause of action filed against Contractor relating to a claim based upon acts or omissions of Contractor performed within the scope of his / her duties under this agreement, no matter pursuant to this agreement, no matter what the basis of the claim, complaint or liability may be, including negligence but excluding the intentional and willful misconduct of Contractor. **City of Payette** retains the right to determine legal counsel to represent Contractor in any such claim, cost, liability, judgment, complaint,

judicial review petition or cause of action filed against Contractor in his / her individual capacity, subject to the approval of Contractor, which approval shall not be unreasonably withheld. Contractor shall not be liable to Service for any activities of Contractor undertaken by Contractor pursuant to this agreement, no matter what the basis of the claim, complaint or liability (including contribution) may be, including negligence, but excluding the intentional and willful misconduct of Contractor.

18. Contractor enters into this Agreement as, and shall continue to be, an independent contractor. All Services shall be performed by the contractor without supervision or oversight by the City, Service or its employees. Under no circumstances shall Contractor, or any of Contractor's employees, look to City or Service as their employer, or as a partner, agent or principal. Neither Contractor, nor any of Contractor's employees, shall be entitled to any benefits accorded to City's employees, including without limitation worker's compensation, disability insurance, vacation or sick pay. Contractor shall be responsible for providing, at Contractor's expense, and in Contractor's name, unemployment, disability, worker's compensation and other insurance, as well as licenses and permits usual or necessary for conducting the Services.

19. Attorney's Fees. If either party hereto brings an action or proceeding to enforce the terms of this Agreement or to declare rights hereunder, the prevailing party in any such proceeding, action or appeal thereof, shall be entitled to reasonable attorney fees.

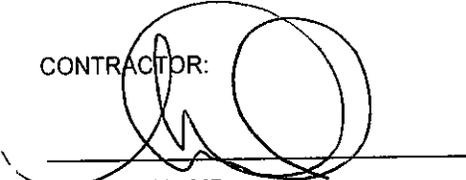
EXECUTED and effective as of the day and year provided herein.

By:

Jeffrey T. Williams, Mayor

Attest: _____

CONTRACTOR:



Morris Smith, MD



City of Payette

Agenda Request Form

RECEIVED
OCT 21 2015
CITY OF PAYETTE

OFFICE USE ONLY

Date Received 10-21-15

Received by BBlock

Date faxed _____

Faxed by _____

First Name KAREN Last Name LOCKWOOD

Current Address 2553 RUNWAY CT PAYETTE

Home Number 208-642-0805 Cell Number SAME

Date of City Council meeting NOV. 2ND

Describe what you would like to address the Council on

PROPOSE THE ADDITION OF FENCING (CHAIN LINK) TO THE
EXISTING DESIGNATED DOG PARK BEHIND THE ARMORY. THE
IDEAL DESIGN WOULD DIVIDE THE PARK TO PROVIDE OFF-LEASE
AREAS FOR LARGE + SMALL DOGS PERSPECTIVELY AS WELL AS A
DOUBLE GATE TO ENSURE OVERALL SAFETY. A WATERING SPIGOT
COULD BE ADDED TO THE EXISTING WATER SOURCE. TWO OR
MORE BENCHES FOR DOG OWNERS PERHAPS. PARKING IS IN PLACE.
JUSTIFICATION WOULD BE : 1) ADA ACCESSIBILITY FOR PET OWNERS
2) PROVIDE + PROMOTE HEALTHY DOG/OWNER RECREATION 3) PROVIDE
A POSSIBLE VENUE FOR OBEDIENCE CLASSES + SPECIAL DOG
CENTERED EVENTS, I.E. FRISBEE COMPETITIONS, ABILITY COURSES, ETC
4) ENCOURAGE RESPONSIBLE PET OWNERSHIP.

DATE 10/21/2015 SIGNATURE Karen R Lockwood



City of Payette

Agenda Request Form

OFFICE USE ONLY

Date Received _____

Received by _____

Date faxed _____

Faxed by _____

RECEIVED
OCT 28 2015
CITY OF PAYETTE

Greater Payette Chamber

First Name Leah Last Name Norris

Current Address 1555 River Street. Payette

Home Number _____ Cell Number 208 4699125

Date of City Council meeting Nov. 2nd, 2015

Describe what you would like to address the Council on

Christmas Events that Greater
Payette Chamber of Commerce
is sponsoring and "managing".

Cathy Patrick from the GP
Chamber Board will be in
attendance @ council meetings as our
representative.

Dec. 4th Tree Lighting + Santa visit

DATE

10/27/15

SIGNATURE

Leah Norris
(Chamber V.P.)



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Honorable Mayor & Members of the Payette City Council
From: M. Cordova, City Coordinator
Date: 10/30/15
Re: Appointment to Impact Fee Advisory Committee

BACKGROUND & JUSTIFICATION:

The development impact fee advisory committee was established during the preparation of the development impact fee study. The Committee advises the Council in adopting land use assumptions, reviewing the capital improvements plan, and proposing amendments.

The Committee was originally comprised of 9 members, 7 members were members of the Planning & Zoning Commission, and two at large members. The existing 7 members of the Planning & Zoning Commission wish to continue to serve in the capacity of the Advisory Committee, however, only one member meets the intent of the code and statute, which states:

IC 67-8205 "An existing planning or planning and zoning commission may serve as the development impact fee advisory committee if the commission includes two (2) or more members who are active in the business of development, building or real estate; otherwise, two (2) such members who are not employees or officials of a governmental entity shall be appointed to the committee."

Mr. Uehlin is resident of the City of Payette, and is active in development and building, and wishes to serve on the committee.

FISCAL IMPACT:

None.

RECOMMENDATION:

That the City Council appoint Mr. Wayne Uehlin as a member of the City of Payette Impact Fee Advisory Committee.



Downtown Facade Improvement Grant Application

Date: August 18, 2015

APPLICANT DATA

Applicant Name: Collaborative Effort of Payette National Register Properties (See Attached)

Mailing Address: Contact Information Included on Each Individual Form

Designated Contact: Designated Contact for Each Application is Included on Forms

PROPERTY DATA

Building or Business Name: Payette National Register Properties (See Attached List)

Building or Business Address: See Attached List for Business Address of Each Property

Mailing Address (if different from Street Address) See Attached List for Property Addresses

Do code enforcement actions, tax liens, or judgment liens exist against the property? Yes_ No_
This question is answered for each individual property on attached list

PROPERTY OWNERSHIP

(If applicant is not property owner, please provide the following information)

Owner Name: All Included Applicants Are Property Owners

Mailing Address: _____

Telephone Number: _____ E-mail: _____

PROJECT DESCRIPTION

How are the proposed Facade Improvements consistent with and furthers the purpose of the City Codes, the Design Guidelines, and the Downtown Master Plan? (Attach additional sheet if necessary)
See Attached

How will the project contribute to the revitalization of the Downtown Commercial Zone? See Attached

How many jobs and estimated salaries will be created by this renovation? See Attached

Proposed Commencement Date September 15, 2015 Proposed Completion Date August 31, 2016*

0			
Date Submitted	Coordinator Approval	Committee Approval	Council Approval

PROJECT DESCRIPTION CONTINUED

We are applying for the Facade Grant as a collaboration between the owners of Payette City buildings listed in the National Register of Historic Places. This is in accordance with the City of Payette Downtown Building Façade Grant Program.

The National Register of Historic Places is the official list of America's historic properties that are significant to the history of their community, state, or the nation and are classified as worthy of preservation. A professional review board in each state considers each property proposed for listing and makes a recommendation on its eligibility. Once accepted, National Historic Buildings placed in the list are often distinguished by a "standard" bronze plaque to commemorate the listing.

How are the proposed Facade Improvements consistent with and furthers the purpose of the City Codes, the Design Guidelines, and the Downtown Master Plan?

Commemorating National Historic Properties in Payette is the perfect project to further the purpose of the City Codes, Design Guidelines and Downtown Master Plan. It meets all requirements and has the greatest cost-benefit ratio with the the City of Payette contributing less than \$200.00 per plaque.

It has long been recognized that historic downtown is Payette's greatest asset with strong economic growth potential. According to the official Payette City Center Plan of 1985, "historic buildings constitute the largest physical resource for the community and are the key to the revitalization of the downtown. The quality of construction and design of Payette's historic buildings, coupled with their attractive human scale, offer an excellent opportunity for commercial success."

The Comprehensive Plan for the City of Payette also highlights Payette's historic properties and actually encourages signage. It points out that Payette is "fortunate to have a historic downtown and the potential opportunities provided by this architectural heritage." In 2007 the visiting team of experts recommended "creating interpretive signs that celebrate Payette's history. The signs should be of a consistent design and could educate visitors and residents about sites of historically significant events." They also recommended that a "self led historic walking tour be created for both visitors and residents." A walking tour highlighting the buildings on the National Register and the highly visible plaques we are requesting would achieve these goals.

National Register plaques also fall under the preferred Facade Grant guidelines since the majority are located within the Downtown Commercial Zone and all are listed in the National Register of Historic Places as identified by Payette's historic survey.

National Register Plaques are supported by the Idaho Heritage Trust, the Idaho State Historic Preservation Office (SHPO) and the National Trust for Historic Preservation. I spoke with Tricia Canaday from SHPO about recognizing Payette's National Register Buildings with these plaques. She emphasized that "the SHPO supports your efforts to recognize your NRHP - listed properties in Payette - I think it's a great idea!" Ms. Canaday even offered to present a workshop, at the Portia Club, on how to research historic properties and apply for National Register status.

How will the project contribute to the revitalization of the Downtown Commercial Zone?

Helping each business owner purchase a National Register Plaque for their historic building is the most cost effective and direct way to contribute to the Downtown Commercial Zone. For a small contribution per plaque, the City of Payette will obtain highly visible signage that contributes to the enhancement of Downtown.

This low cost investment highlights Payette's unique historic character and makes Downtown more attractive to both tourists and local consumers. It would also encourage people to stroll down Main Street, checking each plaque, visiting businesses, buying goods and enjoying our local history.

We believe this program will further investment in our area by encouraging current building owners to better maintain their historic structures and incentivize other businesses to move into the area to take advantage of the historic potential of Downtown Payette. According to the National Park Service Website (www.nps.gov/nr), listing your property on the National Register, "places no obligations on private property owners. There are no restrictions on the use, treatment, transfer, or disposition of private property." Furthermore, "a property owner can do whatever they want with their property as long as there are no Federal monies attached to the property." They also state that "owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings." We hope viewing these plaques and recognizing the benefits of owning and restoring a historic property could encourage further investment in our local economy and help revitalize our Downtown Commercial Zone.

How many jobs and estimated salaries will be created by this renovation?

This program will not directly create more jobs, but has the potential to bring more business into the area and help stimulate the local economy. Displaying National Register Plaques would draw attention to the historic framework of downtown Payette and has the potential to bring tourists into the area, spark other restoration projects and encourage business owners to better maintain their historic buildings. This simple, cost-effective program can help foster more investment in Payette's Downtown Commercial Zone and bring a feeling of pride back to the community.

* We hope that if this inspires other owners of historic buildings in Payette to list their property in the National Register, they will be able to purchase their plaques under this application.



Downtown Facade Improvement Grant Application Checklist

The following are required before your application will be reviewed:

1. Building owner's name and contact information
All Applications are From Building Owners
2. Project application name (if different from above) & contact information
All Project Application Names are From Building Owners
3. Letter of authorization from building owner, if owner is not applicant
All Applicants are Building Owners
4. Building address:
All Building Addresses are Included on Attached Forms
5. Building's historical name (if known):
All Historical Names are Listed on Attached Forms
6. Current photograph of the building:
Each Application Contains One Current Photograph
7. Funding amount requested:
Each Business Owner is Requesting Between \$258.00 - \$386.00
Price of Plaque Depends on Size.
8. Detailed project budget, including sources of funds See Attached Budget
9. Detailed text and/or visual description of project See Attached Budget
10. Historical photos (if available):
Each Application Contains One Historical Photo
11. Current building use, including tenants name and contact information:
Included on Attached Form (if applicable)
12. Project Timeline: Beginning Date: September 15, 2015 End Date: August 31, 2016

Properties Listed In National Register
Payette, Idaho

A. B. Moss Building

David C. Chase House

J.C. Palumbo Fruit Company Packing Warehouse Building

Methodist Episcopal Church of Payette

N. A. Jacobsen Building

N. A. Jacobsen House

Payette City Hall and Courthouse

Payette's Main United States Post Office

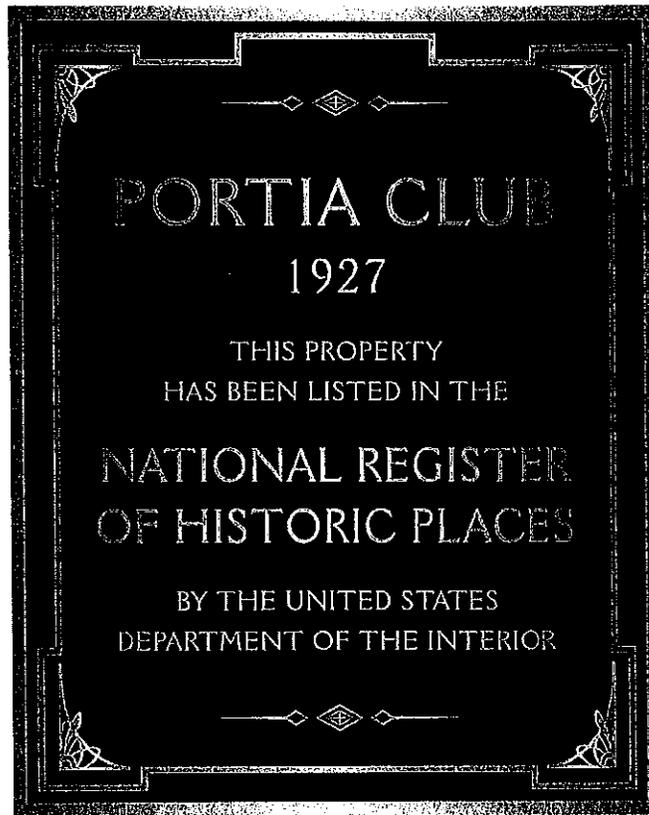
Portia Club

St. James Episcopal Church

St. John's Church

Woodward Building

Detailed Text And/Or Visual Description Of Project



20898 Single Line Bronze Color: Black Mounting:Studs 8/20/15

Bronze National Register Plaque in Customized Style with Black Background and Name of Building
This is the current design, but may change as more feedback becomes available.

BUDGET

NAME OF PROPERTY	ADDRESS	OWNER	PLAQUE SIZE	PLAQUE COST
A. B. Moss Building	137 N 8th Street	Payette County Senior Citizens Inc.	12" x 15"	\$386.00
David C. Chase House	307 9th Street N	Currently Being Sold	12" x 15"	\$386.00
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N. A. Jacobsen Building	40 N Main Street	Amy Zane	12" x 15"	\$386.00
N. A. Jacobsen House	1115 1st Avenue N	Payette County	12" x 15"	\$386.00
Payette City Hall and Courthouse	240 N Main Street	Mindy and Shawn Rudkin	12" x 15"	\$386.00
Payette's Main U. S. Post Office	915 Center Avenue	United States Post Office	12" x 15"	\$386.00
Portia Club	225 N 9th Street	The Friends of the Portia Club, Inc.	12" x 15"	\$386.00
St. James Episcopal Church	110 N 10th Street	Protestant Episcopal Church In Idaho	10" x 12"	\$258.00
St. Johns Church	346 N 4th Street	St Johns United Church Of Christ	10" x 12"	\$258.00
Woodward Building	23 S Main Street	Cissy Smith	12" x 15"	\$386.00
TOTAL				\$4,248.00
Funds Requested from City of Payette Facade Improvement Grant				*Total: \$2,124.00

*Total Could Be Higher if Larger Plaque Size is Needed.

Signs Purchased From: Franklin Bronze Plaques, 4201 US 322 West, Franklin, PA 16323, franklinbronzeplaques.com

2015 BUDGET TO PURCHASE
NATIONAL REGISTER PLAQUES

Detailed Project Budget

The total cost to purchase this National Register Plaque for the 12 National Register Buildings in Payette is \$4,248.00. We are asking the City of Payette to pay half the purchase price for a total of \$2,124.00.

This includes:

Bronze National Register Plaque in Customized Style (#20898) with Black Background and Name of Building
Tamper Proof Mounting Option with Screwdrivers and Hardware
Shipping and Handling

Each Business Owner that has agreed to participate in the program must approve their plaque and pay the entire cost before being reimbursed by the City of Payette for half the agreed cost. Depending on size, total price per plaque is \$258.00 - \$386.00.

We are ready to proceed with project as soon as funding becomes available.

Other Plaque Companies Recognized by the National Register - Cost Comparison:

Franklin Bronze	Custom 10" x 12" National Register Plaque	\$258.00 (shipping included)
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Please Note According to Franklin Bronze:

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All layouts must be approved by fax or email before production will begin.

All payment information must be received before production will begin.

Production time can be 4 to 8 weeks, after final approval, depending on size, complexity and amount of pieces.

Please check spelling, punctuation, names, numbers, type size and general layout before purchase to prevent errors.

NATIONAL REGISTER PLAQUE PROGRAM
APPLICANT DATA

We are requesting the City of Payette as part of the Facade Improvement Grant, to fund half the price of a National Register Plaque to display on the front facade of our historic property. This will call attention to the fact that our building is of historical significance and has been listed in the National Register of Historic Places.

David C. Chase House
307 9th Street North in Payette
National Register Number 78001091
Joined the Register February 07, 1978

Building Owner's Name: Frank and Kimmie Serrano

Mailing Address: 2067 STEWLEY Dr. PAYETTE ID 831661
Street City State Zip

Telephone Number: 208-870-5533 E-mail: kimmies@icloud.com

Current Building Use: RESIDENCE

Tenants Name and Contact Information (if applicable): SAME AS ABOVE

Do code enforcement actions, tax liens, or judgment liens exist against the property? Yes No
If yes please explain: _____

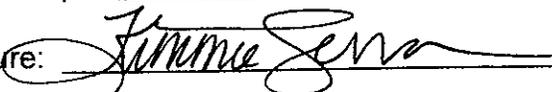
Agreement to Participate in Program to Purchase National Register Sign for Your Building

National Register Building Name: David C. Chase House

Name On Plaque, If Different Than Above (First Line 20 Characters): CHASE HOUSE

Year Built: 1893

Size of Plaque: 12" x 15" Funding Amount Requested: \$193.00

Signature: 

Date: 9/16/15

For More Information on How to Order Plaque, Please Contact: _____

CURRENT PHOTO



HISTORICAL PHOTO





Downtown Facade Improvement Grant Application

Date: August 18, 2015

APPLICANT DATA

Applicant Name: Collaborative Effort of Payette National Register Properties (See Attached)

Mailing Address: Contact Information Included on Each Individual Form

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Telephone Number: _____ E-mail: _____

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See Attached

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2015 BUDGET TO PURCHASE
NATIONAL REGISTER PLAQUES

Detailed Project Budget

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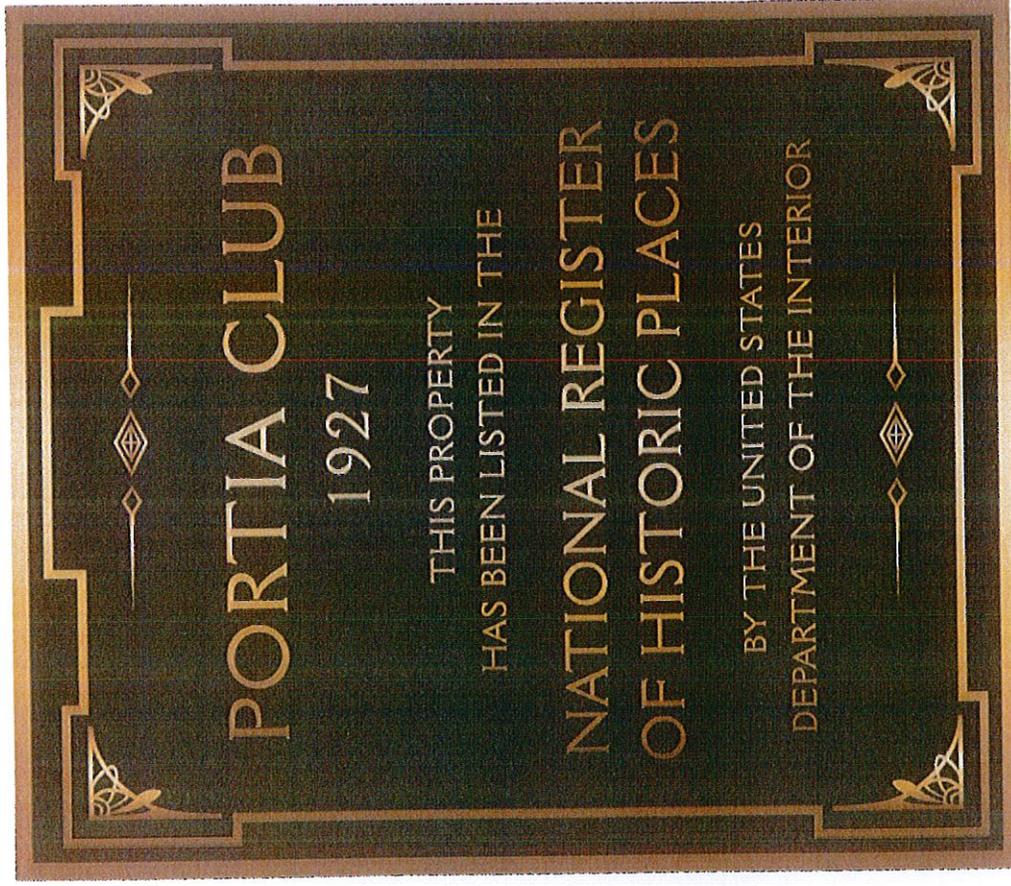
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Detailed Text And/Or Visual Description Of Project



20898 Single Line Bronze Color: Black Mounting: Studs 8/20/15

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BUDGET

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Funds Requested from City of Payette Facade Improvement Grant				*Total: \$2,124.00

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Signs Purchased From: Franklin Bronze Plaques, 4201 US 322 West, Franklin, PA 16323, franklinbronzeplaques.com

ORDINANCE 1396

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 6.08.020 IN CHAPTER 6.08 OF TITLE 6, TO REMOVE THE REQUIREMENT TO SHOW PROOF OF RABIES VACCINATION PRIOR TO ISSUING A LICENSE, AND ADDING A NEW SUBSECTION C REQUIRING OWNER TO SIGN UNDER PENALTY VACCINATIONS ARE CURRENT; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

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

Section 1. Section 6.08.020 of Title 6, Chapter 6.08 of the Payette Municipal Code is hereby amended to read:

6.08.020: LICENSE REQUIREMENTS:

B. Nonvicious Dog Fees: The city clerk, or a designee, is hereby authorized to issue a license to any owner or person having charge of any dog over four (4) months of age within the City ~~showing veterinary certification of rabies vaccination and~~ upon payment as set by resolution per head for each nonvicious dog. Owners presenting veterinary certification that the dog has been spayed or neutered will pay a fee as set by resolution. Persons who are at least sixty two (62) years of age as of January 1 will pay a fee as set by resolution per head to license their nonvicious and spayed/neutered dog(s). Vicious dogs and dogs which have not been spayed or neutered are not eligible for a reduced license fee. All licenses issued will be valid from the date of issue and will expire on December 31 of each year.

C. Any owner or person having charge of any dog over four (4) months of age within the City shall be required to have the dog vaccinated for rabies and to keep such vaccinations current. If owner does not provide proof of such vaccination upon receiving a license, owner shall sign application for license under penalty of perjury that required rabies vaccinations are current for each dog licensed.

Section 2. This Ordinance may be published in summary form allowed 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. 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 _____, 2015.

CITY OF PAYETTE, IDAHO

BY _____

Jeffrey T. Williams, Mayor

ORDINANCE 1397

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 13.10, Sections 13.10.010, 13.10.030, 13.10.070, 13.10.090, 13.10.110, 13.10.130, 13.10.160(B), OF TITLE 13 AND ADDING NEW SECTIONS 13.10.103, 13.10.105, 13.10.035, TO TITLE 13 OF THE PAYETTE MUNICIPAL CODE; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A PENALTY; ESTABLISHING A REPEALER.

WHEREAS, the City of Payette desires to incorporate recommendations from the Environmental Protection Agency (EPA) regarding amendments to its regulations for disposal of industrial wastewater as a result of the most recent NPDES permit renewal; and

WHEREAS, the City has submitted these proposed changes to the EPA for its pre-approval.

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

Section 1. Sections 13.10.010, 13.10.030, 13.10.070, 13.10.090, 13.10.110, 13.10.130, 13.10.160(B) of Title 13 of the Payette Municipal Code are hereby amended as follows:

13.10.010: PURPOSE AND POLICY:

This chapter sets forth uniform requirements for users of the publicly owned treatment works (POTWs) and enables the city to protect public health and the environment in conformity with all applicable local, state and federal laws relating thereto. This chapter provides for the regulation of users of the POTW through the enforcement of administrative regulations. This chapter authorizes the issuance of indirect discharge permits; authorizes monitoring, compliance and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program described herein. This chapter does not establish rates for sewer dischargers. Rates shall be established by the city in other chapter enactments.

The objectives of this chapter are:

- A. To prevent the introduction of pollutants into the POTW which will interfere with the normal operation of the system or contaminate the resulting municipal sludge.
- B. To prevent the introduction of pollutants into the POTW which do not receive adequate treatment and which will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system.
- C. To improve the opportunity to recycle and reclaim wastewater and sludge from the POTW.
- D. To protect the public using and the personnel operating the POTW.
- ~~E. To ensure all users pay their fair share of all treatment costs.~~

13.10.030: DEFINITIONS:

The definitions contained in chapter 13.08 of this code shall apply to this chapter.

The following terms shall mean:

ACT: The clean water act (33 USC 1251, et seq.), as amended.

APPLICABLE PRETREATMENT STANDARDS: For any specified pollutant, city prohibitive discharge

standards, city's specific limitations on discharge, state of Idaho pretreatment standards, or the national categorical pretreatment standards (when effective) whichever standard is appropriate or most stringent.

APPROVAL AUTHORITY: The term means the Director in an NPDES State with an approved State pretreatment program and the appropriate Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program.

BEST MANAGEMENT PRACTICES (BMPs): The term Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions in this ordinance. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

BYPASS: The intentional diversion of waste streams from any portion of a user's treatment facility.

CATEGORICAL PRETREATMENT STANDARDS: Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with sections 307(b) and (c) of the act (33 USC 1317) which apply to a specific category of users and which appear in 40 CFR chapter 1, subchapter N, ~~parts 405-474.~~

CATEGORICAL USER: A user regulated by one or more of EPA's categorical pretreatment standards.

CITY: The city of Payette, a municipal corporation of the state of Idaho.

COMPOSIT SAMPLE: The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

COOLING WATER/NONCONTACT COOLING WATER: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product or finished product. Cooling water may be generated from any use, such as air conditioning, heat exchangers, cooling or refrigeration to which the only pollutant added is heat.

DOMESTIC USER(Residential User): Any person who contributes, causes, or allows the contribution of wastewater into the POTW that is of a similar volume and/or chemical make-up as that of a residential dwelling unit.

EFFLUENT LIMITATION: Any restriction imposed by the City on quantities, discharge rates, and mass or concentration of pollutants that are discharged by users into the POTW. Also referred to as a Local Limit.

EXISTING SOURCE: For a categorical industrial user, an existing source is any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

EXISTING USER: For noncategorical users an existing user is defined as any user that is discharging wastewater prior to the effective date of this ordinance.

GRAB SAMPLE: A sample which is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and without consideration of time.

INDIRECT DISCHARGE: The discharge or the introduction of nondomestic pollutants into a POTW from a source regulated under section 307 (b), (c) or (d) of the Act.

Indirect Discharge Permit (Industrial Wastewater Discharge Permit, Discharge Permit). An authorization or equivalent control document issued by the City to users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this ordinance.

INDUSTRIAL USER OR USER: Any nonresidential user with an indirect discharge of effluent into a POTW by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches and all constructed devices and appliance appurtenant thereto. This term includes federal, state and local facilities as part of the regulated community, since such entities are subject to federal pretreatment regulations.

INDUSTRIAL WASTE: Solid, liquid or gaseous waste resulting from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources.

INTERFERENCE: A discharge which alone or in conjunction with a discharge or discharges from other sources, either: a) inhibits or disrupts the POTW, its treatment processes or operations; b) inhibits or disrupts sludge processes, use or disposal; or c) is the cause of a violation of the discharge permit, including an increase in the magnitude or duration of a violation or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder or more stringent state or local regulations: section 405 of the clean water act, the solid waste disposal act (SWDA), including title II, more commonly referred to as the resource conservation and recovery act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA, the clean air act, and the toxic substances control act.

Maximum Allowable Industrial Loading (MAIL): The estimated maximum loading of a pollutant that can be received at the POTW headworks from all permitted industrial users and other controlled sources without causing pass through or interference.

MINOR INDUSTRIAL USER (MIU): A nonresidential user with an indirect discharge to the POTW which does not meet the criteria as a significant industrial user or a significant connecting user, but whose operation and discharge may warrant inspection to ensure compliance with discharge prohibitions, pretreatment facility operation, spill prevention measures and pollution prevention assistance.

NPDES: National pollutant discharge elimination system permit program as administered by the USA EPA or state.

NEW SOURCE:

A. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, and such building, structure, facility or installation:

1. Is constructed at a site at which no other source is located; or
2. Totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
3. Is constructed for production or wastewater generating processes which are substantially independent of an existing source at the same site, substantial independence being determined by factors such as: a) the extent to which the new facility is integrated with the existing plant; and b) the extent to which the new facility is engaged in the same general type of activity as the existing source.

B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subsection A2 or A3 of this definition, but otherwise alters, replaces or adds to existing process of production equipment.

C. For purposes of this definition, construction is deemed to commence when:

1. The owner or operator of the facility has entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without

substantial loss, and contracts for feasibility, engineering and design studies do not constitute a contractual obligation herein; or

2. When the following are begun as part of a continuous on site construction:

- a. Any placement, assembly or installation of facilities or equipment; or
- b. Significant site preparation work, including clearing, excavation or removal of existing buildings, structures or facilities, which is necessary for the placement, assembly or installation of new source facilities or equipment.

NEW USER (New Discharger): A new user is not a new source and is defined as a user that applies to the City for a new building permit or any person or business that occupies an existing building and plans to discharge wastewater to the City's collection system after the effective date of this ordinance.

OTHER WASTES: Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals and all other substances except sewage and industrial wastes.

PASS THROUGH: The occurrence of an indirect discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

pH. A measure of the acidity or alkalinity of a substance, expressed in standard units.

POTW: Any sewage treatment works owned and operated by the city and the sewers and conveyance appurtenances discharging thereto, whether or not owned by the city. The term also means the city since the U.S. environmental protection agency issues the NPDES permits to the city.

~~PASS-THROUGH: The occurrence of an indirect discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.~~

POLLUTANT: Any substance discharged into a POTW or its collection system which is prohibited or limited by subsections 13.10.040 A, B and sections 13.10.050, 13.10.060 and 13.10.070 of this chapter. This term includes dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural wastes.

PRETREATMENT: The reduction of the amounts of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

PRETREATMENT REQUIREMENT: Any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on an industrial user.

PRETREATMENT STANDARDS OR STANDARDS: Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, local limits and/or BMPs established by the City.

PROHIBITED DISCHARGES (Prohibited Discharge Standards): Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Sections 8-14-04 and 8-14-09 of this ordinance.

SEVERE PROPERTY DAMAGE: Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural

resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

SEPTIC TANK WASTE (Septage). Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE: Water carried human wastes or a combination of water carried wastes from residences, business buildings, institutions and industrial establishments.

SEWER: Any pipe, conduit, ditch or other device used to collect and transport sewage from the generating source.

SHALL: "Shall" is mandatory.

SIGNIFICANT CONNECTING USER (SCU): Any private, public or quasi-public reservation, compound, district, government installation, industrial, commercial or domestic complex which indirectly discharges to the POTW at single or multiple connection points to the city's sewer collection system wastewater mixed with nondomestic wastewater. Upon determination by the wastewater treatment plant superintendent, city clerk or designee that an SCU, as a result of the discharge of toxic pollutants or high strength sewage as measured by BOD and TSS, causes or has the potential to cause interference with the operation and maintenance of the POTW, including its wastewater collection system, causes or has the potential to cause pass-through of pollutants to the receiving waters, or causes or has the potential to cause interference with the treatment, disposal or beneficial reuse of the POTW's sludge, or that contributes greater than five percent (5%) of the total flow entering the POTW, the city may issue an indirect discharge permit to the SCU. Issuance of an indirect discharge permit may not be necessary if the SCU is regulated by an EPA approved pretreatment program.

SIGNIFICANT INDUSTRIAL USER (SIU):

A. All industrial users of the POTW subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR chapter 1, subchapter N.

B. Any other industrial user that discharges an average of twenty five thousand (25,000) gpd (gallons per day) or more of process wastewater to the POTW, excluding sanitary, noncontact cooling and boiler blowdown wastewater; contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity to the treatment facility receiving the waste; or is designated as such by the city as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential, either singly or in combination with other contributing industries, for adversely affecting the POTW's wastewater collection and treatment system, the quality of sludge, the system's effluent quality or air emissions generated by the system or for violating any pretreatment standard or requirement.

SIGNIFICANT NONCOMPLIANCE: For the purposes of this ordinance, significant noncompliance shall mean:

1. Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined or described in this ordinance;

2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a six-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined or described in this ordinance multiplied by the applicable factor [1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH]; Page 8 of 33 SUPPLEMENT NO. 56

3. Any other violation of a Pretreatment Standard or Requirement, including instantaneous limits or narrative Standard, that the City believes has caused, alone or in combination with other discharges, interference, pass through, or endangered the health and safety of City personnel or the general public;

4. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge;

5. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an indirect discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

6. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Any other violation(s), including a violation of BMPs, which the City determines will adversely

SLUG LOAD: Any discharge at a flow rate or concentration which could cause a violation of the discharge standards in subsections 13.10.040A, B, and sections 13.10.050, 13.10.060 and 13.10.070 of this chapter or any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or a noncustomary batch discharge.

TOXIC POLLUTANTS: Pollutants or combination of pollutants listed as toxic in regulations promulgated by the administrator of the environmental protection agency under section 307 (33 USC 1317) of the act.

UPSET: An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the standards as set forth in subsections 13.10.040A, B, and sections 13.10.050, 13.10.060, 13.10.070 and 13.10.080 of this chapter due to factors beyond the reasonable control of the user, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance or careless or improper operation thereof.

USER: See definition of Industrial User Or User.

WASTEWATER: Industrial waste, sewage or any other waste, including that which may be combined with any groundwater, surface water or stormwater, that may be discharged to the POTW.

Whenever a reference is made to a rule, regulation, statute, code section, treatise, book, publication, manual, standard, CFR, ordinance or any other regulatory requirement, that reference shall be to the most updated or most recently amended version thereof.

13.10.070: LOCAL LIMITS:

The City shall from time to time establish quantitative or other limitations where necessary to protect against Pass Through and Interference and to provide for protection of the POTW, worker safety, public health, or environment.

A. Substances And Quantities: In addition to national categorical pretreatment standards referenced in section 13.10.050 of this chapter, no user shall discharge wastewater containing concentrations (and/or mass limitations) of substances exceeding the following local limits:

Parameter	Maximum Concentration (mg/l)
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Arsenic	0.05 mg/kg
Cadmium	0.01 mg/kg
Chromium (total)	0.05 mg/kg
Copper	1.00 mg/kg
Cyanide (total)	0.20 mg/kg
Fluoride	1.40 mg/kg
Lead	0.05 mg/kg
Mercury	0.002 mg/kg
Nickel	0.02 mg/kg
Silver	0.05 mg/kg
Zinc	5.00 mg/kg
Settleable solids	10 mg/l
Total chlorine residual	1 mg/l
pH	Not less than 6 nor more than 9
Total fats, grease and oils	250 mg/l

B. Where possible and appropriate, the City may establish and implement industry specific BMPs (best management practices) in conjunction with or in lieu of numerical local limits. Such BMP's shall be considered pretreatment standards and are fully enforceable under this ordinance.

C. Based upon assessment of need and on a user specific basis, the City may incorporate pollutant specific BMPs or concentration or mass limits into indirect discharge permits. Wherever a user is subject to both a national categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit or pretreatment standard shall apply.

The City reserves the right to enter into special agreements with users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a categorical pretreatment standard or federal pretreatment requirement. However, the user may request a net gross adjustment to a categorical standard in accordance with 40 Page 14 of 33 SUPPLEMENT NO. 56 CFR 403.15. They may also request a variance from the categorical pretreatment standard from the Approval Authority in accordance with 40 CFR 403.13.

DB. Deadline For Compliance With Applicable Pretreatment Requirements: Compliance by existing users covered by categorical pretreatment standards shall be within one year of the date the standard is effective unless a shorter compliance time is specified in the appropriate standard. The city shall establish a final compliance deadline date for any existing user not covered by categorical pretreatment standards or for any categorical user when local limits for said user are more restrictive than EPA's categorical pretreatment standards.

New source dischargers are required to comply with applicable pretreatment standards within the shortest feasible time (not to exceed 90 days from the beginning of discharge). New sources shall install and have in operating condition, and shall start up all air pollution control equipment required to meet applicable

pretreatment standards before beginning to discharge. Any indirect discharge permit issued to a categorical user shall not contain a compliance date beyond any deadline date established in EPA's categorical pretreatment standards. Any other existing user or a categorical user that must comply with a more stringent local limit, which is in noncompliance with any local limits, shall be provided with a compliance schedule placed in an indirect discharge permit to ensure compliance within the shortest time feasible.

13.10.090: ACCIDENTAL DISCHARGES:

A. Each user shall provide protection from the accidental discharge of prohibited or regulated materials or substances established by this chapter. Where deemed necessary by the city, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's cost and expense. [Significant Industrial Users are required to notify the City immediately of any changes at its facility affecting potential for a Slug Load discharge. When required, An](#) accidental spill prevention plan (ASPP) showing facilities and operating procedures to provide this protection shall be submitted to the city for review and approval before construction of the facility or implementation of procedures. Each existing user shall complete and submit its ASPP within sixty (60) days after notification by the city.

B. Each user shall implement its ASPP as submitted after such ASPP has been reviewed and approved by the city. Review and approval of such plans and operating procedures by the city shall not relieve the user from the responsibility to modify its facility as necessary to meet the requirements of this chapter.

C. Any user required to develop and implement an ASPP shall submit a plan which addresses, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharges.
2. Description of stored chemicals.
3. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the standards in subsections [13.10.040A](#) and B, section [13.10.050](#) and section [13.10.060](#) of this chapter. [Accidental spill or slug load notification instructions shall be posted in conspicuous places on the user's premises advising employees whom to call.](#)
4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

D. Users shall notify the city wastewater treatment plant immediately upon the occurrence of the "slug load", or accidental discharge of substances prohibited by this chapter. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume and corrective actions. Any user who discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.

13.10.110: FEES:

A. Purpose: It is the purpose of this chapter to provide for the payment of fees from users to the city's wastewater disposal system to compensate the city for their costs associated with monitoring, inspection, surveillance and laboratory analysis required by the federal pretreatment program. [Sewer system connection and service charges and fees are established by a separate ordinance.](#)

B. Charges and Fees: If costs are incurred beyond normal operation through involvement with noncomplying users, the city shall charge the noncomplying user for monitoring, laboratory analyses, inspections and surveillance as required by federal pretreatment requirements and this chapter.

C. Reimbursement: The city shall be reimbursed by all significant industrial users, significant connecting users, developers or any other nonresidential users for all engineering costs incurred by the city in reviewing sewer related matters associated with that user.

13.10.130: WASTEWATER DISCHARGE DATA DISCLOSURE:

A. General Disclosure: All significant industrial and connecting users proposing to connect to or to discharge sewage, industrial wastes and other wastes to the POTW shall comply with all terms of this chapter.

B. Disclosure Forms: All significant industrial and connecting users shall complete and file with the city a data disclosure form prescribed by the city. Existing significant industrial and connecting users shall file data disclosure forms within sixty (60) days after notification by the city, and users shall file a data disclosure form a minimum of thirty (30) days before connecting to the POTW. This data disclosure form satisfies the requirement of the user baseline monitoring report as described in 40 CFR 403.12(b). The disclosure to be made by the user shall be made on written forms provided by the city and shall include:

1. Disclosure of name, address and location of the user.

2. Disclosure of standard industrial classification (SIC) number according to the "Standard Industrial Classification Manual, Bureau Of The Budget", 1972, as amended.

3. Disclosure of wastewater constituents and characteristics, including, but not limited to, those mentioned in this chapter, as appropriate, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, part 136, as amended.

4. Disclosure of time and duration of discharges, including copies of flow charts.

5. Disclosure of average daily and maximum daily wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any of all regulated or manufacturing process streams and other streams as necessary to allow use of the combined wastestream formula of 40 CFR 403.6(e). All flows shall be measured unless other verifiable techniques are approved by the city due to cost or nonfeasibility.

6. Disclosure of site plans, floor plans, plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size and location.

7. Description of activities, facilities and plant processes on the premises, including all materials which are or may be discharged to the sewers or works of the city and a brief description of the nature, average rate of production and standard industrial classification of the operations.

8. A statement regarding whether or not compliance is being achieved with this chapter on a consistent basis, and, if not, whether additional pretreatment is required for the user to comply with this chapter. The statement on compliance shall be certified to by a qualified professional and reviewed and signed by an authorized representative of the user.

13.10.160 (B): INDIRECT DISCHARGE PERMIT APPEALS:

B. Indirect Discharge Permit Modifications: The terms and conditions of an indirect discharge permit may be subject to modification by the city at any time as limitations or requirements are modified or other just cause exists. Any permit modifications which result in new conditions shall include a reasonable time schedule for compliance as determined by the city. Other reasons for modification include, but are not limited to, the following:

1. To incorporate any new or revised federal, state or local pretreatment standards or requirements;

2. To address significant alterations or additions to the user's operation, processes or wastewater since the time of permit issuance or the last modification;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. To incorporate special conditions resulting from the issuance of a special order or an enforcement action; or
5. To correct typographical or other errors in the indirect discharge permit.
- [6. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;](#)
- [7. Violation of any terms or conditions of the wastewater discharge permit;](#)
- [8. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;](#)
- [9. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.](#)

Section 2. New Sections 13.10.035, 13.10.103, 13.10.105, are hereby added to Title 13 of the Payette Municipal Code as follows:

13.10.035: ABBREVIATIONS:

The following abbreviations shall have the designated meanings:

- A. ASPP - Accidental Spill Prevention Plan
- B. BMP - Best Management Practice
- C. BOD - Biochemical Oxygen Demand
- D. CFR - Code of Federal Regulations
- E. EPA - U.S. Environmental Protection Agency
- F. gpd - gallons per day
- G. IDP - Indirect Discharge Permit
- H. IU - Industrial User I. LEL - Lower Explosive Limit
- J. NPDES - National Pollutant Discharge Elimination System
- K. POTW - Publicly Owned Treatment Works
- L. RCRA - Resource Conservation and Recovery Act
- M. NAICS- North American Industrial Classification System
- N. SIC - Standard Industrial Classification

O. SWDA - Solid Waste Disposal Act (42 U.S.C. 6901, et seq.)

P. TSS - Total Suspended Solids

Q. USC - United States Code

13.10.103 ADDITIONAL PRETREATMENT MEASURES:

Whenever deemed necessary, the Pretreatment Coordinator may require users to restrict their discharge during peak flow periods, designate that certain wastewaters be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW, personnel operating the POTW, the public health or to determine the user's compliance with the requirements of this ordinance.

13.10.105 INTERCEPTORS:

Suitable and adequate grease and oil, or sand interceptors shall be provided for the proper handling of wastewater containing grease, oil, sand or other substances prohibited by this ordinance; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the City and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be provided, inspected, cleaned regularly in accordance with established BMPs, and maintained in proper operating condition by the user and at the user's expense. The introduction of chemical, bacterial, enzyme, or any other additive into an interceptor, directly or indirectly, that causes interference with the normal operation of the unit or causes pass through of prohibited substances is prohibited. Interceptor maintenance and cleaning records shall be maintained by the user and made available to Pretreatment Inspectors for review upon request.

Section 3. This Ordinance may be published in summary form allowed by Idaho Code.

Section 4. 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 5. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

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 _____, 2015.

CITY OF PAYETTE, IDAHO

BY _____

Jeffrey T. Williams, Mayor

ATTEST:

City Clerk

**CITY OF PAYETTE
SECOND ADDENDUM TO
INDIRECT DISCHARGE PERMIT WITH
SENECA FOODS, INC.**

Whereas, the parties entered into an Indirect Discharge Permit Agreement (“Agreement”) on November 8, 2007; and

Whereas, the Agreement provided for discharge of industrial wastewater into the City of Payette’s Publicly Owned Treatment Works, in accordance with Payette Municipal Code; and

Whereas, in November, 2009, the parties agreed to extend the provisions of the Agreement for an additional five years; and

Whereas, the Council has reviewed the proposed second amendment and after consideration of the terms and provisions of the amendment finds that it is in the best interest of the City to support and promote economic prosperity in the City of Payette and agree to the proposed amendment.

NOW, THEREFORE, the City of Payette (“City”) and Seneca Foods, Inc. (“Seneca”) do hereby agree as follows:

SECOND ADDENDUM TO INDIRECT DISCHARGE PERMIT

(1) EFFECTIVE DATE. The effective date of this addendum shall commence on _____, 2015.

(2) PROVISIONS. The provisions of this addendum are as follows:

(A) Section 3.02 Daily Discharge Limits, (D), shall be amended as follows:

D) Total Settleable Solids – ~~7 mg/l~~ **25 ml/l**

(B) The rate schedules in Table 3.1, Table 3.2, and Table 3.3 in the Agreement shall be amended for Settleable Solids and **Chlorine residual** as follows:

Table 3.1 – Tier No. 1 Rate Schedule

Parameter	Value	Tier No. 1 Rates
Settleable solids	Less than or equal to 7 mg/l <u>25ml/l</u>	\$0.00

Table 3.2 – Tier No. 2 Rate Schedule

Parameter	Value	Tier No. 2 Rates
Settleable solids	Less than or equal to 7 mg/l <u>25ml/l</u>	\$0.00

Table 3.3 – Tier No. 3 Rate Schedule

Parameter	Value	Tier No. 3 Rates
Settleable solids	Greater than 7 mg/l <u>25ml/l</u>	\$100.00 per mg over
Total Chlorine Residual –mg/l	Greater than 2.0 mg/l	\$10.00 0.00 for each tenth of a mg/l over 2.0 mg/l

(3) OTHER TERMS AND CONDITIONS. The parties agree that all terms and conditions of the November 8, 2007, Indirect Discharge Permit issued to Seneca, and the first addendum thereof approved on December 9, 2009, which are not inconsistent with the above terms and conditions, shall remain in effect through November 8, 2017.

WITNESS THE EXECUTION HEREOF on the day of _____, 2015.

IN WITNESS WHEREOF, the parties have executed this Agreement effective the date entered above.

CITY OF PAYETTE,
an Idaho Municipal Corporation

SENECA FOODS, Inc.
an Idaho Corporation

by _____
Jeffrey T. Williams, Mayor

by _____

ATTEST:

ATTEST:

City Clerk

MINUTES
Public Works Committee Meeting
October 5, 2015
8:00 AM

ROLL CALL: **The meeting was called to order at 8:39 AM**
Members Present: Jeff Sands, Chuck Dodson, Mark Heleker & Liz Amason
Absent: Taylor Fry
Staff Present: Jamie Couch, Randy Schwartz, Jake Hust, Mary Cordova and Tiffany Howell

MINUTES:

A motion was made by Heleker and seconded by Dodson to approve the meeting minutes of 09-08-2015 as written.

After a unanimous voice vote, the motion CARRIED.

AGENDA ITEMS:

1. Ordinance Change for NPDES Permit: Mr. Schwartz stated that they have been wanting him to reduce the settleable solids. They are putting in another filtration system. After reviewing the proposed ordinance change, the Committee recommended the ordinance be presented to City Council with no changes.
2. Meter Installation Fees: The committee determined they would like to see a breakdown of what is included in the \$1,500 fee for a new water service connection at the next meeting.
3. Ground Water Protection Overlay District – the committee was in favor of the document and would like the Council to pass the ordinance to protect the City. The final draft will be presented to the committee for further review.
4. Department Reports-
 - a. **Street:** Jamie Couch stated that in addition to the normal maintenance, they have the 6th Ave South and Hwy 52 crosswalk completed. They plan to start on curb and gutter on North 4th Street, and Fall clean up will start on November 2, and will keep the department busy the entire month.
 - b. **Water:** Jake Hust stated the Department has been keeping up with normal maintenance.
 - c. **Sewer:** Randy Schwartz stated that the odor control vault is in place at 7th Ave North and Iowa. They have the retrofitted truck back for the new camera system.

GENERAL DISCUSSION

Ms. Amason asked what the mission of the committee is and Ms. Cordova read the established mission statement and guidelines to the group. Ms. Amason stated she would like to discuss impact fees with the group on the next agenda.

AGENDA ITEMS FOR NEXT MEETING

Next meeting was scheduled for January 18th, 2016 at 8:30am.

PUBLIC COMMENT

Dodson made a motion to adjourn the meeting at 9:27am. The motion was seconded by Amason and passed by unanimous approval.

Recording Secretary
Tiffany Howell