



AGENDA
PAYETTE CITY COUNCIL
June 4th, 2012
WORK SESSION & REGULAR MEETING

HONORABLE MAYOR JEFFREY T. WILLIAMS PRESIDING

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

6:30 PM – Work Session

- A. Discussion of variances for existing ordinances

7:00 PM – Regular Meeting

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- D. Admin & Finance Committee Update – May 22nd meeting
- E. Public Works Committee Update – June 4th meeting
- F. Fire Department – May 2012.....

XII. MAYOR'S COMMENTS

XIII. CITIZEN'S COMMENTS

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

V. EXECUTIVE SESSION– Pursuant to I.C. 67-2345(1)(f), the City Council will recess into Executive Session to discuss with legal counsel for the public agency pending litigation or where there is general public awareness of probable litigation

VI. ADJOURNMENT

**MINUTES
PAYETTE CITY COUNCIL
Work Session & Regular Meeting
May 21st, 2012**

6:00 PM – Work Session

ROLL CALL

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

Members Absent: Jeff Sands

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; Randy Schwartz, WWTP Superintendent; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Jennifer Kelley, Deputy City Treasurer/HR and Bobbie Black, Deputy City Clerk

Planning & Zoning: Randy Choate, Larry Hogg & Gary Youngberg

Streamlining our Zoning process: Mayor Williams stated that the Council has had discussions on how to streamline zoning in the past. Planning & Zoning Commission currently approves all conditional use permits and recommends variances to City Council. The Council discussed the possibility of the Commission approving variances also. Mr. Hogg stated that they have the ability to make those decisions and if they don't get the decision from Planning & Zoning they could go to City Council. Mr. Choate stated that variances is a challenge to code and the City Council is who made the law on the code and felt that variances are better governed by City Council. Councilor Hanigan stated that if they overturn a decision by Planning & Zoning it is due to the Council hearing something different. The Council was informed that Administration runs legal notices and mailing simultaneously when allowed so that the applicant does not have to wait an additional 3 weeks before coming to Council. If we want the City to acquire the name list and plat map from the county, it would push the applicant's deadline up by at least two days. If variances are approved by the Planning & Zoning and the applicant wants to appeal the decision before City Council, there could be a 3 week delay to meet legal requirements. Mr. Choate stated the the process is getting better. The consensus of the Council is that they don't want an applicant to wait longer than is needed to get application processed.

Proposed changes/modifications to a request for a temporary hardship permit: Mayor Williams asked the Council if they see anything that needs to be changed. The Council discussed the pros and cons of granting the hardship permits and how this would be enforced. It would have to be monitored in the future to make sure that they are still in compliance with the permit that was granted. Mary Cordova handed a spreadsheet of what other cities allow. Most allow what we do. If we want to grant temporary hardship permits we would have to change our ordinance.

HUD House: Ms. Cordova stated that ROSE Advocates would like to have the house as transitional housing. The City would sell it for what we have into it and declare as surplus property. The consensus of the council is to have ROSE Advocates acquire the property.

The work session closed at 7:02 pm.

A regular meeting of the Payette City Council was called to order at 7:03 PM by Mayor Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

ROLL CALL

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

Members Absent: Jeff Sands

Staff Present: Mary Cordova, City Coordinator; Bert Osborn, City Attorney; Randy Schwartz, WWTP Superintendent; Steve Castenada, Fire Chief; Mark Clark, Police Chief; Jennifer Kelley, Deputy City Treasurer/HR and Bobbie Black, Deputy City Clerk

PLEDGE

The Pledge of Allegiance was led by Alan Massey.

CITIZENS COMMENTS.

None

APPROVAL OF MINUTES

A motion was made by Heleker and seconded by Nelson to approve the regular meeting minutes of May 7th 2012, with correction on page 10, Alan Massey said thank you for listening and for all comments and dedication to find ways to take away things-burdens from tax payers.

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

APPROVAL OF BILLS & PAYROLL

A motion was made by Heleker and seconded by Jensen to approve the City Bills & Payroll in the amount of \$248,738.32.

At the roll call:

Ayes: Heleker, Mussell, Hanigan, Jensen, Nelson

Nays:

The motion CARRIED.

SPECIAL ORDERS

COMMUNICATIONS

- A. Payette County Historical Society
- B. Payette County Chamber of Commerce – Thank You

PLANNING & ZONING

None

OLD BUSINESS

- A. Utility Services Provided to PCRD Sports Complex- Councilor Heleker stated that he didn't get the Commissioners final input. The City has already committed \$17,000 and we are looking at another \$15,000 to put water and sewer lines into the complex. The school district is firm on their portion being the land. The recreation district will be committing between \$140,000-\$150,000 towards the project. It comes back to the County and they have spent more than double on moving the earth with the City involved in some degree of the moving of the earth. The County feels they have committed much more. Discussed possible grants being obtained. If somehow as a City we come up with the \$15,000 it could provide many dividends for us, if we wait we miss out every month.

A motion was made by Mussell and seconded by Heleker to approve the water and sewer line be placed to the sports complex, not exceed \$15,500.00.

At the roll call:
Ayes: Heleker, Mussell, Hanigan, Jensen, Nelson
Nays:

The motion CARRIED.

- B. Resolution 2012-05 – A Resolution Approving and Adopting Fees: The Council was given a revised resolution.

A motion was made by Nelson and seconded by Hanigan to approve Resolution 2012-05 as presented.

At the roll call:
Ayes: Heleker, Mussell, Hanigan, Jensen, Nelson
Nays:

The motion CARRIED.

NEW BUSINESS

- A. Mobile Food Vendor Permit – Laura Romero

A motion was made by Heleker and seconded by Mussell to approve the Mobile Food Vendor Permit for Laura Romero and insurance be clarified as additional insured.

After a unanimous voice vote by the Council the motion CARRIED

- B. Idaho Power Franchise Fee – Councilor Nelson stated that if we are just trading dollars for dollars he sees no need for it. Councilor Heleker agrees with Councilor Nelson. Councilor Mussell hasn't been for this at all, it is a back door tax. Councilor Hanigan feels it is the appropriate thing to do. Councilor Jensen stated that it is a good thing if we don't charge a fee on Idaho Power. No action taken on this item.

- C. Police Department – approval of auction items

A motion was made by Nelson and seconded by Heleker to approve the auction items as surplus and place a minimum bid on the car based on what it would make at the recycling place.

After a unanimous voice vote by the Council the motion CARRIED

- D. Special Events Permits – E.F.W.C. annual pic-nic

A motion was made by Heleker and seconded by Mussell to approve the special events permit for E.F.W.C. annual pic-nic on June 9th on Riverside from 10:00 am to 5:00 pm and insurance be clarified as additional insured.

After a unanimous voice vote by the Council the motion
CARRIED

E. Elect Voting Delegate & Alternate for AIC Conference

A motion was made by Nelson and seconded by Jensen to
appoint Mayor Williams as voting delegate and Councilor
Heleker as alternate for the AIC conference.

After a unanimous voice vote by the Council the motion
CARRIED

DEPARTMENTAL REPORTS

A. Treasurer's Report – April 2012

B. Fire Department Report – April 2012

Mark Clark, Police Chief, stated that Apple Blossom was uneventful and went well.

MAYOR'S COMMENTS

Mayor Williams thanked everyone for all their help during Apple Blossom.

The walk to the cross was a success and had people ask where to donate money for the cross.

CITIZEN'S COMMENTS

Geri Newman – Ms. Newman addressed the Council. She is building a new home in Uehlin's senior part. It will be a duplex and city code requires her to have 2 sewer hookups. She stated that seniors don't need two hookups. She is asking the Council for a waiver. She doesn't want to tear up the road just to put in a sewer line. She stated that there are no plumbing requirements for the State to have two separate connections, it is just City code. The Council discussed their options to accommodate Ms. Newman's request. Bert Osborn stated the Council has three options: 1. Follow City Code, 2. Follow City Code and grant a variance, and 3. Change City Code. Ms. Cordova addressed the Council. She stated that it is in our ordinances that each unit has a separate sewer connection and we have made people that convert places to place an additional line. We have plans in the future to chip seal the road, so you won't see the cut in the street. The property is being marketed as 55 & older, but the City does not regulate that.

Keith Thompson – Mr. Thompson addressed the Council. He is here on the widening of Iowa Avenue. He has to walk up 4' to get his mail. In all the construction meetings they talked and talked about not hydro seeding his slope. Today they hydro seeded. He has talked to staff on how to resolve the problem. He is so irritated; his irrigation pipes froze and broke. His driveway was never opened during construction; this is the height of incompetence. No one knows what is going on and he really wants some answers. He is not going to water or mow the slope that has been hydro seeded and you have made him responsible for it. He hasn't had a working sprinkler system and in exhibit B of his documents it says the sprinkler system will be equal or better than what he had before construction. Ms. Cordova stated that she has been assured that they were not going to hydro seed Mr. Thompson's slope. EPA requires that all banks be stabilized to close the project out. The City is planning on placing black barrier and rock on the slope. She stated that the irrigation water has been a challenge. The sprinkler system was definitely part of the project and we shouldn't incur an expense for that. There is no specific date when this will all be completed; we have to coordinate with LHTAC and the contractor. There has to be a base placed before we can place the rock.

Councilor Heleker stated that two students attended the Historical meeting today. There was no quorum, but still had good discussion.

EXECUTIVE SESSION - Pursuant to I.C. 67-2345(1)(f), the City Council will recess into Executive Session to discuss with legal counsel for the public agency pending litigation or where there is general public awareness of probable litigation

A motion was made by Heleker and seconded by Jensen to adjourn at 8:05 PM to executive session pursuant to I.C. 67-2345 (1) (f).

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

ADJOURNMENT

A motion was made by Heleker and seconded by Nelson to adjourn the regular meeting at 8:12 PM.

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

Signed this _____ day of _____, 2012.

Jeffrey T. Williams, Mayor

ATTEST:

Mary Cordova, City Clerk

CITY OF PAYETTE

JUNE 4, 2012

CITY PAYROLL	6/1/2012		103,219.70
RHINEHART'S JANITORIAL	5/25/2012		400.00
ADVANCED CONTROL SYSTEMS	6/4/2012	6637	269.00
ALLIED BUSINESS SOLUTIONS	6/4/2012	6638	30.98
BRADY INDUSTRIES, INC.	6/4/2012	6639	79.94
BURKE ELECTRIC	6/4/2012	6640	150.00
C & M FENCE	6/4/2012	6641	43.15
CHEMSEARCH	6/4/2012	6642	383.28
D&B SUPPLY	6/4/2012	6643	8.99
DART'S TRUE VALUE	6/4/2012	6644	2,094.06
DCS TECHNOLOGIES	6/4/2012	6645	688.21
ENVIRONMENTAL EXPRESS	6/4/2012	6646	192.72
GALL'S INC.	6/4/2012	6647	122.61
HARDIN SANITATION, INC.	6/4/2012	6648	802.36
HERITAGE METAL WORKS	6/4/2012	6649	120.00
HORIBI INSTRUMENTS INC.	6/4/2012	6650	117.05
IDAHO POWER, PROCESSING CENTER	6/4/2012	6651	7,599.52
INDEPENDENT ENTERPRISE	6/4/2012	6652	68.40
INTERNATIONAL INSTITUTE OF, MUNICIPAL CL	6/4/2012	6653	225.00
IRVCO ASPHALT & GRAVEL, INC.	6/4/2012	6654	161.47
ISPEED	6/4/2012	6655	160.00
KAMAN INDUSTRIAL TECHNOLOGIES	6/4/2012	6656	675.26
LINDSAY ECOWATER	6/4/2012	6657	10.00
MARC CORPORATION	6/4/2012	6658	242.06
METROQUIP, INC.	6/4/2012	6659	802.65
NATURAL TREE	6/4/2012	6660	800.00
NORCO	6/4/2012	6661	48.66
ONTARIO BEARING & HYDRAULIC	6/4/2012	6662	111.87
PAIGE MECHANICAL GROUP, INC.	6/4/2012	6673	624.00
PAYETTE AUTO SUPPLY	6/4/2012	6663	231.27
PIPECO, INC.	6/4/2012	6664	42.06
RUSH TRUCK - INTERSTATE BILLING SERVICES	6/4/2012	6665	46.11
STAPLES CREDIT PLAN	6/4/2012	6666	462.42
SUMMERWIND SKIPPERS	6/4/2012	6667	300.00
SYME ELECTRIC	6/4/2012	6668	1,311.06
TOOMBS JANITORIAL	6/4/2012	6669	135.96
TOSHIBA FINANCIAL SVC	6/4/2012	6670	176.00
WHITE CLOUD COMMUNCATIONS	6/4/2012	6671	84.00
WILBUR-ELLIS	6/4/2012	6672	870.00

123,909.82



KaBOOM! National Campaign for Play

May 15, 2012

RECEIVED

Jennifer Kelley
700 Center Avenue
Payette, Idaho 83661

MAY 21 2012

CITY OF PAYETTE

Dear Jennifer,

Congratulations! This letter formally recognizes Payette, Idaho as a 2012 Playful City USA community. Jennifer, your dedication to the healthy development of children in Payette demonstrates a commitment to the healthy development of children through play and serves as a national role model for cities across America.

During the application process this year, more than 450 cities and towns across the nation expressed an interest to become designated a Playful City USA community. Of those, 213 cities and towns including the City of Payette were selected for creating unique and innovative best practices in play designed to increase quantity, quality and access to play.

Additionally, we are very pleased to announce the Playful City USA announcement is highlighted in Governing Magazine's May edition (please see the enclosed magazine copy). Further, the Playful City USA announcement has appeared in hundreds of media outlets, blogs and websites across the country.

Once again congratulations on your designation as a 2012 Playful City USA community! Thank you for your commitment to the healthy development of all children through play. By ensuring the prominence of play on your agenda, the nation will reap the benefits that result from happier, healthier and smarter children as well as stronger communities.

Yours in play,


Darrell Hammond
CEO and Founder, KaBOOM!

Play on!



kaboom.org

4455 Connecticut Avenue NW | Suite B100, Washington, DC 20008 | Phone: 202-659-0215 Fax: 202-659-0210



RECEIVED

MAY 29 2012

CITY OF PAYETTE

C. L. "Butch" Otter
governor

Nancy C. Merrill
director

David M. Ricks
deputy director

.....
IDAHO PARK AND
RECREATION BOARD
.....

Tom Crimmins
region one

Randy Doman
region two

Ernest J. Lombard
region three

Charles H. Correll
region four

Jean S. McDevitt
region five

Robert Hansen
region six

.....
IDAHO DEPARTMENT OF
PARKS AND RECREATION
.....

p.o. box 83720
boise, idaho 83720-0065

(208) 334-4199

fax (208) 334-3741

tdd 1-800-377-3529

street address
5657 warm springs avenue
boise, idaho 83716

www.parksandrecreation.idaho.gov

May 24, 2012

Bobbie Black
City of Payette
700 Center Avenue
Payette, ID 83661

Dear Bobbie,

Thank you for your Waterways Improvement Fund request for the Jetty & Boat Dock at Centennial Park.

As you are aware, we just completed our ranking process with the Idaho Park and Recreation Board approval. Unfortunately, as our funding amounts stand right now, your project will not be funded this year. As you might imagine, the requests for funding we received exceed the funds available. If you would like to discuss the rating of your request, please contact: Jill Murphey, South Region Grant Specialist at (208) 514-2432 or Jill.Murphey@idpr.idaho.gov.

Again, thank you for your interest in serving the recreationists in your area.

Sincerely,

Kathy Muir
Grant Manager

Open House

Payette, Idaho

Ribbon Cutting - Grand Opening

Come join in the celebration and dedication of

ROSE *Advocates*

Maple Tree House

(Shelter for Victims of Domestic and Sexual Assault)

in Memory of

John and Kazuko Boyle

Food - Entertainment

Door Prizes - Raffle

Silent auction

*Food provided by **Nunhems USA, Inc.***

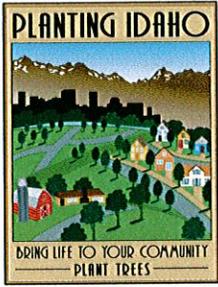
June 20th.

5:P.M. - 8:P.M.

1520 1st. Avenue South

(hwy. 95 -west)

Payette, Idaho



RECEIVED

MAY 31 2012

CITY OF PAYETTE

City of Payette

Thank you for participating in the 2012 *Planting Idaho* Arbor Day Grant program!

We have received your accomplishment report and find that everything is in order. Please find enclosed your reimbursement check.

Thank you for letting me join in the celebration!



**PAYETTE PLANNING & ZONING COMMISSION
REGULAR MEETING
April 26, 2012**

6:00 PM –Planning & Zoning Meeting

ROLL CALL

Members Present: Larry Hogg, Jim Franklin, Cassandra McElravy, Kevin Hanigan (left at 6:45pm) and Gary Youngberg

Members Absent: Thomas Ladley and Randy Choate were excused.

Staff Present: Mary Cordova, and Tiffany Howell, Assistant City Clerk

APPROVAL OF MINUTES

A motion was made by Hogg and seconded by Hanigan to approve the regular meeting minutes 03-22-012 as written.

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

COMMUNICATIONS

None Heard.

PUBLIC HEARINGS

- A. An application by Erlinda Kessler for a Conditional Use Permit to operate a childcare center for 30-60 children at 805 2nd Avenue South, Masters Original W 71.8' of LTS 8-10 BLK 8 & 11' of VAC ST. The property is zoned C-1 Commercial Downtown.

Erlinda Kessler – 325 N. 20th St, Payette

Mrs. Kessler stated that she has had an in-home daycare for 13 years and wants to move it out of their house. They have purchased the building at 805 2nd Avenue South and plan on turning it into a daycare center.

Commissioner Youngberg asked if she wanted 60 children. Mrs. Kessler stated yes, about that, depending on what the fire department sets the occupancy level at. Commissioner Youngberg then asked if she had enough outside play area. Mrs. Kessler stated yes it goes around the building, it is bigger than what Hand in Hand had. Commissioner Youngberg asked if she had enough parking to accommodate the occupants. Mrs. Kessler stated they have two directly in front and all of Main Street. Hogg asked if there is any off street parking. Kessler replied no.

Commissioner Franklin asked if her hours would be Monday through Friday 6am to 6pm as stated on her application, as the Commission normally sets hours of operation on CUPs. Mrs. Kessler asked if the Commission sets hours on all businesses on Main Street, why would you limit hours. Kessler stated that as a business owner, she wants the flexibility to stay open later if a parent needs her to, including Saturdays, but yes, to start up, she would be in operation Monday through Friday, 6AM to 6PM. Franklin asked if instead of Monday through Friday 6AM to 6PM, what would she like to have. Kessler replied she would like no stipulations on my business. Commissioner Hanigan pointed out that Kessler had asked for those specific hours on her application, and would she now like to change

those hours. Kessler replied that there are no stipulations. Hogg asked if that is not possible, what would you like the hours to be. Kessler stated that right now, she is closed at 5:30PM, but with more children, she would like the ability to help out parents. Hanigan asked if 6PM to 8PM would be acceptable. Kessler stated yes. Hanigan stated that if she would like to change it in the future, she can come back before the P & Z and ask for a change.

Commissioner McElravy asked if she will be completing all of the requirements as noted in the fire report. Mrs. Kessler stated that she has to before she can get her license. The state will not give her a license before it is completed.

Commissioner Hogg stated that the City Code states the minimum number of parking spaces is available for a child care center. Mrs. Kessler stated she is not aware of that, but there is public parking along Main Street and there are two spots in front of the building that she will ask parents to be loading and unloading only.

Commissioner McElravy asked if the outside play area will be fenced. Mrs. Kessler stated yes. Commissioner Hogg asked if it grass. Mrs. Kessler stated mostly, but we will need to do some work to it.

Darlene Adams – 815 2nd Avenue South

Mrs. Adams stated that she owns the house next to the church and she finds it hard to believe that there is enough room for 30 to 60 children to play in the yard, and parking is an issue. I have an upstairs and a downstairs tenant in the house and the fence that is there is my chain link fence and it is 4 feet tall. Commissioner Hanigan asked if she lives there. Mrs. Adams stated no. She is not opposed to anyone making a living, but there is not enough room for 30-60 children. Commissioner Hogg asked why she feels that way. Mrs. Adams stated that she has seen the yard and it is not big enough for 30-60 children to go out and play. With only a chain link fence separating the property, there will be noise. Youngberg asked if any of her tenants work nights, and she replied that yes, the downstairs tenant works nights, and sleeps during the day.

Dave Tompkins – 755 North 4th Street; Payette, Idaho 83661

Mr. Tompkins stated that he works at Seneca and he has to work 12 hour shifts and he needs Mrs. Kessler to be flexible because sometimes he runs late and needs Kessler to keep his kids late. Mr. Tompkins stated that he doesn't see the big issue with the parking on Main Street and he is there for no more than 5 minutes. Mr. Tompkins stated that he lived here for 20 some years and that house doesn't get treated very well and he doesn't see what the big deal is.

Laura Tompkins – 755 North 4th Street; Payette, Idaho 83661

Mrs. Tompkins stated that her children have been going to Kessler's daycare for over eight years. She has a 16 year old that started there, and they still have a 5 year old there. She has been impressed with Kessler's business sense and that is why she has stayed there and she is a business professional. She is very in tuned to the number of staff she needs per child, and what would accommodate the needs. Mrs. Kessler has a curriculum so she will not have all 60 children out at the same time. She would probably have the younger ones out at a certain time, and the older ones out at a certain time. They are taught respect and courteousness. Tompkins stated Kessler is in a residential area now, and she knows her neighbors, and she serves a lot of the neighbors. Tompkins continued that Kessler is an award winning day care provider and she is proud to take her children

there. She is very impressed with the way she researches and continues her education and the kids she cares for are part of her family and her 16 year old still calls her Aunt Erlinda. She is an ideal candidate to run a day care center. Mrs. Tompkins stated that she lives by Westside Elementary and she is aware of the noise. That is part of a community and having children. It is important to consider that, but we need to consider what is best for the community rather than just the next door neighbors. A day care center run by Erlinda Kessler would benefit the community. Mrs. Tompkins stated that Mrs. Kessler is an award winning daycare center

Erlinda Kessler –

All the kids will not be outside at the same time and the day care center will be set up in class rooms with teachers. Mrs. Kessler stated that there is only one other daycare center in Payette and my system will be a good fit for the community. Commissioner Hogg stated that you thought the area outside is adequate for the children, so how much area outside do you need. Mrs. Kessler stated that nothing is required it is recommended that 75 feet. Mrs. Kessler stated that there will also be an indoor playground as well.

Commissioner Youngberg asked about the neighbor's fence issue. Mrs. Kessler stated that as soon as she sees some money coming in she will replace it with a 6 feet tall wooden fence. Commissioner Hanigan asked how many children Mrs. Kessler thought she would have for the majority of the day. Mrs. Kessler stated that she would like have it at 60. Commissioner McElravy asked if she would have an after school program. Mrs. Kessler stated yes. Commissioner Youngberg asked if they will be using all three levels of the church. Mrs. Kessler stated no, just the main level. Commissioner Hogg asked if there is any other number of children other than 60. Mrs. Kessler stated that she would like it to be for 60 children.

- B. An application by Alan Savage for a Conditional Use Permit to allow for one horse at 1336 North 6th Street, Riverside Plat Block 41. The property is zoned B-Residential.

Alan Savage – 1336 North 6th Street

Mr. Savage stated that he is moving from the Portland area and purchased this property and would like to keep their horse. Mr. Savage stated that he has an acre and a half and he has spoken with the irrigation company and he does have irrigation. Mr. Savage stated that it does currently have a fence but it does need some repair. Commissioner Hogg asked if there is enough room for a horse. Mr. Savage stated yes.

- C. An application by The Hideaway Grill for a Conditional Use Permit to serve beer and wine at 1630 3rd Avenue South, Tax 6 in Blk 1 & Blk 9 Payette Land & Improvement. The property is zoned C Commercial.

Steve & Melissa Simonsen – 95 North Iowa Avenue; Payette, Idaho 83661

Mrs. Simonsen stated that they want to open up the Hideaway Grill in about a week and need your approval to serve beer and wine. Mrs. Simonsen stated that they do not want rowdiness like Joe's Club, they want something that people can come relax and watch the game. Mrs. Simonsen stated that Sunday through Thursday is 7am to 10pm. Friday and Saturday we would like it to be open until 11pm.

- D. An application by Gloria Williams for a Conditional Use Permit to operate family home childcare at 366 4th Avenue North, Peters Add Lot 26. The property is zoned A Residential.

Gloria Williams – 366 4th Avenue North; Payette, Idaho 83661

Mrs. Williams stated that she is just wanting to provide childcare for her next door neighbor's four children Monday through Friday from 7am through 3pm. Mrs. Williams stated that there is no parking needed, the children just walk over.

- E. An application by Pablo Torres for a Conditional Use permit to allow an existing 1500 square foot carport with a 13 foot roof pitch at 408 South 11th Street, Tax 7 in Lot 14, BLK 1, Fairview Addition. The property is zoned B-Residential.

Pablo Torres – 408 South 11th Street; Payette, Idaho 83661

Esmerelda Torres was present, and acted as an interpreter for Pablo Torres. She explained that he wants to build a carport to park his cars in so there are no rain or snow issues. It does meet the standards he just needs a permit. He did build the building shortly after he purchased the property, and did not think needed a permit since he owns the property. It does meet the setback requirements. Commissioner Youngberg stated that the issues are, that it was built without a building permit, the roof pitch is over what our code requires and that it is over 200 feet. Mr. Torres stated that he has spoken with the building inspector and everything looks fine according to him. Commissioner Hogg asked if he is willing to make any changes to the building as necessary by the building inspector. Mr. Torres stated that yes he will make changes, but he didn't think he needed a permit.

The public hearing was closed at 6:37pm

NEW BUSINESS

- A. Erlinda Kessler – Conditional Use Permit – 805 2nd Avenue South -

Cordova stated that the code states that if the building is built before the effective date of the zoning requirement, they do not need the off street parking spaces. Any new buildings that are constructed now will have to meet those requirements. Commissioner Youngberg asked if we have public lighting. Cordova stated that we just have street lighting. Commissioner Hanigan stated that his opinion is that if all the requirements are met that it be granted and we can certainly put in a fence requirement.

A motion was made by Hanigan and seconded by Hogg to approve the conditional use permit for Erlinda Kessler to operate a childcare center at 805 2nd Avenue South with the max number of children to be 60, the hours of operation be Monday – Saturday from 6am to 8pm, and that issuing the CUP will be contingent upon the requirement that it meets all federal, City, State and fire codes, that it be revisited upon complaints, the fence be erected within 90 days of operation, and that all State licenses, and proof of compliance with codes are provided.

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

B. Alan Savage – Conditional Use Permit – 1336 North 6th Street -

A motion was made by Hanigan and seconded by McElravy to approve a conditional use permit for Alan Savage to allow one horse on his property at 1336 North 6th Street.

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

C. The Hideaway Grill – Conditional Use Permit – 1630 3rd Avenue South -

A motion was made by Hogg and seconded by Youngberg to approve a conditional use permit for The Hideaway Grill to serve beer and wine at 1630 3rd Avenue South and that all City, County, State and Southwest District Health permits are received and that it be revisited upon complaints.

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

D. Gloria Williams – Conditional Use Permit – 366 4th Avenue North -

A motion was made by Youngberg and seconded by Hogg to approve a conditional use permit for Gloria Williams at 366 4th Avenue North to operate a family home childcare contingent upon proof of all City and State licensing requirements are met and that it can be revisited upon complaints.

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

E. Pablo Torres – Conditional Use Permit – 408 South 11th Street -

A motion was made by Hogg and seconded by Youngberg to grant a conditional use permit to Pablo Torres at 408 South 11th Street with the following contingencies: that the applicant obtains a building permit within 14 days and that the building complies with all city codes within 90 days, that the building is not located in setbacks, and that it can be revisited upon complaints.

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

OLD BUSINESS

A. Gas & Oil Ordinance –

Cordova stated that we had our public hearing on April 9th and that we are still working on moving forward. Cordova stated that it is a challenging process and as soon as we have the ordinance ready we will bring it to the Commission for input.

PUBLIC COMMENT

None Heard.

ADJOURNMENT

A motion to adjourn was made by Franklin, and seconded by Hogg. The meeting was adjourned by a unanimous vote at 7:04pm.

Recording Secretary
Tiffany Howell



PAYETTE CITY COUNCIL Agenda Request Form

RECEIVED

MAY 23 2012

CITY OF PAYETTE

Policy: Any person, group or organization wishing to personally address the Payette City Council in session shall fill out a written request form and file it with the City Clerk's Office 10 days in advance of the scheduled meeting. Regular meetings are held at 7:00 P.M. the 1st and 3rd Monday of every month.

NAME: Payette Soil & Water Conservation Dist

TELEPHONE: 642-4402 (DAY) 9 to 12 Daily (EVENING)

ADDRESS: 501 NO 16th St, Suite #102

NAME OF PERSON(S), GROUP OR ORGANIZATION: Payette Soil & Water Conservation Dist

SUBJECT MATTER TO BE DISCUSSED: Annual Contribution to Payette Soil & Water Dist.

COULD THE SUBJECT BE DISCUSSED AND/OR REVIEWED BY MEETING WITH THE MAYOR, CITY DEPARTMENTS OR OTHER OFFICIALS? ~~YES~~ NO

IF ANSWER TO ABOVE IS YES, PLEASE LIST THOSE WHO HAVE ALREADY REVIEWED SUBJECT, IF NO, WHY NOT?

X

SPECIFIC QUESTIONS AND/OR ACTION DESIRED FROM THE CITY COUNCIL:
PSUED Boardmember have short presentation

The person(s), group or organization making the request to be on the agenda will be contacted by the City Clerk's Office, informing him/her of the scheduled meeting date and time. Every effort will be made to schedule the request at the earliest possible meeting date.

5-23-12 Johnna Gabuta
Date Signature of person making request

Assigned to Agenda: _____
Date City Clerk Date

GENERAL BUSINESS PRESENTATIONS LIMITED TO 5 MINUTES - OR THE DISCRETION OF THE MAYOR

If you plan a visual presentation, it must be submitted to the Clerk's Office no later than 5:00 p.m. on the Wednesday prior to the meeting. Acceptable presentation formats include PowerPoint presentations on CD only, DVD, VHS and 8.5 by 11 inch maps or printed materials for display on screen. All copies submitted become public record and must remain on file with the City Clerk. For more information contact 208-642-6024.



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Honorable Mayor & Members of the Payette City Council
From: Bobbie Black, Deputy City Clerk
Date: 5/23/2012
Re: Appointment of Airport Commissioner

BACKGROUND & JUSTIFICATION: Dave Koeppen's is an existing member of the airport commission as an alternate. His term is up for renewal as of 6-30-12.

FISCAL IMPACT: None

RECOMMENDATION: Recommend that Mayor appoint and City Council confirm his re-appoint as alternate to the Airport Commission with the term from July 1, 2012 to June 30, 2014.



CITY OF PAYETTE, IDAHO

AGENDA STATEMENT

To: Payette City Council
From: Bobbie Black, Deputy City Clerk
Date: 5/23/2012
Re: Payette Library Trustee

BACKGROUND & JUSTIFICATION: Ann Hanigan's commission on the library board expired 12-15-2011.

FISCAL IMPACT: None

RECOMMENDATION: Recommend that City Council approves the re-appointment from the Mayor of Ann Hanigan to serve on the Library Board of Trustees with term expiring 12-15-2014.

MEMO

**PAYETTE COUNTY
PLANNING AND ZONING**



FROM: Isnarda Machuca
Planning and Zoning

DATE: May 30, 2012

TO: Mary Cordova
700 Center Ave.
Payette ID 83661

REGARDING: Applications within Payette City's Impact Area

The following application is in the City Impact Area and the County Planning & Zoning would like to have your input by June 14, 2012 for our Public Hearing.

1. **CONDITIONAL USE PERMIT (SWAP MEET)** by Dennis Barnett. The property is located at 10345 Hwy 95, Payette, ID and owned by Clay & Mary Holton.

Property is described more specifically:
A parcel of land situated in Block 29 of North Payette in Sec. 27, T.9N, R.5W, Boise Meridian, Payette County ID.

If you have any questions, please contact our office at (208) 642-6018.

PAYETTE COUNTY
PLANNING AND ZONING

PAYETTE COUNTY COURTHOUSE
1130 3rd Ave N. Room #107
PAYETTE, IDAHO 83661

LEGAL NOTICE OF PUBLIC HEARING

Pursuant to established procedure, NOTICE IS HEREBY GIVEN that the Payette County Planning and Zoning Commission will hold a public hearing in the County Courthouse on Thursday, June 14, 2012 at 7:00 P.M. or as soon thereafter as it may be heard. The purpose of the hearing is to consider an application for a CONDITIONAL USE PERMIT (SWAP MEET) by Dennis Barnett. The property is located at 10345 Hwy 95, Payette, ID and owned by Clay & Mary Holton.

Property is described more specifically:
A parcel of land situated in Block 29 of North Payette in Sec. 27, T.9N, R.5W, Boise Meridian, Payette County ID.

The hearing officer shall be authorized to impose a 5 minute limitation on any oral testimony. If testimony is anticipated to exceed that 5 minute limit, it may be submitted in writing in advance to the Planning and Zoning office to be part of the record. Any written testimony, any exhibits or any written documentation that a witness would like to have made a part of the hearing record, must be submitted at least five (5) business days prior to the hearing. Written information presented at the hearing will be placed in a sealed envelope and will not be considered. The record will be open for public viewing at the Planning and Zoning Office located at the Payette County Courthouse, Payette, Idaho during regular business hours.

Any person needing special accommodations to participate in the above noticed meeting should contact the Planning and Zoning Administrator's office at the County Courthouse seven days prior to the meeting.

The property may be viewed by the Commission on Tuesday, June 12, 2012. Further information is available at the Planning and Zoning Administrator's office at the County Courthouse. Phone 208-642-6018.

Lindsey Royston
Planning and Zoning Administrator

STAFF REPORT

P&Z PUBLIC HEARING DATE: JUNE 14, 2011

APPLICANTS NAME: DENNIS BARNETT

PROPERTY OWNERS NAME: CLAYTON & MARY HOLTON

DESCRIBE REQUEST: Applicant has requested a CONDITIONAL USE PERMIT for a monthly (Swap Meet) for property located at 10345 Hwy 95, Payette.

PROPERTY: Sec. 27-9-5

PARCEL: 2996

ADDRESS: 10345 Highway 95, Payette
10351 Highway 95, Payette (see map)

PROPERTY SIZE: 4.83 Acres

ACCESS: Existing private drive off Hwy 95

STRUCTURES: No permanent structures proposed.

CITY IMPACT: Yes

RECOMMENDATION: Pending

COMP PLAN: Ag. **Zoning:** Ag.

SURROUNDING USES: Agriculture w/ some residences

APPROX. NUMBER OF VENDERS: Unspecified.

HOURS: Once a month from April - October.
Actual hours unspecified. Number of Days unspecified.

SIGNAGE: Unspecified.

STAFF COMMENTS:

8-9-3: APPLICABLE STANDARDS FOR ISSUANCE OF A CONDITIONAL USE PERMIT:

A. The planning and zoning commission shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Will, in fact, constitute a conditional use;
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and this zoning title;
3. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses;

5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
 6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
 7. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental, to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
 8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
 9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
- B. A conditional use is deemed personal in nature and cannot be transferred with title to the property. (Ord. 2009-03, 6-15-2009)

Lindsey N. Royston

From: Dennis Barnett [barnettnews@hotmail.com]
Sent: Wednesday, May 23, 2012 4:41 PM
To: Lindsey N. Royston
Subject: narrative

A. Narrative.

A. Why;

I would like to create jobs, and revenue for the Payette area, along with creating an income for myself and my family.

B. What;

I would like to hold a Swap Meet once a month during the warmer months approximately April through October.

C. How my request;

I. Complies with the respective ordinances,

This will in fact constitute a conditional use by not being permitted due to the zoning being agriculture in nature.

It is harmonious with the general comp plan as the zoning title is planned for commercial.

It will be designed, constructed, operated and maintained as to not be a permanent structure and will be taken down and cleaned up after each use and by that to not change the character of the same area.

It will not be hazardous or disturbing. To existing or future neighboring uses as it's not a permanent facility and will have no hazardous projects happening to interfere with current or future plans for the neighbourhood.

It will be served adequately by essential public facilities and services as it will not require such services or facilities to operate.

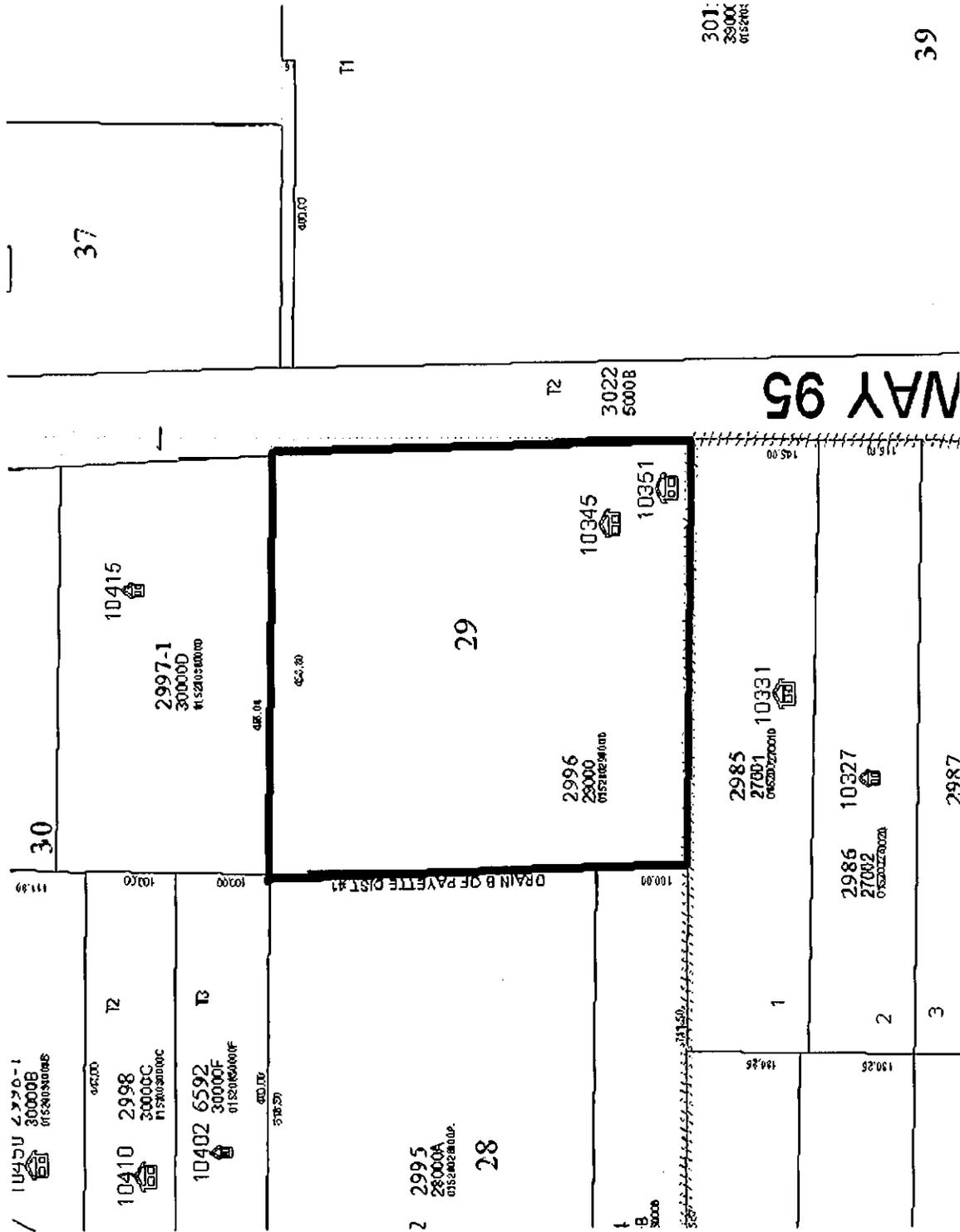
It will require no additional public costs, services or facilities and in fact will help the economy of the area by providing jobs for people and revenue producing tax money for the local government.

It will not be detrimental to any of the welfare of the area or persons and the traffic will be controlled according to the process of the following paragraph. Also being in accordance with the vehicular approaches.

Vehicular approaches will be handled in the following fashion. We have a one lane driveway that will be manned, preventing any out going vehicles from exiting while, incoming will be directed to designated parking, which will be on the property and will provide adequate parking and maneuverability for turning around.

There is no natural, scenic or historical features to destroy or damage as it is an agricultural setting in a field.

DENNIS BARNETT
CUP (SWAP MEET)
PARCEL #2996 SEC.27, T.9N, and R.5W.



PAYETTE COUNTY
PLANNING AND ZONING
PUBLIC HEARING APPLICATION FOR CONDITIONAL USE, VARIANCE
(This is not a business license nor building permit)

Applicant:

Name Dennis Barnett

Owner of Record:

Name Clay & Mary Holton

Address 1003 2nd Ave N.

Address _____

City Payette State ID Zip 83661

City _____ State _____ Zip _____

Telephone: 208-739-6238 Email Address barnettnews@hotmail.com

Mailing Address (If different) _____

APPLICATION FOR: (Check One)

Conditional Use for Swap Meet

Variance for _____

SITE INFORMATION:

Location: Quarter _____ Section 27 Township 9 Range 5 Total Acres 4.8

Site Address/location 10345 Hwy 95

Acreage if part of total 4.8 Tax Parcel Number 2996

Existing Comp Plan Designation Com/Res Existing Zoning Ag

I VERIFY THAT I HAVE READ THE FOREGOING APPLICATION WHICH MAY INCLUDE ATTACHED INFORMATION. I HAVE PERSONAL KNOWLEDGE OF THE CONTENTS THEREOF, AND I SIGN THE APPLICATION UNDER PENALTY OF PERJURY. ANY INACCURACIES IN THE INFORMATION PRESENTED MAY BE GROUNDS TO REVOKE MY APPLICATION.

[Signature]
Signature (Applicant)

[Signature]
Signature (Owner of Record)

THE PURPOSE OF THE PAYETTE COUNTY COMPREHENSIVE PLAN INCLUDES THE NEED TO PROTECT PROPERTY RIGHTS, AGRICULTURAL LAND, WILDLIFE AND RECREATION RESOURCES, AS WELL AS TO ENCOURAGE URBAN TYPE DEVELOPMENT WITHIN INCORPORATED CITIES.

1. Does this land have an irrigation water right? N/A
Number of shares? _____ If not, is irrigation water available? _____
Irrigation District? _____

2. Flood Plain area? No

3. Surrounding Usages: Identify predominant land use with in 1/2 mile in each direction.

North Res/Ag
East Res/Ag

South Res/Ag
West Res/Ag

(CONT)



Payette Fire Department – Monthly Report



MAY 2012

Incident Summary: Total:20

Medical Assists – 14

Fires – 1

Public/Agency Assist –0

False Alarm or Cancelled En-route – 0

Investigations –3

Swift Water Rescue – 0

Mutual Aid – 0

Traffic Accident - 2

Haz –Mat-0

Fire Inspections Conducted: 5

Public Education Programs:

We met with 135 kids for fire safety at the station.

Significant Incidents:

We responded to a house fire at 1335 1st Ave. South. The fire started in the kitchen area of the basement which extended to the upstairs dining room.

Damage @ \$8000

Training Topics:

- Wildland refresher
- Truck and pump operations

Fire Chief

A handwritten signature in cursive script that reads "Steve Castenada".

Steve Castenada

Dear Fire

Dear Fire station

Station Thank

Thank you for letting

you for letting

us visit + you wave

us visit + you

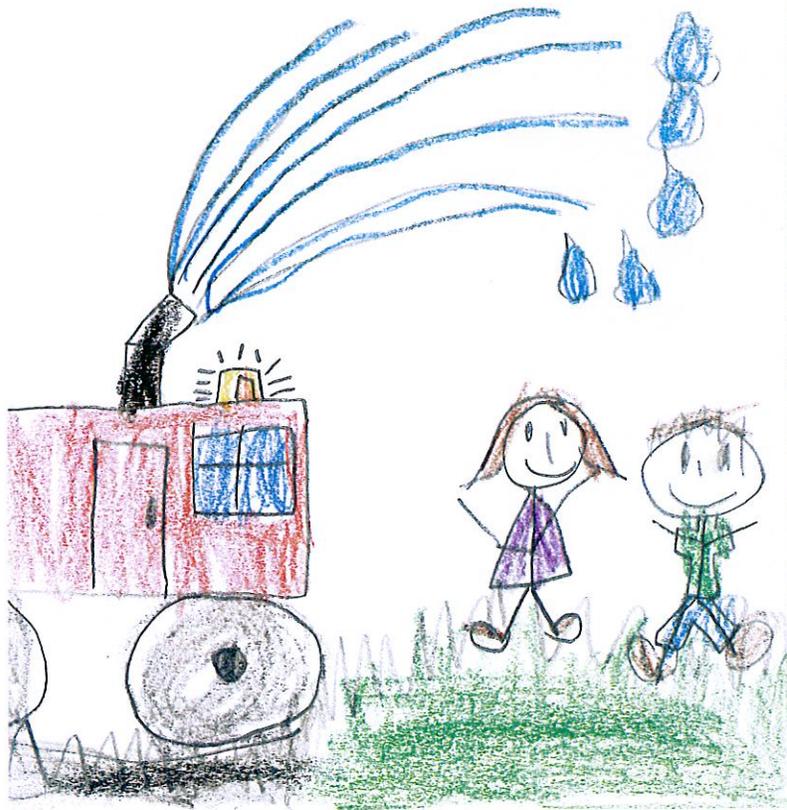
seeing Pepper

we loved

seeing

spraying water

From courtesy



Fine Man

