

# CASCADE CITY COUNCIL

# FIRST REGULAR MEETING February 13, 2017 6:00 PM Cascade City Hall

# **MINUTES**

### CALL TO ORDER AND ROLL CALL

The meeting of the Cascade City Council was called to order at 6:00 P.M. by Mayor Rob Terry. Council members Judy Nissula, Debbie Haskins, Kathy Hull, and Rachel Huckaby

were present. Quorum exists.

Also present: Randall Freeman Police Chief

Cynthia Durbin Library Director Steve Yamamoto Public Works Heather Soelberg City Clerk

Pal Sartori School Superintendent

### AMENDMENTS TO MEETING AGENDA

No Motions to amend agenda

# PUBLIC COMMENT

Public comment is limited to three (3) minutes per person, per item, unless additional time is permitted by the presiding official.

Pal Sartori provided an update on football field and track facility planning for the school. The school is able to use public funding on leased property for future development on city land at the Sports Park. They are also looking at two other sites at Kelly's Green Project. A comparison report was completed by their engineer on infrastructure costs for the sites. Once their board decides what to do they may come back to the city with a proposal.

Ron Julian followed up on his January suggestions to council for Idaho Fish and Game to transplant the "artificial population" of deer within town caused by supplemental feeding. Concerned regarding the City Council not taking action because moving past period when it would be easy to capture and relocate them. Rachel personally talked with Fish and Game and they do not relocate the deer population but would "thin" (kill) them if there were so many it created disease situations.

Lori Hunter said Fish and Game did thinning of deer in Riggins because of disease and ticks and that is a different issue than in Cascade.

# APPROVAL OF PAYMENT OF BILLS

MOTION BY: Judy Nissula SECOND BY: Kathy Hull

Motion to approve payment of bills on the Unpaid Invoice Report dated 2/10/2017 in the amount of \$40,038.41

**DISCUSSION:** Discussion regarding liability of who shoveled off the roof. Discussion

regarding citizens using/working on city that are not insured. This

liability issue should be looked into with ICRMP.

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

APPROVAL OF MINUTES

MOTION BY: Debbie Haskins SECOND BY: Kathy Hull

Motion to approve Cascade City Council Minutes dated 11/14/2016 with corrections.

**DISCUSSION:** Rachel had a correction regarding putting grant writer on agenda and

not approving the grant writer.

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

**APPROVAL OF MINUTES** 

**MOTION BY:** Debbie Haskins **SECOND BY:** Judy Nissula

Motion to approve Cascade City Council Minutes dated 11/28/2016 with corrections.

**DISCUSSION:** No further discussion

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

APPROVAL OF MINUTES

MOTION BY: Debbie Haskins SECOND BY: Judy Nissula

Motion to approve Cascade City Council Minutes dated 12/12/2016 with corrections.

**DISCUSSION:** Rachel asked about Steve's wife health care and did not want to let

issue drop. Heather has not heard back from Matt.

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

APPROVAL OF MINUTES

**MOTION BY:** Debbie Haskins **SECOND BY:** Kathy Hull

Motion to approve Cascade City Council Minutes dated 12/27/2016 with corrections.

**DISCUSSION:** No further discussion.

ROLL CALL: Debbie Haskins Yes Rachel Huckaby abstain

Kathy Hull Yes Judy Nissula Yes

APPROVAL OF MINUTES

MOTION BY: Kathy Hull SECOND BY: Judy Nissula

Motion to approve Cascade City Council Minutes dated 1/9/2017 with corrections.

**DISCUSSION:** No further discussion

**ROLL CALL:** Debbie Haskins abstain Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

### DEPARTMENT REPORTS

**AIRPORT** 

No report.

BUILDING INSPECTOR:

Provided a written report and issued one building permit during the month of January for KWP pool dome cover.

LIBRARY:

Cynthia has been with the Library for almost four weeks and has been getting to know the community and the needs of the community and weeding out outdated library items. Communicated with Leslie Freeman regarding some grants available to the Library to help build the collection (specifically grants that coincide with the eclipse). J. Nissula addressed T-sheets report and asked that additional job codes be added so that the City Council can see what different tasks the library has (i.e. Library board meeting, children's reading program, circulation, etc.). R. Huckaby said that would help both the library and the city to have this information. V. Stewart has been out sick.

POLICE DEPARTMENT:

January was a busy month. Numerous complaints, including an improper discharge of weapon. A DUI related with the McCall Winter Carnival. Good success with the Perch Assaults. Deuces performed really well in training. Complaints to the PD regarding berms in driveways and bad streets. J. Nissula requested the PD use additional job codes for more definitive explanations. R. Huckaby agreed with the need to break out SRO, administrative, etc.

**PUBLIC WORKS:** 

Also had a busy month. They plowed snow, plowed snow, plowed snow and plowed slush. The month was focused on snow removal with a combination of snow, ice and slush complicating clean-up. Addressed the issues they had regarding when to plow slush. R. Huckaby asked about how deep the slush should be and if they were plowing deep enough with a discussion following. S. Yamamoto addressed the equipment we have limits the ability to plow the roads down below ice.

PW also had five dispatch call outs regarding sewer and or water issues. The City guys have to check out these calls to confirm they are not on the City side, and confirm it is a property owner issue. Addressed the issue we had regarding the rain in February affecting the pump station (pumped 1.3 million gallons of water Thursday night so somewhere is open manhole) and caused pumps to nonstop run, get hot and trip requiring manual resets. Two pumps could barely keep up and PW worked approximately 30 hours within the 36 hours working on the lift station. They also had to address the street complaints. PW hired OK Gravel and Granite to help address the snow removal issues so that PW could work on clearing out the storm drains. K. Hull asked about where the water was getting into the sewer line. S. Yamamoto addressed where the water in not coming in, but is still looking for the leaking manhole, and

addressed the issue how we can work together to find the leaking manhole.

J. Nissula asked if there are any other job codes to let Clerk know.

# CLERK/ TREASURER:

Discussion of Admin T-sheets for Sally, Kerie and Heather. All three have different job codes shown on the T-sheets. Discussion of time for lunch breaks detailed on report.

### PUBLIC HEARING

# **Lighting Ordinance**

### **Close City Council Meeting**

Presentation: Chuck Smith, of Cascade (along with George Greenfield, Melanie Munson, Shauna Arnold, and Theresa Perry who are also part of the Valley County Astronomical Society). Chuck began by showing two short videos and a slide show regarding light pollution, benefits of protecting the night sky and what we can to preserve dark skies followed by a discussion of what they are asking for in Cascade. Discussion regarding Ketchum and Sun Valley trying to become the first Dark Sky Reserve. Map of the lighting pollution around the community. Comparison to the noise ordinance which the City already has in place and wanting lighting ordinance to be enforced in same way. Discussion regarding using fully shielded light fixtures and local availability. Discussion regarding Valley County Light Ordinance which was approved earlier today. Discussion regarding using Motion Sensor lighting. Discussion that the City is already moving forward with grant for replacing the street lights within the community. Discussion regarding how to replace existing lighting and type of lighting to use. Discussion regarding electrician Bill Heathman's willingness to assist those on a fixed budget change lighting. Support currently from The Chief, Cascade Aquatic and Rec. Center; Lake Cascade State Park; Brown's CE Construction. Benefits of Dark Sky are Safety, Monetary, Environmental, Health, Local Economy. The Ordinance is the first step to apply for grants and the Dark Sky ratings. State Parks set aside area for observing pads at new site. August 21 solar eclipse will bring many to viewing areas in Valley County. Council had no questions for applicants.

Judy Nissula highlighted the P&Z Staff Report findings and comments. P&Z approved Ordinance as stands, but made suggestions for possible amendments to the Ordinance.

### **Proponents:**

- L C.: In favor of the ordinance because their house is already booked for August tourists and because important for the migration of animals
- C. Hines: As a person that grew up in the City, living in Cascade he enjoys seeing the night sky and the rural experience
- K. Meyer: Enjoys being able to see the night sky and doesn't like the city lights that shine in her residence at night
- G. Greenfield: After joining astronomical club and reading the Dark Sky material purchased fixtures and spent less than a half of day to make a huge difference with his ability to see at night. Believes it was a much more comfortable way to live. When moving to Cascade, enjoyed the ability to see the dark sky come alive. Cascade has a fabulous dark sky, and the ability to see the galaxy with naked eye. This is a resource not to squander.

- M. Munson: Being a part of the V.C. Astronomical Society and an educator it is a resource that we need to protect and create a heritage for future generations.
- L. Hunter: Lives within the City limits, likes seeing lights and strongly asks that it be approved. The change to motion sensor gives better protection then just a standard light. Changing lighting is less annoying to neighbors. Does not believe this should be legal enforcement issue but helpful when there is a problem. Discussion regarding other ordinances that are not currently being enforced. Ordinance is understanding to business lighting currently in place and especially will improve for new construction.
- C. Herrick: (Lori read her comment into the record) In favor because of potential economic development bringing dark sky festivals to area. Continuous lighting does not provide security as motion detectors do. Most of all I like looking at the stars.
- G. Munson: This is a good deal, ask yourselves what kind of community you want to raise kids in—stagnant or scientifically progressive. This ordinance good for those living here and could attract high quality people to stop in Cascade and not just drive through our beautiful town.
- D. Obrien: Has noticed the lights within town have become brighter over the years, in favor with grandfathering.

### **Uncommitted:** None

### Opposed:

R. Julian: The ordinance troubles him, the purpose of the ordinance would be in conflict with other ordinances. Discussion regarding the Ordinance and disagreement of sections A, C, F and H. Believes that people would cheat to pass building inspections. Believes clarification needs to be made. Brings up that the Street Lights do not meet compliance. Performance Standards, is this actually significant? They are undefined and ambiguous – gets you in trouble. Continued to discussion on other issues regarding his interpretation of the proposed ordinance. Believes that there is procedural flaw. Discussion regarding mercury lighting the City has would need to change to be compliant. Disagrees with the need to have a light plan. Disagrees with the Flag lighting. Believes this ordinance is problematic. Believes that the County action to have this ordinance is not something that should sway your decision.

T. Huckaby: a comment was read into the record.

### Rebuttal:

- C. Harris: this ordinance was taken from the Ordinance from the County since 2004. The Mercury vapor lights have been outlawed for years. Enforcement would be neighborly. Discussion regarding grandfathering in existing lighting. Discussion regarding grants available to replace the City Lights. (It was confirmed that the City has a grant to replace its City Lights).
- S. Arnold: Disagreed with T. Huckaby's figures.

Question by J. Nissula: What type of public education has been in place?

C. Harris: Is reaching out, no public event has been placed to directly discuss the Dark Sky Ordinance.

### **Questions:**

Question by Mayor: Discussion regarding what businesses he has directly talked with. Continue discussion regarding grandfathering current businesses. Additional question

regarding the reader board lighting. The intention was addressing flood lighting, and/or spot lights. Does not see the two reader boards' lighting would be an issue.

Question J. Nissula: Appreciate any person coming to the council meeting, thank you. Residents outside of the City would like the ordinance. What do the people within the City (that City Council is accountable to) feel about the ordinance.

S. Arnold: believes that Citizens are warm to the idea.

Discussion regarding what signs would be grandfathered (no businesses would be grandfathered. Clarification of what lights are "Street Lights" as opposed to street lights within the City owned by citizens.

- K. Hull: clarification on were we currently stand as opposed to how we want to proceed.
- C. Harris responded that this is more to protect the night sky we already have, not necessarily change the current lights, just prevent additional lighting.

# **Closed Public Hearing**

#### **DISCUSSION:**

Mayor Rob reiterated the high points of the discussion. It is the Mayor's recommendation that we move forward with grandfathering current businesses, but address future construction. Carrie Rushby clarified that the Ordinance provided is the ordinance that was approved by P&Z.

- J. Nissula compares to recycling and how we don't have laws but many recycle in some way. It's not because of law but because of education so perhaps can have Ordinance cleaned up but support an education campaign through web site, examples, etc. and see what can be accomplished so Ordinance is there for "teeth" or "stick" but most support it because of education of value.
- D. Haskins likes idea of grandfathering in existing exterior lighting and encouraging conformance.
- J. Nissula agrees to certain extent but would want to bring existing lighting into compliance eventually.
- K. Hull suggested grants would help. Doesn't want everyone to think City has means to enforce education.
- R. Huckaby more comfortable with the requirements for new construction to be in conformance and loves the education to work with existing situations so they know how important this is. Discussion on what would specifically meet requirements. Uncomfortable with some language regarding whose standards define excessive or energy waste.
- J. Nissula said retooling could clarify the language.

Mayor suggested the council should decide about grandfathering and accepting the existing lighting because that was the biggest change being discussed. Then look at areas to change and discuss now so don't have to reopen public hearing or else have vote now as is written. Discussion on process to move ahead without having to start P&Z process all over. Council wanted more time to review and not make

decisions tonight. Suggest table discussion to special meeting where

this could be the focus.

MOTION BY: Judy Nissula SECOND BY: Rachel Huckaby

Motion to table this discussion to refine the verbiage in the Ordinance for Wednesday, February 22, 2017 at 6:00 p.m.

**DISCUSSION**: Kathy Hull inquired as to the applicants help in verbiage. Rachel

inquired about being a special meeting and not a workshop and Judy

Nissula said "yes" because will want to make a decision.

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

Judy reminded that council would not be able to discuss with public in interim.

# Public hearing closed.

### **OLD BUSINESS**

No old business discussed.

### **NEW BUSINESS**

### **Emergency Declaration**

### DISCUSSION:

Added to agenda because of concern regarding the overburden of the public works and the need to hire out to help with the expenses to cover expenses that exceeded the budget. Judy and Rob initiated a fact-finding discussion with former and current Valley County Disaster Coordinators regarding how the City would request assistance from the State and or County and at what point state will come in with assistance. Mayor did not feel appropriate to move forward with disaster declaration at this point.

## **Lagoon Update Engineering Report**

### **DISCUSSION:**

The continuous planning for the City to move forward with adding a brewery, big subdivision or other full buildout cannot happen without upgrading the lagoon. City sewer piping is exemplary but can't move forward with lagoons without either preliminary engineering report (PER) or facilities planning study (FPS) per DEQ. Difference is cost and amount of their time with FPS approximately three times more. Discussed costs and how to pay. The biggest difference is if septage is accepted or not.

Mayor said the decision tonight is the contract from Schiess & Associates for PER. With this Paul is recommending that the City does not take septage or would need to address with FPS. Rob looking for incrementally buildable system leading to final buildout. Discussed cost to City, sources of septage, how it would affect tourism and only bringing in \$8,700 last year. Discussed that septage haulers should be at the table for this discussion and it wasn't on agenda.

MOTION BY: Debbie Haskins SECOND BY: Judy Nissula

Motion to table engineering contract and call it septage on the agenda for discussion at next regular meeting.

**DISCUSSION**: No further discussion.

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

## **Prosecuting Services Contract**

**DISCUSSION:** The newspaper ad for prosecuting services got one reply from Paul

Fitzer who is doing the prosecuting services from McCall. Discussion on how much he would be paid and if it was a retainer or covered everything that would be done. Discussed job duties and how many

hours involved. As

MOTION BY: Judy Nissula SECOND BY: Rachel Huckaby

Motion to accept the RFP for City Prosecutor from MFBT Law (Paul Fitzer) effective March 1, 2017 for the coming year

**DISCUSSION**: Should Mayor sign? Heather presented information from Matt

regarding time requirements for City prosecuting services (average 13 hours/month) and an opinion whether to use County Attorney. Matt recommended to not use County attorney. Discussion. Judy amended her motion to authorize the Mayor to sign. Second was amended by

Rachel. No further discussion.

**ROLL CALL:** Debbie Haskins Abstain Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

### **January Financials**

**DISCUSSION:** J. Nissula questioned budget on insurance premiums. Heather replied

that they were budgeted among the departments but when paid didn't have final amounts so will have to reallocate. R. Huckaby questioned dues and publications overbudget with discussion where charges could

go and that next year will be cost savings because of due dates.

### 2016 Audit Report

**DISCUSSION:** Jared Zwygart presented the 2016 Audit Report. Their opinion (pages

3-4) states that as per their review there are no issues found.

Discussion regarding the general fund balances. Discussion regarding

the other funds and their balances (including the savings).

Explanation of each fund and where each department stands at the end of the year financially. See audit report for details of financials. Good news: City Hall is paid off! What you can take from this is you could have relied on financial statements more for budgets being under

or over. They were accurate. Good job Heather! They were very

comfortable with our financials.

MOTION BY: Debbie Haskins SECOND BY: Kathy Hull

Motion to accept year-end report of September 30, 2016 presented by Jared Zwygart.

**DISCUSSION**: No Further Discussion

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

### MAYOR REPORT

**Snow Removal Costs:** Discussion regarding how to fund the snow removal moving forward. The City is over budget on snow removal, additional monies will need to be spent removing snow removal for the remaining year. Also, discussion on how to handle work load when anticipating heavy snow. This does not need to be addressed now—just needs to be on the mind for future. R. Huckaby recommends (and council agreed) to pull money out of savings because these are emergency situations that couldn't be anticipated.

**LRIP Grant:** Mill Street and Kelly's Parkway grant should be awarded in mid-March. After that will know budget for roads and snow removal

**County Centennial Celebration:** Judy said to check City emails to see the County Centennial Celebration timeline of festivities from Shauna for 25<sup>th</sup> and 26<sup>th</sup> weekend.

### **Executive Session**

MOTION BY: Kathy Hull SECOND BY: Rachel Huckaby

Motion to move into Executive Session under Code 74-206E.

**DISCUSSION**: No Further Discussion

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

Out of executive session at 9:51 p.m. No decisions were made during Executive Session.

### Employee #800

MOTION BY: Rachel Huckaby SECOND BY: Judy Nissula

Motion to regarding Employee #800 to split ½ and ½ the overpay amount and the employers ½ will come from employee's choice of benefit hours, including sick, vacation and comp and the other ½ will remain. Motion retracted after discussion of terms. **New motion** in regards to Employee #800 overpayment that the City eats 50% and the Employee repays the other 50% of the overpaid hours by using vacation time that was overpaid and the Employee's choice of either vacation of comp time for the difference, or can pay money instead.

**DISCUSSION**: No further discussion.

**ROLL CALL:** Debbie Haskins Yes Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

# Employee #3200

MOTION BY: Rachel Huckaby SECOND BY: Kathy Hull

Motion in regards to Employee #3200 and his overpayment error on paycheck dated 12/24/2016 to 12/27/2016, that the 6 hours' overtime paid in error be deducted from his next check.

**DISCUSSION**: No further discussion.

**ROLL CALL:** Debbie Haskins *No* Rachel Huckaby *Yes* 

Kathy Hull Yes Judy Nissula Abstain

Motion is dead. Discussion on procedure.

MOTION BY: Rachel Huckaby SECOND BY: Kathy Hull

Motion that Employee #3200 overpayment on 12/24/2016-12/27/2016 be fixed on his next paycheck so the City is reimbursed for the amount overpaid.

**DISCUSSION**: No further discussion.

**ROLL CALL:** Debbie Haskins Yeso Rachel Huckaby Yes

Kathy Hull Yes Judy Nissula Yes

**ADJOURNMENT** 

**MOTION TO ADJOURN:** 

**ALL IN FAVOR:** Debbie Haskins Aye Rachel Huckaby Aye

Kathy Hull Aye Judy Nissula Aye

**MEETING ADJOURNED:** 9:57 p.m.

Respectfully submitted and Attested by, Approved

Heather Soelberg, Clerk/Treasurer Rob Terry, Mayor