

CASCADE CITY COUNCIL

FIRST REGULAR MEETING April 8, 2019 at 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. Council members Tom Byrne, Cynda Herrick, Rachel Huckaby and Denise Tangen, were present. Quorum exists.

City Clerk Also present: Heather Soelberg

> Steve Yamamoto Superintendent Airport Manager Ray Arnold

PUBLIC COMMENT

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

Vernie Kushlan provided an update to the City Council regarding the Poetry Slam that will be held at the Roxy on April 21 at 1:30pm. A request was made for individuals to Judge the Poetry.

Councilmember Herrick inquired about replacing trees on Main Street.

NEW BUSINESS

2018 AUDIT PRESENTATION

DISCUSSION:

Mayor Nissula introduced Jordan Zwygart and turned the time over to him for the 2018 Fiscal Year Audit Report. Mr. Zwygart identified that the financials provide to the City Council a true representation of the status of the City each month. Mayor Nissula inquired about the status of the Water & Sewer, Mr. Zwygart identified while they have positive cash flow, they are still not bringing enough money to pay for future infrastructure improvements. Councilmember Herrick inquired about Page 29 about the monies owned from the Library to the General Fund. Clerk identified that while the Library had sufficient monies brought in to cover their expenditures, some of that monies were earmarked for

Grant projects.

MOTION BY: Rachel Huckaby **SECOND BY:** Tom Byrne

MOTION TO ACCEPT THE 2018 AUDIT REPORT.

DISCUSSION: No further discussion

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

> Denise Tangen Yes Cynda Herrick Yes

Motion Passed

DEPARTMENT REPORTS

AIRPORT No Report **BUILDING INSPECTOR:** No Report

LIBRARY: Jonne Hower introduced Amelie Valasek to the City Council,

the new library manager. The Library has another new employee starting tomorrow, and believes that the library is now fully staffed. Mayor Nissula inquired about who would be in the future providing the Library Report, Jonne identified that the manager will be presenting all future reports, Mayor also requested that a written report be provided in advance and submitted to the Clerk. Councilmember Byrne inquired to where she was from, Amelie responded with a brief history.

SHERRIFF'S DEPT. A copy of the Sheriff report was submitted and incorporated

herewith.

PUBLIC WORKS: A copy of the Superintendent report was submitted and

> incorporated herewith. Update on current storm culvert issues including, Kerby Street, Dam Road, Idaho Street, Pine Street, Service Way, etc. Yamamoto also updated the Council

on the current issue that the lift station is having, but

normally takes on 160,000-200,000 gallons a day to last night it was taking on 1.5 Million gallons a day - the flow is so high that the current system vacuum pump cannot work properly, PW is working with Middleton on doing replacement of the lift

station in a similar.

City Clerk provided an update of current City tasks either CLERK/ TREASURER:

being worked on by the Clerk or being closely watched over by

the Clerk, a copy of the report was submitted and

incorporated herewith. Mayor Nissula asked if there was anything the City Council needed from Clerk. Councilmember Tangen requested Agenda Bills again accompanying future

agenda items.

PUBLIC HEARING

OUTDOOR NIGHTTIME LIGHTING ORDINANCE

Mayor provided the process the public hearing, along with a three minute time limit. The Regular City Council Meeting was closed at 6:47, and the Public Hearing was opened. The Valley County Astronomical Society has brought forward a second proposed lighting ordinance, and provided a video presentation. The original ordinance proposed by the Astronomical Society was originally heard by the P&Z Commission in December, 2016 and by the City Council in February, 2017. During the City Council meeting in 2017, the City Council moved to table the lighting ordinance for redrafting. A revised lighting ordinance was brought before the P&Z Commission on February 26, 2019 were, they recommended approval of the Outdoor Nighttime Lighting Ordinance.

STAFF Clerk read into the record the Staff Report provided by Carrie Rushby.

Staff is in favor of the Outdoor Nighttime Lighting Ordinance proposal to maintain the rural character of Cascade, in part by preserving the

visibility of the nighttime skies, and to minimize the impact of artificial lighting on nocturnal wildlife. While encouraging energy efficiency, the proposed ordinance recognizes the importance of lighting for safety and security.

APPLICANT:

Shauna Arnold with the Valley County Astronomical Society provided two short videos and a PowerPoint representation identifying the importance of Dark Skies.

PROPONENT:

Lori Hunter, provided oral testimony regarding her support of the lighting ordinance. She provided a personal experience of how the lighting ordinance would have eliminated to mercury light that blared their property 24 hours a day. She also identified that the previous ordinance did not address grandfathering of current lighting, but would provide guidance to new development.

Charles Hower is in favor of the proposal; this will have benefits going forward for the City of Cascade and guide development of new commercial areas (ie River Ranch) to provide for essential and economic lighting with exemptions that are written into the proposal as not to be a burden to existing businesses.

OPPOSED:

Bill McFarland is against moving forward with the lighting ordinance. He is concerned with the impact on businesses, and the future cost. He addressed that there are places very close to the City that can be viewed by locals, instead of making changes the current.

REBUTTAL:

Shauna Arnold identified that while Smith Ferry is Dark Skies if the City does not act now, we would affect areas such as Smith's Ferry.

DISCUSSION:

The Public Hearing was closed at 7:28pm, and the Regular City Council Meeting was reopened.

NEW BUSINESS, Cont'd

ORDINANCE NO. 697 - OUTDOOR NIGHTTIME LIGHTING ORDINANCE

DISCUSSION:

Councilmember Huckaby identified that she supports the Ordinance, but is confused by some exceptions – identified that if everything after this date is exempt, but includes exemption is confusing. Also has issue with Building Inspector dictating what needed to be fixed in Section 2-4-5.D.6.

Councilmember Herrick, also is in favor of the Dark Sky Ordinance, but needs clarification to the reference to Cascade Hardware. She also requested that any change of ownership would require the new owner to make the sign compliant. Herrick also would like changes to the holiday lighting changes. Herrick would like to include the Fair Grounds in section 2.4.5.D.2. Herrick would like to see all lights become in compliance within 3 years. Huckaby disagrees, the City should not dictate that someone should be required to change the lights to be compliant at all, educate residents in a way to want them to change.

Councilmember Bryne inquired about the seasonal light taken out of ordinance, and stated there is a need to address holiday lights within the

ordinance. Bryne inquired about addressing commercial property as opposed to private property, he questions the City overreaching by requiring private property owners becoming compliant. He believes that making existing private property become compliant could cause problems for the City.

Councilmember Tangen questions why you would exempt businesses forever, but then makes property owners become compliant.

Discussion regarding private property owners being educated on updating current lighting.

Councilmember Byrne inquired if there were any letters received by staff that were against the lighting ordinance, clerk confirmed there were no letters submitted that were against the lighting ordinance.

Councilmember Bryne identified that the following four issues need to be decided: (1) Complaint based; (2) Seasonal lighting; (3) Compliance time frame (i.e. 3 years or at the time of replacement); and (4) Mandatory for private vs. commercial, or everyone.

Discussion regarding the above issues. Discussion regarding adopting the ordinance after addressing the above changes with the knowledge that changes can be made to the ordinance as the City sees adjustments are needed. Addressing commercial changes to signs.

MOTION BY: Cynda Herrick SECOND BY: Tom Byrne

MOTION TO WAIVE THE READING OF ORDINANCE NO. 697 OUTDOOR NIGHTTIME LIGHTING ORDINANCE, ON THREE SEPARATE OCCASIONS

DISCUSSION: No further discussion

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

MOTION BY: Cynda Herrick SECOND BY: Denise Tangen

MOTION TO APPROVE ORDINANCE NO. 697 WITH THE FOLLOWING CHANGES (1) INCLUSION OF THE FAIRGROUNDS ON PAGE 5, § D-2; (2) EXCLUSION OF ANY EXISTING EXTERIOR LIGHTING ON PAGE 7, § 6; AND (3) INCLUSION OF SEASONAL HOLIDAY LIGHTING FROM NOVEMBER 15 TO FEBRUARY 15.

DISCUSSION: Denise Tangen identified that we needed to include "change of use,"

Councilmember Herrick amended her motion to include "change of use." Councilmember Huckaby inquired about changing the language of

lightbulb usage.

ROLL CALL: Tom Byrne Yes Rachel Huckaby No

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

NEW BUSINESS, Cont'd

NORTH FORK PAYETTE GREENWAY R&PP LEASE

DISCUSSION:

Mayor Nissula updated the City Council regarding the issue she brought to the City Council in her Mayor's report at the March 20, 2019 City Council Meeting. To reiterate, there is a section of the Strand that runs across the BLM land that the City leased. The current lease has expired. The information provided to the City Council includes the history which was part of a bigger picture called the Greenway. Mayor Nissula stated that the plan needs to be updated to reflect the "The Strand" and then need to provide a new application to the BLM. Discussion regarding the section of land that is leased from the BLM, Yamamoto providing the City Council on the location of the leased property. Discussion regarding getting the Mobility Team included in providing an "updated plan" to submit with the new grant application.

MOTION BY: Cynda Herrick **SECOND BY:** Denise Tangen

MOTION TO UPDATE THE PLAN AND RESUBMIT THE APPLICATION TO RENEW THE LEASE

DISCUSSION: No further discussion.

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

1480 SOUTH MAIN STREET LEASE

DISCUSSION:

Mayor Nissula presented the City Council with a draft lease for the property located at 1480 Main Street, Cascade, Idaho between Philip D. Bennett and the City of Cascade. The City attorney has requested Bennett registered with the Secretary of State. Bennett also requested the notice time frame be extended. Discussion regarding utilities, and payment of utility responsibility. Discussion regarding security deposit. Currently it is in Bennett's court, and waiting for his response. Changes to the lease still could be forthcoming based on changes requested by Bennett

STORM CULVERTS

DISCUSSION:

Mayor Nissula reiterated the comments made by Yamamoto during his department report. Mayor Nissula identified that it is very important to document any flooding within the City for future application for a FEMA Grant. While the City is addressing replacing culverts, this does not address the long term problem with the storm drains. Councilmember Huckaby inquire if the Culvert at Jackie Lee's has been replaced, Yamamoto identified it has not but the broken pieces have been removed. Yamamoto identified that the current storm drains are poorly designed and requires a substantial redesign to the entire storm drain system. Discussion regarding the current issues within the community. Discussion regarding manhole leaking. Discussion regarding drainage issues along roadside. Discussion regarding issues associated with the lift station and the heavy water infiltration.

APPROVAL OF PAYMENT OF BILLS

MOTION BY: Rachel Huckaby **SECOND BY:** Denise Tangen

APPROVE PAYMENT OF BILLS ON THE UNPAID INVOICE REPORT DATED APRIL 8, 2019 IN THE AMOUNT OF \$52,601.54

DISCUSSION: Councilmember Huckaby inquired about the TTR shipping charge, Ed

Stubs credit, and the reimbursement to Katey Basye.

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

APPROVAL OF PAYROLL REGISTER REPORT

MOTION BY: Rachel Huckaby SECOND BY: Denise Tangen

APPROVE PAYROLL REGISTER REPORT FOR PAY PERIOD ENDING MARCH 30, 2019.

DISCUSSION: Yamamoto identified they are working towards vacation time leave.

Councilmember Herrick requested a leave time report.

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

APPROVAL OF MINUTES

MOTION BY: Rachel Huckaby **SECOND BY:** Tom Byrne

APPROVE CASCADE CITY COUNCIL MINUTES DATED MARCH 20, 2019, with corrections.

DISCUSSION: Councilmember Herrick requested the word "ex parte" communication

be removed. The Clerk identified that she would replace the words "ex

parte" with verbatim language Councilmember Herrick used in

describing her communications with the applicant.

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

APPROVAL OF FIREWORKS PERMIT

MOTION BY: Cynda Herrick SECOND BY: Denise Tangen

APPROVE THE TNT FIREWORK'S PERMIT

DISCUSSION: No further discussion.

ROLL CALL: Tom Byrne Yes Rachel Huckaby Yes

Denise Tangen Yes Cynda Herrick Yes

Motion Passed

APPROVAL OF SUBWAY NAMING RIGHTS

MOTION BY: Rachel Huckaby SECOND BY:

APPROVE SUBWAY NAMING RIGHTS FOR DISC GOLF HOLE #8, AND AUTHORIZE THE MAYOR TO SIGN

DISCUSSION: No further discussion.

ROLL CALL: Tom Byrne Aye Rachel Huckaby Aye

Denise Tangen Aye Cynda Herrick Aye

Motion Carried.

MAYOR'S REPORT

Agenda Bill:

Tree Boxes:

Rec District MOU: Mayor identified that she is not comfortable with the current status of the MOU. Mayor Nissula addressed the current issues with the MOU including scheduling, job posting that the City would train. City Council supports any decisions the Mayor

ADJOURNMENT

MOTION TO ADJOURN 9:06

ALL IN FAVOR: Tom Byrne Aye Rachel Huckaby Aye

Denise Tangen Aye Cynda Herrick Aye

MEETING ADJOURNED:

Respectfully submitted and Attested by, Approved

Heather M. Soelberg

Heather M. Soelberg, Clerk/Treasurer Judith R. Nissula, Mayor