



CASCADE CITY COUNCIL
FIRST REGULAR MEETING and PUBLIC HEARING
Monday, February 8, 2021
6:00 PM
Cascade City Hall
MINUTES

CALL TO ORDER AND ROLL CALL Meeting called to order at 6:02 pm.

Present via Zoom Council Member Ron Brown
Present in person Council Members Denise Tangen, Cynda Herrick and Rachel Huckaby.

A **quorum** was present.

Present in person Judith Nissula, Mayor - Janice Van Winkle, Clerk - Heather Soelberg, Treasurer

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Public comment is limited to three (3) minutes per person, per item, unless additional time is permitted by the presiding official. The City Council does not take any action to make any decisions during public comment. To request Council action during a Council meeting, contact City Clerk at least one week in advance of a meeting. There was no public comment.

DEPARTMENT REPORT

Airport No report was given.
Building Dept. Code enforcement office has been slow. New Cascade Hardware store stills need fire lane and handicap signing and some HVAC items. Temporary CofO issued.
Clerk Report Clerk summarized billing activity, airport land leases and records requests.
Library Presented by Janet Chappel. Library open to the public but bookstore remains closed.
Public Works Mayor talked about the new snow blower attachment on the plow.
Sheriff's Office Review of written report submitted.

PUBLIC HEARING Vendor Permitting Ordinance

Opened at 6:14 pm with all City Council Members in attendance.

Written testimony	None.
In Favor	None.
Neutral	None
Opposed	None

There were NO public comments on the vendor ordinance.

Public hearing for the Vendor Permitting Ordinance closed at 6:19 pm by the Mayor.

PUBLIC HEARING Business License Ordinance

Opened at 6:20 pm with all City Council Members in attendance.

In Favor Heather Soelberg as a city employee for several years, would like to be able to answer inquiries from people looking for specific types of businesses.

Neutral None.

Opposed Written and Oral testimony:
Jason and Tricia Speer. Ordinance is too ambiguous, and they do not agree with the way it is written nor timed.

Oral - Dave O'Brien is opposed to this Ordinance and is concerned that the cost will increase over time. Does not want to see additional regulations going on.

Written – Julie Crosby would suggest a business registration over a business license.

Written – Susan Ann Olson. Is a hobbyist and does not feel she could afford a business license for her home-based business.

Public hearing for the Business License closed at: 6:35 pm

NEW BUSINESS

AB 21-17 Business License Ordinance

(Action Item)

Discussion

There was further discussion on the definition of “Business or Occupation”; especially defining “Home Based”. Though Council understands the definition of what a “home occupation” business is, some Council members remain uncertain as to what creates a storefront. There was discussion of how other cities license home occupation businesses.

After discussion on creating only a business registry, the City Attorney reiterated that the purpose of the business license is for public health and safety and that a register *would not* accomplish that.

There was discussion regarding businesses that would be assessed a LOT tax and have those business be required to license. The City Attorney cautioned Council to not bring LOT into play as an entirely different set of requirements would be needed and further cautioned to not get too caught up on trying to define potential LOT applications to this Business License ordinance.

City Attorney re: Enforcement – take the infraction approach. Change the word “misdemeanor to” infraction. Fines and fees should be “as set by resolution”.

City Attorney re: Language change in section 4-7-3 (E) and (F) – replace the word “vendor” with “business”.

City Attorney re: concern that it takes a city business license to get a state license. This is inaccurate, governmental licensing does not require a city business license. However, when applying for a city business license, the city can require applicants to provide copies of state and federal licenses (i.e., Nail shop, Day Care, Food establishments...).

Council Member Herrick asked that a “non-conforming clause” be added to this ordinance. The City Attorney advised Council that the business license ordinance *is not a land use issue* and a non-conforming clause would not apply here.

City Attorney: The “Failure to Comply” section A. That clause no longer applies as the revocation actions which were in the original ordinance have been removed.

There was discussion regarding the need for procedural policy to be adopted that would include an application form that would have information that gives the City the opportunity to bring a location into compliance with health and safety codes. The narrow isles in the old cascade hardware Quonset hut were used as an example of a building that would need to be in compliance with City Fire Codes. After further discussion, a license application may bring to light a business that may not be allowed in a certain area due to zoning restrictions.

Mayor asked Council to gather their notes and submit their recommended changes to the Clerk so they can be incorporated into the next draft document. Council Member Brown commented that some type of Ordinance is needed.

Motion by Denise Tangen motion to table until next meeting.
Seconded by Cynda Herrick

Roll Call Yes, Rachel Huckaby Yes, Denise Tangen
Yes, Cynda Herrick Yes, Ron Brown

Motion passed.

AB 21-18 Vendor Ordinance (Action Item)
Discussion

The vendor Ordinance will be an extension to existing City Code.

Council Member Herrick expressed concerns about and would like to remove 4-1-1, B, (d).

Council Member Tangen would like clarification of the casual lemonade stand.

There was discussion about removing the enforcement language in the penalty section and the City Attorney warned against undermining that section by removing language that adds “teeth” to enforcement of the Ordinance. He further recommended that Council could allow for discretion in enforcement via policy and take an infraction approach instead of a misdemeanor approach.

Motion by Rachel Huckaby change to language in 4-1-1, B, (d).
Change: Remove the specified dollar amount of the fine to “...amount set by resolution”.
Seconded by Cynda Herrick

Motion Amended to approve the first reading of the updated vendor ordinance with changes noted and set the second reading at the next meeting on the 22nd of February 2021.

Roll Call Yes, Cynda Herrick Yes, Denise Tangen
Yes, Rachel Huckaby Yes, Ron Brown

Motion passed.

AB 21-19 Family Dollar Liquor License (Action Item)
Motion by Denise Tangen
Seconded by Rachel Huckaby

Roll Call Yes, Rachel Huckaby, Yes, Cynda Herrick
Yes, Denise Tangen Yes, Ron Brown

Motion passed.

AB 21-20 Letter of Support – Big Payette/Cascade Lakes Water Quality Act (Action Item)

Motion by Cynda Herrick to request the Mayor to write and sign a letter of Support for this legislation.
Seconded by Rachel Huckaby

Roll Call Yes, Ron Brown Yes, Cynda Herrick
Yes, Denise Tangen Yes, Rachel Huckaby

Motion passed.

AB 21-21 LOT Tax Timelines

The Mayor asked that Council Members review the timeline and consider the language.

CONSENT AGENDA

Payment approval report through 02/08/21 (Action Item)

Motion by Rachel Huckaby to approve the payment approval report in the amount of \$73,353.03.

Seconded by Cynda Herrick

Roll Call Yes, Cynda Herrick Yes, Ron Brown
Yes, Denise Tangen Yes, Rachel Huckaby

Motion passed.

Payroll Report for February 3, 2021 PR period.

Motion by Cynda Herrick to approve the payroll report dated February 4, 2021.

Seconded by Ron Brown.

Roll Call Yes, Rachel Huckaby Yes, Ron Brown
Yes, Cynda Herrick Yes, Denise Tangen

Motion passed.

January 2021 Financials

The Treasurer pointed out that a new report titled the "Fund Summary" was included in these financials and will be incorporated into future monthly financial reports.

Motion by Rachel Huckaby to accept the January 2021 Financials. (Action Item)

Seconded by Cynda Herrick

Roll Call Yes, Denise Tangen Yes, Rachel Huckaby
Yes, Ron Brown Yes, Cynda Herrick

Motion passed.

Approval of January 25, 2021 Meeting Minutes (Action Item)

Motion by: Cynda Herrick to approve the January 25, 2021 meeting minutes.

Seconded by: Rachel Huckaby

Roll Call: Yes, Rachel Huckaby Yes, Cynda Herrick
Yes, Denise Tangen Yes, Ron Brown

Motion passed.

Mayor Update (3) interviews performed for the Utility Billing Clerk/Receptionist. The Library interviewed for the Library Manager. The Mayor asked the Council to begin envisioning what they would like to see the city look like when they drive into town in 3 to 5 years.

ADJOURNMENT by Mayor Nissula at 8:58 pm