



CASCADE CITY COUNCIL
Second Regular Meeting Hearing
Monday, January 23, 2022
6:00 PM
Cascade City Hall
MINUTES

CALL TO ORDER AND ROLL CALL Meeting called to order at 6:01 pm.

Present Council members Ron Brown, Rachel Huckaby, Jason Speer, Denise Tangen
A **quorum** was present.

Staff Present Judith Nissula-Mayor, Janice Van Winkle-Clerk, City Attorneys, Daniel Goodman and City Engineer, Trevor Howard – both via Zoom.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

There was no public comment.

Geri Gallupe-Donnelly - Deer struck and in D9 parking lot. What is city going to do about this?

PUBLIC HEARING

Ordinance No. 726 – Mobile Food Concessionaires

Public hearing was opened by the Mayor at 6:03 am

Mayor began with public comment from sign-up sheets, then read written comments prior to comments which came in via Zoom.

OPPOSED

Dick Carter 415 N. Hillcrest Cascade

Feels that ordinance is overregulated. Gave color and distance as an example. Feels that this should go back into the hopper for rewrite.

Lance Heindel 10694 Hwy 55 Cascade, ID

Owns Clear Creek Station and supports Food Trucks and small businesses. Competition is good for business. Business should be united for a common goal and not fighting amongst each other. Focus on using collective energy on growing business.

Kate Timmerman 302 N. School St., Cascade

Owner and operator of Dragon Shirt Kenny's. Abides by the rules. Feels directly targeted and vulnerable. Feels there is no civil communication between people. Feels that state code compliance is sufficient.

Robert Belknap 505 Lakeview Dr.

Phillip Wyatt 305 Overlook, Cascade

Feels that certain people are being targeted. Gave colors as the example. Would like to hear the positive things rather than the negative. i.e., paying taxes.

Robin Miller 413 Cabarton Rd.
Throw out language, i.e. harmonious with other buildings, permit sites, restrictions on number of trucks within a certain amount of sq. ft. Referred to vendors/peddlers and etc.

Dwight Jividen 413 Cabarton Rd.
Food trucks have brought life to Cascade.

Jeff Gordon 304 Overlook
Slap in face for growth and prosperity and growth of business in this town. Give people a reason to stop in Cascade.

Sam Jensen 25 Goode Lane (submitted in writing)
Would like the opportunity to cook for people in Cascade. Not in favor in ordinance as currently written. Advocate current restrictions.

Walter Beckman 509 Lakeview Dr., Cascade
“Ditto” of Sam Jensen.

Billy Alvarez 34 Prospector Drive, Cascade
His food truck is neon orange which is festive and goes with Mexican food. Government overreach and overstep is out of control. Respect free enterprise. Follow local regulations for safety such as fire department, health department.

John Christofferson 135 Par Avenue in Cascade (verbal testimony and written read into the record)
Offended by ordinance “adverse effects” language. Feels that he is being targeted personally. Already regulated by the fire department and the health department; why more regulations?

Kacie Bracht 26 Goslin Loop
In support of others.

Tom Gresham 974 Thompson Dr.
Opposed to this ordinance. Anti-business.

Darla’s Cup o Jo 205 S. Main (business location)
“Ditto”

On-line comment

Kevin McNamara 942 W. Mtn. Rd.
Concerns over government ordinance; the expense that comes to the city. Market conditions will determine who is competitive and who is not.

NEUTRAL

Sydney Tyler 112 N. Main St.
Owner of Palooza Base Camp. Passionate about hospitality industry. Would like to be part of dialogue.

Geri Gallupe-Donnelly 10148 Timberrim Drive

Food trucks serve the purpose of a variety fast, cheap food. Competition is good for the consumer. In support on small truck people.

FOR

Larry Morton 1911 Gold Dust Rd.

Is in support of ordinance but would like to see people from the industry create a committee (task group) to work together. Considering Pandemic and brick and mortar out of business; food trucks are an option. Concerns about number of trucks in a space. Food trucks should be active and not dormant.

Joe Critchfield 109 N. Main Street

Would like to see more collaboration. Play together nice. It is simple stuff. LOT tax money helping the infrastructure. Not in opposition of an ordinance; just the intricacies.

Jeffrey Bradach 308 N. Van Wyck Ave. (verbal testimony and written read into the record)

Not opposed to an ordinance; opposed to the threatening language. Wants more public input in all ordinances. Let community shape it and mold it and help guide the City.

James Smith 2201 Alana Dr.

Food trucks are perhaps the next brick and mortar. Believes they need to be regulated, but not this way.

Jeff Tyler 112 N. Main St.

Not in favor of Ordinance as written but believes there needs to be an ordinance for food trucks.

Brad Wilker 125 Par Dr.

Needs regulation but opposed to ordinance as written.

Dan Davis 508 N. Idaho St.

Sent written comments to Council Member Huckaby who read the letter into record.

In support of the ordinance with revisions.

On-Line comment

Cinda Herrick 205 N. Overlook

Wants to make sure an Ordinance does not apply to food trucks at the county fair.

WRITTEN COMMENT READ INTO THE RECORD

OPPOSED

Chamber of Commerce

Would like to table until Chamber has time to discuss further and collect input from membership by 3/1/23.

John Christofferson 135 Par Ave.

Included in the Council packet and read into the record by Mayor, Nissula.

Jeffrey Bradach 318 N. Van Wyck

Included in the Council packet and read into the record by Mayor, Nissula.

Jason Sawin Garden Valley

Included in the Council packet and read into the record by Mayor, Nissula.

Kelly Sawin Garden Valley

Included in the Council packet and read into the record by Mayor, Nissula.

Jim/Marilyn Rountree 906 Divot Circle

Included in the Council packet and read into the record by Mayor, Nissula.

Public hearing closed at 7:26 pm

NEW BUSINESS

AB 23-49 ANN 22-01 Ordinance No. 726 – Mobile Food Concessionaire (Action Item)

Motion by: Jason Speer to table ordinance until a time in the future when we can consolidate comments and draft/make changes to the ordinance.

Seconded by: Ron Brown

Discussion

Council Member Rachel Huckaby does not believe that there should be a committee to write this ordinance. We need to guide future growth, not allow chaotic development.

Council Member Denise Tangen expressed concern over business not on the property tax rolls.

Mayor commented on her pride in the participation and being respectful of others during their time to speak.

Roll Call	Yes, Rachel Huckaby	Yes, Ron Brown
	Yes, Denise Tangen	Yes, Jason Speer

Motion passed.

AB 23-50 City Shop Pre-Engineered Building RFP Results (Action Item)

City Engineer Trevor Howard reported the RFP results. Received proposals from 4 contractors between \$750,000 to \$1 million. Council have option to refuse all proposals, accept low bid or go out to open market. The engineer recommended Darryl Shephard, as project manager, can get plans together, get a site plan and pour a foundation.

Motion by: by Rachel Huckaby to reject the four proposals as presented through the RFP process and direct the building inspector to begin work on open market bids to build the city shop.

Seconded by: Denise Tangen

Roll Call	Yes, Ron Brown	Yes, Denise Tangen
	Yes, Jason Speer	Yes, Rachel Huckaby

Comments from Dalrymple Construction regarding open market. He believes that the City will not get down below the \$500,000 budget without getting an architect to draft plans. Suggests a wood structure.

Motion passed.

AB 23-51 Water Update by City Engineer, Trevor Howard of Salaber Assoc. (Discussion)

The facility study has been technically approved, DEQ approved scope moving forward. City passed \$4 million bond. Some funding may be coming from DEQ because all entities ahead of us were funded. Also applying USDA rural development funding, community development grants and other USDA funding. At some point, the city will need to decide if they are moving forward with City funds, however, do not spend money prior to receiving grant funding as that could stop grant funding. Would recommend Council to

consider aggressive public messaging, education and ordinances related to conservation as water is an exhaustible resource.

Mayor updated Council on upcoming meeting that she and a staff member will attend where lead and copper testing will be discussed.

AB 23-52 Idaho Fish and Game Update

(Discussion)

Regan Berkely and Josh Royce from Fish and Game were present. Regan is the USFS Regional Wildlife Manager. Plans for trapping deer in Cascade. Challenges with illness and disease, difficulty of trapping and moving deer. One week pilot project to trap deer will happen the week of January 30, 2023. This will allow them to learn more from the week of trapping as to the health of the deer, meet with Council and discuss next steps based on what Fish and Game has learned. There are health issues with the town deer such as the very virulent “exotic lice”. None of these deer should mix with other deer herd. Deer that have these lice will be euthanized. It appears that feeding in town has not stopped as of a drive-by this evening. If Fish and Game is not successful in trapping deer it will be a problem. The current population in town is artificially propped up and need to be in their winter range. Deer found to be infected deer will need to be euthanized. It is a huge resource and time commitment for Fish and Game to accomplish this. There will be 8 to 10 traps around town. If trapping goes well they will be able to trap and assess approximately 34 deer in a week.

Council Member Denise Tangen asked if the lice could be treated. Regan Berkeley of Fish and Game said that it is unsuccessful because treatment required 3 to 4 treatments. The odds of catching the same deer are remote. The louse is very specific to deer and not contagious to dogs but very contagious to other deer.

Mayor Nissula asked what happens to trapped deer that are healthy. Regan responded that they will be removed to a winter range and monitored via collar. Unhealthy deer will be kept in a separate truck, removed, euthanized, and donated to food banks by Fish and Game.

Every winter in McCall, Fish and Game respond to remove 50 deer a season due to vehicle collisions. McCall deer will be checked for exotic lice as well.

Pitfalls of private feeding are many such as a mountain lions coming into town as predators of unhealthy deer which is happening in McCall and other areas where negative interactions with human and pets are occurring. The deer being fed are currently in biological strife.

Council Member Rachel Huckaby asked the Mayor for status of the primary in-town feeding problem that was supposed to stop.

Fish and Game will have an article in this weeks Star News addressing feeding of deer.

CONSENT AGENDA

(Action Item)

Payment approval report through January 20, 2023.

Payroll register report for January 18, 2023.

December 2022 Financials

Approval of meeting minutes for June 13, 2022

Approval of meeting minutes for January 9, 2023

Council Q&A

Q Council Member Rachel Huckaby asked for an update of what projects the contract planner, NW Land Planning, has in the works. Is there a process for choosing future or support contract planners?

A The Mayor will check.

Q Council Member Rachel Huckaby explained to the Council that her verbatim version of Council Speer's motion related to the School sign.

A No questions from Council.

Q Council Member Jason Speer asked about the old invoices on the last reports, i.e., 2007.

A Per Treasurer, these were due to a year end audit.

Motion by: Rachel Huckaby to approve the consent agenda as presented.

Seconded by: Jason Speer

Roll Call	Yes, Denise Tangen,	Yes, Jason Speer
	Yes, Rachel Huckaby	Yes, Ron Brown

Motion passed.

MAYOR'S REPORT

The Mayor shared her "State of the City" address to Council.

Summary of grants received in 2022:

\$391,000.00 LHTAC (Local Highway Technical Council) to continue paving the Strand.
This project also ties in with the City's Mobility Plan for "Safe Route" to school.

\$200,000.00 Idaho Walk / Bike Alliance for an additional hard path from the Cascade Cultural Arts Center with a tie in to the LHTAC projects listed above.

\$363,000.0 from FEMA for the Front St. storm water project.

Pending Sidewalk to Howdy's is still in the design process.

Despite the tragic fire, the City Public Library is back in operation and is a "treasure" for our city.

The Cascade Municipal Airport has a new, part time airport Manager; Mike Arnold.

The City's Facilities Planning Study received the required technical approval.

The water bond was overwhelmingly passed and additional funding is already being sought to lessen the fiduciary burden to rate payers.

Council discussed the February meeting schedule and expectations for Council attendance.

All should be in attendance on 2/13/23.

The meeting schedule for 2/27/23 will not have a quorum.

Council discussed and will reschedule the 2/27/23 meeting to 2/28/23.

EXECUTIVE SESSION

Idaho Code 74-206(1) subsection (f) authorizing the executive session:

(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Motion by: Rachel Huckaby to go into Executive Session

Seconded by: Ron Brown

Roll Call

Yes, Jason Speer
Yes, Ron Brown

Yes, Rachel Huckaby
Yes, Denise Tangen

ADJOURNMENT

Council came out of Executive Session and the Mayor adjourned the meeting at 9:15 pm.