~ AGENDA ~
City of Wilder
City Council Meeting

Monday
November 17, 2008
6:00 P.M.
Wilder City Council Chambers
219 3rd Street
Wilder, Idaho 83676

1. CALL TO ORDER:
2. ROLL CALL:
3. PLEDGE OF ALLEGIANCE:
4. ACCEPT OR AMEND AGENDA:
5. APPROVE MINUTES:
   October 20, 2008 Regular City Council Minutes

6. CITIZENS’ APPLICATIONS, PETITIONS, REPORTS OR REQUESTS:
   A) Kelli Fairless, Valley Regional Transit / Annual Update
   B) Matt Stoll, Executive Director of COMPASS
   C) Bill Pastoor / Westowns Disposal

7. REPORTS:
   A) Chief of Police Dusty Tveidt
   B) Craig Lane, Public Works Director
   C) Paul Stevens, P.E., City Engineer
   D) Bob Pharmer, P.E., Sewer Bond Project Report
   E) Susanna Hancock, Wilder Economic Development

8. PUBLIC HEARINGS: (None)

9. OLD BUSINESS:
   A) TABLED - Civil Dynamics to extend water service to Orchard Springs Subdiv.
      1) Domestic Water Service Agreement with Orchard Springs Estates, LLC
   B) TABLED - Validation of Gigray Avenue as a public street
   C) Solutions to conflicts in Bartender Permit Ordinance (Title 2, 2-2B-5 D)
   D) Discuss Nuisance Abatement Ordinance / Add section to prevent repeat offenders.
   E) Discuss “Disorderly Conduct” ordinance from the City of Caldwell.
   F) Investment Options / Zions Bank (Research report by Attorney Gigray)
   G) Request to adopt resolution by COMPASS: Adopt the 2030 Planning Functional
      Classification Map and Communities in Motion by resolution. (Tabled until after the
      Comprehensive Plan is updated.)
10. NEW BUSINESS:
A) B2008-17 – Annexation of Highway 95 Right-of-Way – **Set Public Hearing**
B) Develop and Implement a written Identity Theft Prevention Program. (Mandate from the Federal Trade Commission to be implemented by May 1, 2009)
C) Approve Collection Agency proposal from Teri Campbell of Collection Bureau, Inc.
D) Approve the *Wilder Street Standards and Development Procedures Manual* *(Reviewed by P&Z Commissioners and sent to Council with a “do pass” recommendation)*
E) Approve “Tree Selection Guide” from the City of Boise as a reference guide for our *Street Standards and Development Procedures Manual*.

F)

11. ORDINANCES and RESOLUTIONS:
A) Resolution #462 / Landscaping and Community Forestry Policy – Adopts the amended *Wilder Street Standards and Development Procedures Manual* to add a new section requiring landscaping and a Community Forestry Policy. *(Reviewed by P&Z Commissioners and sent to Council with a “do pass” recommendation)*
B) TABLED - Bill #B2008-10 / Prohibits Uncovered Loads on Public Roads in the City of Wilder – (Third reading)
C) Draft Resolution / Approve contract with Collection Bureau, Inc.
E) Draft / Public Nuisance Ordinance
F) Draft / Disorderly Conduct Ordinance
G) Draft Amendment / Bartenders License Ordinance

12. APPROVE ACCOUNTS PAYABLE BILLS:

13. REPORTS:
A) City Attorney, Wm. F. Gigray, III
B) City Clerk/Treasurer, Colleen Cook
C) Mayor John F. Bechtel
D) City Council Members

14. MONTHLY FINANCIAL REPORTS:
A) October 31, 2008 Financial Statements & Investment Reports

15. EXECUTIVE SESSION (As Needed for Personnel/Legal Issues - I.C. 67-2345)

16. ADJOURNMENT
The November 17, 2008 meeting of the Wilder City Council was held in City Council Chambers at the Wilder City Hall. Mayor John Bechtel called the meeting to order at 6:00 P.M.

ROLL CALL:
Present were Mayor John Bechtel, Council President Roger Howell, Councilman Robert Rivera, Councilwoman Tila Godina and Councilman Leonard Wilson.

City Staff members present were: City Attorney William Gigray; City Engineer Paul Stevens; City Clerk/Treasurer Colleen Cook; Police Chief Dusty Tveidt; and Sewer Project Engineer Carl Hipwell.

PLEDGE OF ALLEGIANCE:
The Pledge of Allegiance was led by Mayor Bechtel.

ACCEPT OR AMEND THE AGENDA:
City Clerk Colleen Cook asked the Council to amend the agenda by adding two items in Ordinances & Resolutions – item “H” to add a new draft resolution that approves the utility service application forms and item “I” to add a new draft resolution that appoints Wilder representatives to the Valley Regional Transit Board. Councilman Wilson moved to add the two draft resolutions and approve the amended agenda. Councilwoman Godina seconded and the motion passed with all in favor.

APPROVE MINUTES:
The October 20, 2008 regular City Council Meeting minutes were approved as written by a motion from Council President Howell, a second from Councilman Rivera and a unanimous vote in favor.

CITIZEN’S APPLICATIONS, PETITIONS, REPORTS OR REQUESTS:
A) KELLI FAIRLESS, VALLEY REGIONAL TRANSIT / ANNUAL UPDATE:
Kelli Fairless gave an update on the activities and accomplishments of the Valley Regional Transit for this past year. The Five-Year Strategic Plan has been completed. VRT was seeking funding this past year through a Local Option Tax. This failed, so this coming year’s priority will be to continue working on getting funding through the legislature. Ms. Fairless outlined the services that they are providing, as well as, the new services that they are trying to provide. The numbers riding the buses have increased significantly this past year. The Mayor and Council thanked Ms. Fairless for coming.
B) MATT STOLL, EXECUTIVE DIRECTOR OF COMPASS - Mr. Stoll was not able to attend tonight.

C) BILL PASTOOR, WESTOWNS DISPOSAL - Bill Pastoor just wanted to check in with the Mayor and Council members to make sure that they did not have any issues that needed taken care of. Fuel prices were discussed.

REPORTS:

POLICE CHIEF REPORT - Police Chief Dusty Tveidt presented the October Statistical Report in the meeting packets. Chief Tveidt gave the Council a written report from the new Code Enforcement Officer. Chief Tveidt also reported that the new police car is set up and in service. We budgeted $7,500.00 for the car and only spent $6,200.00.

The ordinances that he worked on with Attorney Gigray are finished up and on tonight’s agenda for passage.

Council President Howell asked about dogs at large and the costs to the city. This was discussed.

Council President Howell asked about the bill from Sonny’s Auto. Chief Tveidt said that Unit #4 had a bent tie rod and they had to get it fixed.

PUBLIC WORKS REPORT - Public Works Superintendent Craig Lane sent a written report as he is taking an EMT course and could not be here tonight. Mayor Bechtel read the report:

Parks - Mr. Lane reported that the park bathrooms are closed for the season. There are diseased trees at the park. Mr. Lane would like to get at least one removed this winter as time permits.

Roads and Streets:

Craig Lane has asked Frances Rogers if she would come in and check through the Christmas decorations. He plans to put them up the first week of December.

Sidewalk Project - Mr. Lane said that he still has a few miscellaneous things to finish up on the Sidewalk Project.

Sewer Department - The de-chlorination building is up and the inside needs finished. Mr. Lane is waiting for a head gate to arrive so that the concrete walls in the dechlor basin can be finished.

Water Department - All is well.

Irrigation Department - Public Works will do some maintenance on some of the irrigation boxes and lines this winter.

Kehoe Plaque - Mr. Lane contacted Boise Valley Monument. They can do a 6”X12” granite plaque for approximately $75.00.

New Grade School - City Engineer Paul Stevens and Mr. Lane met with the School’s engineers to go over their construction plans. The School is widening the fire lane at the north end of the High School. Mr. Lane felt that the fire hydrant at the corner of Huff Road may have to be moved to protect it from traffic.

City Engineer Paul Stevens came into the meeting at 6:45 P.M. All in fun, City Attorney Gigray wanted it noted that, for the first time, he was here before Mr. Stevens!
ROBERT PHARMER / SEWER BOND PROJECT REPORT - Carl Hipwell and Jeremy Aulbach attended tonight. Mr. Hipwell handed out copies of the Preliminary Engineering Report on the Waste Water Treatment Plant. These will be distributed to DEQ and USDA Rural Development. The time-line for the sewer grant project was discussed. Mr. Hipwell said that they would like to have bids out and be able to open them in February, 2009.

Mayor Bechtel reported that there will be a planning meeting at Alejandra’s in Wilder on December 4, 2008, with Canyon County, ITD and the Cities of Wilder, Greenleaf and Parma. The County is looking at a triangular area between Highway 26, Highway 95, Highway 19 and the City of Caldwell to create an enterprise zone for development. They will be looking at regionalized water, sewer, road access and economic development issues. Mayor Bechtel thought that Mr. Hipwell might like to attend.

SUSANNA HANCOCK, WILDER ECONOMIC DEVELOPMENT - The minutes of the October 22, 2008 WEDC Meeting were submitted in the Council Packets for this meeting. Susanna Hancock reported that Lori Church is working on a $100,000 Safe Route to School grant that would put sidewalks along Avenue C. The City would have to budget for the engineering fees in their 2010 budget. There is another grant for $25,000 that would provide School Safety Signage.

Mayor Bechtel reported that the School District is willing to donate 15 acres on the northwest corner of their 40 acre parcel to COSSA to aid them in relocating to Wilder.

CITY ENGINEER REPORT - City Engineer Paul Stevens submitted a written report on the following projects:

- Orchard Springs - This project has been postponed for now.
- Street Standards and Landscaping Policy Manual - Mr. Stevens reported that the amendments to the manual for landscaping, trees and ADA sidewalks have been added. The Housing Authority is planning to put in sidewalks on 6th Street and Golden Gate.
- Mr. Stevens had researched fugitive or bad trees. Mayor Bechtel reported that the County and the Cities are working to prevent us from getting into non-attainment of the air quality standards. If we fall into non-attainment, we will have to do vehicle emissions testing for the next 20 years. There are certain trees and sagebrush that add to the ozone problems, so we want to discourage them in our policy.
- Sewer Upgrade Project – Mr. Stevens will review the preliminary engineering report from Pharmer Engineering. Councilman Wilson asked about the city paying two engineers working on the sewer project. Mr. Stevens said that he is just reviewing things in his capacity as our City Engineer.

PUBLIC HEARING: None.

OLD BUSINESS:

A) CIVIL DYNAMICS / EXTEND WATER SERVICE TO ORCHARD SPRINGS SUBDIVISION – LETTER OF INTENT:

City Attorney Gigray reported that he talked to Susan at Civil Dynamics on the Orchard Springs Subdivision and the project is on hold. Attorney Gigray suggested that we take this
item off our agenda. Councilwoman Godina moved to take this item off the agenda. Councilman Wilson seconded and the motion carried with all in favor.

B) **GIGRAY AVENUE VALIDATION AS A PUBLIC STREET:** City Attorney Gigray gave a report on the future legislation that is going to be introduced this year in the legislature to clarify this process. He recommended that we wait until these statutes are amended. Councilwoman Godina moved to take this off of our agenda with Councilman Wilson seconding. The motion passed unanimously.

Items C, D and E have draft ordinances in the *Ordinances & Resolutions* Section, so these items were skipped.

F) **INVESTMENT OPTIONS / ZIONS BANK (Research Report by Attorney Gigray):**

City Attorney Gigray reported on his research. The banks can now insure balances up to $250,000.00. Collateralization agreements were discussed, but neither Attorney Gigray nor Colleen Cook has worked with them in the past. The Council members asked City Clerk Colleen Cook to invite Zions Bank to the next meeting and to get a copy of a collateralization agreement so that she and Attorney Gigray can review it before next meeting.

G) **REQUEST TO ADOPT RESOLUTION BY COMPASS FOR 2030 PLANNING FUNCTIONAL CLASSIFICATION MAP and COMMUNITIES IN MOTION RESOLUTION:**

This was left tabled until after the Comprehensive Plan is updated.

**NEW BUSINESS:**

A) **B2008-17 - ANNEXATION OF HWY 95 RIGHT-OF-WAY / SET PUBLIC HEARING:**

City Attorney Gigray advised that the Council should hold a public hearing at the City Council level for this annexation. A public hearing was scheduled for the January City Council meeting to be held January 13, 2009 at 7:00 P.M.

B) **DEVELOP AND IMPLEMENT A WRITTEN IDENTITY THEFT PREVENTION PROGRAM:**

This is a mandate from the Federal Trade Commission and must be implemented by May 1, 2009. City Attorney Gigray said that he would help us get a policy in place before the deadline.

C) **APPROVE COLLECTION AGENCY PROPOSAL FROM TERI CAMPBELL OF COLLECTION BUREAU, INC.:**

City Clerk Colleen Cook reported that Teri Campbell of Collection Bureau, Inc. contacted her about doing business with the City of Wilder. She sent recommendations from Canyon County and several nearby cities that use their services. Their services are free to the cities. City Attorney Gigray said that the City can use a collection agency or they can use staff time to take delinquent accounts to small claims court. Using a free service would save the city money. The City Clerk reported that we do have several accounts that need to be turned over for collection. City Attorney Gigray had prepared a resolution to approve the contract with Collections Bureau, Inc. and it is listed as item C under *Ordinances & Resolutions.*
D) APPROVE THE WILDER STREET STANDARDS AND DEVELOPMENT PROCEDURES MANUAL:

City Engineer Paul Stevens explained that he has worked with Attorney Matt Johnson to get this manual updated and amended to include the landscaping and the ADA changes. The Planning & Zoning Commissioners have reviewed this and sent it on to the City Council with a “do pass” recommendation. Our manual references the City of Boise’s Tree Guide. Attorney Johnson recommended that our city get permission to use their Tree Guide since it is a copyrighted document. A letter of request was sent to the City of Boise, but we have not received an answer back. City Clerk Colleen Cook asked if she should look through her mail bin to make sure that we have not received an answer back.

At 7:45 P.M., Mayor Bechtel called for a 5 minute break to go look for the letter. Mayor Bechtel reconvened the meeting at 7:52 P.M. and Mrs. Cook reported that she did not receive the letter back yet. The Council decided that we should not proceed until we received written approval from the City of Boise to use the Tree Guide. This item was tabled until the December City Council meeting.

ORDINANCES and RESOLUTIONS:

A) RESOLUTION #462 / LANDSCAPING AND COMMUNITY FORESTRY POLICY: (Tabled until the December 2008 meeting)

B) BILL #B2008-10 / PROHIBITS UNCOVERED LOADS ON PUBLIC ROADS IN THE CITY OF WILDER:

Mayor Bechtel reported that the Canyon County Commissioners have scheduled public hearings on this proposed ordinance. The Council tabled the third reading until the County acts on this proposed ordinance.

C) DRAFT RESOLUTION / APPROVE CONTRACT WITH COLLECTION BUREAU, INC.:

City Clerk Colleen Cook issued #468 to this resolution. This resolution was sponsored by Councilwoman Godina and Mayor Bechtel read it by title. Councilman Wilson moved to adopt Resolution #468 with Councilwoman Godina seconding. The motion carried with a unanimous vote in favor.

D) B2008-18 / AMEND UTILITY BILLING PROCESS AND PAYMENT DUE DATES:

City Clerk Colleen Cook issued Ordinance #544 to this draft ordinance. Councilwoman Godina sponsored it and Mayor Bechtel read it by title. Councilwoman Godina moved to suspend the second and third readings at successive meetings. Councilman Rivera seconded and the motion carried unanimously. Councilman Rivera moved to adopt Ordinance #544 with Councilwoman Godina seconding. A roll call vote was called for:

Howell - yes; Rivera - yes; Godina - yes; and Wilson - yes.

City Attorney Gigray had prepared a resolution to adopt the utility service application forms approved by Ordinance #544. City Clerk Colleen Cook issued Resolution #469 and
Mayor Bechtel read it by title. This resolution was sponsored by Councilwoman Godina. Councilman Wilson moved to adopt Resolution #469 and Councilwoman Godina seconded. The motion passed with a unanimous vote.

E) **DRAFT / PUBLIC NUISANCE ORDINANCE:**

This draft ordinance was issued Bill number B2008-19. Upon reviewing the information that was presented in the packets, it was determined that this has not been put in the correct format for an ordinance. Councilman Rivera moved to put in on next month’s agenda. Councilman Wilson seconded and the motion carried with all in favor.

F) **DRAFT / DISORDERLY CONDUCT ORDINANCE:**

This draft ordinance adds more definitions for disorderly conduct to our Nuisance Ordinance. City Clerk Colleen Cook issued it Ordinance #545 and Councilman Rivera sponsored it. Mayor Bechtel read the ordinance by title. A motion to suspend the second and third readings at successive meetings was made by Councilman Wilson and seconded by Councilwoman Godina. The motion passed unanimously. Councilman Wilson moved to adopt Ordinance #545 with Councilwoman Godina seconding. A roll call vote was taken: Howell - yes; Rivera - yes; Godina - yes; and Wilson - yes.

G) **DRAFT / BARTENDERS LICENSE AMENDMENT:**

City Clerk Colleen Cook issued Ordinance #546. Councilman Wilson sponsored this ordinance and Mayor Bechtel read it by title. Councilman Rivera moved to suspend the second and third readings at successive meetings. This was seconded by Councilwoman Godina and passed with a unanimous vote. A motion to adopt Ordinance #546 was made by Councilman Rivera and seconded by Council President Howell. A roll call vote was taken: Howell - yes; Rivera - yes; Godina - yes; and Wilson - yes.

H) **REPRESENTATIVES TO THE VALLEY REGIONAL TRANSIT BOARD MEETINGS:**

This resolution approves the appointment of Mayor Bechtel as the primary representative and City Clerk Colleen Cook as the alternate to the Valley Regional Transit meetings. The Resolution was given number #470. Councilwoman Godina sponsored it. Councilman Rivera moved to adopt Resolution #470 with Councilman Wilson seconding. The motion passed unanimously.

**APPROVE ACCOUNTS PAYABLE BILLS:**

City Clerk Colleen Cook presented the Accounts Payable Bills for November 2008. Mrs. Cook asked the Council to consider adding the bill for Valuations Northwest. They want half of the cost up front which amounts to $897.50. This is the company that does the inventory and appraisal on our large assets and buildings. Councilwoman Godina felt that we need to go ahead and get this done for insurance purposes. Council President Howell reviewed the bills this month. After review by the Council, Councilman Rivera moved to add Valuations Northwest and approve the November Accounts Payable Bills for $71,056.09. Council President Howell seconded and the motion passed unanimously.
REPORTS:

CITY ATTORNEY - City Attorney Bill Gigray reported that he has completed the letter for our 2007/2008 Audit and it has been returned to Bailey and Company. Mr. Gigray thought that we needed to notify the County about upcoming elections by November 30th. City Clerk Colleen Cook said that she has never had to do this before, so Attorney Gigray will check on it again.

CITY CLERK/TREASURER - City Clerk Colleen Cook thanked the Council for her vacation time off. She had a good vacation.

COUNCIL MEMBER REPORTS:

Tila Godina - Councilwoman Godina thanked the Mayor for doing her bio for our City Website.

MAYOR’S REPORT - Mayor Bechtel reported on a meeting he attended with the Canyon County Commissioners concerning future planning for regionalized sewer and water, transportation and economic development for an area from Caldwell to Highway 95 and Highway 26 to Highway 19. Mayor Bechtel showed a map of this area and explained. The County, the Cities, the Transportation Department and economic development people are all working together to develop a plan for this area. It is wonderful to see all the jurisdictions working together. The next meeting will be December 4, 2008 at Alejandra’s in Wilder. The City of Wilder and Canyon County will share the cost of the lunch.

A memorial fund has been set up in memory of Bob Bushnell. Donations will be sent to the City. Monies received will be split between the Fire District and the City to help fund the City Park and the Fireworks Program.

Mayor Bechtel reported on the Compass meeting. 5% budget cuts are being predicted. Mayor Bechtel reported that Colette Smith can use the Reserve Police car and put “Out of Service” signs on it when she takes paper work into the Canyon County Courthouse.

Painting the City Hall building was discussed. Craig Lane told the Mayor that the building could be sealed before it is painted, which would hold the mortar in place. Mr. Lane will get prices on the sealant. Council President Howell felt that we should hold off on spending the money to paint City Hall.

Mayor Bechtel asked the Council for permission to do Certificates of Appreciation for the people that made major contributions to the construction of the Food Pantry. The Council approved.

Mayor Bechtel reported that our dues for Treasure Valley Partnership are $190.00. This group has entered into a grant program for a federal prosecutor who prosecutes drug and gang crimes committed with guns. This program has saved the County and State approximately $20,000.00 the past year – a good return on our small amount of dues. The next meeting will be on November 24, 2008 at Parma. TVP is trying to get the State to pick up the cost of this program as the grant will be ending. It could save the State a lot of money, but they don’t seem interested.

Mayor Bechtel said that Canyon County’s bill for public defenders runs around $197,000.00 per month.

MONTHLY FINANCIAL REPORTS:

City Clerk/Treasurer Colleen Cook provided the October 31, 2008 Financial Statements & Investment Reports to the Council members for their review.
Mayor Bechtel asked the Council members if we could have a Christmas Party again this year. It was decided that we would invite the same people again. The City Clerk will get this planned.

Having a quorum for next meeting was discussed. The Council members set up a pizza supper for 7:00 to 7:30 P.M. during the next City Council meeting. Councilman Rivera must leave the meeting to coach a ball game. This break in the meeting will allow time for Councilman Wilson to get to the Council meeting after his class is finished and Councilman Rivera to get to his ball game. Otherwise, we will not have a quorum. It was decided that everyone would chip in $5.00 towards the cost of the pizzas.

EXECUTIVE SESSION: (None)

ADJOURNMENT:
Councilwoman Godina moved to adjourn the meeting and as all were in favor, Mayor Bechtel adjourned the meeting at 8:50 P.M.

APPROVED this __________ day of _______________________, 2008.

_________________________________________
John F. Bechtel, Mayor

ATTEST:

_______________________________________
Colleen Cook, City Clerk/Treasurer