



**CASCADE CITY COUNCIL**  
**FIRST REGULAR MEETING**  
**July 8, 2019 at 6:00 pm**  
**Cascade City Hall**

**MINUTES**

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.

Also present: Heather Soelberg City Clerk  
Steve Yamamoto Superintendent  
Amelia Valasek Library Director  
Matt Johnson City Attorney

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**PUBLIC COMMENT**

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

Cynda Herrick – Inquired about the Lakeshore Disposal franchise agreement.

Phil Bennett – Thanked the City for the great job – the roads are looking great and so is downtown.

Mayor Nissula – Mentioned a citizen is concerned about dog off leash on the greenbelt.

**DEPARTMENT REPORTS**

**AIRPORT**

*No Staff Report provided*

**BUILDING INSPECTOR:**

Darryl Shepard introduced himself. The building department issued 8 permits during the month of June and a copy of the report is incorporated hereto.

**LIBRARY:**

Amelia Valasek provided a written report, and is incorporated hereto.

**SHERIFF'S DEPT.**

Sheriff Patti Bolen provided an agency report, and is incorporated hereto. Councilmember Tangen inquired about dog barking nuisances. Mayor Nissula inquired about location references on the activity report. Mayor Nissula inquired about citation notices compared to warnings, Sheriff Bolen stated the Sheriff Dpt does not have ticket quotas, Bolen also identified that the new radar signs should show a decrease in tickets as well. Sheriff Bolen also identified that the 4<sup>th</sup> of July went well from their perspective as well. Discussion regarding parking.

**PUBLIC WORKS:** Steven Yamamoto provided a written report, and is incorporated hereto. Steve provided a brief update on the 4<sup>th</sup> of July – things went smoothly and appeared to be a successful year.

**CLERK/** *No Staff Report provided*

**TREASURER:**

## **PUBLIC HEARING**

### **ANNEX 19-01 – RIVER RANCH ANNEXATION**

Mayor Nissula closed the City Council Meeting at 6:20 pm and opened the Public Hearing. Mayor Nissula asked if there had been any ex-parte contact or if there was any conflict of interest. Councilmember Herrick stated she has a conflict and recused herself from the proceeding. Mayor Nissula identified that she has been unusually involved in the process due to administrative issues at the beginning of the application. Mayor Nissula requested Staff Report

**STAFF** City Attorney provided a historical background on the annexation process to date, as well as a brief update on the application as a whole. City Council was provided a copy of the staff report and a copy of the *unsigned* Finding of Facts. Matt Johnson provided 4 options for the City Council to consider (1) table for a later date; (2) hold and continue the public hearing until a future date; (3) move forward with the public hearing along with acting on the recommendation by staff; and (4) hold the public hearing regarding the annexation and to rule on the annexation, but refrain from making any decisions regarding annexation. Councilmember Tangen recommended moving forward with the public hearing.

**APPLICANT:** Applicant requested that the City not table/continue the public hearing and to make the decision today. Davis inquired what information the City Council might be missing that would preclude the City Council to decide. Davis requested that the City Council limited Public Comment to only annexation. Davis also identified that even if the property was annexed, but was not developed it would be a tax benefit to the City.

**WRITTEN CORRESPONDENCE** Written correspondence was provided by Jonne Hower and was read on the record. Jonne Hower is opposed to the annexation.

**PROPONENT:** Sam Stoddard is in favor of the annexation, provided comments supporting developing of the annexed property. Phil Bennet is in favor of the annexation, and is thankful that it is a local developer interested in developing

**NEUTRAL:** Charles Hower inquired whether or not city services will be provided to the annexed property. Councilmember Bryne requested that staff provided answer. City Attorney stated that city services would be part of the development process, in short services are not committed at the time the property was annexed in a AG (limited services to a

single use.

**OPPOSED:** Karen Belch inquired about the comprehensive plan and how the annexation fits with the comprehensive plan. Concerned that this has not been very inclusive with the public. Has overall concerns with the development and traffic.

**REBUTTAL:** Davis did not have any rebuttal testimony.

**NEW BUSINESS**

**ANNEX 19-01 - RIVER DISTRICT ANNEXATION (aka RIVER RANCH)**

**DISCUSSION:** The Public Hearing was closed at 6:51. Councilmember Tangen and Huckaby do not see why the property should not be annexed as AG at this time. Councilmember Byrne also agreed that there was not reason to not go forward with the annexation, and stated that the Council should move forward with action no. 4 as identified by Attorney Johnson.

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

MOTION APPROVE ANNEXATION 19-01, TO ANNEX THE PROPERTY KNOWN AS RIVER DISTRICT WITH THE DESIGNATION AS AGG., AND AUTHORIZE THE MAYOR TO SIGN.

**DISCUSSION:** Mayor Nissula identified previous property has been annexed in the city, but it was never followed through to be developed.

<b>ROLL CALL:</b>	Tom Byrne	Yes	Rachel Huckaby	Yes
	Denise Tangen	Yes	Cynda Herrick	Abstain

*Motion Passed*

**DISCUSSION:** Attorney Johnson identified that the council made an initial determination, but all land use documents require written decision and that there are statutory requirements, including the need to approve a Findings of Fact. Council moved forward with drafting Findings on the record, with the assistance of the City Attorney to allow for the motion to amend approving the Mayor to sign.

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

MOTION TO APPROVE THE FINDING AND FACTS AS DRAFTED BY PLANNING AND ZONING COMMISSION WITH THE AMENDMENTS AS NOTED BY THE CITY ATTORNEY ARE HEREBY APPROVED FOR FINAL PREPARATION, AND UPON PREPARATION FOR THE REVIEW, AND CONFIRMATION OF MAYOR’S SIGNATURE UPON SUCH REVIEW.

**DISCUSSION:** No further discussion. Cynda Herrick inquired about needing to adopt the Annexation by Ordinance, it was confirmed that the City Council would be adopting an annexation ordinance at a future City Council meeting.

<b>ROLL CALL:</b>	Tom Byrne	Yes	Rachel Huckaby	Yes
	Denise Tangen	Yes	Cynda Herrick	Abstain

*Motion Passed*

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**RESOLUTION NO. 19-11 – DECLARING SURPLUS PROPERTY (LIBRARY)**

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**DISCUSSION:** Mayor Nissula presented Resolution No. 19-11 declaring surplus property.

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

MOTION TO APPROVE RESOLUTION NO. 19-11 – DECLARING SURPLUS PROPERTY OF THE LIBRARY

**DISCUSSION:** No further discussion

**ROLL CALL:**

Tom Byrne	Yes	Rachel Huckaby	Yes
Denise Tangen	Yes	Cynda Herrick	Yes

*Motion Passed*

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**RESOLUTION NO. 19-12 - ADDENDUM TO COOP. AGREEMENT PROJECT NO. A020(635)**

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**DISCUSSION:** Mayor Nissula presented the resolution to the City Council amending the previous approved agreement to add one additional ADA ramp to the grant. Discussion regarding the location of the approved ADA ramps to be completed. Mayor identified that Steve has already been working Granite for the construction.

**MOTION BY:** Tom Bryne **SECOND BY:** Cynda Herrick

MOTION TO APPROVE RESOLUTION NO. 19-12 – ADDENDUM TO COOP AGREEMENT PROJECT NO. A020(635), AND APPROVE THE MAYOR TO SIGN

**DISCUSSION:** No further discussion.

**ROLL CALL:**

Tom Byrne	Yes	Rachel Huckaby	Yes
Denise Tangen	Yes	Cynda Herrick	Yes

*Motion Passed*

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**PHIL BENNETT – 11480 SOUTH MAIN STREET LEASE**

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**DISCUSSION:** Mayor Nissula identified that the City received a second request to rent the building located at 11480 South Main Street. Phil Bennett identified that he would like to move forward with the lease. Councilmember Tangen requested information regarding proposed permanent changes to the space, Bennett stated that permanent changes would not take place until later – only repairs would be taking place. Bennett stated that he would present all permanent changes to the space before the City Council for approval. Bennett further states that he would be required to get a permit that would need to be approved by City Council. Councilmember Tangen reiterated that the Council would like a list of the proposed changes.

**MOTION BY:** Tom Byrne **SECOND BY:** Cynda Herrick

MOTION TO APPROVE A LEASE WITH STARTUP IDAHO EFFECTIVE NOVEMBER 1<sup>ST</sup> WITH

AMENDMENTS RELATING TO ELECTRIC BILLS AND AUTHORIZE THE MAYOR TO SIGN

**DISCUSSION:** Steve Yamamoto inquired about the section currently being used by the Vac. Truck. Yamamoto wanted clarification of what portion of the building is excluded from the lease. Councilmember Tangen identified that Bennett had stated he would be putting a wall separating that space, she would like those proposed changes identified. Discussion and clarification on what the “South portion of the building” means. Mayor Nissula would like clarification of the utilities, recommending that the Idaho Power bill transferred into the tenant names. Mayor Nissula stated that the FAA is currently paying \$2,500 per month. Councilmember Byrne identified that there is a motion to accept the Lease between the City and Bennett. Councilmember Tangen identified that it should have been put out for RFP. Councilmember Herrick identified that this space is to be used as an incubator.

**ROLL CALL:** Tom Byrne Yes Rachel Huckaby Yes  
Denise Tangen Yes Cynda Herrick Yes

*Motion Passed*

**CONTRACT CHANGE ORDER NO. 2 – PROJECT NO. A020(246) PINE STREET**

**DISCUSSION:** Contract Change Order No. 2 to account for the storm drain.

**MOTION BY:** Cynda Herrick **SECOND BY:** Tom Byrne

MOTION TO APPROVE CONTRACT CHANGE ORDER NO. 2.

**DISCUSSION:** No further discussion

**ROLL CALL:** Tom Byrne Yes Rachel Huckaby Yes  
Denise Tangen Yes Cynda Herrick Yes

*Motion Passed*

**CONTRACT PLANNER**

**DISCUSSION:** Tabled until a later date.

**2019-2020 FISCAL YEAR BUDGET**

**DISCUSSION:** Open discussion regarding budget. Discussion regarding administrative staffing.

**MOTION BY:** **SECOND BY:**

**DISCUSSION:**

**ROLL CALL:** Tom Byrne Yes Rachel Huckaby Yes  
Denise Tangen Yes Cynda Herrick Yes

*Motion Passed*

## APPROVAL OF PAYMENT OF BILLS

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

APPROVE PAYMENT OF BILLS ON THE UNPAID INVOICE REPORT DATED JULY 8, 2019  
IN THE AMOUNT OF \$89,938.04

**DISCUSSION:** No further discussion.

<b>ROLL CALL:</b>	Tom Byrne	Yes	Rachel Huckaby	Yes
	Denise Tangen	Yes	Cynda Herrick	Yes

*Motion Passed*

## APPROVAL OF PAYROLL REGISTER REPORT

**MOTION BY:** Denise Tangen **SECOND BY:** Tom Byrne

APPROVE PAYROLL REGISTER REPORT FOR PAY PERIOD ENDING JUNE 22, 2019

**DISCUSSION:** No further discussion.

<b>ROLL CALL:</b>	Tom Byrne	Yes	Rachel Huckaby	Yes
	Denise Tangen	Yes	Cynda Herrick	Yes

*Motion Passed*

## APPROVAL OF MINUTES

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

APPROVE CASCADE CITY COUNCIL MINUTES DATED JUNE 24, 2019, WITH  
CORRECTIONS

**DISCUSSION:** No further discussion.

<b>ROLL CALL:</b>	Tom Byrne	<i>Abstain</i>	Rachel Huckaby	Yes
	Denise Tangen	Yes	Cynda Herrick	Yes

*Motion Passed*

## EXECUTIVE SESSION 74-206(B) PERSONNEL

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

MOTION TO GO INTO EXECUTIVE SESSION PURSUANT TO SECTION 74-206(B)  
PERSONNEL

**DISCUSSION:** City Council exited executive session at 8:40, no decisions or actions  
were taken.

<b>ROLL CALL:</b>	Tom Byrne	Yes	Rachel Huckaby	Yes
	Denise Tangen	Yes	Cynda Herrick	Yes

*Motion Passed*

## MAYOR'S REPORT

No Mayor's Report.

## ADJOURNMENT

### MOTION TO ADJOURN

**ALL IN FAVOR:** Tom Byrne      *Aye*  
Denise Tangen      *Aye*

Rachel Huckaby      *Aye*  
Cynda Herrick      *Aye*

**MEETING ADJOURNED:**

Respectfully submitted and Attested by,

Approved

*Heather M. Soelberg*

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Heather M. Soelberg, Clerk/Treasurer

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Judith R. Nissula, Mayor