

## **CITY OF DONNELLY**

169 HALFERTY STREET  
P.O. BOX 725  
DONNELLY, ID 83615  
TELEPHONE (208) 325-8859 FAX (208) 325-4091

### **City Council Meeting**

**Monday, September 19, 2016 at 6:00 pm**

**Donnelly Community Center**

#### **AGENDA**

#### **ROLL CALL**

#### **PLEDGE OF ALLEGIENCE**

#### **CONSENT AGENDA:**

Vouchers August 11, 2016 through September 16, 2016  
City Council Meeting Minutes – June 27, 2016, July 18, 2016, August 15, 2016, August 29, 2016 & September 6, 2016

#### **BUSINESS AGENDA:**

##### **AB 16-44 Resolution 2016-004 Fee Increase Resolution**

Resolution to adopt Fee Increase effective October 1, 2016 that was noticed and heard at a Public Hearing.

##### **AB 16-45 Ordinance 233, FY 17 Budget Appropriation Ordinance**

Read and Adopt Ordinance 233 effective October 1, 2016

##### **AB 16-46 Propose Changes to the Sign Ordinance**

Review current sign ordinance and recommend changes to P&Z based on discussion.

##### **AB 16-26 Property Located at Jordan / SH 55**

Review opinion letter from City Attorney in regards to disposition of City property.

#### **STAFF REPORTS:**

Clerk/Treasurer Report  
Mayor  
Council

**ADJOURN:** City Council, Monday, October 17, 2106 at 6:00 p.m.

09/16/16  
14:51:55

CITY OF DONNELLY  
Claim Details by Posted Date  
For Claims from 08/15/16 to 09/16/16

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Report ID: AP100V

IFB General Checking

\* ... Over spent expenditure

Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/ Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
1716	12183S	224 AME ELECTRIC INC.	210.00					
	service call to troubleshoot the booster pump 2 vibration							
1	16877	08/31/16 pump house	210.00			51 43400	433	10100
		Total for Vendor:	210.00					
1730	12184S	8 ANALYTICAL LABORATORIES, INC	46.00					
1	38628	08/31/16 water test	46.00			51 43400	560	10100
		Total for Vendor:	46.00					
1741	12185S	192 BIBLIONIX	1,300.00					
1	3568	07/18/16 Apollo Software Service	800.00			21 41100	621	10100
2	3568	07/18/16 Apollo Cafe2	500.00			21 41100	621	10100
		Total for Vendor:	1,300.00					
1689	12158S	14 BOISE OFFICE EQUIPMENT	51.43					
1	941332	08/22/16 maintenance copier	29.83			10 41100	611	10100
2	941332	08/22/16 maintenance copier	12.86			51 41100	611	10100
3	941332	08/22/16 maintenance copier	8.74			52 41100	611	10100
		Total for Vendor:	51.43					
1734	12186S	150 CABLE ONE	72.31					
1	090116	09/01/16 library internet	72.31			21 41100	417	10100
		Total for Vendor:	72.31					
1655	12167M	23 CASH *	171.80					
	petty cash reimbursement							
1	08/12/16	huck trot pies	50.00			10 44100	921	10100
2	07/07/16	Chisham Violation Certified	3.77			10 41100	614	10100
3	07/05/16	Refund for camping	40.00			10 34514		10100
4	07/05/16	refund for camping	40.00			10 34514		10100
5	06/24/16	postage	6.45			10 41100	614	10100
6	06/25/16	check valve for water	26.98			51 43400	710	10100
7	06/22/16	postage	4.60			10 41100	614	10100
		Total for Vendor:	171.80					

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1747	12187S	27 CITY OF DONNELLY - LIBRARY	8,500.00					
1	091516-lib	09/15/16 FY 15-16 Lot Award	8,500.00			15 41100	922	10100
		Total for Vendor:	8,500.00					
1690	12159S	29 CITY OF DONNELLY - WATER	320.00					
1	082516	08/25/16 ddc water/sewer	320.00			10 44300	415	10100
1691	12159S	29 CITY OF DONNELLY - WATER	107.76					
1	082516	08/25/16 library water	107.76			21 41100	415	10100
		Total for Vendor:	427.76					
1745	12188S	41 DONNELLY AREA CHAMBER OF	2,000.00					
1	091516	09/15/16 FY 15-16 Lot Award	2,000.00			15 41100	922	10100
		Total for Vendor:	2,000.00					
1749	12189S	44 DONNELLY RURAL FIRE DEPARTMENT	1,000.00					
Fireworks								
1	091516-dfd	09/15/16 FY 15-16 Lot Award	1,000.00			15 41100	922	10100
		Total for Vendor:	1,000.00					
1644	12131S	48 FRANKLIN BUILDING SUPPLY CO.	5.74					
1	298893	08/11/16 flag holder	5.74			10 42000	900	10100
		Total for Vendor:	5.74					
1649	12132S	49 FRONTIER	73.32					
1	080116	08/01/16 LIBRARY PHONE / FAX	73.32			21 41100	437	10100
1738	12190S	49 FRONTIER	62.19					
1	090716	09/07/16 library phone	62.19			21 41100	437	10100
		Total for Vendor:	135.51					
1657	12191S	55 HEADY'S POWER PRODUCTS	420.00					
1	11780	08/08/16 water pump	420.00			51 43400	433	10100
		Total for Vendor:	420.00					

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1648	12135S	58 HONEY DIPPERS	880.00					
1	65724 07/19/16 boat dock/campground vault cle		880.00			10 44100	451	10100
1731	12192S	58 HONEY DIPPERS	60.00					
1	62968 08/11/16 huck trot toliet		60.00			10 44100	921	10100
		Total for Vendor:	940.00					
1750	1584M 999999 HUCK TROT		500.00					
1	091516-HT 09/15/16 FY 15-16 LOT AWARD		500.00			15 41100	922	10100
		Total for Vendor:	500.00					
1672	12168M	66 IDAHO POWER	33.35					
1	4223-0816 08/16/16 community center		19.34			10 41100	416	10100
2	4223-0816 08/16/16 community center		8.34			51 41100	416	10100
3	4223-0816 08/16/16 community center		5.67			52 41100	416	10100
1673	12168M	66 IDAHO POWER	27.40					
1	0182-0816 08/17/16 library power		27.40			21 41100	416	10100
1674	12168M	66 IDAHO POWER	167.04					
1	0078-0816 08/17/16 street lights		167.04			10 43010	416	10100
1675	12168M	66 IDAHO POWER	10.17					
1	3329-0816 08/17/16 gestrin street light		10.17			10 43010	416	10100
1676	12168M	66 IDAHO POWER	6.74					
1	6560-0816 08/16/16 fire pump		6.74			51 41100	416	10100
1677	12168M	66 IDAHO POWER	84.82					
1	7988-0816 08/17/16 maintenance shop/city hall		49.19			10 41100	416	10100
2	7988-0816 08/17/16 maintenance shop/city hall		21.21			51 41100	416	10100
3	7988-0816 08/17/16 maintenance shop/city hall		14.42			52 41100	416	10100

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1678	12168M	66 IDAHO POWER	207.01					
1	0899-0816 08/17/16 main water system		207.01			51 41100	416	10100
1679	12168M	66 IDAHO POWER	269.54					
1	2555-0816 08/17/16 well power		269.54			51 41100	416	10100
1680	12168M	66 IDAHO POWER	5.25					
1	3291-0816 08/17/16 water supply		5.25			51 41100	416	10100
1700	12168M	66 IDAHO POWER	7.66					
1	9405-0816 08/22/16 kiosk lights		7.66			10 43010	416	10100
	Total for Vendor:		818.98					
1682	12193S 999999 IDAHO STATE DEPT OF AGRICULTURE		31.00					
1	082216 08/22/16 pesticide		31.00			10 41100	551	10100
	Total for Vendor:		31.00					
1684	12169M	202 INCOM	182.81					
1	090116 09/01/16 telephone		106.03			10 41100	437	10100
2	090116 09/01/16 telephone		45.70			51 41100	437	10100
3	090116 09/01/16 telephone		31.08			52 41100	437	10100
	Total for Vendor:		182.81					
1686	12170M	165 LAKESHORE DISPOSAL	488.00					
1	063016 06/30/16 trash collection		488.00			51 41100	414	10100
1687	12170M	165 LAKESHORE DISPOSAL	480.00					
1	073116 07/31/16 july trash collection		480.00			51 41100	414	10100
	Total for Vendor:		968.00					
1719	12194S	79 LAKESHORE DISPOSAL	92.34					
1	23338389 09/01/16 ddc trash		92.34			10 44300	414	10100
	Total for Vendor:		92.34					

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Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
1752	1585M 999999 LOT AWARD		200.00					
1	091516-BD 09/15/16 FY 15-16 LOT AWARD		200.00			15 41100	922	10100
	Total for Vendor:		200.00					
1645	12141S 85 MAY HARDWARE		27.79					
1	850826 08/04/16 huck trot supplies		27.79			10 44100	921	10100
1702	12171M 85 MAY HARDWARE		9.41					
1	852441 08/23/16 community center keys		9.41			10 41100	431	10100
	Total for Vendor:		37.20					
1746	12195S 89 MCPAWS		1,000.00					
1	091516-mcp 09/15/16 FY 15-16 Lot Awards		1,000.00			15 41100	922	10100
	Total for Vendor:		1,000.00					
1720	12196S 225 MECKEL EXCAVATING INC. insulationi disposal		1,074.90					
1	881 08/31/16 container insulation disposal		1,074.90			10 44300	432	10100
	Total for Vendor:		1,074.90					
1701	12172M 153 MOUNTAIN WATERWORKS		250.00					
1	2467 08/31/16 backup water operator		250.00			51 41100	360	10100
	Total for Vendor:		250.00					
1663	12173M 95 NAPA DBA MCCALL AUTO PARTS		7.98					
1	947962 08/19/16 shop supplies - grease		7.98			10 44100	453	10100
1664	12173M 95 NAPA DBA MCCALL AUTO PARTS		24.32					
1	947708 08/18/16 fuel pump dodge		24.32			10 43010	434	10100
	Total for Vendor:		32.30					
1721	12197S 154 NORTH LAKE RECREATIONAL SEWER &		3,200.00					
1	090116 09/01/16 contract		3,200.00			52 41100	541	10100
	Total for Vendor:		3,200.00					

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1693	12198S	104 PRESS IN THE PINES	310.66					
1	6648	08/25/16 campground & day pass envelope	310.66			10 44100	452	10100
		Total for Vendor:	310.66					
1661	12174M	106 PROBUILD	30.38					
1	986383	08/15/16 tennis court ele receipt	30.38			10 44100	450	10100
		Total for Vendor:	30.38					
1735	12199S	999998 RENE WEHRLI	65.44					
1	082316	08/23/16 huck trot donation mileage	65.44			10 44100	921	10100
		Total for Vendor:	65.44					
1743	12200S	115 ROCKY MOUNTAIN SIGNS & APPAREL,	155.70					
1	14447	08/24/16 Pack it in Pack it out sign	155.70			10 44100	451	10100
		Total for Vendor:	155.70					
1652	12201S	199 SHRED-IT	74.18					
1	9411874892	08/09/16 recycle	74.18			52 41100	605	10100
		Total for Vendor:	74.18					
1642	1583M	120 SINCLAIR FLEET TRACK (STINKER)	64.05					
1	123358	08/08/16 blue dodge	37.15			10 43010	481	10100
2	123358	08/08/16 blue dodge	16.01			51 41100	481	10100
3	123358	08/08/16 blue dodge	10.89			52 41100	481	10100
1643	1583M	120 SINCLAIR FLEET TRACK (STINKER)	16.70					
1	126986	08/12/16 small engine fuel	16.70			10 43010	481	10100
1656	1583M	120 SINCLAIR FLEET TRACK (STINKER)	53.90					
1	134791	08/19/16 ford fuel	31.26			10 43010	481	10100
2	134791	08/19/16 ford fuel	13.48			51 41100	481	10100
3	134791	08/19/16 ford fuel	9.16			52 41100	481	10100

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1659	1583M	120 SINCLAIR FLEET TRACK (STINKER)	58.73					
1	119365	08/05/16 ford pickup	34.07			10 43010	481	10100
2	119365	08/05/16 ford pickup	14.68			51 41100	481	10100
3	119365	08/05/16 ford pickup	9.98			52 41100	481	10100
1660	1583M	120 SINCLAIR FLEET TRACK (STINKER)	15.49					
1	127259	08/12/16 mower fuel	15.49			10 44100	453	10100
1714	1583M	120 SINCLAIR FLEET TRACK (STINKER)	68.95					
1	143893	08/29/16 backhoe diesel	68.95			10 43010	483	10100
1715	1583M	120 SINCLAIR FLEET TRACK (STINKER)	36.68					
1	144452	08/30/16 blue dodge fuel	36.09			10 43010	481	10100
2	144452	08/30/16 blue dodge fuel	15.56			51 41100	481	10100
3	144452	08/30/16 blue dodge fuel	10.58			52 41100	481	10100
9900	46692682	08/31/16 rebate	-1.62			10 43010	481	10100
CI	14							
9901	46692682	08/31/16 tax discount	-23.93			10 43010	481	10100
CI	14							
		Total for Vendor:	314.50					
1718	12202S	122 STAR NEWS	924.00					
1	39385	08/31/16 fy 17 budget	535.92			10 41100	530	10100
2	39385	08/31/16 fy 17 budget	231.00			51 41100	530	10100
3	39385	08/31/16 fy 17 budget	157.08			52 41100	530	10100
		Total for Vendor:	924.00					
1729	12203S	219 T.O. ENGINEERS	1,019.95					
		pathways meeting						
1	160057-4	09/07/16 pathways planning	1,019.95			15 41100	922 4	10100
		Total for Vendor:	1,019.95					
1727	12204S	171 VALLEY COUNTY TRANSFER STATION	19.50					
1	26232	09/07/16 bone yard clean up	19.50			10 41100	414	10100
		Total for Vendor:	19.50					



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1617	12157S	142 VERIZON WIRELESS	80.92				
1	9769579803 08/01/16 maintenance cell	46.93			10 41100	436	10100
2	9769579803 08/01/16 maintenance cell	20.23			51 41100	436	10100
3	9769579803 08/01/16 maintenance cell	13.76			52 41100	436	10100
1733	12205S	142 VERIZON WIRELESS	80.92				
1	9771228564 09/01/16 maintenance cell phone	46.93			10 41100	436	10100
2	9771228564 09/01/16 maintenance cell phone	20.23			51 41100	436	10100
3	9771228564 09/01/16 maintenance cell phone	13.76			52 41100	436	10100
	Total for Vendor:	161.84					
1699	12175M	220 WELLS FARGO VENDOR FIN SERV	190.00				
1	65420466 08/21/16 copier lease	110.20			10 41100	612	10100
2	65420466 08/21/16 copier lease	47.50			51 41100	612	10100
3	65420466 08/21/16 copier lease	32.30			52 41100	612	10100
	Total for Vendor:	190.00					
1732	12206S	215 WHITE PETERSON	2,102.84				
1	120266 08/31/16 General Admin Reserach Chg	258.91			10 41100	320	10100
2	120267 08/31/16 Boniminio Violations	1,625.00			10 41100	320	10100
3	120268 08/31/16 BC Saddllery Violation	78.93			10 41100	320	10100
4	120269 08/31/16 Depot Center - Repair Contract	140.00			10 41100	320	10100
	Total for Vendor:	2,102.84					
1703	12207S 999999	WORLD BUILDERS CONSTRUCTION LLC	1,600.00				
1	082616 08/26/16 insulation removal units 1345	1,600.00			10 44300	432	10100
	Total for Vendor:	1,600.00					
1725	12208S	209 YORGASON LAW OFFICES PLLC	45.00				
1	2016-sept 09/01/16 sewer bond	45.00			52 41100	320	10100
	Total for Vendor:	45.00					
	# of Claims	63	Total:	30,682.07			

\*\* This report runs by Claim Posted Date, which is a system generated field that always shows the date on which the Claim was actually posted in the system. If a Claim was cancelled and re-posted, the posted date will show as of the date it was re-posted. \*\*



## City of Donnelly

169 Halferty Street  
P.O. Box 725  
Donnelly, ID 83615  
Telephone (208) 325-8859 Fax (208) 325-4091

### City Council Meeting on Monday, June 27, 2016 at 6:00 pm Donnelly Community Center

#### MINUTES

**Roll Call:** Councilor Stayton, Councilor Minshall, Councilor Davenport, Councilor Getto, Mayor Koch were present. Clerk Hedges present.

Pledge of Allegiance

#### CONSENT AGENDA:

Vouchers May 17, 2016 through June 24, 2016

**Motion by Davenport, 2<sup>nd</sup> by Minshall** to approve Vouchers from May 17, 2016 through June 24, 2016, Motion carried.

City Council Meeting Minutes – May 16, May 23 & June 7, 2016

**Motion by Minshall, 2<sup>nd</sup> by Stayton** to approve City Council Meeting Minutes for May 16, May 23 and June 7, 2016. Motion carried.

#### BUSINESS AGENDA:

**AB 16-26 City Property located at Jordan/SH 55 – Jonathon Fuqua.** Michelle Fuqua came and presented their idea to construct a season ice rink on the property because there is more families moving to the area. Ultimately they would like to have the ice cooled, which would mean that the rink would be built up for the equipment needed underneath. The rink would be approximately 30x60 which would be great for 3 on 3, and open skate. It would hold 10-15 people at a time and there would be sufficient parking on Jordan and along Main Street. During the summer months they would have picnic tables, horse-shoes et, but no master plan for summer as of yet. Ms Fuqua asked if the City would be interested in selling their lot in the corner or a land trade/swap. Councilor Stayton said it would be great place for a bus stop and that the property is not worthless to the City.

City Attorney, Jay Kiiha will look at long term lease options. City would need to place a value on the property to do any kind of sale, lease or swap. Michelle also stated that there may be some issues with the City's property. City will look into some options.

**AB 16-32 Ordinance Violations – Attorney Jay Kiiha**

Mr. Kiiha handled all of the violations for Valley County. Most of the cases would come to a plea bargain. Some would pay small fines and then go through Criminal violations and civil suits. Violations of an ordinance are common law suited. Sometimes they would assess the damage, which would have to get an attorney, so the risk is low to the City and expensive on the owner. No one wants a law suit, so the City can clean up and then charge the homeowner.

Mayor Koch stated that a blanket policy could be a lot of attorney fees, so it would be important to stay on top of it and stay in compliance. The City will incur these legal fees. This needs to be for everyone.

#### **AB 16-09 Ordinance #231 Idaho Power Franchise Agreement**

Adopt Ordinance 231 Idaho Power Franchise Agreement.

**Motion by Davenport, 2<sup>nd</sup> by Minshall**, pursuant to Idaho Code Section 50-902 that the proposed ordinance 231 pass its first reading by title only. Roll Call Vote: Stayton (Yes), Davenport (Yes), Minshall (Yes), Getto (Yes). Motion carried.

**Motion by Davenport, 2<sup>nd</sup> by Stayton**, pursuant to Idaho Code section 50-902, that the rule requiring ordinances to be read on three different days with one reading to be in full to be dispensed with and that proposed ordinance No. 231 be considered read, passed and adopted after being read by title only.

Clerk Hedges then read Ordinance 231 by title only.

Roll Call vote: Stayton (yes), Davenport, (yes), Minshall (yes), Getto (yes) Motion carried.

#### **AB 16-24 Resolution 2016-003 Authorizing Resolution – Drinking Water Planning Grant**

**Motion by Davenport, 2<sup>nd</sup> by Getto** to approve Resolution 2016-003, authorizing Mayor Koch to sign all documents regarding the Drinking Water Planning Grant. Motion carried.

#### **AB 16-25 Pump Park – Clean up and Controlled Burn**

Brad Backus contacted clerk and asked for permission to clean up and burn the area around the pump park. Council agreed that this would be good to get done. Clerk to inform Mr. Back to contact the Fire Department prior to any burning or clean up.

#### **AB 16-27 Proposed City Fee Increase**

City Clerk provided a list of fees from 2012 to the City Council and suggested that the fees be reviewed for an increase at the next Fiscal Year. The increase would 5% with some not changing at all and adding a few new fees. Council agreed to publish for public hearing with the changes.

#### **AB 16-28 Local Option Tax Committee / City Council**

Clerk indicated that they Local Option Tax Committee is hard to get together and since the City Council makes the decision would they take over listening to the presentations before deciding. Council agreed to do this in July.

**AB 16-29 Proposed Capital Improvements**

Clerk and Public Works put together a list of capital improvements for the next 5 years. Council reviewed and asked for the list in need order at the next City Council meeting.

**AB 16-30 Trash & Porta Potty Boat Dock / Campground 4<sup>th</sup> of July**

It was proposed to have a dumpster and additional toilets located at the boat docks during the 4<sup>th</sup> of July weekend. Council approved the dumpster but did not feel that the toilets were necessary.

**AB 16-31 West Central Mountains Leadership Academy**

Clerk presented the opportunity to attend the leadership academy in McCall. Councilor Stayton asked what benefit would the City have for the Clerk to attend. Item was discarded.

**AB 16-33 Street Light Conversion to LED**

It was proposed to have the downtown street lights converted to LED to save energy and the labor to change the light bulbs. Idaho Power offers an incentive to any business to convert to the LED. Council asked for the amount that the City would save to spend this amount to change out. Council asked Clerk to research and provide additional information.

**Adjourn at 8:43 p.m.**

**Motion by Davenport, 2<sup>nd</sup> by Stayton** to adjourn until our next regular City Council meeting on July 18, 2016. Motion carried.



## City of Donnelly

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P.O. Box 725  
Donnelly, ID 83615  
Telephone (208) 325-8859 Fax (208) 325-4091

### City Council Meeting on Monday, July 18, 2016 at 6:00 pm Donnelly Community Center

#### MINUTES

Pledge of Allegiance

**Roll Call:** Councilor Stayton, Councilor Minshall, Councilor Davenport, Mayor Koch were present. Councilor Getto arrived at 6:15 p.m.

Public Comment: Eric Engberg requested that the City does not provide a dumpster at the boat docks during the 4<sup>th</sup> of July. People from Dawn drive were using it for their own personal uses and it became a public dumping ground overflowing with household trash etc. Suggest placing pack in, pack out signage or policy going forward. Most people do not have any issues with hauling their own trash. Also inquired on the lake wall repair.

Barry Johnson – asked how the City is able to enforce their Ordinances and if the City has money to fight them.

#### CONSENT AGENDA:

**Motion by Minshall, 2<sup>nd</sup> by Davenport** to approve Vouchers from June 27, 2016 through July 15, 2016, Motion carried. Attorney fees included the Ordinance Violation.

June 27, 2016 minutes were tabled until the next meeting.

#### PUBLIC HEARING:

**AB 16-27 Proposed City Fee Increase** – public hearing was published in the Star News on July 7 & July 14 to ask for public comment on the proposed City Fee increase effective October 1, 2016.

Opened at 6:13 p.m.

Callie Smith - owner of the Fly Trap Antiques – She has knowledge of the ordinances but was unaware of the sandwich board ordinance. Business owners like to see the walking traffic but are still struggling. Many are concerned about the cost of the signage. Hoping when ordinances are up to be viewed that there is a way to notify the businesses through email. Would be willing to set up an email list. Most people didn't know that there were fees

associated with the sandwich boards. Would like to see the businesses grow conservatively and in a manner to allow them to be informed.

Barry Johnson – Has been in the area for a long time, and has been the president and vice president of the Donnelly Chamber. When they first heard about the fee increase he walked around to the businesses and no one knew about the meeting. The business owners didn't know about the ordinance nor the fee. Many of these businesses need to be notified. This all starts in a small nucleus and is bureaucracy, it is starting to bother many people. Sometimes people sit around and just think that they need more ordinances. The City should represent the community. The town is starting to come alive now like it was before Tamarack. There are more people in town and all over. Not one person has an issue with the sandwich boards. They are not dangerous and what reason does the City want to begin charging for the sandwich boards. There are no problems for handicap or wheelchairs. The signs are quaint colorful and pulled in to the business when not open. Crouch has a lot of sandwich boards all over and is growing. All the struggling businesses do not need another fee. What was the criteria for this? Has anyone fallen or has anyone been hurt? Would like the ordinance be rescinded. Just harming businesses and costing more money. If we had more time a petition would have been done or at least it will if continued. He does not support the sandwich board petition.

Jill Layton - against the fees and sandwich boards.

Randy Priest - Council should support the businesses and on the verge of getting the new businesses established. Something down inside that doesn't feel good about the decisions.

John Lance - Lives off of Payette and works at Donnelly Club. There are a lot of business expenses and then there is another. It is harder to keep floating. Every little expense takes away from the business and it is hard to try to keep open for the winter. Were closed during April so that they wouldn't lose more money than keeping open. These extra fees don't sound like much but keep adding up. Signs help keep people into the doors and helps get more sales and tax revenue back into the City.

Ed Robinson - Lives on Halferty – His first issue is the width of the sidewalk. It is huge and has trees and lamp posts and has a larger area to walk on and a sandwich board is no more intrusive than the lamp post and tree are. There are houses for sale in town and if they saw the businesses were flourishing they would stop. There are still more places empty. Just like the gas station.

Ava Robinson - has not been involved in the businesses since living in Donnelly. She is in agreement with John Lance. The small businessman is raped and pillaged by the government. Would like to know the mindset of the city council on every thought they have to help improve the property instead imposing more fees. There are a lot of fees and it costs more to improve property in order to do more things with the businesses and homes.

Dale Fletcher – Owner of the Donnelly Club, said there is the business next to him and if there wasn't a sign out there they wouldn't be seen that they are open. Business on the side of the road and nobody sees their business. It won't hurt them because they can put the sign on their

property. But other people it would hurt them. When Randy puts his sign out they know that they are there. Maybe put stop lights at the 3 intersections to stop people or slow them down.

Emulate - The fee for the sandwich signs goes toward staff, does the City have a grant writer. Would the city be able to find these funds? First year for the commercial.

Eric Engberg - Ask him about the ITD sandwich board in their right of way. Says we are taxing an illegal item.

Bart Chisham - Purchased BC Chisham Saddlery, walk over to get businesses license and it was mailed to Jerome when his business is just across the street. Since he has been here the City has been impersonal.

Carol & Dennis Amburgy – (written) I live in the City limits of Donnelly and am against the City imposing sandwich board fees and for petes sake yard sale signs. I am also against you taking part of the Huckleberry Festival vendor fees. I want you to encourage and figure out how to promote business coming to this town. We need it!

Susan Dorris – (written) There is a hearing tonight to discuss banning or requiring a fee for sandwich board signs on the city sidewalk. As an owner of a business on Main Street in Donnelly, I would like to weigh in on this discussion. Obviously, sandwich board signs that are in the main walkway o the sidewalk are a nuisance and an obstacle course for the handicapped trying to shop downtown Donnelly. However, sandwich board signs that are between the trees (not in the main clear space of the sidewalk) are clearly informative and not an obstacle for pedestrian traffic. Local storefront businesses have a difficult time surviving in our very seasonal environment. Adding another burden or fee is not what Donnelly should be doing. The city already collects a portion of every business sale in the form of Local Option Tax. Reducing a business' ability to attract customers is counter-productive to the City's income and the business' ability to survive. Additionally, the businesses in the city already subsidize the residents' sewer and water bills by paying higher rates. We do not need an additional burden, regardless of how small it is.

Charles Hunter – New business owner in town. Setting up shop at the old West Mountain Grille hoping to open soon. Looking forward to meeting everyone and getting to know people.

No further comments.

Closed: 6:52 p.m.

## **BUSINESS AGENDA:**

### **AB 16-27 Proposed City Fee Increase**

Davenport is willing to forgo the fee for the sandwich boards. There are costs to enforce the codes. Stayton would like to also forgo. Koch would like the permit to still be issued, however it not requires a fee. Minshall said there should be some regulation even though the permit is free. Staff will draft guidelines for the sandwich board permit.

**Motion by Davenport, 2<sup>nd</sup> Getto** to approve the City Fee increase effective October 1, 2016 with the exception for the sandwich boards – stating there will be no fee association to the permit, however guidelines for the permit will be set. Motion carried.

**AB16-28 Local Option Tax Committee / City Council Presentation of Local Option Funding Applications.**

**Jennifer Dunmar – Little Ski Hill** Buses kids from Donnelly Elementary to Little Ski Hill daily during the winter. There are approximately 36 to 17 daily riders just from Donnelly school. This program helps get kids outdoors and even helps families keep daycare expenses down. The program is for 7 weeks. The bus allows any child to ride for free, some kids receive scholarships and last year that was 6 just from Donnelly. They have a sponsor a skier program which goes to a large pool and try to help kids attend, staffing, insurance and training.

**Paul Vawter – Donnelly Fire Department Fireworks** Asked for \$5,000 for the fireworks. This is solely for the fireworks. Every dollar goes toward the fireworks, all the time, prep, etc is done by volunteers. The timeline is good and is feeling good for the price with the support of the chamber, donations and lot funds.

**Treasure Valley Transit** Asking for \$7,000 and has an extra 2,000 for a bus match. The green line is way pass its expiration date with the mileage. The fares that they received cannot be used as a match amount. There is no state funding available. They get their funds through federal funding. Smaller bus was considered but since the ridership varies it would be harder. Sometimes they need a larger capacity and sometimes less. It has good ridership.

**Rebecca Wallick – McPaws** asking for \$3,000 that would go to the healthcare expense for the animals. Only 10% comes from the Donnelly area, not sure the exact number within the City limits. Currently seeing fewer dogs but more kittens and cats which seems to be a larger expense. More expenses going just towards cats. Donnelly area encompasses where they are coming from is just where the people say they live.

**City Clerk** – presented several capital improvements, maintenance, recreation, and improvements throughout the City.

Lot awards reflected on attached spreadsheet.

**Motion by Davenport, 2<sup>nd</sup> Stayton** to approve the local option tax awards for FY 2017. Motion carried.

**AB 16-29 Proposed Capital Improvements**

Clerk provided a list of Capital Improvements with rankings to council for their information.

**AB 16-34 Lakeshore Disposal Service Agreement**

Clerk presented the customer service agreement to council. Council determined that we need a full contract and will wait until they provide this.



**AB 16-35 Temporary Vendor – Farm & Flower Market – Holly Houston**

Clerk presented potential temporary vendor that will be selling fruits and vegetables. She will be set up at the old Food Pantry. The permit is for 6 months

**AB 16-26 Surplus Offers Below Minimum Bid**

The city received two bids below minimum. Received \$500 bid on Snow Blower (\$700) and \$100 on Sickle Mower (\$500)

**Motion by Minshall, 2<sup>nd</sup> Getto** to accept the lower bids on the Snow Blower and Sickle.  
Motion carried.

**STAFF REPORTS**

New businesses in town, Pinecreek furniture and restaurant at the old West Mountain Grille site. Will open in August. Street lights are beginning to get retrofitted with LED, just waiting on Idaho Power incentive. Roads will not be closed for the parade this year.

**ADJOURN:**

**Motion by Davenport, 2<sup>nd</sup> by Getto** to adjourn at 8:57 p.m. until August 15, 2016.

Adopted: \_\_\_\_\_  
Mayor, Brian Koch

\_\_\_\_\_  
Clerk, Cami Hedges



## City of Donnelly

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### City Council Meeting on Monday, August 15, 2016 at 6:00 pm Donnelly Community Center

#### MINUTES

**Roll Call:** Councilor Stayton, Councilor Minshall, Councilor Getto, Councilor Davenport, and Mayor Koch were present. Quorum exists. Clerk Hedges was present.

Pledge of Allegiance

#### CONSENT AGENDA:

Motion by Stayton, 2<sup>nd</sup> by Getto to approve the Vouchers dated July 28, 2016 through August 11, 2016. Motion carried.

Motion by Minshall, 2<sup>nd</sup> by Stayton to table the July 18, 2016 and June 27, 2016 minutes until the next regularly scheduled meeting. Motion carried.

#### BUSINESS AGENDA:

##### **AB 16-37 Stinker Station Signage Appeal**

Steve Watts and Charlie Jones from Stinker provided a presentation of the signage plan to work through. As the convenient store provides services to residents and guests building signage is needed. Currently the building looks unfinished to customers. They feel the canopy is important and it was built larger to withhold the snow load. The canopy also features the standard Sinclair branding and is scaled to the canopy size. The lighting assists with the safety of the customers, allowing after hours fueling and people feel safer than a dimly lit area. Most cities do not consider the canopy in the total square footage as signage, however Donnelly sign code does. More people stop at the business, therefore allowing them to visit other businesses in town as well. The old building and signage was calculated using the frontage and the side of the building, however the recent application only used calculated the frontage. If they are able to use both the signage would work better. Also the zoning regulations allow for 25% of signage on the awning which by definition the canopy would fall under an awning which would not be included in the square footage calculation. They are also willing to reduce the free-standing signage to 98 square feet from 128 square feet, making it smaller and less busy.

With the current building's frontage and East side of the building, it would allow for 380 sq. footage of signage. The proposed changes to the free-standing signage would reduce the overage square footage. They feel that the lower signage can actually be a safety hazard at that corner due to traffic and the amount of snow that they City receives.

Council Discussion:

Davenport and Minshall both indicated that the new free standing sign looks less cluttered and the canopy is pretty much set and cannot be changed.

Koch asked how much square footage would they be over the current zoning requirements?

Watts – if using the old calculation (front and side) they would be 56 sq. feet over.

Jones – The canopy is included into the sq. footage. If the canopy was considered an awning it would be excluded from the calculation. Also there are several inconsistencies in how the City has calculated their sq. footage allowed, and what is enforced.

Koch – what do they think they want? The variance request was okayed by the city Attorney and believes that the City should revisit the signage ordinance.

Getto and Minshall – There is a concern when driving on Roseberry and turning. Would not be able to see if the sign was lower. It also looks cleaner and not so busy.

Stayton – Is there a justification to grant the variance with the proposed signage plan. The sign ordinance is not consistently applied or interpreted.

**Motion by Davenport, 2<sup>nd</sup> by Getto** to approve Stinker Station signage appeal with the proposed 379.2 sq. footage by using the frontage and side calculation. Motion carried.

**AB 16-38 FY 2017 Proposed Budget**

Council Discussion: Remove the depreciation from the Sewer Fund budget. Also verify the cash carryover prior to the public hearing.

**Motion by Minshall, 2<sup>nd</sup> by Davenport** to approve the tentative proposed budget for Public Hearing on August 29, 2016 at 6:00 p.m. Motion carried.

**Mayor Koch would like to request to Amend the Agenda to include an Executive Session as per Idaho Code 74-206 (1) (f).**

**Motion by Minshall, 2<sup>nd</sup> by Stayton** to amend the agenda to include Executive Session as per Idaho Code 74-206 (1) (f) Communicate with legal counsel regarding pending/imminently likely litigation after staff reports. Motion carried.

**AB 16-39 New Water Well Planning**

Clerk presented a time line for a possible new well, back-up power, and service lines throughout Donnelly. Council would like to see a snap shot of our current system and speak to the Engineer and Public Works on the water lines, issues, shut off valves etc. Clerk will request their presence at the next City Council meeting on August 29<sup>th</sup>.

**AB 16-40 New Flow Meter Installation**

Council would like to wait until they speak to the Water Engineer and Public Works in regards to this.

**AB 16-41 Depot Center Repairs**

CTR has resigned as the contractor for the repairs as it has become a larger issue than first thought. ICRMP was notified and has sent out their own Engineer to review the damage. The damage is consistent with water damage; they have asked the City how much they are able to commit to the repairs. They have also asked the City to have all of the ceiling insulation removed as soon as possible to have their engineer and insurance adjuster review the extent of the water damage. City council discussed the amount in savings for depot repairs and maintenance.

**Motion by Davenport, 2<sup>nd</sup> by Stayton** to commit \$25,000 to ICRMP for the repairs of the water and roof damage. Motion carried.

**Staff Reports:**

City Clerk reported that she will be attending the Clerk training in Idaho Falls in September. Also discussed the airport maintenance and mowing schedule. Will look into regulations on grass height, maintenance etc. The retro-fit of the street lights is currently on hold as more research was done the Idaho Power owns the lights on Main Street. The City only pays for a flat rate of electricity. Kurtis from Idaho Power is looking into this issue at this time and we will hear back from him.

**Executive Session: As per Idaho Code 74-206 (1) (f) Communicate with legal counsel regarding pending/imminently likely litigation.** Roll Call Vote: Stayton (yes), Davenport (yes), Minshall (yes), Getto (yes)

Entered Executive Session at 8:07 p.m.

Exited Executive Session at 8:32 p.m.

**ADJOURN:**

**Motion by Davenport, 2<sup>nd</sup> by Getto** to adjourn at 8:33 p.m. until the Special City Council Meeting, August 29, 2016.

Adopted: \_\_\_\_\_  
Mayor, Brian Koch

\_\_\_\_\_  
Clerk, Cami Hedges



## City of Donnelly

169 Halferty Street  
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# Special City Council Meeting on Monday, August 29, 2016 at 6:00 pm Donnelly Community Center

## MINUTES

**Roll Call:** Councilor Stayton, Councilor Minshall, Councilor Davenport, Mayor Koch were present. Councilor Getto teleconferenced. Clerk Hedges also present.

Pledge of Allegiance

### **PUBLIC HEARING:**

**AB 16-42 FY 17 Tentative Budget** – public hearing was published in the Star News on to ask for public comment on the tentative FY 17 Budget October 1, 2016.

Opened at 6:11 p.m.

Against: **Gene Tyler** - property owner. Library we are budgeting \$23,594, which is \$172 per citizen. We have better needs for the city to use their money for. We need a backup well and need to put as much money away as possible to help fund this project. Allocating this amount is very high to put toward the library. Over 3 years it is more like \$445 per citizen. We need water before a library. We need to allocate toward this. There are more things that the City could do to help the citizen's. For example, allow WIFI to all residents. This would allow them to access information via the internet. This amount would be better for the well instead of the funds going to the library.

For: Rene Werhli - the surrounding area uses the library.

Neutral: None

Close the public hearing at 6:10 pm.

### **BUSINESS AGENDA:**

#### **AB 16-42 FY 17 Tentative Budget**

**Motion by Davenport, 2<sup>nd</sup> by Getto** to approve the FY 17 Budget effective October 1, 2016.  
Motion carried.

**AB 16 -39 New well Planning (Bond)** – Mike Woodward, Tim Farrell and Warren Drake from Mountain Waterworks. Currently Mountain Waterworks is working with the water system to identify specific needs as the current water system goes. Couple of high priority needs. New well, upgrading existing

water lines that are comprised of 2" to 4" lines. These are the ones to be replaced. Upgrading well and distribution system.

The bond would provide new well, well house, include enough in the bond to do all of the 4 in and as much as the 2" throughout the city. All valves would be matched. The city is currently on a grid system but would look at how things would work correctly. Strategic placement and there would also be backup power. Isolation valves. Communication with the well, improve the current well house and to bring it to current standards. The master plan prioritizes what the needs are.

Councilman Stayton asked what is required legally by the City. It is possible that the City is grandfathered in which is ok to have one well. Once a new well comes on then it would be required to have the redundancy. Well built in 1992 well pump much longer. What would happen if the well went out? What is the current system?

Mike Woodward, stated that the pump testing has not been done as there is not a flow meter. As for the pump capacity from 1992 it looks as that it is okay and it is possible that there is not any capacity problem. New well could have better capacity. (Lose transmission, well pump, if the well collapses this would be an issue (catastrophic). What is the life expectancy of a well? Planning 40-60 years.

The current well would not meet current day standards.

Quality water, testing from public health there are no problems. There may be taste, lines, etc. Flushing the system helps a lot. There are no guarantees in this area that there could be a way from the iron, smell, etc. Testing would be done and water quality samples. Current well is at approximately at 522 ft. The current well would become the backup well. This would meet the redundancy.

Council: Do you foresee any costs for the homeowners? Mountain Waterworks: Homeowner would be responsible for improvement from the meter.

Councilor Davenport: Do you see the new housing development coming in hurting the current well in place? Mountain Waterworks: This would be a small demand increase but it would be better having a backup well.

Funding: The facility plan is not completely finished but working on. 1.2 million project. Bond election for up to 1.2 million. Secure grant funding through USDA and Dept. of Commerce. Build the project around the affordability to the community. What can the community afford? What do they really want to do to upgrade the system.

Council: If we were putting off the bond for years to come. Would there be more funding at a later time? Mountain Waterworks: Future is unknown. Currently a good funding source time frame. At a low to moderate income community helps with funding, interest rates lower. In the future there will be more funding competition, making funding harder.

Council: Could you get a new well and then put the lines in later? Mountain Waterworks: The city needs to get some skin in the game. So they want to see everything at a time. It could be possible if the community was not ready for the rate increase, but not recommended.

Councilor Davenport would like to present to the public. Councilor Minshall stated that if we don't have a backup well it could be days or weeks without water. Councilor Stayton has hesitation, as that there has not been any public input and do not think they will go for it. Thinks May would be better, so that

there is more time to do education etc. Mayor Koch believes that 3 months is enough time to educate, if we hold enough meetings and educate people. Presentation with pictures. This is why we need this... Show pictures, examples of the current issues and asks that the Public Works keep items to show the residents.

Clerk stated that the City Council would need to hold a special meeting to adopt an ordinance approving a bond approval be put on the November 8<sup>th</sup> ballot. Council will hold the meeting on September 6<sup>th</sup> at 5:30 p.m.

**Motion from Minshall, 2<sup>nd</sup> by Davenport**, to place bond on the November 2016 ballot for water system improvements. Getto yes, Stayton no. Motion carried.

**AB 16-40 New Flow Meter**

Mountain Waterworks stated that if the well pump is not running it is possible that the chemical pump was injecting. It would be possible that the distribution of the chemicals in a big push. A flow meter would detect if the pump was flowing water. It is a safe guard. There is a potential to happen. This would also know how much water was coming into the system. Indicates the need if there is a revenue loss.

**Motion by Davenport, 2<sup>nd</sup> Stayton** to approve the purchase and installation of a new flow meter in the Pump House. Motion carried.

**ADJOURN:**

**Motion by Minshall, 2<sup>nd</sup> by Davenport** to adjourn at 8:01 p.m. until the Special Meeting on September 6, 3026 at 5:30 p.m. Motion carried.

Adopted: \_\_\_\_\_  
Mayor, Brian Koch

\_\_\_\_\_  
Clerk, Cami Hedges



## City of Donnelly

169 Halferty Street  
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# Special City Council Meeting on Tuesday, September 6, 2016 at 5:30 pm Donnelly Community Center

## MINUTES

**Roll Call:** Councilor Stayton, Councilor Minshall, Councilor Davenport, Councilor Getto and Mayor Koch were present. Administrative Clerk Wehrli also present.

Pledge of Allegiance

### BUSINESS AGENDA

#### AB 16-43 Ordinance 232 Water System Bond

Adopt Ordinance 232 in order to place a Water System Bond on the November 8<sup>th</sup> Ballot.

**Motion by Minshall, 2<sup>nd</sup> by Davenport**, pursuant to Idaho Code Section 50-902 that the proposed ordinance 232 pass its first reading by title only. Roll Call Vote: Stayton (No), Davenport (Yes), Minshall (Yes), Getto (Yes). Motion carried.

**Motion by Davenport, 2<sup>nd</sup> by Minshall**, pursuant to Idaho Code section 50-902, that the rule requiring ordinances to be read on three different days with one reading to be in full to be dispensed with and that proposed ordinance No. 232 be considered read, passed and adopted after being read by title only.

Minshall then read Ordinance 232 by title only.

Roll Call vote: Stayton (no), Davenport, (yes), Minshall (yes), Getto (yes) Motion carried.

### ADJOURN:

**Motion by Davenport, 2<sup>nd</sup> by Minshall** to adjourn at 6:01 p.m. until the Regularly Scheduled City Council Meeting on September 19, 2016 at 6:00 p.m. Motion carried.

Adopted: \_\_\_\_\_  
Mayor, Brian Koch

\_\_\_\_\_  
Clerk, Cami Hedges



**DONNELLY CITY COUNCIL****AGENDA BILL****Number****AB 16-44****Meeting Date 09/19/16**

169 Halferty Street

Donnelly, Idaho 83615

**AGENDA ITEM INFORMATION*****SUBJECT:******Resolution 2016-004******Fee Increase Resolution******Department Approvals******Initials******Originator  
or  
Supporter***

Mayor / Council

Clerk/Treasurer

Public Works

***COST IMPACT:******FUNDING******SOURCE:******TIMELINE:******SUMMARY STATEMENT:***

Authorizing the increase in fees. Public hearing was held and noticed.

***RECOMMENDED ACTION:*****RECORD OF COUNCIL ACTION*****MEETING DATE******ACTION***

**CITY OF DONNELLY**  
**RESOLUTION NUMBER 2016-004**

WHEREAS, City of Donnelly has the authority to periodically review fees, pursuant to City Ordinance No. 182 and may be changed by resolution.

WHEREAS the City Council has, following duly noticed public hearing, determined the need to set new fees for City services.

WHEREAS the schedule of fees is attached to this Resolution.

NOW THEREFORE in order to address the foregoing concerns,  
IT IS HEREBY RESOLVED by the City of Donnelly as follows:

- 1) City service fees (except Water/Sewer/Trash-no increase) will increase by 5%,
- 2) All new non-owner residents will be required to pay a \$100 deposit on their Water/Sewer/Trash bill. After 1 year of good payment history, the deposit will be credited to the account.
- 3) The temporary vendor fee is \$25 per day or \$300 for 6 months. A vendor fee for the Huckleberry Festival is \$20 for the weekend.
- 4) Library membership for resident's within the City limits was changed to \$15 for family, \$5 for individuals and free to those over 60 years of age.
- 5) All rates are effective October 1, 2016
- 6) PASSED AND approved by a majority of a quorum of the Donnelly City Council on the 19<sup>th</sup> day of September 2016.

CITY OF DONNELLY

\_\_\_\_\_  
Brian Koch, Mayor

ATTEST:

\_\_\_\_\_  
Cami Hedges, City Clerk



**CITY OF DONNELLY**  
 169 HALFERTY STREET  
 PO BOX 725  
 DONNELLY, IDAHO 83615  
 TEL: 208-325-8859, FAX: 208-325-4091

**Title Description**

**Effective**

<b>Land Use Planning</b>		<b>10/1/2016</b>
Pre-application Meeting (one hr. maximum)		88.00
Request for Verification or Information Letters From Professional Staff	\$ 26.19 plus time as contracted by city	
City Attorney Review Time	As per hour charged by City Attorney	
Other Professional Review Time	As per hour as charged by said professional	
Appeals		110.00
Extension of Time		110.00
Request for Formal Waiver of Conditions (other than Conditional Use Permit)		110.00
Preliminary Plat		605.00
	Plus \$22.00 /lot, etc.	22.00
Final Plat		16.50
Preliminary Planned Unit Development		770.00
	Plus \$22.00 /lot, etc.	22.00
Final Planned Unit Development		16.50
	per lot,etc.	
<b>Annexation</b>		
1 acre or less		330.00
1 acre to 50 Acres		660.00
More than 50 Acres		1,100.00
Zoning Certificate		16.50
Zoning Over one Acre		495.00
	plus \$ 22.00 per acre	22.00
Rezone		385.00
	plus \$22.00 per acre over one acre	22.00
Rezone with a Development Agreement		385.00
	plus \$ 22.00 per acre over an acre plus other fees as per professional rates	22.00
Development Agreement		500.00
Zoning Code Text Amendment		440.00
Flood Plain Development Plan Permit		440.00
Flood Plain Review of Certificate		33.00
Comprehensive Plan Change		880.00
<b>Conditional Use</b>		
Conditional Use Permit (CUP)		330.00
	Plus \$11.00 /unit, etc.	11.00
Modification of CUP		110.00
Extension of CUP Request		83.00
Day Care Center Request		55.00
Drive Through Request		330.00
Agricultural Uses		330.00
Variance of CUP		275.00
Wireless CUP		660.00
Design Review Base Fee		330.00
	Plus \$11.00 /unit, etc.	11.00
Design Review Extension Request		77.00
Staff Level Design Review		160.00
Commercial and Light Industrial	Base Fee	
	Plus \$11.00 per 1,000 sq ft, etc.	11.00
Occupancy Permit	Valley County Fee + \$ 11.00 processing	11.00

Other Building & Zoning Permits		55.00
Miscellaneous Permits and Fees		55.00
Public Hearing Mailing	Per Notice	1.00
Public Hearing Administrator/Publications	Pass through Plus Administration	
Variance		440.00
Vacation		440.00
Lot line Adjustment		132.00
Lot Split		220.00
Lot Combination		132.00
Demolition Permit (for a structure)		16.50
Wireless Master Development Plan		275.00
Wireless Permit		385.00
Wireless Annual Renewal Fee		66.00
Master Sign Plan		165.00
Sign Permit		55.00
Sandwich Board Permit	One per business	-
Alcohol License	Maximum Allowable by State Law	
Fireworks Stand		11.00
Peddlers Permit		16.50
Vendor Permit (6 month)		300.00
Vendor Permit (Daily)	Daily	25.00
Vendor Permit - Huckleberry Festival	Per Event	20.00
Hearing Officer	As Per Professional Fee	
Business License (New)		75.00
Business License (Renew)		25.00
Dog License - Fixed		5.00
Dog License - Not Fixed		15.00
Copies	per page	0.25
Notary		2.00
Fax		0.25
Administrative Processing Fee		11%
<b>Parks</b>		
Day Use		5.00
Annual Boat Pass		25.00
Annual Boat Pass 2nd Vehicle		5.00
Pavillion Rental		50.00
Pavillion Rental Refundable Deposit		100.00
Overnight Camping - Donnelly Camp Grounc	per night	10.00
<b>Library</b>		
<b>Library Memberships (outside of City Limits)</b>		
Family		25.00
Individual		15.00
<b>City of Donnelly Residents</b>		
Over 60 years Old	Idaho Power Bill Proof of Residence	Free
Family	Idaho Power Bill Proof of Residence	10.00
Individual	Idaho Power Bill Proof of Residence	5.00
<b>Library Desk Top Computer Usage</b>		
Members		Free
Non- members		\$2.00 per 1/2 hour
<b>Library Wi Fi Computer Usage</b>		
Members		Free
Non- members		\$1.00 per hour
<b>Books for Sale</b>		
Paperbacks		Prices Vary
Hardbacks		Prices Vary
<b>Photocopies</b>		0.25
Members get 5 free copies and 1 fax copy		Free
Members & non-members		0.25
<b>Faxes</b>		

Members get 1 fax copy		Free
Members & non-members		0.25
<b>Utilities</b>		
Utility Deposit	after 1 year good payment history, credited to account.	100.00
<b>Water</b>	Per EDU	Per EDU
Base Rate		27.00
Improvement Fund		5.00
Usage		2.50 / 1,000 gal
<b>Sewer</b>		Per EDU
Base Rate		27.00
Improvement Fund		5.00
Usage		2.50 / 1,000 gal

**DONNELLY CITY COUNCIL  
AGENDA BILL**

169 Halferty Street  
Donnelly, Idaho 83615

**Number AB 16-45**

**Meeting Date 09/19/16**

**AGENDA ITEM INFORMATION**

<b>SUBJECT:</b>		<i>Department Approvals</i>	<i>Initials</i>	<i>Originator or Supporter</i>
<b>Ordinance #233 FY 17 Budget Appropriation Ordinance</b>		Mayor / Council		
		Clerk/Treasurer		
		Public Works		
<b>COST IMPACT:</b>				
<b>FUNDING SOURCE:</b>				
<b>TIMELINE:</b>				

**SUMMARY STATEMENT:**

Read and Adopt Ordinance #233, publish in paper after adoption to take effect on October 1, 2016.

**RECOMMENDED ACTION:**

**RECORD OF COUNCIL ACTION**

<b>MEETING DATE</b>	<b>ACTION</b>
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## CITY OF DONNELLY ORDINANCE NUMBER 233

AN ORDINANCE TO BE TERMED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF DONNELLY, IDAHO, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, APPROPRIATING SUMS OF MONEY IN THE AGGREGATE AMOUNT OF \$667,329 TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF DONNELLY FOR SAID FISCAL YEAR; SPECIFYING THE OBJECT AND PURPOSES FOR WHICH SUCH AUTHORIZING THE CERTIFICATION TO THE COUNTY COMMISSIONERS OF VALLEY COUNTY, IDAHO THE AMOUNT OF \$84,722 IN PROPERTY TAXES TO BE LEVIED AND ASSESSED UP THE TAXABLE PROPERTY IN THE CITY; PROVIDED FOR THE FILING OF A COPY OF THIS ORDINANCE WITH THE OFFICE OF SECRETARY OF STATE AS PROVIDED BY LAW; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE,

BE IT ORDAINED by the Mayor and City Council of the City of Donnelly, Valley County, Idaho.

SECTION 1: That the sum of \$667,329 is hereby appropriated to defray the necessary expenses and liabilities of the City of Donnelly, Valley County, Idaho for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

SECTION 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

### **ESTIMATED EXPENDITURES:**

#### **GENERAL FUND:**

Personnel	\$59,535
Administrative	\$67,616
Public Safety	\$5,000
Roads & Streets	\$112,157
Parks & Recreation	\$47,797
Donnelly Depot Center	\$33,797
<b>TOTAL</b>	<b>\$325,892</b>

<b>LOCAL OPTION TAX FUND</b>	<b>\$45,100</b>
<b>LIBRARY FUND</b>	<b>\$23,594</b>
<b>SEWER FUND</b>	<b>\$112,588</b>
<b>WATER FUND</b>	<b>\$160,155</b>
<b>TOTAL BUDGET</b>	<b>\$667,329</b>

SECTION 3: The amount of \$84,722 is hereby authorized to be certified by the City of Donnelly to be levied in the amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2016.

SECTION 4: All Ordinances and Resolutions or parts thereof in conflict with this Ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in full force upon its passage, approval and publication according to law.

PASSED BY THE CITY COUNCIL and approved by the Mayor this 19th day of September, 2016.

\_\_\_\_\_  
Brian Koch, Mayor

ATTEST:

\_\_\_\_\_  
Cami Hedges, City Clerk

Published: Star News September 22, 2016



**NOTICE OF PUBLIC HEARING ON PROPOSED  
2017 BUDGET  
CITY OF DONNELLY, IDAHO**

**FY**

A public hearing will be held for the consideration of the proposed budget for the fiscal year from October 1, 2016 to September 30, 2017. The hearing will be held at the Donnelly Community Center, Donnelly, Idaho at 6:00 p.m. Monday, August 29, 2016. All interested persons are invited to appear and show cause, if any, why such budget should or should not be adopted. Copies of the proposed Amended City budget in detail are available at City Hall during regular office hours (9 am to 5 pm, weekdays). Anyone desiring accommodations for disabilities related to the hearing, contact the City Hall at 325-8859, at least 48 hours prior to the public hearing.

**PROPOSED EXPENDITURES**

Fund Name	FY 2015 Actual Expenditures	FY 2016 Budgeted Expenditures	FY 2017 Proposed Expenditures
<b>GENERAL FUND</b>			
Personnel	85,170	56,459	59,535
Administrative	100,456	98,864	67,616
Public Safety	256	1,000	5,000
Roads & Streets	28,258	74,399	112,157
Parks & Recreation	14,655	33,745	47,787
Depot	12,773	33,500	33,797
<b>General Fund Total Expenditures</b>	<b>241,568</b>	<b>297,967</b>	<b>325,892</b>
LOCAL OPTION TAX FUND	31,569	40,000	45,100
LIBRARY FUND	17,374	20,030	23,594
WATER FUND	104,921	126,980	160,155
SEWER FUND	118,938	111,890	112,588
<b>Grand Total Expenditures All Funds</b>	<b>514,370</b>	<b>596,867</b>	<b>667,329</b>

**PROPOSED REVENUE**

Fund Name	FY 2015 Actual Revenue	FY 2016 Budgeted Revenue	FY 2017 Proposed Revenue
<b>PROPERTY TAX FUNDED REVENUE</b>			
General Fund	74,156	81,602	84,722
<b>Grand Total Tax Funded Revenue</b>	<b>74,156</b>	<b>81,602</b>	<b>84,722</b>
<b>NON TAX FUNDED REVENUE</b>			
<b>GENERAL FUND</b>			
Taxes Previous Year/Late Fees/Inter	11,000	1,500	1,500
Franchise Fees	5,923	6,280	6,719
Licenses & Permits	12,063	5,600	19,670
Grant Revenue	42,297	30,000	-
State Revenue Sharing	6,869	6,781	7,880
County Revenue Sharing	5,637	3,425	6,031
Highway User Revenue	4,636	5,808	6,300
Liquor Apportionment	27,495	27,500	29,600
Airport Revenue	2,073	1,005	950
Development Fees	367	1,100	400
Parks & Recreation	10,415	7,000	7,600
DDC Rental Revenue	31,535	33,100	36,300
Land Lease	570	650	670
Misc Income	19,816	100	1,800
Cash Carryover	-	86,516	115,750
<b>General Fund Non-Tax Total Revenue</b>	<b>180,696</b>	<b>216,365</b>	<b>241,170</b>
LOCAL OPTION TAX FUND	48,073	40,000	45,100
LIBRARY FUND	24,153	20,030	23,594
WATER FUND	99,008	126,980	160,155
SEWER FUND	118,938	111,890	112,588
<b>Grand Total Non Tax Funded Revenue All Funds</b>	<b>470,868</b>	<b>515,265</b>	<b>582,607</b>

The proposed expenditures and estimated revenues for fiscal year 2016-2017 (FY17) have been tentatively adopted by the City Council and entered in detail in the Journal of Proceedings. Publication dated for the notice of public hearing is August 18, 2016 and August 25, 2016 in the STAR NEWS.

Cami Hedges, City Clerk/Treasurer

# 2016 Dollar Certification of Budget Request to Board of County Commissioners L-2

(the L-2 worksheet and applicable "Voter Approved Fund Tracker" and budget publication must be attached)

City of Donnelly						
District or Taxing Unit's Name:		Total Approved Budget*	Cash Forward Balance	Other revenue <u>NOT</u> shown in Column 5	Property Tax Replacement From Line 12 of L-2 Worksheet	Balance to be levied Col. 2 minus (Cols. 3+4+ 5)
	1	2	3	4	5	6
General		325,892	113,438	125,420	2,312	84,722
Local Option Tax		45,100	-	45,100		-
Library		23,594	8,660	14,934		-
Water		160,155	12,752	147,403		-
Sewer		112,588	20,840	91,748		-
Column Total:		667,329	155,690	424,605	2,312	84,722

## If the budget includes any forgone amount, complete this section:

I, the undersigned, attest that this district held a public hearing and approved the attached resolution that indicates that up to \$\_\_\_\_\_ of available forgone increase is authorized to be levied and the specific purpose for which this amount is being budgeted. This amount can not exceed the lesser of amount shown in the resolution or line 14A of the L-2 worksheet.

I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.

To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.

Signature of District Representative Cami Hedges Title: CITY CLERK TREASURER Date: 9-8-16

Cami Hedges P.O. Box 725 Donnelly, Id 83615

Please print above: Contact Name and Mailing Address

Phone Number: (208) 325-8859 Email Address: Cami.hedges@cityofdonnelly.org

Fax Number: (208) 325-4009

\* = Do not include revenue allocated to urban renewal agencies.

L-2 Worksheet (must be attached to the L-2 form)

District Name: City of Donnelly		Enter Year:	2016
Computation of 3% budget increase:			
Enter the amount from the "Highest Non-Exempt P-Tax Budget + P-Tax Replacement" column from the "Maximum Budget and Forgone Amount Worksheet".		(1)	83,914
Multiply line 1 by 3%.		(2)	2,517
New Construction & Annexation budget increases:			
Enter the 2016 value of district's new construction roll from each applicable county below:			
County Name	Value		
Valley County	46,768	(A)	
		(B)	
		(C)	
		(D)	
Total of New Construction Roll Value:	46,768	(3)	
Enter the 2016 value of annexation from property assessed by the county.	64,119	(A)	
Enter the 2016 value of annexation from Operating Property.		(B)	
Total Annexation Value:	64,119	(4)	
Enter the total 2015 approved non-exempt levy rate.	0.005438306	(5)	
New Construction Roll budget increase (multiply line 3 by line 5).			254
Annexation budget increase (multiply line 4 by line 5).			349
Non-Exempt Budget Authority:			
Add lines 1+2+6+7.		(8)	87,034
Property Tax Replacement:			
Enter yearly amount of the agricultural equipment replacement money.	36	(9)	
Enter yearly amount of the personal property replacement money.	2,276	(10)	
Enter TOTAL recovered dollars as reported on the Recovered/Recaptured Property Tax Substitute Funds List.		(11)	
Enter the total of lines 9, thru 11: (Must match col. 5 budget total of L-2).		(12)	2,312
Non-Exempt Budget Authority less P-tax Replacement:			
Take the amount from line 8 and subtract line 12:		(13)	84,722
Forgone Amount:			
Enter the forgone increase included in your budget. This amount can't exceed what is reported on the attached resolution.		(14)	
Enter the maximum forgone amount from the "Maximum Budget and Forgone" worksheet		(14A)	
Maximum Allowable Non-exempt Property Tax to be Levied:			
This is the maximum non-exempt property tax budget that can be levied. (Line 13 plus line 14)		(15)	84,722

**DONNELLY CITY COUNCIL  
AGENDA BILL**

169 Halferty Street  
Donnelly, Idaho 83615

**Number** AB 16-46

**Meeting Date** 09/19/16

**AGENDA ITEM INFORMATION**

<b>SUBJECT:</b>		<b>Department Approvals</b>	<b>Initials</b>	<b>Originator or Supporter</b>
<b>Proposed Changes to the Sign Ordinance</b>		Mayor / Council		
		Clerk/Treasurer		
		Public Works		
<b>COST IMPACT:</b>				
<b>FUNDING SOURCE:</b>				
<b>TIMELINE:</b>				

**SUMMARY STATEMENT:**

Look at current sign regulations and suggest changes to the Planning & Zoning commission based on discussion.

**RECOMMENDED ACTION:**

**RECORD OF COUNCIL ACTION**

<b>MEETING DATE</b>	<b>ACTION</b>

## Chapter 18.95 FENCES AND SIGNS

### Sections:

#### Article I. Fences

- 18.95.010 General provisions.
- 18.95.020 Specific standards.

#### Article II. Signs

- 18.95.030 Purpose.
- 18.95.040 Applications – Permits.
- 18.95.050 Computations of dimensions for sign area.
- 18.95.060 Violation – Penalty.
- 18.95.070 Removal of illegal, unsafe, or abandoned signs.
- 18.95.080 Prohibited signs.
- 18.95.090 Types of signs allowed by permit only.
- 18.95.100 Multiple-business developments.
- 18.95.110 Lighting.
- 18.95.120 Exempt signs.

#### Article I. Fences

##### **18.95.010 General provisions.**

The following requirements shall apply in all districts:

- A. No fence may be located, constructed, or maintained in such a way as to obstruct the view of intersections by motorists and pedestrians.
- B. No barbed wire or other sharp-pointed metal fence and no electrically charged fence shall be permitted in the city limits, unless, after consideration, the planning and zoning commission makes a determination that such materials are necessary for security purposes. [Ord. 230, 2016.]

##### **18.95.020 Specific standards.**

The following provisions shall apply in addition to those specified in DCC 18.95.010:

- A. For all residential districts, fences shall not exceed four feet in height when located within the required front yard setback and six feet when located within the required side and rear yard setbacks.
- B. Entryway gates in the city limits shall be permitted only as part of an approved fence. They shall contain material sized no larger than twice the size of the material utilized in the fence, and shall be located no less than 10 feet from any existing or proposed structure, and shall be no more than eight feet in height.
- C. For all uses in commercial and industrial districts, fences shall not exceed eight feet in height. [Ord. 230, 2016.]

#### Article II. Signs

##### **18.95.030 Purpose.**

The purpose of this article is to establish standards for the fabrication, erection, and use of signs, symbols, markings, and advertising devices within the city. These standards are enacted to protect the public health, safety, and welfare of persons within the community. They are intended to aid in the development and promotion of business and industry by providing sign regulations which encourage aesthetic creativity, effectiveness and flexibility in the design of such devices without creating detriment to the general public. [Ord. 230, 2016.]

#### **18.95.040 Applications – Permits.**

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No person shall erect, alter, or relocate any permanent or temporary sign greater than four square feet in sign area within the city without first obtaining a sign permit from the city, unless the sign is exempt under DCC 18.95.120. Any person who hangs, posts, or installs a sign which requires a permit under this article, and who fails to obtain a permit before installing the sign, shall be in violation of this article.

Applications for permits for signs must include the following:

- A. A developer or landlord who retains control over one or more structures or buildings as per DCC 18.95.100(C) shall include in the application a master sign plan. Individual business owners shall include a site plan drawn to scale which specifies the building frontage, the location of the sign structure, or drawings which show the scale of the sign in context with the scale of the building if the sign is to be mounted on the building.
- B. Colored rendering or scaled drawing including dimensions of all sign faces, descriptions of materials to be used, manner of construction and method of attachment, and color samples.
- C. A copy of a state of Idaho electrical installation permit for any internally lighted or neon sign.
- D. A sign permit application on the form provided by the city.
- E. Appropriate fees as established by city council resolution.
- F. Complete sign permit applications will be reviewed by the administrator within 10 days of the receipt of the complete application. The application shall be approved, denied, or returned with requested modifications. Any applicant who feels a denial is not justified has the right to appeal the decision to the commission, and to appear on the next regularly scheduled meeting for which proper notice can be given and for which agenda space is available. Intention to appeal to the commission shall be filed with the Donnelly city clerk in writing within 10 days following the date of the denial of the permit. [Ord. 230, 2016.]

#### **18.95.050 Computations of dimensions for sign area.**

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The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the sign display, together with any color or material forming an integral part of the sign. [Ord. 230, 2016.]

#### **18.95.060 Violation – Penalty.**

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Any person violating this article shall be guilty of a misdemeanor and may be punished by fine or incarceration. The maximum penalty for any offense shall be by fine of not more than \$300.00, or by imprisonment not exceed six months, or by both such fine and imprisonment. Each day the violation continues shall be considered a separate offense. [Ord. 230, 2016.]

#### **18.95.070 Removal of illegal, unsafe, or abandoned signs.**

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- A. Any sign which has been determined to be unsafe by the building inspector, or which has been constructed, erected or maintained in violation of this article, must be repaired, made safe, made in conformance with this article, or removed within 10 working days after receipt of certified notice from the city. Abandoned signs shall be

dismantled and removed within 30 calendar days after the day that the business advertised by the sign ceases doing business. Failure to respond to remedy the violation is unlawful, and the person having charge or control over the sign will be guilty of a misdemeanor.

B. A nonconforming sign shall not be transferred to a new tenant or occupant of the premises on which the sign is erected, but shall be removed at the termination of the tenancy to which it applies. All signs in the city on the effective date of the ordinance codified in this title shall conform to this article upon any change, including a change to the leasor or tenant of the business or buildings to which the sign pertains, a structural change to the sign, or sign base, a change of the building footprint to which it applies, or upon any change in the face of the sign.

C. Existing signs deemed by the administrator to have historic significance shall not be required to comply with subsection (B) of this section.

D. It is the obligation of the owner of every sign within the city to maintain the sign in a good state of repair at all times. Nonconforming signs may be repaired and maintained, provided the repairs are for the purpose of maintaining the sign in its original condition, do not increase the degree of nonconformity in the sign, and are in accordance with this article. [Ord. 230, 2016.]

#### **18.95.080 Prohibited signs.**

No person shall erect, maintain, or relocate any sign as specified in this section in any district:

A. Signs Creating Traffic Hazards. A sign at or near any public street, or at the intersection of any public streets, situated in such a manner as to create a traffic hazard by obstructing vision. Additionally, any sign at any location which would interfere with, obstruct the view of, or be confused with any authorized traffic sign.

B. Hazardous Signs. A sign which, due to structural weakness, design defect, or other reason, constitutes a threat to the health, safety, and welfare of any person or property.

C. Flashing Signs or Lights. Any sign which contains an intermittent light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. A sign on which the only intermittent lights display an indication of time or temperature shall not be considered a flashing or electronic message sign for the purpose of this title.

D. Electronic Message Sign. A permanent sign which changes copy electronically more than once per day using switches and electric lamps.

E. Signs on Vacant Property. No sign over four square feet per face, except freestanding signs advertising the property "for sale" or "for lease" on properties or subdivisions of greater than five acres in the aggregate, shall be erected or maintained on a property on which either no structure is erected or on which the primary structure is vacant. This provision shall not include those properties for which a valid building permit exists.

F. Roof Signs. Any sign erected in a manner so that it projects either partially or wholly over any roof or is mounted to any roof.

G. Animated Signs. A rotating or revolving sign, or signs, where all or any portion of the sign moves in some manner.

H. Bench Signs. Any outdoor furniture with commercial signage.

I. Mobile Signs. A sign mounted on wheels.

J. Vehicle Signs. Signs mounted on the roof or antenna of automobiles, with the exception of student driver and auto transportation services, or those painted on the vehicles parked and visible from the public right-of-way, unless said vehicle is licensed, registered, and used as a vehicle in the normal day-to-day operations of the business.

K. Inflatable Signs or Displays. Any inflatable object used for promotional or sign purposes.

L. Off-premises signs. [Ord. 230, 2016.]

#### **18.95.090 Types of signs allowed by permit only.**

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A. Awnings. The copy area of awnings shall be included in the sign area permitted; provided, that no more than 25 percent of any one face of an awning may be used for signage.

B. Changeable Copy Signs. The copy on any changeable copy sign shall not be changed more than once per day. Changeable copy signs shall be maintained in a legible and serviceable manner.

C. Freestanding Signs. The highest point on any freestanding sign shall not exceed 15 feet, measured from ground level to the highest point of the sign.

1. Multiple-business developments are limited to one freestanding sign.
2. Double-sided freestanding signs are permitted and shall not exceed 48 square feet in sign face (24 feet per side). All placards displayed shall be totaled in the sign area.
3. Freestanding signs shall not project over a public right-of-way.
4. Residential subdivisions of more than 20 lots or subdivisions of greater than five acres in the aggregate shall be allowed one freestanding identification sign at each major entrance to the subdivision. Said sign shall not be permitted on any public right-of-way, shall be no higher than eight feet above natural grade, and shall not exceed the maximum sign area set forth in subsection (C)(2) of this section.

D. Hanging Signs. Hanging signs may be placed on a building or underneath an approved canopy, awning or colonnade, but may not project beyond same. Signs hanging over a public right-of-way must have at least eight feet of ground clearance and may not hang over any roadway.

E. Portable Signs.

1. Portable signs are limited to eight square feet per side, and limited to two sides, not to exceed 30 inches in width.
2. Portable signs shall be weighted or anchored in some manner so as to prevent them from being moved or blown over by the wind.
3. Portable signs may not be located so as to obstruct pedestrian or vehicular traffic, or visibility for vehicles at intersections.
4. Portable signs may be permitted in the city sidewalk within the business frontage.
5. Portable signs must be separately permitted, but do not affect total allowable square footage.
6. Portable signs must be removed from the permitted display location at the end of the business day and after removal placed in a location not visible from any public right-of-way.
7. Only one portable sign shall be permitted per business location.



F. Projecting Signs. No projecting sign may extend, at any point, more than three feet from the surface to which it is attached. Signs projecting over a public right-of-way must have at least eight feet of ground clearance, and may not project over any roadway.

G. Temporary Signs. Temporary signs are those signs installed on a property with the intent of being displayed for more than 72 hours, and may not be displayed for more than six weeks. All signs intended for display for a period longer than six weeks shall be considered to be permanent signs and will be required to meet the provisions of this article. All temporary signs greater than 20 square feet per face in size are required to obtain a sign permit. Required permit for temporary sign less than 20 square feet per face will be issued without a fee.

H. Wind Signs. Any temporary pennant, propeller, or similar device which is designed to flutter, rotate, whirl, or display other movement under the influence of the wind. May be approved by the commission and are not to be included in allowable square footage for building.

I. Wall Signs. Wall signs may be placed on a structure; provided, that they meet the standards and requirements of DCC 18.95.100.

J. Window Signs. Permanent window signs may be placed in or on any window; provided, that no more than 50 percent of the total transparent area of the window is obscured. Merchandise displayed in windows that does not involve copy is not regulated by this article.

K. Standardized directional signage relating to the central business district, general commercial and light industrial zones shall be allowed. The standardized directional signage shall be attached to street signs in the general commercial, light industrial and central business district zones, and is intended to temporarily assist in the incubation of new commercial zones within the city. One standardized directional sign will be allowed per applicant. Square footage of standardized directional signs shall be deducted from the total allowed signage limitations for the applicant. Fees shall be set by resolution of the city council, and shall be subject to change with increased production costs. The owner/operator of the commercial business making application shall bear the fee for said sign. Standardized directional signs shall not exceed three hanging signs per street sign. A waiting list generated from any additional applications for a particular location shall be maintained by the city of Donnelly. Those commercial applicants placed on the waiting list shall be notified within 10 business days of abandonment of a standardized directional sign for replacement. The city of Donnelly is required by resolution to determine areas qualified for this signage. This signage shall conform to standards set forth by design review, and shall be uniform in design throughout the city. A standardized directional sign master plan for street and directional signage shall be available upon request from the city of Donnelly for a fee to cover printing costs. Standardized directional signage shall be reviewed for continued use after three years. The review date shall be clearly stated in the resolution and provided on the master plan. [Ord. 230, 2016.]

#### **18.95.100 Multiple-business developments.**

A. Each occupant in multiple-business developments shall comply with the aggregate area allowed for all signs under this article. The developer or owner shall be responsible to assign the distribution of the sign area to the occupants in their development or developments. Should the development install or have an existing freestanding sign, as per DCC 18.95.090(C), the area of signage included for the individual occupancies on the freestanding sign shall be included toward the compliance with this section of the individual occupancy.

1. The maximum aggregate area of all signs shall not exceed the total allowable sign area established by this article. All sign faces displayed, except permitted portable signs, shall be included in determining the sign area for a building.

2. Total sign area permitted for any use shall not exceed a total of two square feet of sign area per lineal foot of building frontage for the principal building.

3. Total sign area permitted for all wall, window, or other surface-mounted signs shall not exceed a total of 10 percent of the facade to which they are attached.

B. In no case shall any single sign exceed 50 square feet.

C. A developer or landlord who retains control over one or more structures or buildings intended for business occupancy in a shopping center site, mini-mall, multitenant commercial or industrial facility, or similar project shall submit a master sign plan to the design review board for approval. The master sign plan shall show sign colors, styles, and location on buildings, and maximum size, illumination and materials to be used. All signs in a master sign plan shall be in harmony with the adjacent and nearby building architecture and colors, as determined by the design review board. The master sign plan shall comply with all sections of this article. [Ord. 230, 2016.]

#### **18.95.110 Lighting.**

Allowed methods of illumination are divided into several types as described in this section; all other forms of sign lighting are prohibited. All lighted signs shall comply with lighting standards as set forth in DCC 18.30.070.

A. Unlighted. A sign with neither an internal light nor an external source intended specifically for the purpose of lighting the sign.

B. Internally Lighted. A sign with an internal light intended to illuminate translucent portions of the sign.

C. Externally Lighted. A sign with an external light source intended specifically to illuminate the sign. External light fixtures which produce glare shall not be permitted.

D. Neon. A sign with exposed neon tubes. [Ord. 230, 2016.]

#### **18.95.120 Exempt signs.**

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The following signs shall not be subject to the permit process as defined by this article:

A. Flags, Symbols, or Insignias. The flag of Idaho, the United States, or any other flag adopted or sanctioned by the legislative body of Idaho or the United States, may be displayed, providing that the flag is no larger than 60 square feet and is flown from a pole the top of which is no higher than 40 feet.

B. Hours of operation or other such information signs.

C. Private Recreation Signs. Signs located on the property of recreational facilities, not oriented to the general public, and intended to provide information or direction to those using the facility.

D. Signs posted by a government entity.

E. Temporary special events and temporary political signs not in excess of 32 square feet. [Ord. 230, 2016.]

**The Donnelly City Code is current through Ordinance 230,  
passed February 22, 2016.**

Disclaimer: The City Clerk's Office has the official version of the  
Donnelly City Code. Users should contact the City Clerk's Office  
for ordinances passed subsequent to the ordinance cited above.

**DONNELLY CITY COUNCIL**  
**AGENDA BILL**

169 Halferty Street  
Donnelly, Idaho 83615

**Number** AB 16-26

**Meeting Date** 09/19/16

**AGENDA ITEM INFORMATION**

<b>SUBJECT:</b>		<i>Department Approvals</i>	<i>Initials</i>	<i>Originator or Supporter</i>
<i>Property Located at Jordan/ Hwy 55</i>		Mayor / Council		
		Clerk/Treasurer		
		Public Works		
<i>COST IMPACT:</i>				
<i>FUNDING</i>				
<i>SOURCE:</i>				
<i>TIMELINE:</i>				

**SUMMARY STATEMENT:**

Review opinion letter from Jay Kiiha in regards to the Disposition of City Property located at the corner of Jordan & Highway 55. New owner of adjacent property still is interested in purchase to develop the lot.

**RECOMMENDED ACTION:**

**RECORD OF COUNCIL ACTION**

<i>MEETING DATE</i>	<i>ACTION</i>

# WHITE PETERSON

## ATTORNEYS AT LAW

WM. F. GIGRAY, III  
MATTHEW A. JOHNSON  
JAY J. KIIHA \*\*  
WILLIAM F. NICHOLS \*  
BRIAN T. O'BANNON \*

WHITE, PETERSON, GIGRAY & NICHOLS, P.A.  
CANYON PARK AT THE IDAHO CENTER  
5700 E. FRANKLIN RD., SUITE 200  
NAMPA, IDAHO 83687-7901  
TEL (208) 466-9272  
FAX (208) 466-4405  
EMAIL: [jkiha@whitepeterson.com](mailto:jkiha@whitepeterson.com)

PHILIP A. PETERSON  
WILLIAM L. PUNKONEY

TERRENCE R. WHITE \*\*  
OF COUNSEL

\* Also admitted in OR  
\*\* Also admitted in WA

June 28, 2016

Brian Koch, Mayor  
City Council, Donnelly  
169 Halferty St.  
Donnelly, ID 83615

### RE: Disposition of City Property

Hon. Koch and Council Members:

The City Council asked me to determine the various ways in which a municipality may sell or lease property. This relates to the issue that arose last week in relation to a proposed ice rink or in relation to a permanent transfer of property to the Fire District/Donnell Fire Dept.

#### I. How may the City of Donnelly sell its property?

The City has "the power to sell, exchange or convey, by good and sufficient deed or other appropriate instrument in writing, any real property owned by the city which is underutilized or which is not used for public purposes." *See* Idaho Code § 50-1401. Certainly, the lot which has been proposed as an ice rink would apply. The above section would seem to bar the sale of the land which is currently leased by the Fire Dist. to a third party, but not to continue it in its present public use.

There is a procedure that the City must undergo if it intends to sell, exchange or convey real property. Whenever the city council proposes to convey, exchange or offer for sale any real property, it shall first declare the value or minimum price, if any, it intends to receive as a result of such conveyance or exchange. *See* Idaho Code § 50-1402. The City may contract for an appraisal. *Id.* If there is a reason to exchange the property for other than a money consideration, this can also be done. In either event, the exchange and monetary amount or reasons therefor must be made on the record on the record at a public meeting. *Id.* The city council may also

declare that the property will be offered for sale without establishing a minimum price. *Id.* Once the decision is made to dispose of property in some manner, the City must publish the proposed exchange in the official newspaper of the city and grant a hearing before the city council at least 14 days before the date of the hearing. *Id.*

Idaho Code § 50-1403 discusses how the property must be exchanged, offered for sale or conveyed after the public hearing is held as follows<sup>1</sup>:

1. When the property is offered for sale, the property shall be sold at a public auction to the highest bidder and no bids shall be accepted for less than the minimum declared value previously recorded on the record at a public meeting of the council, provided however, if no bids are received, the city council shall have the authority to sell such property as it deems in the best interest of the city.
2. When it is determined by the city council to be in the city's best interest that the property be offered for exchange, the council may do all things necessary to exchange any property owned by the city for real property of equal value pursuant to terms which shall be a matter of public record.

Real property may be sold for cash or on contract for a period not exceeding ten (10) years, with a rate of interest on all deferred payments as determined by the city council. Idaho Code § 50-1404. The title to all property sold on contract shall be retained in the name of the city until full payment has been made by the purchaser. *Id.* Any property sold by the city council under the provisions of this section either for cash or on contract, shall be assessed by the county assessor in the same manner and upon the same basis of valuation as though the purchaser held a record title to the property so sold. The city council shall have authority to cancel any contract of sale pursuant to law, and retain all payments paid thereon, if the purchaser shall fail to comply with any of the terms of the contract. *Id.* The city council may, by agreement with the purchaser, modify or extend any of the terms of any contract of sale, but the total period shall not exceed ten (10) years. *Id.*

In conclusion, if the City intends to sell property to the Fire District or to a party for an ice rink, it must do so on a “highest bidder” or “equal exchange” basis subject to public scrutiny.

## II. How may the City of Donnelly Lease its property?

The mayor and council may, by resolution, authorize the lease of any real or personal property not otherwise needed for city purposes, upon such terms as the city council determines may be just and equitable. *See* Idaho Code § 50-1407; 50-1409.

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<sup>1</sup> There are some other considerations relating to property intended for other types of usages or acquired as a result of federal funds which do not apply here. They have been omitted from this memo.

There are no overarching limitations about leasing property which apply in the same manner as selling off or exchanging property aside from what may be voted upon by resolution. In fact, the council of a city, upon a vote of one half (1/2) plus one (1) of the members of the full council, may set apart portions of the public parks, playgrounds or other grounds to be used from time to time for athletic contests, golf links, agricultural exhibits, ball parks, fairs, rodeos, swimming pools and other amusements, and for military units of the state of Idaho or the United States, and may, upon a vote of one half (1/2) plus one (1) of the members of the full council, make and enter into proper contracts with organizations and associations necessary and proper to carry out the purposes of the same. *See Idaho Code § 50-1409.*

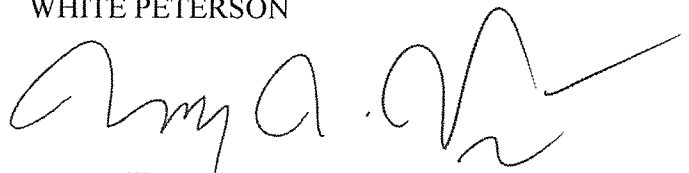
Additionally, a city shall not be liable for any damage by reason of any accident occurring on the parks and lands set apart for such purposes, except for gross negligence on the part of the city or its officers or agents, and provided further, that an entrance or other fee may be charged sufficient to pay the expense of maintaining and operating the ground. *Id.*

### III. Conclusion

It would seem that unless an exchange is contemplated, if the City wishes to sell land for a specific usage (ice rink or fire prevention/emergency services), unless a like exchange is proposed, the easiest thing for the City to do would be to execute a long term lease and retain ownership.

This is all pretty straightforward, but if you have questions, do not hesitate to ask.

Sincerely,  
WHITE PETERSON

A handwritten signature in black ink, appearing to read "Jay J. Kiiha", with a long horizontal stroke extending to the right.

Jay J. Kiiha

JJK/hs

# City of Donnelly

## Our Investments & Cash...

Balances as of August 2016

General Fund - Investments & Cash	
Aug-16	123,664
Aug-15	127,195
Library Fund - Investments & Cash	
Aug-16	53,920
Aug-15	9,646
Water Fund - Investments & Cash	
Aug-16	64,999
Aug-15	69,539
Sewer Fund - Investments & Cash	
Aug-16	91,217
Aug-15	85,485
Local Option Tax Fund	
Aug-16	111,802
Aug-15	78,498

## Our Cash Flows...

General Fund Revenues & Expenditures		Comparison of YTD%
Budget		
Revenues to date	297,967	67.8%
Expenditures to date	201,889	66.7%
Library Fund Revenues & Expenditures		
Budget		
Revenues to date	20,030	269.3%
Expenditures to date	53,935	74.1%
Water Fund Revenues & Expenditures		
Budget		
Revenues to date	14,847	73.2%
Expenditures to date	94,474	77.5%
Sewer Fund Revenues & Expenditures		
Budget		
Revenues to date	129,096	61.8%
Expenditures to date	87,161	
Expenditures to date	100,033	
Local Option Tax Fund Revenues & Expenditures		
Budget		
Revenues to date	111,890	101.2%
Expenditures to date	40,000	29.0%
Expenditures to date	40,477	
Expenditures to date	11,611	



# City of Donnelly

## Our Cash Flows Prior YTD Comparison...

Balances as of August 2016

<i>General Fund</i>		Percentage
Fiscal Year 2016 Budget	338,732	
Revenues to Date	201,889	59.6%
Expenditures to Date	198,765	58.7%
Revenues over Expenditures	3,124	
<i>Library Fund</i>		
Fiscal Year 2016 Budget	20,030	
Revenues to Date	53,935	269.3%
Expenditures to Date	14,847	74.1%
Revenues over Expenditures	39,088	
<i>Water Fund</i>		
Fiscal Year 2016 Budget	129,096	
Revenues to Date	94,474	73.2%
Expenditures to Date	100,033	77.5%
Revenues over Expenditures	(5,558)	
<i>Sewer Fund</i>		
Fiscal Year 2016 Budget	111,890	
Revenues to Date	87,161	77.9%
Expenditures to Date	69,131	61.8%
Revenues over Expenditures	18,030	
<i>Local Option Tax Fund</i>		
Fiscal Year 2016 Budget	40,000	
Revenues to Date	40,477	101.2%
Expenditures to Date	11,611	29.0%
Revenues over Expenditures	28,867	

<i>General Fund</i>		Percentage
2015		
Fiscal Year 2015 Budget	387,143	
Revenues to Date	287,049	74.1%
Expenditures to Date	241,052	62.3%
Revenues over Expenditures	45,998	
<i>Library Fund</i>		
Fiscal Year 2015 Budget	29,701	
Revenues to Date	17,088	57.5%
Expenditures to Date	15,259	51.4%
Revenues over Expenditures	1,828	
<i>Water Fund</i>		
Fiscal Year 2015 Budget	123,675	
Revenues to Date	93,628	75.7%
Expenditures to Date	80,027	64.7%
Revenues over Expenditures	13,600	
<i>Sewer Fund</i>		
Fiscal Year 2015 Budget	125,001	
Revenues to Date	83,371	66.7%
Expenditures to Date	64,379	51.5%
Revenues over Expenditures	18,992	
<i>Local Option Tax Fund</i>		
Fiscal Year 2015 Budget	36,000	
Revenues to Date	41,631	115.6%
Expenditures to Date	23,800	66.1%
Revenues over Expenditures	17,831	

# City of Donnelly

## LOT Actual Dollars Earned per Month

Month	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	% Increase from LY
October	-	3,758.13	3,251.06	3,984.16	5,803.94	3,513.30	3,607.20	4,200.92	4,487.11	6.8%
November	-	268.42	3,046.80	3,211.91	3,330.91	2,658.94	2,865.55	2,906.51	2,356.90	-18.9%
December	-	3,128.04	2,231.20	2,164.37	2,150.31	2,085.89	1,969.71	2,928.93	2,764.05	-5.6%
January	-	7,517.16	1,772.92	2,607.75	2,078.71	2,420.47	2,616.20	2,540.05	2,775.92	9.3%
February	5,068.41	293.34	2,203.45	2,346.53	1,957.49	2,115.85	2,694.07	2,928.97	916.00	-68.7%
March	6,471.28	4,230.48	1,920.98	2,020.85	1,857.11	2,491.97	2,926.11	2,658.78	3,630.00	36.5%
April	4,115.79	2,536.67	1,927.76	1,727.13	1,565.91	2,515.11	2,102.75	2,842.84	2,700.00	-5.0%
May	2,315.91	1,833.76	1,656.05	1,415.84	126.58	2,033.76	1,988.74	2,295.94	2,043.00	-11.0%
June	893.62	3,502.39	2,962.68	2,392.50	2,026.88	3,050.44	2,712.14	4,702.65	3,749.95	-20.3%
July	8,432.87	3,854.73	3,372.45	2,609.42	7,111.05	4,078.08	3,856.99	4,738.66	5,785.51	22.1%
August	7,180.47	4,682.87	5,657.05	5,978.87	2,416.71	5,995.34	7,492.76	8,592.25	9,235.85	7.5%
September	16,360.63	4,524.84	5,118.40	4,425.35	4,430.56	6,015.16	6,004.02	6,441.56		
Total Dollars Received	50,838.98	40,130.83	35,120.80	34,884.68	34,856.16	38,974.31	40,836.24	47,778.06	40,444.29	
Difference compared to prior year		(10,708.15)	(5,010.03)	(236.12)	(28.52)	4,118.15	1,861.93	6,941.82		
Budgeted Dollars					34,000.00	34,000.00	34,000.00	36,000.00	40,000.00	