

MINUTES

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CALL TO ORDER AND ROLL CALL

Mayor Eimers called the regular meeting of the McCall City Council to order at 7:05 p.m. Mayor Eimers, Council Member Bertram, Council Member Greer, Council Member Muller, and Council Member Robertson answered roll call. A quorum was present. City staff members present were City Attorney Susan Buxton, City Manager/City Clerk Robert Strobe, Community Development Director Lindley Kirkpatrick, Treasurer Amanda Townsend, Public Works Director Bill Keating, Police Chief Ralph Appa, Parks and Recreation Director Brock Heasley, Grant Writer Carol Coyle, and Assistant to the City Manager Tina Clark.

PUBLIC COMMENT

Mayor Eimers called for public comment.

Ralph Nichol, 2046 John Alden Road, said he opposes the annexation of Pilgrim Cove.

Mark Larson, 1051 Lick Creek Road, said in preparation, he reviewed the Idaho laws in regards to this annexation, and agreed with the City's need for a tool to deal with orderly annexation. Rather than blanket annexation, he encouraged the City Council to task the City staffers to be creative in providing city water to residents in the Pilgrim Cove area that want it.

Clayton Rudd, 1913 Pilgrim Cove Road, said he's not sure if he is for or against the annexation. He questioned if the City did or did not annex Pilgrim Cove and continued to charge the extra water rates, what does he as a property owner get for that extra water besides a library card. To increase the water rates from the forty to sixty without giving people the opportunity to repeal was an error.

Phil Feinberg, 2047 Honeysuckle said, there are eighty eight homes in the Pilgrim Subdivision and of those eighty eight homes forty four have private wells that are shared by 2 or 3 people. The ones that don't have water don't have winterized cabins. Pilgrim Cove's volunteer Home Owners Association pays for road maintenance, and maintenance of the common beach area. Mr. Feinberg said he didn't see a benefit for the taxes they are going to pay in lieu of the fact that they take care of all their own expenses.

Lonna Alexander-Steele, 1039 Cee Way Loop, talked about the road maintenance they already receive through the County and being in violation of the fire code for not having fire hydrants.

With no other audience members waiting to comment, Mayor Eimers closed the public comment.

CONSENT AGENDA

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Moved AB 04-24 Edward Byrne Grant to the Business Agenda

Mr. Strope explained the need for the FBI Tuition as part of Chief Appa's Professional Development. In response to a question from Council Member Robertson, Chief Appa added that one of his goals is to achieve executive level of certification.

Council Member Robertson asked about the \$7,000.00 line item for Rocky Mountain CTR. Mr. Strope explained that there was a sewer backup, Public Works used hydro cleaner to hydro the sewer line and in doing so, went through the plug that forced sewer to backup into homes.

Council Member Eimers questioned the overtime usage in the Police Department. Chief Appa responded that he has an officer out on a family medical leave and a vacant position that they've been trying to fill since last July.

Council Member Bertram asked if the Four Corners budget was financially sound. Carol Coyle, Grant Writer for the City of McCall, responded yes, as soon as the City's match for the preliminary engineering is spent then we tap into the grant from ITD.

Council Member Robertson asked if there was a monetary value placed on the Department of Juvenile Corrections Grant for under age drinking. Carol Coyle estimated it to be \$2 - \$3,000. There is a person in the community that is helping estimate the cost for what the public service announcements will be, and there is no match required.

Mayor Eimers Council Member moved to approve the Consent Agenda. Council Member Robertson seconded the motion. All Council Members voted aye. The motion carried.

BUSINESS

AB 04-27 Annexation

Mr. Kirkpatrick asked the Council to decide whether or not to direct the staff prepare a formal annexation plan, prepare the public notice and schedule the public hearing to consider annexation. There are three areas that were looked at in the work session; Pilgrim Cove, North of Warren Wagon Road, and Krahn Lane. Staff recommendation is to direct staff to form an annexation plan and provide the required notice and schedule a public hearing for consideration of annexation of that Pilgrim Cove area.

Council Member Eimers asked about the positive gain to the property owner. Mr. Kirkpatrick said the benefit is extending water to the Pilgrim Cove area that would allow year round use of their properties.

Council Member Muller inquired about the cost analysis for snow blowing maintenance, equipment costs and employees salaries. Mr. Kirkpatrick said the assumption of this analysis is that if the County is now providing the service the City would take over. Privately owned maintained roads the City would not. At the staff level it is not the assumption at some point to take over those private roads. An analysis has not been done on what it would take to bring those up to City standard. A memo from the Public Works Director estimated the time involved does take in to account equipment and operators.

Boyd Paulson said other annexed areas are still waiting for paving like Rio Vista, and that the City should take care of what is already there.

Mark Larson asked who decided what areas were included in this consideration for annexation and what areas were not included. Mr. Kirkpatrick responded that areas were selected based on subdivisions smaller than 5 acres, developed urban density, ability to receive services, already receiving services, and identify the area that was of reasonable size.

Lonna Alexander-Steele expressed that many streets still need maintenance; the City should concentrate on the areas they have and leave Pilgrim Cove as they are. The Public Works issues that would be handed over to the City from the County include law enforcement. The County has agreed with the City to cover areas in the unincorporated but impact area in the case of an emergency. Mrs. Steele said she won't receive much in the way of benefits because they have the benefits of living out there. However they pay for it, the extra water and the library card. Pilgrim Cove maintains their own roads with the help of the County, the only seen benefit is saying they belong to the City.

Ralph Nichol asked what the benefit is to connecting up to the water line when they already have existing wells. What will the City do with the money they receive for those hook ups?

Phil Feinberg said the roads aren't wide enough for snow plows and that they don't want to widen the roads.

Dean Martens said he is not opposed to the annexation process in general, but recommended that no annexation be done until the proper time and have staff concentrate on improving maintenance and services within the existing City.

Council Member Bertram talked about the criticism Public Works is receiving due to the level of service. Also the opportunity to have developers come in with completed subdivisions, and people knowing what they are buying into; sewer/water, and paved streets, and willing to be annexed into the City because they know what they are getting into.

Council Member Muller said he can't see a lot of positives for the residents, but he can for the City. The City should finish the projects they've promised, and that he doesn't want to fight for something that no one wants.

Council Member Greer commended the City staff for the information they've gathered on annexation. He asked that the City figure out what the back log is and work on that. In annexing Pilgrim Cove, there are limited benefits to both parties.

Council Member Robertson talked about different sets of needs between Rio Vista and Pilgrim Cove. Needs that want to get satisfied right away, other needs that we need other than just increasing revenue for the City. Council Member Robertson said he's in agreement to put this aside and sometime in the near future bringing the report back for further review.

Council Member Eimers said there are things that people outside the City get to benefit from that the people inside the City pay for, and that there is some benefit to being just outside of McCall. Council Member Eimers thanked Lindley Kirkpatrick and staff for the hard work they've put into the annexation presentation.

Mr. Kirkpatrick wanted to add that every department head was involved in the annexation project. The staff analysis looked at a large area including an area that currently receives City water. He asked if the positions of not being in favor of annexation are limited only to that very large area or if Council wanted to consider annexation of those areas that currently receive City water. He stated it was not an all or nothing situation, that the City could look at the Cee Way Loop area, Shady Beach area, or nothing at all.

Ralph Nichol wanted to thank the Council for the courtesy they've shown the people in Pilgrim Cove Subdivision and added that they do put a lot of money back into the City.

Council Member Robertson said he is not ready to address annexation at this time, if an area or subdivision wants to be annexed and needs support then we will address it.

Council Member Bertram asked Mr. Strobe to explain the \$150,000 that the Council is intending to spend in Rio Vista. Council Member Eimers explained that the City has a \$300,000 surplus, \$25,000 will go to the golf course and \$150,000 will go to Rio Vista. Mr. Strobe added that there are other areas besides Rio Vista that have recently been annexed; Carico was annexed prior to Rio Vista and they have unpaved streets there. The City is working at the staff level evaluating possible sewer upgrades for Rio Vista using a STEP system that would use existing septic and provide a higher level of service. The staff had asked for the latitude to be able to evaluate additional projects other than paving for improvements in Rio Vista for approximately \$150,000 range which are being pursued now.

During the meeting, one break was taken from 8:40 p.m. to 8:53 p.m.

AB 04-25 Public Art Opportunity

Diana Schlegel and Jenny Ruemmele, of the Art and Humanities Council presented a public art walk project that would capitalize on art's ability to be an economic development tool. The project would include 5-10 pieces of art to be displayed on City property for a 12 month period. The Arts and Humanities Council is asking the City for assistance in insuring the artwork while it is on display. The insurance estimated cost is \$1.50 per \$100 of value. Council discussed the estimated value of art pieces, the types of art that would be displayed, metal, stone, weather resistant and placed on pedestals to ensure the safety of the piece. The art would be placed throughout the City to encourage the walking tourist, the theme changing year after year.

AB 04-30 Spring Mountain Ranch concerns – Water Treatment Plant

Council Member Bill Robertson recused himself from the discussion.

Bill McMurray with the Spring Mountain Ranch Board of Directors gave an update on accomplishments and issues remaining with Spring Mountain Ranch Home Owners Association. Mr. McMurray identified those issues; diesel emergency generator, incomplete landscaping, electrical motor whining, lights from inside shine on neighborhood homes at all hours, SMR CC & R's and design covenants not followed, and snow removal pushed on to neighbors' property.

Council Members Bertram asked why the landscaper planted deciduous trees and not evergreens for better fill. Mr. Strobe said that was a joint review by the home owners association and the City in terms of what to put where.

Council Member Eimers wanted to know if Spring Mountain Ranch was working with City staff on the remaining issues and if they were dissatisfied. Mr. McMurray

responded that the home owners felt that there has been a lot of communication with City staff and that they just wanted to bring it to the Council attention. Spring Mountain Ranch had heard that the project was potentially close to closing and wanted to make sure before that final action took place that Spring Mountain Ranch could get these issues addressed.

Mr. Strobe said he hadn't been contacted by Spring Mountain Ranch regarding any of these issues in 6 to 8 months and that Mr. Robertson sent an email requesting this be added to the agenda, some of the issues are not new for instance the generator, whining of the electric motors and the lights are not new. The landscaping, antenna, and parking are new.

Bill Keating Public Works Director responded to the issues at Spring Mountain Ranch. In meeting with John Lewinski and plant operators, they discussed if there were any changes during the construction of the facility. If utility power goes out one phase is lost and the plant shuts down. If the plant shuts down, in 10 minutes water customers won't have water. To have power to the facility all the time water is pumped out of the clear well to and into the distribution system. The generator is set up on an automatic system. If utility power is lost, or one phase of the 3 phase power goes into the plant, within fifteen seconds the generator starts up. There is an automatic transfer switch that switches over from utility power to DC power; the generator since the first of the year has ran six times for a total of 3 1/2 hours and one time was an actual power outage. The baffles that were originally designed for the project were installed. The noise from the generator isn't just the exhaust, it's the actual engine noise itself. Two of the walls in the building have leavers that open when the generator is running and let the air flow through the building to help keep the generator cool. The size of the generator is the exact generator that was installed in the plant in 1996. It was just moved, and it was sized for the plant in the beginning. The muffler on the generator is a critical grade muffler which is rated above the residential muffler. In 1996, that was the quietest one they had. Mr. Keating said they haven't researched the difference in cost for hospital generator. On January 9, 2004 the Water Treatment facility had its 11th walk through inspection. The plant is now out of warranty.

Hillside Nursery was on the landscape project. The original budget amount was \$100,000, and the City ended up spending \$125,000. There were approximately thirty trees that died from the original planting. The City worked with Spring Mountain Ranch on the types of trees to put in and that was completed in the fall of 2003, which is now out of warranty. There is not much Public Works can do about the electrical motor whining. It was suggested that Public Works get a decibel meter to monitor the generator noise on all four sides of the building. Regarding the lighting, the building was designed to let light in so there isn't a mold problem. The American Water Works Association has recommendations with Homeland Security and the lights are turned down lower than what AWWA recommends. Last summer there were contractors out at the building along with boats and job trailers, but as soon as they left, all the trailers left. Operators that are on call leave their personal vehicle in the parking lot and take a City

truck home. The antennas on top of the plant are used to communicate with the pump station that delivers source water to the plant.

Mr. Keating said it's hard to tell where the boundaries are when removing snow this time of year, but that it shouldn't happen regardless and he will make sure that it won't happen any more.

Mr. Strobe said he would work with Bill McMurray on the issues that need to be addressed and would report back to the Council.

AB 04-24 Edward Byrne Grant – Police Department

Chief Appa said the purpose of the agenda bill is to file for authority to submit the grant application before mid-March, there is a match requirement that would be a budgetary impact for next year. Seeking Council approval to file for the grant.

Council Member Robertson asked that since the State and FBI request statistic reports, do they supply us with anything? Chief Appa explained that they don't supply us with anything, the City has recording capability. As the officer writes the report on one system and reporting system for the State and Federal Government is on a completely different system which requires one of the administrative assistants to duplicate the entire written report. The software system is \$30,000 along with training and installation.

Council Member Greer moved to approve the Edward Byrne Grant. Council Member Robertson seconded the motion. All Council Members voted aye. The motion carried.

REPORTS

Council President – Bill Robertson wanted to clarify in the Policy Advisory Minutes the agreement with the Ford Municipal Lease the McCall Police Department fleet includes; 4 marked cars and 4 un-marked cars.

Council Member – Bonnie Bertram said the program, a "Picture for the Handicapped Children" isn't happening until the new budget period, she would like to see it happen and is prepared to do the dinner as a donation. Rotary has the money in their budget so she would like to see it happen this summer. Chief Appa said it hasn't been forgotten.

Council Member – Jerry Greer said Chief Appa invited him to be part of a team of safe schools for a training session in Arizona at the end of March which is being paid for by the office of Juvenile Justice.

Council Member – Allan Muller said he would like to see the draft of the advisory ballot he requested during the budget workshop on tax increase. Mr. Strobe said he would prepare for the Council an advisory ballot that asks those questions, also giving Council the time lines associated with acting on the May cycle for an election.

EXECUTIVE SESSION

At 10:15 p.m., Council Member Muller moved to go into executive session per Idaho Code 67-2345(1f) to consider pending litigation and personnel matters, Idaho Code 67-2345(1b). Council Member Eimers seconded the motion. At a roll call vote, Mayor Eimers, Council Member Bertram, Council Member Greer, Council Member Muller, and Council Member Robertson voted aye. The motion carried.

At 11: 30 p.m., Council Member Eimers moved to come out of executive session. Council Member Robertson seconded the motion. All Council Members voted aye. The motion carried.

Council Member Muller moved to direct the City Manager to prepare an acceptance letter of the Cards' offer of settlement and authorize the City Manager to sign all required documents. Council Member Greer seconded the motion. In a roll call vote, Council Member Bertram, Council Member Eimers, Council Member Greer, Council Member Muller, and Council Member Robertson voted aye. The motion carried.

Council Member Muller moved to direct the City Attorney, in consultation with staff, the Idaho Transportation Department, and Mayor Eimers, to file a notice of appeal in the Seubert case if the City Attorney determines there are grounds. Council member Greer seconded the motion. In a roll call vote, Council Member Bertram, Council Member Eimers, Council Member Greer, Council Member Muller, and Council Member Robertson voted aye. The motion carried.

ADJOURNMENT

Without further business, Council Member Greer moved to adjourn. Council Member Robertson seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 11:40 p.m.

Kirk L. Eimers, Mayor

ATTEST:

Tina Clark, Deputy City Clerk