

# MINUTES

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## McCall City Council Regular Meeting Thursday, March 25, 2004

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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 Muller, and Council Member Robertson answered roll call. A quorum was present. City staff members present were City Attorney Tammy Zokan, Deputy City Manager and Community Development Director Lindley Kirkpatrick, Treasurer Amanda Townsend, Golf Course Director Dan Pillard, and Assistant to the City Manager Tina Clark.

Council Member Bertram introduced to the City Council and the City of McCall Major Stephanie Sheppard, of the Air National Guard at Gowen Field and commander of security forces. Major Sheppard presented City Council with an American flag which was flown in two combat areas, Afghanistan and Iraq, in support of Operation Enduring Freedom. She also presented a certificate of authenticity. The Council thanked Major Sheppard for her generous gift.

### **Council Member Eimers asked Major Sheppard to lead us in the Pledge of Allegiance**

## PUBLIC COMMENT

### **Mayor Eimers called for public comment.**

Boyd Paulson, 314 Cece Way, wanted to know the status of paving Rio Vista's streets.

Council Member Eimers replied that the staff recommended and the City Council approved the use of surplus funds for sewer improvements in Rio Vista subdivision. Mr. Paulson asked why the project wasn't being paid for from the sewer fund. Council Member Eimers said it could be, but that the money isn't available in the sewer fund at this time, it is available in the general fund.

Council Member Bertram referred to the March 11, 2004 Council Meeting Minutes: "Council Member Bertram suggested waiting six weeks to see what the outcome is with the J-Ditch litigation. If it looks like the City will prevail, then the City should pay for the project out of the sewer fund and commit to doing a couple of streets that are ready to pave in Rio Vista." Mr. Paulson said there is always a reason why the City isn't able to pave Rio Vista's streets. The people of Rio Vista want to know from the City when and where they will be paving the streets.

When the J-Ditch litigation is complete, the City Council should know what the impact will be on the sewer fund, and then the Council can address whether the City can pave a couple of roads. Council Member Robertson agreed with Council Member Bertram, therefore the City Council cannot take any additional action.

Council Member Robertson said that at the March 11, 2004 Council Meeting, the City Council directed staff to come back to them with more specific plans for the sewer improvements and a convenient financing plan that would be available to Rio Vista homes when hooking up to the system.

Council Member Bertram asked about the ownership of the property that will receive sewer service. Mr. Kirkpatrick responded that he thought Bill Keating said there were around 30 lots during the March 11, 2004 Council meeting. There is also a 14 acre parcel that is un-platted. Mr. Kirkpatrick proposed that when the fourteen acre parcel is platted the City would recoup some of the sewer costs from that development. He stated that in most cases there are individual owners with individual lots, occasionally there are two or three lots owned by one person. Council Member Bertram stated that she was told the owner of the 14 acre parcel has no intention of developing the property.

Mr. Paulson said in the previous town he lived in, the City made the developer pay for everything up front, made them donate land for schools, parks, and then hand it over to the City. Mr. Kirkpatrick said that developers do donate some things to the City of McCall, such as water tank sites, 9 holes of golf, and roads.

Lem Malone, owner of Adventure Paint and Décor and the Yacht Club Lounge, thanked the City Council Members that were involved in assisting him in negotiations with the Alcohol Beverage Control. He also encouraged the Council to continue to improve the City's image to the out-of-towners, so that everyone is able to enjoy themselves within the law.

Lieutenant Matt Anderson, Woodbridge, Virginia, part owner of the Yacht Club and on the Board of Directors for Adventure Paint and Décor, said he has some concerns about the policing in McCall he's not sure what else he can do. The Yacht Club has extensive training each month for their employees. Lieutenant Anderson thanked those that helped at the meeting with Lieutenant Clements of ABC.

**As no other persons wanted to speak, Council Member Eimers closed the public comment.**

## **CONSENT AGENDA**

Minutes of March 11, 2004

Payment Approval List for Warrant Registers printed on March 19, 2004

Payroll Report for Pay Period Ending March 12, 2004

04-31 Alcohol Beverage Catering Permits

04-39 Historic Preservation Commission Appointment

04-40 Contract for Building Plan Review

Council Member Robertson said he doesn't feel it's appropriate to pay fees and dues for the City Manager to be a part of the Rotary Club. Council Member Muller suggested that it might be a good idea to talk with the people involved with Rotary to see if it's an effective thing to have. Council Member Muller's feeling was that the Rotary Club appreciated having the City Manager attend Rotary meetings to discuss City business, but that maybe he might be able to go as a guest instead. Council Member Eimers said it would be appropriate to bring up during the budget session.

Council Member Muller asked that Lindley Kirkpatrick clarify AB 04-40 contract for building permit plan review, so that he has a better understanding of what is being asked. Mr. Kirkpatrick said that the change is driven by the increased work load: in 2002 approximately 40 permits were issued for new homes, while in 2003, 108 permits were issued. This dramatic increase in workload is expected to continue in 2004. The only solution Mr. Kirkpatrick has been able to come up with for this summer is a contract position, along with changes to the fee schedule that will pass those plan review cost onto the individual. He stated that the item will be scheduled for future Council action.

**Council Member Robertson moved to approve the Consent Agenda. Mayor Eimers Council Member seconded the motion. In a roll call vote, Council Member Eimers, Council Member Muller, Council Member Robertson, and Council Member Bertram voted aye. The motion carried.**

## **BUSINESS**

### **AB 04-33 Advisory Ballot**

Council Member Muller read a letter to Council in which he wrote explaining his thoughts on the advisory ballot adoption. The Council's intent during the budget last year was to erase any conflict arising from any individual decisions, as to whether the citizens of McCall did or did not want to take a tax increase during the upcoming budget years. It was felt that the budget has a direct impact on the citizens that pay the taxes, this argument will always occur when the City is asked to increase the budget to fund what the staff has prepared for the budget process. Council Member Muller felt it would make sense to ask the public their feelings in this process, it was in no way to be construed as a process that this new Council has to accept since this new Council was not involved in last year's budget process. An Advisory Ballot would give the Council a public indication regarding what decision should be made, unless there are other circumstances, which may point to a tax increase, in which case the Council would have the duty to override the advisory ballot. It is up to the Council to change or pass the prepared draft ballot language.

Council Member Robertson made a commitment to the Council Members that he intends to approach the budget from the bottom up to determine what the tax rate

should be. If an increase is needed, so be it; and if a decrease then the rates should be lowered.

**Council Member Robertson moved that Council stop the advisory ballot process. Council Member Bertram seconded the motion. All Council Members voted aye. The motion carried.**

### **AB 04-41 Golf Management Team Status Report**

Council Member Robertson talked about the steps in order to bring the golf course up to speed by May 25, 2004. The golf management team has taken a tour through the maintenance area, along with a detailed orientation at the club house. They reviewed a list of needs. He stated that the golf management team is authorized to recommend spending \$25,000, with another \$25,000 the management team is expecting the City Manger to find in the existing budget. It was Council Member Robertson's understanding that when Dan Pillard examined the golf course, he found that this year there was no ice damage. Dan Pillard is taking Council Members Robertson and Bertram to visit other golf course maintenance areas to see how they operate. During the April 8, 2004 Council Meeting, there will be a public hearing to discuss golf rates for the coming year.

Council Member Eimers said he remembers the discussion of the \$25,000 going into the golf course, the City thought it would take it from Council contingency, the Council said no, so the City took it from the surplus fund. In remembering the discussion with Robert Strobe, saying that if the golf course needs to find an additional \$25,000, the staff will need to go back and look at the budget. Council Member Eimers said the Council never approved that decision to find an additional \$25,000.

There was much discussion of the Council's previous action. Mr. Kirkpatrick read from the February 12, 2004 Minutes: "Council Member Muller moved to transfer \$25,000 from the General Fund Surplus as a loan to the Golf Fund to be used as determined by the Golf Management Team and to endorse the Golf Management Team concept and designate Council Members Bertram and Robertson as members of the team. Council Member Robertson seconded the motion." Mr. Kirkpatrick said that he understands that the Council expects staff to look for and identify an additional \$25,000 when Robert Strobe returns.

Council Member Robertson stated that the Golf Management Team has not spent any of the \$25,000 at this point, but are at the point within the next few weeks, hoping to meet with the Golf Foundation, to share information and make a commitment and hopefully receive a commitment in return. He stated that unless the Golf Management Team can make a commitment to the Golf Foundation for \$25,000 the Golf Management Team will be less likely to get a stronger commitment from the Golf Foundation. The Golf Management Team is hoping to get up to \$50,000 from the Golf Foundation this operating year.

Council Member Robertson said he is prepared to make a presentation to the Golf Foundation to make a commitment for \$25,000. The City is looking to see if there will be an additional \$25,000, but can't commit at this time.

Dan Pillard said the golf course is the reason why people come to McCall and the condition of the golf course is everything and that is where the City should focus and then move on to the amenities.

**The Council recessed from 9:50 p.m. to 10:00 p.m.**

**Following consultation with legal counsel, Council Member Bertram moved to amend the agenda to discuss the sale of LID 3 parcels. Council Member Eimers seconded the motion. All Council Members vote aye. The motion carried.**

Mr. Lindley Kirkpatrick said the City has received two revised offers. Each offer includes all three parcels, each offer has a due diligence period, and each offer is for the amount outstanding, although one is for ten dollars more. Mr. Kirkpatrick suggested marketing the properties and selling them at auction.

There was much discussion of the merits of auctioning the properties versus marketing the properties with a realtor versus marketing the properties by the City.

The Council agreed to discuss the matter further in a special meeting on Monday March 29.

## **REPORTS**

**Council Member – Bonnie Bertram - none**

**Council Member – Allan Muller - none**

**Council Member – Bill Robertson - none**

**Council Member – Kirk Eimers - none**

## **EXECUTIVE SESSION**

**At 10:25 p.m., Council Member Robertson moved to go into executive session per Idaho Code 67-2345(1)(f) to consider pending litigation and per Idaho Code §67-**

**2345(1)(b) to discuss a personnel matter. Mayor Eimers Council Member seconded the motion. Mayor Eimers, Council Member Muller, Council Member Robertson, Council Member Bertram voted aye. The motion carried.**

**The discussion concerned pending litigation and personnel matters.**

**At 11:55 p.m., Mayor Eimers Council Member moved to come out of executive session. Council Member Muller seconded the motion. Mayor Eimers, Council Member Bertram, Council member Muller, and Council Member Robertson voted aye. The motion carried.**

## **ADJOURNMENT**

**Without further business, Council Member Robertson moved to adjourn. Mayor Eimers Council Member seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 11:55 p.m.**

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Kirk L. Eimers, Mayor

**ATTEST:**

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Tina Clark, Deputy City Clerk