

MINUTES

McCall City Council Regular Meeting Thursday, August 26, 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 5:30 p.m. Mayor Eimers, Council Member Bertram, Council Member Greer, Council Member Muller, and Council Member Robertson answered roll call. A quorum was present.

BUSINESS

Mayor Eimers, Council Member Bertram, Council Member Greer, Council Member Muller, and Council Member Robertson toured the old fire station with Police Chief Ralph Appa, Librarian Anne Kantola, and City Manager Lindley Kirkpatrick.

EXECUTIVE SESSION

At 6:05 p.m., Mayor Eimers moved to go into executive session per Idaho Code 67-2345(1f) to consider pending litigation. Council Member Robertson seconded the motion. Mayor Eimers, Council Member Bertram, Council Member Greer, Council Member Muller, and Council Member Robertson voted aye. The motion carried.

The discussion concerned pending litigation.

At 6:55 p.m., Mayor Eimers moved to come out of executive session. Council Member Muller seconded the motion. Mayor Eimers, Council Member Bertram, Council Member Greer, Council member Muller, and Council Member Robertson voted aye. The motion carried.

PUBLIC COMMENT

Mayor Eimers called for public comment.

Ed Catlett said he is in support of the McCall Police Department.

Lee Hanson, voiced concerns about the property located at 204 Thula. She said that she recently attended a Planning and Zoning meeting and requested that the city code in a residential zone type A not be part of a junkyard. She stated that on the property there are three unused refrigerators, gangs of mailboxes from the old post office, a blue

Chevy van with no license plate that is for sale, a blue Subaru, a Chevy 4x4 that hasn't been moved in a year, a delivery truck with the Maverick logo, two brown Chevy's with Oregon and Commercial plates, a six wheeled truck with a portable water tank, a 20 foot U-Haul truck filled with furniture, multiple commercial delivery trucks, semi-tractor trailer truck, commercial crane, 1000 gallon unused propane tank, and various other vehicles.

Herb Hatcher, 13761 Herizon View Road, stated that he isn't a resident of McCall but does conduct his business in the city. He stated that while having dinner at Lardo's in the past week he witnessed two gentlemen who became embroiled in a fight over a pool game. Mr. Hatcher referred to the Community Oriented Policing Services Report that was prepared on behalf of the McCall Police Department. He stated that the report emphasizes the need for public visibility of the Police Department. Mr. Hatcher suggested that the Police Department be relocated to old fire station building to meet this need. He stated that you don't see crime here because the police department in McCall is very good.

Joan Catlett, 1942 Pilgrim Cove Road, stated that she currently lives in a fringe area that is located in an area that was previously looked at for annexation. Ms. Catlett stated that she frequently calls the sheriff's office because of speeding in the area. The County is unable to respond on most occasions since they are shorthanded. She calls the Police Department but they are also unable to respond since they only have one officer on duty. In the area there is the Girl Scout camp, Boy Scout camp, a Church camp and a walking trail that goes through Ponderosa State Park, which result in the convergence of all these people to the area. She thanked the public works department for repairing signage that have been torn done and commended the work of Bill and Liz. Ms. Catlett stated that is very difficult to live on the street because of speeding and failing to stop at stop signs. She stated that McCall needs a code enforcement officer in McCall to clean up some of the problems that are happening in the city such as the overtime parking by the marina. She stated that she has yet to meet a police officer or Chief of Police that hasn't been kind and courteous in every way.

Dan Cantrell, resident of McCall, asked about the budgeting process in regards to the building department. Mr. Cantrell wanted to know much money is taken in and where it goes. He stated that he believes the Building Department is currently overtaxed at the present time, with one man trying to do the job of three. He stated that if money is available he should be given the help he deserves.

Dave Fields, 602 Wanda, said recently there have been some accusations regarding his name and the work he performs on the Police Advisory committee. He stated that he had prepared a letter for Council addressing each of the accusations, and provided documentation including minutes of PAC meetings, transcripts of words to City Council at the budget meeting, and a letter from former Mayor Ralph Colton. He asked Council to look at his letter and documentation to draw their conclusions about the truth.

Judy Watkins, Nampa, stated that she wants to thank Council's support of McCall Transit. She stated that they think it is a good thing for McCall and believes that based on recent comments, the public does as well. She stated that she sees great things ahead and expansion of services. She thanked the City of McCall on behalf of McCall Transit.

Dick Wilkerson, 336 Forest, stated that he wants the Council to consider budgeting more money in order to oil streets for dust control. He complimented the Council for cutting the police department down and believes they should do the same to a few others except the Road Department.

Hearing no further comments, Mayor Eimers closed the public comment at 7:34p.m.

CONSENT AGENDA

Minutes of August 2, 2004 and August 11, 2004
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Council Member Greer asked about the payment for the Lutheran Church Litigation. City Manager Kirkpatrick explained that it was part of the land acquisition for the East West Loop.

Council Member Bertram asked about the \$3,900 LID billing delinquency. Amanda Townsend, City Treasurer, explained that it was in reference to sale of the delinquent parcels.

Council Member Greer asked if the 911 telephone system had a special line in revenues where part of the tax is used to cover the \$18,000 that is spent on the system. Police Chief Appa stated that the expense comes out the Police budget, and that every jurisdiction in the county who receives 911 services is required to pay based upon a percentage of use volume.

Council Member Muller asked about the \$20,000 expense for reject sand. Bill Keating, Public Works explained that the sand is material obtained from the crushing of rock at the gravel pit, and is used for the building of roads.

Council Member Muller asked about the \$1,300 expense for a full hood for a truck. Bill Keating explained that the hood was a dump truck.

Council Member Muller asked about a \$125 expense for a stray dog. City Manager Kirkpatrick explained that the billing was done in error and Council would see a correction to the Warrant at the next meeting.

Council Member Muller asked if there is a transfer fee for leases at the Airport hanger. City Manager Kirkpatrick explained that there isn't a transfer fee, but when the leases expire the fees are charged at the current year's base rate.

Council Member Bertram asked about if the money spent in regards to the storm water could be used as match funds if the City was awarded a grant. City Manager Kirkpatrick stated that it is often difficult to use money that has already been spent as match. He stated that the idea is conceivable but unlikely under most grant scenarios.

Council Member Muller moved to approve the Consent Agenda and authorize the Mayor to sign all necessary documents. Council Member Robertson seconded the motion. In a roll call vote, Mayor Eimers voted aye, Council Member Bertram abstained, Council Member Greer voted aye, Council Member Muller voted aye, and Council Member Robertson voted aye. The motion carried.

BUSINESS

AB 04-139 Adoption of Budget Ordinance for Fiscal Year 2004 – 2005

City Manager Kirkpatrick said that Ordinance No. 797 being presented before Council is for the adoption of the City Budget for Fiscal Year 2004-2005. City Manager Kirkpatrick stated the budget remains as discussed with one change to reduce the Golf Operations and Clubhouse revenues and Golf Pro contract expense by \$111,000 to reflect the actual way we perceive those revenues and pay on the contract. The change represents a net zero change as the expenses for the items were reduced in accordance as well. The recommend action before the Council is to suspend the rules and read the ordinance by title only and adopt the measure to establish the City budget for the next year in the amount of \$13,364,512.

Council Member Bertram stated that the Council needs to find money in the budget to hire a consultant for an impact study fee. Mayor Eimers said the Council will find funds to conduct the study; it's just a matter of deciding where the revenue to fund the expense will come from.

Council Member Robertson stated the current planned budget authorizes \$160,000 for the remodeling of the old Fire Station which is currently planned to serve as an office for the Community Development Department. In order to explore different options, he recommended moving the three line expenses to the Council and Mayor contingency budget instead of placing them as a Community Development line item.

Council Member Robertson said the Council is eliminating the city funding for an additional police officer. He supports the idea of an SRO officer at the schools as they as they were willing to pay for it. If the school was willing to pay 9/12 of the position's salary, then the Council would be willing to sit down and determine there's a need for a full time position. He wanted known for the record that the City really isn't eliminating the position, only the City funding for the SRO position.

Council Member Robertson said the City has had a long-term agreement to pay \$25,000 to Valley County Court Services, which is being reduced to \$8,000. He was concerned over a recent lawsuit filed by Twin Falls County against the city of Twin Falls.

Council Member Greer voiced concerns about overtime for the Police Department since a position is being eliminated. He wanted to know the reason for reducing one police officer. Mayor Eimers said that greatest risk to this community is growth, and to manage the growth a good comprehensive plan and zoning ordinance was developed. He stated that Council has elected to manage the growth properly which takes more money than what was available. The elimination of the position helps to fund the ability to make growth management a priority.

Council Member Robertson added that if the schools are willing to help fund the SRO, the City would have the same number of officers as they do this year. Council Robertson said he agrees with the public comments that the Police Department does a good job.

Council Member Muller stated he agrees that the Police Department does a good job, but there is more Idaho State Police in the area than ever before. He also believes they have a good working relationship with the County.

Council Member Bertram stated that it was the Council's number one priority at their work sessions to provide help to the Community Development department. It was determined that the City had to deal with the growth now or pay for it desperately in the future. In order to accomplish the goal, other areas had to be cut. At the time of budget planning, the Idaho State Police had three officers in the area and hoped they could assist the City.

Chief Appa clarified that the McCall Police Department was notified that the Idaho State Police will be transferring two Troopers to Boise, leaving the County with only one Trooper. In order to present Council with a balanced budget, the Department agreed to reduce overtime expenses by 25%. He does believe he may be faced with overtime issues throughout the coming fiscal year with the subtraction of one officer.

Council Member Robertson said the purpose of the advisory committees in the community is to provide the Council and Department Heads with feedback. It seems to him that over the past five or six months the advisory committees have been directing concerns directly to the newspaper rather than fulfilling their purpose.

Council Member Robertson said one of the topics that has had gained a lot of public attention has to do with Heartland Gymnastics. The Council has made the decision to reduce and terminate agreement upon notice by the City as allowed under the original terms of the contract. He believes the Council should stay with the funding decision, but there remain 2 projects that the Council needs to kick off. One long range project to see what the community members want for their recreational needs and another shorter term project to sit down with Heartland Gymnastics to see what can be done jointly to help them with costs to the transition away from City funding. He believes this should be done within the next 45 – 60 days on the assumptions Council does not raise the funding.

Council Member Greer stated that he would like to see the expense for the employee's holiday party be taken out of the budget. He believes that taxpayers shouldn't have to pay for the expense.

Council Member Muller said he does not agree with taking the party out of the budget. The granting of the party is his way of saying thank you for the hard work put in by the employees. He feels it is important to support and thank the staff.

Council Member Bertram said holding the party is a good will gesture to the employees. For every penny we put in we get a better employee. She said that it's a struggle for her to justify a holiday party and doesn't feel the taxpayers should have to pay for the expense especially when so many citizens in the community are in need.

Council Member Muller agrees that there are many people in the community who are in need. The Council needs to implement various programs to help people in need, and has started by implementing assistance to residents with help for their sewer and water expense. Many people in the community are service industry oriented which is notorious for low pay. He still believes that the holiday party should be given to the staff.

Council Member Muller made the motion to suspend the rules and read Ordinance No. 797, as amended, by title only. Council Member Robertson seconded the motion. In a roll call vote, Council Member Bertram, Council Member Greer, Council Member Robertson, Council Member Muller, and Council Member Eimers voted aye. The motion carried.

City Manager Kirkpatrick read Ordinance No. 797 by title only.

Council Member Muller made the motion to adopt Ordinance No. 797, setting the Fiscal Year 2005 City of McCall Budget Appropriation in the amount of \$13,364,512. Council Member Robertson seconded the motion. In a roll call vote, Mayor Eimers, Council Member Muller, Council Member Robertson, Council Member Greer, and Council Member Bertram voted aye. The motion carried.

Council Member Robertson asked that Council begin setting up the committees that will gather comments regarding the recreational needs of the community to work with Heartland Gymnastics.

City Manager Kirkpatrick suggested that committee to assist Heartland Gymnastics transition begin at the staff level. He and Brock Heasley will work with Heartland Gymnastics and bring any acceptable proposals before Council. Council Member Robertson and Council Member Greer volunteered to be on the committee that seeks to identify the future recreational needs of the committee.

AB 04-138 Adoption of Amending Budget Ordinance for Fiscal Year 2003 – 2004

Lindley Kirkpatrick said the proposed amendment to the FY 2004 budget includes an additional \$100,000 Grant from the Local Highway Technical Assistance Council (LHTAC) for the construction of the East-West Loop and appropriates \$50,000 of General Fund surplus fund balance in the form of a loan to the Sewer Fund for construction of sewer improvements within the Rio Vista neighborhood.

Council Member Muller made a motion to suspend the rules and read Ordinance No. 798 by title only. Council Member Robertson seconded the motion. In a roll call vote, Council Member Bertram, Council Member Greer, Council Member Robertson, Council Member Muller, Mayor Eimers all voted aye. The motion carried.

City Manager Kirkpatrick read Ordinance No. 798 by title.

Council Member Muller made a motion to adopt Ordinance No. 798. Council Member Bertram seconded the motion. In a roll call vote, Mayor Eimers, Council Member Muller, Council Member Robertson, Council Member Greer, and Council Member Bertram all voted aye. The motion carried.

AB 04-141 2004 Water Tank Drain & Fill Lines Construction

Lindley Kirkpatrick said a BID Opening was held on August 20, 2004. Four bids were received, Bodiford Construction was the lowest bidder. Holladay Engineering has reviewed the bids for completeness and compliance with the bid requirements, and has recommended to award the BID to Bodiford Construction in the amount of \$444,730. The construction process should take as much as 60 days and the contractor is ready to begin very quickly after being issued a notice to proceed.

Bill Keating, Public Works Director, stated that the project entails placing drain and fill lines from the water treatment plant to the future 1,000,000 water storage tank. The waterlines will run through the Aspen Ridge Subdivision which is currently in the process of building roads. It is planned to put the waterlines in place during the road construction to avoid having to do it while the lots are being sold.

Council Member Muller asked if there was a plan in place in case construction delays occurred due to the large rocks in the area. Mr. Keating stated that the rocks were identified to the contractors during an on-site walk through, and rock excavation was a line item on the bid proposal.

Council Member Robertson asked if the City of McCall will come within the \$1,000,008 that was originally estimated for the proposed water tank project. City Manager Kirkpatrick replied that the Engineer would like the opportunity to reevaluate costs for other items associated with the proposed water tank project.

Council Member Robertson made a motion to award the Water Tank and Drain and Fill Lines Construction Bid to Bodiford Construction in the amount of \$444,730. Mayor Eimers seconded the motion. In a roll call vote, Council Member Bertram, Council Member Greer, Council Member Robertson, Council Member Muller, and Mayor Eimers all voted aye. The motion carried.

AB 04-142 Council Contingency: Sealing the cart paths at the Golf Course

Council Member Robertson asked about the time frame of sealing the cart paths at the Golf Course. Council Member Bertram spoke with Allan Morrison today and he said that they will wait until after Labor Day weekend to start sealing the cart path.

Council Member Robertson stated that the project to finish sealing the cart paths and parking lot will cost \$30,000. The Golf foundation and golf community will contribute \$23,000 towards completing the project and the City will contribute \$7,000.

Council Member Robertson moved to dedicate \$7,000 from Council Contingency for sealing the cart paths at the Golf Course. Council Member Muller seconded the motion. All Council Members voted aye. The motion carried.

AB 04-107 Local Option Tax Ordinance 796

City Manager Kirkpatrick stated that Ordinance No. 796 is being presented before the Council for the third and final reading and a vote for the adoption of the measure that will place the Local Option Tax before voters. The ordinance incorporates the changes that were discussed by the Council during the previous readings.

Council Member Robertson stated that since the County has proposed an increased sales tax, it may be difficult for voters to recognize the difference between the two measures. He felt that it was important for the Council to get out in the community and show their support for the measure.

Council Member Bertram stated that she felt it was important that the voters know the measure is for the adoption of hotel tax only.

Tracy Smith, 110 Thula, Executive Director of the Chamber of Commerce, asked Lindley Kirkpatrick if Ordinance No. 796 was amended to include the phrase, advertising and promotion, to the list of eligible activities where the generated revenue can be expended. She inquired as to when the independent members to oversee the measure will be appointed by Council. She stated that she has received input that many people are waiting to see who the members of commission are before supporting the measure.

Council Member Bertram stated that the commission will not be selected until the measure is approved by voters.

Council Member Robertson stated that even if they aren't a member of the Local Option Tax commission, people will have the chance to come before the Council and recommend where the revenue is expended. He stated that Economic growth, marketing, advertising, promotion and development will be amended to the schedule of expense items in the Ordinance.

Council Member Robertson made a motion to suspend the rules and read Ordinance No. 796, as amended, by title only. Council Member Muller seconded the motion. In a roll vote, Council Member Bertram, Council Member Greer, Council Member Robertson, Council Member Muller, and Mayor Eimers. The motion carried.

City Manager Kirkpatrick read Ordinance No. 796 by title only.

Council Member Robertson made a motion to adopt Ordinance No. 796. Council Member Muller seconded the motion. In a roll vote, Mayor Eimers, Council Member Muller, Council Member Robertson, Council Member Greer, and Council Member Bertram all voted aye. The motion carried.

AB 04-143 Resolution 04-13 Calling the Local Option Tax Election and approving the LOT Ballot Question

Tammy Zokan, City Attorney, explained the ballot question lay out. In order to help clarify the ballot measure, she recommended adding verbiage that will state "authorizing a local option non-property occupancy tax on hotel/motel rooms, appointing an independent commission, and identifying uses of said revenues, all provided in said ordinance."

Mayor Eimers said the Council should amend resolution to reflect the changes Tammy Zokan discussed.

Council Member Muller made a motion to adopt Resolution 04-13 as amended. Council Member Robertson seconded the motion. In a roll vote Council Member Bertram, Council Member Greer, Council Member Robertson, Council Member Muller, and Mayor Eimers all voted aye. The motion carried.

AB 04-136 Vision Statement

Council Member Muller said he would like the vision statement to include a reference to full time residents as they also benefit to the local occupancy. Council Member Robertson suggested that the vision statement be amended to read “the local economy is tied to residents, tourism, and second homes.”

Council Member Robertson made a motion to adopt the Vision Statement of the City McCall as amended. Council Member Muller seconded the motion. All Council Members voted aye. The motion carried.

REPORTS

City Manager/City Clerk – Lindley Kirkpatrick said the city is looking at the Health insurance plan for the next Fiscal Year. The proposal is to remain with Blue Cross and increase the deductible from \$500 to \$750, the dental plan would change from Delta Dental to MetLife, and changing the Employee Assistance Program administrator. To offset the expense of an increased health insurance deductible, the proposed change also includes increasing the city’s contribution to the flexible spending account by \$190 for employees and by \$380 for employee and dependents. By making the proposed changes and reducing overall premium costs, the City will save 1% over what is budgeted for the year. The increased flexible spending account amounts will also benefit employees by providing more first dollar health coverage.

City Attorney – Tammy Zokan said the hearing on the petition for judicial confirmation was held on Wednesday. She stated the judge granted the City’s petition, entered findings and conclusions, and a judgment which authorizes the City to enter into a loan agreement with DEQ in the amount of \$1,800,000. The judge found the expenses were ordinary and necessary to improve the water system and authorized by law. The decision is final but is subject to a 42 day appeal period.

Chief of Police – Ralph Appa presented a packet for Council regarding the police advisory committee for their review. He stated that on October 2, 2004, McCall will be the location for the largest homeland security drill seen in the state. Three separate drills will be held in Valley County presenting worst case disaster scenarios. The drills are meant to tax the resources of the responding parties in order to see if there are only problems in Department policies or training.

Council Member Robertson stated that the results of this federal disaster training project should be a strong statement to the community as to the local agency’s

plan for disaster preparedness. The project will be communicated to the community in the newspaper and radio so that citizens realize what is happening.

Council Member Bertram asked about the \$700 revenue line item in Recreation Department budget. She thought that more revenue was generated under the program.

ADJOURNMENT

Without further business, Council Member Greer moved to adjourn. Council Member Muller seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 10:12 p.m.

Kirk L. Eimers, Mayor

ATTEST:

Dan Irwin, City Clerk