

MINUTES

McCall City Council Regular Meeting Thursday September 22, 2005

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ADJOURNMENT

CALL TO ORDER AND ROLL CALL

Mayor Eimers called the regular meeting of the McCall City Council to order at 6:03 p.m. Council Member Bertram, Council Member Muller, and Mayor Eimers answered roll call. Council Member Greer and Council Member Robertson were excused. A quorum was present.

City staff members present were Lindley Kirkpatrick, City Manager; Roger Millar Community Development Director/Deputy City Manager; Bill Keating, Public Works Director; Rick Harvey, Airport Manager; Jerry Summers, Acting Police Chief, William Nichols, City Attorney; Brenda Loftis, Personnel Officer; Carol Coyle, Grant Administrator/Community Planner; and Dan Irwin, City Clerk.

PUBLIC HEARING

AB 05-188 Interim Moratorium on Development Applications / Ordinance No. 816

Roger Millar, Community Development Director/Deputy City Manager, said that Ordinance No. 816 proposes to extend the existing moratorium on development applications for an additional 365 days. He explained that the initial moratorium ordinance that was adopted by the City Council is set to expire on October 10th. He explained that it was the City's intent to put a moratorium in place until the issues with the wastewater treatment system and the rewrite of the zoning code was complete. Mr. Millar stated that the City Engineer has progressed in dealing with the wastewater treatment system and the new zoning code would hopefully be adopted by the end of the year. He explained that the ordinance proposes a 365 day extension of the moratorium but can be lifted at any time by the City Council. Mr. Millar said that the 365 day extension was proposed so that additional public hearings wouldn't be required if additional time is needed to adopt the zoning code.

Mayor Eimers asked if there was any reason not to establish a ninety day extension of the moratorium.

Mr. Millar said that if additional time is required to adopt the zoning code then the City would have to go through another public hearing. He said that it was his intent to avoid having to publish the notice requirements and other elements of the public hearing process if additional time is needed for the adoption of the zoning code. Mr. Millar said that under the terms of the ordinance, the City Council can lift the moratorium at any time. He stated that the zoning code would be ready for adoption by the Planning and Zoning Commission in the middle of October.

Mayor Eimers opened the public hearing to public testimony at 6:08 p.m. As nobody wished to speak, the Mayor subsequently closed the public hearing to public testimony.

Council Member Bertram said that she is concerned about the community's perception of extending the moratorium by 365 days if less time is needed. She stated that she would also like to do something with the inclusion of the scenic route district overlay in the moratorium.

Mr. Millar stated that the changes to the scenic route district would be completed by January 1st. He said that the Council could remove the scenic route overlay from the moratorium separate from the other development applications.

Council Member Muller said that a moratorium on scenic route district puts an unnecessary burden on people which isn't related to the issues with the sewer system. He said that he supports extending the moratorium by 365 days but would like the Council to revisit the issue at every Council meeting.

Mayor Eimers said that he believes the City should extend the moratorium by 365 days and remove the inclusion of the scenic route district applications as soon as it is approved by the Planning and Zoning Commission.

Council Member Bertram said that she would like the extension of time reduced to 180 days.

Council Member Muller asked if Mr. Millar saw any problems with only extending the moratorium by 180 days.

Mr. Millar stated that the only drawback would be the requirement to hold an additional public hearing if more time is needed. He said that everything is on track to have zoning code adopted within that time span.

Mayor Eimers said that he supports extending the moratorium by 180 days. He added that the scenic route district applications should still be removed from the moratorium as soon as possible.

Mr. Kirkpatrick clarified that the Council's intention was to amend section 3 of the moratorium and extend the moratorium by 180 days. He asked if language should be added regarding the scenic route district.

William Nichols, City Attorney, said that he recommends only amending section 3 of the ordinance at this time. He explained that it would be better to have a separate motion to remove the scenic route district from the moratorium after the zoning code rewrite is completed by the Planning and Zoning Commission.

Mr. Millar stated that he would prepare a separate ordinance for removing the scenic route district from the moratorium when the first public hearing for the adoption of the zoning code is scheduled for Council consideration.

Mayor Eimers moved to suspend the rules and read Ordinance No. 816 by title only, one time only. Council Member Muller seconded the motion. In a roll call vote, Council Member Bertram, Council Member Muller, and Mayor Eimers voted aye. The motion carried 3-0-0.

Mr. Kirkpatrick read Ordinance No. 816 by title.

Mayor Eimers moved to adopt Ordinance No. 816 as amended. Council Member Bertram seconded the motion. In a roll call vote, Council Member Muller, Mayor Eimers, and Council Member Bertram voted aye. The motion carried 3-0-0.

AB 05-187 Housing Policy / Resolution 05-19

Mr. Millar stated that the intention of Resolution 05-19 is to establish a community housing policy for the City of McCall. He explained that the resolution would not establish any fees or adopt any specific ordinances. Mr. Millar said that the resolution is to provide policy guidance by the Council and to direct staff to draft the specific ordinances to reach the goals outlined in the resolution.

Mayor Eimers explained that public hearing was a continuation of prior hearing that was held on September 7th.

Mayor Eimers opened the public hearing to public testimony at 6:21 p.m.

Robert Lyons, Ann St., said that he agrees that the City needs to do something to establish community housing. He stated that he would rather see the City focus on incentive programs rather than establishing additional fees. Mr. Lyons said that the City needs to establish a system of how to manage the incoming fees that are proposed and where they would be spent. He said that he knows of several developers who would voluntarily agree to provide community housing in exchange for sewer and water hookups to their developments. Mr. Lyons said that if the City chose to pursue that method the City could have community housing established today rather than waiting for additional ordinances to be adopted. He said that the City should implement reward and incentive programs in order to immediately establish community housing in the City.

Greg Lovell, Idaho First Bank, said that the Board of Directors for Idaho First Bank adopted a resolution to establish community housing within the City of McCall. He said that they are also forming a 501(c)3 entity that would promote affordable housing efforts. Mr. Lovell said that at the last meeting the public's focus was on the ordinances that would be developed from the adoption of the resolution. He said that the critical piece contained in the resolution is found in section 6.1 which establishes the production goals for the City. He explained that the current language would require \$17 million for

the first year of development. He said that he is concerned that the production goals are set too high and need to be reevaluated. Mr. Lovell said that other communities have also been able to establish community housing without placing the sole cost on developers. He said that he agrees that some form of linkage needs to be developed as the effort can't be done with incentives alone. He said that the City needs to carefully balance the linkage fees and incentives in order to be successful. Mr. Lovell said that he agrees that the City needs to take action towards reaching a solution.

Dan Krahn, 906 Ann St., thanked Mr. Millar for spending time with him after the last meeting to explain the details of the resolution to him. He stated that he now understands that the specific details of how to achieve the policy goals would be established in subsequent ordinances. Mr. Krahn said that he still finds it difficult to support the policy goals of the resolution without knowing the specific terms of the ordinance. He stated that he still has concerns about the specific production goals contained in the resolution. Mr. Krahn said that the City needs to take a regional approach in dealing with the issue and all of the elected officials from the various governing bodies need to meet in order to establish similar policies. He explained that if the County doesn't adopt the same ordinances then all of the development would be chased away from the City of McCall. Mr. Krahn said that the housing economy in the community has always had spikes but eventually flattens out. He said that if City's ordinances are too strong then new development would be chased out. He stated that he encourages the establishment of a 501(c)3 like has been done in other areas.

Ray Alford, West Valley Road, said that many communities have established incentive programs to solve their community housing problems. He said that last year he subdivided one of his properties and made the lots affordable but there wasn't a lot of interest from residents. Mr. Alford stated that in order to establish community housing the City should establish incentive programs such as granting utility hook-up reductions in exchange for affordable housing. He stated that he would continue requesting extensions for the final platting of Broken Ridge Phase 3 until the City determines their course of action. Mr. Alford said that he would like the opportunity to review draft community housing ordinances before the Council adopts the resolution. He added that he sent a letter to the City on January 24, 2005 requesting an easement to a property that he would develop into community housing but hasn't received a response.

Matt Ganz, 1104 Alpine, said that he is enthusiastic about the City's initiative to provide community housing. He commended the inclusion of Section 3 of the resolution that directs staff to seek all State and Federal funding methods. He suggested that the City contact the State of Idaho to see if they would grant land to the City that could be established as community housing. He said that such a piece of land is the parcel located between the post office and the Valley County Annex. Mr. Gantz stated that the location would be ideal to be developed as a mixed use development.

Ellen Ganz, 1104 Alpine, said that she thinks the resolution is a great direction for the City to start with. She stated that she is concerned that the initiative would further increase property values in the City and increase property taxes. She said that she

would like to see the homeowners exemption expanded and supports the creation of incentive programs.

Mayor Eimers closed the public hearing to public testimony at 6:45 p.m.

Mayor Eimers asked if Mr. Millar thought that the production goals should be reduced in the resolution.

Mr. Millar stated that the production goals simply give the City a target to attempt to achieve. He explained that the resolution could be revised at a later time if they are found to be unrealistic.

Council Member Bertram asked if a resolution could be prepared without establishing specific numbers in the production goals.

Mr. Millar said that the specific numbers contained in the resolution come directly from the needs assessment that was conducted by Rees Consulting. He said that he realizes the program would increase market values in the community but it is the only place that the money can come from. He explained that he understands that it is the Council's goal to balance incentive programs and extraction requirements.

Council Member Bertram stated that Section 4 of the resolution directs staff to establish incentive programs.

Mr. Millar added that the draft version of the zoning code rewrite includes several incentive initiatives.

Mayor Eimers said that the Council has learned that community housing initiatives in other communities have failed when they are only created with incentives. He said that he thinks it is important to begin the process and recommends that the Council adopt the resolution.

Council Member Muller stated that he agrees that the City should adopt the resolution to begin the process. He said that it took five years for the City to adopt a sign ordinance and the establishment of community housing needs to begin immediately. Council Member Muller said that he would still like to see a breakdown of City owned property to see if it could be used for community housing. He added that community housing isn't a single subdivision for low-income people, he explained that the development of community housing should be spread throughout new and existing development which are nicely maintained.

Mayor Eimers moved to adopt Resolution 05-19 and authorize the Mayor to sign all necessary documents. Council Member Muller seconded the motion. In a roll call vote, Council Member Bertram, Council Member Muller, and Mayor Eimers voted aye. The motion carried 3-0-0.

Council Member Bertram asked when the Council should expect to see the specific ordinances on the agenda for consideration.

Mr. Millar said that he hopes to bring the ordinances to the Council after the adoption of the new zoning code. He explained that the ordinances would begin at the Planning and Zoning level and would progress towards Council adoption.

AB 05-189 PUD-05-4 Village at Deer Forest

Mr. Millar explained that subdivision and planned unit development applications for the Village at Deer Forest were submitted prior to the moratorium. He said that the subdivision proposes a zoning classification of A, low density residential, upon annexation. He said that the Planning and Zoning Commission has recommended Council approval of the PUD general plan. Mr. Millar stated that before the Council is the consideration of the general plan and an annexation ordinance. He said that several conditions of approval were issued to the developer by the Planning and Zoning Commission.

Council Member Bertram asked where the development would be located.

Mr. Millar explained that it would be located on the west side of Spring Mountain Boulevard.

Council Member Bertram asked if a bike path connection would be located in the development.

Mr. Millar stated that the bike path exists on the east side of Spring Mountain Boulevard. He said that there are several large parcels behind the development and the City has worked with the developer to provide for an extension to Spring Mountain Boulevard if and when those parcels are developed.

Council Member Bertram asked about the temporary irrigation that would be installed by the developer.

Mr. Millar explained that the applicant would be required to establish drought tolerant plants along the right-of-way until they are established. He explained that the developer would install the temporary installation to establish the plants until they are accepted by the City Arborist as being established.

Mayor Eimers opened the public hearing to public testimony at 6:58 p.m.

Steve Arnold, applicant, stated that he has read through the conditions of approval and is willing to comply with the requirements.

Council Member Bertram asked which entity would be providing the development with sewer service.

Mr. Arnold explained that the development would be served by the City.

Ron Rooth, 115 Idaho St., said that he is concerned about the several small parcels that are being acquired for the City Parks Department. He said that he isn't sure how the department is supposed to properly maintain all of the properties unless more staff is hired. Mr. Rooth said that in other communities the homeowners associations are required to maintain the common areas.

Mr. Millar said that he has been working with Mr. Heasley to preserve open space through the execution of development agreements. He explained that the establishment of a Parks and Recreation master plan would allow the City to create parks based on policy.

Council Member Bertram asked if there was a common area in the development.

Mr. Millar stated that there isn't a park in the development. He explained that the area that would be served by the temporary irrigation is located on knoll in the public right-of-way.

Ray Alford said that in his Broken Ridge development he dedicated a sizable piece of land as a public park. He stated that it is specified in the agreement with the City that the park would be left natural and contain a walking path only. He said that developers may want to consider doing the same in their developments.

Mayor Eimers closed the public hearing to public testimony at 7:08 p.m.

Council Member Bertram asked if the snow storage requirements listed in item #10 of the conditions of approval were adequate.

Mr. Millar stated that the requirement was consistent with what was approved for Spring Mountain Ranch.

Council Member Muller moved to adopt the draft Findings & Conclusions and approve the General Plan for PUD-05-4, Village at Deer Forest and authorize the Mayor to sign. Council Member Bertram seconded the motion. In a voice vote, the motion carried 3-0-0.

Mayor Eimers moved to suspend the rules and read Ordinance 817 by title only, one time only. Council Member Muller seconded the motion. In a roll call vote, Council Member Bertram, Council Member Muller, and Mayor Eimers voted aye. The motion carried 3-0-0.

Mr. Kirkpatrick read Ordinance No. 817 by title.

Mayor Eimers moved to adopt Ordinance 817. Council Member Muller seconded the motion. In a roll call vote, Council Member Bertram, Council Member Muller, and Mayor Eimers voted aye. The motion carried 3-0-0.

PUBLIC COMMENT

Mayor Eimers called for public comment.

Hearing no comments, Mayor Eimers closed the public comment at 7:11 p.m.

CONSENT AGENDA

Council Member Bertram moved to approve the Consent Agenda and authorize the Mayor to sign all necessary documents. Mayor Eimers seconded the motion. In a roll call vote, Council Member Muller, Mayor Eimers and Council Member Bertram voted aye. The motion carried 3-0-0.

BUSINESS AGENDA

AB 05-182 Parks and Recreation Advisory Committee Member Appointment

Brock Heasley, Parks and Recreation Director, explained that Jim Clarke had submitted a letter of interest of serving on the Parks and Recreation Advisory Committee.

Mayor Eimers moved to appoint Jim Clarke to the Parks and Recreation Advisory Committee to serve a two year term. Council Member Muller seconded the motion. In a voice vote, the motion carried 3-0-0.

AB 05-181 Parks and Recreation Advisory Committee Annual Report

Mr. Heasley introduced Dave Faurot, Ron Rooth, and Kevin Briem as the members of the Parks and Recreation Advisory Committee.

Kevin Briem, Chairman of the Parks and Recreation Advisory Committee, said that he has just recently been elected chairman but has served on the committee for six years. He stated that the Committee has been very busy during the past year. He explained that the Committee now has the responsibility of recommending the approval of new parks, have reviewed the commercial activity along the lake, and have spent a lot of time with the development of Riverfront Park. Mr. Briem said that getting the brownsfield approval of Riverfront Park was a big hurdle in the process and now they are attempting to get a special use permit from the Forest Service. He stated that the

committee would need to go through the public process of seeing what the community would like to be put at Riverfront Park.

Mayor Eimers asked if the gravel pit was still being used for Spring Mountain Ranch. Bill Keating, Public Works Director, said that Spring Mountain Ranch has finished extracting from the gravel pit.

Council Member Bertram asked how big the gravel pit is.

Mr. Heasley said that gravel pit is approximately 10 acres in size.

Council Member Muller asked if the committee thought that the Forest Service would issue the permit to the City.

Mr. Briem said that the committee has received positive feedback from the local office but still must go through the Special Use Permit process.

Council Member Muller asked how long the Special Use Permit would be valid for.

Mr. Rooth said that the permit would specify a number of years. He stated that another avenue to get the property would be through Congressional action. Mr. Rooth stated that a Congressional delegate could sponsor legislation to grant the land to the City of McCall.

Council Member Muller said that the committee should write a letter to all of the Idaho Congressional delegates to see if they would consider sponsoring such legislation. He stated that the land isn't benefiting the Forest Service.

Council Member Bertram asked if the gravel pit is still being used for extraction and storage.

Mr. Keating confirmed that it was.

Council Member Bertram asked Mr. Keating how much longer he estimated that the pit could be used for.

Mr. Keating said that he thinks the gravel pit would remain useful for another 10 years.

Council Member Bertram said that the City would need to consider the pit in their development of the park as gravel pits are difficult to find and permit.

Council Member Muller stated that it would be an important task for the committee to sift through the public participation and bring the design of the park forward for Council approval.

Mr. Kirkpatrick added that the Parks and Recreation master plan would be a great asset to rely upon for the park design.

Council Member Muller stated that the committee needs to work closely with the local Forest Service office to obtain the additional land. He said that the agency has been very generous in honoring requests by the City.

Mr. Kirkpatrick stated that staff would work closely with the local office and in cooperation with the Congressional delegation.

Mr. Briem stated that committee has a big concern with the commercial activity that is occurring at the City Parks along the lake. He said that the committee needs to figure out what can be done along the beach to remedy the situation. Mr. Briem said that the committee would work on the problem and bring a recommendation forward to the Council before the start of the next season.

Mayor Eimers said that the committee should pursue all of the alternatives that are available to remedy the situation.

Mr. Briem said that it was very beneficial to meet with representatives of the other City advisory committees during the Urban Renewal Agency plan update planning session. He said that all of the committees should meet periodically to explore the ideas and concepts that are being discussed.

Mr. Millar said that 190 people attended the week long planning session to update the Urban Renewal Plan. He said that the event was a success due to the cooperation with the Parks and Recreation Advisory Committee, the Transportation Advisory Committee, and the Urban Renewal Agency.

AB 05-186 Wastewater Policy Amendment / Resolution 05-21

Mr. Millar stated that he sent out an email to the Council members detailing the results of the building permit allocations to date. He said that the Council indicated a desire to amend the Wastewater Policy and change the limitation on the number of service hookups to 50 hookups per month for September, October, and November 2005, which is reflected in Resolution 05-21.

Mayor Eimers said that it was interesting to see that 22 out of the 37 applicants were willing to contribute towards community housing initiatives in order to receive additional scoring points.

Mr. Millar said that \$150,000 had been dedicated towards establishing community housing through September. He said that he expects to see a few applicants unwilling to pay towards the program since all of the applications were successful in receiving a permit. He explained that the City received 50 applications in September for the 50 permits to be allocated for the month.

Council Member Muller moved to adopt Resolution 05-21 and authorize the Mayor to sign all necessary documents. Mayor Eimers seconded the motion. In a voice vote, the motion carried 3-0-0.

AB 05-192 I&I Manhole Repair Project Bid Award

Mr. Keating stated that CH2MHILL put together the bid package for the I&I Manhole repair project and had a bid opening earlier in the day. He said that the firm received two bids and I&I Contractors were identified as the lowest responsible bidder. Mr. Keating stated that the bid was \$91,900 to repair 40+ manholes.

Council Member Bertram asked if the project would repair the manholes with the most critical needs.

Mr. Keating confirmed that it would.

Council Member Muller said that the City has committed to completing the work and it is important to move forward with the project.

Council Member Muller moved to award the bid to I&I Contractors and authorize the Mayor to sign all necessary documents. Mayor Eimers seconded the motion. In a roll call vote, Mayor Eimers, Council Member Bertram and Council Member Muller voted aye. The motion carried 3-0-0.

AB 05-193 Lick Creek Flow Meter Project Bid Award

Mr. Keating explained that an advertisement for bid was published by CH2MHILL for the Lick Creek Flow Meter project that would be done during the fall. He said that the original specifications for the project were completed by Holladay Engineering. Mr. Keating said that the firm only had one responsive bidder, and the bid exceeded the original estimate. He said that the recommendation is to award the bid to Hills Construction.

Council Member Muller asked how long the advertisement for bid was published.

Mr. Keating said that the advertisement was published for three weeks.

Council Member Muller asked how long it would take to complete the project.

Mr. Keating said that the company would begin the project immediately after approval and would have it completed in three weeks.

Council Member Bertram asked for clarification of what the flow meter would measure.

Mr. Keating explained that the meter would measure the amount of wastewater sewage that enters the sewer district line at Lick Creek Road.

Council Member Muller moved to award the bid to Hills Construction and authorize the Mayor to sign all necessary documents. Mayor Eimers seconded the motion.

Council Member Bertram asked if the flow meter project would give the City everything it needs to effectively monitor its contribution to the system.

Mr. Kirkpatrick said that it would since all of the other lines are metered.

Council Member Muller stated that he thought the City still needed to acquire some additional meters.

Mr. Keating said that two portable flow meters were purchased before spring. He said that he believes the additional meter would allow the City to measure all of its flows.

Council Muller asked that CH2MHILL review the specifications of the system to ensure that all of the lines are monitored.

In a roll call vote, Council Member Bertram, Council Member Muller, and Mayor Eimers voted aye. The motion carried 3-0-0.

AB 05-155 Ordinance No. 814 – Re-adoption for Publication

Dan Irwin, City Clerk, stated that Ordinance No. 814, the second budget Fiscal Year 2005 budget amendment, was approved by the City Council on August 11, 2005. He said that a copy of the Ordinance was sent to the Star News but it failed to be published because of a technical problem. Mr. Irwin said that since the Ordinance wasn't published within 30 days it needed to be readopted by the Council.

Council Member Muller moved to suspend the rules, read by title only, one time only, Ordinance No. 814. Council Member Bertram seconded the motion. In a roll call vote, Council Member Bertram, Council Member Muller, and Mayor Eimers voted aye. The motion carried 3-0-0.

Mr. Kirkpatrick read Ordinance No. 814 by title.

Council Member Bertram moved to adopt Ordinance No. 814. Mayor Eimers seconded the motion. In a roll call vote, Council Member Muller, Mayor Eimers, and Council Member Bertram voted aye. The motion carried 3-0-0.

REPORTS

Mr. Kirkpatrick announced that the individuals who donated the Bearing Wall statue have approached the City and offered to donate another bronze statue depicting children walking along a log. He said the City has an informal process of accepting pieces of art by having the McCall Improvement Committee and the Arts & Humanities Council review the piece and forwarding a recommendation to the Council, who decide to accept the piece or not. He stated that because the acceptance of this piece is time sensitive the City needs to inform the group if they want the sculpture at this time. Mr. Kirkpatrick stated that the donor is willing to ship the statue and then the City can go through the committee process of recommending where the statue should be placed.

Council Member Muller said that the donation would be a great asset to the City. He said that he would like to see the statue eventually placed at Riverfront Park.

The Council agreed to accept the statue.

Mr. Kirkpatrick explained that the statue is the same size and has the approximate same value as the Bearing Wall. He said that staff would start the process and may have to designate a temporary location for its placement.

Mr. Irwin reported that two individuals had submitted declarations of candidacy for the City Council positions.

Mr. Keating reported that the paving projects would begin on September 28th and 29th.

Council Member Bertram asked if the City heard anything about the Pine-Wooley grant.

Mr. Keating said that he hadn't heard if the City received the grant yet. He said that the concrete floor for the water storage tank had been poured.

Mayor Eimers asked how the storage tank was designed to keep it from freezing.

Mr. Keating explained that it would be underground to keep it from freezing.

Council Member Bertram asked about the trees that were removed by Broken Ridge subdivision.

Mr. Keating explained they were removed for the road access to Timbercrest Countryside subdivision.

Mayor Eimers asked if Mr. Keating had heard from Chad Olsen regarding the sewer project along Lake Street.

Mr. Keating said that the developers met with CH2MHILL and they would use the firm to complete the construction drawings. He said that they would be meeting with the Idaho

Transportation Department during the next week regarding the timeline for the sewer project.

Mayor Eimers said that he hates to see the developers allowed to progress on their developments without performing the sewer work that they agreed to.

Mr. Kirkpatrick said that the City has a performance bond in place that guarantees the completion of the work.

Mayor Eimers said that the Council approved the project under the belief that it would be accomplished this summer. He said that he would like to shut down Mr. Olsen's current projects and not issue occupancy permits to any development that is close to being finished until the sewer repair is complete.

Mr. Kirkpatrick said that he would have the City Attorney review the agreements with Mr. Olsen and forward a recommendation onto the Council.

William Nichols, City Attorney, asked if the construction drawings for the project were complete.

Mr. Keating said that they weren't. He explained that Mr. Olsen would be using CH2MHILL to complete them.

Mayor Eimers requested that the City Clerk go back in the record and see if Mr. Olsen promised completion of the work this year.

Mr. Keating reported that the appraisals for the Boydston Street project were complete. He said that they were being reviewed by ITD.

Council Member Muller stated that he is concerned about Hearthstone's request to be considered as a commercial development. He requested that staff research to see if their operation should be considered as commercial.

Mr. Kirkpatrick stated that he has tasked the City Attorney with reviewing the legalities of the request.

Council Member Bertram asked why Hearthstone received the extra 10 points for the building permit allocation.

Mr. Kirkpatrick said that he would research the question with Mr. Millar.

Council Member Muller said that he received a letter from Kathy Poston regarding the proposed Scott hangar. He said that the letter brings up many good points and would like the City to respond.

Mr. Kirkpatrick said that the Airport Manager did a tremendous amount of research in regards to the proposal. He said that it is the opinion of the Airport Manager and Planning Consultant that the proposal is the wrong idea for the Airport.

Council Member Muller said that he went to Aspen Ridge and looked at the manholes with Ray Woods. He said that the flow appeared to be 40-50 gallons a minute.

Mr. Keating explained that the flow was due to the backwash process. He said that the contractor would be oversizing the line that discharges to the wetland and would cure the excessive flows.

Mr. Kirkpatrick added that the City would be able to quantify the amount of water entering the wastewater system and allocate additional hookups.

Mayor Eimers said that he received a letter from the attorney for the Kings Pines residents regarding Club Hill Boulevard and Highway 55. He asked if staff could direct the attorney to contact representatives at Valley County and the Idaho Transportation Department.

Council Member Bertram asked if the 25 m.p.h. speed limit on the bypass could be reviewed. She said that it is difficult to maintain the low speed due to the grade of the road.

EXECUTIVE SESSION

At 8:30 p.m., Mayor Eimers moved to go into executive session per Idaho Code 67-2345(1b) to consider a personnel matter. Council Member Muller seconded the motion. In a roll call vote, Mayor Eimers, Council Member Bertram, and Council Member Muller voted aye. The motion carried.

The discussion pertained to a personnel matter.

The Council reconvened to regular session at 9:11 p.m.

ADJOURNMENT

Without further business, Mayor Eimers moved to adjourn. Council Member Muller seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 9:11 p.m.

Kirk L. Eimers, Mayor

ATTEST:

Dan Irwin, City Clerk