

MINUTES

**McCall City Council
Regular Meeting
June 7, 2007**

Agenda

Call to Order and Roll Call
Reports
Public Hearings
Public Comment
Council Talk Time
Consent Agenda
Business Agenda
Executive Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Robertson called the regular meeting of the McCall City Council to order at 6:03 p.m. Council Member Bailey, Council Member Bertram, Council Member Kraemer, Mayor Robertson and Council Member Scott answered roll call. A quorum was present.

City staff members present were Lindley Kirkpatrick, City Manager; Fred Quiel, Deputy City Manager / Administrative Services; David Simmonds, Information Systems Manager; Anne Kantola, Librarian; Linda Stokes, Finance Manager; Brenda Loftis, Human Resources Director; John Anderson, Airport Manager; Brock Heasley, Parks and Recreation Director; Carol Coyle, Grant Coordinator; Steven Hasson, Planning Manager; Allan Morrison, Golf Pro; Eric McCormick, Golf Course Superintendent; Jerry Summers, Police Chief; and Joanne York, City Clerk.

City Attorney Bill Nichols was present.

Mayor Robertson led the audience in the Pledge of Allegiance.

REPORTS

Lindley Kirkpatrick, City Manager, presented his monthly report to Council, and highlighted the following:

Upcoming meetings:

- Board of Realtors Hearing date is scheduled for Friday, July 6 at the Ada County Courthouse.
- The Council Budget Work Session is scheduled for Tuesday, June 19, 1 p.m. at the Fire Station.
- The joint session with Council and the Planning and Zoning Commission for the Comprehensive Plan Design Dialogue is scheduled for Thursday, June 21st 10 a.m. in Legion Hall. The public workshop will be that evening at 7:00 p.m. at the Payette Lakes Middle School.
- Mr. Kirkpatrick noted that a schedule of stakeholder meetings for that week was included in his handout to Council.
- The work session with the Central Idaho Historical Museum to go over their facility plan was scheduled for July 12 at 4 p.m. at the museum site.
- The Budget Open House was scheduled for Monday June 11 at 6 p.m. in Legion Hall.

Bidding updates:

- Legacy Park. The Urban Renewal Agency received one bid for the Legacy Park project. The bid was high, and the agency did not award the bid. Since the project had been bid twice, and in both biddings, only one bid was received and consequently rejected because it was too high, the agency authorized Don Bailey and Rick Fereday to negotiate on the open market to get the project done. Some work will be done quickly in front of Hotel McCall, but the other work might not begin until this fall.
- Spring Mountain Boulevard. One bid was received for the Spring Mountain Boulevard paving project. The bid amount was \$167,000, almost \$51,000 more than was budgeted. Mr. Kirkpatrick said that unless Council disagreed, the bid would be rejected and the project re-bid.

Council Member Bertram asked if the City was researching why other companies were not bidding. Mr. Kirkpatrick said that some of the potential bidders for the Urban Renewal project said that the project was too big for their bonding capacities.

Department Head Reports:

- Public Works Day with the Library and the Public Works crew was a popular program again this year, as it had been in the past few years.
- John Anderson is organizing Aviation Day on July 7 at the airport, which will be a good event for the community.
- The first application for the Dust Abatement Program was done last week and there will be another application either the end of June or the first of July. This application goes on every gravel road within the City limits.

Eric McCormick reported that fogging for mosquitoes was scheduled at the golf course during the next few nights. He reminded Council that the tour with the U.S. Golf Association representative would begin at 8 a.m. on Monday.

Brenda Loftis reported that about seven applications had been received for the City Clerk position.

Council Member Bailey asked that Council be allowed to review the draft "Through the Fence" airport agreement as soon as possible.

Council Member Bailey said he would not be able to attend the Council meeting on June 28 when Council would be addressing the Cathedral Pines subdivision proposal and asked that he be provided the plans beforehand.

PUBLIC HEARING

Council Member Bertram recused herself because she had testified at the Planning and Zoning public hearing for ZON-06-3, the rezone for the Cross Bar property.

AB 07-88 ZON-06-3: Zoning Map Amendment to rezone the Cross Bar property. Mr. Hasson reviewed the land use application. He explained that Council heard this application at the May 24 City Council meeting and directed staff to prepare new Findings and Conclusions and to prepare an ordinance that would approve the rezone. He noted that at the conclusion of the discussion of AB 07-88 on May 24, Council re-opened the Public Hearing and continued it until tonight's meeting.

Council Member Bailey questioned the relevancy of points 2 and 3 under Council conclusions on page 2 of the Findings and Conclusions. There was a lengthy discussion about having the Development Agreement in place before finalizing the ordinance.

Mayor Robertson opened the public hearing at 6:45 p.m.

Hearing no comments, Mayor Robertson closed the public hearing at 6:46p.m.

Clayn Sonderegger, applicant, discussed the square footage of the units.

Council Member Bailey provided a correction to the ordinance. He emphasized the importance of getting the development agreement approved and signed before the ordinance was finalized.

Council Member Scott said there was a great deal of concern about how the open space issue would be addressed and that the open space needed to be maximized, including snow storage areas. Mr. Hasson said that these issues would be back before Council as part of other land use approvals for this applicant.

Council Member Scott said that other concerns brought to her attention included the location of the development close to the industrial area, but also noted that there had been a lack of negative comments.

Council Member Bailey moved to adopt the Findings and Conclusions for ZON-06-3, approve the application, and authorize the Mayor to sign all necessary documents, with the provision that on page 2 of the Findings and Conclusions, item 2B under Council conclusions be changed to read: *The applicant shall enter into a development agreement according to the provisions of MCC 3.13.07, and the agreement is to be finalized and adopted before the approval of the ordinance.* Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Council Member Kraemer and Mayor Robertson all voted aye, and the motion carried.

At this time, Council Member Bertram rejoined the Council.

AB 07-99 FY07 First Budget Amendment, Ordinance No. 836

Mr. Kirkpatrick explained that this ordinance would approve the payment of \$300,432 as soon as the City could legally make it, rather than waiting until the June 28th meeting for approval. Mayor Robertson confirmed that the payment would be made to St. Clair contractors.

Mayor Robertson opened the public hearing at 7:05 p.m.

Hearing no comments, Mayor Robertson closed the public hearing at 7:06 p.m.

Mayor Robertson moved to suspend the rules, read by title only, one time only, Ordinance 836. Council Member Kraemer seconded the motion. In a roll call vote, Mayor Robertson, Council Member Kraemer, Council Member Bertram, Council Member Bailey, and Council Member Scott all voted aye, and the motion carried.

The Clerk read Ordinance Number 836 by title only, one time only.

Council Member Bailey moved to adopt Ordinance 836. Council Member Kraemer seconded the motion. In a roll call vote, Council Member Bailey, Council Member Kraemer, Council Member Bertram, Mayor Robertson, and Council Member Scott all voted aye, and the motion carried. Ordinance 836 was adopted.

Council Member Scott moved to direct staff to publish Ordinance 836 in *The Star-News* on June 14 and authorize the June 14th payment to St. Clair. Council Member Bailey seconded the motion. In a roll call vote, Council Member Scott, Council Member Bailey, Mayor Robertson, Council Member Bertram, and Council Member Kraemer all voted aye, and the motion carried.

PUBLIC COMMENT

Mayor Robertson called for public comment at 7:09 p.m.

Lynn Heimgartner expressed shock and disgust that Council members have put the town of McCall in such a "mess" (in reference to the Wausau judgment).

Hearing no further comments, Mayor Robertson closed the public comment at 7:15 p.m.

COUNCIL TALK TIME

Council Member Bertram expressed concern that none of the affordable housing units were completed, nor had the yard areas been cleaned up.

Council Member Bertram said it was time for Chad Olsen's downtown project to be completed and the job site cleaned up. Mr. Kirkpatrick noted that Mr. Olsen had a right-of-way permit to use the area and that the permit was still valid. Mr. Kirkpatrick said the second and third floors were nearly complete, but the exterior work seemed to be progressing slowly. Council Member Bertram said that even though there was a right-of-way permit, the area should be free of trash.

Mayor Robertson said that in the future, the development agreements for downtown projects should be more specific to avoid similar problems.

Council Member Bertram asked if the City could write a letter to Mr. Olsen telling him to clean up his job site.

Council Member Bertram thanked Mr. Kirkpatrick for urging the County to return court services to McCall rather than offering them only in Cascade.

Council Member Bertram said she wanted to discuss the Local Option Tax application for the recycling center and the level of support the County would be giving them. Council asked that they be given a copy of the letter of support the County sent to the LOT Commission concerning the recycling center. Mr. Kirkpatrick said Council would be able to discuss this in more depth at the June 19 budget work session.

Council Member Scott asked how many of the affordable housing units had been committed. Council also asked for a current financial report on the affordable housing units. Mr. Kirkpatrick said he would get updates for them.

There was a discussion concerning the cost of paving the driveways for the affordable housing units versus the option of using a gravel road mix.

CONSENT AGENDA

Staff recommended approval of the following items:

- Minutes –April 26, May 22, 24, and 31, 2007
- Warrant Registers printed on June 1 and on June 7, 2007

- Payroll Report for Period ending May 18, 2007
- AB 07-98 Alcohol Beverage Catering Permits
- AB 07-97 July 4, 2007 Fireworks Display Permit
- AB 07-100 Utility Hardship Application
- AB 07-102 Resolution 07-10 Third Council Member Authority to Sign

Some corrections were made to the Minutes. There was some discussion on items in the Warrant Register.

Council Member Bailey moved to approve the Consent Agenda with changes to the Minutes, and authorizing Council Member Bertram to be the third Council member authorized to sign, and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Mayor Robertson, Council Member Bertram, and Council Member Kraemer all voted aye, and the motion carried.

BUSINESS AGENDA

Council Member Scott recused herself at this time.

AB 07-103 Third & Final Reading of Ordinance 835: ZON-07-1 Zoning Map Amendment to rezone the City of McCall Airport property

On May 10, 2007, Council adopted the Findings and Conclusions for ZON-07-1 Zoning map amendment to rezone the City of McCall airport property. At the same meeting, Ordinance 835 was read by title only, one time only, as the first reading. On May 24, 2007, Ordinance 835 was read by title only, one time only, as the second reading.

Council Member Kraemer moved to table the third and final reading of Ordinance 835 until the Master Plan could be completed. Council Member Bailey seconded the motion. In a roll call vote, Council Member Kraemer voted aye; Council Member Bailey voted aye; Mayor Robertson voted no; and Council Member Bertram voted no. The motion failed for lack of sufficient vote.

Mayor Robertson asked for a discussion of the issues concerning the airport rezone, stating he had asked the Airport Advisory Committee to come up with a plan. He said that John SeEVERS and Bob Youde were to meet today to discuss other options.

The Clerk read the main body of Ordinance 835 and the City Manager read Attachment A, the complete legal description, as the third and final reading of Ordinance 835, in its entirety.

Mayor Robertson moved to adopt Ordinance 835. Council Member Bertram seconded the motion.

Council Member Bailey asked about the letter concerning proper notification of the public hearing that Mr. Nichols had received and distributed to the Council today. Mr. Nichols said he believed that the writer of the letter was ill-informed. He said he would check the mailing affidavits to make sure that the proper noticing had been completed. Council Member Bertram asked that staff confirm that the address list was in the file.

In a roll call vote, Mayor Robertson voted aye; Council Member Bertram voted aye; Council Member Kraemer voted nay; and Council Member Bailey voted aye. The motion carried. Ordinance 835 was adopted.

Council Member Scott rejoined the Council.

AB 07-90 Assumption of Lease for Greystone Village #3 Lot 10 from Neighborhood Housing Services to Shawn Denise Agenbroad

Mayor Robertson said he was satisfied with the lease agreement as it was now written.

Council Member Bailey discussed the issue of landscaping and who would do the initial work.

Carol Coyle, Grant Coordinator, referred to an email from Stephanie Millar which was in the Council packets, explaining that the homeowners understood that they were responsible for their own landscaping.

Council Member Bertram asked if the City had funds left in the Community Housing budget to provide some basic landscaping for these homes. Mr. Kirkpatrick said he would look at unrestricted Community Housing funds to see what was available.

Ms. Coyle said that in future projects, it should be the role of Valley Adams Regional Housing Authority (VARHA) to do the project developments rather than City staff doing them.

Council Member Kraemer moved to authorize the transfer of the land lease for Lot 10, Greystone Village #3, from Neighborhood Housing Services, Inc., to Shawn Denise Agenbroad, and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Kraemer, Council Member Scott, Council Member Bertram, Mayor Robertson, and Council Member Bailey all voted aye, and the motion carried. The transfer of the land lease was authorized.

AB 07-101 McCall Urban Renewal Membership

Mr. Kirkpatrick discussed the McCall Redevelopment Agency (Urban Renewal) Board membership terms, explaining that terms for Scott Findlay and Fred Drake expired as of this month. He noted that letters of interest had been received from Pat Hill, Tony Nash, and Scott Jeffrey.

Council Member Bailey moved to appoint Mr. Nash and Mr. Jeffrey to the McCall Redevelopment Agency Board for terms expiring on June 1, 2010, effective immediately.

Mayor Robertson seconded the motion. In a roll call vote, Council Member Bailey, Mayor Robertson, Council Member Bertram, Council Member Kraemer, and Council Member Scott voted no. The motion carried, four to one.

Council asked that the City give special recognition to Mr. Drake and Mr. Findlay in appreciation of their services to the City of McCall.

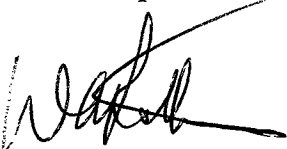
EXECUTIVE SESSION

At 9:12 p.m. Mayor Robertson moved to go into Executive Session for litigation pursuant to Idaho Code §67-2345(1)f to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation. Council Member Bailey seconded the motion. In a roll call vote, all members voted aye, and the motion carried.

The Council discussed litigation pursuant to Idaho Code §67-2345(1)f.

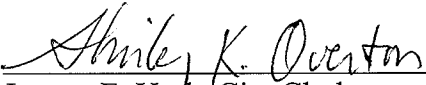
ADJOURNMENT

Without further business, the meeting was adjourned at 9:57 p.m.



William A. Robertson, Mayor

ATTEST:

 7/18/07
~~Joanne E. York, City Clerk~~
Shirley K. Overton, Deputy City Clerk