

MINUTES

**McCall City Council
Regular Meeting
July 26, 2007**

Agenda

Call to Order and Roll Call, Central Idaho Historical Museum
Work Session
Adjournment
Call to Order and Roll Call, Legion Hall, regular meeting
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 Work Session of the McCall City Council to order at 4:00 p.m. Council Member Bailey, Council Member Bertram, Mayor Robertson and Council Member Scott answered roll call. A quorum was present.

The Work Session was convened at the Central Idaho Historical Museum, to review the First Draft of the Central Idaho Historical Museum Development Plan.

AB 07-127 Central Idaho Historical Museum Development Plan

The Council received an update re the Central Idaho Historical Museum Development Plan. *City staff members present were Lindley Kirkpatrick, City Manager and Carol Coyle, Grant Coordinator*

ADJOURNMENT

The work session was adjourned at 5:35 p.m. to be reconvened as a regular Council meeting at Legion Hall.

CALL TO ORDER AND ROLL CALL

Mayor Robertson called the Regular Meeting of the McCall City Council to order at 6:01 p.m. Council Member Bailey, Council Member Bertram, Mayor Robertson and Council Member Scott answered roll call. A quorum was present. Council Member Kraemer was absent.

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;; Steven Hasson, Planning Manager; Allan Morrison, Golf Pro; Eric McCormick, Golf Course Superintendent; and Jerry Summers, Police Chief.

City Attorney Bill Nichols was present.

Mayor Robertson led the audience in the Pledge of Allegiance.

PUBLIC HEARING

AB 07-117 Crystal Beach Condominium Zone Map Amendment Mr. Hasson asked the Council to continue this item, because the applicant has requested more time to review the development agreement. He recommended not opening the public hearing. Instead, it may be a good time to begin discussing the cost of under grounding utility services. Mr. Hasson said there was a discussion at the last Council meeting about two areas of the City that might be candidates for Franchise Fee monies that are available for under grounding utility services. **One**, there may a stretch of 3rd Street, between Washington and Colorado where all utilities, including phone and cable tv services are candidates for under grounding. **Two**, on Lake Streets, the Crystal Beach condominiums the City is looking at 550 feet of under grounding, as part of the Development Agreement. Their under grounding would include power poles, phone service, and cable tv.

Mr. Hasson said, that where we left off two weeks ago was asking (1) if this is where we want to put the monies, and (2) have a discussion about whether we wanted the focus to be 3rd Street, or if we wanted to put the monies in Lake Street, and (3) Proportionality should be considered because Alpine Village and Woodsman, as part of their development will have to underground and that is brand new development, and it is reasonable to ask them to do that, but, at the same time, is it reasonable to ask Crystal Beach to do that when all they are asking for is a rezone for purposes of moving a bank, and placing a parking lot. Mr. Hasson wanted to have the Council consider the equity of requiring under grounding for this rezone.

Mr. Hasson said there is \$214,000 in Franchise Fees in our fund. He said roughly that amount of money would be required for the Crystal Beach under grounding as well as the

undergrounding for the area between Washington and Colorado. Hasson said he has all costs, except for the costs for fibre optic for Crystal Beach.

Council Member Bertram asked for clarification as to project. Hasson said Washington to Colorado Street is 252 feet. Crystal Beach is roughly 550 feet, so we would actually do about 800 feet of under grounding, between these two areas.

Mayor Robertson wanted confirmation that we would not open the public hearing, and continue this matter. He also confirmed that we receive about 60-70,000 per year in Franchise Fees, and by the time SITPA is ready we will have sufficient funds.

Mr. Hasson said that we have an agreement with Idaho Power through 2017, and right now we levy the 1% Franchise Fee. Idaho Power said they would be willing to open our contract and allow us to increase our fee to 3% if we desire. There are two ways to increase the fee: vote of the people or negotiate when agreement is open. Idaho Power is receptive to opening the agreement because they want to see these utilities under grounded.

Mayor Robertson said he did not know how we can mandate sidewalks without a master plan for sidewalks, stormwater drains, road elevations, etc., an overall engineering design.

Council Member Bailey said we need profiles for Lake Street and 3rd street as part of the plan, in order to put Alpine Village, the Woodsman, and Crystal Beach on notice to be aware of the profiles they are contributing to, so if you are going to build it, you are going to build it to this drawing.

City Manager Kirkpatrick said the sections for Alpine Village and the Woodsman has been approved by the City and ITD. He added that there is a draft "typical section" for the rest of the Hwy 55 corridor from Krahn to Boydston. CH2MHill and City Staff have been working with ITD, and ITD is still at the draft stage, but the Council has not adopted it yet.

Mayor Robertson said we need to have master plan to establish elevations for all properties along 3rd Street, and Lake Street. The Mayor also recommended that the Development Agreement be between the City and Crystal Beach Condominium Association, not Marvin Aske, the President, as he is not the owner. Also, Mr. Aske's title, and Steve Brown's (attorney) title should be added. Also, strike CH2MHill as the City Engineer.

Mayor Robertson established that both Alpine Village and Crystal Beach will have a fence/retaining wall with open entry ways. He added that Bob Youde and Roger Millar worked with design review to achieve a pleasant look to fencing and entryways.

Mayor Robertson moved that the public hearing be continued to the next Council meeting. Council Member Bailey seconded the motion. In a roll call vote, Mayor Robertson, Council Member Bailey, Council Member Scott, and Council Member Bertram all voted aye, and the motion carried.

City Manager Kirkpatrick asked for direction on under grounding for the use of Franchise Fee money for the Woodsman and Alpine Village and the Council supported use of the Franchise Fees for this under grounding.

Council Member Bertram said the County used to establish priorities for paving, but if a developer contributed, their project moved up in priority.

AB 07-124 Code Amendment Defining that condominium projects are subject to subdivision regulation. Ordinance No. 840

Mr.Hasson explained that this Code Amendment would provide that Condominium projects are subject to subdivision regulation. There has been some argument whether the City Code articulates that Condominium projects would be subject to the City's subdivision Ordinance, Title 9, and so we are proposing a text amendment that would clarify with some degree of certainty that condominium projects are subject to Title 9 provision, and we would add to the definition section of Chapter 2, Title 9 that Condominium Development, within the City of McCall, and its area of impact is subject to City Code of McCall, Title 9, Subdivision and Development Regulations, and shall be in accordance with MCC 9.2.08.

Mayor Robertson opened the public hearing at 6:30 pm.

Hearing no comments, Mayor Robertson closed the public hearing at 6:31 pm.

Council Member Scott asked if we were just bringing this into alignment with the State's definition. Hasson responded that we are just clarifying the issue.

Council Member Scott then asked Hasson to explain what "undivided interest" meant in plain English. City Manager Kirkpatrick explained that often times you own two things, your unit (that is the separate interest in real property), and you also own a portion of, or a share of the common areas, and that is the "undivided interest in common or real property". Hasson explained that with a condominium you own inside the walls, but, with a Townhouse you also own the dirt underneath.

Council Member Bailey moved that we suspend the rules and read the Ordinance one time only, by title only, Ordinance 840. Council Member Scott seconded. In a roll call vote, Council Member Bertram, Council Member Bailey, Council Member Scott, and Mayor Robertson all voted aye.

The Ordinance was read by title only, one time only.

Council Member Bailey moved to adopt Ordinance 840. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Council Member Bertram, and Mayor Robertson all voted aye, and the motion carried. Ordinance 840 was adopted.

AB 07-125 Code Amendment: removing language from the zoning ordinance pertaining to use of internally lighted signage. Ordinance No. 841

Steve Hasson explained that this code amendment would remove language from the zoning ordinance pertaining to internally lighted signage. He said we passed a dark sky policy, and we have design guidelines, and they both leave you with the impression that internally lighted signage is incompatible with those guidelines and policy. So, it is suggested that the cure is to remove the language that is in the sign ordinance. It is a simple striking of the language, *internally lighted*. ~~*A sign with an internal light intended to illuminate translucent portions of the sign.*~~ Now, it would be understood that we would not now allow internally lighted signs as part of our design guidelines, and consistent with our dark sky policy, and consistent with our signing and lighting ordinances.

Mayor Robertson asked if the policy is going to be clear now that new signs will not be internally lit. Chairman Bob Youde of the P & Z, stated that, yes, prior signs are grandfathered, but, from here on, no internally lit signs will be approved.

Council Member Bailey stated that there are parts of the sign ordinance chapter, if looked at in its entirety, that would seem to allow internally lighted signs, example, "low voltage lighting" which eliminates letters, temperature indicators, clocks, etc., and he believed that by doing this, he was not sure it would eliminate the possibility of those kinds of lit signs. In addition, signs for safety purposes that are internally lit, like stop signs that make them more visible at night

Mayor Robertson stated that the purpose of the sign ordinance is to maintain the "woodsy" character of McCall. Council Member Bertram added that when her sign gets shipped from Massachusetts her sign will be consistent with that goal.

Steve Hasson added that the verbiage in Section 2 which provides that "all Ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded and annulled." This should make this Ordinance resolve any other conflicting provisions in our rules, codes, Ordinances, etc.

Mayor Robertson opened the public hearing at 6:50 pm.

Hearing no comments, Mayor Robertson closed the public hearing at 6:51 pm.

Council Member Bertram moved to suspend the rules and read the Ordinance 841 one time only, by title only. Council Member Bailey seconded. In a roll call vote, Council Member Bertram, Council Member Bailey, Council Member Scott, and Mayor Robertson all voted aye.

The Ordinance was read by title only, one time only.

Council Member Bertram moved to adopt Ordinance 841. Council Member Bailey seconded the motion. In a roll call vote, Council Member Bertram, Council Member Bailey, Council Member Scott, and Mayor Robertson all voted aye, and the motion carried. Ordinance 841 was adopted.

AB 07-116 ZON-07-1 Zoning Map Amendment

Steve Hasson reviewed the effort to rezone the Airport from Industrial to Airport Zone. Last year when the zoning ordinance was updated, the City added a new section which was called "Airport Zone". The Airport Zone was created to protect Airport Navigation and possible Airspace obstructions or intrusions, and noting that thousands of Airports have shut down in America because of inadequate zoning.

Hasson went on to say the current Industrial Zone does not protect Airport navigation and in fact the Airport is a non-conforming use within the Industrial Zone which curtails its expansion and development opportunities. So after many public hearings an Airport Zone was approved, only to discover that the process by which it was noticed was defective. It was brought back at the last meeting, there was discussion about it at the time, and it was determined to defer action on this item until this July 26 meeting.

Hasson prepared a memorandum which was placed on the Council's desks. The memo says that if the Council would like to proceed with the Airport Zone, there are two possible courses of action: (1) Continue the Airport Rezone to a date certain so that staff may properly notice this item, while constructing a development agreement that would add requirements to the Airport rezone application to resolve certain public and Council concerns. For example, the Development Agreement could contain language that requiring Scenic Route Zone provisions to apply to the Airport rezone, after the Airport master plan is approved. It could also have provisions that address height limitations in the agreement. (2) Alternatively, the Council could remand this land use item back to the P & Z Commission with some guidance to them about the construction of companion text amendment language that could be inserted in the Airport Zone that would address certain public concerns and then the rezone application would come back to you after Commission public hearing.

Hasson said that if the Council would like to proceed with the Airport rezone, there are two avenues for doing so. If on the other hand, the Council does not want to proceed, due to notice defects, that we just discontinue the public hearing, we do NOT recommend that you deny the rezone.

Council Member Bertram confirmed with Hasson that the Council could put this rezone out, and include the concerns that Council Member Bailey had, and the Mayor had and get a totally different rezone look. We could add more restrictive things to address these concerns. Hasson confirmed, that the Council could do that, in one of two ways, (1) a Development Agreement that does essentially what a text amendment would do, which would add restrictions to the Airport rezone and make it work for all parties, OR (2) remand it back, with text amendment language and just ask that the P & Z entertain the text amendments and wrap that in as a companion document, with the Airport Rezone application, and they would come back for approval to the Council again. Both do essentially the same thing, one is more expedient, but both are viable options to move forward.

Council Member Bertram confirmed that if it goes back to P & Z that would be two more public hearings. Mayor Robertson also reminded that P & Z already turned it down, and that the Council could potentially accept the Airport rezone, the way it is written, and then the Council

could hold off on the Airport master plan, until the Scenic issues, and other issues are resolved. The Mayor said that if we could have a Development Agreement that takes out that one paragraph, and proceed.

Council Member Scott asked the City Attorney if she could participate in a general discussion of planning issues, and federal requirements, and then not participate in a vote. The City Attorney said she could.

Council Member Bailey said that last year we allowed a number of non-permitted uses for an Industrial Zone at the Airport. He said we cannot approve more hangers, or development at the Airport until the rezone is accomplished. We need to table this application until the things we are talking about, the Development Agreement, the code amendment, are completed, and then address the rezone application until those things are in place. The development agreement may be the smarter way to proceed, rather than a number of code amendments. The one exception is the one paragraph that should be deleted because it was never intended to put development standards in the Airport Master Plan. And so, to expect them to be there was a mistake, and something we overlooked, and we did not talk about it very much.

Mayor Robertson said he would be agreeable to taking paragraph C out (the third paragraph) and put it in abeyance, and it automatically deletes as soon as we adopt, subject to the decision that comes to us from P & Z.

Council Member Scott guessed that the Federal Regulations would support that. They will make sure that we are in compliance. The FAA's summary is that all land and improvements that the FAA has funded will be used for aviation. They will demand that "all aviation uses be allowed". Any limitation we try to impose on this land will result in a Title 16 lawsuit. Even if it remains an Industrial Zone, the feds will say we must allow all Airport uses. Steve Hasson may have come up with a way for us to avoid a problem with the Feds.

Council Member Bailey said we do not want to deny the rezone, but must make sure than when we do so the problems we have discussed are resolved before then. To do that, we should devise a development agreement and strike the one paragraph.

Steve Hasson suggested a member of the Council and a member of P & Z be involved.

City Attorney suggested scheduling this for a date certain, either 8/23 or 9/13. Hold a properly noticed meeting on that date. Then the Council can say, we will approve the rezone if there is a development agreement which says, a, b, c, d, etc. Then, direct staff to go put together a development agreement, and bring it back to Council at the next meeting, with the development agreement and a proposed Ordinance. That way, staff is not going to have to guess what should be in the development agreement.

Mayor Robertson moved to continue the public hearing until August 23, and prior to that, properly notice the public hearing and consider then what might go into the development agreement. Council Member Bertram seconded the motion. Mayor Robertson asked, "All in favor, signify by saying aye, and all said aye", the motion carried.

PUBLIC COMMENT

Mayor Robertson called for public comment at 7:35 p.m.

Grant Kingsford, 922 E. Chipmunk Lane, McCall: You had some opposition to Golf Course fogging for mosquitoes, and I would like to present you with a petition with the names of 280 residents, and golf course guests, who support the fogging. The petition heading says, "We the undersigned who have signed below support the McCall Golf Course mosquito fogging program. The spraying done by the golf course maintenance staff is not only a safeguard to both players and residents of the Golf Course against the deadly West Nile virus but also makes for a more pleasant atmosphere for both residents and guest of McCall."

Council Member Bailey said he did research and found a web site "mosquitomanagment.com," which describes the various insecticides being used which comes from chrysanthemums, with no injuries to mammals. He finds it hard to understand how some could object to the most widely used insecticide on earth.

Council Member Scott said some Golf Course residents were commenting that they loved the fogging because now they could actually sit out on their porch at night.

Hearing no further comments, Mayor Robertson closed the public comment at 7:44

COUNCIL TALK TIME

Council Member Bailey said the City got word from CH2MHill that they did not pass the "seepage test". The limitation of 1/8 inch per day, and the average was 1 ½ inches per day. So in five days it is over 7 ½ in. City Manager Kirkpatrick said "Rainy Day Water" will be here in August to test and patch. If we pass 2 or 3 years in a row we will then not need to be tested. The damage high on the wall is ice damage. Early on there were leaks due to the ladders. Most of the leaks associated with ladders have been resolved. In the early years were major leaks to bottom, left over from construction. It is a DEQ requirement to test, and if we get 3 or 4 passes in a row, then no more inspections annually. It is tested in last day, of the first week in May, at its high point.

Council Member Bailey also discussed the letter from Administrative Judge Darla Williamson who strongly supports the return of the courts to McCall. City Manager and Chief Summers attended the County meetings with other representatives, and reports a general agreement on need to bring Courts back here, but a lot of resistance from County staff. The Commissioners asked questions of staff, and us, and judge and appointed a committee comprised of City Manager Kirkpatrick, Chief Summers, Dead Perry (court clerk), Francie? (County Clerks office), Doug Miller, Judge Boomer, Larry Dunn, Matt Williams. The issues were (1) space needs, (2) trained staff, (3) security needs in court, (4) bailiff. Cost was not mentioned. The commissioners

were very interested in funding from McCall, but City Manager Kirkpatrick reminded much of the funding comes from the City already.

Council Member Bertram reminded that the County took much of our funding to build the facility down in Cascade. They did not give us the benefit of a public hearing, even though we built the facility at that end of the County. We were given no input on how or where the facility should be built.

Mayor Robertson said the Court facilities should be centrally located, perhaps Lake Fork, but should not be focused in Cascade, the south end of Valley County.

Council Member Bailey read a letter from a resident supporting McPaws. McCall taxable sales are 660M and ¼% would yield 160,000, and for a ¾% sales tax, the City could fund all of McPaws budget. The City does not have any more money to give McPaws beyond the 71,000 we are giving them. The City staff has done a wonderful job cutting everything. City Manager Kirkpatrick reminded that McPaws is being funded at a greater rate. McPaws figured that care for dogs is \$14 per day, and if multiplied equals their \$104,000. The new budget provides \$71,000. If you look at only the \$60,000 for operations, the tax payers are paying for 8 days of care, which is five more than the 3 days we used to provide. This shows the City is supporting McPaws, and paying a very adequate level, more than in the past.

Don Bailey thought that, if the Council supported it, he would write a letter to the Star News proposing a sales tax to support funding for McPaws. Council Member Scott also said the letter ought to correct a lot of misinformation that has been communicated about the City's support for McPaws.

Council Member Bertram said the Mayor was invited, with the City Manager, to go to Florida and attend the Shuttle mission with our McCall school teacher aboard. She proposed the Mayor be provided with the funds to attend. The money for the Mayor will be taken from the Council contingency. City Manager Kirkpatrick said the Discovery Center of Idaho is providing a link to communicate with the Shuttle. Council Member Bertram volunteered to represent the City at the Discovery Center's communication site in McCall.

Mayor Robertson asked for someone to call Sun Valley, Ketchum, and get the information about how much money they get from the LOT, and how they spend it.

Council Member Scott asked where we are with Davis Beach. Deputy City Manager Quiel reported that a meeting was held with the South Dock owners and another will be held on August 3 with all of the property owners, with Don Bailey attending.

City Manager Kirkpatrick said the Rio Vista water line will start in two weeks. Affected residents will get door hangers, and the project will start August 6.

Mayor Robertson wanted to move the business agenda up, before the consent agenda.

BUSINESS AGENDA

AB 07-126 Planning & Zoning Commission Annual Report

Robert Youde, 1210 South Samson Trail, Chairman of the McCall Area Planning and Zoning Commission (P&Z) addressed the Council to present the P&Z's annual report, a three page report dated July 26, 2007.

- Finally the commission is at full strength. All seven seats are filled.
- Council Member Bertram liked the reference on page 2 to working closely with the business community.
- Mayor Robertson takes exception to the reference on page 2 where the P&Z states it is their role to balance to Airport and the City's future. The political negativity should not be pointed at the P&Z. Mr. Youde just referenced the fact that the plan is routed through the P&Z.
- Mayor Robertson said the Council really does support the P&Z. We support 95% of what the P&Z does. Mr. Youde said the P&Z sometimes is viewed as going a different way than Council and the P&Z does not want that perception to prevail in the community.
- Council Member Bailey pointed out that the referenced "statistics" are not attached. Mr. Youde said Steve Hasson will pass those along.
- Council Member Bailey said the Comp Plan needs to be part of the next CH2/OTAK meeting up here. Mr. Youde is on the steering committee. The County Commissioners said they have new impact lines for Cascade and Donnelly. The next steering committee hearing will be noticed, and Council Member Bailey will attend. Mr. Youde said there are three encapsulated areas that are now ripe for discussion about annexation. Mr. Youde said the P&Z will prepare a plan but only if the Council directs them to.
- Mr. Youde said the time is coming to have more regular assignment of an attorney to keep the P&Z out of procedural problems.
- Mr. Youde said he would like a clarification of what an appeal hearing is. Is it a de novo proceeding, etc.
- Mr Youde asked the Council to keep being selective on the members you appoint.

AB 07-128 SUB-05-01 & PUD-05-01 Final Plat Approval – Whitetail Subdivision

Steve Hasson reviewed the approval of the final plat subdivision and PUD. This was in front of the P&Z in April and they approved this land use for 23 single family lots, on approximately 39 acres. The P&Z found that the land use met the requirements of Title 3 and 9 and they recommended the project. Mr. Millemann is here to explain all that went into this document, and to discuss the timing of the surety. The engineering is complete and the financial assurances are complete even though there are blanks in the form.

Steve Millemann said it is a final plat, and will entertain questions.

Council Member Bailey said the 4th conclusion is the applicant HAS submitted the final GIS files for the final plat. Have they been submitted, or will they be submitted? Mr. Millemann said they will come with the final millars. Change to "will submit".

Council Member Bailey said the second amendment to the development agreement has a bunch of blanks on paragraph 7.1. Have those been filled in? Mr. Millemann said they have the numbers and that is what Mr. Hasson referred to in his opening remarks. He said there are additional issues to discuss with the City Manager and City Attorney about the timing of the surety because there is not an intent to start for one year. Council Member Bailey confirmed that it would be no problem filling those in.

Mr. Millemann said the action they are seeking is approval of the final plat, subject to the timing of the financial assurances and those being resolved and presented to you in a complete development agreement at your next meeting.

Council Member Bertram asked about the timing of the surety's and Mr. Millemann responded that it is typically with the final plat recordation. That is a logical timing because once the final plat is recorded the declarant has the ability to sell property. So the interest to the public is that by that time the infrastructure needs have either been completed, or financially assured. We have an unusual situation because this plating was done to stay within your ordinances 12 month successive requirements for final plat and John does not intend to sell lots for quite some time. So, there is some concern about putting \$1m in an account knowing it is not going to be needed.

Mr. Millemann said we have some options under the ordinance in that we do not need to record this final plat until 18 months after you approve it, and that may be one way to address it, but we will meet with the City Manager and City Attorney before we decide what we will do. So we need to make sure the development agreement reflects whatever that resolution is. So, what I envision is an approval of the plat, subject to the development agreement coming back to you with that resolution so you can review that piece.

Council Member Bailey said another question is about "Progress Reports" filed with the commission. Has Whitetail filed any progress reports? Mr. Millemann said no, but they have been in front of the commission many times bringing them up to date. Council Member Bailey said it is in the code and a way to keep people aware of what is going on, especially over a long project. We are not asking for proprietary information; just keep people up to speed. Mr. Sabala said they will submit them.

Council Member Bailey also asked about the bike path between Preview Court and Warren Wagon. Mr. Millemann said they are going to follow through on that connectivity, and an pedestrian path to connect them. Council Member Bailey said you could continue another 200 feet.

Mr. Millemann said the appropriate action is to approve, subject to the development agreement coming back to you in final form, incorporating whatever we end up resolving on financial assurances. In response to the City Manager, Mr. Millemann said he sees it as completing the platting, subject to the development agreement comports the agreement on financial

assurances. He would rather not have to come back and submit the plat again, but have it approved subject to the development agreement.

Council Member Bailey said, in response to the City Manager's comments, that the City has been following the City Attorney's advice and requiring completed development agreements, signed, prior to final plat approval. As we have already seen final plat's two or three times, Council Member Bailey said he is confident this will be finished. If Whitetail was a new applicant, with a new project, I would say wait, but in this case I can see proceeding.

The City Attorney said that until all the i's are dotted, and t's crossed on the development agreement, the Mayor does not sign the final plat. Mr. Millemann said the only reason there are not numbers filled in is because it was suggested to Steve Hasson that they might want to hold this plat so that it does not get signed and recorded, and the financial assurances do not get placed in escrow until we are closer to the actual commencement of the construction of the project. We have not had the opportunity to get the City Manager's or City Attorney's feed back yet. So, that is the only reason the development agreement is not signed.

Mayor Robertson makes a motion to adopt the findings and conclusions and related development agreement, subject to the financial information and timing being worked out on the development agreement, and submitted at the next Council meeting for Whitetail subdivision and final plat SUB-05-01 and PUD-05-01 and authorize the Mayor to sign all necessary documents. Council Member Bertram seconded. In a roll call vote, Mayor Robertson, Council Member Bertram, Council Member Bailey, and Council Member Scott all voted aye, and the motion carried.

Mr. Milleman then added he believed the Council oversight of the P&Z is very important, and the level of review by elected officials is very important, and should not be apologized for.

CONSENT AGENDA

Staff recommended approval of the following items:

- Minutes –June 28and July 18, 2007
- Warrant Registers printed on July 23, 2007
- Payroll Report for Period ending July 17, 2007
- AB 07-123 Alcohol Beverage Catering Permits

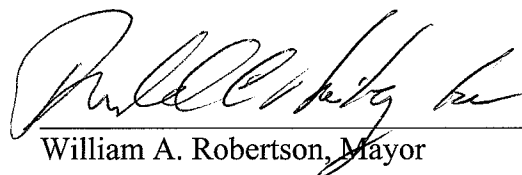
Some corrections were made to the June 28 minutes. Council Member Bertram had a question about Unemployment Benefits on the Warrant Register. City Manager Kirkpatrick said we pay for any unemployment that happens, subsequent to their employment in McCall, then, if their becoming unemployed is within the 9 month tail, we pay all, or a portion of their unemployment benefits.

Council Member Bailey moved to accept the consent agenda with noted corrections to the minutes. Council Member Scott seconded. Mayor Robertson asked for an aye vote for all in favor. All Council Members, and the Mayor said aye, and the motion carried.

ADJOURNMENT


Mayor Robertson moved to adjourn. Council Member Bailey seconded. Mayor Robertson asked for an aye vote for all in favor. All Council Members, and the Mayor said aye, and the motion carried.

Without further business, the meeting was adjourned at 9:44 p.m.



William A. Robertson, Mayor

ATTEST:



Fred G. Quiel, Acting City Clerk