

MINUTES

**McCall City Council
Regular Meeting
October 25, 2007**

Agenda

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

CALL TO ORDER AND ROLL CALL

Council Member Bailey called the regular meeting of the McCall City Council to order at 4:01 p.m. Council Member Bertram, Mayor Robertson (via telephone), Council Member Kraemer and Council Member Scott answered roll call. A quorum was present.

Also present were Lindley Kirkpatrick, City Manager; Fred Quiel, Deputy City Manager / Administrative Services, Walt Eisenstein, Deputy City Manager/Infrastructure & Community Development; Betsy Roberts, City Engineer (via telephone, out at 5:05pm); and City Attorney Bill Nichols (arrived at 4:10pm), and City Attorneys Kim Trout (via telephone, out at 5:17pm), and David Krueck (via telephone, out at 5:17 pm).

EXECUTIVE SESSION

Council Member Bailey 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 Scott 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.

The meeting returned to regular session at 5:30pm. A brief recess was taken, and Mayor Robertson left the phone call. The meeting resumed at 6: 00 p.m.

City staff members present were Lindley Kirkpatrick, City Manager; Fred Quiel, Deputy City Manager/Administrative Services; Walt Eisenstein, Deputy City Manager/Infrastructure & Community Development; Cindy Blackman, Personnel Manager; Michelle Groenevelt, Planning Manager; Jerry Summer, Chief of Police; Anne Kantola, Library Director; and Brenna Chaloupka, Administrative Assistant, City Manager.

Council Member Bailey led the audience in the Pledge of Allegiance.

PUBLIC HEARING

AB 07-191 Code Amendment: Building Height

Michelle Groenevelt, Planning Manager, stated this agenda bill called for an amendment to the McCall City Code in order to clarify the definition of building height.

Council Member Bailey opened public hearing at 6:09pm.

Claire Remsberg, Remsberg Architecture, P.A., stated the change in the definition of building heights was an effective change, and recommended changing the term “roof” to “building element” in order to include structures that can go higher than a roof that may want to be included in the overall building height.

Council Member Bailey closed public hearing at 6:11pm.

There was discussion regarding how grade is defined and whether to define it as “existing grade”, “existing grade prior to construction” or “natural/native grade.”

Council Member Bailey suggested adding a definition of existing grade to the code amendment. Lindley Kirkpatrick stated the term “existing grade prior to construction” has been in use since 1994 in the zoning code and is a standard that has worked without problems for a long time.

There was discussion regarding the definition of building height, and several changes were made to the wording of the definition.

Council Member Bailey moved to replace the existing definition of building height with the wording approved by the Planning & Zoning Commission. Council Member Scott seconded the motion.

Council Member Bailey moved to amend the wording to the Ordinance so that it would read: “Building height shall be measured vertically from any point on a proposed or existing building element to the existing grade prior to construction directly below said point on a proposed or existing building element. (The highest to lowest measurement at any given vertical structure line.) “ Council Member Scott seconded the motion and in a roll call vote, all members voted aye and the motion carried.

Council Member Bailey called for a roll call vote on the amended motion. In a roll call vote, all members voted aye and the motion carried.

Council Member Bailey moved to suspend rules and read Ordinance No. 846 by title only, one time only. Council Member Scott seconded the motion, and in a roll call vote, all members voted aye and the motion carried.

Ordinance No. 846 was read by title only, one time only.

Council Member Bailey moved to adopt Ordinance No. 846. Council Member Scott seconded the motion and in a roll call vote, all members voted aye and the motion carried.

AB 07-195 Code Amendment: Setbacks

Michelle Groenevelt, Planning Manager, stated the proposed code amendment would change the way the sideyard setbacks are calculated, adding that the current code uses a graph and percentage of frontage for the calculation. The proposed code amendment proposes to calculate the sideyard setback as using ½ the building height or 5', whichever is greater.

Council Member Bailey opened the public hearing opened at 6:38pm

Claire Remsberg, Remsberg Architecture, P.A., stated she supported the ½ building height rule but feels that the 5' setback rule on larger lots could be greater.

Council Member Bailey closed the public hearing at 6:40pm.

Council Member Bailey spoke at length regarding the evolution of the setback code, and proposed several changes to the code amendment, including adding a new definition to the code that defines what a building height element is and how it is measured.

Michelle Groenevelt stated this proposed definition is not easy to explain but that it lends itself to more creative design. She suggested making the new code amendment effective at a later date so as not to affect some current projects that could not feasibly conform to these changes in a short time frame. It was suggested to make this code effective March 1, 2008.

Bill Nichols suggested directing staff to present an amended ordinance at the November 8th Council meeting, so that Council can have a clean ordinance to adopt, and suggested adding a clause making it effective March 1, 2008.

Council Member Bailey directed staff to bring an amended version of this Ordinance back to Council on November 8th for approval.

PUBLIC COMMENT

Council Member Bailey called for public comment at 6:56 p.m.

Hearing no comments, Council Member Bailey closed the public comment at 6:57 p.m.

CONSENT AGENDA

Staff recommended approval of the following items:

- Minutes – October 11, 2007
- Warrant Register printed on October 19, 2007
- Payroll Report for Period ending October 5, 2007
- AB 07-189 Alcohol Beverage Catering Permits
- AB 07-197 Library Board of Trustees Appointment
- AB 07-188 Application to Hang a Highway Banner – McCall Artist Connection
- AB 07-193 Airport Hangar Lease Transfer – Findlay to Cox

Corrections were provided to the minutes from October 11, 2007.

Regarding the Warrant Register, Council Member Bertram asked about the storage unit for the Police Department and whether the items stored there will be able to be moved into the firing range storage area. Lindley Kirkpatrick stated they intend to be able to get rid of the storage unit and move everything to City Hall.

Council Member Bertram moved to approve the Consent Agenda with amendments to the Minutes. Council Member Scott seconded the motion. In a voice call vote, all members voted aye, and the motion carried.

Lindley Kirkpatrick asked for a brief recess to allow Tom Pippin to set up equipment.

BUSINESS AGENDA

The meeting was called back to order and the Business Agenda began at 7:10p.m.

AB 07-196 Impact Fee Presentation – Tom Pippin, BBC Research

Fred Quiel, Deputy City Manager/Administrative Services, introduced Tom Pippin from BBC. Mr. Pippin provided a brief presentation that included a definition of impact fees, a discussion of Idaho State statutes, and impact fee policy issues.

Regarding the agenda bill, Mr. Pippin stated staff was asking Council enter into an agreement with BBC for the \$20,000 budgeted for Impact Fees for Streets, Police, and Parks. Mr. Pippin added that BBC could start immediately and produce a draft report in approximately 8 weeks, and that other eligible departments could be added for \$5,000 per department. Mr. Pippin stated there is no financial advantage to collaborating with Valley County; the costs are going to remain the same.

Lindley Kirkpatrick asked what the end product the city would be left with at the end of the study. Mr. Pippin replied that the City would be provided with reports and fee calculation schedules, as well as the ordinances necessary to implement the impact fees, adding that the capital improvement plan is imbedded in the reports.

Fred Quiel stated the fees for the study could be recovered from the impact fee calculations. There was discussion on how fast the city could pay itself back. Mr. Pippin stated they could be recovered as soon as impact fees are collected. Mr. Pippin added that by Idaho State law, impact fee studies have to be updated every 5 years and that the model would be given to city staff and training for updating the model would be provided so that the City could do their own updating.

Bill Nichols highly recommended the BBC consulting group. Council Member Bertram stated she would like to move forward now, without waiting for Valley County. Bill Nichols stated the County needed to be alerted if the City chose to enter into an agreement with BBC without the County, to lessen the likelihood of a market disadvantage by being the first area to have impact fees.

Council Member Bailey moved to authorize staff to enter into an agreement with BBC for the \$20,000 budgeted for Impact Fees for Streets, Police, Parks and Stormwater. Council Member Bertram seconded the motion and in a voice vote, all members voted aye and the motion passed.

AB 07-190 Tree Committee Annual Report

John Lillehaug, Chairman of the Tree Committee, stated they have a full committee this year and that their biggest accomplishment will be presenting an updated Tree Ordinance to City Council, which they hope to do in December. Mr. Lillehaug stated the Tree Committee's next goal is to update the landmark tree list.

Mr. Lillehaug provided updates to the following:

- Airport Enhancement Grant – The Committee provided input to this project, which is now nearly completed
- Arbor Day – funds from the City were used for educational distribution, and two trees were planted in memory of Warren and Jane Brown
- Legacy Park – 33 trees were transplanted to the Water Treatment Plant and some of the larger spruce trees may go to the Golf Course
- McCall Improvement Committee – 60 trees were planted in the Four Corners area this year

Mr. Lillehaug stated the improvement in the working relationships with different committees within the community was a huge accomplishment and that the cooperation with the Parks Department has been great. He added that several large hazardous trees removed this year and that this cooperation was instrumental in getting this work done.

Mr. Lillehaug stated that Monika Trapp is being recognized as the city arborist, adding that the City may have to look into how much of her time is taken helping private citizens, due to the impact on her job and the Parks Department.

Council thanked the Tree Committee for their work and commended them on their cooperation with other committees.

AB 07-187 Winter Carnival 2008 Venue

Lindley Kirkpatrick stated this proposal has changed from last year in that the street closure is only being requested for both weekends of Carnival. Mr. Kirkpatrick stated the use of the Urban Renewal parking lot could be approved at the staff level.

Council Member Bailey moved to approve the closure of East Lake Street for both weekends of Winter Carnival 2008, and authorize the use of the Legacy Park parking lot for the duration of Winter Carnival 2008. Council Member Kraemer seconded the motion and in a voice vote, all members voted aye and the motion carried.

AB 07-194 Preliminary Contingency Plans: MCPAWS Closure

Council Member Bailey stated staff had been directed to create a contingency plan for animal control in the event that McPaws was forced to cease operation.

Lindley Kirkpatrick stated that in the short term, the City would have to minimize their animal control activities and minimize the number of animals impounded and contract with local veterinarians and animal care providers to care for the animals that are impounded. Mr. Kirkpatrick stated that the FY08 budget includes \$71,000 dedicated to McPaws, less any amounts already paid to McPaws, which would become available for other animal control functions. Mr. Kirkpatrick added that long term plans will require more analysis.

Jerry Summers stated the McCall City Code calls for impounding “fierce and dangerous” animals and that the Police Department would follow that guideline.

COUNCIL TALK TIME

Council Talk Time commenced at 8:49 p.m.

There was limited discussion of the Airport Master Plan. Council asked for additional information from staff for the November 8 meeting, when the Airport Master Plan will be considered.

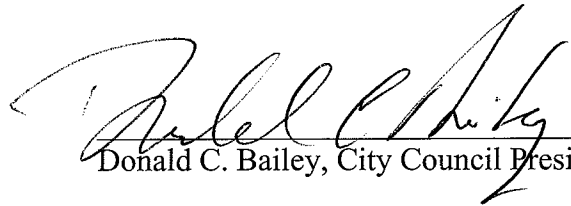
COMMITTEE MINUTES

Library Board of Trustees – September 20, 2007 meeting

Council Member Bailey asked if the firing range storage area could be used to store some of the overflow items from the Library. Lindley Kirkpatrick stated that the city was looking at storing Library items in the firing range.

ADJOURNMENT

Without further business, the meeting was adjourned at 9:04 p.m.



Donald C. Bailey, City Council President

ATTEST:



Fred Quiel, Deputy City Clerk /
Administrative Services