

MINUTES

**McCall City Council
Special Meeting
November 26, 2007**

Agenda

Call to Order and Roll Call
Executive Session
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 Bailey, Council Member Bertram, Council Member Kraemer, Mayor Robertson (via telephone), 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, and Walter Eisenstein, Deputy City Manager / Infrastructure & Community Development. City Attorneys Bill Nichols, Kim Trout and David Krueck participated via telephone.

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. The motion was seconded by Council Member Scott. 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 4:16 p.m.

City staff members present were Lindley Kirkpatrick, City Manager; Fred Quiel, Deputy City Manager/Administrative Services; Walter Eisenstein, Deputy City Manager/Infrastructure &

Community Development; Brock Heasley, Parks & Recreation Director; Michelle Groenevelt, Planning Manager; and Brenna Chaloupka, Administrative Assistant, City Manager.

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

PUBLIC COMMENT

Council Member Bailey called for public comment. Hearing no comments, Council Member Bailey closed the public comment.

CONSENT AGENDA

Staff recommended approval of the following items:

- Warrant Register printed on November 21, 2007
- Payroll Report for period ending November 2, 2007

Council Member Kraemer moved to approve the Consent Agenda and authorize the Mayor to sign all necessary documents. Council Member Bertram seconded the motion and in a roll call vote, all voted aye and the motion passed.

BUSINESS AGENDA

The Business Agenda began at 4:25 p.m.

AB 07-212 Impact Fees: Add Water, Wastewater, Storm Drains to Impact Fee Study and Approve "Agreement for Professional Services" for the Impact Fee Study with BBC Research and Consulting

Fred Quiel, Deputy City Manager/Administrative Services, stated the Impact Fee Study was first presented to Council October 25, 2007, and that the City negotiated with BBC to add Water, Sewer and Storm Drains for an additional \$13,000. Staff is recommending approval for line item transfers in order to include these three additional areas of study.

Council Member Bertram stated she feels Mr. Pippin is an incredible asset to the study. Council Member Bailey stated he was extremely confident that this will turn out to be a professionally prepared document and that the City will benefit greatly from the study.

Council Member Bailey moved to authorize the three line item transfers for Water, Sewer, and Storm Drains and approve "Agreement for Professional Services" with BBC Research & Consulting, and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion and in a roll call vote, all members voted aye and the motion passed.

AB 07-194 Renewal of Mile High Marinas' Lease

Lindley Kirkpatrick, City Manager, explained that Mile High Marina assumed the lease about three years ago and at the time took over the remaining portion of a ten year lease. Since that time, Mile High Marina has made significant capital investments, including improving the docks and bringing in a more viable restaurant, as well as other improvements to the business. Mr. Kirkpatrick stated it is staffs' opinion that Mile High Marina continues to be a benefit to the public, both to tourists and residents alike, and recommends allowing them to continue the services they provide. Mr. Kirkpatrick continued that because of Mile High Marina's record, and the capital investments they have made, they are well positioned to continue benefiting the City. Mr. Kirkpatrick stated it is staffs' recommendation to negotiate another 10 year lease with Mile High Marina, adding that revenue from the lease agreement will help fund the boating ambassador program.

Mr. Kirkpatrick stated that staff has been working with Mile High Marina to negotiate the terms of this lease agreement, and while they are close to reaching an agreement, staff wanted to present the lease to Council tonight to ensure that staff and Council are in agreement. Mr. Kirkpatrick stated there will be an increase in the rental fees, which will make it more in line with what the State is charging. Staff is recommending that the annual rent be 4% of the annual boat slip rental gross receipts.

There was discussion regarding the new breakwater structure and how it could be used for watercraft rental concessionaires if and when it were built and open to the public, as well as who would build it and what it would be used for. Council Member Bailey suggested adding language to the lease to ensure that the City or Urban Renewal Agency has some say in how the breakwater is used in the future.

Mr. Kirkpatrick asked if staffs' recommendation of collecting 4% of the boat rental receipts is on track with Councils' thinking. Brock Heasley stated Mile High Marina is currently paying \$3,000 per year for rent and that their rent would be about \$10,800 in the first year under the terms of the new agreement.

Council Member Bailey directed staff to add language to the agreement that would grant the City and future concessionaires the right to use the shared breakwater facility, to ensure that it does not become a completely private facility in the future.

Mr. Kirkpatrick stated staff will attempt to have the final lease agreement document ready for Council approval December 13, 2007.

AB 07-211 Resolution 07-17: Authorizes the filing of a petition for Judicial Confirmation

Fred Quiel, Deputy City Manager/Administrative Services, reminded Council this was the third element to fully satisfy the Wausau judgment, and recommended approval to move forward.

Council Member Scott moved to adopt Resolution 07-17, authorizing the filing of a Petition for Judicial Confirmation. Council Member Bertram seconded the motion and in a roll call vote, all members voted aye and the motion passed.

AB 07-210 SUB-07-11 & PUD-07-07: Subdivision and Planned Unit Development for Granite Falls Final Plat and Plan

Michelle Groenevelt, Planning Manager, explained this application is for an approved apartment project that was submitted under the previous City Code and consists of 4 four-plexes. The applications before Council today are for final plat and final plan, and are for the conversion from apartments to condominiums. The Planning & Zoning Commission granted approval with 22 conditions, all of which have been fulfilled, except one, which is still being worked out.

Council Member Bailey provided some history surrounding the project. Ms. Groenevelt stated they have talked with applicant several times and that Mr. Kroll is taking action to do the conversion from apartment to condominium so that the letter of noncompliance can be removed, and that Mr. Kroll is re-filing the final plat documents with the County.

There was discussion regarding the original grade of the property and how building height is determined and how these issues relate to this project.

Kurt Kroll, Granite Falls LLC, stated a previous planning manager had approved the project based on a letter from an engineer stating the grade of the project had not changed from the original permitted set of plans. Ms. Groenevelt stated that these letters support Mr. Kroll's statement that the project had been granted approval.

There was discussion regarding the building permits purchased for the project. Council Member Scott asked for clarification regarding the number of community housing units required. Ms. Groenevelt clarified that the number of units required is 2.8 units.

Council Member Scott moved to adopt the Findings & Conclusions for SUB-07-11 and PUD-07-7 Final Plat and Plan, Granite Falls. Council Member Bertram seconded the motion and in a roll call vote, all members voted aye and the motion passed.

Council Member Scott moved to approve the related Development Agreement and authorize the Mayor to sign all necessary documents. Council Member Bertram seconded the motion and in a roll call vote, all members voted aye and the motion passed.

COUNCIL TALK TIME

Council Talk Time commenced at 5:30 p.m.

Council Member Bailey asked about the agreement with MCPAWS. Lindley Kirkpatrick stated City staff is working on an agreement. There was discussion regarding how to calculate the

amount of money the City should pay MCPAWS, based on the number of animals, the number of days held and the cost per day.

Bill Robertson and Bill Nichols signed out at 5:36 p.m.

Council Member Bertram stated the City needs to look at what it would cost the City for a building, an officer, a vehicle and for food to care for the animals in the event that the City needed to take over for MCPAWS.

Council Member Bailey stated there needs to be a representative from the City Council on the MCPAWS Board of Directors, and that should be part of the agreement.

Council Member Bailey asked about the golf course maintenance facility and asked if there was a design team identified yet. Lindley Kirkpatrick stated this issue will be on the December 13 City Council agenda.

Council Member Bailey asked about selling the lot in Aspen Ridge that was designated as the lot for the water tank storage. Lindley Kirkpatrick stated this would be difficult to do because it would have to be re-platted and there would likely be an issue with the developer and surrounding neighbors.

Council Member Bailey asked about reevaluating City Council member salaries and asked Mr. Kirkpatrick to form a citizen group to make recommendations. Mr. Kirkpatrick stated this would release Council from reviewing issue and would allow the community to have some input. Mr. Kirkpatrick stated the AIC may also be a resource for this information.

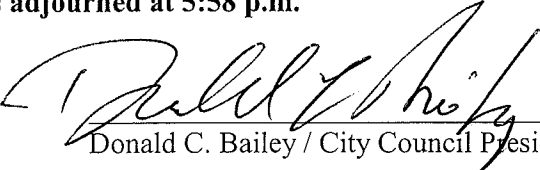
Council Member Bertram stated the tree lighting ceremony is December 1 and that Mayor Robertson will light the tree. She offered kudos to the City employees who helped decorate the tree.

COMMITTEE MINUTES

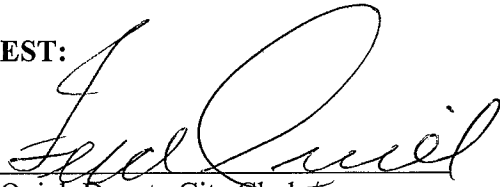
McCall Public Library Board of Trustees Meeting Minutes – October 18, 2007
Tree Advisory Committee Minutes – August 8, 2007

ADJOURNMENT

Without further business, the meeting was adjourned at 5:58 p.m.


Donald C. Bailey / City Council President

ATTEST:

A handwritten signature in cursive script, appearing to read "Fred Quiel". The signature is written in black ink and is positioned above a horizontal line.

Fred Quiel, Deputy City Clerk
Administrative Services