

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
April 9, 2009**

Agenda

Call to Order and Roll Call
Department Reports
Public Comment
Consent Agenda
Business Agenda
Committee Minutes
Executive Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Kulesza called the regular meeting of the McCall City Council to order at 5:30 p.m. Council Member Bailey, Council Member Delaney, Mayor Kulesza, and Council Member Witte answered roll call. Council Member Scott was absent.

City staff present were Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Jerry Summers, Chief of Police; Eric McCormick, Golf Course Superintendent; John Anderson, Airport Manager; Anne Kantola, Library Director; Carol Coyle, Grant Coordinator; Bradley Kraushaar, City Planner; Brock Heasley, Parks and Recreation Director; Linda Stokes, Treasurer; and BessieJo Wagner, City Clerk.

COUNCIL WORKSESSION

City Manager Report

Mr. Kirkpatrick presented the City Manager's report. The Upcoming City Council Meeting calendar was reviewed. He also stated that it is the time of year where the street sweeper is out and at times there could be days when the gravel truck is out in the morning and the sweeper is out in the evening. Mr. Kirkpatrick emphasized that there are many openings on several City advisory committees and there has been limited interest.

The Consolidated Department Head Report

Council Member Delaney commented on the grant for a design charrette for a business park near Samson Trail and Krahn Lane stating that it was good news for the city.

Chief Summers clarified for Council Member Witte that the time frame on the recruiting summary for the police department is a four year period.

Mayor Kulesza commented that receiving positive feedback from the auditors in the last meeting was good for the City, and thanked the City's Treasurer, Linda Stokes, for her work. He also commented on the business license history stating that it was interesting to the cyclic nature of the businesses in McCall. Mayor Kulesza asked about the plans for a new library facility and if Ms Kantola or members of the Library Board had toured any other cities' libraries. Ms. Kantola responded stating that the board members have been asked to visit other libraries as they travel and report back with ideas. They are currently putting together a portfolio with pictures and ideas from other libraries.

Mayor Kulesza made a comment that it may be a good idea that Council and staff have a breakfast with the local business owners, giving the opportunity to hear what they have to say about their concerns and ideas for stimulating the economy.

Mayor Kulesza led the audience in the Pledge of Allegiance at 6:00 p.m.

Mayor Kulesza amended the agenda to move AB 09-60 and AB 09-63 from the Consent Agenda to the second and third items on the Business Agenda.

PUBLIC COMMENT

Mayor Kulesza stated that it had been rumored that the topic of the executive session was to deal with the Upper Payette River Economic Development (UPRED) Council, he clarified that it was NOT the intended topic.

Mayor Kulesza called for public comment at 6:02 p.m.

Fred Lawson – from Lowman, Idaho, stated that McCall needs economic development.

Rhonda Sandmeyer – Ms. Sandmeyer expressed her support of UPRED through her opinion that UPRED could bring more sustainable business to McCall than the Chamber of Commerce or the City staff.

Becky Johnstone – Spoke on the behalf of John Blaye and UPRED, stating that in the past the challenge of high real estate prices prevented the UPRED Council from bringing new businesses to McCall.

Darrell Cobb – Stated that with all the empty store fronts in McCall and Donnelly the need for UPRED is vital.

Gene Gans – 415 Colorado Street – Mr. Gans opinion was that the City's return is greater than their investment with UPRED. He feels that the City needs more than tourism to survive economically and UPRED is needed to bring in sustainable businesses. It was also his opinion that some of the City's ordinances have created barriers that keep potential businesses from coming to McCall.

Fred Lawson – Commented on the property prices and how much they have come down from a few years ago.

Hearing no further comments, Mayor Kulesza closed the public comment at 6:10 p.m.

CONSENT AGENDA

Staff recommended approval of the following items:

- Warrant Register printed on April 2, 2009
- Payroll Report for Period ending March 20, 2009

Some discussion took place to clarify the warrant register.

Council Member Witte moved to approve the Consent Agenda. Council Member Bailey seconded the motion. In a voice vote, all members voted aye and the motion passed.

BUSINESS AGENDA

AB 09-65 Special Olympics presentation to Dennis Coyle

Mayor Kulesza presented a framed banner from The Special Olympics to Dennis Coyle, Ponderosa State Park Director, for his commitment and dedication to the event. Mr. Coyle accepted the banner on the behalf of his staff, and in particular Richard Taflin and Terry Bryant. He also stated that events like these do not happen without the support of the Community and Erin Roper. There were over seven thousand volunteer hours invested in the Special Olympic events that took place in McCall. He stated that he would display the banner in the Visitors Center at Ponderosa State Park.

AB 09-60 Hangar 105 Lease assignment Hangar #105 lease transfer from Granite Holdings LLC to Mike and Leslee Dorris

Mr. Anderson, Airport Manger, gave a history on the lease of Hangar #105. He also stated that clarification of what is meant on what the lease rates would be in a lease assignment. He also recommended that the lease assignment be approved with a stipulation that the lease rate be clarified by the renewal date. The applicants are requesting a new lease with a new term date. The applicant, Mike Dorris, stated that at the lease rate of \$.35 a square foot it is not feasible to lease hangars. Mr. Dorris referred to Resolution 00-05, Section 1, D, which states "The Mayor and Council shall determine the term and rental to be paid on commercial and large-scale projects on a case-by-case basis." He commented that the Council has the authority to vary from the \$.35 a square foot price.

Council Member Delaney asked when does the City just assign the lease to a new buyer and what would be the prompt to have a new lease with a new buyer. Mr. Nichols stated that the customary practice for Airport leases is that when there is a 20 year lease with renewable terms, the lease is assigned to the new owners for the remainder of the time on the lease. A new lease would happen at the end of the last renewal or in a case where someone wants to give up their lease. Typically in the case of airport hangars the leases are assigned as the leases are generally for 20 or 30 years.

In response to Council Member Delaney Question, Mr. Dorris stated that he would use the hangar for a charter service.

Mr. Nichols confirmed that Resolution 00-05 states that the lease rates can be renegotiated.

Council Member Witte moved to approve the Assignment of Lease with the stipulation that the lease rate and term be determined at a later date and authorize the Mayor to sign any and all documents pertaining to this transaction. Council Member Bailey seconded the motion.

Discussion – Council Member Delaney asked for clarification on the stipulation. The lease terms and rate would be brought back to Council for Council action at a later date.

In a roll call vote Council Member Witte, Council Member Bailey, Council Member Delaney, and Mayor Kulesza all voted yes and the motion carried.

AB 09-63 Consulting Services Contract for AIP 3-16-0023-016, ARRA Taxiway Reconstruction, T-O Engineers

Amendments to the contract were recommended by the City's Attorney, Bill Nichols and are reflected in the motion.

Mayor Kulesza moved to approve the contract with T.O Engineers for AIP 3-16-0023-016 with the following amendments:

- **Page 8, Section 2.3.5 – The language modified to read “... in any litigation, arbitration or other legal or administrative proceeding involving the Project in which the ENGINEER is not a party.”**
- **Page 11, Section 5.2.3 – Change “...ten (10%)” to “...five (5%)”**
- **Page 14, Section 7.3.2 – delete the word “solely” in the first sentence and the last sentence in the same section on page 15.**
- **Page 15, Section 8.2 – delete the “... and all construction contractors...” phrase.**
- **Exhibit “B”, Page B-1, Second paragraph – delete “...Arco and Butte County...” And insert “McCall” before Idaho**
- **Exhibit “C”, Fee Schedule #IV. Regular size copies are \$.20 and legal size are \$.25 per page. Change to \$.10 and \$.15 per page.**
- **Exhibit “C”, Fee Schedule #VI. Change 10% to 5%.**
- **Exhibit “C”, Fee Schedule in Note 2 overtime is compensated “...in excess of 8 hours per day...” change to “...in excess of 40 hours per week...”**
- **Exhibit “C”, Fee Schedule, delete Note 3 entirely, “This fee schedule is subject to change without notice.”**

and authorize the Mayor to sign all necessary documents. Council Member Bailey seconded the motion. In a roll call vote Mayor Kulesza, Council Member Bailey, Council Member Delaney, and Council Member Witte all voted yes and the motion carried.

AB 09-62 Upper Payette River Economic Development (UPRED) Funding for FY09

The request was that the Council approve the additional \$22,500 budgeted for UPRED. Mayor Kulesza expressed that he would like to see emphasis on working with Mr. Blaye and UPRED on the kind of businesses that McCall would like to see come to McCall. the Council should identify three to five key issues for him to work on for the remainder of the year.

Council Member Witte stated that the Council wanted direction given to UPRED through the City representatives and what happened. A direct result is the survey of the local businesses that Mr. Blaye has sent out, that is getting results with real information.

Council Member Bailey spoke on the Comprehensive Plan and the importance of finding businesses that can sustain year round business. He wants to know what the City needs to do to attract those types of businesses to McCall.

Mayor Kulesza expressed that the investment is worth while and to remember that McCall is one of five members to the UPRED Council.

Council Member Delaney asked if the tax payers are getting their money's worth. Mr. Kirkpatrick's opinion was that they are.

Council Member Delaney asked Ronda Sandmeyer what UPRED has done for her. Ms. Sandmeyer stated that as a builder she called around to find out what could be done and what business would be good to invest in and found no answers from the City or the Chamber. She called Mr. Blaye and he responded quickly with statistics of McCall, he had answers of costs on commercial sites and gave her information on how to sustain business in McCall.

The Council stated that as part of the UPRED project, they need to take a look at what the City can do to attract new business. It was reiterated that McCall is only one of five partners and this is not "McCall's" UPRED. McCall's representatives need to make more of an effort to bring feedback to the Council from the UPRED meetings

Council Member Bailey moved to authorize the payment of \$22,500 to UPRED and approve the warrant register dated April 2, 2009. Council Member Delaney seconded the motion. In a roll call vote Council Member Bailey, Council Member Delaney, Mayor Kulesza, and Council Member Witte all voted yes and the motion carried.

AB 09-40 SUB-06-08: The Timbers Condominiums Amended Development Agreement - Not a public hearing

Bradley Kraushaar, City Planner, stated that the Timbers Condominiums (SUB-06-08) final plat and related development agreement was originally approved on March 22, 2007. The applicant requested to amend the original development agreement to reflect three changes. (1) Article 3.1 now reflects that one fire hydrant was constructed as approved by the fire department; and, (2) Article 4 on Community Housing was removed because it was submitted under the Inclusionary Housing ordinance (3) Article 5.1 The date was changed to reflect December 1, 2009, as the new date the developer will construct the parking facility. The previous date was December 1, 2007.

Council Member Bailey made a motion to adopt the final development agreement and the First Amendment to the development agreement for The Timbers Condominium, SUB-06-08, and authorize the Mayor to sign. Council Member Delaney seconded the motion. In a roll call vote Council Member Bailey, Council Member Delaney, Mayor Kulesza, and Council Member Witte all voted yes and the motion carried.

AB 09-41 SUB-06-07 and PUD-06-03: Alpine Village Phasing Agreement (Second Amendment to the Development Agreement) - Not a public hearing.

Mike Hormaechea, applicant and developer, clarified the changes to the phasing agreement:

1. This would put the phasing plan into the development agreement.
2. It updates the expected time frames for the future phases.

Council Member Delaney moved to adopt the Second Amendment to Development Agreement Alpine Village Planned Unit Development and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote Council Member Delaney, Council Member Witte, Council Member Bailey, and Mayor Kulesza all voted yes and the motion carried.

AB 09-66 COPS Grant

Jerry Summers, Chief of Police, gave an overview of the grant stipulations. Chief Summers fielded questions from the Council on the needs of the city and officer safety issues. He stated that at 4700-5200 calls for service equals a burn out rate for the City's officers. Chief Summers expressed his concerns for officer safety and gave explanations of how six additional officers would alleviate those concerns. The Council expressed concerns on the cost to the City in the fourth year of the plan and what the City would have to cut in order to compensate. There was also concerns with the plan to ask for 6 officers when, currently, there are three vacant positions in the budget. The Council felt that the request should be for three officers. It was clarified that the number of officers can be determined after the budget meetings and the actual amount the City can currently fund.

Council Member Bailey made a motion to approve the submittal of a COPS Grant and authorize the Mayor to sign all necessary documents. Mayor Kulesza seconded the motion.

Discussion - From a budgetary standpoint the number of officers requested can be adjusted if it is determined that the City's current budget can support three officers. The City will need to make projections to be able to cover the possible \$405,801 additional costs in the fourth year and it will be discussed during the budget process. Council Member Witte wanted to ensure that the application states that the City is unsure of the status of the ability to fund three of the officers and would like to receive more information.

In a roll call vote Council Member Bailey, Mayor Kulesza, Council Member Delaney, and Council Member Witte all voted yes and the motion carried.

AB 09-61 Report on options for codification of City Ordinances

BessieJo Wagner, City Clerk, presented a report on possible options for codification of City Ordinances. It was discussed with Council that at a future date, when budget and staffing allows, City staff will maintain the City Code in house. Until that time the City will continue the services of Sterling Codifiers.

AB 09-64 Wastewater State Revolving Fund loan application discussion

The Council discussed the positive and negative effects of the State Revolving Fund Loan stating that although it is an opportunity for a loan, a loan equals more debt. Discussion took place on the current process to fund the projects and the reduction in revenue compared to projection. It was stated that there are stipulations to the loan and bond covenants that would need to be considered.

The Council continued the discussion of what would be the possibility of requesting a lower amount based on true need. It was clarified that there are some fixed costs no matter the amount of the loan.

Council gave direction that the City staff:

1. Continue to work closely with IDEQ to obtain approval for the formal submission of an SRF loan application.
2. Complete a rate analysis to determine if the current rate structure will repay an SRF loan, preferably in less than 20 years, and maintain compliance with all existing bond covenants.
3. Identify all of the costs associated with judicial confirmation of the debt.
4. Prepare a report to Council on all of the above items.

COMMITTEE MINUTES

The Council received copies of the following minutes:

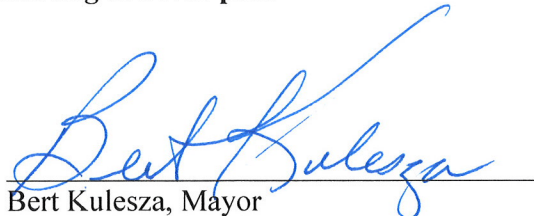
- McCall Improvement Committee – February 12, 2009
- City of McCall Aviation Advisory Committee – February 5, 2009
- Planning and Zoning Commission – February 3, 2009

EXECUTIVE SESSION


At 9:12 p.m. Council Member Delaney made a motion to go into executive session for Personnel – Pursuant to Idaho Code §67-2345(1)(b) and Litigation – Pursuant to Idaho Code §67-2345(1)(f). Council Member Witte seconded the motion. In a roll call vote Council Member Delaney, Council Member Witte, Council Member Bailey, and Mayor Kulesza all voted yes and the motion carried.

ADJOURNMENT

Without further business, the Mayor adjourned meeting at 10:45 p.m.


Bert Kulesza, Mayor

ATTEST:


BessieJo Wagner, City Clerk