

# MINUTES

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**McCall City Council  
Regular Meeting  
Legion Hall (McCall City Hall - Lower Level)  
June 11, 2009**

## Agenda

Call to Order and Roll Call  
Department Reports  
Public Hearing  
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 5:32 p.m. Council Member Bailey, Council Member Delaney, and Mayor Kulesza answered roll call. A quorum was present. Council Member Scott and Council Member Witte were absent.**

**Council Member Scott and Council Member Witte joined the meeting at 5:34**

City staff present were Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Eric McCormick, Golf Course Superintendent; Anne Kantola, Library Director; Brock Heasley, Parks and Recreation Director; Linda Stokes, Treasurer; Tim Swanson, Interim Public Works Director; David Simmonds, Information Systems Manager; Bradley Kraushaar, City Planner; and BessieJo Wagner, City Clerk.

## **COUNCIL WORKSESSION**

### City Manager Report

Mr. Kirkpatrick presented the City Manager's report. Mr. Kirkpatrick stated that at the Public Open House public hearing to start off the budget process there were four people from the community present. He stated that there were lots of discussion created from those four people and one of the comments were that they would like the city to do less and cut taxes. He stated that the City has not had that type of comment for many years; most often the feedback from the community is for the City to do more.

Mr. Kirkpatrick updated the Council on the boat launch repairs, stating that the Urban Renewal Agency did not contribute to those funds. He stated that the Parks Director, Brock Heasley was able to use the park's budget to match the grant received from Waterways to complete the

project. Mr. Kirkpatrick also had an update to the Pancake House parking lot code issue, stating that after meeting with their attorney, the issue should have a resolution soon.

### **The Consolidated Department Head Report**

There was a brief discussion on the aging report and different methods to obtain the money owed by different entities to the City.

Mayor Kulesza asked for a detailed report of all grants Carol Coyle, Grant Coordinator, has obtained for the City. He stated that this report would be beneficial to have so when someone from the public asks about how money is being spent he could show how City employees are obtaining grants for the City and saving the City money.

In response to questions with some of the issues at Legacy Park, Mr. Heasley stated that there is a punch list of items for the contractor to work through to correct deficiencies.

There was a brief discussion about dogs being prohibited in the parks. It was discussed that there were signs posted in all the parks with the exception of Legacy prohibiting dogs. Mr. Heasley stated that they are looking into different ways to sign “no pets” in the park. There was also discussion on the possibility of allowing dogs in the park and the use of bags and trash cans for disposal of the dog waste.

### **Mayor Kulesza led the audience in the Pledge of Allegiance at 5:57 p.m.**

## **PUBLIC HEARING**

Council Member Scott Recused herself at 6:00 p.m.

### **AB 09-109 SUB-09-01 Whitetail Cabin Sites**

Bradley Kraushaar presented the Whitetail Cabin Sites project, a re-plat of three existing single family lots will be changed to eight single family lots surrounded by common space.

Mike Hormaechea, applicant, presented a visual of the project. Mr. Hormaechea gave a brief explanation for the change in the plat, stating the change will add more diversity and product offerings to Whitetail. The cabins will start at 1800 sq ft, two bedroom two bath, two car attached garages, and outdoor living area. The 2000 sq ft model goes up to three bedrooms and 2.5 baths. The maximum square footage would be 2800.

Council Member Bailey clarified that it was their practice to reference the recordation number of the prior declarations on the plat.

Clarification was made that there will be a 20 ft separation between all buildings.

### **Mayor Kulesza opened the Public Hearing at 6:25 p.m.**

Jeff Verhone – Owns property at the Golf Course. He stated that he is thankful for the Mosquito abatement. He has been here for many years and the quality of life is much improved.

Mr. Kirkpatrick stated that there was one email comment that came in from Ballard Smith in support of the project.

**Hearing no further comments, Mayor Kulesza closed the Public Hearing at 6:27 p.m.**

**Council Member Bailey moved to approve SUB-09-01 and PUD-09-01 for the Whitetail Cabin Sites, subject to the attached Findings and Conclusions with the following changes amend #17 on page 8 of the Findings and Conclusions to change ten foot building separations requirement to 20 feet; add a condition that the corporation pay what is past due on engineering services. 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 aye and the motion passed.**

Council Member Scott returned to the meeting at 6:30 p.m.

## **PUBLIC COMMENT**

**Mayor Kulesza called for public comment at 6:31 p.m.**

**Michael King** – He has a small company in the Payette area. Mr. King would like to propose two bicycle races for cancer research. He needs a letter from the City in support of the race. Mr. King would like to make it an annual race. There would be a first responder pilot car that leads race, support vehicles and an ambulance. He has been working with the fire department and various businesses for sponsorship. The goal of the race is to have a hundred racers. Council was supportive of the race.

Jeanie Campbell – Support of the golf course and the mosquito abatement.

Charles Waters, a 20 year resident of McCall voiced his support of mosquito program at the Golf Course.

Grant Kingsford, 922 East Chipmunk St, voiced his support of mosquito abatement program. As a West Nile survivor he appreciates the need for mosquito abatement.

Ron Warden – a McCall resident since 1986 voiced his support of the mosquito program. The Golf Course has never been in better shape.

Joe Declare – a McCall Resident since 2005 voiced his support of mosquito abatement. He stated that they found a dead bird a couple years ago and turned it over to the Fish and Game and it came back positive for West Nile. The abatement program has made the conditions much nicer for being outside in the evening.

**Hearing no further comments, Mayor Kulesza closed public comment at 6:44 p.m.**

## **CONSENT AGENDA**

Staff recommended approval of the following items:

- Warrant Register printed on 6/4/09
- Payroll Report for Period ending 5/29/09
- AB 09-104 2009 Alcohol Beverage Licenses
- AB 09-105 Alcohol Catering Permits
- AB 09-103 Application to Hang a Highway Banner – Concrete Rodeo
- AB 09-107 Chamber of Commerce July 4, 2009 Celebration

Some discussion took place to clarify the warrant register.

Council Member Delaney requested that the Council have a future discussion on the Highway Banner policy, the process and the first come first serve policy.

Council Member Bailey commented on the letter from the Chamber of Commerce on the 4<sup>th</sup> of July celebration that at Legacy Park there is a new little stage with power and wondered if the Chamber was aware of it. Mr. Kirkpatrick introduced Tim Cochrane, CEO Chamber of Commerce to the Council. Mr. Cochrane stated that the Chamber is aware of the stage and is incorporating it into the program.

**Council Member Delaney moved to approve the Consent Agenda as presented. Council Member Scott seconded the motion. In a roll call vote, Council Member Delaney, Council Member Scott, Council Member Bailey, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.**

## **BUSINESS AGENDA**

### **AB 09-106 Concession Agreement between MBSA/Mountain Madness and the City of McCall**

Brock Heasley, Parks and Recreation Director, spoke on behalf of the MBSA/Mountain Madness Association. He stated that the Association would be having concessions for fundraising for the girls fast pitch softball traveling league.

Mr. Heasley confirmed that there has been request for concessions at Fairway Park and that there have been no other interested parties in doing concessions. The Concession agreement would not be exclusive so there could be another vendor if interest is shown. Council Member Bailey stated that there needs to be trash receptacles to support recycling of tin and plastic.

Mr. Heasley explained that there has been various fees associated with concessions and are looked at on a case by case basis. He chose to wave the fees due to MBSA/Mountain Madness Association being a non-profit organization and the concession would be used as a fund raiser.

**Council Member Bailey moved to approve the concession agreement with MBSA/Mountain Madness Association with the amendment of item 4 be amended to include a provision to collect recyclables, and authorize the Mayor to sign all necessary documents. Council Member Delaney seconded the motion.**

Discussion – Council Member Witte stated that in the third “whereas” all fees for hawkers would be waved, she asked if that was standard practice. Mr. Heasley stated it was not. The way it was

worded it sounds like all Hawkers fees would be waved, it needs to be clarified to include only this concessionaire.

The words "on a case by case basis" will be added.

In item #6 there is a typo "It's" should be "Its"

Second Line should read "harmless from any liability..."

Item #9 add the City "or its citizens"

Council Member Witte had a concern with the message it could give to others by not charging a fee.

The motion was amended to reflect changes made by Council Member Witte and to add trash receptacles for recyclables.

**In a roll call vote, Council Member Bailey, Council Member Delaney, Mayor Kulesza, Council Member Scott, and Council Member Witte all voted aye and the motion passed.**

#### **AB 09-110 Addendum to Storm Water Management Guidelines**

Tim Swanson, Interim Public Works Director presented the Addendum to Storm Water Management Guidelines. The document is a concept of the plans for putting in stormwater drains down Third Street.

**Council Member Delaney moved to adopt the Addendum to Stormwater Management Guidelines. Council Member Bailey seconded the motion. In a voice vote, all members voted aye and the motion passed.**

There was a clarification that the document was for conceptual design.

#### **AB 09-108 Restated Ground Lease with NHS for Remaining McCall Avenue Homes**

Mr. Nichols stated that JoAnn Butler, Attorney for Neighborhood Housing Services, had some issues with the Ground Lease. She provided a document with changes to the lease earlier in the week. The Council did not have an opportunity to review it.

**Council Member Bailey moved to table agenda item AB 09-108 until the next Council Meeting. Council Member Scott seconded the motion. In a voice vote all members voted aye and the motion carried.**

#### **AB 09-111 August 4 Special Election Information Campaign**

Mayor Kulesza stated that he had sent a letter to the editor and the paper stated that it was written by Bert Kulesza Mayor of the City of McCall, he clarified that he had written the letter on his own time, on his own computer and not as part of the Council.

Mr. Nichols clarified that city resources could not be used to advocate one way or another on the issue. Education from Council or the City has to be neutral. There was general discussion as to what kind of information to put out. There was a general consensus to put historical documents of how the City arrived at the current form of government on the City's website. The Council discussed putting an ad in the paper referencing the website and on the website post the most commonly asked questions, and a comparison of the two different forms of government. The information could be followed by state code references.

The Star News and Chamber of Commerce will host a public forum to discuss each of the different forms of government; the date to be determined.

**AB 09-112 Preferred Alternative for the Taxiway Relocation Environmental Assessment**

Mayor Kulesza spoke with the forest service on the issue of the taxiway width. Would the taxiway be built to 50 ft the answer was no, they would build it to 35ft because it is a B2 issue and it will only be funded up to B2 Standards. A 35 ft taxiway is only 2 ft wider than the width of the Orion Foray; they would only have 12 inches on each side. The Forest Service stated that it would be a significant glitch in their program it could shut down the retardant program. From a safety standpoint this would be unacceptable to have a runway two feet wider than the Orion's.

There was discussion on the width of the taxiway and what would benefit the City. The timeline of the project was also discussed.

**COMMITTEE MINUTES**

The Council received copies of the following minutes:

- Planning and Zoning Commission – April 7, 2009
- Planning and Zoning Commission – May 5, 2009

**EXECUTIVE SESSION**

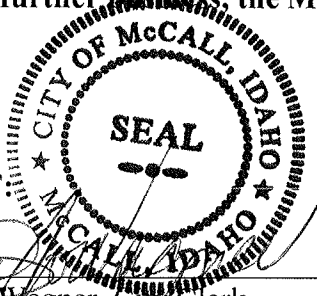
At 8:50p.m. Council Member Witte made a motion to go into executive session for Litigation – Pursuant to Idaho Code §67-2345(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated, and for Personnel - Pursuant to Idaho Code §67-2345(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Council Member Bailey seconded the motion. In a roll call vote Council Member Witte, Council Member Bailey, Council Member Delaney, Mayor Kulesza, and Council Member Scott all voted yes and the motion carried.

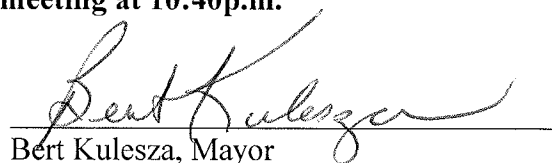
**ADJOURNMENT**

Without further business, the Mayor adjourned meeting at 10:40p.m.

ATTEST:

  
BessieJo Wagner, City Clerk



  
Bert Kulesza, Mayor