

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
February 25, 2010**

Agenda

Call to Order and Roll Call
Executive Session
Work Session
Pledge of Allegiance
Approve the Agenda
Public Hearing
Public Comment
Consent Agenda
Business Agenda
Executive Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Bailey called the regular meeting of the McCall City Council to order at 4:34 p.m. Mayor Bailey, Council Member Delaney, Council Member Kulesza, and Council Member Scott answered roll call. A quorum was present. Council Member Witte was absent.

City staff present was Lindley Kirkpatrick, City Manager; Terry White, City Attorney; Jeff Strother, Attorney (via phone); Allen Ellis, Attorney (via phone); and Kim Trout, Attorney (via phone).

EXECUTIVE SESSION

At 4:34 p.m. Council Member Kulesza moved 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. Council Member Delaney seconded the motion. In a roll call vote Council Member Kulesza, Council Member Delaney, Mayor Bailey, Council Member Scott, and Council Member Witte all voted aye and the motion passed.

Council Member Witte joined the meeting at 4:35 p.m.

OPEN SESSION

At 5:41 p.m. Council Member Kulesza moved to return to open session. Council Member Scott seconded the motion. In a voice vote all members voted aye and the motion passed.

Additional City staff present were Michelle Groenevelt, Community Development Director; Jerry Summers, Chief of Police; Dennis Coyle, Parks and Recreation Director; Tim Swanson, Interim Public Works Director; David Simmonds, Information Systems Manager; John Anderson, Airport Manager; Rick Scherette, Streets Superintendent; Brad Kraushaar, City Planner; Linda Stokes, City Treasurer; Carol Coyle, Grant Coordinator; Laurie Radcliffe, Administrative Assistant; and BessieJo Wagner, City Clerk.

WORK SESSION

AB 10-65 Snow Gate Presentation

Tim Martin, Street Superintendent from Coeur d'Alene, gave a presentation on Coeur d'Alene's research and use of the "snow gate" on loaders and graders to minimize snow berms in driveways. The City Council asked questions and was receptive to the further discussion. Staff will prepare more information, including options for implementation in McCall, and report back to the Council.

Mayor Bailey led the audience in the Pledge of Allegiance at 6:14p.m.

Mayor Bailey approved the agenda as submitted.

PUBLIC HEARING

AB 10-56 Adoption - Rezone Ordinance for PUD-09-04 Valley Meadow Apartments

Douglas Peterson, the Housing Company, submitted a Planned Unit Development (PUD) and Zoning Map Amendment (ZON) application for the construction of a new 36-unit, affordable apartment project. The proposed project, located on a parcel north of Jacob Street, includes a mixture of 3-, 2-, 1-bedroom and studio apartments, as well as a dedication of lands for parks.

Katherine Almborg with the Housing Company stated that the project started by an RFP process. She gave a brief overview of the process for the program.

Steve Benner, CSHQA 250 S 5th Street Boise, presented Council with the structural plans for the project with emphasis on the goal of being green. He stated that the condition of the dedication of Parks, preliminary approval #5, needs to be reworded to state that the Housing Company will submit a plan that is approved by the Parks and Recreation Department. The applicant requested that the Council provide guidance on the proposed road connection. Staff thinks a future street connection from Jacob Street to Deinhard Lane is important for connectivity. Condition #1 (page 7 of 9) provides two options for the street connectivity issue.

Council asked about the roof and snow load, Mr. Benner explained that the roof was designed to hold the snow. There was also discussion to clarify the amount of storage area. Mr. Benner stated that each

unit would be equipped with inside and outside storage for such things as bicycles, skis and snowboards; however there would not be any storage provided for ATVs, boats, or trailers.

Bradley Kraushaar, City Planner, presented the staff report to Council. He stated that the applicant is requesting that the Council provide guidance on the proposed road connection. It was Staff's opinion that a future street connection from Jacob Street to Deinhard Lane is important for connectivity. Condition #1 (page 7 of 9) provides two options for the street connectivity issue. Mr. Kraushaar stated that timing and funding would come in the future. The Housing Company has agreed to a traffic study for this issue.

Mr. Kraushaar stated that staff had agreed to the recommendations made by the Parks and Recreation Advisory Committee as stated below:

1. The applicant successfully receiving the required easement from Valley County for the proposed pathway between the project and Deinhard Street
2. Additional specifications of the proposed amenities (playground and furniture) be presented to the board for further discussion and approval
3. Plans showing the pathway connection from the project to Jacob Street be included and the design of the pathway
4. Details showing the placement and number of signs relating to the playground, public parking and pathway

Council Member Scott stated that Condition 5 needs to be changed to clarify who had been consulted on the proposal for parks requirement and clarification that the Parks and Recreation Committee were recommending the parks as proposed by the applicant.

Mayor Bailey opened the Public Hearing on Rezone Ordinance for PUD-09-04 Valley Meadow Apartments at 7:06 pm.

Mayor Bailey suggested that staff work with the applicant to prepare a development agreement to go along with the rezone ordinance to ensure that the intent for the entire build out is on paper. He stated that Title 3.3.1307 entitles Council to request a development agreement.

Mayor Bailey asked, if the Council agreed, to continue the public hearing until March 11, 2010 in order to prepare a development agreement.

Michelle Groenevelt, Community Development Director, stated that the applicant has a tight development schedule and asked if the Council could approve the PUD.

Lindley Kirkpatrick clarified with Mayor Bailey what was the intention of the development agreement and if the revisions would be to the PUD or would it be addressed in the Development Agreement. It was clarified that the issues would be addressed in the Development Agreement. It was also clarified that this development agreement is in relation to the rezone application.

Additional changes to the conditions of approval

#3 – The applicant shall submit a parks plan subject to the approval of the City Council in lieu of dedication of .9972 acres.

#30 – needs to be change to include 36 covered parking areas

#38 – add sub-finding #4 of #39

Council Member Kulesza moved to approve the preliminary plan (PUD-09-04) as amended above. Council Member Scott seconded the motion. In a roll call vote Council Member Kulesza, Council Member Scott, Mayor Bailey, Council Member Delaney, and Council Member Witte all voted aye and the motion passed.

Hearing no further comments, Mayor Bailey continued the public hearing to March 11, 2010 at 6:00 p.m.

AB 10-57 CUP-09-06 Old Town Station

Woody Woodworth gave a presentation for a new drive-thru facility at 507 N. 3rd Street. The proposed drive-thru would be located on the south side of the existing building and would be accessed via 3rd Street and exited onto Colorado Street. Mr. Woodworth stated that the drive through would be a “good” drive-thru and would be within the City Code.

It was stated that numerous improvements were required to bring the property into conformance with the McCall City Code including but not limited to landscaping, lighting, and sidewalks. There was general discussion to clarify the different traffic patterns onto and off of the property.

Brad Kraushaar presented the staff report

Terry White, City Attorney, cautioned on hearing from an individual from the Planning and Zoning Commission as the Commission had already made their recommendation to Council.

Mr. Kraushaar summarized that the main concerns of the Planning and Zoning Commission was the pedestrian environment and with the egress ingress was not being clearly defined.

Mayor Bailey opened the Public Hearing on CUP-09-06 Old Town Station at 8:26pm.

Wade Chapman spoke in support of the applicant. Mr. Chapman spoke highly of the business and feels that the applicant should have the opportunity to try the drive-thru.

Mark Colafranceschi, spoke in support of the applicant. It was his opinion that that it would not be any different than any other drive-thru.

Kid Cave, of Donnelley, stated that the applicant gas station was the easiest place to purchase gas from and he supported the applicant.

Eddie Culver, McCall Resident, spoke in favor of the applicant. Mr. Culver stated that he was pleased with the changes that the applicant had made to the property. It was his opinion was that there was plenty of space to accommodate long bed pickups so there should not be an issue with the drive-thru.

Tim Cochrane, 1391 Greystone, stated that he had worked with the applicant on the project and was supportive of the project. He felt that it would alleviate some of the congestion. He also stated that he was supportive of the project as it would create jobs and thought that it would minimally affect traffic

Eddie Anderson, New Meadows, spoke in favor of the applicant. Mr. Anderson stated that the applicant was very community minded.

Kim Apperson, McCall Resident, stated that she did not have a problem with the concept of the business; however her concern was that it would create more traffic. She was also concerned with the lack of clear ingress and egress. Ms. Apperson also stated that it was her opinion that the data used in the presentation was not an accurate picture of the traffic flow. She also stated that it was too much with all the different venues

Kelly Clark sent a letter in support of the applicant.

Hearing no further comments, Mayor Bailey closed the public hearing at 8:43 p.m.

Mr. Woodworth rebutted the concerns presented. He stated that if the window caused issues with his core business he would shut down the window.

There was discussion as to the concerns of the P&Z and what the applicant has done to make the project viable.

Steve Millemann, Attorney for the Applicant, stated that Council has the appeal of the Design Review and Scenic Route applications and the Council could act on all three if they chose to.

Council Member Kulesza stated that if the project was implemented what would alleviate the Planning and Zoning Commissions concerns. The answer was a better more defined ingress and egress. Council Member Scott felt that it would be an improvement to have the convenience of a drive-thru. Council Member Delaney would prefer to defer to the Planning and Zoning Commissions ruling, and did not want the Planning and Zoning Commissions to think that the Council did not consider their recommendation.

Council Member Kulesza moved to approve CUP-09-06 contingent upon the attached Findings and Conclusions and remand SR-19 and DR-09-41 back to the Planning and Zoning Commission. Council Member Witte seconded the motion. In a roll call vote Council Member Kulesza, Council Member Witte, Mayor Bailey, Council Member Delaney, and Council Member Scott all voted aye and the motion passed.

Mayor Bailey called a recess 9:09 p.m.

Mayor Bailey reconvened the meeting at 9:13 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 9:13 p.m.

Hearing no comments, Mayor Bailey closed the public comment.

CONSENT AGENDA

Staff recommended approval of the following items:

- Minutes February 11, 2010
- Warrant Registers printed on 2/18/10
- Payroll Report for Period ending 2/05/10
- AB 10-47 Highway Banner - Wooden Boat Show
- AB 10-48 Highway Banner - Art on the Lake
- AB 10-49 Highway Banner - McPaws Bark in the Park
- AB 10-50 Highway Banner - Roseberry Summer Music Festival
- AB 10-51 Highway Banner - Ida-Ho-Down
- AB 10-52 Highway Banner - McPaws Octoberfest
- AB 10-53 Disabilities Week Proclamation
- AB 10-55 America in Bloom Program Participation
- AB 10-58 Utility Hardship Application
- AB 10-62 Grant Agreement from Idaho Division of Aeronautics and adoption of Resolution 10-10

Some discussion took place to clarify the warrant register and correct the minutes.

Council Member Delaney moved to approve the Consent Agenda with the minutes corrected, and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote Council Member Delaney, Council Member Scott, Mayor Bailey, Council Member Kulesza, and Council Member Witte all voted aye and the motion passed.

BUSINESS AGENDA

AB 10-64 Parks and Recreation Advisory Appointment

Dennis Coyle, Parks and Recreation Director stated that The Parks and Recreation Advisory Committee recommend the re-appointment of Jenny Ruemmele and Carl Barrett to the Parks and Recreation Advisory Board. The term of Jenny Ruemmele expired in June of 2009 and the term of Carl Barrett expired in October of 2009. Mr. Coyle stated that due to a possible conflict of interest Nathan Stewart would not be considered for reappointment at this time.

Council Member Kulesza moved to appoint to the Parks and Recreation Advisory Committee Jenny Ruemmele to a term to expire June 2012 and Carl Barrett to a term to expire October 2012. Council Member Delaney seconded the motion. In a voice vote all members votes aye and the motion passed.

Mayor Bailey requested that staff post the terms of committee members so that people could see when terms were expired.

Council Member Scott recused at 9:23 p.m.

AB 10-61 Assignment and Assumption of Hangar Lease M Resorts to Aviation Properties LLC

John Anderson, Airport Manager, Torrey Enterprises, owned by Douglas Manchester, entered into a lease agreement with the City of McCall May 1, 1987. The hangar is located at 338 Deinhard, Hangar 102 now known as the Whitetail Hangar under the corporate name of M Resorts. Under Section 3.5 rental of the lease agreement “ ... In order to assist the (airport) in completing airport improvements, Lessor has the right and option to require the Lessee to pay in advance all rental for the unexpired term of this lease plus two ten year renewal periods for a total lease term of 40 years”.

Manchester’s lease was exercised in 1988 and the City was paid in advance for the remainder of the 40 year lease term. Therefore, this lease term runs through April 30, 2027 and all lease fees have been paid in full in advance. Aviation Properties LLC, which is the lease holder for McCall Aviation, has agreed to purchase the facility from Manchester. Dan Scott, Managing Member and President of Aviation Properties LLC, has filled out the proper application for Lease Assignment and has demonstrated the ability to operate the leasehold facility.

Presently the Whitetail hangar is subleased to McCall Aviation with the back bay of the hangar being utilized for non aviation storage. The sublease to McCall Aviation will continue to utilize the front portion of the hangar for storage of the Lifeflight helicopter and other aircraft, and the back portion of the hangar utilized for aircraft storage.

Mayor Bailey moved to approve the Assignment and Assumption of lease from M. Resorts, Douglas Manchester to Aviation properties LLC and authorize the Mayor to sign all necessary documents. Council Member Kulesza seconded the motion. In a roll call vote Mayor Bailey, Council Member Kulesza, Council Member Delaney, Council Member Scott, and Council Member Witte all voted aye and the motion passed.

Council Member Scott returned to the Council at 9:30 p.m.

Council Member Delaney and Council Member Witte recused at 9:31 p.m.

AB 10-63 Adoption of Rezone Ordinance 872 - ZON-06-03: Crossbar Rezone

This agenda item is the third and final reading of the ordinance that will enact the rezone for the Crossbar property.

The third and final reading of Ordinance 872 was read by Mr. Wagner, by title only.

Council Member Scott moved to adopt Ordinance No.872 and authorize mayor to sign all necessary documents Council Member Kulesza seconded the motion. In a roll call vote Council Member Scott, Council Member Kulesza, and Mayor Bailey all voted aye and the motion passed.

Council Member Delaney and Council Member Witte rejoined the Council at 9:33p.m.

AB 10-60 Business Park Planning Charrette Adoption

Council Member Delaney moved to adopt the Business Park Report as a planning document for the City of McCall. Council Member Witte seconded the motion. In a roll call vote, Council

Member Delaney, Council Member Witte, Mayor Bailey, Council Member Kulesza, and Council Member Scott all voted aye and the motion passed.

AB 10-54 FY10 LOT Update

At the August 13, 2009 City Council Meeting, the Council discussed the Local Option Tax (LOT) distribution. Staff requested guidance from the Council regarding the priority for the LOT funds distribution. At that time it was clarified that the matrix for the LOT funds was mandated by the recommendations given to Council from the LOT Commission. At the conclusion of the discussion the Council decided to go forward as recommended by the LOT Commission and revisit the LOT matrix in early 2010.

BessieJo Wagner, City Clerk, presented Council with a 4 year analysis of the LOT funding dollars. She showed the comparison of actual dollars to average dollars to give a clearer picture of what to expect when forecasting for LOT dollars.

Steve Gleason, Chairman of the LOT Commission recommended a 15% holdback to all the remaining projects in anticipation of a shortfall at the end of the year.

Mayor Bailey requested that staff provide Council with the previous ordinances that were formulated during the LOT campaign.

Council Member Kulesza moved to approve the 15% hold back as recommended by the Local Option Tax Commission. Council Member Delaney seconded the motion. In a roll call vote Council Member Kulesza, Council Member Delaney, Mayor Bailey, Council Member Scott and Council Member Witte all voted aye and the motion passed.

AB 10-59 Economic Development funding for FY10

Mr. Kirkpatrick stated that the list presented was primarily derived from the Economic Development work session. Council Member Delaney questioned as to why UPRED was included in the list of activities to fund. Mr. Kirkpatrick clarified that there had been previous discussion as to a way to fund the Upper Payette River Economic Development Council (UPRED).

Council Member Kulesza suggested that the money be held for “other” and not specify UPRED, to wait and see where the UPRED meeting goes in March. He stated that the money may give some leverage as to what projects would be priority.

Council Member Delaney did not feel that Council wanted to fund UPRED; she felt that it was Mr. Kirkpatrick’s choice to put it in the recommendation.

Mr. Kirkpatrick gave an explanation as to his recommendation and the reasoning behind the recommendations. Stating that Valley County Commissioners were going to revisit John Blaye’s contract and there would most likely be a restructuring of the UPRED Council. He stated that it was his understanding that Regional economic development was been on the table and with the reorganized UPRED it could be an opportunity.

Council Member Scott stated that UPRED it is a hot topic and that the Council needed to be very clear with their direction as to how the funds would be spent should they choose to fund them.

Council Member Delaney thanked Mr. Kirkpatrick for the clarification.

Council Member Witte asked clarification of Co-op plan. Mr. Kirkpatrick explained that it would be a marketing plan to further the cooperative efforts of the City and the Chamber in addition to the area golf courses and local businesses.

Mayor Bailey stated that a Krahn Lane Business Park work session as to what to do next should be scheduled so as not to lose momentum. There was consensus to broaden context of #5 to include Krahn Lane.

There was a brief discussion as to the allocation recommendations.

Council Member Scott moved to authorize the following tasks, to be funded with \$30,000 dedicated to economic development activities in FY10:

- 1. \$2,500 to fund Idaho Rural Partnership to participate in the Community Visitation Program.**
- 2. \$7,700 to fund a Cooperative Marketing Effort, leveraging ITC grant opportunities to market McCall and the McCall Golf Course, in partnership with the Chamber and local businesses.**
- 3. \$2,800 to fund VAPP coordination and support by Sage Community Resources, subject to the concurrence of other VAPP partners.**
- 4. \$2,000 to send one Council member and one community member to the NWCDI.**
- 5. \$15000 to fund general implementation of the Krahn Lane Business Park, responses to development inquiries/business leads, regional economic development and, potentially, funding for a re-organized UPREDC focusing on retention and expansion of existing businesses.**
- 6. Devote City staff time to list all business license holders on the City's website, and coordinate with other online business directories in McCall.**
- 7. Devote City staff time to organizing businesses into districts and identifying needs and priorities unique to those districts, in partnership with the Chamber and McCall Area Merchants' Association.**
- 8. Devote City staff time to support of the America in Bloom program.**
- 9. Devote City staff time to create a welcome packet for new businesses.**
- 10. Devote City staff time to seek funding for the Sports Floor Project, in partnership with the Chamber.**
- 11. Devote City staff time to developing a local business procurement preference.**

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

COMMITTEE MINUTES

The Council received copies of the following minutes:

- Tree Advisory Committee – January 13, 2010
- McCall Historic Preservation Commission – January 19, 2010

- Planning and Zoning Commission – January 5, 2010

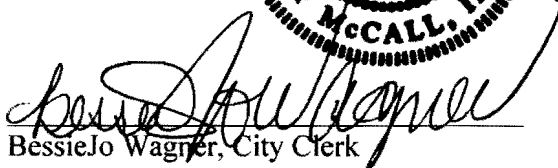
EXECUTIVE SESSION

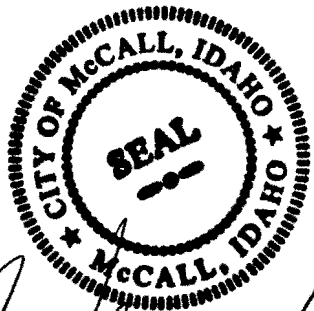
At 10:32 p.m. Council Member Scott moved to go into Executive Session for Personnel – Pursuant to Idaho Code §67-2345(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Council Member Delaney seconded the motion. In a roll call vote Council Member Scott, Council Member Delaney, Mayor Bailey, Council Member Kulesza, and Council Member Witte all voted aye and the motion passed.

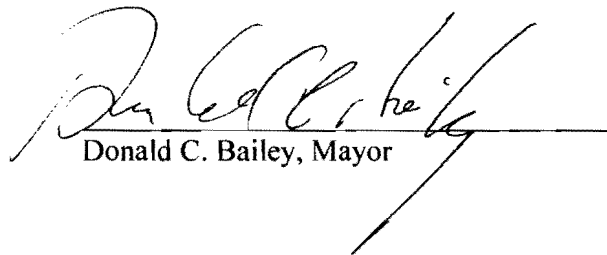
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 11:00 p.m.

ATTEST:


Bessie Jo Wagner, City Clerk




Donald C. Bailey, Mayor

MINUTES

McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
February 25, 2010

The Executive Session portions of the February 25, 2010 minutes were amended on April 22, 2010 to ensure compliance with the requirements of IC §67-2344 (2).

EXECUTIVE SESSION

At 4:34 p.m. Council Member Kulesza moved 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. Council Member Delaney seconded the motion. In a roll call vote Council Member Kulesza, Council Member Delaney, Mayor Bailey, and Council Member Scott all voted aye and the motion passed.

Council Member Witte joined the meeting at 4:35 p.m.


Council discussed litigation issues and possible strategies and solutions.

EXECUTIVE SESSION


At 10:32 p.m. Council Member Scott moved to go into Executive Session 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 Delaney seconded the motion. In a roll call vote Council Member Scott, Council Member Delaney, Mayor Bailey, Council Member Kulesza, and Council Member Witte all voted aye and the motion passed.

Council discussed the evaluation of a City employee.

ATTEST:


BessieJo Wagner, City Clerk




Donald C. Bailey, Mayor