

# MINUTES

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**McCall City Council  
Regular Meeting  
Legion Hall (McCall City Hall - Lower Level)  
November 4, 2010**

## Agenda

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

## **CALL TO ORDER AND ROLL CALL**

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

City staff present was Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Jerry Summers, Chief of Police, John Anderson, Airport Manager; Eric McCormick, Golf Course Superintendent; Michelle Groenevelt, Community Development Director; Linda Stokes, Treasurer; Dennis Coyle, Parks and Recreation Director; Carol Coyle, Grant Coordinator; Peter Borner, Public Works Director; Anne Kantola, Library Director; and Laurie Radcliffe, Deputy City Clerk.

## **OPEN SESSION/REPORTS**

**Mayor Bailey led the audience in the Pledge of Allegiance at 5:33 p.m.**

### **Department Reports**

Reports were in Council packets. Lindley Kirkpatrick commented on the Winter Carnival. The theme will be 100 Years in McCall, to kick off the Centennial Celebration, and is being spearheaded by the new coordinator. No Director has been or will be hired until after Winter Carnival. The two-moto races are again being considered. Possible locations include the golf course, River Front Park or the county gravel pit East of Lake Fork. He wanted Council to be aware that Council action may be required for that event.

Sewer project runway crossing and the sewer fund-funded portions are done. The non-airport funded portion is underway now.

Mr. Kirkpatrick indicated a tour at staff level will be scheduled for Council Member Aymon. All Council members are invited.

Staff level meeting set up with DEQ for November 19, 2010, to continue the wastewater facility planning process and TAG (Technical Advisory Group) plan. Mayor Bailey will attend and Tony Hardesty, the DEQ Director, will be there. Mayor Bailey requested a tour of the Boise wastewater plant after the meeting.

Mr. Kirkpatrick indicated the formal settlement agreement draft is nearly ready for Council review. Council will meet to review it on Tuesday, November 9, 2010, at 6 PM in Legion Hall.

Mayor Bailey asked for and received clarification from John Anderson, Airport Manager, on the SUN Plow project. Mayor Bailey also asked about the wastewater hook-ups. Mr. Anderson indicated that a plan will be completed over the winter, and connections will be made in the spring and summer. Mayor Bailey indicated the taxiway environmental assessment was to have been completed in October. Mr. Anderson stated that Council will receive a document regarding this issue, and that a meeting is scheduled for December 16, 2010, for Council to make comments on that document.

Mayor Bailey complimented staff on the handling of Local Option Tax for FY10. Final distribution will be ready for Council approval at the December 16 meeting. He noted it was a better income year than anticipated.

Mayor Bailey requested clarification on why Ms. Golden submitted the letter in Council packets, since the incident was over two years ago. Mr. Kirkpatrick indicated he believed she submitted it because she had talked about the incident at the last meeting. Mayor Bailey said he discussed the need to review building plans for these types of issues with the City Building Inspector. He also requested Code Enforcement Officers be asked to watch for potential hazards and advise the building owners.

### **Committee Minutes**

The Council received copies of the following committee minutes:

- McCall Public Library Board of Trustees – September 15, 2010
- McCall Improvement Committee – September 15, 2010
- Planning and Zoning Commission – September 14, 2010

Council Member Scott indicated she met with someone from Sage and wanted clarification on the various development organizations. Mr. Kirkpatrick explained there is a new group, Valley County Business Advisory Committee, formed by Valley County Commissioners, which would like to meet with Council. Morgan Gonzales is the Chairman, but Mr. Gonzales was unclear whether the new group replaces the Upper Payette River Economic Development Council (UPRED), is in addition to UPRED or is an expansion of UPRED. Their role will be driven by what happens with the County Commissioners election results.

Council Member Aymon asked for and received definitions of the various development acronyms/groups.

Council Member Scott recommended that one of the developmental agencies be involved in the scenic by-ways-corridor management planning. Carol Coyle, Grant Coordinator, is the liaison for the Payette River Scenic By-Way Council, and is encouraged by the City of McCall's efforts. Council Member Scott asked Ms. Coyle to keep Council updated.

Mayor Bailey asked if the Idaho Transportation Department (ITD) had ever completed the requested speed study on Hwy 55, as ITD had indicated it would be done in late spring of 2010. Michelle Groenevelt, Community Development Director, and Peter Borner, Public Works Director, indicated that report had been received. Mayor Bailey requested Mr. Borner follow-up with ITD. If they are not going to do the study, he would like to know why not.

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

**Mayor Bailey approved the agenda as amended on November 1, 2010.**

## **PUBLIC HEARING**

### **AB 10-239 CA-10-06 – Code Amendment – Subdivision and PUD**

Michelle Groenevelt, Community Development Director, presented a proposed Code Amendment to modify the timelines for subdivisions and planned unit developments, and indicated the Council now has the Planning & Zoning Commission's recommended changes, which she reviewed for them.

Council Member Scott asked for and received additional clarification of the Planning & Zoning Commission's approval and comments. Council Member Witte asked for more concise presentation of changes in the future, and questioned when the phasing plan would be determined. Ms. Groenevelt indicated that phasing plans are done at the development of the project and this Code Amendment was for the planning phase. Council Member Witte questioned if there was a maximum time limit in which to complete the project. Ms. Groenevelt indicated there was not. Discussion ensued regarding that issue.

Mayor Bailey recommended allowing the periodic re-visitation without a final date. Council Member Witte would like to see a date limit or some requirement to abide by new rules, as opposed to leaving it open-ended. Ms. Groenevelt stated that the Planning & Zoning Commission wanted the extension to be at the discretion of the City Council, so the Council could decline, negotiate or allow extensions. Mayor Bailey concurred with their recommendation. Council Member Witte asked for additional clarification of the duration of extension for PUDs.

Council Member Delaney felt that if the Planning & Zoning Commission was comfortable with extending the time frames then she would support their decision. Ms. Groenevelt felt that this Ordinance would give the Commission and Council more power and that would be a positive thing.

Mayor Bailey opened the public hearing for CA-10-06 – Code Amendment – Subdivision and PUD at 6:17 p.m.

Hearing no comments, Mayor Bailey closed the public hearing for CA-10-06 – Code Amendment – Subdivision and PUD.

Council Member Witte moved to suspend the rules, read by title only, one time only Ordinance No. 883, amending Title 3 and Title 9. Council Member Scott seconded the motion. In a roll call vote, Council Member Witte, Council Member Scott, Council Member Aymon, Mayor Bailey, and Council Member Delaney all voted aye and the motion passed.

Ordinance No. 883 was read by title only, one time only by Lindley Kirkpatrick.

Council Member Delaney moved to adopt Ordinance No. 883, amending Title 3 and Title 9 approve the publication of the summary, 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 Aymon, Mayor Bailey, and Council Member Scott, all voted aye and the motion passed.

## **PUBLIC COMMENT**

Mayor Bailey called for public comment at 6:21 p.m.

Hearing no further comments, Mayor Bailey closed the public comment period.

## **BUSINESS AGENDA**

### **AB 10-242 Library Board of Trustees Appointment**

Mayor Bailey stated that Ed Hershberger has expressed interest in serving another term on the Library Board of Trustees.

Council Member Scott moved to appoint Ed Hershberger to the Library Board of Trustees to a term to expire October 2015. Council Member Aymon seconded the motion. In a voice vote all members voted aye and the motion carried.

### **AB 10-241 Airport Rules and Regulations – Adoption of Ordinance 882**

John Anderson, Airport Manager, stated that the Council requested changes have been made to Ordinance 882. He recommended Council adopt Ordinance No. 882 as revised.

Council Member Scott moved to read by title only, final reading, Ordinance No. 882, to revise the Airport Rules and Regulations. Council Member Aymon seconded the motion. In a roll call vote, Council Member Scott, Council Member Aymon, Mayor Bailey, Council Member Delaney and Council Member Witte all voted aye and the motion passed.

**Council Member Scott moved to Ordinance No. 882, to revise the Airport Rules and Regulations, approve the publication of the summary, and authorize the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote, Council Member Scott, Council Member Aymon, Mayor Bailey, Council Member Delaney and Council Member Witte all voted aye and the motion passed.**

**AB 10-245 Request for Proposal, City Prosecuting Attorney**

Jerry Summers, Chief of Police, stated that the City Prosecuting Attorney contract is traditionally reviewed every three years. The current City Prosecuting Attorney has been in place for three years, and a Request for Proposal (RFP) is recommended to review costs and potentially improve services. He indicated they are happy with the current Prosecuting Attorney; however in an effort to be fiscally responsible, it is advisable to a Request for Proposal.

Council Member Delaney indicated she greatly appreciated the detailed e-mail and the summary provided and stated that it was very helpful.

Council Member Witte was in favor of the RFP.

Lindley Kirkpatrick asked Council to review the selection process and confirmed that Council would do interviews with the finalists on December 2, 2010, at the regular Council meeting.

Council Member Delaney is concerned about the Council's qualification to make the selection. Mr. Kirkpatrick gave Council options for the selection process. Council Member Witte agreed with Council Member Delaney, and would prefer to hear Chief Summers and others interview and give Council the opportunity to observe. Mayor Bailey stressed that this process allows Council the ability to have some authority.

Council Member Witte stated that she would like to receive a report from the current Prosecutor. Council Member Delaney would like to receive an annual report from the prosecutor to help educate the Council on the process that the prosecutors go through. This type of report would be helpful to the Council in the event that they have to replace the prosecutor or if they have questions it would give them a basis to go from. Bill Nichols advised the Council that some key qualities to look for would be experience, responsiveness, and quality of the outcomes.

Mayor Bailey would like to ensure that applications are thorough. Lindley Kirkpatrick indicated the incumbent must provide the same required information as even a new candidate would, and be hired on merit.

Council Member Witte asked if there is anything requested in the RFP that the current prosecutor does not do. Chief Summers indicated he would like 24 hour access, and to be sure the annual report to Council is included in the RFP.

**Council Member Delaney moved to approve the issuance of the Request for Proposal for the City Prosecuting Attorney with the addition of 24-7 availability and the annual written report presented personally to Council. Council Member Witte seconded the motion. In a**

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

**AB 10-246 2010 Valley County Multi-Jurisdictional All Hazards Mitigation Plan-  
Resolution 10-22**

Jerry Summers, Chief of Police, indicated that the 2010 Valley County Multi-Jurisdictional All Hazards Mitigation Plan-Resolution 10-22, has been developed to meet the requirements of the Disaster Mitigation Act of 2000 and the Federal Emergency Management Agency amendments to floodplain management of 2009. In order for states, counties and local jurisdictions to receive disaster relief grant money in the future, FEMA requires states and counties to develop hazard mitigation plans. Council has been provided a portion of the Executive Summary of the Valley County Multi-Jurisdictional All Hazards Mitigation Plan, and a link to the entire 235 page document for review.

Council Member Aymon asked how civil disobedience is defined. Chief Summers indicated there is a statute that specifies, and he will provide that information to Council.

Council Member Witte questioned the absence of the hospital, Chief Summers indicated they were invited and declined.

**Council Member Delaney moved to approve Resolution 10-22 to adopt the 2010 Valley County Multi-Jurisdictional All Hazards Mitigation Plan 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, Council Member Aymon, Mayor Bailey and Council Member Witte all voted aye and the motion carried.**

**AB 10-248 Contract Award for Mill Street/Boat Ramp Parking Lot Restroom  
(ADDED 11.1.10)**

Dennis Coyle, Parks and Recreation Director, stated that when this project first went out to bid, all bids came in high. Mr. Coyle indicated that staff had to reevaluate the project to see if there could be any revision made to make the project cost less. Neither the City nor the McCall Urban Renewal Agency (MURA) wanted the project to be modified. Mr. Coyle sought additional funding and received additional funds from MURA and Valley County Waterways.

Council Member Delaney indicated the process needs to be adjusted, because it seems bids come back higher than estimates due to lack of direction and specifics in the beginning of the process.

Mr. Coyle indicated that is always a problem. But felt this contract is a good value, and will allow for Change Orders if necessary.

Mayor Bailey questioned the lack of ability to heat this particular building. He indicated the MURA Board recommended Council to proceed.

Council Member Aymon indicated that according to the contract the job is to be completed June, 2008. She requested that the date be corrected.

Council Member Scott asked about locking the restroom for the winter. Mr. Coyle indicated it would be locked, and the City typically locks up the summer restrooms the end of October.

**Council Member Witte moved to approve the contract for construction of the Mill Street/Boat Ramp Parking Lot Restroom as amended to change the completion date of 2008 to 2011, and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Witte, Council Member Scott, Council Member Aymon, Mayor Bailey, and Council Member Delaney all voted aye and the motion passed.**

**AB 10-247 Re-Assignment of Council Liaison Duties**

Lindley Kirkpatrick, City Manager, stated that due to the recent resignation of Bert Kulesza from the City Council, there are some vacant liaison roles that must be filled by other Council Members. The Library Trustee position is one that has not previously been assigned.

Council Member Delaney inquired about the Western Idaho Communication Action Partnership (WICAP) participation.

Mayor Bailey would like to see Valley Adams Planning Partnership (VAPP) continue, as it provides people an opportunity to discuss their concerns.

Members were appointed as follows:

- Valley Adams Planning Partnership Alternate: Council Member Aymon
- Western Idaho Communication Action Partnership (WICAP): Mr. Kirkpatrick will obtain more information for the Council and bring back at a future date
- Upper Payette River Economic Development: On Hold
- Sage Community Resources: Council Member Delaney
- Library Board of Trustees: Council Member Witte

Council Member Witte indicated the Centennial Committee would be this month, and Council Member Aymon would participate.

**CONSENT AGENDA**

Staff recommended approval of the following items:

- Minutes October 7, 2010
- Warrant Registers printed on 10/28/10
- Payroll Report for Period ending 10/15/10
- AB 10-243 Airport Hangar Lease for Snow Removal Equipment Storage from Merrill Air Ventures, LLC
- AB 10-244 Central Idaho Historical Museum Request for a One Year Extension to Complete the ADA Ramp to the Warden's House LOT Funds Project
- AB 10-240 LHTAC Grant Agreement for ARRA Funding for Roadway Improvements, Resolution 10-21
- AB 10-223 Sidewalk Easement – Boyd to the City of McCall

- AB 10-227 Assumption of lease for Greystone Village #3, Lot 5, Block 3, from Idaho Housing and Finance Association to Dana and Michelle Borgquist (ADDED 10/06/10)

Some discussion took place regarding the Minutes and to clarify the warrant register. Additional questions were asked regarding the payroll report.

Council Member Witte questioned if there should be guidelines regarding LOT extensions. Mayor Bailey feels it should be taken under consideration each time it arises. Mr. Kirkpatrick recommends not spending time on changes until the voters decide if LOT will continue.

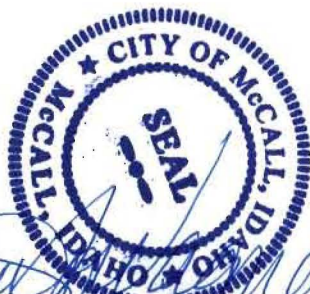
**Council Member Delaney moved to approve the Consent Agenda as presented and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote, Council Member Delaney, Council Member Witte, Council Member Aymon, Mayor Bailey, and Council Member Scott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

Mayor Bailey asked Council to consider having the LOT election in May, 2011, and for Council to promote and educate the public on its merits, while keeping it simple. Discussion followed regarding possible options and opportunities. Mayor Bailey would also like to see the golf maintenance building on the ballots next year. Possibly approach the new library/city campus idea (Mr. Kirkpatrick will provide the designs for Council Member Aymon) and the police department needing a new building, possibly as bond issues. The Council would like to see a meeting in January to discuss these issues and possibilities.

Council Member Delaney indicated the energy conference was exceptional, with great representation from McCall. Mayor Bailey agreed that it was very well organized and informative.

## ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 7:42 p.m.



ATTEST:

BessieJo Wagner, City Clerk

Donald C. Bailey, Mayor