

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
March 24, 2011**

Agenda

Call to Order and Roll Call
Approve the Agenda
Work Session
Public Hearing
Pledge of Allegiance
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 5:32 p.m. Council Member Aymon, Mayor Bailey, and Council Member Scott all answered roll call. Council Member Witte was absent. A quorum was present.

City staff present was Lindley Kirkpatrick, City Manager (via phone); Bill Nichols, City Attorney; Dennis Coyle, Parks and Recreation Director; Eric McCormick, Golf Course Superintendent; Michelle Groenevelt, Community Development Director; Jerry Summers, and BessieJo Wagner, City Clerk.

APPROVE THE AGENDA

Mayor Bailey approved the agenda as submitted.

WORK SESSION

Council Member Witte joined the meeting.

AB 11-55 Tobacco Free Parks

Dennis Coyle, Parks and Recreation Director, introduced Joanne Graff, from Central District Health, to the Council. Ms. Graff presented to Council a program on making public areas smoke and tobacco free.

After a brief discussion, Council directed staff to develop an ordinance for Council's future review.

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

PUBLIC HEARINGS

AB 11-49 CA-10-08 and CA-11-01 Business Park Zoning Code Amendments

Michelle Groenevelt, Community Development Director, presented the proposed ordinance to Council.

Council Member Witte worked through the Ordinance and called out the following corrections:

- Page 1 – the fifth line of the title “3.5.9” should be “3.5.09”
- Page 3 – Section 3.5.05(B)3 – add the word “that” after uses
- Page 4 – Table 3.5.05 Package and letter delivery service – BP Exterior change “P” to “C”
- Page 5 – Table 3.5.05 School, university extension – BP Exterior change “P” to “C”
- Page 5 – under Notes 2 – change the word “Accessory” to “Ancillary”
- Page 7 – Section 3.5.07(B) – the fourth line - after Business Park - add the sentence “An easement may be required if the pathway does not fit within the right of way.”
- Page 8 – Number 7 – after utility - add the words “and pathway”
- Page 9 – Section 3.5.08(B) Change the hours to “8:00 AM to 8:00 PM”
- Page 11 – Paragraph (D) – add a reference to 9.6.02(S)
- Page 12 – Section 3.5.15 – Change the words “may include the following” to “that may be considered”

Mayor Bailey opened the public hearing for CA-10-08 and CA-11-01 Business Park Zoning Code Amendments.

Hearing no comments Mayor Bailey Closed the public hearing.

Council Member Witte moved to suspend the rules, read by title only, one time only Ordinance No. 885 amending Title 3. Council Member Aymon seconded the motion. In a roll call vote Council Member Witte, Council Member Aymon, Mayor Bailey, and Council Member Scott all voted aye and the motion passed.

Ordinance 885 was read by title only, one time only by Mrs. Wagner.

Council Member Scott moved to adopt Ordinance No. 885 amending Title 3, as amended, 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, and Council Member Witte all voted aye and the motion passed.

Council Member Witte and Council Member Aymon were recused for the next item.

AB 11-46 ZON-08-03 St Luke's McCall Hospital Rezone

Andy Laidlaw, representing St. Luke's McCall Hospital, stated that the request was for a zoning map amendment for an existing .25 acre parcel owned by the St. Luke's McCall Hospital that would change the zoning from R4 to Civic. The subject property is a part of an auxiliary parking lot on the south side of Forest Street, across the street from the primary hospital parking lot. The parking lot in question spans two parcels (one is zoned Civic and the subject property is zoned R4). Mr. Laidlaw requested that the property be rezoned to match the actual land use.

Mayor Bailey opened the public hearing for ZON-08-03 St Luke's McCall Hospital Rezone.

Hearing no comments Mayor Bailey Closed the public hearing.

Council Member Scott moved to approve the Development Agreement and authorize the Mayor to sign. Mayor Bailey seconded the motion. In a roll call vote Mayor Bailey, and Council Member Scott all voted aye and the motion passed.

Council Member Scott moved to suspend the rules, read by title only, one time only Ordinance No. 886. Mayor Bailey seconded the motion. In a roll call vote Mayor Bailey, and Council Member Scott all voted aye and the motion passed.

Ordinance 886 was read by title only, one time only by Mrs. Wagner.

Council Member Scott moved to adopt Ordinance No. 886, approve the publication of the summary, and authorize the Mayor to sign all necessary documents. Mayor Bailey seconded the motion. In a roll call vote Mayor Bailey, and Council Member Scott all voted aye and the motion passed.

Council Member Witte and Council Member Aymon returned to the Council.

PUBLIC COMMENT

Mayor Bailey called for public comment at 6:36 p.m.

Hearing no comments, Mayor Bailey closed the public comment.

BUSINESS AGENDA

AB 11-56 Selection of New City Council Member

Mayor Bailey suggested that this item be postponed until the next meeting due to applications being accepted through March 24 and not all the Council Members have had the chance to talk with each of the candidates. Mayor Bailey invited the candidates present to address the Council.

Nic Swanson expressed his interest in serving on the Council, stating that he would enjoy serving with the Council and would like to have the opportunity to do right for the citizens of McCall.

Jim Betts expressed his interest in serving on the Council, stating that he has been working on the Planning and Zoning Commission and has had the opportunity to work with staff on various projects.

Rob Lyons declined the offer to speak.

Ballard Smith expressed his interest in serving on the Council, and addressed the previous Council concerns of whether he would have time to commit, stating that he is in McCall most of the time. He has a belief in open debate and consensus of the body. He loves the community and would very much enjoy serving on the Council.

John Cady expressed his interest in serving on the Council, stating that he had lived in McCall for about 4 years and would like to serve the community in any way he could.

Due to AB 11-54 being advertised that it would be discussed at 7:00 and Public comment would be taken the Council chose to change the order of the meeting and move onto the Consent Agenda and then return to the business of AB 11-54.

CONSENT AGENDA

Staff recommended approval of the following items:

- Warrant Registers Dated March 17, 2011
- Payroll Report for Period ending March 4, 2011
- Alcohol and Catering Licenses Activity Report
- AB 11-53 Centennial Committee Monthly Report
- AB 11-51 Pathway Master Plan: Contract with Harmony Design
- AB 11-50 Valley Adams Regional Housing Authority Report

A brief discussion took place regarding the Warrant Register.

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

BUSINESS AGENDA

AB 11-52 Allocation of Additional Local Option Tax Funds in FY11

In FY08 Valley County Recycle Partners received Local Option Tax funding of \$44,000, to pay for the construction of a new drop-off recycling center. Valley County committed additional funds to complete the construction. Because of various delays, the funding was continued until FY11. Recycle Partners has informed the City that the project cannot be completed in FY11 and has returned the \$44,000 to the City. Historically, when unused funds are returned, they are made available to the next project on the priority list.

Steve Gleason, Chairman of the Local Option Tax Commission, stated that the Commission recommended that the Council allocate the additional \$44,000 to projects already funded and on the contingency lists as follows:

• Snowmobile Trail Grooming	\$11,000
• Public Transit	\$5,500
• Deinhard Pathway	\$5,000
• Sealcoat Golf Course Cart Paths	\$20,000
• MCPAWS medical costs	<u>\$2,500</u>
Total	\$44,000

There was much discussion on the validity of funding the Snowmobile Trail Grooming.

Mayor Bailey moved to support the recommendation made by the LOT Commission for allocating the \$44,000 returned by the Recycle Partners. Council Member Scott seconded the motion. In a roll call vote Mayor Bailey, Council Member Scott, Council Member Aymon, and Council Member Witte, all voted aye and the motion passed.

AB 11-54 Ordinance for Local Option Tax Renewal

Mayor Bailey introduced item AB 11-54 stating that the information for the Ordinance had been discussed at the previous Council Meeting. Mayor Bailey stated that the Council would accept public comments, stating that there would not be a debate. He asked that comments be kept short. Mayor Bailey stated that the items to be considered were percentage of short term rentals, allowable uses, and whether or not to maintain a LOT Commission.

Public Comment

Dan Scott, representing Shore Lodge, stated that in 2010 the Shore Lodge employed 300 people. Shore lodge collected and remitted over \$61,000 in Local Option Tax. He stated that Shore Lodge spent over \$6,000,000 in non-payroll monies within the community. He stated that Shore Lodge supported maintaining the 3% tax and would keep McCall competitive with other tourist communities.

Mr. Scott stated that 3% supports the critical projects that the LOT Commission allocates the money to. He also stated that within his research and with what he had been told that the Commission does not feel like they have the projects to spend the money on. Council Member

Aymon questioned where Mr. Scott had received his information as she had served on the LOT Commission and had never experienced that issue. Mr. Scott stated that his information came from LOT Commissioners Gleason and Hunt.

Mr. Scott stated that he did not feel it was fair to put the entire Local Option Tax burden on those who rent rooms. He is opposed to raising the tax as it would have a negative effect on his business.

Mr. Scott stated that the allowable uses needed to be re-evaluated and should be tighter with less flexibility. He stated that the allowable uses should be directly related to those people paying the tax. He also stated that it was not the City's responsibility to fund interests that are competitive to the businesses that the tax is being collected from. He stated that he supported infrastructure projects but not payroll subsidies. Mr. Scott stated that all members of commission should be residents of McCall and should include members from the tourism or lodging industry.

Steve Gleason, LOT Commission Chairman, stated that he was a supporter of Shore Lodge and had respect for the management thereof; however he clarified the comment made by Mr. Scott on not having enough projects to fund was specific to brick and mortar type projects. Mr. Gleason stated that he had spent some time speaking with hoteliers and their staff. He stated that with the exception of 2 hotels in McCall, every hotel did not think that they would lose any business with a 5% LOT on hotel room. He stated that when he told them of the idea of 30% of the total funds collected be used for promoting had been proposed they were in favor of the 5% tax. Without the 30% going to marketing and promotion the people he talked to would not support a 5% hotel tax. Mr. Gleason handed out documentation on different information on the affects of tax on hotel room rentals.

Rick Mooney stated that he was opposed to raising the tax but not opposed to maintaining the current rate of 3%. He stated that with the challenges that the world was facing more taxes was a reality for the near future.

Woody Woodworth, owner of the Shell gas station and Woody's Barbeque stated that he felt the appropriate use of the LOT would be sidewalks, curbs, and gutters. He stated that it would be a use that would benefit the community and the tourist who pay the tax. Mr. Woodworth was not in favor of a tax increase. He stated that as a business owner the idea of the 30% for advertising and promotion, he was in support.

Mayor Bailey feels if stays at 3% the 30% recommended for marketing would not be an option. If the Council chose to go with the 5%, Mayor Bailey would be in favor of the 30% to go to marketing and promotion.

Council Member Witte was in favor of maintaining the 3% and did not want any negative effect from a higher tax. She also supported a shortened time for the length of the tax to 5 years as opposed to 7 years.

Council Member Aymon would like the tax to pass and felt that the community would support a 3% tax as opposed to a 5% tax.

Council Member Scott supported a 3% tax and a 7 year term.

Mayor Bailey was not in favor of a fixed percentage and proposed that it could say “up to” 30%.

Council Member Scott was not in favor of fixed percentages for the allowable uses.

Council Member Witte was not in favor of any percentage for promotion and marketing. She felt that the tax should be used only to mitigate the effects of tourism on the infrastructure of the City.

Council Member Scott thought that the fixed percentage for marketing was only with the possibility of increasing the tax to 5%.

Council Member Witte stated that the commission should be residents of the City with no classifications and should not be narrowed down.

Council Member Scott stated that the diversity in the commission was needed.

Through continued discussion the Council came to the consensus that the tax be renewed with few changes to the allowable uses. The agreed upon changes for the ordinance were as follows:

- three percent (3%) occupancy tax on the hotel-motel occupancy charge from all hotel-motel rentals
- for a duration of seven (7) years
- allowable uses:
 - Streets, sidewalks and pathways, public transit, pedestrian crosswalks, and transportation
 - Construction and maintenance of cultural and recreational facilities, including the McCall Municipal Golf Course and Library
 - Recreational and cultural activities including but not limited to library, community art and cultural events
 - Parks maintenance, development and beautification
 - Animal shelters such as MCPAWS
 - Direct costs to collect and enforce the tax
 - Marketing, advertising, tourism development and event promotion

Council Member Scott moved to suspend the rules and read by title only, one time only Ordinance 887. Council Member Witte seconded the motion. In a roll call vote Council Member Scott, Council Member Witte, Council Member Aymon, and Mayor Bailey all voted aye and the motion passed.

Ordinance 887 was read by title only, one time only by Mrs. Wagner.

Council Member Witte moved to adopt Ordinance No. 887 renewing the Local Option Tax at 3%, and authorize the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote Council Member Witte, Council Member Aymon, Mayor Bailey, and Council Member Scott all voted aye and the motion passed.

AB 11-57 Resolution 11-04 Calling the Local Option Tax Election and approving the Local Option Tax Ballot Question for May 17, 2011

The resolution was amended to reflect the changes made to the ordinance.


Mayor Bailey moved to adopt Resolution 11-04 as amended and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote Mayor Bailey, Council Member Scott, Council Member Aymon, and Council Member Witte all voted aye and the motion passed.

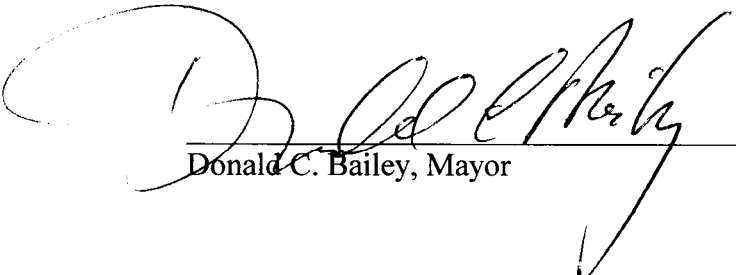
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 9:50 p.m.



ATTEST:


BessieJo Wagner, City Clerk


Donald C. Bailey, Mayor