

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
July 14, 2011**

Agenda

Call to Order and Roll Call
Approve the Agenda
Reports
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 5:35 p.m. Council Member Aymon, Mayor Bailey, Council Member Scott, Council Member Swanson, and Council Member Witte all answered roll call.

City staff present was Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Dennis Coyle, Parks and Recreation Director; John Anderson, Airport Manager; Jerry Summers, Police Chief; Peter Borner, Public Works Director; Eric McCormick, Golf Course Superintendent; Michelle Groenevelt, Community Development Director; Carol Coyle, Grant Coordinator; and BessieJo Wagner, City Clerk.

APPROVE THE AGENDA

Mayor Bailey moved to amend the City Council Agenda to add the Warrant Register printed on July 13, 2011, to ensure timely payment of City bills; and add to the Consent Agenda AB 11-135, 2011 City of McCall Centennial Celebration, for which all information was not complete until July 14, 2011. Council Member Scott seconded the Motion. In a voice vote all members voted aye and the motion carried.

REPORTS

Department Reports

Lindley Kirkpatrick, City Manager, reviewed the Consolidated Department Report, including the upcoming Council meetings schedule, budget packet distribution and an update on the snow removal equipment storage building. Mr. Kirkpatrick encouraged City Council to participate in the Centennial activities and to be aware of McCall in Bloom.

There was a brief discussion regarding the Police Department's July 4 activities, and the major explosion on July 5, 2011.

Peter Borner, Public Works Director, gave an update on the status of the Mill Street parking lot, the first round of dust abatement, and the waterline break in front of Paul's Market. Mr. Borner also reviewed and answered Council questions regarding the Deinhard project and dust abatement.

Council members clarified several items on the Consolidated Department Report.

Council Member Witte indicated she continued to receive public comment about the logging trucks driving through downtown. Discussion took place regarding options, including ways to slow down traffic. Ways to involve and encourage ITD to support a change were also discussed.

Committee Minutes

The Council received copies of the following committee minutes:

- Golf Advisory Committee – June 8, 2011
- Historic Preservation Commission – May 17, 2011
- McCall Centennial Planning Committee – June 1, 2011
- McCall Library Board of Trustees – April 20, 2011
- McCall Library Board of Trustees – May 18, 2011
- McCall Improvement Committee – May 12, 2011
- McCall Urban Redevelopment Agency – May 17, 2011
- McCall Urban Redevelopment Agency – June 13, 2011
- Planning and Zoning Commission – May 3, 2011
- Technical Advisory Group – March 23, 2011

Mayor Bailey led the audience in the Pledge of Allegiance at 6:09 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 6:10 p.m.

Hearing no comments, Mayor Bailey closed the public comment.

BUSINESS AGENDA

AB 11-131 Environmental Advisory Committee (EAC) Member Appointment

Michelle Groenevelt, Community Development Director, informed Council there was one vacancy on the EAC, and indicated that the EAC was recommending Council appoint Morgan Zedalis to fill the vacancy.

Mayor Bailey moved to appoint Morgan Zedalis to the Environmental Advisory Committee to a term to expire July, 2013. Council Member Aymon seconded the Motion. In a voice vote all members voted aye and the motion carried.

AB 11-132 Canoe and Kayak Concession Proposal at Rotary Park

Dennis Coyle, Parks and Recreation Director, stated that the McCall City Council remanded the application for a canoe and kayak concession permit from West Mountain Gear and Grind back to the Parks and Recreation Advisory Committee for further review. The applicant had requested a concession permit to conduct canoe and kayak rentals at Rotary Park. West Mountain Gear and Grind continued with their request to use of the east side of the park, behind the dumpster, as the business location. The applicant requested permission to erect a temporary structure behind the dumpster for storage of Kayaks. Staff felt a temporary structure would be safer than pulling a trailer in and out each day. Mr. Coyle indicated the type of structure requested did conform to existing the planning and zoning code. Gear and Grind proposed a concession fee of \$1,000 for the use of Rotary Park. Staff met with the applicant and those opposing the granting of this permit. After further review of the application, Staff did not support the request at this time. The Parks and Recreation Advisory Board recommended approval. The minutes from the Special Advisory Board meeting were given to Council.

Discussion occurred regarding concerns over parking and public safety due to river current. Council Member Aymon asked the City Manager to give a brief overview and history of concessions in City parks, which Mr. Kirkpatrick did.

Council Member Aymon indicated she was very supportive of kayaks on the lake, but she was concerned about parking and with public safety due to river current.

Council Member Witte agreed with Council Member Aymon. Council Member Witte also expressed that the Parks and Recreation Department should have a more proactive approach to concessions involving long-term planning regarding what was wanted in the parks and what the City wanted to offer to the Public. With a plan in place concession requests could be reviewed based on established criteria.

The issue of competition was briefly discussed. Council Member Witte questioned liability to the City for personal water craft. Mr. Coyle indicated that Concessionaires are required to carry liability insurance. Bill Nichols, City Attorney, indicated that State statute provides recreational immunity to any landowner providing property for free for recreational use.

Damon Yerkes, applicant, stated they had done an informal parking survey over July 4 weekend, counting available spaces, and found available spaces on a consistent basis. Mr. Yerkes requested a trial period to determine if parking would be an issue. He commented that he agreed there should be buoys and signage, but felt that the water current was minimal now and the dam was closed on top after July 4, so safety should not be an issue. Mr. Yerkes also indicated that they chose the location based on not wanting to impact Gravity or Hometown on the east side. He stated that at the time the application was submitted, there were no other rentals on the west side of lake.

Council Member Scott indicated she had three concerns. She felt that the City should not subsidize an activity that would be a competitor to an already established business by allowing someone an opportunity to be in the park/on the lake without putting the opportunity to do so out to bid. She believed a current establishment had requested the opportunity to place a structure in a park for the same general purpose, and had been denied. Council Member Scott also stated that, in general, she is opposed to commercial activity in the parks.

Council Member Swanson felt that Rotary Park was too small to host a commercial activity. He was also concerned with safety and parking.

Mayor Bailey stated that there had not been any interest in using the east side of the lake for canoes, and suggested that if the City cleaned it up, people may use it more and there may be more interest from concessionaires, where parking would be less of an issue. He stated that the City has limited shore line available to the public and must be fair. Mayor Bailey would like to have a concession of this type, but believed a competitive process may be appropriate. He suggested a trial period for a season, with proposals for this type of activity in the future.

Council Member Aymon felt that Rotary was a good location for the concession and that it might compliment the area.

Mr. Coyle again indicated that safety was a serious concern and felt that approving the concession was not a good idea until that was more specifically addressed. Mr. Nichols indicated liability was not a big concern for the City. Further discussion occurred regarding how concessions in parks are currently proposed and approved, regarding requiring safety features of the dam owners and the exchanging of money on City property by a concession.

The applicant indicated they were willing to put the dam safety issue into their customer waiver.

Mayor Bailey moved to approve the concession request. There was no second and the motion died.

Council Member Aymon moved to deny the concession request. Council Member Swanson seconded the Motion. In a voice vote, Council Member Aymon, Council Member Swanson, Council Member Scott, and Council Member Witte all voted aye, Mayor Bailey voted nay and the motion carried.

AB 11-129 SUB-11-01: Aspen Ridge Phase III Final Plat (a minor amendment)

Michelle Groenevelt, Community Development Director, presented SUB-11-01: Aspen Ridge Phase III Final Plat to the Council, and explained that an application was submitted by Mountain West Developers, Ray Woods, to change the use of Parcel A (Aspen Ridge III), formerly Standing Woods Condominiums. The proposed three condominium units shown on the Aspen Ridge III Plat would no longer exist and a single-family dwelling would replace it. In the past, this combination process had been completed with a Record of Survey. However, this parcel was platted as condominium units so the plat needed to be amended. At a public hearing during the June McCall Area Planning and Zoning Commission meeting, the application was recommended for approval by the McCall City Council. Ms. Groenevelt indicated that Aspen Ridge III has, on several previous occasions, combined two lots into one single family residential lot. She clarified that all outstanding debt to the City had been paid.

Mayor Bailey stated that there were some conditions of approval for Aspen Ridge III that had not been completed.

Ray Woods, Mountain West Developers, introduced himself to Council. Discussion occurred regarding conditions, and Mr. Woods stated that landscaping had been completed, and that CC&Rs and By-Laws were recorded with the County. Mayor Bailey indicated that none of the drawings had ever been approved by the City, even though they had been recorded. Discussion occurred regarding recording and signature requirements.

Mayor Bailey indicated an additional condition of Aspen Ridge III was that slash piles would be cleaned up. Mr. Woods indicated letters had been sent to property owners in Aspen Ridge I and II, but they received no response. Mayor Bailey would like the homeowners group to take action on slash piles and felled trees. He indicated that both Aspen Ridge CC&Rs and City Code required this of property owners.

Council Member Witte made three corrections to the Findings and Conclusions:

1. Item 8 “**To** amended plat changes...” should be changed to “**The** amended plat changes,”
2. Number 14 “require” should be changed to “requires,”
3. Number 20 “filed with the County **Recorded**” should be changed to “filed with the County **Recorder.**”

Council Member Scott requested the Mayor’s middle initial be capitalized in his signature block.

Council Member Witte moved to approve SUB-11-01, subject to the presented Findings and Conclusions as amended and authorize the Mayor to sign all necessary documents, contingent on staff confirming that the Aspen Ridge Phases I, II and III plats were recorded with all necessary signatures. Council Member Swanson seconded the Motion. In a roll call vote Council Member Witte, Council Member Swanson, Mayor Bailey, Council Member Aymon and Council Member Scott all voted aye and the motion carried.

Council Member Scott was recused for the next item.

AB 11-127 CUP-10-07 – Shore Lodge Beach Club – Findings and Conclusions

Michelle Groenevelt, Community Development Director, indicated that staff, the City attorney and Mayor Bailey prepared the Findings and Conclusions provided to Council. Mayor Bailey indicated he had made suggestions regarding subjective provisions that had not been incorporated. Bill Nichols, City Attorney, assisted with clarifying verbiage. A lengthy discussion occurred regarding terms used and clarification of what the applicant would need to do for Council to consider their request. Mayor Bailey preferred wording that would be specific for the applicant. Mr. Nichols stated that each application needed to be reviewed on its own merits. He encouraged Council to be as specific as possible in what applicant needed to address to obtain approval. Mr. Nichols also indicated that Council could state that they saw no way for the applicant to meet conditions that Council would consider; however, he recommended Council make every effort to tell the applicant what could be done and give the applicant the opportunity to make those adjustments.

The following typographical and clarification errors were also addressed:

1. Page 7, #32, line 4, applicant needed to be capitalized;
2. Council Member Witte felt that on page 9, #6, environmental consequences needed to be clarified;
3. Mayor Bailey requested page 10, #8, regarding bike lanes and Warren Wagon Road access, be more specific;
4. Page 5, #18, had two periods; and
5. Page 12, line 4, had no period.

Council Member Swanson moved to adopt the Findings and Conclusions as corrected for CUP-10-07 based on the MCC 3.13.03 Conditional Use Standards and authorize the Mayor to sign any and all necessary documents. Council Member Witte seconded the Motion. In a roll call vote Council Member Swanson, Council Member Witte, Council Member Aymon and Mayor Bailey all voted aye and the motion carried.

Council Member Scott returned to Council.

AB 11-128 Contract with Horrocks Engineers for General Engineering Services

Peter Borner, Public Works Director, presented Council with information regarding the Request for Statements of Qualifications, their review and the selected engineering services firm. Council Members Aymon and Witte expressed concern with the lack of diversity of Horrocks staff. Council Member Witte asked for and received specific information regarding why the Selection Committee chose Horrocks Engineers. Mr. Borner also reviewed the Horrocks references that were checked. Lindley Kirkpatrick, City Manager, also explained that CH2MHill would remain the engineering firm for water treatment.

Council Member Witte expressed concern for the City's relationship with Betsy Roberts and CH2MHill. She felt that the relationship was positive and did not want to jeopardize that relationship. An extensive discussion took place regarding the selection process, and what engineering tasks would be handled in-house, what would be handled by Horrocks and what would be handled by CH2MHill. Cost savings were also discussed.

Council Member Witte expressed concern with Horrocks Engineers ability to explain a project in a way that a non-engineer could understand and requested a presentation to City Council by Horrocks in the very near future.

Council Member Aymon had no objections to contracting with Horrocks Engineers.

Council Member Scott felt the information Council had was very 'sales oriented,' and requested information on the selection data be provided to Council. She also felt it was critical that Horrocks do a presentation to Council.

Council Member Witte questioned shortening the Contract to 1.5 years (from 3.5). Mr. Borner stated that would be acceptable to Horrocks Engineers. She also asked for clarification of the extension clause, which Mr. Nichols, City Attorney, provided.

Mayor Bailey moved to approve the contract with Horrocks Engineers for 1.5 years and as amended, with the understanding that Horrocks Engineers will do a presentation to City Council in the near future, and authorize the Mayor to sign any and all necessary documents. Council Member Aymon seconded the Motion. In a roll call vote Mayor Bailey, Council Member Aymon, Council Member Scott, Council Member Swanson, and Council Member Witte all voted aye and the motion carried.

CONSENT AGENDA

Staff recommended approval of the following items:

1. Council Minutes - June 23, 2011
2. Warrant Registers Dated July 7, 2011
3. Warrant Register Dated July 13, 2011(added 7/14/2011)
4. Payroll Report for Period Ending May 27, 2011
5. AB 11-133 Surplus Property – Resolution 11-14
6. AB 11-130 Council Meeting dates for October, November and December 2011
7. AB 11-134 Hangar 520 Lease Transfer
8. AB 11-135 2011 City of McCall Centennial Celebration (added 7/14/2011)

A brief discussion took place regarding the Warrant Register and to correct the minutes.

Mayor Bailey requested staff prepare a letter to Jean Odmark or her son, Dave, in appreciation of the remodeling being done at 143 East Lake Street.

Mayor Bailey would like the Council meeting dates posted.

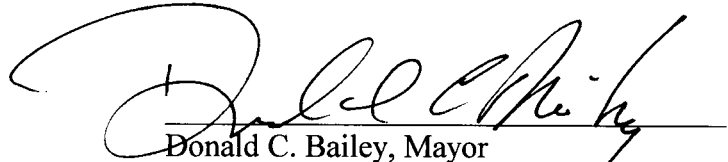
Council Member Scott moved to approve the Consent Agenda with the minutes as corrected. Council Member Swanson seconded the motion. In a roll call vote Council Member Scott, Council Member Swanson, Council Member Aymon, Mayor Bailey and Council Member Witte all voted aye and the motion carried.

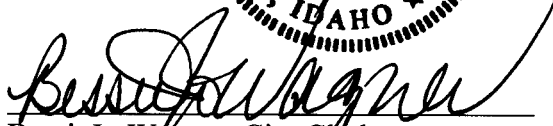
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 8:52 p.m.



ATTEST:


Donald C. Bailey, Mayor


BessieJo Wagner, City Clerk