

# MINUTES

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**McCall City Council  
Regular Meeting  
High School Annex  
401 North Mission Street  
November 17, 2011**

## Agenda

Call to Order and Roll Call  
Work Session  
Approve the Agenda  
Pledge of Allegiance  
Public Comment  
Business Agenda  
Consent Agenda  
Executive Session  
Open Session  
Meeting Recessed

## **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 Swanson, and all answered roll call. Council Member Scott and Council Member Witte were absent**

City staff present was Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Jerry Summers, Chief of Police; Dennis Coyle, Parks and Recreation Director; Peter Borner, Public Works Director; Carol Coyle, Grant Coordinator; Rick Scherette, Streets Supervisor; and BessieJo Wagner, City Clerk.

## **APPROVE THE AGENDA**

**Mayor Bailey moved to amend the agenda to remove AB 11-207 Parks and Recreation Advisory Committee Member Appointment, add an Executive session to the end of the meeting for Litigation and Land Acquisition, and include a discussion of the Technical Advisory Group Plan after the Executive Session. Council Member Aymon seconded the motion. In a voice vote all members voted aye and the motion passed.**

Council Member Scott and Council Member Witte arrived at 5:36

## **WORK SESSION**

### **AB 11-205 Airport Land Acquisition and Taxiway Relocation**

John Anderson, Airport Manager presented the airport land acquisition and taxiway relocation information for discussion. Mr. Anderson reviewed the process and timeline for acquiring the

necessary land for the taxiway relocation project. He explained that the reason for the acquisition was primarily for safety issues. Mr. Anderson indicated that land acquisition would likely take 18 months, and potentially longer.

**Mayor Bailey led the audience in the Pledge of Allegiance at 5:55 p.m.**

## **PUBLIC COMMENT**

**Mayor Bailey called for public comment at 5:56 p.m.**

Wendy Green introduced herself as the new Coordinator for the West Central Highlands Resource Conservation & Development Council. The WCHRC&D is associated with the US Department of Agriculture and focuses on rural development issues in six counties in Idaho. Council Member Aymon asked if the WCHRC&D was involved with pathway projects, Ms. Green responded stating that there were some pathway projects WCHRC&D was involved in. She stated that she could get the information to the Council along with information on their funding sources.

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

## **BUSINESS AGENDA**

### **AB 11-203 Canvass November 8, 2011 Election Results**

BessieJo Wagner, City Clerk presented the resolution to accept the County's canvass of the November 8, 2011 Election results. The Council had some grammatical changes to the resolution. The results of the election were as follows:

<b>Don Bailey</b>	<b>248</b>
Rob Lyons	227
<b>Jackie Aymon</b>	<b>298</b>
Ballard Smith	201
<b>Nic Swanson</b>	<b>389</b>

**Council Member Scott moved to adopt Resolution No. 11-22 as amended proclaiming the election results final and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote, Council Member Scott, Council Member Witte, Council Member Aymon, Mayor Bailey, and Council Member Swanson all voted aye and the motion carried.**

### **AB 11-206 Hangar 106A Lease assumption**

John Anderson, Airport Manager, presented the Hangar 106A Lease Assumption to Council.

**Council Member Swanson moved to approve the Assignment and Assumption of Hangar 106A Lease and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Swanson, Council Member Scott, Council Member Aymon, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.**

### **AB 11-213 Snow Removal Ordinance**

Peter Borner, Public Works Director, presented the snow removal ordinance to Council. Mr. Borner stated that the ordinance would clearly establish no on-street parking in the downtown area from 3:00 am until 7:00 am, and in all other parts of town from 3:00 am until noon. He stated that the no parking provisions would greatly enhance the Streets Department's ability to remove snow, and the Police Department's ability to deal with vehicles which obstruct snow removal efforts. Mr. Borner also stated that the ordinance clarifies that snow from private property cannot be deposited on City rights-of-way.

Council Member Aymon asked to clarify the downtown area, Mr. Borner stated that it was as defined on the zoning map as the central business district. Council Member Aymon also asked to clarify that throughout the rest of the City there would be no on street parking within the City limits until noon. Mr. Borner confirmed. He also stated that in many communities parking is restricted during snow removal season and cars are not allowed to park on any city street during the winter season. Council Member Aymon was concerned that there may some homes or housing structures that only have on street parking. Mr. Borner assured the Council that there were not. Mr. Borner also clarified that there was currently parking restrictions; however by putting the restriction into the code it gives the City the ability to act on violators.

Council Member Witte wanted to know if there was a plan to educate the public on the time restrictions. Mr. Borner responded stating that there are signs up that state the 3:00-7:00 am restriction. He also stated that additional signage will go up around town. Mr. Borner explained that the City was working on a dedicated "snow line" that people could call to get updates. He stated that staff is also looking into other venues such as Facebook and Twitter.

Council Member Aymon asked if there was any confusion as to where the city right-of-way was. Mr. Borner responded stating that the streets crew had placed orange poles marking the right-of-way.

Council Member Witte expressed concern with the statement on page 2 at the end of the second paragraph "...and at such other times as specifically designated by the City Manager or his designee." She was concerned with what that statement would mean and how it would be determined. Lindley Kirkpatrick, City Manager, clarified that it would be only in cases of emergency.

Bill Nichols, City Attorney, stated that during snow events there were limited ways to deal with cars that might be in the way. He stated that the City could choose to prohibit parking at any time on certain streets during the snow season or the City could have some kind of elaborate notification system in terms of who needs to be notified that the City Manager has declared that vehicles need to be moved off the street. Mr. Nichols stated that notification process needs further review and work. Mr. Nichols also advised the Council that the Council could choose to remove the reference giving the City Manager the ability to make such a declaration.

Council Member Witte felt that it would not be clear to the citizens as to when they could or could not park on the streets. There was a brief explanation by Mr. Borner on the snow removal process and the needs that are apparent to during a large snow event that may occur after 7:00 am.

Mayor Bailey asked what other communities do. Mr. Borner responded stating that Hailey and Sun Valley have “no parking” restrictions. Some communities only have restrictions during a snow event. He also stated that during a large snow event the City is looking for a tool that would give the City the ability to move snow outside the hours of 3:00 am and noon.

There was some discussion as to how to communicate to the public that plows would be out. There were different options discussed such as by phone, fax or flashing lights. The Council also discussed the need to offer alternative places to park during a snow event. The Council felt that the ordinance was too vague as to how to notify the public.

Council determined that the statement on page 2 at the end of the second paragraph “...and at such other times as specifically designated by the City Manager or his designee” be removed at this time.

Mr. Kirkpatrick stated that staff will come back with a detailed notification plan when vehicles need to be removed outside the hours of 3:00 am and noon.

Council Member Aymon stated the public needs to be educated on when and where they can or cannot park.

**Council Member Scott moved to suspend the rules, read by title only, one time only, Ordinance No. 891. Council Member Swanson seconded the motion. In a roll call vote, Council Member Swanson, Council Member Scott, Council Member Aymon, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.**

Ordinance 891 was read by title only one time only by Mr. Kirkpatrick.

**Council Member Scott moved to adopt Ordinance No.891 as amended, amending MCC 8-5-030, Interference with Snow Removal and Deposit on Right of Way Prohibited, 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 Swanson, and Council Member Witte all voted aye and the motion carried.**

The meeting was recessed at 6:45 p.m. and reconvened at 6:50 p.m.

#### **AB 11-212 Work Session: Concession Agreements in City Parks**

Dennis Coyle, Parks and Recreation Director, presented the information on a policy for concessions in City parks. The work session included the purpose of permitting concession privileges in parks would be to provide the public with access to products and services while generating revenue to support ongoing park and recreation programs. The Parks and Recreation Advisory Committee was in the process of developing guidelines that would be used to determine the specific parks where concessions would be permitted and the types of concessions allowed. Concession privileges would be granted only when the McCall City Council had determined that the products or services offered would provide an enhancement to the park and the community.

The Council worked through the draft guidelines. The Council was very supportive of the idea of formalizing guidelines for granting park concessions. There was discussion of what types of concessions would be considered in which parks. The Council also reviewed the proposed

schedule for considering concession agreements. Mr. Coyle and the Parks and Recreation Advisory Committee will continue to refine the concession guidelines and present the guidelines to the Council for adoption at a future meeting.

## **CONSENT AGENDA**

Staff recommended approval of the following items:

1. Warrant Registers Dated November 10, 2011
2. Payroll Report for Period Ending October 28, 2011
3. AB 11-204 Personal Property Lease Agreement – Artist Leasing Art to the City of McCall – Amber Conger
4. AB 11-209 Declaration of Surplus Equipment Resolution
5. AB 11-208 Tree City USA Re-Certification and Growth Award Application
6. AB 11-211 LRHIP Grant Application – Park Street Reconstruction
7. AB 11-210 Shelton Foundation Grant Award

A brief discussion took place regarding the Warrant Register.

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

## **EXECUTIVE SESSION**

**At 8:01 p.m. Mayor Bailey 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; and**
- **Land Acquisition – Pursuant to Idaho Code §67-2345(1)(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.**

**Council Member Scott seconded the motion. In a roll call vote, Mayor Bailey, Council Member Scott, Council Member Aymon, Council Member Swanson, and Council Member Witte all voted aye and the motion carried.**

Council discussed the Garber Tort claim, the Payette Lakes Recreational Water and Sewer District Litigation, and possible land acquisition.

## **OPEN SESSION**

**At 8:40 p.m. Mayor Bailey moved to return to open session. Council Member Scott seconded the motion. In a roll call vote, Mayor Bailey, Council Member Scott, Council Member Aymon, and Council Member Swanson all voted aye and the motion carried.**

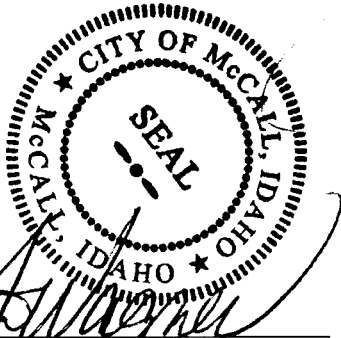
**Wastewater Technical Advisory Group Discussion**

Lindley Kirkpatrick recommended that the Council recess the meeting and continue this item on Friday, November 18, 2011. There was general consensus from the Council.

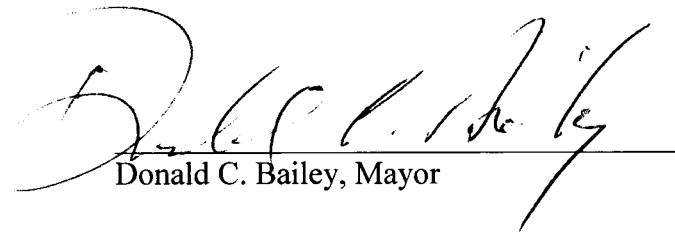
**MEETING RECESSED**

At 8:41p.m the Mayor recessed the meeting to reconvene at 11:00 am on Friday, November 18, 2011, at the Legion Hall, McCall City Hall.

ATTEST:



  
BessieJo Wagner, City Clerk

  
Donald C. Bailey, Mayor