

# MINUTES

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**McCall City Council  
Regular Meeting  
Legion Hall (McCall City Hall - Lower Level)  
April 25, 2013**

## Agenda

Call to Order and Roll Call  
Approve the Agenda  
Work Session  
Pledge of Allegiance  
Public Comment  
Proclamations  
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 Swanson, Council Member Scott, and Council Member Witte were present. A quorum was present.**

City staff present was Gene Drabinski, City Manager; Bill Nichols, City Attorney; Michelle Groenevelt, Community Development Director; Linda Stokes, City Treasurer; Anne Kantola, Library Director; Delta James, City Planner; Peter Borner, Public Works Director; Barbara Sivey, Human Resources Manager; Dennis Coyle, Parks and Recreation Director; Erin Roper, Airport Administrative Assistant; and BessieJo Wagner, City Clerk.

## **APPROVE THE AGENDA**

**Mayor Bailey with the consent of the Council approved the agenda as submitted.**

## **WORK SESSION**

### **AB 13-73 FY14 Local Option Tax Priorities**

BessieJo Wagner, City Clerk, presented the Local Option Tax (LOT) City projects priority to Council, stating that the purpose of the work session was for the Council to review each of the City's LOT applications and discuss which applications the Council would make a priority for the LOT Commission's recommendations for the FY14 LOT Funding. City staff has prepared 12 applications for LOT funding for FY14, for a total request of \$247,547. This direction will assist City staff with the budgeting process for FY14.

Council Member Aymon asked Eric McCormick what his priorities were. Mr. McCormick responded stating that the John Deere Gator was the first priority, then marketing, and the wash station was third. Dennis Coyle, Parks and Recreation Director, responded to the same question stating that Legacy Park was first, second was Fairway Park bathroom, third was the vehicle, fourth was River Front Park, and fifth was the museum move.

Mayor Bailey clarified that the Urban Renewal Board was approached to fund the Legacy Park repair. He stated that it was his opinion that Urban Renewal should fund all of it and thinks that the board would fund part of the repair. Mayor stated that the issue was due to a design flaw in the way that the water runoff flows.

Peter Borner, Public Works Director clarified that the sidewalk projects were separate from the 3<sup>rd</sup> Street project. He stated that the request was for curb, gutter, and sidewalks in the downtown as needed either for new sidewalks or for sidewalk repair.

Delta James, City Planner, clarified that the art project application was to integrate public art into the Rotary Park improvements.

Mayor Bailey stated that for the Golf Marketing partnership another funding source could be the Council budget from the economic development line item. Council Member Witte stated that the new Golf contract allowed for additional funds to be used for Golf marketing. Mayor Bailey felt that it was important to support the McCall Golf Course due to the number of people it brings to the community.

Mayor Bailey asked how much was budgeted for direct costs for FY13; Mrs. Wagner stated that \$4,000 was budgeted. Council Member Aymon asked if the \$13,000 requested would cover the actual cost of administrating the Local Option Tax. Mrs. Wagner clarified that it was more like \$17,000 to administer the tax. Mayor Bailey commented that since the LOT receipts had improved it was time to recognize the need to fund the administration or at least a higher percentage.

Anne Kantola, Library Director, clarified the archive project for the Library and the need to have certain pictures and documents scanned to preserve them. She also stated that the additional benefit to preserving these documents in digital format is the ability to do key word searches to find specifically what someone is looking for, as well as making the documents more available to more people.

Mayor Bailey asked about the move to the Museum and which building would need to be remodeled. Mr. Coyle responded stating that it is the three story building facing the hospital. Mayor Bailey stated that the contract with the Museum Board expires in October and some thought needs to go into what will happen with the property and whether to maintain a contract with the Museum Board and if the City can make better use of the property. Mayor Bailey requested a work session to discuss the Central Idaho Historical Museum (CIHM) use for City Parks and Recreation. Mr. Coyle stated that there had been meetings with the Museum Board to discuss the possibility of the Parks and Recreation Department to move to the site.

Mayor Bailey wrapped up the discussion stating that the Council should support the Direct Costs application at the very least what was budgeted for FY13 and possibly more. He stated that the rest of the projects needed to be vetted in front of the LOT Commission for their recommendations. He also commented that for the Legacy Park project the Urban Renewal Board would fund some of the costs.

Council Member Witte asked if there were any grant opportunities for the restrooms at Fairway Park. At this point any grant opportunities are unknown.

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

## **PUBLIC COMMENT**

**Mayor Bailey called for public comment at 6:01 p.m.**

Scotty Davenport, McCall Resident, addressed the Council stating that he has never had any issue with bears in his trash in the 23 plus years he has lived in McCall. He asked if there would be more than just one size of bear proof cans and would it be possible to open the bear proof can with gloved fingers. Mayor Bailey responded stating that there would be three sizes to choose from. Michelle Groenevelt, Community Development Director, stated that Lake Shore would make it so the lids would not latch in the winter to make it easier.

Dr. Brian Williams, President of McCall College and Pastor of the Nazarene Church, addressed the Council stating that both of his organizations are a part of Idaho Gives. On May 2nd, the Idaho Nonprofit Center is sponsoring a state-wide day of giving for IRS Certified 501 (C) 3 nonprofits. Idaho Gives is an opportunity to share the important role that our many nonprofits play in our community. The intent is to focus the public's attention on the work nonprofits do, to urge people donate to these organizations. Donors can go online, pick their favorite charity, learn about other charities, and make direct donations to nonprofits through the Idaho Gives web site. The goal is to be in all of the coffee shops in McCall from 9:00 am-1:00 pm to promote this fund raising event. Dr. Williams stated that they would like to put up temporary signage to promote the event. However the McCall sign code does not allow for sandwich boards for non-profits to advertise. He stated that he had recognized the need for a long term solution to amend the code to allow for some type of allowance for temporary signage and sandwich boards for non-profits. Mayor Bailey stated that the Council would probably consider a code amendment for special events.

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

## **PROCLAMATIONS**

### **AB 13-72 Humanitarian Wood Work Day**

Peter Borner, Public Works Director, presented July 13, 2013 as Humanitarian Wood Work Day and introduced Dave Holland who thanked the Council for their support of the event in the past

two years. Dave Holland in conjunction with the Heartland Hunger and Resource Center has worked with churches and other community organizations to create a humanitarian project of obtaining firewood for those in need. The three groups of individuals designated for assistance are; 1) widows and single women with children; 2) the aged and infirmed, and 3) those injured and not capable of getting wood themselves.

Mr. Holland requested that the City declare, by proclamation, the second Saturday in July of each year as the "Humanitarian Wood Work Day". This year that day is July 13, 2013. Last year, over 300 volunteers participated in cutting, splitting and delivering over 100 cords of wood. Since the first Wood Work Day over 300 cords of firewood have been delivered to approximately 150 families in need.

**Council Member Witte moved to proclaim July 13, 2012 to be Humanitarian Wood Work Day in the City of McCall, and authorize the Mayor to sign the proclamation. Council Member Aymon seconded the motion. In a roll call vote Council Member Witte, Council Member Aymon, Mayor Bailey, Council Member Scott, and Council Member Swanson all voted aye and the motion carried.**

#### **AB 13-71 National Public Works Week**

Peter Borner, Public Works Director, presented May 19-25 as National Public Works Week. National Public Works Week is a celebration of the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively known as public works. Instituted as a public education campaign by the American Public Works Association (APWA) in 1960, National Public Works Week calls attention to the importance of public works in community life. The Week seeks to enhance the prestige of the often-unsung heroes of our society-the professionals who serve the public good every day with quiet dedication.

The City of McCall has 20 public works employees, who operate and maintain the City's water, sewer, storm drainage, and transportation systems.

**Council Member Scott moved to proclaim May 19– May 25, 2013 to be National Public Works Week in the City of McCall, and authorize the Mayor to sign the proclamation. 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.**

## **BUSINESS AGENDA**

#### **AB 13-70 McCall Area Planning and Zoning Commissioner Appointment – Amanda Smith Thompson**

Delta James, City Planner, presented the McCall Area Planning and Zoning Commissioner Appointment – Amanda Smith Thompson. There are currently 2 positions vacant on the McCall Area Planning and Zoning Commission. Amanda Smith Thompson has applied to serve on the

Commission for one of these positions. Amanda Thompson lives within the city limits and has resided in the community for more than two years.

**There was Council consensus to appoint Amanda Smith Thompson as McCall Area Planning and Zoning Commissioner for a term of three (3) years, expiring May 2016.**

**AB 13-79 Airport Advisory Committee Member Re-Appointment – Rick Fereday**

Dennis Coyle, Parks and Recreation Director, presented the Airport Advisory Committee's unanimous re-appointment recommendation of Rick Fereday.

**There was Council consensus to appoint Rick Fereday to the Airport Advisory Board to expire March of 2016.**

**AB 13-78 Airport Manager Appointment: Nathan Coyle**

Gene Drabinski, City Manager, presented Nathan Coyle. Mr. Coyle received a Bachelor of Science Degree in Environmental Resource Management, and completed the US Air Force Advanced Airfield Managers Course, Airfield Operations Training Program, and Air Traffic Control Technical School. Mr. Coyle comes to the City of McCall after a distinguished career with the US Air Force.

Mr. Coyle's military career provided numerous qualifications and strengths than made him stand out from the other applicants interviewed for the Airport Manager position. Mr. Coyle has experience in the daily management of airport functions, supervision of airfield management and air traffic control operations personnel, and proven ability to successfully coordinate with other airport leadership personnel including civil and pavement engineering, maintenance and airfield lighting. Mr. Coyle also has experience prioritizing airfield sustainment and development funding for airport operations and maintenance.

Mr. Coyle's demonstrated dedication, knowledge, and experience as an Airfield Operations Commander makes him an ideal selection as the City of McCall's Airport Manager.

**Council Member Aymon moved to confirm the City Manager's appointment of Nathan Coyle as the Airport Manager, per McCall City Code 1-9-3(C). Council Member Swanson seconded. In a voice vote, all members voted aye and the motion carried.**

**AB 13-75 Approval of the Waste Management Contract with Lake Shore Disposal**

Michelle Groenevelt, Community Development Director, presented the revised contract with Lake Shore Disposal. At the March 28 and the April 11 City Council Meeting, the Council reviewed a draft contract for Solid Waste Management with Lake Shore Disposal. Council gave feed back to staff and the City Attorney as to what they would like to have changed in the contract including making the contract subscription service as opposed to mandatory.

Mayor Bailey asked who would manage the code amendment and contract. BessieJo Wagner, City Clerk, clarified that the contract would be managed through the clerk's department and the code amendment would be managed through the Police Department.

Mayor Bailey stated worked through each revision of the contract. Mayor Bailey and Council Member Witte stated that there were some corrections to the contract that were not reflected in the presented contract:

1. Page 6, paragraph 5.C. refers to Section 8 and should refer to Section 6;
2. Page 8, Paragraph 8.B. refers to Section 10.C. and should refer to Section 8.C.;
3. Page 8, Paragraph 8.C. refers to Section 10.B. and should refer to Section 8.B.;
4. Page 8, Paragraph 8.B. remove comma after the word “Term”;
5. Page 1, First Paragraph, add July 1;
6. Page 3, Paragraph 2.A. the phrase:  
“...beginning \_\_\_\_\_, 2013, and continuing through \_\_\_\_\_, 2023”  
Will read:  
“...beginning July 1, 2013, and continuing through June 30, 2023;
7. Page 8, Paragraph 8.B. the phrase:  
“...effective \_\_\_\_\_ 1st of each year during the Term, commencing on \_\_\_\_\_ 1, 2013,”  
Will read:  
“...effective July 1st of each year during the Term, commencing on July 1, 2013,”
8. Page 8, Paragraph 8.B. the phrase:  
“...effective as of \_\_\_\_\_ 1, 2014.”  
Will read:  
“...effective as of July 1, 2014.”
9. Page 4, paragraph 4.C. the phrase:  
“...heavy objects may be located...”  
Will read:  
“...heavy objects that may be located...”

Council Member Witte suggested that the Council talk about the ordinance prior to approving the Contract.

Council then moved onto the Ordinance.

**AB 13-76 McCall City Code Title 8 Code Amendment – Waste Management Ordinance**  
**Adoption**

Mayor Bailey went through the revisions to the ordinance since the last meeting. Council Member Witte commented that she had suggested the addition of 5.08.05: REQUIRED BEAR-PROOF CONTAINERS, based on the discussion from the prior meeting. She stated that her intent was to address the public safety issue and the enforcement issue as well. This provision would require all citizens to have a bear-proof container but not have mandatory service.

Council Member Scott posed the question of what if someone did not want trash service and wanted to purchase a bear-proof container.

Council Member Witte stated that she had considered what had been said previously and was concerned about the enforcement piece if people were allowed to purchase their own. Council Member Witte also stated that she had considered an option could be that Lake Shore Disposal could sell people a bear-proof container.

Mayor Bailey stated that the issue is that the contract is for subscription service. He stated that if someone chose not to subscribe then they would not need a container. Mayor Bailey also stated that if someone stored their trash in their garage and then either took it to the dump or to the Valley to dispose of then they would not need a container.

Council Member Witte clarified that the argument was that people did not consistently keep it in the house or the garage. Council Member Aymon stated that some people kept it on their porch in bags. Mayor Bailey stated that if that were the case it should be covered under the penalty section.

There was much discussion as to the pros and cons of the amendment to require everyone to have a bear-proof container. The discussion included the pros and cons of renting versus buying a bear-proof container.

**The Council recessed at 7:52; at 8:00 pm the Council resumed the meeting.**

Gene Drabinski, City Manager, stated that there were other factors to be considered if the Council chooses to allow people to buy instead of lease their containers. He stated that from an operational perspective there are costs to going with the purchase option such as theft. Council Member Witte suggested that the Council reconsider and go back to the universal service option. Council Member Aymon stated that she liked the way it was currently written.

Council Member Witte stated that if the police department has to enforce the purchase option it would be a significant use of public resources to enforce. Council Member Witte stated that she would accept it as it is written or go back to the universal service option. She stated that there needs to be universal participation or a City could not bear-proof the community.

Mayor Bailey commented that he was ok with the way the amendment is written.

Mayor Bailey summarized the discussion stating that the amendment would be as written with the only change of the effective date as July 1, 2013.

**Council Member Aymon moved to suspend the rules, read by title only, one time only, Ordinance No. 912, Council Member Swanson seconded the motion. In a roll call vote Council Member Aymon, Council Member Swanson, Mayor Bailey, and Council Member Witte, all voted aye, Council Member Scott voted no; and the motion passed.**

BessieJo Wagner, City Clerk, read by title only one time only Ordinance 912: An ordinance of the City of McCall, Valley County, Idaho, enacting a new Chapter 8 of Title 5 to be entitled Solid Waste Collection and Transportation of the McCall City Code; and providing an effective date.

**Council Member Witte moved to adopt Ordinance No. 912, with the amendment to section 5.08.04 B to correct the reference in the last line to be 5.08.04.C. and making the effective date July 1, 2013, amending Title 8 of the McCall City Code Waste Management with the**

**following amendment, 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 Witte, Council Member Aymon, Mayor Bailey, and Council Member Swanson, all voted aye; Council Member Scott voted no, and the motion passed.**

The Council moved back to the Waste Management Contract. Mayor Bailey summarized that there were no additional changes to the contract than what had been previously stated above.

**Council Member Scott moved to approve the contract with Lake Shore Disposal with amendments as discussed and authorize the Mayor to sign all necessary documents. Council Member Swanson seconded. In a roll call vote, Council Member Scott, Council Member Swanson, Council Member Aymon, Mayor Bailey, and Council Member Witte voted aye and the motion carried.**

#### **AB 13-77 Ordinance amending McCall City Code Title 4-Taxicabs**

BessieJo Wagner, City Clerk, presented the changes made to Title 4-Taxicab ordinance. It was identified that Title 4 of the McCall City Code was outdated and needed to be re-written, particularly the chapter on taxicabs. The McCall City Council held two work sessions to develop an ordinance regulating the licensing of taxicab businesses and taxicab drivers.

Council Member Aymon called out the following correction:

1. Page 5, section 4.4.5 "...the federal bureau of investigation" should be:  
"...the Federal Bureau of Investigation"  
and the phrase:  
"...Idaho state police"  
should be:  
"...Idaho State Police"
2. Page 9, section 4.4.13 add the words "and prominently displayed" after the words "in sufficient detail" at the bottom of the page

Council Member Witte suggested the following corrections:

1. Page 7, section 4.4.5., paragraph G. the last sentence reads:  
"Failure to continually maintain said requirements throughout the duration of the license may result in revocation of the driver's license."  
The sentence should read:  
"Failure to continually maintain said requirements throughout the duration of the license may result in revocation of the taxicab or a commercial transportation service driver's license."
2. Page 8, section 4.4.8. H the sentence reads:  
"Fail or neglect to visually display in the vehicle his/her taxicab or commercial transportation vehicle the following:"  
The sentence should read:  
"Fail or neglect to visually display in the vehicle while driving, operating, or having charge of a taxicab or commercial transportation vehicle within the city limits the following:"



3. Page 10, section 4.4.15 the sentence reads:

“It is unlawful for the owner of any taxicab or commercial transportation to permit any taxicab or commercial transportation vehicle to be driven upon the streets of the city by any person without such person being licensed as a taxicab driver or commercial transportation driver.”

The sentence should read:

“It is unlawful for the owner of any taxicab or commercial transportation business to permit any taxicab or commercial transportation vehicle to be driven upon the streets of the city by any person without such person being licensed as a taxicab driver or commercial transportation driver.”

**Council Member Swanson moved to suspend the rules, read by title only, one time only, Ordinance No.913. 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.**

BessieJo Wagner, City Clerk, read by title only one time only Ordinance 913: An ordinance of the City of McCall, Valley County, Idaho, repealing in its entirety Section 21, Chapter 3, of Title 4 Taxicabs License Fee, and enacting a new Chapter 4 of Title 4 to be entitled Taxicabs and Commercial Transportation Services of the McCall City Code; and providing an effective date.

**Council Member Witte moved adopt Ordinance No.913, regulating the licensing of taxicab businesses and taxicab drivers, 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 Witte, Council Member Aymon, Mayor Bailey, Council Member Scott, and Council Member Swanson voted aye and the motion carried.**

#### **AB 13-74 2013 National American Planning Association Conference Highlights**

Delta James, City Planner, presented to City Council a brief summary from the National American Planning Association conference in Chicago April 13-17, attended by Ms. James and Michelle Groenevelt, Community Development Director. While conferences are important for professional development and organizational capacity building, there are ideas and trends that should be shared with the McCall Area Planning and Zoning Commission and the City Council.

#### **AB 13-80 Discussion on idea of Local Improvement District (LID) on 3<sup>rd</sup> Street**

Mayor Bailey requested City Council discuss the concept of developing a local improvement district (LID) along 3<sup>rd</sup> Street. Mayor Bailey introduced the concept of a LID for a number of properties along 3<sup>rd</sup> Street as a tool for funding infrastructure improvements to determine if this should be part of a future plan/project for the City to implement.

Council Member Scott commented that if the Council proceeds with an LID process, as much as possible the City should work with the property owners throughout the process, even at the earliest stage of the process.

Council Member Aymon clarified that the property owners would not have a choice to participate in an LID if the City chose to proceed. Mayor Bailey confirmed and further clarified stating that the property owners could appeal the process; however the Council makes the decision.

There was some additional clarification that if the Council chose to do the LID it would be a long process and construction on any of the properties involved in the LID would not take place until next year.

Council Member Scott asked Mr. Woodworth if anything had changed since the last discussion involving the Development Agreement for 501 N. 3rd Street, the would lead the Council to not move forward with the initial estimate. Mr. Woodworth responded by stating that he was willing to consider the option of the LID. He also stated that there may be an option for a Redevelopment District for 3<sup>rd</sup> Street and did not feel the Council should make a decision without first considering both options.

Gene Drabinski, City Manager, interjected that the issue, in his opinion, was who should pay for infrastructure. He stated that it was his understanding that with either option the property owner still pays for the work being done. Mr. Drabinski posed the question of is it the Cities position to put the cost of infrastructure on the property owners. He stated that if it is then one of these methods may be the way to go. However, from a policy perspective is it the City's intention to put the cost on the property owners or would it be more appropriate for the community at large that benefits from the improvement to fund infrastructure through a local option tax.

Mayor Bailey stated that there had been some research done a few years back on the possibility of an Urban Renewal District for 3<sup>rd</sup> Street. A comment was made that had the district been formed back then it would have been productive; however it was not as feasible today due to the lack of potential development.

Mayor Bailey commented that LIDs were quite common in some other Idaho cities.

There was a comment made from an audience member that he felt it was unfair that some of the developers had to pay for their own sidewalks while the businesses in the area that received new sidewalks through a grant did not have to pay anything. He also commented that he thought if the City went to the voters for a bond or tax they would probably vote for it. He also commented that if the City had unrestricted funds, then those funds should be used for sidewalks.

There was a brief discussion regarding the bonding process. There was also a brief discussion regard the minimum fund balance policy for the City.

Council Member Aymon stated that in her opinion, when someone signs a contract to accomplish something, then it is expected that they would do what they said they would do. She stated that the Council was willing to work with Mr. Woodworth and understands that sometimes things do not go the way they planned; however when someone signs an agreement, they sign the agreement.

A member of the audience stated that in his opinion that some developers feel intimidated by staff when putting in an application that they sign the agreement otherwise they would not be able to do their project at all.

Mayor Bailey concluded that the purpose was to initiate a discussion and a point of which to start to move forward.

Council Member Swanson stated that property owners should be notified prior to the City moving forward.

**CONSENT AGENDA**

Staff recommended approval of the following items:

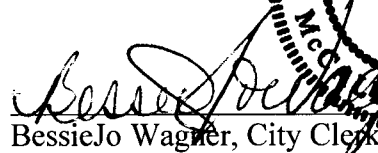
1. Warrant Registers
2. Payroll Report for Period ending April 12, 2013
3. Alcohol and Catering Licenses Activity Report

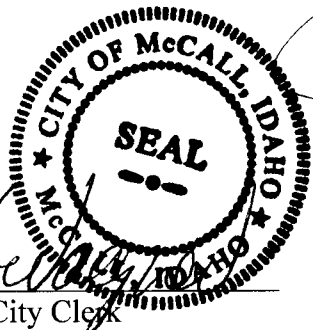
**Council Member Witte moved to approve the consent agenda with corrections. Council Member Aymon seconded the motion. In a voice vote, all members voted aye and the motion carried.**

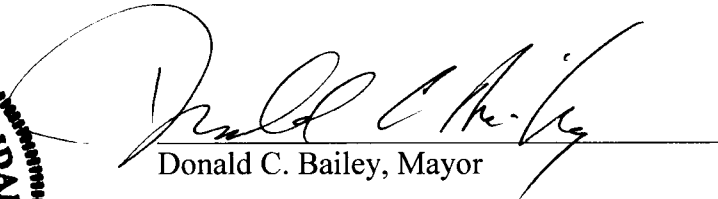
**ADJOURNMENT**

Without further business, the Mayor adjourned the meeting at 9:52 p.m.

ATTEST:

  
BessieJo Wagner, City Clerk



  
Donald C. Bailey, Mayor