

# MINUTES

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**McCall City Council  
Special Meeting  
Legion Hall - McCall City Hall (Lower Level)  
May 10, 2013**

Agenda  
Budget Work Session  
Adjournment

## CALL TO ORDER AND ROLL CALL

**Mayor Bailey called the special meeting of the McCall City Council to order at 1:00 p.m. Council Member Aymon, Mayor Bailey, Council Member Scott, Council Member Swanson, and Council Member Witte were present.**

City staff present was Gene Drabinski, City Manager; Linda Stokes, Treasurer; and Laura Wilson, Deputy City Clerk; Erin Roper, Airport Administrative Assistant; John Anderson, Airport Consultant; Larry Stokes, Interim Police Chief; David Simmons, Information Systems Manager; Eric McCormick, Golf Superintendent; Kurt Wolf, Parks Supervisor; Michelle Groenevelt, Community Development Director; and Mark Pernell, Recreation Supervisor.

## BUDGET WORK SESSION

**Mayor Bailey moved to amend the agenda to propose an amendment to Title 5, Chapter 8, first reading.**

Mayor Bailey asked for a second. Council Member Witte stated that she did not know what amendment was about. Mayor Bailey stated that he was just amending the agenda at the end of the meeting. Council Member Witte asked "to do what?" Mayor Bailey stated that they did not have the information yet but that he would hand it out.

**Council Member Aymon seconded the motion. In a voice vote all members voted aye.**

Mayor Bailey commented that at the end of the meeting there would be a proposed amendment.

### **Budget Discussion Topics:**

Linda Stokes, City Treasurer presented the budget work session items to Council. She stated that the purpose of the work session was to briefly review the revenue portion of the budget and review some of the capital items. Mrs. Stokes explained that what was prepared last year during budget development and updated by staff in April, 2013 were as follows:

	First Request	Revised
General Fund	\$5,049,643	\$5,087,267
Library Fund	\$363,075	\$366,075

Recreation Fund	\$936,444	\$851,720
Airport Fund	\$2,647,779	\$2,649,779
Golf Fund	\$661,834	\$681,834
Streets Fund	\$1,700,507	\$1,958,091
Water Fund	\$1,988,728	\$1,988,728
Sewer Fund	\$2,051,930	\$2,072,730
<b>Total</b>	<b>\$14,804,290</b>	<b>\$15,656,224</b>

Mrs. Stokes reviewed the FY14 Budget Development Assumptions with Council stating that only Revenues and Personnel costs and related assumptions have been updated at this point. She stated that the Growth & Development Property Taxes were estimated to be \$27,000 at this time and staff would perform more detailed analysis to determine eligible annexations in the future. New Building Permits for FY14 were assumed to be equal to the FY13 estimates at 15 EDUs and New Connections estimates for Water were 15 connections and estimates for Sewer were 9 connections. Mrs. Stokes stated that the Inter-Fund Transfers had not yet been re-calculated.

Gene Drabinski presented the capital projects for FY14. He asked the Council to weigh in on each of the presented projects and prioritize them from 1 through 9 after hearing each project presented by the Department Heads.

Recreation Parks: Fairway Park Restroom (FY14)

Recreation Parks: Pickup (FY14)

Recreation Parks: Legacy Park Erosion (FY14)

Recreation Parks: UTV (FY15)

Recreation Parks: Museum (FY14)

Golf: Equipment Storage Building (FY14)

Golf: Gator (FY14)

Additional Airport Land Acquisition

Building Improvements to City Hall and Annex

Mrs. Stokes reviewed the FY14 Capital Improvement Plan (CIP) stating that it was a Seven Year CIP: FY14 through FY20. Mrs. Stokes also clarified that the items presented are only for FY14 and are not all of the projects listed on the seven year CIP. She stated that the CIP assumes \$3,944 of a 3% Property Tax Increase and all of the available Property Tax Foregone Amount in FY14 to fund the CIP projects. Mrs. Stokes also clarified that the CIP was not yet balanced.

### **Parks and Recreation**

Kurt Wolf, Parks Supervisor, clarified that within 5 years the City needed to improve the land at River Side Park. He stated that it was part of the agreement when the City obtained the land. It was further clarified that grant dollars were used to purchase the park land. Mark Pernell, Recreation Supervisor, clarified that the cost would be about \$70K to do a 2hole restroom at Fairway Park.

Mrs. Stokes stated that Urban Renewal had committed to some funding of the boat launch project. She also clarified that the project has some grant funding by County Waterways at \$60K, and \$25K matching component from Urban Renewal. It was further clarified that the boat launch project was grant funded and did not require property taxes.

Mrs. Stokes stated that in regard to the UTV purchase, it was delayed until FY15, but the Parks Department would like to purchase a half ton pickup in FY14. Mr. Wolfe explained that an application for Local Option Tax money had been submitted and the need for the vehicle has become a priority for the Parks Department.

### **Information Systems**

Mrs. Stokes stated that the wide area network project was a multiple year project at a cost of \$163,000 with \$40,000 budgeted for FY14. Dave Simmonds noted what the Information Systems department updates would be; including antennas for the Park's building and City Hall.

### **City Hall**

Mrs. Stokes stated that there was \$75k budgeted for City Hall maintenance.

### **Airport**

Mrs. Stokes clarified the total cost of the taxiway reconstruction was estimated at \$2.5million and could be split into a couple of years. John Anderson, Airport Consultant, recommended spreading out the cost and the work over a couple of years, design in FY14 and construction in FY15.

### **Streets**

Mrs. Stokes stated that for pavement management \$198,421 is budgeted with the property tax foregone dollars. She also stated that there was a \$100,000 grant for the reconstruction of Park Street.

### **New projects for FY14**

Mrs. Stokes made comments on the following projects:

1. Golf equipment building was slotted for FY13, will spill over into FY14
2. Golf equipment- gator has submitted an application for LOT dollars
3. Legacy Park erosion has submitted an application for LOT dollars
4. Parks Department request to move to the Museum grounds has submitted an application for LOT dollars

Gene Drabinski requested some additional information regarding the Legacy Park erosion issue. Kurt Wolf stated that it was the number one priority for the Parks Department. He stated that there was a problem that the beach was eroding. The solution that has been proposed was acceptable to the Department of Lands and DEQ.

Erin Roper, Parks Administrative Assistant, stated that the City owns land that is currently the Historical Museum site. The contract between the Museum Board and the City is up in November. The Parks and Recreation Department could operate at that site and store all items

and have all employees in the same building. The Museum would continue to operate under the Museum Board. This would be about a \$100,000 project.

Eric McCormick, Golf Superintendent, gave a brief update on the construction of the Golf storage shed.

John Anderson, Airport Consultant, stated that the additional Airport land acquisition may be a low priority for budget.

Michelle Groenevelt, Community Development Director, gave a brief overview of the facilities maintenance plan for City Hall and the City Annex. She stated that the facilities maintenance plan was a three year plan to take care of City buildings to include the building envelope and interior paint and flooring. For FY15 the plan is for site improvement to include sidewalks and parking lot improvements.

There was a brief discussion as to the merits of relocating the Police Department.

There was a brief discussion regarding additional FY13 Local Option Tax (LOT) Contingency projects due to the higher than expected LOT revenue. Gene Drabinski presented an idea to take the additional LOT revenue and use it to pay for the replaced sod at the golf course that cost \$20,000. Council Member Swanson stated that any extra money should be first given to clerk's office to fully fund the LOT administration duties after the sod project was funded. There was general Council consensus that the additional LOT revenue is to be used for the Golf Course Sod however some additional discussion from the Council would need to happen in the near future.

Mrs. Stokes covered the next budget steps stating that there would be an all day Council Work Session on June 14, on July 9 there would be an open house with staff, and an all day work session on July 12 to adopt tentative budget. It was also clarified that a Public Hearing will be held on August 8, and budget adoption was scheduled for August 22.

Gene Drabinski summarized the results of the Council's prioritization exercise, stating that the priority for the above projects would be as follows:

1. Recreation Parks: Museum
2. Pavement Management
3. Building Improvements to City Hall and Annex
4. Additional Airport Land Acquisition
5. Fairway Park Restroom

### **Added Agenda Item**

Mayor Bailey introduced the added agenda item stating that it was relative to the previous night's meeting. He had prepared an amendment to the Solid Waste Ordinance adopted by Council at the April 25, 2013 City Council Meeting.

Mayor Bailey read the "Whereas" statements on the proposed amendment.

**Whereas, the recently adopted Chapter 5 to Title 8 addresses municipal Solid Waste collection and transportation in the City, and**

**Whereas, the Council voted to not require mandatory Solid Waste collection, and**

**Whereas, if Solid Waste collection by an Approved Waste Management Contractor is contracted for, then:**

**An amendment to Title 5, Chapter 8 Section 5.08.05 is moved; if seconded by the Council, then Staff is directed to prepare the Amendment in Ordinance format for consideration by the Council at the next regular meeting (second reading).**

**Amendment to Title 5, Chapter 8:**

**Revise section 5.08.05 so as to permit residents or businesses, which either do not accumulate Solid Waste or other materials intended for disposal at the Valley County solid waste collection facility or chose to not contract with Solid Waste collection by an Approved Waste Management Contractor, to not require the lease of a Solid Waste container.**

Mayor Bailey wanted to suggest wording to an amendment of the Solid Waste Ordinance. There was some discussion about why force someone to have a container if they were not forced to have service. Mayor Bailey stated that he had not properly read the ordinance that Council adopted on April 25 and that the amendment he was proposing would address many of the complaints expressed at the previous meeting. Mayor Bailey also stated that he did not understand why the Council would adopt an ordinance making the bear-proof cans mandatory when at the April 11 meeting the Council voted down mandatory service. He stated that it did not make any sense to have mandatory containers without mandatory service.

Council Member Scott stated that she agreed with Mayor Bailey and explained that the Council got to where they were due to the comments made that there would be a theft issue if people were allowed to buy their own containers as opposed to renting from Lake Shore.

Council Member Swanson clarified his understanding of the conversation being that the issue of renting or buying the container. He understood that it would be mandatory to have a bear-proof container; the question was could they lease or could they buy. Council Member Swanson stated that with the adopted ordinance everyone was required to have a container and with Mayor Bailey's recommended amendment not everyone would be required to have a container, only those with service. Council Member Swanson felt it would be a good amendment. He also stated that he understood from the previous meeting that if people are having a problem then they need to be fined and forced to comply. He suggested a possible graduated fine system that would get steeper with each offence.

Mayor Bailey stated that the ordinance already had a penalty for non-compliance of \$300 or plus time in jail. Council Member Swanson liked the idea that a person could remedy their fine by fixing the issue. Mayor Bailey felt that it was up to the magistrate to make that call but that the City could recommend through the Police Department that charges be dropped or other options.

Council Member Scott still wanted to see a purchase option. She suggested that it may take a conversation with Lake Shore to say if the customer chooses to purchase their own container, it must meet a requirement, and the customer would have to recognize that Lake Shore would not be responsible for any damage done.

Mayor Bailey thought that the issue should be done between Lake Shore and the customer; clarifying that the contract is between Lake Shore and the customer for service.

Council Member Swanson clarified that the ordinance stated that the customer must rent a container from Lake Shore.

Council Member Aymon asked for clarification asking that in the contract with Lake Shore for subscribers, bear-proof containers are required. It was clarified that subscribers would have to lease a bear-proof container from Lake Shore. Council Member Aymon asked for clarification asking was the Council looking to modify the contract with Lake Shore as well.

Mayor Bailey stated that the amendment he proposed would not change the contract. He stated that he made a motion that the proposed code amendment be added to the next meeting as a second reading.

Ms. Groenevelt stated that the proposed amendment would be a policy shift.

Mayor Bailey's opinion was that it was NOT a policy shift. He stated that normally the Council has the option of having more than one reading.

Ms. Groenevelt clarified that the code amendment would be changing policy.

Council Member Swanson clarified it would be a removal of a mandate.

Mayor Bailey stated that based on the discussion at the May 9<sup>th</sup> meeting the Council had taken away the mandatory aspect of the code until he read the ordinance again and realized that the ordinance did NOT take away the mandatory aspect – only in part but not entirely.

Gene Drabinski stated that the Council had agreed that at every meeting there would be a governance discussion. He stated that during his short tenure he had had seen only two ordinances get adopted and neither went as smooth as Council or staff would wish. He suggested that in his opinion that every ordinance should have a public hearing prior to adoption. He stated that the City would be well served that within the flow chart of ordinance adoption a two week noticed public hearing be held for every ordinance. Mr. Drabinski stated that he did not see a down side to it, stating that some ordinances may not bring the public to the meeting but others may bring many. He felt that it should be considered as a way of business. Mr. Drabinski also stated that there was a public input meeting scheduled for the trash ordinance and to have a proposed change to the code prior to that meeting seemed to be less attractive than having the public hearing and then responding to whatever changes that may need to be made to the ordinance.

There was a brief discussion to clarify what a public hearing is. There was a public meeting scheduled for Monday May 20. Mr. Drabinski clarified that the meeting on the 20<sup>th</sup> was a meeting to receive public input and that any changes to the ordinance should wait until after that meeting to be polite.

Mayor Bailey stated that the secondary issue was that the contractor needed to order the containers. He was not sure about the suggestion of a public hearing for every Ordinance.

Council Member Scott suggested that maybe the meeting be advertised that the Council was considering this ordinance so come tell the City what you think.

Mr. Drabinski felt that the process needed to be fixed.

Mayor Bailey stated that there was no way to make everyone happy.

Council Member Witte agreed that the Council needed to be more proactive on getting public input.

Linda Stokes commented that it may be an idea to not suspend the rules and read three times so the public has more time to respond.

Michelle Groenevelt suggested being proactive as opposed to reactive.

Gene Drabinski re-iterated that the public process and invitation to weigh in needed to be part of the process for every ordinance so that people would have a chance to voice their opinions prior to an adopted ordinance

Council Member Aymon agreed stating that if people do not show up then it is on them. She also commented that the City cannot hold everyone's hand but it would give people the opportunity to be heard.

Council Member Scott commented that she learns something when she has the opportunity to hear someone else's perspective.

Council Member Aymon stated that the Council needed to be better at making decisions and being able to mitigate when people are not happy with the decision. She did not feel it was fair to staff to change once a policy had been decided.

Mayor Bailey stated that the Governance Manual should address ordinance issues to prepare the documents that may be controversial separate from those that are not; a collaborative process.

Mayor Bailey commented on the process for the current ordinance stating that it was difficult to receive information a week before a Council meeting and then be expected to act on it without having discussed it. He stated that the paragraph in question that had been added to the ordinance and had not been previously discussed. Mayor Bailey stated that those kinds of changes are hard to capture. He stated that in the previous meeting the Council had determined to make it not mandatory and missed that it would then make it mandatory. He felt that the Council tried to do things too fast.

Council Member Witte asked for clarification stating that Mayor Bailey had been a big proponent for mandatory and then changed his mind. She wanted to know why he had changed his mind. Mayor Bailey clarified that he had not changed his mind but that a vote by the Council decided that it would not be mandatory. Mayor Bailey stated that he had not understood what the ordinance was saying and apologized for not being better prepared. He also stated that if people do not have to sign up for trash collection then they should not be required to have a trash collection devise.

Council Member Aymon stated that the comments from the previous meeting were very uncomfortable. She stated that when the Council makes decisions, they work very hard at making those decisions and the Council cannot help WE if it's all about ME. She stated that the Council is responsible for public safety and welfare for the whole Community. Council Member Aymon continued stating that unfortunately those who are happy and satisfied with the decisions do not come to meetings. She also stated that she did not feel it was always appropriate to change direction because some unhappy people came in to complain. Council Member Aymon stated that some comments were valid and heartfelt but it was the Council's responsibility to look at the community safety as a whole and not just for those who are unhappy.

Mayor Bailey stated that the public process mentioned earlier could help mitigate that issue.

Michelle Groenevelt commented that the Council's challenge was to balance public opinion.

Council Member Witte stated that hopefully the invitation to attend the meeting to express public opinion would give everyone an opportunity to speak. She stated that the Council needed time to digest the recommended changes.

Mayor Bailey stated that Council Member Scott also had some recommended changes and asked if those changes would be presented at the next meeting.

Council Member Swanson commented that a temporary rule should be put in place for an ordinance that it be submitted in time to be in the Council packet if the item would be considered at the next meeting. There was general Council consensus.

**Mayor Bailey asked for a second on his motion, Council Member Swanson seconded the motion.**

Council Member Witte stated she was not clear on what the motion was.

Council Member Swanson tried to clarify that the motion was not to implement the amendment but to start the three reading process.

Mayor Bailey stated that his motion was to state "here is the change" and put it on the next meeting in ordinance form and that would be the second reading. He continued by stating that the Council could then decide whether to dispense with the third reading at the next meeting. Mayor Bailey stated that the Council could offer additional amendments at any time and have any amendments prepared.

Council Member Swanson stated that having written amendments was good so the Council could vote on a written amendment that everyone has looked at.

Council Member Witte wanted clarified that the motion was to change the ordinance.

Mayor Bailey stated that his motion was:

**Whereas, the recently adopted Chapter 5 to Title 8 addresses municipal Solid Waste collection and transportation in the City, and**

**Whereas, the Council voted to not require mandatory Solid Waste collection, and**

**Whereas, if Solid Waste collection by an Approved Waste Management Contractor is contracted for, then:**

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Mayor Bailey clarified that his motion was to move to have the staff prepare the change. He clarified that if there were any additional amendments they would be an amendment of the amendment. Mayor Bailey stated that he motioned to ask staff to prepare his amendment; Council Member Swanson seconded his motion.

Council Member Witte asked again for clarification that if she voted yes on the motion was it to have staff prepare the amendment to the ordinance and then the Council vote on the ordinance at the next meeting?

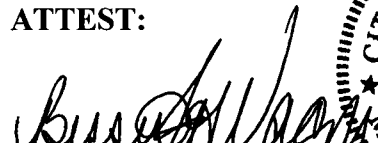
Council Member Swanson stated yes that would be correct.

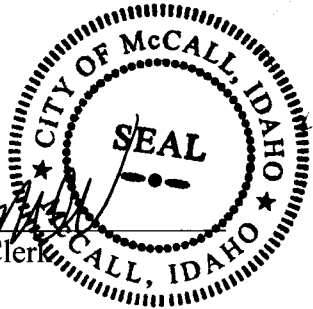
Mayor Bailey stated that there would not be a vote as he had made the motion and it was seconded so now it was on the table. Mayor Bailey re-iterated that a vote was not needed at that time and that the item would be an item on the next meeting.

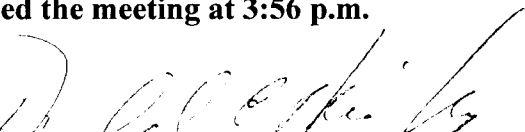
**ADJOURNMENT**

Without further business, Mayor Bailey adjourned the meeting at 3:56 p.m.

ATTEST:

  
BessieJo Wagner, City Clerk



  
Donald C. Bailey, Mayor