

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
August 22, 2013**

Agenda

Call to Order and Roll Call
Approve the Agenda
Work Session
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 5:33 p.m. Council Member Aymon, Mayor Bailey, Council Member Witte all answered roll call. Council Member Swanson was absent. Council Member Scott was absent.

City staff present was Gene Drabinski, City Manager; Bill Nichols, City Attorney; Linda Stokes, City Treasurer; Michelle Groenevelt, Community Development Director; Nathan Coyle, Airport Manager; Peter Borner, Public Works Director; Carol Coyle, Grant Coordinator; Dennis Coyle, Parks and Recreation Director; Traci Malvich, Human Resources Manager; and Laura Wilson, Deputy City Clerk.

APPROVE THE AGENDA

Mayor Bailey with the consent of the Council approved the amended agenda.

WORK SESSION

Council Member Scott arrived at 5:35

AB 13-143 Smoke Free Idaho Presentation

Stacey Satterlee, Idaho State Director, Government Relations of the American Cancer Society Cancer Action Network gave a presentation on the merits of a smoke free Idaho. She gave Council statistics on cancer deaths caused by smoking and second hand smoke. She also informed Council of the health benefits of having smoke free laws as well as which resort towns were smoke free. There was a brief discussion on the definition of smoke free.

Ms. Satterlee described the mission of Smoke Free Idaho and stated she had two meetings with McCall business owners. She stated the meetings were attended by approximately 25 people. Council discussed the process other jurisdictions followed to become smoke free. Ms. Satterlee suggested McCall have as much public input as possible.

Gene Drabinski, City Manager, commented this process would include a public forum and Council agreed. Mayor Bailey suggested scheduling a public forum in early September.

Mayor Bailey led the audience in the Pledge of Allegiance at 5:58 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 5:59 p.m.

Brant Meckel, PO Box 2309, representing Tony Meckel Excavating, read a statement regarding the solid waste contract with Lake Shore Disposal. Attachment 1

Ken Krahn, 907 Strawberry Lane, made three budget suggestions to Council. He suggested Council increase property tax by 1% instead of 3% or 4%, use Local Option Tax to improve bike and pedestrian paths, and introduce a 1% or 2% sales tax. He also commented on the commercial lodge on Conifer Lane. He said it had devalued the neighboring property and he asked that the City revisit the code on lodges.

Burt Kulesza, 118 Forest St., thanked the City of McCall for rehabbing Park Street.

Jerry Vevig, 1939 Pilgrim Cove Rd., spoke against annexation of Cee Way Loop. He did not agree that the cost would be worth the benefits. He also expressed appreciation of the berm removal and plowing by Eula "Sissy" Wallace.

Irwin Mulnick, 201 Park Street, commented about being visited by police. He said the conversation went well and he felt that he was heard by the police. He said it was a positive meeting and he appreciated their effort.

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

BUSINESS AGENDA

AB 13-137 FY 14 Budget Discussion and adoption

Linda Stokes, City Treasurer, presented the updated proposed FY14 City Budget. Mrs. Stokes summarized the changes made to the proposed budget. She gave staff recommendations and explained which departments had budget changes and where the revenue would come.

There was a brief discussion on chip sealing and the use of leased vehicles.

Mr. Drabinski informed Council of the results from the salary survey. He told Council that city employees paid more in health care and were behind in salary. He expressed concern that the City had lost employees to better paying jobs. Mr. Drabinski requested Council approve the proposed budget that would include as much as 3% merit increase for employees.

Mayor Bailey commented on mail and emails received regarding the budget and Treasure Valley Transit. He objected to the language used that referred to Treasure Valley Transit as a 'money pit'.

Gene Drabinski conveyed Council Member Swanson's request that City Council not pass the budget in his absence. Council Member Witte asked why the money from HRA savings account was not used to offset the increase in health care costs. Mrs. Stokes explained one reason was due to the amount of time required to build the account up. Mayor Bailey suggested not using it because of the unknown impact from the federal health care requirements.

Council Member Scott asked if Local Option Tax monies could pay for some of the city projects. She suggested cutting money from city projects in order to prevent a tax increase. Mr. Drabinski said it would be risky because it would be deferring maintenance which would cost more down the road.

Council Member Witte wanted to hold the budget increase to 3%. She suggested using money from the HRA savings account to offset the increase in health care. She also suggested funding the golf course club house improvements come from Local Option Tax.

Mayor Bailey moved to postpone budget adoption until the August 28, 2013 meeting at 6:30p.m. Council Member Scott seconded the motion. In a voice vote all members voted aye and the motion carried.

AB 13-135 Parks and Recreation Advisory Committee Annual Report

Irwin Mulnick, Parks and Recreation Advisory Committee Chair, presented the Parks & Recreation annual report. Mr. Mulnick reviewed the programs and improvements by Parks and Recreation. He also highlighted the Parks and Recreation Advisory Committee's wish lists for the future. Mr. Mulnick provided Council with an article from the Star News. Attachment 2

Council Member Witte left at 7:35pm

AB 13-138 Community Choices for Idaho Grant applications

Carol Coyle, Grant Coordinator, presented the proposed Community Choices for Idaho Grant applications. She gave history of the application process and updated Council that the applications qualified for submittal by Idaho Transportation Department.

She cautioned Council that the awarding of these applications could delay some of the other city projects.

Council Member Aymon moved to approve the submission of three Community Choices for Idaho grant applications for bicycle and pedestrian projects and authorize the Mayor

to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Aymon, Council Member Scott, and Mayor Bailey voted aye and the motion carried.

AB 13-145 Heavy Equipment Lease/Purchase- Bid Number PW 13-07 Award

Peter Borner, Public Works Director, presented the lease/purchase award for heavy equipment. After receiving three bids, the low bid was Western States. He requested permission to allow Public Works to move forward with the lease and submit to the City Attorney for legal review.

Council Member Aymon moved to award Bid Number PO13-07 to Western States Equipment and direct staff to prepare all necessary documents for final action by the City Council. Council Member Scott seconded the motion. In a roll call vote, Council Member Aymon, Council Member Scott, and Mayor Bailey voted aye and the motion carried.

AB 13-144 Personnel Policy Manual Amendment – Resolution 13-15

Traci Malvich, Human Resources Manager, presented the updated personnel policy manual. Mrs. Malvich noted two primary changes were made. One change included language to allow department heads to hire and fire personnel within their department. The other change referenced the definition of sex as a protected class.

Council Member Aymon questioned Mr. Nichols why other cities specified sexual orientation in their personnel policy manuals if it was already a protected class. Mr. Nichols responded that he could not speak for other cities, but that it had become a political issue. Council Member Aymon clarified under federal law that gays, lesbians, and transgender were protected under the definition of 'sex'. Mr. Drabinski commented that communities were placing the language in the policies to make a statement. Mrs. Malvich clarified she retrieved the definition of 'sex', which included "gay, lesbian, and transgender", from the federal Equal Employment Opportunity Commission website.

Council Member Aymon did not approve excluding the inclusion of transgender. Mr. Drabinski suggested using the exact wording from the federal definition to include the definitions that articulated the meaning. Mayor Bailey commented that other definitions were not defined either, such as race. Mr. Nichols offered that Council has authority to change the policy if they decided it was not being applied. Council Member Aymon commented she did not believe it was good to hide behind the federal law. Council Member Scott commented that if the city used the federal law language, the city would not have to change the manual in the situation the federal law changed.

Mr. Drabinski suggested tabling the agenda bill to the next regular council meeting due to Council Member Swanson's absence.

Council Member Scott moved to table the AB 13-14 until the next regular council meeting scheduled on September 12, 2013. Council Member Aymon seconded the motion. In a voice vote all members voted aye and the motion carried.

AB 13-136 Airport Advisory Committee (AAC) Member Appointment

Nathan Coyle, Airport Manager, presented the appointment of Mike Weiss as an Airport Advisory Committee Board Member. Mr. Coyle gave a brief history on Mr. Weiss. He also noted the Airport Advisory Committee's unanimous approval of Mr. Weiss's appointment.

Mayor Bailey moved to appoint Mike Weiss as Airport Advisory Committee Board Member with a three year term, effective September 1, 2013 and authorize the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a voice vote all members voted aye and the motion carried.

AB 13-141 Approval Request –FY14 Agreement for General Airport Engineering/Consulting Services with T-O Engineers

Nathan Coyle, Airport Manager, presented the current agreement for general airport engineering/consulting services with T-O Engineers. Mr. Coyle reviewed the costs and hours of service under the new agreements.

Council Member Scott moved to approve FY14 Agreement for General Airport Engineering/Consulting Services with T-O Engineers 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, and Mayor Bailey all voted aye and the motion carried.

AB 13-140 Hangar 705 Lease Termination and Establishment of a New Lease

Nathan Coyle, Airport Manager, presented the lease agreement of Hangar 705 to Council. Mr. Coyle noted that Valley County had mislabeled 19 hangars, but he and Valley County were in the process of correcting the errors.

Mayor Bailey suggested using a standard drawing with all of the leases. Mr. Nichols, City Attorney, said it could be more helpful if Mr. Coyle showed the whole airport map that showed where the hangars were and included the legal description.

Council Member Aymon moved to approve termination of the existing lease of Hangar 705 (known to Valley County as Hangar 714) from Kasey Lindsay at the time of closing and subsequently approve the new lease for Hangar 705 to C&H Hangar LLC and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Aymon, Council Member Scott, and Mayor Bailey all voted aye and the motion carried.

AB 13-139 Hangar 202 Lease Termination and Establishment of a New Lease

Nathan Coyle, Airport Manager, presented the lease termination and lease agreement of Hangar 202. Mr. Coyle noted the language was similar to the lease of Hangar 705.

Council Member Scott moved approve termination of the existing lease of Hangar 202 from Jack Magee at the time of closing and subsequently approve the new lease for Hangar 202 to Ryno Works, Inc. 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, and Mayor Bailey all voted aye and the motion carried.

AB 13-142 Authorization for the Destruction of Records – Resolution 13-14

Mayor Bailey noted a box of Police Department documents were identified to have exceeded the retention time limits established by the City's records management policy. Resolution 13-14 would authorize the City Clerk to provide notice to the Idaho Historical Society of the intent for the destruction of the records and allow them the opportunity to request any documents they deem to have historical significance. All documents not requested to be saved by the Idaho Historical Society would be destroyed.

Council Member Aymon moved to adopt Resolution 13-14 allowing the destruction of documents and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Aymon, Council Member Scott, Mayor Bailey all voted aye and the motion carried.

AB 13-134 Local Option Tax Collection Discussion

Mayor Bailey led the discussion regarding the collection practices for the LOT funds. In response to an email received, Mayor Bailey expressed concern that the City could do more to provide the public with information of how many accommodators participate in Local Option Tax collection. Mr. Nichols, City Attorney, cautioned it was not legal to provide revenue numbers. Council discussed methods of monitoring addresses of vacation rentals.

AB 13-148 Request for approval to allocate additional funds from Council Contingency to the Centennial Park Monument plaques

Mayor Bailey requested Council consider allocating \$1500 from the Council Contingency to the Centennial Park Monument plaques. The City Treasurer verified that funds were available in the Council Contingency FY13 budget.

Mayor Bailey moved to approve allocating \$1500 from the Council Contingency to the Centennial Park Monument plaques and authorize the mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote, Mayor Bailey, Council Member Aymon, Council Member Scott voted aye and the motion carried.

There was a brief discussion about locating the McCall mayors prior to 1911. Mayor Bailey noted that McCall was in Idaho County prior to 1911.

CONSENT AGENDA

Staff recommended approval of the following items:

1. City Council Regular Meeting Minutes – April 25, 2013
2. City Council Regular Meeting Minutes – May 23, 2013
3. Warrant Registers
4. Payroll Report for Period ending August 2, 2013
5. Alcohol and Catering Licenses Activity Report

There was a brief discussion on the April 25, 2013, and May 23, 2013 minutes.

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

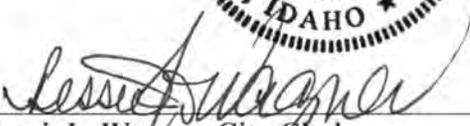
Mayor Bailey clarified annexation requirements. There was a brief discussion on commercial business dumpsters.

ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 8:30p.m.

ATTEST:




BessieJo Wagner, City Clerk


Donald C. Bailey, Mayor



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City Council Presentation
August 22, 2013

I am Brant Meckel, representing Tony Meckel Excavating, but also standing up for the citizens and businesses of Valley County

In our letter and packet of documents to the City Council you see how we have been actively involved with Valley County for years to insure that a new contract with Lakeshore is sensible and fair for all citizens. But sections of a well intended contract that McCall and Cascade have signed with Lakeshore Disposal are destructive to commerce and free enterprise. Lakeshore does not only want to transport our household waste and recyclables – they want it all. By twisting wording around, Lakeshore has acquired 10 years of exclusive rights to materials they have no business claiming as exclusively theirs.

It's legitimate for a city's solid waste contract to insure uniform collection dates and rates for public health and safety. But these concerns do not apply to construction waste and debris, discarded landscaping or yard cleanup, remodeling projects and the like. Everyone should have the right to choose who they hire and who hires them to collect and transport the above. That is a fair and open market. A City Council should protect these rights for the citizens.

We are shocked. How was this crucial section of the new contract overlooked? During a time where cautious optimism is on the rise after our country's recession, it makes very little sense to take this away from an industry that was impacted so drastically and give it to an industry that was impacted very little by the recession, if at all.

We have sought answers to these questions from the City Council meeting minutes, the City Clerk, Manager, and Mayor and have found it was not the council's intent to harm other businesses. At a City Council meeting on February 28th McCall City Attorney Bill Nichols clarified, "...that if there were exceptions such as tree removal, yard debris, or construction waste, the code needs to be clear." But the code was not made clear. It used weak language and allowed Lakeshore's attorneys to overpower your good intentions. Unfortunately small business owners will be suffering the consequences for a decade because now Lakeshore dominates – there is no competition. There is no longer conducting business as usual without the threat of a lawsuit or Lakeshore claiming the authority to police each job site.

Let's back up, work together, and fix this problem. This contract must be put right and amended. We are asking the council to talk with us, reply to the answers we seek and place us on the agenda so we can notify other businesses of what is coming their way. You need to hear from the community as much as we need to hear from the council.

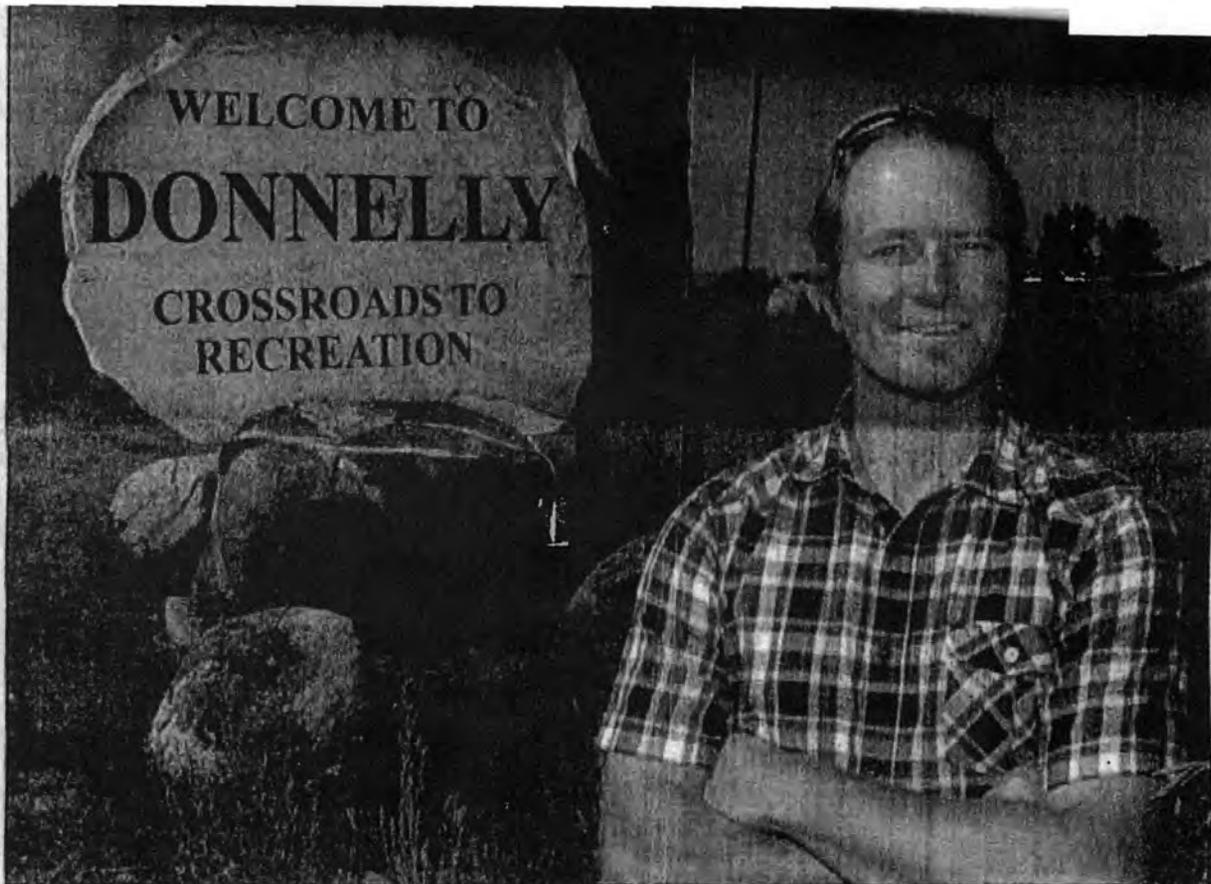
• Lot Clearing • Road Building • Foundations • Septic Systems • Utility Hookups • Bank/Slope Retainment • Ponds • Demolitions

• Road Mix • Sand • Gravel • Drain Rock • Pit Run • Screened Top Soil • Landscaping Boulders

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Gene, you told us it was embarrassing when the contract was recently amended. This may be uncomfortable, but we all understand that amendments strengthen and enrich our laws and protect citizens. We are very proud of the painstaking amendments made to our constitution. It may take a few sessions to modify the contract but remember it has taken us 34 years to build our business. And if the contract is left as is will damage the many businesses that perform this type of work. Don't allow paperwork or pride to discourage this sensible and commendable improvement to our community.

Thank you for your time.



Star-News Photo by Tom Grote

Above, Donnelly Mayor Brad Backus stands in front of the new Donnelly entry sign on the south side of the city. Inset, the new city logo that will appear on city buildings and facilities.

*'We had to catch up with current times.
Recreation is the driving force of our economy.'*

— Brad Backus