

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
June 12, 2014**

Agenda

Call to Order and Roll Call
Approve the Agenda
Department Reports
Pledge of Allegiance
Public Comment
Business Agenda
Consent Agenda
Executive Session
Open Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Aymon called the regular meeting of the McCall City Council to order at 5:30 p.m. Councilor Giles, Mayor Aymon, and Councilor Swanson all answered roll call. Councilor Scott and Councilor Witte were absent.

City staff present was Gene Drabinski, City Manager; Bill Nichols, City Attorney; Justin Williams, Police Chief; Dennis Coyle, Parks and Recreation Director; Eric McCormick, Golf Superintendent; Linda Stokes, Treasurer; and Laura Wilson, Deputy City Clerk.

APPROVE THE AGENDA

Councilor Swanson moved to approve the amended agenda as submitted. Councilor Giles seconded the motion. In a voice vote all members voted aye and the motion carried.

REPORTS

Gene Drabinski, City Manager, updated Council on the status of cross training by the Public Works staff and Payette Lakes Sewer District's staff.

Dennis Coyle, Parks and Recreation Director, updated Council on the number of seasonal employees. He stated the department is still looking to hire one person.

Councilor Witte arrived at 5:33 p.m.

Justin Williams, Chief of Police, updated Council on the Police Department sponsored bike rodeo. He stated about 50 youth attended and would like to coordinate with other events for the next year. He also informed Council of the status of the automated traffic speed sign, and stated the arrival should be in the fall of 2014.

Mayor Aymon requested an update on Treasure Valley Transit's transit bus route. Gene Drabinski, City Manager, briefed Council that a representative from Treasure Valley Transit would be at the budget work session and would be able to inform Council of any changes in the route.

Nathan Coyle, Airport Manager, updated Council on the status of the Airport land acquisition. Mr. Coyle also explained the process of the hangar inspections, noting the last inspections were performed in 2006.

Eric McCormick, Golf Course Superintendant, updated Council on the clubhouse operations and the condition of the golf course irrigation heads and greens.

The Council received copies of the following Committee Minutes:

1. Airport Advisory Committee – April 3, 2014
2. Environmental Advisory Committee – March 18, and April 15, 2014
3. Historic Preservation Commission – January 21, 2014
4. McCall Public Library Board – February 27, and April 15, 2014
5. McCall Improvement Committee – April 3, 2014
6. McCall Redevelopment Agency – April 15, 2014
7. Planning and Zoning Commission – April 1, and May 6, 2014
8. Public Art Advisory Committee – April 23, 2014
9. McCall Tree Advisory Committee – March 4, 2014

Councilor Giles volunteered to serve as a liaison for the Library Board.

There was a brief discussion on the Airport Advisory Board minutes and the Historic Preservation Commission minutes.

Mayor Aymon led the audience in the Pledge of Allegiance at 5:50 p.m.

PUBLIC COMMENT

Mayor Aymon called for public comment at 5:50p.m.

Tim Garber, owner of The Mill, commented on the odor from the sewer treatment ponds. Mr. Garber also commented on the proposed smoke free ordinance. Mr. Garber stated he did not like that Council was dictating how he should run his business.

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

BUSINESS AGENDA

AB 14-116 Golf Advisory Committee Member appointment – Roger Snodgrass

Eric McCormick, Golf Superintendant, presented the letter of interest from Roger Snodgrass, who requested appointment to the Golf Advisory Committee. Mr. McCormick stated the Golf Advisory Committee recommended that Council approve the appointment. Mr. McCormick provided Council with a brief history on Mr. Snodgrass. Councilor Giles asked Mr. Snodgrass if he would continue to serve on the board during times of controversy. Mr. Snodgrass noted he would and it was time to start working for the City again.

Councilor Witte moved to appoint Roger Snodgrass to the Golf Advisory Committee. Councilor Swanson seconded the motion. In a voice vote all members voted aye and the motion carried.

AB 14-109 Live Music by the Lake Request to Extend the Noise Ordinance

Salmon River Brewery submitted a request to have the noise ordinance extended until 11:00 pm on each Saturday 6/14, 6/21, 6/28 7/5, 7/12, 7/19, 7/26, 8/2, 8/9, 8/16, 8/23, 8/30, 9/6, 9/13, 9/20, 9/27 and on the Fourth of July 2014 until 1:00 a.m. The request was for live music in Carey Park.

Justin Williams, Chief of Police, shared his concerns on suspending the ordinance and recommended Council, not the Chief of Police and City Clerk, be responsible for suspending an ordinance. He also commented that he anticipated receiving complaints from the citizens of McCall regarding the noise and suggested contacting the residents around Salmon River Brewery for input.

Dennis Coyle, Parks and Recreation Director, stated that the impact of the music on Legacy Park would be minimal due to nothing being scheduled on those evenings.

Matt Hurlbutt, Salmon River Brewery co-owner, 300 Colorado Street, briefed Council of safety measures that would be put in place during the suggested evenings. He also received permission from the property owner to rent the park and host live bands. Mr. Hurlbutt stated his goal was to create a sustainable event that would draw people to McCall. He commented that if the events created an issue with the public, Salmon River Brewery would not pursue the live music. There was a brief discussion on the noise level and who had control of the volume. Mr. Hurlbutt explained the Salmon River Brewery staff had control of the sound. Councilor Giles commented it would be setting a big precedence and could erode the noise ordinance to suspend the ordinance for activities other than big events. Mr. Hurlbutt suggested trying the live music until 11 p.m. on June 14 and get feedback.

Councilor Swanson stated he did not see any problems with the idea and did not believe it was an erosion of the City Code. He stated the event was permitted and the permit could be revoked, which Councilor Swanson said it was an ok idea. He also commented that owner gave it the ok and that he was in favor.

Council appreciated Mr. Hurlbutt's willingness to cooperate with the public and Council. Chief Williams commented that if the noise ordinance was suspended the enforcement of the code would also be suspended. He cautioned if an exception was made for one business, Council may have to do it for others. There was a short discussion whether the activity would be considered a violation of the noise ordinance or disturbing the peace.

Roger Snodgrass, 205 Colorado, stated he lived peacefully with Salmon River Brewery for several years and the live music never bothered him. He said the clientele was respectful and suggested Council give Salmon River Brewery the opportunity. Council discussed offering Salmon River Brewery a trial run and discussed options of dates to allow the events.

Bill Nichols, City Attorney, commented on McCall City Code 5-5-030(G)1. Mr. Nichols stated the difference between intentionally disturbing the peace and events that may provide a benefit to the community. Mr. Nichols noted disturbing the peace also applied to the operation of heavy equipment between 10 p.m. and 6 a.m. Gene Drabinski, City Manager, also noted that the majority of calls he received regarding noise were related to heavy equipment beginning too early in the morning.

Council discussed trying the live music on the Saturdays in June or through July 4 and revisit the subject after July 4th. Council also discussed the impact of not enforcing the code. Mr. Nichols suggested clarifying the ordinance.

Council directed Mr. Drabinski to work with Community Development to notify the surrounding residents of Salmon River Brewery regarding the live music.

Councilor Swanson moved to approve extension of noise ordinance for Salmon River Brewery events located at Carey Park, through the 5th of July and authorize the Mayor to sign the application for permit. Councilor Giles seconded the motion. In a roll call vote Councilor Swanson, Councilor Giles, Mayor Aymon, and Councilor Witte all voted aye and the motion carried.

AB 14-118 Issuance of a Letter Permitting the Use of Rotary Park for the Construction of the Lardo Bridge Pending the development of an Agreement Detailing the Conditions of Use (Added 6/9/14)

Dennis Coyle, Parks and Recreation Director, stated that RLW Company was requesting temporary use of part of the Rotary Park for staging of the construction of the new North Fork Payette River Bridge. The City of McCall must agree that the use of the property or public use of the park would not be adversely affected. Mr. Coyle stated RLW was asking for the letter in order to proceed with the planning for the construction of the Lardo Bridge. He stated he was prepared to recommend the use of said property, pending the execution of a satisfactory agreement. Mr. Coyle clarified that the restrooms would be open during the construction period.

Councilor Witte moved to approve the issuance of the letter permitting the use of Rotary Park for the construction and authorize the Mayor to sign the letter. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon, and Councilor Giles all voted aye and the motion carried.

Mr. Coyle stated ITD as requested would be seeking public comment on the project.

AB 14-113 Chamber of Commerce July 4, 2014 Celebration Approvals

Laura Wilson, Deputy City Clerk, presented McCall Area Chamber of Commerce's request and application pertaining to the July 4, 2014 Holiday. The Chamber of Commerce submitted a Request for Extension of the Noise Ordinance and the Fireworks Permit for Council approval. The July 4, 2014, Event Plan, Alcohol Plan, and Request for Road Closure were also submitted to Council.

Justin Williams, McCall Chief of Police, clarified the open container suspension would be for a designated area. He also spoke with Council regarding the process for suspending the open container ordinance. He requested the ordinance suspension should be done by Council rather than on an administrative level. He asked that Council determine who needs to have the power to be able to suspend a city code. He stated the current process had no checks and balances.

Council discussed the process of suspending the open container ordinance. Bill Nichols, City Attorney, commented the process of the Police Chief and Clerk authorizing the ordinance suspension may have been a policy from previous City Council members. He suggested Council review the policy. Mayor Aymon stated she wanted the subject to be placed on the Upcoming Meeting Schedule for the near future.

Councilor Witte moved to approve the request and extension of the noise ordinance and the fireworks display permit for July 4, 2014 and authorize the Mayor to sign all necessary documents pending receipt of all necessary documents. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon and Councilor Giles all voted aye and the motion carried.

AB 14-110 Sabala Foundation Fireworks Display - Approval

Laura Wilson, Deputy City Clerk, presented the Sabala Foundation request and application for a June 28, 2014 Fireworks Display for the RJS Foundation Tournament. The Fireworks Display would be free and open to the public.

Councilor Witte expressed concerned regarding the 11:30 p.m. end time listed on the application. She stated 11:30 p.m. was too late for fireworks and suggested approving the display until 11p.m. There was a brief discussion on the time for the firework display and it was noted the 2013 application was approved until 11:30 p.m.

Councilor Giles moved to approve the fireworks display permit for June 28, 2014 and amend the end time to 11 p.m. and authorize the Mayor to sign the application for permit. Councilor Witte seconded the motion.

Discussion on the motion:

Mayor Aymon commented it was a big fundraiser, only one night, and Council approved the permit until 11:30 in prior years. She stated she did not have an issue with the 11:30 end time. Councilor Swanson agreed. Councilor Giles and Councilor Witte did not agree and stated that the 11:30 p.m. was not necessary.

In a roll call vote Councilor Giles, Councilor Witte, and Councilor Swanson voted aye, Mayor Aymon voted no and the motion carried.

AB 14-115 Review of a Draft Smoke Free Ordinance

Gene Drabinski, City Manager, presented a brief history of the Smoke Free Ordinance process.

Russell Duke, Central District Health Department Director, stated his appreciation that Council displayed the leadership to bring the smoke free subject forward. He shared information obtained from surveys among high school students and other statistics on smoking. Mr. Duke briefed Council of the process Boise went through to pass a smoke free ordinance. He shared the feedback that was received from the mayor and the police chief after Boise's ordinance was passed.

Mr. Duke and City Council discussed various methods of tobacco use prevention. Stacy Satterlee, American Cancer Society Cancer Action Network, stated that there were three areas that would assist in tobacco prevention; make tobacco more expensive, strong education and cessation programs, and passing a smoke free ordinance and changing social norms.

Suzanne Mack, 166 Fox Lane, stated that passing an ordinance would reach a broader group of people rather than smoking cessation classes.

Gene Drabinski commented on the memo he had submitted to Council and the conversation he had with Beth Grey. Mr. Drabinski stated his opinion was that the ordinance was the wrong point of entry for the city. He stated that the citizens would view the ordinance as an overreaching effort by the Council. Mr. Drabinski also stated the ordinance should be passed after cultural programs were in place first. He suggested providing interventions and education in place prior to the ordinance.

Tim Garber, Beside the Mill, stated that his business does not allow anyone under the age of 21 in the business and many of his customers are veterans. He stated he did not approve of telling the customers how to live their life by restricting smoking in his business.

Mike Eckhart, Deinhard Lane, clarified areas that should be nonsmoking. He suggested that smoking areas be designated to alleys rather than the sidewalk. He stated that it would prevent citizens walking through a bunch of cigarette smoke.

Councilor Swanson noted that some of the issues are working themselves out. He also stated that enforcement at places like the Golf Course and parks would be difficult. He suggested to restrict smoking in the high traffic areas and also to create designated smoking areas. Councilor Swanson stated he supported portions of the draft ordinance. Councilor Giles stated he supported the entire ordinance. He suggested scheduling a work session to review the details of the draft ordinance. Councilor Witte requested Council receive Chief Williams' opinion on the ordinance and his suggestions on how to enforce it.

There was Council consensus to direct staff to schedule a work session to fine tune the ordinance, seek public comment, and to read the ordinance three times in its entirety prior to voting on the ordinance. Mayor Aymon requested that staff invite hotel and motel owners, manager of the care center, gas station and market owners, and local bar owners.

AB 14-117 Council Discussion Regarding the Concerns of the Smell at the Wastewater Treatment Ponds

Gene Drabinski, City Manager, stated that the City had received concerns from the community about the smell at the wastewater treatment ponds. Mr. Drabinski presented a memo that Peter Borner, Public Works Director, created for Council that explained the cause of the odor, Attachment 1. Stacey LaFay, Public Works employee, described how treatment pods worked and the issue of sludge build up. He stated the short term solution would be to include masking agent to alleviate the odor. The long term solution is to remove the sludge and increase aeration of the ponds.

Mike Eckhart, 260 W Deinhard, stated that the odor was worse this year. He informed Council of a leakage into the river and what has happened over the years with the treatment ponds. He estimated between five hundred thousand to one million gallons are leaking into the river.

Jarrod Alexander, 1620 Lake Ridge Drive, expressed concern regarding his development that is near the treatment ponds.

Dan Randall, 202 Sunny Way, stated he has lived in McCall for 18 years and knew the smell would happen every year, and it was not a problem. He commented that this year the smell was horrid. Mr. Randall confirmed the leakage into the river.

Mayor Aymon suggested a long work session with Mr. LaFay, Dale Kaza, Peter Borner, IDEQ and neighbors of the treatment pond to educate Council on how the ponds work, what the deficiencies are, and ways to mitigate the problems. There was Council consensus to schedule a special work session to discuss the wastewater treatment ponds.

AB 14-112 Contingent Revenue and Contingent Expense Line Item Transfer for Unanticipated Revenue – Approval

Linda Stokes, City Treasurer, informed Council that the City of McCall was awarded \$23,500 from the Idaho Transportation Department Office of Highway Safety for traffic enforcement mobilization during FY14 for overtime reimbursement and equipment incentives, \$5,596 from Idaho State Police Edward Byrne Memorial Justice Assistance Grant Program to purchase tactical vests for the McCall Police Department, and \$15,000 from Capital Matrix for planning expenditures for the Downtown Master Plan. She stated the City filed insurance claims totaling \$10,938 to ICRMP for damage to two police vehicles, a street lamp (light post), and for damage to City servers & components due to voltage irregularities. She stated that Community Development, GIS Department were able to sell surplus GIS Equipment for \$1,287 and due to efforts of the Public Art Committee the City received \$450 in donations. Mrs. Stokes commented that the revenues were not included in the FY14 budget and in order to use the funds in FY14, contingent revenue and contingent expense line item transfers must be made.

Councilor Witte moved to approve the contingent revenue and contingent expense line item transfers. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon and Councilor Giles all voted aye and the motion carried.

AB 14-111 Assumption of lease for Greystone Village #3, Lot 9, Block 3, from Thomas K. Burke to AnnMarie Halverson – Approval

Laura Wilson, Deputy City Clerk, presented the City of McCall's lease agreement with Thomas K. Burke for a single lot on McCall Avenue. Mr. Burke would like to sell his home AnnMarie Halverson and she would assume the land lease for Lot 9.

Councilor Witte noted an error on the Consent to Encumbrance on line two to change "his" to "it's."

Council requested clarification on the market value of the lot. Bill Nichols, City Attorney, explained that the Valley County Assessor does not value City property, so there is not an alternate value to use. Mr. Nichols noted he made suggestions on obtaining alternate market values. He also noted the attorney fees that would be incurred for attorney opinion letter. There was discussion that the attorney fees would be covered on future lease transfers.

Councilor Witte moved to authorize the transfer of the land lease for Greystone Village #3, Lot 9, block 3, from Thomas K. Burke to AnnMarie Halverson, and authorize the Mayor to sign all necessary documents. Councilor Giles seconded the motion. In a roll call vote Councilor Witte, Councilor Giles, Mayor Aymon, and Councilor Swanson and all voted aye and the motion carried.

AB 14-114 Surplus Property – Resolution14-10 – Approval

Laura Wilson, Deputy City Clerk, presented the Surplus Property Resolution. She stated that the auction would be held in September. She also noted that Council would receive another surplus property list from the remaining City departments prior to September's auction.

Councilor Witte moved to adopt Resolution 14-10 authorizing the sale of surplus property and the Mayor to sign all necessary documents. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon, and Councilor Giles all voted and the motion carried.

Upcoming Meetings Schedule Discussion

Gene Drabinski, City Manager, requested adding the CIP draft consensus document to the June 27 workshop.

Linda Stokes, Treasurer, commented on the July 21 tentative budget adoption and the need to hold the meeting in the evening. There was Council consensus to hold the meeting in the evening.

Gene Drabinski suggested Council attend the training for roles and responsibility for library board.

CONSENT AGENDA

Staff recommended approval of the following items:

1. Council Regular Minutes – April 24, 2014
2. Council Special Minutes – May 30, 2014
3. Payroll Report for Period ending April 23, 2014
4. Warrant Registers

Councilor Swanson moved to approve the Consent Agenda with the minutes amended. Councilor Giles seconded the motion. In a voice vote, all voted aye and the motion carried.

EXECUTIVE SESSION

At 8:30 p.m., Mayor Aymon moved to go into Executive Session for Personnel – Pursuant to Idaho Code §67-2345(1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Councilor Swanson seconded the motion. In a roll call vote, Mayor Aymon, Councilor Swanson, Councilor Giles, and Councilor Witte all voted aye and the motion carried.

Council discussed personnel issues.

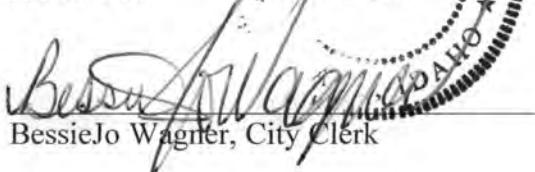
RETURN TO OPEN SESSION

At 8:45 p.m., Mayor Aymon moved to return to Open Session. Councilor Witte seconded the motion. In a voice vote, all voted aye and the motion carried.

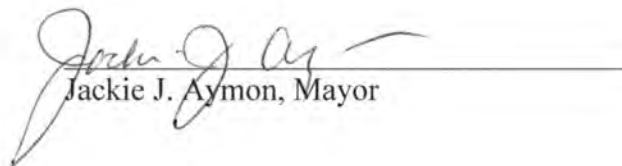
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 8:46 p.m.

ATTEST:


Bessie Jo Wagner, City Clerk




Jackie J. Aymon, Mayor

Memo

To: City council
From: Peter Borner, Public Works Director
Date: June 12, 2014
Re: WWTP Odor Issue

It has come to the attention of the Public Works Department of continuing obnoxious odors emanating from the city's Waste Water Treatment Facility and/or the Winter Storage Pond.

At both the Waste Water Treatment Plant and Winter Storage Pond, odors are usually attributable to sludge removal or exposure of sludge to the air. Odors may also be attributable to pond or lagoon turnover. This phenomenon occurs less frequently especially in smaller ponds and lagoons. In theory, when surface water cools (such as in the fall) it will then sink allowing the warmer water on the bottom to rise. It is this warmer water that may contribute to odors. The last cause of odors is incomplete treatment of sewage effluent.

Current practice has been for Treatment Division personnel to clean and remove the sludge in the chlorine contact basin (where chlorine disinfection is applied to the treated effluent) out annually (typically in the fall) and place those waste products in a ½ acre grit pond or on one of the sand filters. During this time until the sludge oxidizes, there will be a noticeable odor. Wind direction will determine which areas of the city will notice the odor more.

More recently, it has become apparent that sludge has become more problematic in the treatment process to the point where sludge buildup in the chlorine contact basin and/or the Winter Storage Pond is becoming more prevalent. Sludge removal in the chlorine contact basin will now occur more frequently each year. This will allow for smaller quantities of sludge to oxidize and thus in theory, the odors will be of less duration.

The City of McCall continues to produce "Class B" effluent. However, due to the amount of sludge in all three (3) of the WWTP treatment lagoons, this treatment will become exceedingly more difficult.

Public Works is aware of the issue and is currently working on a long term strategy to address both the odors and the excess sludge. There are several issues to deal with in handling the “sludge problem.”

1. The existing liners on the treatment lagoons are clay. If the clay liner becomes dry during the sludge removal process, the liner will leak. IDEQ will require a new leak test. If that leak test fails the City will be required to install a synthetic liner.
2. Current estimates (extremely rough) place the sludge content near 50%. This amount of sludge presents major challenges in the future to properly treat raw sewage.
3. How sludge is disposed off is dependent on the type of sludge that we have, i.e. land applied or taken to an authorized disposal facility.
4. During the sludge removal process, damage may occur to our existing, old aeration equipment necessitating immediate replacement versus a systematic program of upgrades.
5. Lastly, during the sludge removal process, odors may become more prevalent for a longer period of time

Interim Steps that are to be taken:

1. More frequent cleaning of the chlorine contact basin may prevent smells from being a long term issue.
2. The Public Works Department has contacted SPF Water Engineers to develop possible solutions to excessive sludge buildup in the chlorine contact basin.
3. Public Works staff has been in contact with IDEQ and is researching other WWTP facilities in Idaho to determine their protocol for handling obnoxious odors and sludge removal, i.e. some type of deodorizer or odor neutralizer.
4. Staff contacted the PLRWSD to ascertain their thoughts on the idea.

Steps to a Long Term Solution:

1. The City needs to determine the amount of sludge at the WWTP. Bill Burke from IRWA will be here the last week of June to make those determinations.
2. The City needs to sample the sludge in all three lagoons and ascertain what type of sludge exists, Class A or Class B.
3. The City needs to determine alternate methods of sludge removal.
4. The City needs to determine the impacts to the existing clay liners and aeration equipment from the preferred method of sludge removal.
5. The City needs to determine if there is a market for sludge in Valley County if it is allowed under IDEQ Rules and Regulations.
6. The City needs to prepare cost estimates for the preferred method of sludge removal.
7. The City needs to budget for sludge removal

