

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
December 18, 2014**

Agenda

Call to Order and Roll Call
Approve the Agenda
Work Session
Pledge of Allegiance
Public Hearing
Public Comment
Presentation
Business Agenda
Consent Agenda
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Aymon called the regular meeting of the McCall City Council to order at 5:31 p.m. Mayor Aymon, Councilor Giles, Councilor Scott (via phone), Councilor Swanson, and Councilor Witte all answered roll call.

City staff present was Bill Nichols, City Attorney; Michelle Groenevelt, Community Development Director; Dennis Coyle, Parks and Recreation Director; Linda Stokes, City Treasurer; Justin Williams, Chief of Police; Traci Malvich, Human Resources Manager; Eric McCormick, Golf Superintendent; Cris Malvich, Streets Supervisor; Carol Coyle, Grant Coordinator; Peter Borner, Public Works Director; Nathan Coyle, Airport Manager; Nathan Stewart, City Engineer; Erin Roper, Communications Officer; and BessieJo Wagner, City Clerk.

APPROVE THE AGENDA

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

WORK SESSION

AB 14-232 Affordable Housing Work Session – A potential partnership

Michelle Groenevelt, Community Development Director, presented the Affordable Housing Work Session – A potential partnership to Council. There was discussion about affordable housing within the City of McCall. Chance Hobbs met with City staff to discuss affordable housing ideas. After several meetings and review of previous planning documents, staff suggested an opportunity consistent with the 2005 City of McCall Campus Plan and McCall Area Comprehensive Plan.

Mr. Hobbs presented a concept to the City Council for consideration. The presentation included the following elements:

- Background on affordable housing development group
- Background on Low Income Housing Tax Credit (LIHTC) program
- Opportunity to develop a mixed use/mixed income facility
- Development Team/Design Group
- Feasibility/City lease of ground
- Long term ownership structure
- Timeline

There was general Council consensus to direct staff to draft a letter of commitment for the long-term lease of City property to be used for affordable housing and a community service center.

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

PUBLIC HEARING

AB 14-233 Short-term Rental Ordinance Adoption: Amendment to Title 3, Chapters 2 and 3 to require a Conditional Use Permit for short-term rentals with occupancy of 20 or more persons

Michelle Groenevelt, Community Development Director, presented the Short-term Rental Ordinance to Council. The amendment to McCall City Code Title 3, Chapters 2 and 3 to include a definition of short-term rental and clarifying other terms, and amending residential land use regulations to require a Conditional Use Permit for short-term rentals with occupancy of twenty or more persons.

The proposed ordinance would go into effect on January 1, 2016 to allow adequate time for approval of CUPs for large short-term rentals and the alignment with annual business license renewals. At the November 4, 2014 meeting, the McCall Area Planning and Zoning Commission held a properly noticed and regularly scheduled public hearing and unanimously recommended the zoning ordinance for approval.

There was general discussion to clarify the code amendment for Council. It was clarified that any existing short-term rentals for 20 or more would receive CUP; however it would give the City an opportunity to regulate the short-term rental through conditions set during the process.

Mayor Aymon opened the public hearing for Short-term Rental Ordinance Adoption: Amendment to Title 3, Chapters 2 and 3 to require a Conditional Use Permit for short-term rentals with occupancy of 20 or more persons at 6:14 p.m.

Les Bechdel, McCall Resident, expressed concern with the Holland House in his neighborhood stating that he was concerned with health issues related to septic capacity. He was also concerned with the possibility of fire. He was in favor of the code amendment; however, would like the number threshold that initiates the CUP process to be lower for health and safety issues.

David Holland comment was read into the record by Michelle Groenevelt:
“Dear City Council Members;

I am sorry that I cannot be in attendance tonight; I have been called out of town on some family business. I wanted to be able to express my thoughts concerning the possibility of new regulations in regards to Vacation Homes. I certainly understand concerns regarding parking and fire; however I am concerned about how far the Council wants to go in imposing new regulations that affect personal property rights. The desire for families to be together under one roof while they vacation I believe is very apparent and I don't really believe that anyone would want to discourage the opportunity for this to take place, when there are so few homes where this can take place. My hope is that you will be able solve your concerns by targeting the problem areas without blanketing all large vacation homes and discourage their continuance. Thank you for serving our vacation community and taking the time to listen to our concerns.
Sincerely, David K. Holland"

Michelle Groenevelt addressed the concern expressed regarding fire safety stating that it could be part of the CUP process. She also clarified that the City does not regulate septic capacity. Ms. Groenevelt clarified that the CUP process is a onetime process for the property.

Bill Nichols, City Attorney, clarified that if there are violations of the conditions, then the City could invoke a revocation of the CUP.

Les Bechdel stated that he felt that running a business in a residential neighborhood was the problem and that it needed to be addressed.

Hearing no further comments Mayor Aymon Closed the Public Hearing

There was general Council discussion regarding whether or not 20 was the correct number to spur the CUP process.

Councilor Giles moved to Suspend the rules, read by title only, one time only, Ordinance No. 930, amending Title 3, Chapter 2 and Chapter 3. Councilor Swanson seconded the motion. In a roll call vote Councilor Giles, Councilor Swanson, Mayor Aymon, Councilor Scott and Councilor Witte all voted aye and the motion carried.

BessieJo Wagner, City Clerk read by title only, one time only Ordinance 930:

An Ordinance of the City Of McCall, a Municipal Corporation of the State of Idaho, Valley County, Idaho amending McCall City Code Title 3 Chapter 2 and Chapter 3; Amending Section 3.2.02 *Meanings Of Terms Or Words* to include a definition of short-term rental and clarifying dwelling, rooming house and hotel or motel; Amending Section 3.3.02 *Table* residential use regulations to require a Conditional Use Permit For Short-Term Rentals with occupancy of twenty or more persons; and providing an effective date.

Councilor Witte moved to Adopt Ordinance No. 930, amending Title 3, Chapter 2 and Chapter 3, approve the publication of the summary, 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, Councilor Scott, and Councilor Swanson all voted aye and the motion carried.

PUBLIC COMMENT

Mayor Aymon called for public comment at 6:33 p.m.

Les Bechdel asked about the health and safety issues, Ms. Groenevelt responded stating that those issues would be considered during the process of the CUP.

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

PRESENTATIONS

AB 14-239 Employee Service Awards Presentation

Traci Malvich, Human Resources Manager, presented the Employee Service Awards. Each year employees are recognized for their years of service in 5 year increments with the City of McCall. Council recognized the following employees and their years of service:

1. Monika A. Trapp – 15 Years
2. Linda K. Stokes – 15 Years
3. Leland “Billy” Romero – 15 Years
4. Kurt Wolf – 5 Years
5. Garrett P. Mapp – 5 Years
6. Brian Holbrook – 5 Years
7. Benjamin L. Gau – 5 Years
8. Rocky R. Fennessy – 5 Years
9. Susan L. DeVere – 5 Years
10. Dennis M. Coyle – 5 Years

BUSINESS AGENDA

Councilor Scott was recused from the next item.

AB 14-234 Airport Advisory Committee Membership Reappointment – Dan Scott/AAC Chairperson

Dan Scott currently serves as the chairperson of the McCall Airport Advisory Committee (AAC); however his term has reached an end. The enclosed letter from Mr. Scott expresses his interest in being reappointed to the Airport Advisory Committee for another three-year term in accordance with the Airport Advisory Committee Charter. On December 4, 2014, AAC members unanimously voted to recommend that City Council reappoint Mr. Scott to the McCall AAC for a three-year term effective January 1, 2015.

Councilor Swanson moved to reappoint Dan Scott to the McCall Airport Advisory Committee for a three-year term effective January 1, 2015. Councilor Giles seconded the motion. In a voice vote all members voted aye and the motion carried.

Councilor Scott rejoined the Council.

AB 14-240 Contract Renewal with Horrocks Engineers for General Engineering Services

Peter Borner, Public Works Director, presented the Contract Renewal with Horrocks Engineers for General Engineering Services to Council. Horrocks Engineers was originally hired in 2011 after a lengthy selection process. The consulting team includes Horrocks Engineers, SPF Water Engineering, Crestline Engineers, Strata Geotech, and Control Engineers.

In the past 3-1/2 years, The Horrocks Engineering team has successfully completed at least 24 projects, large and small. Among these projects are the 3rd Street Corridor Project Design and Construction Management, Lift Station 7 Design, the I&I Study, Club Hill Boulevard Design and Construction Management, Knowles Road Booster Pump Back-up Power, and work on the Winter Storage Pond

Due to a number of high profile projects in primarily water and wastewater over the next three years, Public Works recommended a contract renewal for an additional three years until January 14, 2018.

Councilor Swanson moved to approve the contract renewal with Horrocks Engineers and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion.

Discussion:

Councilor Witte asked for an explanation of the second paragraph in Section 2.14 on page 4 of 7 of the contract which states:

“Notwithstanding the above, CONSULTANT shall not be relieved of liability to the CITY for damages sustained by the CITY by virtue of any breach of this Agreement by CONSULTANT, and the CITY may withhold any payments to CONSULTANT for the purposes of setoff until such time as the exact amount of damages due the CITY from CONSULTANT is determined. This provision shall survive the termination of this Agreement and shall not relieve CONSULTANT of its liability to the CITY for damages, provided that the amount of such damages shall not exceed the total compensation provided for in Section 3 of this Agreement.”

Bill Nichols, City Attorney, stated that the last part of the last sentence in that paragraph should be stricken from the contract.

“...provided that the amount of such damages shall not exceed the total compensation provided for in Section 3 of this Agreement.”

Councilor Witte also pointed out that in Section 2.15, the reference to Section 2.12 should actually be 2.14.

Councilor Witte made a substitute motion to approve the contract renewal with Horrocks Engineers, with the change that last part of the last sentence in the second paragraph of Section 2.14 “...provided that the amount of such damages shall not exceed the total compensation provided for in Section 3 of this Agreement.” be stricken, in Section 2.15, the reference to Section 2.12 be changed to 2.14 and authorize the Mayor to sign all necessary documents Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon, Councilor Giles, and Councilor Scott all voted aye, and the motion carried.

AB 14-236 Request to Approve Resolution 14-22 authorizing the submission of a Local Highway Technical Assistance Council Surface Transportation Program–Rural Funding application for street reconstruction, widening, and construction of bicycle facilities on Mission Street

Carol Coyle, Grant Coordinator, presented Request to Approve Resolution 14-22 authorizing the submission of a Local Highway Technical Assistance Council Surface Transportation Program–Rural Funding application to Council. The Streets Department’s 10 Year Capital Improvement Plan has identified Mission Street as in need of reconstruction. The McCall Pathways Master Plan has identified Mission Street as a priority project for the development of pathways to connect existing pathways in the area.

The Local Highway Technical Assistance Council (LHTAC) administers federal funding for roadway projects through the Surface Transportation Program (STP-Rural). The Valley Adams Planning Partnership Transportation Committee met in November, 2014 to review and prioritize potential STP-Rural projects from local jurisdictions. The Mission Street project ranked 1st out of five projects and has received full support of the VAPP committee.

The City Engineer and Horrocks Engineers have developed a scope of work and cost estimate for the proposed project of \$1,764,000. The application would require a resolution passed by the City Council indicating that matching funds of 7.34% or \$129,478.00 are a requirement of the funding if awarded.

Councilor Witte asked if the match could be in kind to which Mrs. Coyle responded stating that the match must be in cash.

Councilor Witte moved to approve Resolution 14-22 authorizing the submission of a Surface Transportation Program-Rural application for the reconstruction of Mission Street and authorize the Mayor to sign all necessary documents. Councilor Giles seconded the motion. In a roll call vote Councilor Scott, Councilor Swanson, Mayor Aymon, Councilor Giles, and Councilor Witte all voted aye, and the motion carried.

AB 14-238 Request to approve a Letter of Interest for a Water Planning Grant through Idaho Department of Environmental Quality

Peter Borner, Public Works Director, presented the request to approve a Letter of Interest for a Water Planning Grant through Idaho Department of Environmental Quality to Council. Each year, the Idaho Department of Environmental Quality (IDEQ) solicits “Letters of Interest” (LOIs) from entities providing drinking water and wastewater services, to establish a statewide priority list for planning grants and State Revolving Fund construction loans. Planning grants provide up to 50% of the cost of developing a facility plan and environmental information document in preparation for project design and construction for wastewater or drinking water systems.

The first Water Master Plan was developed in 1988. Since that time there have two revisions and one addendum. Their first revision came in 1993 and the second revision was developed in 2001. Then in 2008, an Addendum was developed to the original Water Master Plan with the accompanying two revisions in 1993 and 2001. Much has changed between 1988 and today. Population, population growth rate, and new and increased regulation by IDEQ and the EPA are all factors that necessitate a new Water Master Plan. The estimates to develop a new Water Master Plan are \$130,000.

LOI applications are due January 2, 2015 and announcement of funding is expected by June 2015. The project would take place in FY16 and matching funds from the Water Department would be programmed in the FY16 budget.

Councilor Giles moved to approve submission of a FY16 Letter of Interest application to the Idaho Department of Environmental Quality for a Water Planning Grant and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. In a roll call vote Councilor Giles, Councilor Witte, Mayor Aymon, Councilor Scott, and Councilor Swanson all voted aye, and the motion carried.

AB 14-237 Request to approve a Letter of Interest for a Wastewater Planning Grant through Idaho Department of Environmental Quality

Peter Borner, Public Works Director, presented the Request to approve a Letter of Interest for a Wastewater Planning Grant through Idaho Department of Environmental Quality to Council. Each year, the Idaho Department of Environmental Quality (IDEQ) solicits “Letters of Interest” (LOIs) from entities providing drinking water and wastewater services, to establish a statewide priority list for planning grants and State Revolving Fund construction loans. Planning grants provide up to 50% of the cost of developing a facility plan and environmental information document in preparation for project design and construction for wastewater or drinking water systems.

The City of McCall has been meeting and negotiating with IDEQ on the proposed 4th Amended Consent Order. IDEQ is requesting that a Groundwater and Payette River Monitoring Study be conducted before a decision is made to conduct a feasibility study. SPF Water Engineering has developed a scope of work for the study with the requisite laboratory testing to complete this item and prepare an Environmental Information Document for review by IDEQ. Based upon the results of the initial study, a feasibility study may need to be prepared detailing additional work to bring the Winter Storage Pond into compliance. Estimated costs for the study are \$96,618 and \$28,000 for the laboratory testing.

LOI applications are due January 2, 2015 and announcement of funding is expected by June 2015. The project would take place in FY15/FY16 and matching funds from the Sewer Fund would be programmed in the FY15/FY16 budget.

Councilor Swanson moved to approve submission of a FY16 Letter of Interest application to the Idaho Department of Environmental Quality for a Wastewater Planning Grant and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. In a roll call vote Councilor Swanson, Councilor Witte, Mayor Aymon, Councilor Giles, and Councilor Scott all voted aye, and the motion carried.

AB 14-241 City of McCall Environmental Advisory Committee (EAC) Annual Report to Council

Morgan Zedalis, the Environmental Advisory Committee Chair presented their Committee’s annual report.

AB 14-242 Request to Approve Resolution 14-21 adopting the amended Recreation Fees Policy

Dennis Coyle, Parks and Recreation Director, presented the request to Approve Resolution 14-21 adopting the amended Recreation Fees Policy to Council. The McCall Parks and Recreation

Director has requested that the Council adopt Resolution 14-21 to amend the Recreation fees policy, Section 3 (A) to allow cash refunds for participants wishing to withdraw from a program prior to a program beginning and to strike the clause in Section 3 (B) 2 “The participant is moving out of the area”. Staff feels that this clause is not needed. Not allowing a cash refund can be seen as poor customer service and may create hardship on our customers. As the vast majority of refund requests are in our youth programs which typically have high registration numbers the few cash refund requests we receive will not have negative effect on our cash flow.

Staff has clarified the language in the refund section of Resolution 14-21.

Councilor Witte moved to approve Resolution 14-21 to amend the recreation fees policy and authorize the Mayor to sign all necessary documents. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon, Councilor Giles, and Councilor Scott all voted aye, and the motion carried.

AB 14-235 Request to approve Resolution 14-23 to adopt the 2014 Payette River Scenic Byway Corridor Management Plan

Michelle Groenevelt, Community Development Director, presented the Request to approve Resolution 14-23 to adopt the 2014 Payette River Scenic Byway Corridor Management Plan to Council. The Payette River Scenic Byway (PRSB) is a National Scenic Byway, designated in 1977, that begins in Boise, extends 112 miles along State Highway 55, passes through the communities of Horseshoe Bend, Cascade, Donnelly, and McCall, and ends at New Meadows. The activities of the PRSB are guided by a ten-member advisory council representing the four counties and six cities along the byway. Delta James, City Planner, is the City of McCall representative.

The PRSB updated their Strategic Plan in January, 2014 and asked the counties and cities along the byway to adopt the 2014 updated Corridor Management Plan. To date, Valley County and the City of Cascade have adopted the plan and the other cities and counties along the byway are scheduled to consider adoption in the coming months.

Councilor Witte moved to approve Resolution 14-23 to adopt the Payette River National Scenic Byway Corridor Management Plan as a planning document for the City of McCall 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, Councilor Scott, and Councilor Swanson all voted aye, and the motion carried.

AB 14-244 Approval Request for the FY 14 Annual Road and Street Financial Report

Linda Stokes, City Treasurer, presented the Approval Request for the FY 14 Annual Road and Street Financial Report to Council. Pursuant to IC §40-708, it is state policy that highway user revenues accruing to the state highway account be spent exclusively for the maintenance, construction and development of highways and bridges in the state highway system. All moneys apportioned to cities from the proceeds from the imposition of tax on fuels and from any tax or fee for the registration or operation of motor vehicles for general highway construction and maintenance, bridge and culvert moneys, will be accounted for as to the actual expenditure to the state controller, as dedicated funds through the Annual Road and Street Financial Report. The report is due by December 31st of each year for the preceding fiscal budget year, and is published once as a legal notice between January 1st and January 15th.

Councilor Giles moved to approve the FY14 Annual Road and Street Financial Report and authorize the Mayor to sign all necessary documents. Councilor Swanson seconded the motion. In a roll call vote Councilor Giles, Councilor Swanson, Mayor Aymon, Councilor Scott, and Councilor Witte all voted aye, and the motion carried.

AB 14-243 Legislative Meeting Update

Mayor Aymon presented the Legislative Meeting Update. She stated that the Legislative Committee voted unanimously to support the legislation that would ask the state to fund and to manage the public defenders program. She stated that the committee also discussed tax credits for businesses beyond manufacturing that would come to the county and provide jobs. Mayor Aymon stated that Pocatello has participated in similar programs. She also stated that the committee talked about the possibility of the legislation that would limit city's ability for design review. Mayor Aymon also relayed information regarding the Idaho Transportation Coalition, which is a group of 50 entities that were banding together to put pressure on the legislature to raise the gas tax.

Mayor Aymon asked for permission from the Council to meet with the other leaders in Valley County to support the effort of raising the gas tax. There was General Council Consensus in favor.

Upcoming Meetings Schedule Discussion

Council reviewed the upcoming meetings schedule.

CONSENT AGENDA

Staff recommended approval of the following items:

1. Council Special Minutes Draft – July 18, 2014
2. License Report
3. Payroll Report for Period ending December 5, 2014
4. Warrant Registers

Councilor Swanson moved to approve the Consent Agenda as presented. Councilor Giles seconded the motion. In a voice vote, all members voted aye and the motion carried.

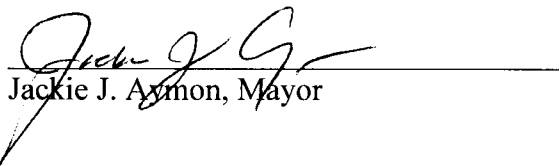
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 7:34 p.m.

ATTEST:


BessieJo Wagner, City Clerk




Jackie J. Aymon, Mayor