

MINUTES

**McCall City Council
Regular Meeting
McCall City Hall -- Legion Hall
November 5, 2015**

Call to Order and Roll Call
Pledge of Allegiance
Approve the Agenda
Department Reports
Committee Minutes
Public Comment
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 5:30 p.m. Mayor Aymon, Councilor Giles, Councilor Scott, Councilor Swanson, and Councilor Witte all answered roll call.

City staff members present were Nate Coyle, City Manager; Bill Nichols, City Attorney; Linda Stokes, City Treasurer; Michelle Groenevelt, Community Development Director; Delta James, City Planner; Meg Lojek, Library Director; Kurt Wolf, City Arborist and Parks Supervisor; David Simmonds, Information Systems Manager; Justin Williams, Police Chief; Nathan Stewart, City Engineer; BessieJo Wagner, City Clerk; and Lisa Kundrick, Deputy City Clerk.

Mayor Aymon led the audience in the Pledge of Allegiance.

APPROVE THE AGENDA

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

DEPARTMENT REPORTS

Council reviewed department reports.

City Manager's Report

1. Now that the Local Option Tax has passed, the real work begins now. Software for receipting tax collection has been ordered and a requisition has been published for an

administrative position. Initial contact to taxpayers was made via a letter sent out today to all business license holders.

2. The Joint Wastewater Advisory Group (JWAG) proposal has been handed over to AIC for review. Mayor Aymon, Councilor Swanson, and City Manager Coyle are in discussion with AIC so the proposal can be reviewed before going forward. JWAG will continue planning for consolidation and working on terms of agreement. The timeline has three components -- the legislative proposal (ongoing), terms and conditions agreement, and reuse implementation process, which is the responsibility of the District. The agreements with landowners will terminate in 2016 and the easement with Simplot will terminate in March of 2018, and they are looking for compensation to renew the easement. Council would like to have a work session to review details. JWAG is also working on a collaborative agreement for cost sharing, done by a flow basis, and Staff has come up with expected costs. This will be brought to Council on November 19. JWAG needs an FAQ or a public communication piece, which they will be working on at the next JWAG meeting. Minutes are available on the City's website under the JWAG tab.
3. Fourth of July: The initial meeting was held on September 24 and feedback was gathered. Staff are compiling into a large document. The plan is to release to agencies for more feedback, looking for options to influence a change.
4. Airport Manager: The vacancy now closed with 13 applications received. There have been two rounds of interviews so far, and six candidates have been cut down to three. Interviews were held last Thursday. City Manager is preparing to make an offer to a candidate.
5. Communications Manager Position: Currently down to three candidates. They were given an assignment to create a public communication piece about LOT from info on the web site.
6. A letter of resignation was received from Jay Kiiha, Prosecuting Attorney, who is also helping with the replacement process. A Request for Proposal has been posted with professional agencies.

Department Reports

Airport, Nathan Coyle reported the following: Airport workers were replacing a light and discovered the wires were buried in the concrete pad underneath. When they blasted the concrete the airport lights were shut off, which were promptly restored later that day. He stated that he was also waiting on the FAA for more information on land acquisition.

Michelle Groenevelt, Community Development Director, reported the following: Mayor Aymon commented that the work done by GIS is "amazing." Councilor Witte asked about the Transit Center, Ms. Groenevelt responded stating that the Transit Center is still approved for funding but at a second location.

Councilor Witte also asked for an update on the recycling center. Paul Dionne, Operations Manager for Lakeshore, is working on a proposal for potential curbside recycling. Mr. Dionne would like to come to Council tentatively on December 3 to present.

Mayor Aymon asked about the recent conference held in Sandpoint of the Idaho chapter of the American Planning Association. Michelle Groenevelt responded that she and Delta James, City Planner, attended the conference and saw many examples of outstanding planning in Sandpoint. Ms. James attended a work session regarding shoreline planning, setbacks, etc. and noted that their regulations are very similar to McCall's. Sandpoint has a partnership with the Water and Soil Conservation District, and the focus is on water quality rather than aesthetics. Also, Ms. James stated that Sandpoint has a public art ordinance that is new but does not have many projects, so the pool for funding is low. They have also partnered with Urban Renewal and dedicate 5% of their budget to Public Art, so the funding source is ongoing. Sandpoint has many displays of Public Art.

Golf: City Manager Coyle is waiting for the City Attorney to review the lease agreement of the clubhouse restaurant.

Meg Lojek, Library Director, reported: Mayor Aymon asked about the cardboard art project and would like the Library to provide pictures or possibly put them on the website. The Library Expansion Committee has had three meetings and will be meeting twice monthly. Tasks are laid out and they are now working on specific needs assessment, space needs, etc.

Police: Mayor Aymon asked if bow hunting is allowed in the City. City Attorney Nichols found it in the City Code and it is unlawful as per City Code.

Kurt Wolf, Parks Supervisor reported: Mayor Aymon asked Kurt Wolf, Arborist, on progress with the Wildhorse property, two acres on Thompson Street, owned by the City. Mr. Wolf and John Lillehaug of the Tree Committee looked at it and met with adjacent property owners. They wrote an action plan and will notify the nearby property owners about the work that is going to happen and release to the Star News as well. The Tree Committee and will flag trees and may possibly have a contractor clear it. The property may be used as a sample plot for forest management practices and fire mitigation. There is some beetle kill on the property as well.

Nathan Stewart, City Engineer, reported for Public Works: Mayor Aymon asked about the emergency outflow discharge pipe at the Winter Storage Pond and noted that it is 2.5 feet higher than last year. Is that good or bad? Nathan Stewart, City Engineer, stated it does not mean anything at this point in the year, and some of it was remaining water from the Irrigation District shutting off early. City Manager Coyle stated there are two options to relocate the discharge pipe across from Deinhard. It is being surveyed this week so they will have a cost estimate to move it across Deinhard. DEQ has approved the move.

Mayor Aymon asked about the Davis Beach pump. Mr. Stewart stated that the problem is with the pump, not an electrical problem as previously thought. Peter Borner is working with Staff on how to get it out of the building. This pump is not the primary pump but it is a backup and needs to be replaced soon.

BessieJo Wagner, City Clerk reported on the Local Option Tax received for FY 2015: City Clerk Wagner handed out the year end preliminary numbers, which show record collections, approximately \$383K, which is an increase of \$50K over last year.

COMMITTEE MINUTES

Council was presented with the following committee minutes:

1. Airport Advisory Committee -- November 6, 2014
2. Environmental Advisory Committee -- September 22, 2015
3. Golf Course Advisory Committee -- August 12 & September 9, 2015
4. McCall Historic Preservation Commission -- August 24, 2015
5. Joint Wastewater Advisory Group -- April 23, May 21, June 25, July 23, & August 20, 2015
6. Library Board of Trustees -- September 22, 2015
7. McCall Improvement Committee -- June 25 & September 10,, 2015
8. Planning and Zoning Commission -- June 2 & September 1, 2015
9. Public Art Advisory Committee -- April 14, 2015

PUBLIC COMMENT

Mayor Aymon called for public comment at 6:06 p.m.

Valley County Commissioner Gordon Cruickshank gave an update on County events. Representative Gestrin had surgery and will be out for a while. Valley County is involved in the Fourth of July discussion and the America's Best Communities (ABC) contest. The ABC application for the next round was submitted yesterday. The last PILT payment came in in October. Idaho Senator Mike Crapo is sponsoring a bill to get it reauthorized again. Valley County is encouraging Code Red enrollment and there will be a test on November 19. The Road Department replaced a bridge on Lemah Creek on Eastside Drive. The bridge actually came off the bridge abutments and it was being driven on that way. The new bridge is in place and is wider and will handle the stream flow. Wellington Snow Park has a bid opened on it and a campground with nine spots will be created. Lakeshore Disposal gave a presentation on their curbside recycling proposal. Commissioner Cruickshank went to Washington, DC to talk to a land action group about the Community Forest Trust. The Recycling Facility had trouble with its baler, which is now fixed and performs better. The County is discussing bringing the Recycling Center to Lake Fork to make it a manned station.

Mayor Aymon closed the comment period at 6:12 p.m.

BUSINESS AGENDA

AB 15-203 Request for Approval of Library Board Member Appointment

Meg Lojek, Library Director, recommended re-appointment of Library Trustee, Ed Hershberger. The Library Board voted unanimously to re-appoint Mr. Hershberger. Mr. Hershberger was named Idaho Library Association Trustee of the Year.

Councilor Giles moved to re-appoint Ed Hershberger to the McCall Public Library Board of Trustees for a term to expire October, 2020. Councilor Swanson seconded the motion. In a voice vote all members voted aye and the motion carried.

AB 15-200 Presentation of Tree Committee Annual Report

Kurt Wolf, City Arborist and Parks Supervisor, introduced John Lillehaug from the Tree Committee, who gave the annual report. Last year there was an infestation of Douglas Fir Bark Beetle in Ponderosa Park as well as around the City. The Tree Committee helped property owners treat the infestation. The mild winter contributed to the Spruce Budworm problem. There was an Arbor Day celebration with a presentation in Legacy Park. Mr. Wolf gave a demonstration on how to properly plant trees. The fifth graders planted over 100 trees around the school. The City won the 14th annual Tree City USA Award and the ninth annual Tree Growth Award. A big accomplishment this year was to finish the tree inventory. This will also be used as a management tool for the growth award. There has been some progress in public education with articles in the paper about insect diseases and tree health issues and community forestry. Kurt Wolf stated he receives many calls about community trees, and the Tree Committee tries to help out with those calls. The group has been working on Firewise as well with the other groups. A vacancy was filled on the Tree Committee with Pavla Clouser. The Committee is asking the community to report dead trees from beetle kill so it can be mitigated and will have notices in the paper to inform people what to look for. They also encouraged people to report hazard trees and infestations. Mayor Aymon thanked John Lillehaug and Mr. Wolf for the report and their contributions.

AB 15-207 Request for Approval to Submit Grant Application to ITD Office of Highway Safety

Nate Coyle, City Manager, presented as Police Chief Williams had been called away. He stated that the Idaho Department of Transportation Office of Highway Safety has announced the FY16 Highway Safety Grant application. This funding is to assist law enforcement agencies and other organizations in the development of programs to reduce or eliminate traffic deaths and serious injuries. The McCall Police Department wishes to purchase six Lifeloc handheld alcohol breath testing instruments, two Lifeloc calibration stations with printers, and Watchguard in-car video systems. The dollar amount earned through the incentive grant will determine the actual amount of equipment purchased. The Lifeloc instruments, calibration stations, and printers will aid officers in alcohol testing procedures by allowing breath testing in the field. In-car video systems aid in the prosecution of defendants and help reduce liability to the City of McCall.

Councilor Witte moved to approve submission of the Idaho Transportation Department Office of Highway Safety Grant FFY16 application for the purchase of Lifeloc Breath Testing Equipment and Watchguard Video Systems and authorize the Mayor to sign all necessary documents. Councilor Scott seconded the motion. In a roll call vote Councilor Witte, Councilor Scott, Mayor Aymon, Councilor Giles, and Councilor Swanson all voted aye and the motion carried.

AB 15-208 Request for Approval of Schedule Number 2 to the Frontier Communications Ethernet Services Agreement

David Simmonds, Information Systems Manager, presented the request for approval of Schedule Number 2 to the Frontier Communications Ethernet Services Agreement. The proposed Agreement will renew the City's agreement for internet services with Frontier Communications. Mr. Simmonds noted that the City has been on a month-to-month basis for a while as the prior three-year service agreement expired. This opportunity can increase the City's bandwidth considerably for about \$84 a month with this agreement. The underlying Service Agreement goes back to 2011 and is still active. The proposed *Schedule Number 2* to that agreement would provide internet capacity up to 10 times the present condition for \$1064 per month with a 36 month term, and is expected to meet the City's needs. The Information Systems budget for FY2016 Network Services is \$23,520.

Councilor Scott moved to approve Schedule Number 2 to the Frontier Services Agreement dated October 20, 2011 and authorize the Mayor to sign Schedule Number 2 of the Agreement. Councilor Swanson 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.

Councilor Scott was recused at 6:34 p.m.

AB 15-201 Request for Approval of Clark Street Findings of Fact and Vacation Order, VAC-15-01

Delta James, City Planner, presented the request for approval of Clark Street Findings of Fact and Vacation Order, VAC-15-01 to Council stating that an application to vacate the public rights-of-way of Neal and Clark Streets was submitted by Shore Lodge Whitetail LLC. At its August, 13, 2015 meeting, City Council held a properly noticed public hearing, approved the vacation of Clark Street rights-of-way with conditions, and directed staff to prepare Findings of Fact to memorialize this decision. The City attorney and applicant have reviewed and agree the document is sufficient.

Councilor Swanson moved to approve Clark Street Findings of Fact and Order of Vacation and authorize the Mayor to sign all necessary documents. 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 15-202 Request for Approval of Neal Street Findings of Facts for Denial of Vacation Order, VAC-15-01

Delta James, City Planner, presented the request for approval of Neal Street Findings of Facts for Denial of Vacation Order, VAC-15-01 to Council. An application to vacate the public rights of way of Neal and Clark Streets was submitted by Shore Lodge Whitetail LLC. At its August, 13, 2015 meeting, City Council held a properly noticed public hearing denied the request to vacate Neal Street, and directed staff to prepare Findings of Fact to memorialize this decision. This document has been reviewed by the City Attorney.

Councilor Giles motioned to adopt Findings of Fact for Denial of Vacation of Neal Street 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, and Councilor Swanson all voted aye and the motion carried.

Councilor Scott returned to the Council at 6:35 p.m.

AB 15-204 Request for Approval of Letter to Idaho Transportation Department (ITD) Regarding Lardo Bridge

Michelle Groenevelt, Community Development Director, presented the request for approval of a letter to Idaho Transportation Department (ITD) regarding Lardo Bridge to Council. Her department prepared the letter to ITD regarding the finishing work on Lardo Bridge. Staff started working with ITD on the bridge in 2013 and worked closely and remained involved throughout the process. Staff also worked with the Contractor, Wadsworth Construction. This letter was held until completion of Rotary Park, which at this point is only waiting on some planters in the spring. As a design build project, there were lessons learned by all parties. The purpose of this letter is to recount those lessons learned and reflect on the process to benefit future projects. Staff thought it was important to formalize thoughts and have formal correspondence with ITD as this could be helpful feedback for other communities. Ms. Groenevelt revealed that some of the finish work could have been done better. There are some problems with the concrete finish and color. Staff's goal is to beautify it as much as possible and they would like to integrate public art and flowers to make it a beautiful spot.

City Attorney Nichols advised restructuring the letter to commend the positive work first and then discuss the negatives. He also cautioned Ms. Groenevelt to think about how far up the management chain this letter would travel and be conscious about offending someone at the level they work with.

Councilor Swanson thought the letter was well written but it was a little harsh. He stated he was uncomfortable sending it to a State agency that provides so much for McCall, although he agreed the workmanship appeared a bit sloppy. Councilor Witte agreed with City Attorney Nichols in rearranging the positives and negatives to read better and suggested concluding by giving thanks for the bridge.

Councilor Witte moved to approve the letter to the Idaho Transportation Department (ITD) regarding the Lardo Bridge with recommended changes 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 15-205 Request for Approval of Agreement with McCall Mall

Michelle Groenevelt, Community Development Director, presented to Council stating that the City had entered into an agreement with Vicki Wade for the McCall Mall. Last year there was an amendment to the agreement to allow another year for time for the property owners to remove items. Staff made efforts to contact the property owner with no response. The decision was made through the McCall Redevelopment Agency (MRA) and the Parks Department to add

landscaping to help screen off the property. The expiration date for this agreement is approaching on November 7, and no progress has been made with the property owner. Staff recommends letting the agreement expire. Ms. Groenevelt has contacted the property owner and has not received a response.

It was determined that no motion is necessary because Council is not extending the agreement.

AB 15-211 Request for Approval of Boat Ramp Reconstruction – north ramp and volleyball court retaining wall Change Order

Nathan Stewart, City Engineer, presented the request for approval of Boat Ramp Reconstruction – north ramp and volleyball court retaining wall Change Order stating that work was done in October for the south sidewalk and boat ramp reconstruction. Only two of the three bid alternates were able to be completed with the funding available at the time. Additional funds have become available and now there is an opportunity to complete the north boat ramp reconstruction. One concern was the volleyball court near the boat ramp and the erosion of sand into the lake. Urban Renewal was willing to supply some funding if a reasonable deal could be negotiated with the contractor. This was discussed with Richard Jordan, who will put together a change order to build a wall on the lakefront to prevent sand from the volleyball court washing into the lake. This change order will allow for the north boat ramp to be constructed for much lower than the original cost estimate, and allows a wall to be built where the logs are near the volleyball court. Dennis Coyle, Parks and Recreation Director, met with the Department of Lands and the Corps of Engineers who support this approach. Mr. Stewart believes he has negotiated the best possible cost outcome.

City Attorney Nichols stated the proposed change order is vastly different than the prior bid alternate so it does meet the definition of a change order.

Councilor Giles moved to approve the proposed change order with Richard L. Jordan for *Fir Street Boat Ramp Reconstruction -- Fall 2015* for completion of the north ramp and volleyball court retaining wall. 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 15-212 Request for Approval of Mill Street Stormwater and Water Improvements – Fall 2015 Contract Award

Nathan Stewart, City Engineer, presented the request for approval of Mill Street Stormwater and Water Improvements – Fall 2015 Contract Award stating that this is a stormwater project on Mill Street just north of Fir Street. There is significant stormwater drainage that passes through the area. The storm grate frequently plugs and there is significant flooding, especially in a melting event. There is also a fire hydrant that needs to be replaced. Bids were sent out but Granite Excavation was the only bidder. The project has been on the list for many years. The contractor is already in place and ready to start, and pending approval they can start Monday, November 9.

Councilor Witte moved to authorize Staff to issue a “Notice of Award” to Granite Excavation for the Mill Street Stormwater and Water improvements and authorize the Mayor to sign and execute all contract 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 15-209 McCall City Code Title 4 - Regulating Events and Vendors Discussion and Direction

BessieJo Wagner, City Clerk, presented proposed changes to the Title 4 rewrite after the October 22, 2015 Council Meeting suggested new changes.

With the new code, not much has changed from last review. Discussion was held regarding the limited-duration business license. The proposal is to not regulate events that happen on private property and thus no permit would be required on behalf of the property owner (with the exception of alcohol permits). On the other hand, vendors that sell within city limits would require permits. This places the responsibility on each vendor to have the appropriate permits instead of the property owner. Business owners would need licenses but temporary vendors would need vendor's Permit. There was discussion and clarification of the differences between an Itinerant Business and a Peddler.

It was proposed that there be an exception to vendors needing a City permit that are a part of the vendors brought here for Winter Carnival by the Chamber of Commerce.

The mobile cart type permit was discussed. This definition was added to accommodate food trucks and mobile vendors such as an ice cream cart. The Itinerant Vendor was defined. Council discussed different types of vendors to test how they would fit into each category.

Mayor Aymon asked about penalties for not having a vendors permit. Chief Williams is working on the penalties section of the Code, so it will be addressed there. It will not be a misdemeanor for the first offense.

Councilor Witte stated she liked the idea of regulating the vendors instead of the event itself.

Council had extensive discussion about the validity of requiring an electrical inspection for a food stand. Council agreed to look into what is required by State Code and see whether it is already required.

AB 15-210 McCall City Code Title 4 Business Regulations Proposed Fee Schedule Review

BessieJo Wagner, City Clerk presented the McCall City Code Title 4 Business Regulations Proposed Fee Schedule Review stating that at the October 22, 2015 Council Meeting, Staff introduced to Council the inconsistencies that are occurring when applying the fee structure to events and vendors within the City of McCall. Council requested to see the current fee structure along with the proposed fees. City Clerk Wagner presented a proposed fee schedule for McCall City Code Title 4 Business Regulations. The actual cost of providing these licenses and permits are reflected in the proposed new rates. Council reviewed and discussed the proposed new fees.

The following actions were recommended:

1. Reevaluate the peddler's license; maybe have an annual fee or an additional per day fee.
2. The snow removal license should be based on a season instead of a calendar year.

3. Double-check exceptions for all licenses to make sure nothing is left out.
4. Clarify the valid electrical inspection for a vendor's permit.
5. Rewrite the definition of a public event to make it simpler.
6. Clarify the permitting process for the street carnival, tent, and street shows.

Council commended City Clerk Wagner on her work on this so far.

Upcoming Meetings Schedule Discussion

Council discussed the schedule for upcoming meetings. A work session on JWAG is to be scheduled with the date to be announced.

CONSENT AGENDA

Staff recommended approval of the following items:

1. City Council Regular Minutes -- May 28, 2015
2. City Council Special Minutes, Executive Session -- July 24, 2015
3. City Council Special Minutes, Executive Session -- August 3, 2015
4. City Council Special Minutes, Executive Session -- August 7, 2015
5. City Council Special Minutes -- September 25, 2015
6. City Council Regular Minutes -- October 22, 2015
7. City Council Special Meeting -- October 23, 2015
8. City Council Special Minutes -- October 28, 2015
9. Payroll Report for Period Ending October 23, 2015
10. Alcohol and Catering License Report
11. Warrant Registers

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

ADJOURNMENT

Without further business, Mayor Aymon adjourned the meeting at 8:18 p.m.

ATTEST:


BessieJo Wagner, City Clerk




Jackie J. Aymon, Mayor