

MINUTES

**McCall City Council
Regular Meeting
McCall City Hall -- Legion Hall
October 12, 2017**

Call to Order and Roll Call
Pledge of Allegiance
Approve the Agenda
Consent Agenda
Department Reports
Committee Minutes
Public Comment
Business Agenda
Executive Session
Return to Open Session
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, Council Member Holmes, Council Member Nielsen, and Council Member Witte all answered roll call. Council Member Giles was absent.

City staff members present were Bill Nichols, City Attorney; BessieJo Wagner, Interim City Manager/City Clerk; Shay Tyler, Deputy Clerk; Erin Greaves, Communications Manager; Linda Stokes, City Treasurer; Michelle Groenevelt, Community and Economic Development Director; Jay Scherer, Airport Manager; Eric McCormick, Golf Course Superintendent; Meg Lojek, Library Director; Traci Malvich, Human Resources Manager; Justin Williams, Police Chief; Nathan Stewart, Public Works Director

Mayor Aymon led the audience in the Pledge of Allegiance.

APPROVE THE AGENDA

Council Member Witte moved to approve the agenda as submitted. Council Member Holmes seconded the motion. In a voice vote all members voted aye and the motion carried.

CONSENT AGENDA

Staff recommended approval of the following items:

1. City Council Regular Minutes August 24, 2017
2. City Council Special Minutes September 26, 2017

3. City Council Regular Minutes September 28, 2017
4. City Council Special Minutes October 4, 2017
5. Payroll Report for Period Ending September 22, 2017
6. Clerk's License Report
7. Warrant Register – GL
8. Warrant Register – Vendor
9. AB 17-223 Request to Approve the Termination and Establishment of a New Lease for Hangar 562
10. AB 17-221 Request to Adopt Resolution 17-21 for the Sale of Surplus Property – Golf Mowers

Council Member Witte moved to approve the Consent Agenda as submitted. Council Member Nielsen seconded the motion. In a roll call vote Council Member Witte, Council Member Nielsen, Mayor Aymon, and Council Member Holmes all voted aye and the motion carried.

DEPARTMENT REPORTS

City Manager

Interim City Manager BessieJo Wagner shared there were 55 applicants who applied for the city manager position, the transfer of assets to Payette Lakes Recreational Water & Sewer District is in process, and St. Luke's attended the department head meeting to give a brief update of their expansion goals. She gave an update on the Idaho City Clerks, Treasurers and Finance Officers Association (ICCTFOA) conference and her acceptance as the ICCFOA President for 2018.

Airport

Interim City Manager BessieJo Wagner gave an update on the NASA balloon launch.

Community Development

Community & Economic Development Director Michelle Groenevelt created a video of the comprehensive plan and will make it available for the Council Members.

Golf Course

Golf Course Superintendent Eric McCormick reported that the golf course closes for the season on October 31st.

Library

Library Director Meg Lojek reported the carved owl public art project is installed at the library now. It was made from one of the trees that were cut down next to the annex. A local teen carved the owl as part of his senior project. She gave an update on the latest happenings with the fund raising efforts, and a focus committee for the fund raising has been created. The 3rd Annual Job Fair is scheduled and she shared a list of the employers involved.

Parks & Recreation

Mayor Aymon shared that the staff have been working on the pavers at Centennial Park and it looks fabulous. She reported the clean-up project at the marina was successful. Many came to help

including students from Heartland High School. They took out the old docks, put in a retaining wall, and there was 50 lbs. of nails that were pulled out of the sand at Legacy Park beach. Communications Manager Erin Greaves stated that Parks and Recreation and the McCall Area Chamber of Commerce is looking at helping with the pumpkin lighting ceremony at the Pancake House since the restaurant is struggling to do it by themselves and it is a great event for the community.

Police

Police Chief Justin Williams gave an update on the staff openings.

Public Works

Public Works Director Nathan Stewart reported that the project for Commerce Street is on schedule to be completed November 15th. The paving had been delayed due to inclement weather; however, it is expected that the paving will begin next week. The plant chlorination testing started this last week but staff is trying to procure a special pump for the process which has delayed the project. He is looking at moving the test date to next spring to give them time to procure the pump while also investing other options to pre-chlorination. Pre-chlorination was implemented prior to the new water plant and the goal is to see if it is still relevant. The hope is to have answers by next summer.

COMMITTEE MINUTES

The Council received the following Committee Minutes for review:

1. Golf Advisory Committee 2017 – June 14, July 12, August 9
2. Library Building Committee 2017 – September 6
3. Library Board of Trustees 2017 – August 31
4. McCall Improvement Committee 2017 – July 13
5. McCall Redevelopment Agency 2017 – July 18
6. Planning & Zoning Commission 2017 – September 5
7. Public Art Advisory Committee 2017 – June 15
8. Parks & Recreation Advisory Committee 2017 – May 17 & August 15
9. Tree Advisory Committee 2017 – May 10

PUBLIC COMMENT

Mayor Aymon called for public comment at 6:00 p.m.

Amanda and Steve Keaveny, the couple purchasing the McCall Avenue home, spoke of their request to the Council to waive the transfer fee and the reasons why it was necessary.

Hearing no comments, Mayor Aymon closed the comment period at 6:03 p.m.

BUSINESS AGENDA

AB 17-224 McCall Redevelopment Agency Appointment

Community and Economic Development Director Michelle Groenevelt presented the appointment for the open position on the McCall Redevelopment Agency. The McCall Redevelopment Agency is fully responsible for the administration of the affairs of the Urban Renewal District, including budget, officers and employees, and carrying out Agency projects. The term of office of a member is three years and there are seven members. A position came open and after advertising in the Star-News, a letter of interest was received from Nic Swanson, who previously served on this board for six and a half years.

Council Member Witte moved to appoint Nic Swanson to the McCall Redevelopment Agency for a term of 3 years expiring on October, 2020. Council Member Holmes seconded the motion. In a roll call vote Council Member Witte, Council Member Holmes, Mayor Aymon, and Council Member Nielsen all voted aye and the motion carried.

AB 17-227 Request to Approve Lake Shore Disposal Request for CPI Rate Increase

Brian Hoffman of Lakeshore Disposal presented the request for a CPI rate increase. On July 1, 2013, the City Council entered into an agreement with Lake Shore Disposal for collection and disposal of solid waste. The Second Amendment gave Lake Shore Disposal the authority to increase their rates by 3% without Council approval in 2014 and 2015. Any subsequent CPI adjustments require Council approval. Brian Hoffman of Lake Shore Disposal has requested to adjust the rates for collection and disposal by 1.7%.

Mr. Hoffman would rather see a small increase every year than a large adjustment every several years. The cost increase helps pay for technology upgrades, maintenance and repairs, and market wage adjustments for staff. They are allowed to make an increase each year but only two have been implemented. There was a short discussion on bear proof containers. The technology on these carts is getting better but it is not quite there yet and then can be cost prohibitive.

Council Member Witte moved to approve Lake Shore Disposal's requested CPI rate increase of 1.7%. Council Member Nielsen seconded the motion. In a roll call vote Council Member Witte, Council Member Nielsen, Mayor Aymon, and Council Member Holmes all voted aye and the motion carried.

AB 17-228 Greystone Village #3, Lot 10, Block, 1563 McCall Avenue, Request for Assignment of Lease

Interim City Manager BessieJo Wagner presented the 1563 McCall Avenue lease request. The City of McCall has a lease agreement with James J. Hurley and Lorrie L. Hurley for a single lot located at 1563 McCall Avenue. Mr. and Mrs. Hurley are selling this home to Stephen Keaveny and Amanda Keaveny. Accordingly, Mr. and Mrs. Keaveny will assume the land lease for Lot 10.

During the negotiation of the purchase of the home the sellers required that the buyers pay half of the transfer fee. Mr. and Mrs. Keaveny are requesting that Council waive their half (\$1250) of the

transfer fee (\$2500). The Keaveny's are considered "qualified buyers" as they intend to live in the dwelling. The Keaveny's both have jobs within the community. The Hurley's were considered "non-qualified" buyers as they used the house as a second home. In the original Lease document, under Section Three, there is a provision where the Council may reduce or waive the transfer fee.

It states specifically:

Lessee further agrees, for itself, its successors, and assigns, that upon assignment of this Lease to a subsequent purchaser of the Premises, Lessee shall pay to Lessor a lease transfer fee of \$2,500.00. This fee may be reduced or waived if, in the sole discretion of the Lessor, such transfer fee would constitute a hardship upon the Lessee. Lessor shall use the criteria developed for reduction of utility charges as a beginning point for determination whether Lessee qualifies for a complete or partial reduction in the transfer fee. Other factors to be considered will include, but not be limited to: whether Lessee meets the criteria as a qualified person set out in Section One of this Lease, the sale price of the improvements compared to the original purchase price and cost of other improvements, and total household income.

The Council discussed the transfer fee waiver request. It was asked was how it was possible that the seller could negotiate to split the transfer fee when it clearly states in the lease they were responsible for it upon selling. Interim City Manager Wagner explained how the transfer fee came about and its purpose. There was frustration expressed by the Council that the sellers did not honor the lease but they did not want to penalize buyers since they were actually the type of homeowners those homes were built for.

Council Member Witte moved to waive \$1250 of the transfer fee for Stephen and Amanda Keaveny and authorize the transfer of the land lease for Greystone Village #3, Lot 10, Block 3, from James J. and Lorrie L. Hurley to Stephen and Amanda Keaveny; consent to allow Stephen and Amanda Keaveny to encumber their interest in 1563 McCall Avenue, McCall, Idaho; and authorize the Mayor to sign all necessary documents. Council Member Holmes seconded the motion. In a roll call vote Council Member Witte, Council Member Holmes, Mayor Aymon, and Council Member Nielsen all voted aye and the motion carried.

AB 17-230 Letter of Commitment for FY18 and Intent for FY19 for Treasure Valley Transit

Interim City Manager BessieJo Wagner presented the request for the letter of commitment for FY18 and intent for FY19 for Treasure Valley Transit. The Idaho Transportation Department's Division of Public Transportation has requested a letter of intent for Treasure Valley Transit, Inc. for the FY19 Grant Application. In addition, they are asking for documentation stating the currently budgeted FY18 local match contribution of \$90,000 (Includes \$25,000 FY17 Carry Forward for TVT Bus Grant Match) from the City and \$47,000 from the Local Option Tax. This letter is needed as soon as possible.

Council Member Holmes moved to authorize the Mayor to sign the Letter of Commitment for FY19 and Intent for FY19 for Treasure Valley Transit. Council Member Witte seconded the motion. In a roll call vote Council Member Holmes, Council Member Witte, Mayor Aymon, and Council Member Nielsen all voted aye and the motion carried.

AB 17-229 Occupancy 3% Local Option Tax Survey Results Review and a Way Forward

Communication Manager Erin Greaves presented Occupancy 3% Local Option Tax (LOT) survey results. The Council directed staff to survey the community to gauge how the community would like to move forward with a renewal of the Occupancy 3% LOT. The survey ran for approximately 4 weeks with significant push over social media and an article in the Star News. As of the time of this agenda bill, there were less than 79 respondents who took the survey. 93% of those surveyed felt the LOT should continue and stay at the current percentage. Money towards Streets had the highest support where money for pet clinics were the lowest. There was high interest in deferring funds over a few years rather than annually to fund larger projects. The public is interested in renewing, not interested in change to the percentage, and possible interest in how the funds are allocated.

Communication Manager Greaves believes there is a slight disconnect in the community of what the funds are for and so presented her ideas of how to promote and share information. She recommended, based on the low response to the survey, that Council explore some options to get the information out to the community.

After some discussion, the Council recommended to keep the survey open, have a preliminary work session at a regular meeting and then on November 30th inviting the Local Option Tax Commission to attend. They asked staff to supply documentation from the last election public hearings including City Attorney Bill Nichols' memorandum from May 31st.

AB 17-222 Senior Center Lease Review

Community and Economic Development Director Michelle Groenevelt presented the Senior Center lease review. She has met with Senior Center representatives about updated contract terms. The current lease is expiring this month. The discussion is to contract annually or at the very least move away from a long term leases due to the changes that can transpire each year. The current lease rate is \$10/year.

The Senior Center is under new management and their goal is to rebrand themselves to more of a community center to get better grant funding. In addition, other items to consider is appropriate use of the building, and the maintenance for the building and parking lot. The building structure is failing in some areas so investing in those repairs need considered as well as looking at the whole city campus function.

Mayor Aymon feels the change to a community center is a great idea and would like to see the building used more often. Council Member Witte expressed concern how the expansion to the community would operate in the current building. Council Member Holmes thought an annual lease was too short and expressed concern about liability issues if open to more people. Council Member Nielsen shared concerns about how the lease, designed for a Senior Center, would work with their new business model. Overall, the Council was in agreement that the lease needed to be longer than a year but does not need to be 10 years and was supportive of a community center.

Director Groenevelt will meet with the Senior Center/Community Center to discuss the Council's suggestions.

AB 17-225 Request Approval of the Amended Lease Agreement with Michael Byrne for the Golf Course Restaurant

Interim City Manager BessieJo Wagner presented the amended Golf Course Restaurant lease with Michael Byrne. At the September 28th Council Meeting, the Council reviewed the contract, made some substantive changes, and approved the lease agreement with Michael Byrne. When staff reviewed the changes with Mr. Byrne, he reminded staff that when we spoke he had agreed to be open a minimum of four days in the winter months, not five. Mr. Byrne also requests that in the rent section under Continuous Operation and Hours of Business the penalty for not remaining open be \$100 a day additional rent versus the \$300.

The Council deliberated the requests and after some discussion agreed to allow them.

Council Member Witte moved to approve the amended 5 year term Lease with Cougar Restaurant Enterprises for restaurant services at the McCall Golf Course and authorize the Mayor to sign all necessary documents. Council Member Holmes seconded the motion. In a roll call vote Council Member Witte, Council Member Holmes, Mayor Aymon, and Council Member Nielsen all voted aye and the motion carried.

AB 17-226 Request to appoint a Council Member and Two City Staff Members to the Joint Wastewater Advisory Group

Interim City Manager BessieJo Wagner presented the request of appointments of a Council member and two staff members to the Joint Wastewater Advisory Group (JWAG). When the JWAG was formed in November of 2014, it was determined that there would be two Council Members and two members of McCall City Staff appointed for a three year term. Jackie Aymon and Nic Swanson were the Council members appointed, and Peter Borner and Nate Coyle were the Staff Members appointed. With the current changes in both the Council and the staff, it is requested that the vacancies be filled.

Section 9 of the Annexation Agreement states that the JWAG will continue for 90 days after annexation and then a new advisory group will be formed. For the sake of keeping the lines of communication open and to ensure continued success, the JWAG needs to meet. These appointments will be effective for the 90 day period after of which the members will be evaluated in January when the new advisory group will be formed and the newly elected council will be seated and the selection of a new City Manager will be complete.

Council Member Witte volunteered for the Council, and BessieJo Wagner, Interim City Manager, and Nathan Stewart, Public Works Director will be the staff liaisons.

Upcoming Meetings Schedule Discussion

Council discussed upcoming meetings.

EXECUTIVE SESSION

At 7:54 p.m. Council Member Witte moved to go into Executive Session for:

- **LITIGATION – 74-206 (1)(f)** To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;
- **LAND ACQUISITION - 74-206 (1)(c)** To acquire an interest in real property which is not owned by a public agency.

Council Member Nielsen seconded the motion. In a roll call vote, Council Member Witte, Council Member Nielsen, Mayor Aymon, and Council Member Holmes all voted aye and the motion carried.

Council discussed land acquisition at the airport and litigation issues.

RETURN TO OPEN SESSION

At 9:43 p.m. Council Member Witte moved to return to Open Session. Council Member Nielsen 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 9:44 p.m.

ATTEST:

Jackie J. Aymon, Mayor

BessieJo Wagner, City Clerk