

MINUTES

**McCall City Council
Regular Meeting
McCall City Hall -- Legion Hall
June 29, 2017**

Call to Order and Roll Call
Pledge of Allegiance
Approve the Agenda
Consent Agenda
Work Session
Public Hearing
Public Comment
Proclamations
Business 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, Council Member Giles, and Council Member Witte all answered roll call. Council Member Scott and Council Member Swanson are absent.

City staff members present were Nate Coyle, City Manager; Bill Nichols, City Attorney; BessieJo Wagner, City Clerk; Linda Stokes, City Treasurer; Delta James, City Planner; Kurt Wolf, Parks and Recreation Director; Jay Scherer, Airport Manager

Also present: Mark Billmire, McCall Fire Chief, Claire Remsberg, McCall Public Art Advisory Committee, and Sadie Noah, McCall Improvement Committee

Mayor Aymon led the audience in the Pledge of Allegiance.

APPROVE THE AGENDA

Council Member Giles moved to amend City Council Agenda to add AB 17-132 - 2018 911 Communications Grant Letter of Support. This request was received at 2:50 p.m. on June 29, 2017 and the letter needs to be received by the Valley County Sheriff's office by June 30, 2017 therefore this item cannot wait until the Council's next regular meeting. Council Member Witte seconded the motion. In a voice vote all members voted aye and the motion carried.

Council Member Scott arrived at 5:33 p.m.

CONSENT AGENDA

Staff recommended approval of the following items:

1. City Council Special Minutes June 1, 2017
2. City Council Regular Minutes June 8, 2017
3. City Council Special Minutes June 15, 2017
4. Payroll Report for Period ending June 2, 2017
5. Clerk Licenses Activity Report
6. Warrant Register – GL
7. Warrant Register – Vendor
8. AB 17-125 Treasurer’s Report for May
9. AB 17-130 Request to Approve EVO GOV Contract for Website Development Services

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

WORK SESSION

AB 17-124 Local Option Tax Renewal Work Session

City Clerk BessieJo Wagner presented the Local Option Tax renewal work session. The current Tourism Local Option Tax (LOT) ordinance expires December 31, 2018. City Staff and the Local Option Tax Commission would like direction from the City Council on the development of a new Tourism Local Option Tax Ordinance. City Staff requested a legal review of how the City currently distributes the LOT dollars, which has been provided by White Peterson. Per the Attorney review, it was stated that “Under the Idaho Constitution, LOT revenues, like all public funds, may only be expended for a public purpose. Donations that place public funds under the control of private entities violate the constitution, but contracts with private entities for goods or services with adequate consideration are acceptable.” After review of the attorney’s legal analysis of the way the City distributes the LOT funds collected, Staff is requesting that Council consider some additional language be added to the ordinance to specify that organizations not associated with the City can apply for the funds and that such applicants need to specify the service and public purpose their project would be providing to the City of McCall.

City Attorney Bill Nichols wanted to clarify that the term “adequate consideration” means value not deliberation. There needs to be a defined purpose and a defined benefit in exchanged in which the funds are received. There was a discussion about what those parameters would look like, the application screening processes, and ordinance changes. The Council leans toward minor changes to the ordinance language, staff screening the applications, and that staff conduct separate meetings with the different committees and stakeholders before coming together with the Council at a later date. It is recommended that a revised ordinance go before the voters in May of 2018.

PUBLIC HEARING

AB 17-127 Request to Approve PUD-15-01: McCall RV Resort Phase 1 Final Plan, Development Agreement, and Revocable License Agreement

Mayor Aymon opened the Public Hearing at 6:01 p.m.

City Planner Delta James presented the request to approve the PUD-15-01 McCall RV Resort Phase 1 Final Plan, Development Agreement, and Revocable License Agreement. Grapevine 7, Inc. has submitted a Planned Unit Development (PUD) Final Plan application for Phase 1 expansion of the McCall RV Resort in accordance with the PUD General Plan approved by McCall City Council on July 23, 2015. Phase I improvements include: 43 additional RV spaces; completion of a looped road through the center of the property; ten foot (10 ft.) wide pedestrian pathway and emergency access from the southeast corner of the property to the City of McCall Riverfront Park property connecting to the Sheep Bridge access road; utility services to the new RV spaces; sewer and water services stubbed out to Riverfront Park; onsite public pathway along the loop road; and clearing of the separated public pathway adjacent to the river. A Development Agreement for deferment of completion of Phase 1 public pathways has been submitted and a letter of credit will be provided as financial assurances in the amount of \$22,725. Completion of all Phase 1 improvements will occur by June 30, 2018.

Additionally, a Revocable License Agreement is proposed to allow an emergency access / public pathway from the RV Resort southern boundary into Riverfront Park and connecting to the Sheep Bridge road. McCall Area Planning and Zoning Commission unanimously recommended the PUD Phase 1 Final Plan and Development Agreement to City Council for approval on April 5, 2016.

Applicant Chris Friedman, President/Owner of Grapevine 7, also presented. He went over the pathway and the completion schedule. Scott Acker, Secesh Engineering, discussed the changes to the original plan.

Mayor Aymon called for public comment at 6:14 p.m.

Hearing no comments, Mayor Aymon closed the public hearing at 6:15 p.m.

Council Member Scott moved to approve PUD-15-01 Phase 1 Final Plan as recommended by the McCall Area Planning and Zoning Commission and authorize the Mayor to sign all necessary documents. Council Member Giles seconded the motion. In a roll call vote Council Member Scott, Council Member Giles, Mayor Aymon, and Council Member Witte all voted aye and the motion carried.

Council Member Scott moved to approve the McCall RV Resort Development Agreement as recommended by the McCall Area Planning and Zoning Commission and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote Council Member Scott, Council Member Witte, Mayor Aymon, and Council Member Giles all voted aye and the motion carried.

Council Member Giles moved to approve the Revocable License Agreement and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote Council Member Giles, Council Member Witte, Mayor Aymon, and Council Member Scott all voted aye and the motion carried.

PUBLIC COMMENT

Mayor Amon opened the Public Comment at 6:35 p.m.

Art Troutner of 193 West Lake Fork Rd spoke on the Community Garden. They are a group of garden volunteers that has lost their garden spot. He approached Kurt Wolf, Parks & Recreation Director, for a possible spot to relocate to on city property, and Brown Park was suggested. The garden group is willing to do all of the work to prep the property for use. They had applied for LOT funds but unfortunately did not make the cut. He wanted to reiterate that the gardens are still there and are open for anyone to participate and share in the bounty. Excess produce has been given to the foodbank for the last 6 years. They would still like to move forward at Brown Park but do not have any funds to make it happen. The funding would need to come from somewhere else to be able to make it ADA compliant, put a fence around it, and put in raised beds. There are 10 people who participate in the community garden. Mr. Troutner then answered some additional questions from Mayor Aymon. City Planner Delta James commented that the Parks Department has submitted a Design Review application to go before Planning and Zoning on the August 1st meeting for improvements to Brown Park that also include the community garden.

Clare Remsberg of 14003 Comfort Road spoke in favor of the Community Garden and the location at Brown's Park.

Roseanna McCauley of 1011 Bitterroot spoke in favor of the Community Garden stating that the Brown Park Location would give good sun exposure to the garden.

Hearing no more comments, Mayor Aymon closed the Public Comment at 6:47 p.m.

PROCLAMATIONS

AB 17-121 Request to Proclaim July 8, 2017 as Humanitarian Wood Work Day

City Clerk BessieJo Wagner presented the July 8, 2017 Humanitarian Wood Work Day proclamation. Dave Holland in conjunction with the Heartland Hunger and Resource Center, has worked with churches and other community organizations to create a humanitarian project of obtaining firewood for those in need. The three groups of individuals designated for assistance are; 1) widows and single women with children; 2) the aged and infirmed, and 3) those injured and not capable of getting wood themselves.

Mr. Holland is requesting that the City declare, by proclamation, the second Saturday in July of each year as the "Humanitarian Wood Work Day". This year that day is July 8, 2017. Last year, over 200 volunteers participated in cutting, splitting and delivering over 100 cords of wood. Since

the first Wood Work Day over 900 cords of firewood have been delivered to approximately 175 families in need.

The plan is to start at 8:00 a.m. on Saturday, July 8, 2017. No one under the age of 18 will be permitted to use a chainsaw. The primary sawyers will be volunteers from the Forest Service Firefighters. The goal is to have the wood cut into rounds the week prior to reduce the need for additional sawyers. Also volunteering is the McCall Fire District who is providing EMT services for the activities. Enough wood has already been purchased, and is in McCall already for this year's event.

Council Member Witte moved to Proclaim July 8, 2017 to be Humanitarian Wood Work Day in the City of McCall, and authorize the Mayor to sign the proclamation. Council Member Scott seconded the motion. In a voice vote all members voted aye and the motion carried.

The proclamation was read by Mayor Aymon.

BUSINESS AGENDA

AB 17-120 Public Art Advisory Committee Annual Report

Claire Remsberg, Chair, McCall Public Art Advisory Committee (PAAC) presented the annual PAAC report to City Council. The mission of the McCall Public Art Advisory Committee is to make recommendations to City Council regarding public art projects and policies within the City of McCall. The Public Art Advisory Committee was formed in 2012 by resolution of City Council (Resolution 12-13), consisting of five members appointed by City Council. Members are appointed to three-year terms, which are renewable. Two new members, Sue Dixon and Craig Vroom, came on board replacing Cynthia Dittmer and Alison Foudy.

Ms. Remsberg shared the recent projects including new railings installed at Rotary Park, mountain goats at Alpine Playhouse, and three home town art murals along Railroad Ave. Lardo Bridge is the next upcoming project using grant money from The National Endowment for the Arts, matching funds from the City, and the remaining donations from the mountain goat art project. The Committee worked with a student on his senior project with chainsaw art. She mentioned that the dumpster wrap art proposal did not receive much enthusiasm from the community so it has been abandoned at this time.

There was some discussion about the dumpster wrap, Idaho Power's rejection of a power box wrap for a senior project art, the Lardo Bridge timeline, and having a celebration of the completed senior project owl reveal.

AB 17-123 McCall Improvement Committee Annual Report

Sadie Noah, Chair of the McCall Improvement Committee presented the annual report to the City Council. The McCall Improvement Committee serves as the Gem Community Action Committee for the City, in partnership with Idaho's Department of Commerce. Therefore, this list of projects represents McCall's Gem Community Action Plan – those projects McCall officially supports and

recommends for further government and community backing through grants, agreements, and partnerships.

McCall in Bloom has 30 people signed up so far and expecting the number to be closer to 70 by July. There will not be a competition this year. Participants get a sign and a wildflower seed bell. The second Annual Secret Garden Tour will be Saturday July 29th. It will be a self-guided tour and wristbands/tickets/maps will be available for purchase at the Bistro Courtyard July 28th and the morning of July 29th. The Committee chose not to participate in America in Bloom but rather decided to put the majority of their efforts into the McCall in Bloom and Secret Garden Tour as well as joining two other garden clubs to do some landscaping at the Post Office.

AB 17-122 Request to Reprioritize When the Chamber may Receive FY2017 Local Option Tax Funds

City Manager Nate Coyle presented the reprioritizing of the Chamber 2017 Local Option Tax (LOT). The Chamber President Jay Masterson approached City staff with a request to receive their Local Option Tax (LOT) funds for the ITC Grant Match of \$25,000 sooner than it is scheduled. Historically the Chamber has received their LOT funds earlier in the year as they were higher on the priority list. By receiving their funds later in the year it has created a cash flow issue for the Chamber. Currently they are scheduled as number 9 of 22 projects and are requesting that they move up to the number 6 position. To date five projects have been funded at \$184,150 and at the current trend of funds received, the Chamber would receive this funding in late August or early September. If they were to be moved up to the number 6 position they could receive their funding by late June or early July. The three projects scheduled ahead of the ITC Grant Match are The Golf Course Fairway mower (\$38,000), the Library Intern (\$1,500), and TVT grant match for bus routes (\$50,000). Considering the current trend for the Tourism LOT receipt it is expected that sufficient funding will be available for all FY17 Priority projects and contingency projects.

Michael Vineyard representing the Chamber presented information regarding their request. The last few years, the LOT funds came in between March and May so that has been their expectation so they were relying on receiving the funds earlier. In addition, other circumstances have affected their cash flow so in discovering the LOT funds were later in the year saw it was going to cause financial difficulty in paying for the fireworks. Mr. Vineyard's goal for the future is make sure the Chamber can hold their own until the LOT funds are available so if this happens again, they will be prepared.

Mayor Aymon made the point that the need for funds by a certain time should be brought up during the application process. City Manager Coyle explained that most applicants understand that they will receive the funds sometime during the fiscal year. There was some discussion of whether or not it will put those ahead of the chamber in a bind. Council Member Giles asked when the Chamber approached the City about this issue and the answer was a couple weeks ago approximately. Council Member Giles and Witte both thought that out of courtesy, the ones on the list ahead of the Chamber be notified and receive their input on being pushed back. City Clerk BessieJo Wagner went over the projected funding timeline explaining that the Golf Course and the Library are the ones most effected by the change but it won't push them that far back as the incoming LOT funds are at the highest in the summer. City Manager Coyle was confident that Golf and the Library would not be negatively affect by the delay.

Council Member Scott moved to approve the Chamber's request to be funded next on the FY17 LOT funding priority list and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote Council Member Scott, Council Member Witte, Mayor Aymon, and Council Member Giles all voted aye and the motion carried.

AB 17-119 Request Approval of Letter to the Idaho Department of Lands for removal of abandoned Lake Encroachment Permits along E. Lake Street and adjacent City Owned Property

Parks and Recreation Director Kurt Wolf presented the letter to the Idaho Department of Lands for the removal of abandoned lake encroachment permits along E. Lake Street and adjacent City owned property. Parks and Recreation is beginning its design planning process for improvements to the shoreline and lake access along E. Lake Street between Mile High Marina and Brown Park. The first step in moving forward in cleaning up the area is to notify the Idaho Department of Lands (IDL) of the City's intent. The attached letter explains that the City no longer supports or approves of the existing (abandoned/expired) lake encroachment permits on file with IDL for docks, mooring buoy, and log booms in this area (North of Marina) and is asking IDL to have them removed from record.

Director Wolf covered some minor changes to the letter and answered the Council's questions.

Council Member Giles moved to authorize the Mayor to sign the letter to the Idaho Department of Lands for removal of abandoned Lake Encroachment Permits along E. Lake Street and adjacent City owned property. Council Member Witte seconded the motion. In a roll call vote Council Member Giles, Council Member Witte, Mayor Aymon, and Council Member Scott all voted aye and the motion carried.

AB 17-126 Residential Yard Waste Burn Permit Discussion Continued

City Manager Nate Coyle presented the residential yard waste burn permit discussion that is a follow up from a previous discussion at the January 12th, 2017 City Council meeting regarding the burn permit process. Rules governing the burning of yard waste are governed by IDAPA 58.01.01, and in accordance with this guidance, a rule or ordinance established by a local government agency can allow for burning of this waste. McCall City Code 5-4-015 provides for this local guidance. The verbiage from this code section can be found within the background memo attached to this agenda bill. He briefly went over funding of the program and some possible funding options.

McCall Fire Chief Mark Billmire reported 136 loads of woody debris were picked up from McCall so far this year. He surmises that the total will be higher than last year's 147 loads. The number of burn permits issued for 2015 were 39, 2016 had 90, and 2017 closed at 70. In comparison to 2008-2009 where there was 169 permits sold, the woody debris program has drastically brought those numbers down. The Fire Department is looking at a possible second month for the program in the fall. Funding has been received from Idaho Fire Wise this year but it is unknown about next year. The Council was open to using funds to support this project.

City Manager Coyle briefly discussed Chief Billmire's recommendations and discussions with the community regarding burn permits. Chief Billmire discussed the prudence in following the

parameters and recommendations of the Forest Service, and creating an ordinance that is fluid to allow it to flow the dates with the fluctuating seasons. There was a discussion on different burn restriction model and times. The Council would like to see more information about expanding the woody debris program in October, take a closer look at Cascade's burn permit model, and compare other city's ban burning restrictions from May to October.

AB 17-128 Request to Approve Airport Fees Ordinance Amendment

Airport Manager Jay Scherer presented the request for an Airport fees ordinance amendment. This amendment to Title 8 Chapter 16 Paragraph 7 adds sections M creating paid vehicle parking areas at the airport and authorizing snow removal from leased property for a fee. These fees were created to partially offset funding lost by a hangar lease rate reduction. If approved, a two week public comment period will be held to receive input on a proposed fee structure. In the proposed structure, all existing fees except the hangar lease rate are unchanged. The hangar lease rate would be reduced from \$.35 to \$.30 per square foot covered and uncovered for base year FY18. The rate would adjust annually by the Western Urban Consumer Price Index. The effective date would be October 1, 2017. The proposed fees for vehicle parking would be a daily rate of \$5.00.

The proposed changes are as such:

Vehicle parking:

- Daily rate: \$5.00
- Vehicle operator leasing from airport or subleasing or receiving services from airport tenant. Monthly rate paid in advance \$25.00
- Vehicle operator neither leasing from airport nor subleasing nor receiving services from airport tenant. Monthly rate paid in advance \$50.00

Snow Removal from Leased Space:

- Automatic removal option - Fee per sq. ft.
- As requested option, request received prior to 9am
- As requested-expedited option

After some discussion, the Council was in accord in making the amendment.

Council Member Witte moved to suspend the rules, read by title only, one time only, Ordinance No. 958, amending Title 8, Chapter 16. Council Member Giles seconded the motion. In a roll call vote Council Member Witte, Council Member Giles, Mayor Aymon, and Council Member Scott all voted aye and the motion carried.

City Clerk BessieJo Wagner read by title only one time only Ordinance 958:

An Ordinance of the City of McCall, Valley County, Idaho Amending Chapter 16, *Airport Rules And Regulations*, of Title 8, *Public Ways and Property*, of the McCall City Code as follows: In Section 8-16-7 adding Section M creating Paid Vehicle Parking Areas at the Airport and adding Section N authorizing Snow Removal from Leased Property for a fee; and providing an effective date therefor.

Council Member Witte moved to adopt Ordinance No. 958, amending Title 8, Chapter 16, and authorize the Mayor to sign all necessary documents. Council Member Giles seconded

the motion. In a roll call vote Council Member Witte, Council Member Giles, Mayor Aymon, and Council Member Scott all voted aye and the motion carried.

AB 17-129 Request to Award a Contract for the Northeast Apron Reconstruction FAA/AIP Project No. 3-16-0023-023

Airport Manager Jay Scherer presented the request to award a contract for the northeast apron reconstruction FAA/AIP Project No. 3-16-0023-023. This project is to eliminate a non-functional storm drain, regrade and reconstruct apron and taxiway pavements in an area from Hangar 105 to the City snow removal equipment storage building. The Federal Aviation Administration (FAA) has agreed to the scope and intent of the project and a grant application was submitted to the FAA. He went over a diagram showing the areas to reconstruct and explained the grant match.

Bid opening was June 15, 2017 with the apparent low bidder being Granite Excavation, Inc. with a bid of \$1,143,609.00. Valley Paving & Asphalt, Inc. bid \$1,510,506.67. Construction activities for the project could commence as early as July with a period of 50 calendar days.

Council Member Giles moved to award the contract for the Northeast Apron Reconstruction to Granite Excavation, Inc. in the amount of \$1,143,609.00 and authorize the Mayor to sign all necessary documents, pending receipt of FAA grant funding. Council Member Witte seconded the motion. In a roll call vote Council Member Giles, Council Member Witte, Mayor Aymon, and Council Member Scott all voted aye and the motion carried.

AB 17-131 Request for Approval of the transition from NxGen (No Late Payments) to WePay for Recreation Programs and Parks credit card transactions on Team Sidelines

City Treasurer Linda Stokes presented the request to transition from NxGen(No Late Payments) to WePay for the recreational programs and Parks credit card transactions on Team Sidelines. NxGen (No Late Payments) will no longer provide the credit card processing gateway for any of the City's credit card payment transactions. Team Sidelines must have an authorize.net gateway to process credit card transactions. The gateway offered by Billing Document Specialists that the City recently transitioned Utility Billing credit card processing to is not an authorize.net gateway. However, Team Sidelines has an alternate gateway solution, WePay, which is authorize.net. WePay does not require a signed contract to set up an account. All that is needed is an acceptance of WePay's Terms of Service. Team Sidelines does not have transactions fees that would be charged to the City. The processing rate would decrease from 4% to 2.49% plus \$0.30 per transaction. The transition will bring savings over all.

City Attorney Bill Nichols pointed out that some of the language is unconstitutional but it would be near to impossible to get them to change or remove it, and most of these type of entities have this language. However, since it is unconstitutional, it is also unenforceable.

Council Member Witte moved to approve the transition from NxGen (No Late Payments) to WePay for processing Recreation credit card transactions on Team Sidelines. Council Member Scott seconded the motion. In a roll call vote Council Member Witte, Council Member Scott, Mayor Aymon, and Council Member Giles all voted aye and the motion carried.

AB 17-132 Request to Approve Valley County's 2018 911 Communications Grant Letter of Support

City Clerk BessieJo Wagner presented the request from Valley County for a 2018 911 Grant Letter of Support. On June 29, 2017, the City Clerk received a request from Sgt. Kelly Copperi, Valley County Sheriff's Office, requesting a letter of support for the 2018 911 Communications grant. The Communications Center is applying for a grant through the state funded Idaho Public Safety Communications Commission (ISPCC), formerly known as the Idaho Emergency Communications Commission. This grant is funded through a .25 cents charge on phone bills for Valley County and many other counties participate in. Last year, the funds were not requested because the County's telephone system was at the end of its life. The system was put in 2006 and funded by the County Originally. The FCC mandates all 911 PSAP's to be compliant with NG911 so to upgrade Next Generation 911 and all of the hardware, software and networking is approximately \$243,000.00 so grant money is necessary to be able to accomplish this task. Part of the grant writing process is letters of support must be received from all of the agencies that the County provides dispatch for. It is required that the letter of support is on company letterhead signed by the mayor, and returned to the County no later than June 30, 2017.

Due to an oversight, the County did not send the request out to the City of McCall earlier thus the reason for the short notice request.

Council Member Scott moved to Approve Valley County Sheriff's request for a 2018 911 Communications Grant Letter of Support and authorize the Mayor to sign the letter. Council Member Giles seconded the motion. In a roll call vote Council Member Scott, Council Member Giles, Mayor Aymon, and Council Member Witte all voted aye and the motion carried.


Upcoming Meetings Schedule Discussion

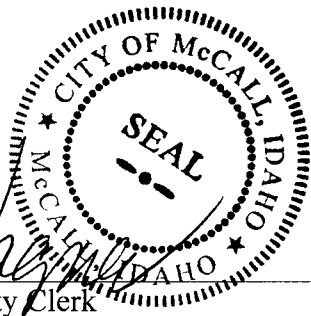
Council discussed the following upcoming meeting topics: Trailer Parking issues, July 13th sewer annexation process, Solar Eclipse update, Dumpster update, revisit the fees for the Mill Street Parking Lot, Golf Pro Contract July, and Committee to review Golf Restaurant proposals.

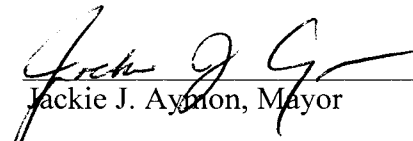
ADJOURNMENT

Without further business, Mayor Aymon adjourned the meeting at 8:01 p.m.

ATTEST:


BessieJo Wagner, City Clerk




Jackie J. Aymon, Mayor