

MINUTES

**McCall City Council
Regular Meeting
McCall City Hall -- Legion Hall
December 3, 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 5:31 p.m. Mayor Aymon, Councilor Scott, and Councilor Swanson all answered roll call. Councilor Giles and Councilor Witte were absent.

City staff members present were Nate Coyle, City Manager; Bill Punkoney, City Attorney; Erin Greaves, Communications Manager; Michelle Groenevelt, Community Development Director; Carol Coyle, Grant Coordinator; Dennis Coyle, Parks and Recreation Director; Nathan Stewart, City Engineer; Eric McCormick, Golf Course Superintendent; Linda Stokes, City Treasurer; Justin Williams, Police Chief; Peter Borner, Public Works Director; Traci Malvich, Human Resources Manager; Meg Lojek, Library Director; 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 Scott 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:

Nathan Coyle, City Manager, updated the Council on the following items. The LOT administrator has been hired. Some offices in City Hall have been relocated to accommodate the

new position. There is ongoing discussion about LOT planning and funding of maintenance projects as directed in the ordinance.

He also updated the Council on the Joint Wastewater Advisory Group, stating that that Council will have another work session on December 18, 2015. A large portion of the agenda will be regarding the reuse implementation process. The Sewer District and JUB Engineers will be participating in the presentation.

Councilor Witte joined the Council meeting at 5:37 p.m.

City Manager Coyle stated that he, Mayor Aymon, and Councilor Swanson, will be attending the AIC legislative meeting (Association of Idaho Cities) on December 4, 2015 in Boise. They will be reviewing a legislative proposal regarding the Sewer District merger with other AIC members to request support. Mayor Aymon added that other cities in similar situations are also watching this proposal with interest.

He also updated the Council on the Fourth of July stating that staff has continued to discuss with area agencies and they are ready to give an update to Council. City Manager Coyle will propose another method of engaging the community before moving forward. This additional feedback will allow for further recommendations.

City Manager Coyle stated that there is a finalist candidate for the Airport Manager position. The top three candidates were interviewed but the front runner did not pan out. The finalist, Jay Scherer, from Durango, Colorado, will be making a site visit next week and a conditional offer has been accepted. Mr. Scherer will have a tour of the facility and meet with the Airport Advisory Committee as well as T-O Engineers.

He also stated that the Communications Manager position has been filled by Erin Greaves.

City Manager Coyle stated that Linda Stokes, City Treasurer, is working on a draft Capital Planning policy, which will be vetted by the Department Heads before bringing the discussion back to Council. He also stated Jay Kiiha has decided to stay on as City Prosecuting Attorney. Mr. Kiiha was able to re-prioritize his workload so he will continue offering his services. There was no response to the RFQ released in November until the final day it was active. The new contract is to be finalized in December.

City Manager Coyle updated the Council on Curbside Recycling stating that Paul Dione, Operations Manager for Lakeshore Disposal, will make a presentation to Council at the December 17, 2015 Council meeting.

City Manager Coyle stated he is working on the agenda for Council retreat and requested feedback on topics for discussion.

Department Reports:

Community Development: Mayor Aymon asked about new permit applications. Are there problems with the current application? Michelle Groenevelt, Community Development Director, has worked with the Public Works Department to streamline a new application to encourage a more effective sequence of events that need to happen with each application. A draft outline will

be ready next week for review and the new application should be ready for use by the contractors next month.

Mayor Aymon congratulated the GIS Department for winning second prize in a GIS contest held by a Montana organization.

Golf: Mayor Aymon asked if not covering the greens will be a problem come springtime. Eric McCormick, Golf Course Superintendent, replied that there will not be a problem if the snow accumulates in a favorable manner. Normally Staff covers about eight particular golf holes. It was also recognized that the Golf Course Clubhouse restaurant met their revenue projections for the month in the first two weeks, so this is good news so far.

Parks: Dennis Coyle, Parks and Recreation Director, stated that the boat ramp reconstruction is about 98% complete. The clearing of Thompson Park is going well. The wood from this project was made available to citizens for firewood.

Public Works: Mayor Aymon asked Peter Borner, Public Works Director, if he will schedule divers to clean out intake lines for Davis and Legacy beaches. Mr. Borner replied that they have been unable to contact the usual contractor who does this work. Instead he found a local crew that can come out next week and use a boat and robotic camera to inspect the pipe.

COMMITTEE MINUTES

Council was presented with the following committee minutes:

1. Planning and Zoning Commission –September 29, 2015
2. Planning and Zoning Commission – October 6, 2015

PUBLIC COMMENT

Mayor Aymon called for public comment at 5:52 p.m.

Hearing no comments, Mayor Aymon closed the comment period at 5:52 p.m.

BUSINESS AGENDA

AB 15-230 Request for Approval of Parks and Recreation Committee Member Appointment

Dennis Coyle, Parks and Recreation Director, presented the request for approval of the Parks and Recreation Advisory Committee's member appointment. The Parks and Recreation Advisory Board recommended that the City Council appoint Austin Shotwell, a junior from McCall Donnelly High School, to the Parks and Recreation Advisory Committee for a term that will expire when he graduates in June of 2017. The Board unanimously voted for the appointment of Austin Shotwell earlier in the month.

Councilor Scott moved to appoint Austin Shotwell to the Parks and Recreation Advisory Committee to a term to expire June of 2017. Councilor Swanson seconded the motion. In a voice vote all members voted aye and the motion carried.

AB 15-227 McCall Transit Center Update – Terri Lindenberg to Present

Terri Lindenberg, Executive Director of Treasure Valley Transit (TVT), provided an update to Council on the status of the McCall Transit Center. The previous work session highlighted a positive direction involving a lease arrangement for property on which to build the Transit Center. However, the lease agreement was not approved by ITD as a lease was not allowed per the original grant, and it was difficult to determine the percentage of property held between TVT and the City. A letter was sent to the FTA outlining the extensive process TVT has been through over the last several years and requesting to push forward. In the meantime TVT became aware that 210 Park Street, a dental office next door to City Hall on the west boundary, had come up for sale. Ms. Lindenberg again requested support from FTA, presenting this as another option. ITD agreed with this approach and an offer was made on the property. The owner was favorable to work with and the property is currently being secured with ITD's approval. The great thing about this plan is that it expands the City Campus Footprint. The grant has been approved since 2011, so funding is ready. The next step is to close on the property at the end of the year or early next year. TVT will then own the property and design options can begin. The existing building will work with modifications and will accommodate users. City Manager Coyle added that the City has a great partnership with TVT and this will be further enhanced with being on the City's campus.

AB 15-225 Request for Approval of SUB-04-18: Timbercrest Downtown Assignment and Assumption of the Development Agreement

This was presented by Michelle Groenevelt, Community Development Director. Timbercrest Downtown is located on Second Street. There has been a change of ownership, which requires amendment of the Escrow documents. The City Attorney has reviewed the documents and they have been turned over to Steve Millemann, representing the Seller, Dan Green. All of the residential condo units have been sold. The commercial units on the ground level will be sold. The current ownership group is activating the association and setting budgets and are aware of the obligations involved. Greg Byron will be the spokesperson. The association will be responsible for fulfilling the development agreement along with the streetscape improvements. The work was not done this year but Public Works prefers to wait until other work is being done on Second Street. The other document is the assignment of escrow instructions. Escrow will be funded with 125% of the required funds to pay for the streetscape improvements.

Councilor Scott moved to approve the Timbercrest Downtown Assignment and Assumption of the Development Agreement and authorize the Mayor to sign all necessary documents. Councilor Swanson seconded the motion. In a roll call vote Councilor Scott, Councilor Swanson, Mayor Aymon, and Councilor Witte all voted aye and the motion carried.

**AB 15-233 Idaho Transportation Department Community Choices for Idaho Program–
Local, Redevelopment Area Sidewalk Improvements, McCall, Project No.
A014(341), Key No. 14341 - Request to Reject All Bids**

This was presented by Nathan Stewart, City Engineer. ITD conducted formal bidding for the City's Community Choices for Idaho Grant project. Bids were opened on October 27, 2015. Two

bids were received with the lowest being \$384,520, which is 143% greater than the Engineer's Estimate. City Staff and Keller Associates met with MRA on November 24, 2015 to recommend rejection of all bids and to discuss opportunities for MRA to contribute additional funds to the project. MRA voted to reject all bids and change the scope of the project and possibly provide additional funding in preparation for rebidding the project. City Engineer Stewart felt strongly that the project can be re-bid and prices will probably come in lower next time. As this is a City project and not from MRA, formal rejection of bids requires action by City Council so that the project can move forward.

Councilor Witte moved to reject all bids received for ITD Project A014(341) and authorize the City Engineer to submit a letter to ITD affirming this decision. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon, and Councilor Scott all voted aye and the motion carried.

AB 15-226 Prosecutor Contract Renewal – Initial Presentation Review

City Manager Coyle presented a renewed draft agreement for prosecutor services between Kiiha Law Office, PLLC, and the City. Although Mr. Kiiha originally stated that he would be unable to continue providing prosecutor services to the city, he has since been able to re-align his workload to allow for continued service to the City of McCall. Mr. Coyle presented the draft agreement for initial review by Council. The Agreement is the same as previous years with a slight cost increase, which has been budgeted. Police Chief Williams stated he is happy with the working relationship with Mr. Kiiha and he is pleased that Mr. Kiiha will continue to work with the City. Council directed Mr. Coyle to make corrections as discussed and return with the finished contract for approval.

AB 15-229 Request to Revise the McCall City Code by Standardizing and Simplifying the Punishments and Penalties for Code Violations Discussion

Police Chief Williams held a discussion about changes in code violation penalties. There are several different types of violations now; Chief Williams is proposing changing to a singular Notice of Violation. At present many violations are misdemeanors and have to go through the Court system, which is cumbersome. This proposal will standardize violations and make them more beneficial to the City. If Council agrees then implementation will move forward.

The Penalties section of City Code will state that violators will be issued a Notice of Violation. A code enforcement officer can issue the notice and fines will be set by Council. After 30 days of nonpayment the violation can become an infraction and then would proceed to the Court system. The main benefit is that any City employee can issue the notice, whether it be the Building Inspector, a Public Works Employee, or the City Clerk, etc. Citizens can help define what would be a reasonable fine and the Public can be engaged to determine what is fair. Another benefit is that Court costs would be lower because no Public Defender is necessary. Chief Williams then discussed what needs to happen to implement the change. Council needs to establish the classes of violations and set fines for each. They would work through each of the chapters of City Code one-at-a-time and define this where appropriate. Fines would be set by resolution, eventually requiring a revision of the entire City Code. An appeals process would also need to be defined.

Mayor Aymon asked if additional staff training would be necessary. Chief Williams acknowledged that there would be. There needs to be a process for notifying the supervisor of

each department and following proper procedure. The Police Department would train the other City departments. Each department would be responsible for different areas of infraction; for example, if there is a building issue the Building Inspector would be the one to issue the citation. In many cases violations could be mailed so personal contact is avoided and this would present less danger to Staff.

Councilor Swanson felt it was a good idea. However, he added that this has to be a well thought out plan with thorough public education. Councilor Swanson also thought that it might be controversial for Staff to be doing this, as infractions are normally handled by the Police Department. City Manager Coyle stated another benefit would be that the City Staff member may be more knowledgeable about their specific code section and may be more helpful to the citizen.

Mayor Aymon asked Attorney Bill Punkoney about it; he thought it was a fantastic idea as it saves money and time and keeps the community involved.

Chief Williams stated the next step would be to create an outline of how the process would work, make some recommendations on the chapters that would be dealt with, identify individuals who would work on specific chapters, and recommend typical fines and provide guidance in a work session.

Council discussed that this change is happening statewide as more cities are implementing this system. In addition, public defending is underfunded and understaffed in the state.

Chief Williams will prepare for further discussion in a work session.

AB 15-231 Review the 2015 City of McCall Evaluation Documents for City Employees and City Manager with the Council

Traci Malvich, Human Resources Manager, presented forms and instruction for annual evaluation of the City Manager. The timeline follows that of other Staff evaluations. The City Manager will complete a self-evaluation form. In addition, Mrs. Malvich will provide feedback from the City Manager's direct reports to the Council in an anonymous, confidential setting. After the feedback is reviewed the Council can meet in executive session to discuss the information, review the forms, and compile discussion into one form. This can be delivered in person to the City Manager during another executive session, possibly after the January 28, 2016 meeting.

AB 15-228 McCall City Code Title 4 - Business Regulations Re-Write Final Review

BessieJo Wagner, City Clerk, presented the final review of the Title 4 rewrite. This was after the last work session where many suggestions were presented, particularly with the events section. Changes were outlined in the cover sheet with the handout. Ms. Wagner discussed the corrections made since the previous review. Further corrections were recommended by Council.

AB 15-232 McCall City Code Title 4 Business Regulations Proposed Fee Schedule Review and approval request to finalize the fees and prepare a public hearing for adoption of recommended fees

BessieJo Wagner, City Clerk, presented the revised fee schedule for Title 4. This had been previously reviewed at the November 5, 2015 City Council meeting and changes were

recommended. Further changes were recommended to the Peddler Permit and Taxi Drivers License. The revised fee schedule along with changes recommended tonight will be posted in the Star News for two weeks in preparation for the public hearing at the December 17, 2015 Council meeting.

Upcoming Meetings Schedule Discussion

Council discussed the schedule for upcoming meetings. There will be a work session with JWAG (Joint Wastewater Advisory Group) on December 8, 2015. At the December 17, 2015 Council meeting Lakeshore Disposal will give a presentation on curbside recycling and also there will be an update on Fourth of July discussions. City Manager Coyle scheduled the Council Retreat for the morning of January 29, 2016.

City Manager Coyle brought up the list of topics "To Be Scheduled" on the Upcoming Meetings Schedule, addressing some items that had been on the list a long time but had not yet been discussed or resolved. Mr. Coyle asked the Council what they wanted to do with the topic regarding the "Smoke Free Ordinance," whether to keep it on the list, move it forward, or remove it entirely. Council decided that it should be removed for the time being unless a problem arises in the future, as the issue seems to be minimal at present.

CONSENT AGENDA

Staff recommended approval of the following items:

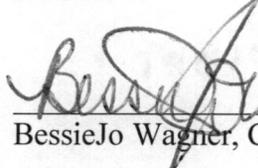
1. City Council Special Minutes – August 5, 2015
2. City Council Regular Minutes – November 19, 2015
3. City Council Special Minutes – November 20, 2015
4. Payroll Report for Period Ending November 20, 2015
5. Alcohol and Catering License Report
6. Warrant Registers

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

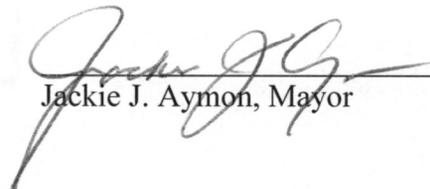
ADJOURNMENT

Without further business, Mayor Aymon adjourned the meeting at 8:02 p.m.

ATTEST:


BessieJo Wagner, City Clerk




Jackie J. Aymon, Mayor