

MINUTES

**McCall City Council
Regular Meeting
McCall City Hall -- Legion Hall
July 9, 2015**

Call to Order and Roll Call
Approve the Agenda
Department Reports
Committee Minutes
Pledge of Allegiance
Public Hearing
Public Comment
Business Agenda
Consent Agenda
Executive Session
Open Session
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 Gene Drabinski, City Manager; Bill Nichols, City Attorney; Linda Stokes, City Treasurer; Dennis Coyle, Parks and Recreation Director; Peter Borner, Public Works Director; Meg Lojek, Library Director; Nate Coyle, Airport/Special Projects Manager; Michelle Groenevelt, Community Development Director; Carol Coyle, Grant Coordinator; Larry Stokes, Police Sergeant; Delta James, City Planner; Erin Roper, Communications Coordinator; and BessieJo Wagner, City Clerk.

Mayor Aymon led the audience in the Pledge of Allegiance.

APPROVE THE AGENDA

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

DEPARTMENT REPORTS

City Manager: Mayor Aymon asked Gene Drabinski, City Manager, if going with SelectHealth as an HMO for St. Luke's would impact employees who see providers outside the network. City Manager Drabinski stated that ultimately it might, which is going to be unavoidable at some point because of rising costs and limited options in the future.

Community Development: Mayor Aymon asked about progress on the business-friendly issue. Michelle Groenevelt, Community Development Director, responded that there is a group working on code amendments currently. Councilor Swanson added that this would be a great opportunity to correlate with the Comprehensive Plan. Mayor Aymon also asked Ms. Groenevelt about the County Board of Commissioners referring cases to the Prosecuting Attorney for civil lawsuits for land use violations. Ms. Groenevelt confirmed that there were two cases recently referred to the Prosecuting Attorney in the impact area.

Golf: City Manager Drabinski stated that season pass sales are up about \$6,000 from this time last year and added that greens fees were up as well. This confirms that the adjustments to rates last year did not seem to have a negative impact on the golf course.

Library: Meg Lojek, Library Director, explained the summer reading program and the different age groups that attend, and explained the Library's role in the upcoming Payette Forest activity.

Parks and Recreation: Dennis Coyle gave a report on how parks were impacted on the Fourth of July. Mr. Coyle stated that the aftermath of Legacy Park was "absolutely disgusting." However, he commended the crew for doing a great job of cleaning up. They started at 5:00 a.m. on July 5th and picked up over 100 bags of garbage from Legacy Park. The smell was awful. The Parks crew had to basically "vacuum" the park from all the broken glass, bottle tops, etc. left behind. By 10:30 a.m. Legacy Park was back to normal. Mr. Coyle added that it was obvious which parks had families and which had the younger crowd because of the destruction left behind.

Mr. Coyle stated that softball season has started and people are enjoying the new Gold Glove Park. There was a large rain event, and in past years it would have ended play, but with the new grounds they were able to continue playing.

Police Department: Sergeant Stokes appeared for Chief Williams and gave a report on the Fourth of July events. The Police Department received multiple 911 calls, often coming in at the same time. There were 173 dispatch calls versus 118 from last year. Most were alcohol-related issues. There was one weapons call.

Fire Chief Mark Billmire also gave a report on the Fourth of July weekend. There were 51 calls for fire department service. Two unconscious people were transported off the beach. Illegal fireworks were an issue, interestingly the same offenders and same neighborhoods as last year. The Fire Department gave lots of warnings but no tickets. Unattended campfires were a problem in places like Bear Basin and Eastside Drive as people were camped in many places just outside of City Limits. Mayor Aymon admitted that "we have some work to do."

Ms. Groenevelt added that the Chamber has already put out a survey to collect information on the Fourth of July to use for future community conversations.

Public Works: Peter Borner, Public Works Director, stated that the Fourth of July weekend was relatively quiet with only one stop sign that came down. More noteworthy was the heavy rain event on July 8. A transformer at the chlorine contact basin took a lightning strike and knocked it offline. The transformer had just been replaced about six weeks prior to this. Ground wiring to the building was not connected. The transformer is being replaced and an electrician will ensure it is grounded and will install surge protection. Because the chlorine contact basin is not operational, effluent is being stored instead of being treated, receiving about 700,000 gallons per day, which is not a great overload. Repair work is covered by insurance. Mr. Borner stated the response to the every-other-day watering schedule is going great and people are complying.

BessieJo Wagner, City Clerk, stated LOT is way above plan and above average. June numbers are just coming in but May was the biggest May on record.

COMMITTEE MINUTES

Council was presented with the following committee minutes:

1. Golf Advisory Committee – May 13, 2015
2. Library Board of Trustees – May 19, 2015
3. Local Option Tax Commission – April 15, 2015
4. McCall Improvement Committee – March 26, 2015
5. McCall Improvement Committee – May 14, 2015
6. McCall Improvement Committee – June 12, 2015
7. McCall Redevelopment Agency – May 19, 2015
8. Planning & Zoning Commission – May 5, 2015

PUBLIC HEARING

Councilor Scott was recused for the first item on the Public Hearing.

AB 15-124 PUD-05-01: Whitetail Planned Unit Development Amendment 2015

Delta James, City Planner, presented the request on behalf of Sabala Whitetail, LLC to amend the Whitetail Planned Unit Development (PUD) that was originally approved in 2005. This application proposes to annex the adjacent "Timbercrest Property" to the Whitetail PUD. The zoning for the Timbercrest Property along with a previously annexed adjacent parcel, the "Smith Property," would then be changed to multi-family residential. This PUD amendment also defines multi-family residential use to allow single-, two-, and multi-family land use limited to an average of four units per acre. This also provides a phasing plan for development of both properties and requires a preliminary plat for both be submitted within seven years of approval of this application.

At the June 2, 2015 meeting of the McCall Area Planning and Zoning Commission a public hearing was held and approval of the application was unanimously recommended to Council.

Ms. James reviewed the contents of the application and outlined the two proposed Conditions of Approval. One was to submit a plat within seven years of date of approval and the other was to agree to a design review prior to issuance of a building permit. That will allow for public hearings when those structures are developed and allow for neighbors to make comments at that time.

The Whitetail PUD currently includes a total of 309 residential units. When the Smith Property was annexed in 2012, Whitetail at that time declined to add the 50 residential units that would be allowed with underlying zoning of the Smith Property to the allowable units of the PUD, and they are not requesting to add those now. They are requesting to add to the PUD the density that would be allowed from the underlying zoning of the Timbercrest parcel, which is an additional 28 units, to maintain an overall underlying density of four units per acre.

Ms. James presented the map exhibit showing the original PUD and the Smith and Timbercrest properties in the proposed PUD. It would be at the time of platting that they would show where structures would be placed or how it would be subdivided. Ms. James added that Staff have no concerns at this time.

Ms. James then turned over the floor to Steve Millemann, Counsel representing the Applicant, who gave a brief summary of the request. Mr. Millemann stated that the proposed amendment will bring into the PUD approximately 7 acres, which was the un-platted remaining portion of Timbercrest subdivision. This limits the overall density of that and the adjoining property to no more than four units per acre, which is the existing zoning, so there is no request to add density in addition to what the existing zoning would allow. The multi-family residential land use designation does not exclude single-family homes but would allow two-family and multi-family units, but again, subject to the proviso that the overall density of the property would not exceed four units per acre. With this annexation 101 units would be available to be platted in the PUD. This annexation does not change the average density or acreage per unit that was present when the PUD was approved, so it does not change the underlying assumptions; it merely gets the Timbercrest acreage into the PUD and assigns the appropriate land use to it.

There were no questions for Mr. Millemann.

Mayor Aymon opened the public hearing for comment at 6:08 p.m. Hearing no comments, Mayor Aymon closed the comment period.

Councilor Witte moved to approve application PUD-05-01, subject to the presented Findings and Conclusions, and authorize the Mayor to sign all necessary documents. Councilor Giles seconded the motion. In a roll call vote Councilor Witte, Councilor Giles, Mayor Aymon, and Councilor Swanson all voted aye and the motion carried.

Councilor Scott returned to the Council.

AB 15-123 PUD-15-01: McCall Planned Unit Development RV Resort Expansion

Delta James, City Planner, presented the Planned Unit Development (PUD) expansion request for McCall RV Resort to Council. PUD 15-01 is a PUD proposal to expand the McCall RV

Resort, located at 200 Scott Street. The PUD currently includes about 117 RV spaces and the owners are proposing to add 100 additional RV spaces. They are also proposing to add a laundry, a restroom facility, and a public pedestrian pathway, which would roughly follow the shoreline of the river as a pedestrian pathway. The only code standard that the Applicant is requesting alleviation for is a slight narrowing of the width requirements for an RV space. McCall City Code requires a minimum 40-foot-wide RV space; the Applicant proposes that the RV spaces be a minimum of 35 feet in width.

Ms. James stated that the PUD proposes three phases of development. The first phase would add 43 additional RV spaces and would complete the looped road through the center of the property. The first phase would also add a 10-foot-wide pedestrian pathway and emergency access point from the southeast corner of the property to the City's riverfront property connecting to the Sheep Bridge Access Road. This would only be for pedestrian use and emergency vehicle access, so bollards would be placed. The new RV spaces would be connected to all utilities including water and sewer. Water and sewer services would be stubbed out within the City's adjacent property at Riverfront Park to allow for possible future development by the City to connect into those systems for the park. The public pathway along the looped road would be delineated and also extended to the north property line for future connection along Deinhard Road. There is one parcel between this subject property and Deinhard Road, so in order to make that connection completely in the future an access easement would have to be obtained from the Heacock family to the north, but this would set the stage for that in the future. Phase 1 would also clear a separated public pathway adjacent to the river. Phase 2 would add 24 additional RV spaces and provide utility services to those RV spaces. This would include the construction of an additional laundry and restroom facility. Phase 2 would also construct a separated public pathway adjacent to the river to a compacted gravel standard. Phase 3 proposes 33 additional RV spaces with utility services, completes a lower looped road, and paves the public pathway along the river (paving being necessary because it is in a 100-year floodway). The proposed timeline for completion of the phases is for the first phase completed in 2016, the second phase in 2019, and the third phase in 2022.

At its June 2 meeting, the McCall Area Planning and Zoning Commission unanimously recommended the PUD general plan for approval subject to Conditions of Approval that were presented by Staff and also added in response to some public concern at that time.

Ms. James then explained the two-step PUD approval process for a new PUD. The first step is articulation of a general PUD plan. The general plan shows all of the proposed phases. Approval of the general plan requires public hearings. The second part is the final plan for each phase. That is when each phase gets final detail provided about it. The final plans come back to the Planning and Zoning Commission and Council for approval before they can be constructed. Public hearings are not held at the final level, but those final plans have to adhere to the general plan.

Ms. James continued, reading the Conditions for Approval. Ms. James then read the additional conditions that were added in response to public comment made at the Planning and Zoning public hearing. These were concessions made by the Applicant to address some of the concerns of nearby homeowners.

Ms. James then turned the floor over to the Applicant.

Chris Freedman, President of G7 RV Resorts, presented the history of his company. The park was purchased five years ago in 2010. The full intent of the purchase was to complete the build-out of the existing project that was approved 10 years ago. They reduced the number of spaces approved in the preliminary project by about 65 spaces, cut down by 30%. All RV spaces are full hookups with electric, sewer, water, and cable. McCall RV Resort was voted one of the Top 50 in the Nation by Good Sam for the quality of the RV resort and the sites. Mr. Freedman reported that last year the RV resort collected \$8,200 in LOT tax. With the addition of the 100 sites that could potentially double to \$16,000. Mr. Freedman cited study results that the average RV camper spends about \$75 a day in town; the extra 100 spaces could be \$7,500 a day that would be spent locally.

Councilor Witte asked about the width of the lots and what the standard would be. Mr. Freeman stated that the RV Park in Donnelly is 25 feet, and some lots in their Caldwell Park are 45 x 60. The new sites will be 35 feet wide.

Mayor Aymon asked about the average length of stay for visitors. Mr. Freedman stated that some visitors stay all summer. A few will stay through the winter, usually workers. The proposed spaces may be suited to more long-term stays. Mr. Freedman estimated that he currently had 42 monthly rented spaces out of 117 total spaces. Most customers are from Boise. There are several on-site managers that are there all the time.

Mr. Freedman then introduced Engineer Scott Acker from Secesh Engineering. Mr. Acker explained that this project meets the density requirements for zoning. He added that this project brings several direct benefits to the City of McCall. One is financial and the other is the public path. This pathway will be 4,600 feet in length and will connect the Rivers Crossing subdivision to the northern property boundary of the McCall RV Resort. The proposed path also includes over 1,000 feet of direct river frontage and is expected to be well-used. Mr. Acker demonstrated on a map the current and proposed PUD. Mr. Acker then demonstrated the overall layout of the construction drawings for the Rivers Crossing project. Mr. Acker noted that the water and sewer utilities services came through the RV resort from off Mission Street. Without the RV resort's cooperation for these utilities, Rivers Crossing would not exist. He then pointed out the proposed PUD. Phases 1 and 2 are similar to the original Phase 2 PUD; however, Phase 3 has been changed substantially. The number of lots has been reduced in half from 67 to 33. The lots have been shifted back away from the river to a minimum setback of 175 feet from the southern property line. There is a public pathway in place of the original riverfront RV sites. Also within this 175-foot setback the area is densely vegetated and meets the screening requirements as outlined in City Code. In conclusion, Mr. Acker stated that this project meets the City of McCall ordinances and guidelines for RV parks and would be a benefit to the City of McCall and its citizens.

Councilor Giles expressed appreciation for the Applicant addressing public concerns.

Ms. James added a few items from her Staff report. The application does stipulate that no RV spaces be located any closer than 10 feet from a designated wetlands area. Any impacts to the wetlands areas, like where a roadway would cross, would require permitting and mitigation by the Army Corps of Engineers. Ms. James also added that one concession made by the Applicant was over concern of the RV spaces that were abutting the Heacock property. Since RV spaces do not have any structures they are not subject to setback requirements of a residential zone as a house would be, but the Applicant willingly shifted those to meet the minimum setback requirements and will be constructing a landscape berm and a split-rail fence to help screen from the Heacock property. Finally Ms. James added that the Planning and Zoning Commission had a site visit and walked the property and the length of the pathway. They looked at the location of the proposed RV spaces to get a sense of how much vegetation exists and how close the proposed spaces would be to the shoreline. They unanimously approved the conditions and findings as presented.

Mayor Aymon asked about a lift station on the property. Ms. James confirmed that it was put there to serve Rivers Crossing subdivision and the subdivision would not have utilities without the RV resort allowing it to be there.

Councilor Witte asked if the previous 2002 approval had expired. Ms. James confirmed that it did, and that is why the Applicant is coming forward now, although they would have to anyway for a change this significant. The point made by the Applicant was that that approval was in place in 2002 before Rivers Crossing was started. There were twice as many RV spaces in that proposal and they were even closer to the river.

Councilor Witte then asked if there is anything specific in the Code about developments near the shoreline. Ms. James stated it is not specific but it does talk about visual quality of the shoreline, which Planning and Zoning takes very seriously. It does reference in the design guidelines some landscape screening within that shoreline and river environs setbacks.

Mayor Aymon opened the public hearing for comment at 6:44 p.m.

John Thompson, 227 Morgan Drive, is a full-time resident of Rivers Crossing, directly across from the pump station. Mr. Thompson felt that his quality of life would be compromised by high traffic in the campground, noise from motorcycles and ATVs, the view of unsightly RVs, lights from vehicles shining into houses across the River, and general noise. Despite the trees being left as screening, Mr. Thompson stated that most of the trees in that area are diseased and would have to be removed. Mr. Thompson recommended hiring a licensed landscape architect to develop a screening plan complete with irrigation and maintenance that would encompass the entire RV resort.

Mark Thorien, 159 Morgan Drive, is a McCall Resident. Mr. Thorien spoke against the project. He stated that the residential zoning does not agree with this type of use, which is outside the scope of conditional use. Mr. Thorien also cited adverse impacts to the river corridor, affecting water quality, fish, wetlands, and the aesthetic view. He stated there would be depreciation of land values for neighbors. Mr. Thorien insisted that the landscape plan needs to be specific and involve the neighbors. Mr. Thorien stated the park would also have a negative effect on the

Scenic Route designation. Mr. Thorien presented a picture of one of the company's other RV parks in Eagle.

Jan Thorien, 159 Morgan Drive, is a McCall Resident. Mrs. Thorien spoke against the project, citing quality of life concerns and agreed with those speaking in opposition. Mrs. Thorien stated that the adjacent property proposed for Phase 3 is the last pristine area along the river that is City-owned and asked the Council not to approve Phase 3.

Steve Richards owns a second home in Rivers Crossing at 249 Morgan Drive. Mr. Richards stated he did not recall receiving a notice of the public hearing. Mr. Richard is opposed to the project and feels that the developer is presenting an illusion regarding shrinking the RV spaces to 35 feet wide instead of 40, which would allow them to increase density. Mr. Richards pointed out that the current screening with trees will not be the same after the construction is completed, so what the Planning and Zoning Commission approved at this time will not be relevant in the future. Mr. Richards asked for Rivers Crossing to be involved in the landscape screening process.

Damon Noller of Boise owns Lot 16 in Rivers Crossing. Despite the detail given, Mr. Noller has a problem with the unknowns. He had questions about the screening along the pathway.

Attorney Steve Millemann spoke as a representative of five property owners from Rivers Crossing. Mr. Millemann explained that the reason a Conditional Use Permit (CUP) is not used is because of the size of the property -- it requires a PUD. Mr. Millemann stated he believed that the PUD can be constructed to be compatible with the residential neighborhood across the river. He did express his concern that there is no evidence to support that proper screening will be completed in the future, that what Planning and Zoning saw in the walk-through does not indicate what it will look like when the sites are built, as many of those trees and vegetation will be removed. Since approval is given now and this is the last opportunity for public comment, there is no opportunity for public comment about the landscaping prior to approval. Mr. Millemann stated the prudent action would be to continue the application, ask the Applicant to provide a scaled landscaping plan demonstrating the finished product, and show where there will be screening and what it will look like. Mr. Millemann would like the condition added to require this plan to be submitted with the final PUD plan and allow public comment on the screening. Mr. Millemann stated that this issue with screening and compatibility with the neighbors is the most central, critical issue. Mr. Millemann would like these conditions added so neighbors will have input on the final screening.

Chris Freedman, the Applicant, reminded those present that Phase 3 may or may not be built, and that it depends on his monetary situation and the demand for these extra spaces, especially since they would only be used in the summer. He also acknowledged the concern over landscape screening. Mr. Freedman explained that this plan is so early in the development stage that the lots are not even laid out yet, and the effort has not been put into doing that because they do not have approval yet. Mr. Freedman noted the pictures presented of the other park in Eagle and stated that it does not compare to this resort. That one is an RV park and this one is a resort. Mr. Freedman stated he understands the neighbors' concerns and wants to be a good neighbor. But he cannot present a screening plan until he gets the approval to go further.

Mr. Freedman referred the discussion to Mr. Acker, his engineering representative. There are some dead trees but they do not intend to remove as many trees as the neighbors indicate. During the final design each site will be look at individually and screening will be determined, but the design does not need to be completed at this time. That timeframe is 6 or 7 years away; too many unknowns at this point. Public should let City Staff do their job and let them decide what screening is adequate.

Mayor Aymon closed the public hearing at 7:10 p.m.

Delta James answered questions from the Council.

Mayor Aymon asked Ms. James to address the claim that one of the residents wasn't noticed. It was the Applicant's responsibility to mail notices to property owners within 300 feet. It was initially done and then it came to the City's attention that it hadn't been done properly, and so Planning and Zoning required it to be done again. To Staff's knowledge it was done properly, for the last public hearing and this one, based on AmeriTitle pulling contact information from the County Assessor's tax records. Seeing all the people here tonight is proof that due diligence was done, and it was also published in the newspaper.

Councilor Witte asked Ms. James to explain the zoning of this area and the permitted uses. This is medium density residential, which is R8. It is also a property over 52 acres in size, so were this to be developed as a residential subdivision it would allow for a density of 456 residential units and the required setback from the river would be 50 feet. The permitted uses are many and an RV park is a conditionally permitted use within this zone. This is a PUD because it is required by Code for properties of this size. Ms. James once again explained the two-step approval process for a PUD and noted the process is a little bit longer and more intensive than a conditional use permit and the permitted uses are not the same as within the CUP scope. As soon as it is a PUD they can request other uses. Everything they are requesting is conditionally permitted within the R8 zone.

As far as the Scenic Route requirements, Ms. James explained that this property is located off Scott Street and the Scenic Route is off Mission Street. The entrance to this property is off the Scenic Route and does conform to Scenic Route requirements, but the PUD is not visible from the Scenic Route. Nothing of the new proposed phases are within the Scenic Route overlay of 150 feet.

Mayor Aymon asked about compatibility -- are there concerns now about compatibility? Ms. James thought there may be concerns now that came out in the Planning and Zoning public hearing. Vehicles accessing the river, noise, etc. Those will be mitigated by creating a barrier, as part of the conditions of approval, and quiet hours. The primary concern was about the screening. The Arborist felt that after the diseased trees are removed the remaining trees would actually thrive and create more screening. Staff feels this is adequate. The process allows for a general plan, not detailed at this point, and then the Applicant can get assurances, and when each phase is up for approval that is when the detailed plans will come into place. Planning and Zoning uses

design guidelines for final phases and that will be scrutinized at that time, but there will be no more public hearings as it is not required.

Councilor Scott acknowledged the concerns. She has spent time in RV parks and does not think noise would be an issue. RV resorts tend to be pretty quiet. She acknowledged that the plan was already in place and it was approved before and should be again.

Councilor Swanson agreed. He acknowledged the concessions in place and the additional setback was generous. He feels that the screening issue could be addressed at the next phase.

Councilor Witte stated this is a difficult position. Clearly the current plan is better than the one that was previously approved. The Applicant has made a number of concessions for compatibility with the neighboring subdivision. She is concerned about the noise. She thought the Code was inconsistent because it doesn't go through the requirements a smaller piece of property does. Councilor Witte thought a condition of approval should be added allowing Rivers Crossing to make comments at a later stage on the landscaping, perhaps allowing them to be noticed when the detailed landscaping plan for Phase 3 with additional public comment comes back to Planning and Zoning.

Councilor Giles felt that good concessions were made on the part of the Applicant. He was comfortable with Planning and Zoning and Staff recommendations.

Mayor Aymon noted that the RV Park was there first. She commented that it is also a very nice RV park and well-regarded. Mayor Aymon thought the campsites were fairly quiet. She acknowledged all the concessions made. It is already a nice park and the addition would be given the same level of care that the original park has. She also regarded Councilor Witte's idea about giving the adjacent property owners a voice when it comes up to Phase 3. They will be notified and comments will be allowed. Mayor Aymon thought perhaps the plan would have looked worse with 456 residential lots, so this is a better alternative. She thinks the concerns of the homeowners can be mitigated with public involvement.

Mayor Aymon commented that Mr. Millemann's ideas are very detailed, and she wondered if Rivers Crossing subdivision was approved under the same requirements. Ms. James said that the Planning and Zoning Commission has increased the level of detail that they require to approve a project that is in the shoreline river environs zone, so some of the development in Rivers Crossing in the past was probably not required to submit this level of detail. Ms. James admitted that she was comfortable with the current code and the current Planning and Zoning requirements for trees and landscape.

Councilors Scott and Swanson both stated their agreement with the Phase 3 conditions.

Ms. James summarized that Council would like to receive written comments to allow for the Rivers Crossing HOA members to submit written comments in response to the final submittal for Phase 3. Councilor Witte agreed that she would like to give people an opportunity to be heard. Mayor Aymon said she was happy with written comment. Councilor Giles agreed. Councilor

Swanson said it would be worth the time to hear comments. Council agreed to allow time for written comments.

Councilor Giles moved to approve PUD-15-01, subject to staff submittal of the revised Findings and Conclusions of Council discussion and authorize the Mayor to sign all necessary documents. Councilor Scott seconded the motion. In a roll call vote Councilor Giles, Councilor Scott, Mayor Aymon, Councilor Swanson, and Councilor Witte voted aye and the motion carried.

PUBLIC COMMENT

Mayor Aymon called for public comment at 7:42p.m.

Dan Gregory of 1309 Roosevelt Avenue commented on the lack of enforcement of 2-hour parking in the downtown area. He operates a store and notes the lack of customer parking because other stores' employees are parking in front of his business and leaving their cars there all day. Mr. Gregory asked Council to revisit the 2-hour parking issue and enforce the rule.

Wayne Dingman of 804 Fairway Drive commented on the Fourth of July celebration. Mr. Dingman had to walk through Legacy Park and noted at least a dozen underage people that were very intoxicated and two people were openly smoking marijuana, and the ground was covered with cans and bottles. He and his family do not appreciate these conditions. He has a background of 20 years in law enforcement and believes this can be managed but it takes all agencies working together. He believes alcohol should be managed more strictly. His 8-year old child was exposed to drinking and drug behavior. Mayor Aymon acknowledged the problem and discussed future plans to better control the environment over the Fourth of July.

Sherry Maupin stated the Chamber is doing a survey on the Fourth of July and asked if Council would like the results to be published in the newspaper. Mayor Aymon said that would be fine.

Dan Gregory addressed the Council again. He noted that there is no ADA parking along the main road. The question was asked of Peter Borner, Public Works Director, who said there are a couple of spots on Lake Street near Art Roberts Park. He said they would look at the area and add more.

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

BUSINESS AGENDA

AB 15-125 Review of Different Taxing Options for a Proposed Local Option Sales Tax Initiative for the 2015 November Ballot

BessieJo Wagner, City Clerk, presented the review of different taxing options for a Proposed Local Option Sales Tax Initiative for the 2015 November Ballot. At the June 26, 2015 Council Work Session the Council recapped the three Community Conversations regarding a 2015 Local

Option Tax Proposal. They also received information from Idaho State University Professor Brian Ellison regarding different taxing models that compare Local Option Tax revenue collected by other communities in Idaho. The Council also reviewed the timeline for the development and adoption of the proposed 2015 Local Option Sales Tax Ordinance. Council directed staff to prepare four different ordinances for review at the July 9, 2015 Council Meeting.

Before the discussion was started Mayor Aymon noted that several citizens volunteered to participate on a Local Option Tax Committee and Mayor Aymon introduced those in attendance tonight. Present were Sheri Maupin, Lou Ross, and Bill Thomas.

BessieJo Wagner presented four different taxing options for discussion:

- 1) A basic general sales tax with the exception of groceries and vehicle sales.
- 2) A general sales tax plus an additional occupancy tax.
- 3) Five taxes: A general sales tax, additional occupancy, liquor by the drink, restaurant meals, and sports equipment rentals.
- 4) Eight taxes: A general sales tax, additional occupancy, liquor by the drink, restaurant meals, sports equipment rentals, admission to special events, lift tickets sold in City Limits, and building materials.

These options were recommended by attendees at the Community Conversations meetings.

Nate Coyle first described how the list was created. The team looked at three sources of data -- taxable sales for Valley County, examining specific industries; second was specific LOT data from Ketchum; and third was Dr. Ellison's estimate.

Mr. Coyle discussed each of the taxing types and demonstrated how they came up with the estimated revenue. Some, like restaurant meals and liquor by the drink, were not very easy to estimate. There was no data to estimate revenue for sports equipment rentals, special events, or lift tickets.

Mr. Coyle clarified that the revenue estimate does not include the current LOT on occupancy.

Councilor Giles asked Gene Drabinski about his thoughts based on feedback received from the Community Conversations Meetings. Mr. Drabinski favored the general sales tax and the additional occupancy tax. The other taxes should be based on our need for revenue and how it impacts the community and the challenges of reporting it. Mr. Drabinski noted that the community did not rank highly the tax on building materials.

Council discussed their preferences for options and the first three options seemed the most popular or the easiest to collect.

City Manager Drabinski reviewed the topics of the next Community Conversations meeting and the exercises that would take place.

City Clerk Wagner reminded Council that after the Community Conversations meeting on Wednesday, staff will need direction from Council by the next Council meeting on which ordinances to put together for further discussion.

AB 15-122 Request for Approval to Submit a Letter to Nez Perce Tribe for Consultation Regarding History of McCall DVD

Carol Coyle, Grant Coordinator, presented the request for approval to submit a letter to the Nez Perce Tribe for consultation regarding a history of McCall DVD to Council. Mrs. Coyle stated that the McCall Historic Preservation Commission was creating a DVD depicting the buildings, people, and events of McCall from 1890 to 1990. Assistance from the Nez Perce Tribe is desired, to include photographs and narrative content.

Councilor Scott moved to approve submission of a letter to the Nez Perce Tribe requesting assistance for the History of McCall DVD project and authorize the Mayor to sign. Councilor Witte seconded the motion. In a roll call vote Councilor Scott, Councilor Witte, Mayor Aymon, Councilor Giles, and Councilor Swanson all voted aye and the motion carried.

AB 15-121 Request to Adopt Resolution 15-09 Authorizing signing of grant application, agreements and other documents related to FY 2016 Drinking Water Planning Grant through Idaho Department of Environmental Quality

Peter Borner, Public Works Director, and Carol Coyle, Grant Coordinator, presented Resolution 15-09 to Council. The City of McCall submitted a Letter of Interest (LOI) to the Idaho Department of Environmental Quality (DEQ) for a FY 2016 Drinking Water Planning Grant. The LOI was scored and placed on a statewide funding priority list, where it was ranked fourth out of 11 projects recommended for funding. DEQ has invited the City to apply for grant funds for the project which will be engineering services for the preparation of a new McCall Water System Master Plan.

The FY2016 Drinking Water Planning Grant will cover 50% of the project cost, with 50% funded through FY15/16 Water Department funding. A resolution authorizing the signing of the grant application, agreements and other documents related to the FY 2016 Drinking Water Planning Grant is a required component of the grant application package.

Councilor Giles moved to approve Resolution 15-09 Authorizing the signing of a FY2016 Drinking Water Planning Grant application, grant agreements and other related documents and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. In a roll call vote Councilor Giles, Councilor Witte, Mayor Aymon, Councilor Scott, and Councilor Swanson all voted aye and the motion carried.

AB 15-120 Request to Adopt Resolution 15-08 Authorizing signing of grant application, agreements, and other documents related to FY 2016 Wastewater Planning Grant through Idaho Department of Environmental Quality

Peter Borner, Public Works Director, and Carol Coyle, Grant Coordinator, presented Resolution 15-08 to Council. The City of McCall submitted a Letter of Interest (LOI) to the Idaho Department of Environmental Quality (DEQ) for a FY 2016 Wastewater Planning Grant. The LOI was scored and placed on a statewide funding priority list, where it ranked third out of 6 projects recommended for funding. DEQ has invited the City to apply for grant funds for the project which will be engineering services for a ground water study and monitoring for the

McCall Winter Storage Pond. Expected costs for the engineering services are \$97,535. Associated laboratory costs and installation of monitoring wells is estimated to cost \$56,465 for a total project cost of \$154,000.

The FY2016 Wastewater Planning Grant will cover 50% of the project cost, with 50% funded through FY15/16 Sewer Department funding. A resolution authorizing the signing of the grant application, agreements, and other documents related to the FY 2016 Wastewater Planning Grant is a required component of the grant application package.

Councilor Scott moved to approve Resolution 15-08 Authorizing the signing of a FY2016 Wastewater Planning Grant application, grant agreements and other related documents, 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, Councilor Giles, and Councilor Witte voted aye and the motion carried.

AB 15-119 Request to Adopt Resolution 15-10 Approving a Petroleum Tank Joint Ownership Agreement

Nate Coyle, Special Projects Manager, presented the request to adopt Resolution 15-10 approving a Petroleum Tank Joint Ownership Agreement with the McCall Fire District. Within the FY15 McCall Capital Plan, \$30K in funding from the General Fund, Airport, and Public Works was allocated toward the purchase of an above ground fuel tank to store and dispense diesel fuel for Public Works and Airport vehicles. The benefits of the acquisition include a reduction of diesel fuel cost and positive control of a fuel source in the event of an isolation event in McCall. During the planning phase of the project, the McCall Fire Department requested an opportunity to be a joint owner of the fuel tank and offered a \$15K match for the purchase of an above ground fuel tank providing \$45K in available funds for acquisition of a fuel tank. The agreement outlines a method of joint ownership and maintenance of a 12,000 gallon above ground fuel tank, and establishes a separate fund within the City's budget to maintain and eventually replace this system at the end of its useful life.

Pending approval and execution of this agreement by both parties, an RFP for acquisition of a 12,000 gallon above ground fuel tank will be released and the selection results along with a contract for purchase will be brought to the McCall City Council and McCall Fire Department for approval. Staff plans that acquisition and installation of this tank would occur in the fall of 2015.

Councilor Swanson moved to adopt Resolution 15-10 approving the Petroleum Tank Mutual Ownership and Joint Operation Agreement with the McCall Fire Protection District, authorizing its execution by the City of McCall, directing the city clerk, 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, Councilor Scott, and Councilor Witte voted aye and the motion carried.

AB 15-117 Request for Approval of Concession Agreement between Bret Armacost, “McCall Lake Cruises,” and the City of McCall

Dennis Coyle, Parks and Recreation Director, presented the request for approval of concession agreement between Bret Armacost, “McCall Lake Cruises,” and the City of McCall. The proposed concession agreement would allow Bret Armacost, “McCall Lake Cruises,” to moor his boat overnight and operate concessions at Brown Park and Art Roberts Park beginning September 1, 2015 thru June 1, 2016 in exchange for removing logs and dock debris from the area north of the Marina. Mr. Armacost would be responsible for any repairs to the docks caused by the concessionaire. Mr. Armacost would also assist park staff with the seasonal removal and installation of the Brown Park docks.

Councilor Giles moved to approve the concession agreement as amended between Bret Armacost, “McCall Lake Cruises” and City of McCall, and authorize the Mayor to sign all documents. Councilor Witte seconded the motion. In a roll call vote Councilor Giles, Councilor Witte, Mayor Aymon, Councilor Scott, and Councilor Swanson voted aye and the motion carried.

AB 15-116 Request to Adopt Resolution 15-11 Parks and Recreation Advisory Committee Charter Revision

Dennis Coyle, Parks and Recreation Director, presented the request to adopt Resolution 15-11 Parks and Recreation Advisory Committee Charter revision. At the May 2105 Parks and Recreation Advisory Committee meeting the Committee voted unanimously to request the McCall City Council approve changing the Advisory Board Charter to eliminate scheduled meetings during the summer. The intent of this agenda item is to request a revision of the Parks and Recreation Charter to effect the following change to add:

The Committee will not meet during the months of June, July and August unless at the request of the Chair, City Manager, City Council, or Staff.

Councilor Scott moved to approve Resolution 15-11 as amended adopting the Revised Parks and Recreation Advisory Committee Charter and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. In a roll call vote Councilor Scott, Councilor Witte, Mayor Aymon, Councilor Giles, and Councilor Swanson all voted aye and the motion carried.

AB 15-118 Memorandum of Understanding between the City of McCall and McCall Donnelly Joint School District No. 421 for joint use of Tennis Court Facilities

Dennis Coyle, Parks and Recreation Director, presented the Memorandum of Understanding (MOU) between the City of McCall and McCall Donnelly Joint School District No. 421 for joint use of Tennis Court Facilities for approval. The Parks and Recreation Department and the McCall-Donnelly Joint School District propose entering into a MOU between the City and the McCall-Donnelly School District for joint use of the Tennis Court facilities. The MOU is similar to previous agreements between both parties. The purpose is to maximize use and increase recreational opportunities for the community. The term would be effective upon signing for a period of three years beginning July 1, 2015.

Councilor Scott moved to approve the MOU as amended between the City and McCall Donnelly Joint School District No. 421 for joint use of the Tennis Court facilities and authorize the Mayor to sign the Memorandum of Understanding. Councilor Giles seconded the motion. In a roll call vote Councilor Scott, Councilor Giles, Mayor Aymon, Councilor Swanson, and Councilor Witte all voted aye and the motion carried.

Upcoming Meetings Schedule Discussion

Council discussed upcoming meetings. July 15, 2015 is the next Community Conversations meeting. Budget meeting will be July 17. There will be an executive session added to the budget meeting so they can narrow down the selection of candidates for interviews. July 21 through July 24 will be the special executive sessions for interviews, if needed. The executive sessions will be posted.

Mayor Aymon brought up a request from a local student to allow a market animal to be raised in R4 zoning for her 4H project. This would require Council to waive the ordinance. This will be placed on the agenda for the next meeting.

CONSENT AGENDA

Staff recommended approval of the following items:

1. City Council Special Minutes – January 15, 2014
2. City Clerk License Report
3. Payroll Report for Period ending June 19, 2015
4. Warrant Registers

Councilor Witte 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.

EXECUTIVE SESSION

At 9:07 p.m. Councilor Scott moved to go into executive session for:

- **Land Acquisition - Pursuant to Idaho Code §74-206 (1) (c) To acquire an interest in real property which is not owned by a public agency**
- **Litigation - Pursuant to Idaho Code §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;**

Councilor Giles seconded the motion. In a roll call vote Councilor Scott, Councilor Giles, Mayor Aymon, Councilor Swanson, and Councilor Witte all voted aye and the motion carried.

Council discussed land acquisition and a possible litigation issue.

OPEN SESSION

At 9:57 p.m. Councilor Witte moved to return to open session. Councilor Scott seconded the motion. In a voice vote all members voted aye the motion carried.

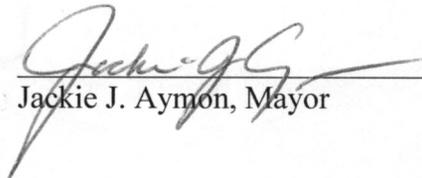
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 9:57 p.m.

ATTEST:


BessieJo Wagner, City Clerk




Jackie J. Aymon, Mayor