

# MINUTES

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**McCall City Council  
Regular Meeting  
Legion Hall (McCall City Hall - Lower Level)  
July 10, 2014**

## Agenda

Call to Order and Roll Call  
Approve the Agenda  
Reports  
Pledge of Allegiance  
Public Hearing  
Public Comment  
Proclamations  
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 5:35 p.m. Mayor Aymon, Councilor Giles, Councilor Witte, and Councilor Swanson all answered roll call. Councilor Scott was absent.**

City staff present was Gene Drabinski, City Manager; Bill Nichols, City Attorney; Eric McCormick, Golf Superintendent; Justin Williams, Chief of Police; Michelle Groenevelt, Community Development Director; Nate Coyle, Airport Manager; Dennis Coyle, Parks and Recreation Director; Peter Borner, Public Works Director; Linda Stokes, City Treasurer; Traci Malvich, Human Resources Manager; Carol Coyle, Grant Coordinator; Erin Roper, Communications Coordinator; and BessieJo Wagner, City Clerk.

## **APPROVE THE AGENDA**

**Councilor Giles moved to approve to amend the City Council Agenda to add AB 14-140 Request to proclaim July 15, 2014 as Jerry Jutting Day due to this item was requested by a citizen on July 9, 2014 and the next Council meeting is not until after the requested date for the proclamation. Councilor Swanson seconded the motion. In a voice vote all members voted aye and the motion carried.**

## REPORTS

Mayor Aymon commented the new process where Council would present information to the County quarterly had been initiated. She attended the Valley County Commissioners meeting and gave an update as to the state of the City. Mayor Aymon updated the County Commissioners on the City's Capital Improvement Committee and how it was formed, the water and sewer issues the City was facing, the donation by Midas Gold to Fairway Park, the Moose Tracks public debate and how interesting the project was, the City Budget and the introduction of priority based budgeting, and the affordable housing issue McCall has been facing with the need of seasonal employees and the County was facing the same issue. She also informed the Commissioners that she was on the AIC Legislative Committee. She commented that the experience was enjoyable and that she was well received by the Valley County Commissioners.

Gene Drabinski, City Manager, updated the Council on the wastewater working group comprised of City and Payette Lakes Recreation Water and Sewer District employees. He also stated that Nate Coyle had been appointed to the group to facilitate cross training between the two entities. Councilor Witte asked as to why Mr. Coyle had been selected. Mr. Drabinski stated that Mr. Coyle had much more to offer than what was required of him as the Airport Manager and this was the first step in expanding Mr. Coyle's accountability and responsibilities.

Mr. Drabinski also commented on the long term consolidation plan of the sewer district and the city sewer department. He gave a brief explanation as to the long timeline for consolidation of the two entities. Mr. Drabinski also stated that legislative action would be needed in order to consolidate as currently there was not any legislative authority to do so.

Michelle Groenevelt, Community Development Director, updated the Council on the "APP" For Bear Basin trails available on the City website. She also clarified for the Council the "Sharrows" that are painted on City Streets, stating that it was a share the road indicator so motor vehicles should expect to see bicyclist and bicyclist should expect to see motor vehicles. She also stated that the City had received positive comments related to the "Sharrows."

Michelle Groenevelt stated that the Chamber was happy with the 4<sup>th</sup> of July festivities. She also commented that the Chamber was looking for ways to fund raise for fireworks as they realize that the Local Option Tax money may not be available for much longer.

Michelle Groenevelt also commented on the affordable housing issues in McCall. She stated that she had contacted the Housing Company to determine their status on the issue. She stated that the Housing Company had not been keeping track of what was happening in McCall; however the Housing Company stated that the City may want to send a letter identifying the housing issues. Ms. Groenevelt stated that the Chamber was writing a letter as well as other groups within the area to draw attention to the housing issues.

Peter Borner, Public Works Director, stated that the open house for Park Street was to discuss the design. He also commented that only one person from the community attended the open house. Mr. Borner stated that the project should be completed just after Labor Day.

Eric McCormick, Golf Course Superintendent, stated that play was good.

Justin Williams, Chief of Police, gave a brief update regarding the 4<sup>th</sup> of July. He stated that there were a large number of college students present. He expressed some concern about the behavior of those visitors and the deterrent their behaviors have on families coming to town to enjoy the 4<sup>th</sup> of July. He stated that there were many fights and disturbing the peace calls.

The Council received copies of the following Committee Minutes:

1. Airport Advisory Committee – May 1, 2014
2. Environmental Advisory Committee – May 12, 2014
3. Historic Preservation Commission – April 25, 2014
4. McCall Centennial Committee – November 5, 2013
5. McCall Improvement Committee – May 8, 2014
6. McCall Improvement Committee – June 12, 2014
7. Planning and Zoning Commission – June 3, 2014

**Mayor Aymon led the audience in the Pledge of Allegiance at 6:00 p.m.**

## **PUBLIC HEARING**

### **AB 14-132 Conditional Use Permit - CUP-14-03: 216 E. Park Street - City of McCall Police Tower**

Michelle Groenevelt, Community Development Director, presented Conditional Use Permit - CUP-14-03: 216 E. Park Street - City of McCall Police Tower to Council stating that a Conditional Use Permit application had been submitted to entitle a commercial antenna and tower on the subject property and within the CV – Civic zone, pursuant to McCall City Code (MCC 3.6.02).

Justin Williams, Chief of Police, stated that the proposed project included installation of a 55 ft. communications tower on the west side of City Hall / Police Department building with antennas that will extend up to 77 ft. in height. The antenna tower would be installed on a 4 ft. by 4 ft. footing and replace an existing 73 ft. wooden pole at that location. He stated that the purpose of the antenna and tower is to improve emergency services communications for the McCall Police Department, Valley County Sheriff's Office, and McCall Fire and EMS. Chief Williams presented photos of the proposed sight for the tower. He stated that other sites were evaluated as possible sites for the antenna finding that the City Hall location to be the best option for coverage.

On June 3, 2014, the McCall Area Planning and Zoning Commission held a public hearing and unanimously recommended this Conditional Use Permit application (CUP-14-03) to the McCall City Council for approval and required a second public hearing. Several public comments were received prior to the June 3, 2014; McCall Area Planning and Zoning Commission meeting and these are summarized on the enclosed Staff Report. No one appeared at the McCall Area Planning and Zoning Commission meeting to comment in favor or in opposition to the application.

**Mayor Aymon opened the public hearing for CUP-14-03: 216 E. Park Street - City of McCall Police at 6:15 p.m.**

Steve Testarti – owner of one Unit in Alpine Village – he was opposed to the antenna. He stated that he appreciated the work done by the Police Department when looking for alternate locations for the tower. He stated that he felt the Police Department was “hamstrung by costs.” He stated that he did not feel it was holding with the Downtown Master Plan. He stated the he believed it would negatively affect property values and was concerned that others would want to put other items on the tower. He expressed concern as the precedence this would be setting if others wanted to put up a tower such as a cell tower.

Mary Hasmmorrow – owner of a unit in Alpine Village – complimented the Police Chief on work on 4<sup>th</sup> of July. She expressed concern about location of the tower and the size of the tower. She was concerned with what else could be approved to go up such as the possibility of a cell tower. She also expressed concern with the process.

John Alegria – owner of 3 units in Alpine Village – expressed concern with the general livability of the City. He was not complimentary to the Police Chief or the treatment received by the Police Department. Mr. Alegria continued to express his dislike of Chief Williams and information received. He stated that the Council should not make any decision until a study is provided and was not convinced that there was any lack of coverage for the McCall Police Department, Valley County Sherriff’s Office, and McCall Fire and EMS.

Councilor Witte asked that the City Attorney clarify the difference between a conditional use permit and a variance. Bill Nichols, City Attorney, stated that a variance is a term many use to describe an exception to the zoning code requirement. He stated that this was not the case with the application before the Council; the application was for a Conditional Use Permit. He stated that a Conditional Use Permit was provided for in the city code that certain uses were only allowed under a Conditional Use Permit. He stated that the process for a Conditional Use Permit allows the City to consider the impact of the use on the neighborhood and a variety of different factors to try to minimize impact the use may have. Councilor Witte clarified that this was a permitted use.

Councilor Giles stated that in the information provided to Council a communication tower is exempt from the height requirement of a building height requirement. Ms. Groenevelt stated that was correct.

Councilor Swanson asked for clarification as to the location that was recommended if the tower height was increased. Chief Williams stated that the location was at the Public Works Building. He stated that the tower would need to be 100 feet tall.

Chief Williams stated that the process for this application had started in February.

Mike Hormaechea – owner of the Alpine Village – spoke in opposition of the tower. He stated that regarding the Downtown Master Plan it seemed that the City Hall location was the worst

place for the tower. He stated that it did not seem to be the best place for the tower with all that the City had invested in improving the downtown.

**Hearing no further comments Mayor Aymon closed the public hearing.**

Councilor Swanson appreciated the comments and wondered what the costs would be to place the tower elsewhere. Justin Williams gave a brief costs analysis stating that to locate the tower at the Public Works building would cost an additional \$35,000. He stated that the location at the water treatment plant was not conducive for the tower due to the dust and dirt that would be stirred up constantly. He stated that at the other locations a building would need to be built and therefore those locations were not cost effective.

Councilor Witte wanted to confirm that it could be relocated at a later date; Chief Williams confirmed that it could be re-located.

Mayor Aymon did not feel it was the worst thing that could happen here, she stated that health and safety was most important and was not opposed to the application.

**Councilor Giles moved to approve CUP-14-03, subject to the presented Finding and Conclusions, and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. Councilor Giles, Councilor Witte, Mayor Aymon, and Councilor Swanson, all voted aye and the motion passed.**

**AB 14-131 Zoning Ordinance adoption - ZON-14-01: 503 Hemlock Street, McCall Central Business District (CBD) to Low Density Residential (R4) Zoning Map Amendment**

Michelle Groenevelt, Community Development Director, presented the Zoning map amendment request to change the zoning of a single parcel, addressed as 502 Hemlock Street, from CBD-Central Business District to R4-Low Density Residential zone to conform with adjacent properties and to allow an addition to the existing single-family residence on the subject parcel. The Future Land Use Map within the McCall Area Comprehensive Plan (2007) identifies the parcel as having a future zoning of residential, therefore, the proposed zoning map amendment is consistent with the McCall Area Comprehensive Plan.

At the June 3, 2014 meeting, the McCall Area Planning and Zoning Commission unanimously recommended approval of application ZON-14-01 to City Council. The meeting included a public hearing at which no one appeared or provided written comment in favor or opposition to this application.

**Mayor Aymon opened the Public Hearing for Zoning Ordinance adoption - ZON-14-01: 503 Hemlock Street, McCall Central Business District (CBD) to Low Density Residential (R4) Zoning Map Amendment at 6:51p.m.**

**Hearing none the Mayor Aymon closed the Public Hearing.**

**Councilor Swanson moved to approve ZON-14-01, subject to the presented Findings and Conclusions. Councilor Witte seconded the motion. In a roll call vote Councilor Swanson, Councilor Witte, Mayor Aymon, and Councilor Giles all voted aye and the motion passed.**

**Councilor Witte moved to suspend the rules and read by title only one time only Ordinance No 924. Councilor Swanson seconded the motion. In a roll call vote Councilor Witte, Councilor Swanson, Mayor Aymon, and Councilor Giles all voted aye and the motion carried.**

BessieJo Wagner, City Clerk, read by title only one time only Ordinance No 924:

An ordinance of the City of McCall, a Municipal Corporation of the State of Idaho, Valley County, Rezoning Certain Real Property in the City of McCall, Valley County, from CBD (Central Business District) to Residential R-4 (Low Density Single-Family Residential District); providing for related matters; and providing an effective date.

**Councilor Swanson moved to adopt Ordinance No. 924, approve the publication of the summary, and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. In a roll call vote Councilor Swanson, Councilor Witte, Mayor Aymon, and Councilor Giles all voted aye and the motion passed.**

Councilor Scott joined the meeting at 6:54 p.m.

## **PUBLIC COMMENT**

**Mayor Aymon called for public comment at 6:55 p.m.**

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

## **PROCLAMATION**

### **AB 14-140 Request to proclaim July 15, 2014 as Jerry Jutting Day**

BessieJo Wagner, City Clerk stated that Sherry Maupin requested to Proclaim July 15, 2014 as Jerry Jutting Day. Jerry Jutting has served as the Idaho First Bank Senior Vice President since 2008 and is now retiring. He has served the bank and business community through an economic downturn and helped to support many small businesses in the McCall community to remain financially viable. Mr. Jutting has also served the community as the Rotary Club President, a Chamber of Commerce Board member, and on the McCall Memorial Hospital District Board of Directors. Mr. Jutting's direction for the community will be missed as he enters retirement.

**Councilor Swanson moved to proclaim July 15, 2014 Jerry Jutting Day and authorize the Mayor to sign all necessary documents. Mayor Aymon seconded the motion. In a roll call vote Councilor Swanson, Mayor Aymon, Councilor Giles, Councilor Scott, and Councilor Witte all voted aye and the motion carried.**

## **BUSINESS AGENDA**

### **AB 14-136 Live Music by the Lake Request to Extend the Noise Ordinance**

BessieJo Wagner, City Clerk, presented the Live Music by the Lake Request to Extend the Noise Ordinance to Council. At the June 12, 2014 Council Meeting, Salmon River Brewery submitted a request to have the noise ordinance extended until 11:00 pm on each Saturday 6/14, 6/21, 6/28, 7/5, 7/12, 7/19, 7/26, 8/2, 8/9, 8/16, 8/23, 8/30, 9/6, 9/13, 9/20, 9/27 and on the Fourth of July 2014 until 1:00 a.m. The request was for live music in Carey Park.

McCall City Code States 8-14-5: Noise

Parades, concerts, festivals or events, between the hours of eight o'clock (8:00) A.M. and twelve o'clock (12:00 midnight, Sunday through Thursday; and between eight o'clock (8:00) A.M. and one o'clock (1:00) A.M. Friday through Saturday, so long as parade, concert, festival or event is approved by the Mayor and City Council.

The Council approved the request through July 5, 2014 and requested that the Council revisit the request at the July 10, 2014 Council Meeting to determine if the extension would be applied to the other dates requested.

Matt Ganz, owner of the Salmon River Brewery, addressed the Council. He thanked the Council for their support of their experiment. He acknowledged that there had been a noise complaint for each event. He stated that they have turned down their sound. He hopes these shows would be an enhancement to the community.

David Carey, owner of Hotel McCall and Carey Park, hoped that the concert series would be a positive experience for the McCall downtown. He stated that it was a family friendly environment where locals and visitors can enjoy live music outside during the summer. He was happy to work with a business that has ties to the community and is professional.

Chief Justin Williams stated that the Police Department had received minimal complaints.

There was some discussion as to whether this event would even need to be an approval to extend the noise ordinance by the Council.

**Councilor Scott moved to approve extension of noise ordinance and authorize the Mayor to sign the application for permit. Councilor Swanson seconded the motion. Councilor Scott, Councilor Swanson, Mayor Aymon, Councilor Giles, and Councilor Witte all voted aye and the motion carried.**

### **AB 14-138 A One Percent (1%) Local Option Sales Tax Proposal**

Gene Drabinski, City Manager, presented the One Percent (1%) Local Option Sales Tax proposal to Council. He stated that the Community Capital Improvement Plan Group (Community CIP Group,) comprised of both community and business leaders, was established in October of 2013. The group was formed in order to engage and inform the community about the City's capital improvement needs and funding shortfalls for those projects. Additionally, the group's role is to

advise the City Manager on the capital improvement priorities from the community's perspective. Initially, the group met weekly to hear presentations, made by each City department, on their top ten capital improvement needs. After each presentation, the projects were scored by the community group using a matrix developed by City staff. Consideration was given for health and safety, available outside funding (grants), project, and life cycle costs, operating budget impact, quality of life, implication of project deferral, and economic and environmental impact.

The goal was to prioritize each department's capital improvement needs and then develop a top ten capital improvement project list across all departments. Once the top ten projects were identified and with the help of Cameron Arial, the group began to determine possible funding sources. After much deliberation, the group agreed on a 1% local option sales tax. On Friday, June 27, the Community CIP Group attended a City Council Work Session where the City Manager introduced the group and gave a brief description of their process to Council. The Community CIP Group proposed their recommendation of a 1% sales tax to the City Council.

Gene Drabinski, City Manager, walked the Council through the outline of the main points of a 1% Local Option Sales Tax Ordinance.

There was a general consensus of the Council that the term of the tax would be 10 years.

Mr. Drabinski gave a brief explanation of infrastructure.

Councilor Swanson would like some language to include pathways; Mayor Aymon agreed.

Councilor Witte stated that she would like to add to the survey community comments regarding using an advisory group to advise the Council on the priorities for the use of the funds collected from a 1% Local Option Sales Tax. There was some discussion as to whether or not to include a Council Member on the advisory committee.

There was a general consensus from the Council to move forward with a survey regarding a 1% Local Option Tax Ordinance and to work with the City's attorney to draft said ordinance for further consideration.

**Council took a short recess at 8:04 p.m. and returned at 8:11 p.m.**

Councilor Witte was recused from the next item

**AB 14-139 Approval for Consent to Assignment of Lease for Hangar 202, Ryno Works, Inc**

Nate Coyle, Airport Manager, presented the request for approval for the Consent to Assignment of Lease for Hangar 202, Ryno Works, Inc. He stated that Ryno Works, Inc. (Ryan Miller), owner of Hangar 202, was in the process of refinancing through Umpqua Bank which has requested consideration for issuance of a landowner's consent to assignment for completion of this refinancing process. A landlord's consent to assignment of lease allows a lender, Umpqua Bank in this case; to step into the position of the lessee should the lessee default or be in danger of defaulting upon the lease agreement for this hangar. In the scenario of a default, the lender



then becomes the lessee until the defect is cured, and the lender fulfills the terms of the lease agreement.

**Councilor Scott moved to approve the consent to Assignment of Lease for Hangar 202 and authorize the Mayor to sign all necessary documents. Councilor Giles seconded the motion. In a roll call vote Councilor Scott, Councilor Giles, Mayor Aymon, and Councilor Swanson all voted aye and the motion carried.**

Councilor Witte returned to the Council

**AB 14-134 Hangar 208 Lease Amendment and Establishment of New Lease**

Nate Coyle, Airport Manager, presented the request for Hangar 208 Lease Amendment and Establishment of New Lease. He stated that the owner of Hangar 208B, Marvin May, had a sale pending and would like to request removal of interest, through amendment, from an existing lease which was shared with the owner of Hangar 208A, Hugh McNair. Subsequently, the purchaser of Marvin May's hangar, Jackson Foods, Inc., had requested establishment of a new lease at the time of closing. Mr. Coyle explained that the end result of the transaction would split the existing lease into two separate leases for each individual hangar and owner. The purchaser had been provided with a copy of the proposed lease, current Airport Rules and Regulations, and Airport Minimum Standards. The existing lease was entered into on August 30, 1993, for a period of 20 years and was renewable for up to four (4) additional five (5) year terms. The proposed new lease matches these terms stipulating a period of 20 years and is renewable for up to four (4) additional five (5) year terms. The annual lease rate would be aligned to the current rate, \$.35 per square foot for both covered area and bare ground, resulting in an initial annual lease fee of \$4,987.50 subject to annual CPI adjustments.

The following amendments were requested as follows:

1. Correct 208A and 208B change
2. Date Change from June 24, 2014 to July 17, 2014
3. Lease rate to stay as is for Hugh McNair

**Councilor Scott moved to approve the amendment of existing lease for Hangar 208 to remove Marvin May's interest in the facility, and approve establishment of a new lease for Hangar 208A to Jackson Foods, Inc., as amended, and authorize the Mayor to sign all necessary documents. Councilor Swanson seconded the motion. Councilor Scott, Councilor Swanson, Mayor Aymon, Councilor Giles, and Councilor Witte all voted aye and the motion carried.**

**AB 14-133 McCall AIP 021 FAA Grant Offer Approval Request**

Nate Coyle, Airport Manager, presented the request for a McCall AIP 021 FAA Grant Offer. The McCall Municipal Airport has coordinated with the FAA and key airport users for completion of an FY14 maintenance project. The scope of this project would include crack sealing, seal coating, and re-marking the runway and apron/taxiway surfaces, and replacement of the airport's rotating beacon. On 25 June, the FAA issued a grant offer to the City of McCall for execution of this project in the amount of \$205,512 with a deadline for acceptance of 16 July.

**Councilor Swanson moved to approve submission of the FAA Grant Application for execution of AIP 021 and authorize the Mayor to sign all necessary documents. Councilor Witte seconded the motion. In a roll call vote Councilor Swanson, Councilor Witte, Mayor Aymon, Councilor Giles, and Councilor Scott all voted aye and the motion carried.**

**AB 14-135 USFS Airport Maintenance Contract – McCall Municipal Airport**

Nate Coyle, Airport Manager, presented the USFS Airport Maintenance Contract with the McCall Municipal Airport to Council. The McCall Municipal Airport has coordinated with the USFS for renewal of an existing maintenance contract which funds operation and maintenance costs for the USFS's proportional use of the airport. The contract presented with this agenda bill offers a base payment amount of \$46,678 (16% of the FY14 airport O&M budget) with annual CPI adjustments to the base amount within four available option years. These option years will produce payment to the City of McCall at the end of each respective fiscal year. The Airport Manager will provide an update of negotiations that occurred following the 10 April status update that was issued to Council on this subject during presentation of this agenda item.

**Councilor Scott moved to approve the USFS contract for operations and maintenance costs of the airport and authorize the Mayor to sign all necessary documents. Councilor Swanson seconded the motion. Councilor Scott, Councilor Swanson, Mayor Aymon, Councilor Giles, and Councilor Witte all voted aye and the motion carried.**

**AB 14-137 Discussion Regarding Short Term Rentals: Definition of issues and tools for management**

Michelle Groenevelt, Community Development Director, presented the discussion Regarding Short Term Rentals: Definition of issues and tools for management to Council. She stated that the issue for the City Council was to discuss and determine if short term rentals should be regulated within the City of McCall and McCall Impact Area. To date, vacation or short term rentals have not been required to obtain any land use approvals for this type of use within residential zones. However, short term rentals located within the City limits are required to obtain a business. Short term rentals within the City limits are subject to paying Local Option Tax and play an important role in the McCall economy.

Ms. Groenevelt stated that she had contacted other resort cities to find out how they regulate short term rentals. She gave Council a brief summary of those communities and commented that all resort cities regulate their short term rentals differently. She stated that recommendation would be to do a code amendment that would define short term rentals and regulate them with a conditional use permit with the larger homes. Staff would work with the City Attorney on the best way to define those larger short term rentals.

There was a general Consensus from the Council to proceed with the code amendment.

**Upcoming Meetings Schedule Discussion**

Council reviewed the Upcoming Meetings Schedule. July 25<sup>th</sup> the work session will be a sewer overview.

## CONSENT AGENDA

Staff recommended approval of the following items:

1. Council Regular Minutes – June 12, 2014
2. Council Special Minutes – June 13, 2014
3. Payroll Report for Period ending June 20, 2014
4. Warrant Registers

A brief discussion took place regarding the Warrant Register and corrections to the minutes.

**Councilor Scott moved to approve the Consent Agenda with the minutes as corrected. Councilor Swanson seconded the motion. In a voice vote, all voted aye and the motion carried.**

## EXECUTIVE SESSION

At 8:51 p.m., Mayor Aymon moved to go into Executive Session for

- Personnel – Pursuant to Idaho Code §67-2345(1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

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

Council discussed personnel issues.

## RETURN TO OPEN SESSION

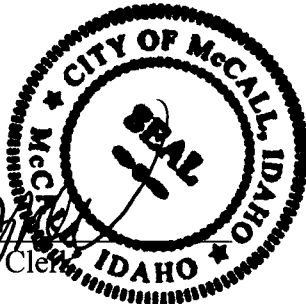
**At 9:30 p.m., Mayor Aymon moved to return to Open Session. Councilor Witte seconded the motion. In a voice vote, all voted aye and the motion carried.**

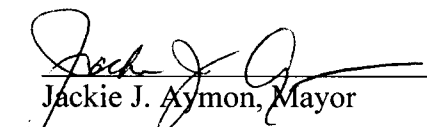
## ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 9:31 p.m.

ATTEST:

  
BessieJo Wagner, City Clerk



  
Jackie J. Aymon, Mayor