

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
November 7, 2013**

Agenda

Call to Order and Roll Call
Approve the Agenda
Department Reports
Committee Minutes
Pledge of Allegiance
Public Comment
Business Agenda
Consent Agenda
Executive Session
Open Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Bailey called the regular meeting of the McCall City Council to order at 5:30 p.m. Council Member Aymon, Mayor Bailey, Council Member Swanson, and Council Member Witte all answered roll call. Council Member Scott was absent.

City staff present was Gene Drabinski, City Manager; Bill Nichols, City Attorney; Larry Stokes, Interim Chief of Police; Linda Stokes, City Treasurer; Michelle Groenevelt, Community Development Director; Dennis Coyle, Parks and Recreation Director; Peter Borner, Public Works Director; Carol Coyle, Grant Coordinator; Kurt Wolf, Parks Supervisor; and BessieJo Wagner, City Clerk.

APPROVE THE AGENDA

Mayor Bailey with the consent of the Council approved the agenda as submitted.

REPORTS

Michelle Groenevelt, Community Development Director, and Carol Coyle, Grant Coordinator, updated Council on the I-Way Award and the McCall Redevelopment Agency grants.

Gene Drabinski, City Manager, updated Council on the Communications Coordinator position. Mr. Drabinski also updated Council on the Capital Improvement Plan citizen working group.

Michelle Groenevelt clarified the discussion between Public Works, Community Development, and City Manager to document the extent of out of compliance developments. The purpose was to strategize ways to improve and enforce existing development agreements and to properly advise new development.

Peter Borner, Public Works Director, updated Council on several street projects. Mayor Bailey discussed two street lights that needed to be installed on Pine Street. Mr. Borner clarified the time frame of the streets loss of service life.

Council Member Aymon commented on how good the Welcome to McCall sign looks.

Council briefly discussed the LOT receipts.

Mayor Bailey asked for additional information on the building permits prior to the economic downturn.

Council discussed the effort it takes to get to Legacy Park and the possible need for additional signage.

There was a brief discussion on new businesses.

Mayor Bailey updated Council on Historic Preservation Committee's tour of the Payette Lakes Inn.

The Council received copies of the following:

1. Chamber of Commerce Board – April 11, 2013
2. Chamber of Commerce Board – May 16, 2013
3. Chamber of Commerce Board – September 12, 2013
4. Historic Preservation Committee – September 24, 2013
5. McCall Library Board – August 20, 2013
6. McCall Library Board – September 26, 2013
7. McCall Improvement Committee – September 12, 2013
8. McCall Redevelopment Agency – September 17, 2013

Mayor Bailey led the audience in the Pledge of Allegiance at 5:59 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 6:07 p.m.

Mayor Bailey congratulated the newly elected Council Members. Mr. Giles commented how everyone has been very helpful during this process.

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

BUSINESS AGENDA

AB 13-195 Tree Committee Member Appointment - Nathan Todd

Kurt Wolf, Parks Supervisor, presented the Tree Committee Member appointment. He stated that Mr. Todd has a degree in Horticulture, is active in hockey, and currently works for the school district. Mr. Wolf stated the Tree Committee recommended that City Council appoint Nathan Todd to the Tree Committee for a three year term to fill the vacancy left by Dave Mathis' resignation.

Mayor Bailey moved to approve the appointment of Nathan Todd to the Tree Committee for a term of three years to expire November 2016. Council Member Aymon seconded the motion. In a Voice vote, all voted aye and the motion carried.

AB 13-196 Tree City USA Application for Re-Certification

Kurt Wolf, Parks Supervisor, presented the Tree City USA Application for Re-Certification. Mr. Wolf stated the City of McCall Parks Department would be applying for the 12th Tree City USA certification. He gave Council information on the criteria required to qualify for the Tree City USA certification.

Council Member Witte moved to approve the 2013 Application for Tree City USA Certification and authorize the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote Council Member Witte, Council Member Aymon, Mayor Bailey, and Council Member Swanson all voted aye and the motion carried.

AB 13-198 Approval of Amerigas Propane Contract

Peter Borner, Public Works Director, presented the Amerigas Propane Contract stating that eleven propane tanks serve the City of McCall's heating needs of various buildings and departments. Mr. Borner stated the two propane providers were Amerigas and Farmer's Coop. He stated McCall could get the propane at a cheaper rate than what was being charged under the State of Idaho contract. He expected to see a savings over \$1000. Mr. Borner stated the price for propane would be \$0.45 over the State Terminal Index and there would be no other additional fees. The above ground tanks that Amerigas will provide would be rent free.

Council Member Swanson moved to approve the contract with Amerigas for propane for FY14 and authorize the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote Council Member Aymon, Council Member Swanson, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.

AB 13-200 McCall Mall Agreement Update

Michelle Groenevelt, Community Development Director, presented the McCall Mall Agreement Update and stated that the City of McCall entered into an agreement with the property owner, Vicki Wade, of the McCall Mall on November 13, 2008. Ms. Groenevelt stated staff and the City Attorney agreed a two year agreement extension currently would be the best option.

Council Member Aymon requested an update on property screening methods and the status of the stairs to the property. Ms. Groenevelt said the safety issue was with the path, but not the stairs. She also stated that Urban Renewal was looking at possible screening methods.

Bill Nichols, City Attorney, reviewed the extension of the agreement. He noted the additional time would allow staff to examine the situation further and the remaining items could be completed by City of McCall and the property owner.

Mayor Bailey suggested the City could help draft the license agreement. He also reviewed the incomplete items from the agreement.

Council Member Aymon and Council Member Witte expressed concern that the owner would not complete her portion of the agreement. Council Member Aymon and Council Member Witte did not see an advantage in extending the agreement and were not in favor of the agreement extension.

Mayor Bailey said the Master Plan could give guidance on how to address the McCall Mall property.

Council Member Witte did not like the license agreement without an easement from the McCall Mall owner.

Staff explained the reason for extending the agreement.

Mayor Bailey moved to approve the Addendum to Agreement between Vicki Wade, doing business as McCall Mall and the City of McCall. Council Member Swanson seconded the motion. In a roll call vote Mayor Bailey, Council Member Swanson, Council Member Aymon, all voted aye, Council Member Witte voted no, and the motion carried.

AB 13-194 Deinhard Lane and Boydston Street Connector Agreements Review

Michelle Groenevelt, Community Development Director, presented the Deinhard Lane and Boydston Street Connector Agreements review update. The agreement stated that all parties understood that the Connector would not be a truck route and it would not be marked as a truck route or bypass. There was an attempt in 2007-2008 by the City of McCall to negotiate with one of the owners to remove the truck route and bypass restriction, but new property owners were unwilling to release the restrictions. Ms. Groenevelt stated that Boydston would be the detour route during the Lardo Bridge replacement. She suggested contacting the owners again to inform them of the detour and to also request the release of the restrictions and allow it to be a bypass or truck route.

Council Member Aymon suggested considering waiting until the detour is in place allowing residents to become used to the traffic, then asking the owners' to reconsider the restrictions.

There was Council consensus to send the letter of request to lift the restriction.

AB 13-197 Joint City of McCall-Payette Lakes Recreational Water and Sewer District (PLRWSD) Working Group & TAG Plan Update

Mayor Bailey explained the email he sent and why he wanted the Payette Lakes Recreational Water and Sewer District (PLRWSD) working group and TAG plan on the agenda. He noted that he received a draft Memorandum of Understanding (MOU) in response to the email. Mayor Bailey requested that any discussion on the draft MOU be done in executive session. Bill

Nichols, City Attorney, agreed that any discussion, to the extent that it constituted an amendment of the settlement agreement, would qualify under the Litigation Exception for Executive Session. Mayor Bailey discussed the settlement agreement and the TAG plan. He suggested the City review the rates prepared by CH2MHILL and determine if they would reflect the actual costs and expenses of operating the treatment facility.

Peter Borner, Public Works Director, reviewed a number of issues that needed to be resolved before a rate structure could be developed. When suggested by Mayor Bailey, Mr. Borner agreed a rough rate structure could be developed.

Council made no decisions.

AB 13-199 FY13 Local Option Tax Contingency

BessieJo Wagner, City Clerk, presented on October 24, 2013, an update on the FY13 LOT receipts. It was estimated \$20,000 -\$25,000 would not be budgeted for projects for FY13. Staff recommendation was to use surplus LOT contingency to fund Fairway Park Restrooms. Council requested the issue go to the LOT Commission for a recommendation. The LOT Commission met October 30, 2013 and voted unanimously to approve the additional LOT funding go toward Fairway Park Restrooms. The final amount was \$15,814 with one accomodator yet to remit for September. Dennis Coyle, Parks and Recreation Director, said with the additional LOT dollars, the bathrooms should be fully funded.

Council Member Aymon moved to approve the LOT Commission's recommendation to use the additional LOT contingency to fund Fairway Park Restrooms. Council Member Swanson seconded the motion. In a roll call vote Council Member Aymon, Council Member Swanson, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.

AB 13-201 Governance Manual Work Session

Council discussed the two versions of the Governance Manual. Council directed the City Clerk to work with Mayor Bailey to decide which version of the Governance Manual to move forward with.

CONSENT AGENDA

Staff recommends approval of the following items:

1. City Council Regular Meeting Minutes – June 27, 2013
2. City Council Regular Meeting Minutes – July 11, 2013
3. City Council Special Meeting Minutes – August 23, 2013
4. Warrant Registers
5. Payroll Report for Period ending October 25, 2013

Council Member Aymon moved to approve the Consent Agenda with the minutes corrected. Council Member Witte seconded the motion. In a Voice vote, all voted aye and the motion carried.

EXECUTIVE SESSION

At 7:53 p.m., Mayor Bailey moved to go into Executive Session for

- Records Exempt from Disclosure - Pursuant to Idaho Code §67-2345(1) (d) To consider records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code;
- Litigation - Pursuant to Idaho Code §67-2345(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.

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

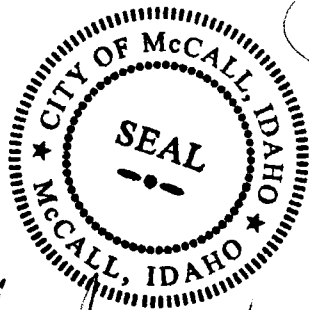
Council discussed the proposed Memorandum of Understanding with Payette Lakes Water and Sewer District.

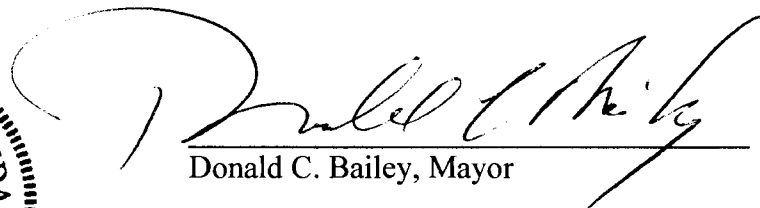
RETURN TO OPEN SESSION

At 9:32 p.m., Mayor Bailey moved to return to Open Session. Council Member Swanson seconded the motion. In a voice call vote, all voted aye and the motion carried.

ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 9:34 p.m.




Donald C. Bailey, Mayor

ATTEST:


BessieJo Wagner, City Clerk