

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
March 28, 2013**

Agenda

Call to Order and Roll Call
Approve the Agenda
Work Session
Pledge of Allegiance
Public Hearing
Public Comment
Business Agenda
Consent Agenda
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Bailey called the regular meeting of the McCall City Council to order at 5:37 p.m. Council Member Aymon, Mayor Bailey, and Council Member Witte were present. Council Member Swanson and Council Member Scott were absent. A quorum was present.

City staff present was Gene Drabinski, City Manager; Bill Punkoney, City Attorney; Michelle Groenevelt, Community Development Director; Linda Stokes, City Treasurer; Carol Coyle, Grant Coordinator; Nathan Stewart, City Engineer; Dennis Coyle, Parks and Recreation Director; Laura Wilson, Deputy City Clerk.

APPROVE THE AGENDA

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

WORK SESSION

AB 13-55 Annual Report to Council - Finance

Linda Stokes, City Treasurer, presented the Finance Department's annual report. She noted that the accounting system was upgraded this year. Mrs. Stokes informed Council of the state audit resulting in a clean opinion. She also updated Council on the Finance Department's goals for next year. The goals included mapping the water meters to better assist the billing department and forming a committee for better asset management. Mrs. Stokes stated she would be working with auditors to learn how to produce the yearend financial statements to better serve the auditors during audits.

AB 13-59 Design and Plan and Effective, Responsive Council/Manager Government Seminar Follow-up

Council Member Aymon updated Council on Stan McNutt's meeting schedule with the Council Members.

During the time the equipment was being set up for the Public Hearing, Mayor Bailey gave a brief report on the Economic Development meeting he attended.

Mayor Bailey led the audience in the Pledge of Allegiance at 6:04p.m.

PUBLIC HEARING

AB 13-56 Idaho Community Development Block Grant: Third Street Corridor Revitalization – 2013 Streetscape Improvements

Nathan Stewart, City Engineer, presented the second phase of the Idaho Community Development Block Grant (ICDBG).

Mayor Bailey opened the Public Hearing at 6:06 p.m.

Mr. Stewart briefed City Council and the public on the project history and the upcoming goals and what the next phase of construction would include. Mr. Stewart also noted the purpose of the public hearing was to provide an explanation of the construction schedule and to meet the grant requirement identified in the Citizen Participation Plan that was adopted by Council. He explained the proposed construction and results for affected properties along the Third Street Corridor. He reviewed the budget and stated the goal was to be done by the end of July. He also noted that there would be a break the Thursday before July 4, and that construction would resume July 9 accommodating the holiday. Mr. Stewart stressed that the schedule was weather dependant and the importance of cost effectiveness by not working in inclement weather.

Lloyd Burton, owner of the Long Valley Canvas Shop, asked for an update on the Shell Station property. Mayor Bailey stated that the property was private and a development agreement was in place that would be required to be completed by the end of the year.

Mayor Bailey closed the Public Hearing at 6:34 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 6:37 p.m.

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

BUSINESS AGENDA

AB 13-53 Request for Funds No. 2 and Progress Report – Third Street Corridor Revitalization Project

Carol Coyle, Grant Coordinator, presented the second progress report and request for funds for the Third Street Corridor Revitalization Project. The reimbursement request and progress report were for the period from October to December 31, 2012. The request covered the construction of Fall 2012, Water and Stormwater Improvement Project. She reported that \$42,614 was requested this time, \$15,442 went to Horrocks and \$27,172 went to Granite Excavation. She reminded Council that the progress reports would be done on a quarterly basis. It would also allow time to ensure all billing from Horrocks was correct. Mrs. Coyle emphasized to Council that she needed all departments to update their Transition Plan as it was a critical part in guaranteeing that ADA, Civil Rights, Fair Housing, and citizen participation was being met.

Council Member Aymon moved to approve the submission of Request for Funds No. 2 and Progress Report for the Third Street Corridor Revitalization Project and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote, Council Member Aymon, Council Member Witte, and Mayor Bailey all voted aye and the motion carried.

AB 13-54 US Bank Credit Card Application – One Card

Linda Stokes, City Treasurer, presented a request to submit an application to US Bank for the One Card. She stated that the current Visa card used by Department Heads was tied to each card holder's Social Security number. She explained that when accessing the accounts online, the personal credit card account would also show the information regarding the city issued credit card. Mrs. Stokes explained how this card would separate the two accounts.

Mayor Bailey requested clarification regarding who had credit cards. Mrs. Stokes informed Mayor Bailey that with the current card, the card holder was able to access the personal and city card, but their credit was not affected.

Council Member Witte moved to authorize the Treasurer to submit the application to US Bank for the One Card 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, and Mayor Bailey all voted aye and the motion carried.

AB 13-57 Waste Management Contract with Lake Shore Disposal

Michelle Groenevelt, Community Development, gave a brief history of the contract process with Lake Shore Disposal and the changes requested by City Council and Lake Shore Disposal. She also noted typographical error changes. Bill Punkoney, City Attorney, also presented updates to the draft contract.

Mrs. Groenevelt emphasized the benefits of the contract in bear proofing the community and the additional services and competitive pricing provided by Lake Shore Disposal.

Council Member Aymon asked if pricing included the rental of container. Mrs. Groenevelt clarified the cost of services and cart rental.

Council discussed the definitions and differences of Construction Debris, Recyclable Material, and Acceptable Waste and who is authorized to transport such material.

Council Member Witte requested that the agreement provide the City the ability to contract with another service for recyclable material. Bill Punkoney, City Attorney, said it was covered in Section 5A, under City's Rights, but he could clarify the wording.

Council Member Aymon questioned the 6am start time. Mr. Arter explained the need for the early start time due to the need of getting the waste to the transfer station before it closed, and the inclement winter weather that can slow collection. Council agreed to maintain the 6am start time.

Council Member Witte opposed the use of 'shall be' in Section 10.B, because it implied a rate adjustment would happen every year. She requested the replacement of 'may be'. Mayor Bailey noted that any increase in fees would require Council's approval first. Mr. Punkoney and Council Member Aymon did not object to the change of the wording. Council requested clarification of how the Consumer Price Index (CPI) was used to determine any rate changes. Mr. Punkoney explained how the CPI was used and reminded Council that any rate increase would require approval by the Council.

Council Member Witte asked for clarification of the donated services for hardship cases. Mr. Arter agreed to offer 12 donated services.

Council Member Witte questioned Section 15.A the use of 'acceptable waste' instead of 'solid waste'. Mr. Arter noted that Lake Shore Disposal's attorney wanted the use of 'acceptable'.

Council Member Witte strongly opposed allowing the mandatory service in the 10 year agreement under Section 15. Mayor Bailey and Council Member Aymon disagreed and added the rate quotes were given based on the mandatory service requirement.

There was a brief discussion about the emergency provision of the ordinance and if it should be placed in the contract. Mr. Punkoney explained that the provider must refer to the ordinance. Council also briefly discussed Force Majeure and if it was needed. Mr. Punkoney and Mr. Arter stated that was standard practice to place in contracts.

Mayor Bailey requested additional edits from Council and no edits were added. Ms. Groenevelt suggested all edits and corrections be made to the draft in order to give Lake Shore the opportunity to review the draft prior to next Council Meeting packet due date.

Council Member Aymon asked Jeff Rohlman, Idaho Fish and Game, for any comments. He commended the Council and expressed approval of the proposed mandatory service. He encouraged the Council to move forward with mandatory service and bear proof containers. Mr.

Rohlman briefly explained bear behavior and he anticipated bear behavior changes within a couple of years. He offered his commitment to help make the service work.

Mayor Bailey moved to postpone the final action on the contract until the next regularly scheduled council meeting. Council Member Aymon seconded. In a voice vote all members voted aye.

AB 13-58 Proposed Code Amendment – Waste Management

Michelle Groenevelt, Community Development, presented the requested changes to Waste Management Code amendment from the March 14, 2013 City Council meeting.

Mayor Bailey suggested in Section 5.08.04 the use of ‘universal’ instead of ‘mandatory’. He also requested, under items C of the same section, to add ‘construction waste’. Bill Punkoney, City Attorney, confirmed that the changes were made.

Council Member Witte mentioned that there was a difference in the definition of solid waste between the ordinance and the contract. Mr. Punkoney explained the difference between the ordinance and contract. He clarified that the contract needed to be more specific while the ordinance needed to cover a broader spectrum.

Council Member Witte wanted more details of options of recyclables in the ordinance. Mr. Punkoney explained that information would be available in the contract.

Council discussed the disposal and definition of construction waste and recyclable construction material. Ms. Groenevelt explained that construction waste could be dealt with by the homeowner, contractor, or Lake Shore, but no other service provider would be allowed. Mr. Punkoney and Ms. Groenevelt stated that the City could enter into a separate agreement with a business for the purpose of recycling recyclable construction material.

Council Member Witte expressed concern with page 3 of 3, Section G, and the requirement for the City to relocate a recycle station should the County close the recycling collection station on Deinhard Blvd. Mr. Punkoney clarified that the City would not be required to find a new piece of real estate, but a new place could include the existing dump or other established location.

Council Member Witte also expressed serious concern with section 5.08.05. She felt the penalty was excessive. Ms. Groenevelt said that it was a misdemeanor and was consistent with other ordinances. Mayor Bailey stated that the amount for a misdemeanor was set in McCall City Code. Mr. Punkoney explained the possible health issues from noncompliance and that the penalty needed to be high enough due to those issues. Mayor Bailey and Council Member Aymon agreed that the penalty should be high to prevent littering or other possible health concerns from noncompliance.

Council Member Witte stated that the service should not be universal. Council Member Aymon said that without universal service, the rate and services quoted by Lake Shore would not be the same if it were subscription service. She also noted that without universal service the bear problem would not be solved. Council Member Witte did not agree.

Mayor Bailey stopped discussion at 7:37

No action by Council was taken on this item.

CONSENT AGENDA

Staff recommended approval of the following items:

1. Regular Council Minutes – December 13, 2012
2. Regular Council Minutes – January 10, 2013
3. Special Council Minutes – February 21, 2013
4. Special Council Minutes – March 7, 2013
5. Special Council Minutes – March 12, 2013
6. Warrant Registers
7. Payroll Report for Period ending March 15, 2013
8. Alcohol and Catering Licenses Activity Report

A brief discussion took place regarding the minutes from December 13, 2012 and January 10, 2013 as well as corrections.

A brief discussion took place regarding the Public Works property appraisal.


Mayor Bailey moved to approve the consent agenda with corrections. Council Member Aymon seconded the motion. In a voice vote, all members voted aye and the motion carried.

Gene Drabinski, City Manager, informed the Council of the dates he would be out of town. BessieJo Wagner, City Clerk, would be acting City Manager.

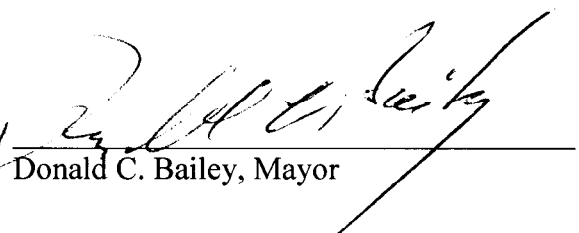
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 8:18 p.m.

ATTEST:


BessieJo Wagner, City Clerk




Donald C. Bailey, Mayor