

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
November 29, 2012**

Agenda

Call to Order and Roll Call
Approve the Agenda
Work Session
Pledge of Allegiance
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 5:31 p.m. Council Member Aymon, Mayor Bailey, and Council Member Witte all answered roll call. Council Member Scott and Council Member Swanson were absent. A quorum was present.

City staff present was Bill Punkoney, City Attorney; Anne Kantola, Library Director; Barbara Sivey, Human Resources Manager; Peter Borner, Public Works Director; Eric McCormick, Golf Superintendent; Linda Stokes, City Treasurer; Carol Coyle, Grant Coordinator; Dennis Coyle, Interim Airport Manager; Laura Wilson, Deputy City Clerk; and BessieJo Wagner, City Clerk.

APPROVE THE AGENDA

Mayor Bailey moved to amend the City Council Agenda to add to the Consent Agenda the Warrant Register printed on November 28, 2012 to ensure timely payment of City bills. Council Member Aymon seconded the motion. In a roll call vote, Mayor Bailey, Council Member Aymon, and Council Member Witte all voted aye and the motion carried.

WORK SESSION

Council Member Scott arrived at 5:33pm.

Council Member Swanson arrived at 5:40pm.

AB 12-228 Water Master Plan Update

Peter Borner, Public Works Director, presented the Water Master Plan Update. He stated that in 2001 Holladay Engineers developed the Water Master Plan for the City of McCall and was subsequently approved by IDEQ on October 15, 2002. In 2005 CH2M Hill became the City Engineers for the City of McCall. The 2001 Water Master Plan was reviewed and an addendum

developed in response to the high growth within the City of McCall. CH2MHill developed a water model that was used to analyze the water distribution system as new developments were occurring. The Water Master Plan 2008 Addendum was finalized in October 2008. Since 2008, the high growth in population and the number of new developments decreased dramatically. A number of planned developments did not happen. Since the 2008 Addendum was prepared to address the high growth, it was important to re-evaluate the recommendations made in that report to ascertain their validity. Mr. Borner stated that during the past 5 months SPF Engineering worked closely with City Staff to update the existing water model and to run the required analysis to determine what capital improvements would be necessary for current conditions.

Mr. Borner informed Council that CH2MHill projected the Water Treatment Plant (WTP) filter replacement to be 10 to 15 yrs from the 2008 Addendum. SPF projected the WTP filter replacement needed to be within the next 5 years from the 2012 re-evaluation. The approximate expense is \$4.8 million. Mr. Borner stated that the City has 2 filters, and during peak summer days, both get used, however IDEQ requires a backup filter if one should fail.

Mayor Bailey suggested the City begin planning next year ways to fund the WTP filter replacement project.

Mayor Bailey led the audience in the Pledge of Allegiance at 5:57 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 5:58 p.m.

Hearing no comments, Mayor Bailey closed the public comment.

BUSINESS AGENDA

AB 12-219 Local Rural Highway Investment Program (LRHIP) grant application for Park St. improvements

Peter Borner, Public Works Director, presented the Local Rural Highway Investment Program (LRHIP) grant application for Park St. improvements. The Local Highway Technical Assistance Council (LHTAC) administers grant funding for roadway projects. The City of McCall applied for LRHIP funding in 2010 and 2011 for Park Street improvements (First St. to Mission St.), but those applications were not funded. Mr. Borner explained that the road is deteriorated and had zero road life left. Grant funding would be needed to complete the project. With the establishment of the McCall College on Park St., it was expected that traffic on Park St. would increase significantly, which heighten the need for road rehabilitation.

Mr. Borner updated Council on new rules regarding the grant that could place McCall toward the top of list. The grant is for \$100,000 and the City has earmarked \$133,000 from the streets fund for the Park Street project. A bike lane would also be included in the project.

Mayor Bailey noted exclusion of utility relocation costs on the Estimated Project Costs and would like to include burying the power lines at the time of project. Mr. Borner stated franchise

fees would need to be used for the burial of lines. Mayor Bailey agreed that franchise funds should be used for this type of project.

Council Member Aymon moved to approve submission of a Local Rural Highway Investment Program grant application for Park Street improvements and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Aymon, Council Member Scott, Mayor Bailey, Council Member Swanson, and Council Member Witte, all voted aye and the motion carried.

AB 12-218 Request to Reassign the LOT funds within the remodel project for the Library

Anne Kantola, Library Director, presented a request to reassign the Local Option Tax (LOT) funds within the remodel project for the Library. The Local Option Tax commission awarded the Library \$10,000 to purchase shelving to finish the remodel. Mrs. Kantola explained that due to a change in the status of the supplier, the shelving was received at a substantial discount, leaving about \$2000 left over. The Library wants to use those funds to complete the last goal of the remodel project by purchasing matching signage for all areas of the library.

Council Member Scott moved to allow the Local Option Tax funds to be reassigned to finish Library remodel. Council Member Swanson seconded the motion. In a roll call vote, Council Member Scott, Council Member Swanson, Council Member Aymon, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.

AB 12-220 Events and dates for Centennial Plaza Art Wall, Resolution No. 12-23

Carol Coyle, Staff liaison to Centennial Committee, presented Resolution No. 12-23. The McCall Centennial Committee met numerous times with the McCall City Council since 2011 to discuss the concept and design of Centennial Plaza. Mrs. Coyle stated that the events important to the development and history of McCall were researched, compiled and reviewed by long-time residents, members of the McCall Historic Preservation Commission, City staff, and the McCall City Council. The final list was presented to and approved by the Council on November 8, 2012.

Council noted changes to include: “Mankind walks on the moon” to “Neil Armstrong walks on the moon”, change the name Manchester Ice Arena to Manchester Ice & Event Centre, the date for Northwest Passage was 1939, change Dredging to Mining, and verify spelling of mighty in Mighty Mites.

Council Member Aymon showed a news article about the first person to swim across the lake. Mrs. Coyle noted that space would be available on the wall to allow for future additions. Artists were waiting on Council approval to move forward with the work.

Council Member Witte moved to adopt Resolution No. 12-23 to approve the events and dates for Centennial Plaza Art Wall as amended. Council Member Aymon seconded the motion. In a roll call vote, Council Member Witte, Council Member Aymon, Mayor Bailey, Council Member Scott, and Council Member Swanson all voted aye and the motion carried.

AB 12-226 Agreement for Professional Golf Services

Linda Stokes, City Treasurer, presented the Agreement for Professional Golf Services. The City’s contract with Allan Morrison for Golf Professional services expired on October 31, 2012, which was the second contract with Mr. Morrison. The first contract was from May 2003 to

December 2007 and was renewed in October 2007. Council had worked with staff on the proposed contract at previous Council meetings.

Mayor Bailey noted an error on pg.11, paragraph V.B should read IV.E.2

Council Member Scott questioned pg.10, paragraph IV.E.2, if it should read turf conditions or just turf. Mr. McCormick confirmed it was 'turf conditions'.

Council Member Swanson asked in pg.10, paragraph IV.E.2. if 'paving' included the parking lot and cart pass. Mayor Bailey confirmed the City covers those areas.

Council Member Witte expressed concern that \$10,000 of income would move from maintenance to Mr. Morrison with the proposed contract.

Council Member Swanson moved to approve the contract as amended with Allan Morrison for Golf Professional Services and authorize the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote, Council Member Swanson, Council Member Aymon, Mayor Bailey, Council Member Scott, and Council Member Witte all voted aye and the motion carried.

AB 12-222 Hangar 209 Lease Assignment

Dennis Coyle, Interim Airport Manager, presented the Hangar 209 Lease Assignment. Mr. Coyle stated that the owner of Hangar 209, Michael S. Chapman Trust, was seeking to collateralize Hangar 209. The lender, Idaho First Bank, provided and signed the "Landlord's Consent to Assignment" in the event the lessee defaulted on either the current hangar lease, or the loan agreement.

Mr. Coyle stated that the original lease was entered into 24 April, 2003 for a period of 20 years and was renewable at that time for up to four (4) additional five (5) year terms. A copy of the lease and the McCall Airport Rules and Regulations, were provided to the lender. Staff recommends that the Mayor sign the assignment, and the City Clerk record the document and keep a copy for the City's files. The lease rate and terms would remain unchanged as this is not a new lease. The lease rate would not change unless a default of either or both, of the lease or loan agreement happens.

Council asked for clarification regarding a possible default of loan or foreclosure. Mr. Coyle clarified that Idaho First would take over the lease and assume payments.

Council Member Scott asked about requirement of the lessee to have a pilot's license if the owner should default. Mr. Coyle responded that Idaho First Bank would move the lease as quickly as possible.

Council Member Aymon asked whether there had been precedence. Mr. Coyle stated there had been, although he had not dealt with it personally.

Council Member Witte asked, according to Addendum paragraph 1, if there was any unpaid rent. Mr. Coyle was unsure, but recommended to not proceed until due rent had been paid.

Council Member Scott moved to approve the lease assignment of Hangar 209, the Landlord's Consent to Assignment, and authorize the Mayor to sign all necessary documents. Council Member Swanson seconded the motion. In a roll call vote, Council Member Scott, Council Member Swanson, Council Member Aymon, Mayor Bailey, and Council Member Witte, all voted aye and the motion carried.

AB 12-225 Legacy Park Concession Application – Cheap Thrills

Dennis Coyle, Parks and Recreation Director, presented the Legacy Park Concession Application by Cheap Thrills to Council. Mr. Coyle stated that the City of McCall advertised for written proposals from interested parties for possible concessions in McCall City Parks in October of 2012 with a closing date of November 15, 2012. Chuck Whitescarver and Peggy Whitescarver of Cheap Thrills Rentals submitted a proposal.

Mr. Coyle stated that the Parks and Recreation Advisory Board reviewed the proposal at the regularly scheduled meeting on November 28, 2012. The McCall Parks and Recreation Advisory Board recommended the granting of a concession permit to Chuck Whitescarver and Peggy Whitescarver of Cheap Thrills Rentals. The term of the permit would be from January 1, 2013 – December 31, 2022. Mr. Coyle clarified that the cost of upkeep and replacement of the equipment required to conduct business, justified the ten year term the permit application requested. Cheap Thrills has been doing business in Legacy Park for nineteen years. Mr. Coyle stated that he has not received any complaints concerning this concessionaire during his tenure. The current concession agreement has been in place since 2005 and has generated over \$50,000 for the Parks and Recreation Department. Mr. Coyle stated that the proposal met all of the requirements for commercial activity included in the “Guidelines for Commercial Activity in McCall City Parks” adopted by the McCall City Council in November of 2011.

Council Member Aymon asked if there had been any safety or accident issues and about the difference of a ten year versus a seven year contract. Mr. Coyle stated that there had not been any issues with Cheap Thrills. He explained that Cheap Thrills were required, by law, to show a safety video as well as have safety instructions on site. Mr. Coyle also noted that the investment and business relationship was more profitable with a 10 year contract.

Council Member Witte asked how the fees were calculated. Mr. Coyle and Mrs. Whitescarver explained the base fee was calculated using the City's approved valuation of \$50 per foot of beach and \$50 per watercraft, multiplied by the maximum allowed beach footage and the maximum allowed water craft, which totaled \$7100. Each year the fee would be adjusted by consumer price index, but using a base fee as the starting point. Mr. Coyle noted that taking the previous year's amount and adjusting for inflation each additional year would not be financially profitable for Cheap Thrills over a period of 10 years.

Council Member Witte asked for clarification regarding section 3. Mrs. Whitescarver clarified the change was to serve the local community whose only opportunity to use the service is after normal business hours during the week.

Council Member Swanson moved to approve the concession permit for Cheap Thrills Rentals for a term of ten years and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Swanson, Council Member Scott, Council Member Aymon, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.

AB 12-224 Airport Manager Recruitment Update

Dennis Coyle, Interim Airport Manager, presented the Airport Manager Recruitment update, stating that the intent of the City of McCall was to begin the recruitment process for an Airport Manager. Internal review of the position and the needs of the City of McCall continued through November, 2012. Mr. Coyle stated that the review would include budget, salary recommendations, job description and skills needed for the position. Advertising for the position would begin upon conclusion of the review which was estimated to be mid December of 2012 and conclude in early January of 2013. The selection process would be completed by the end of January. Mr. Coyle state that it was expected that the new person would begin by mid February. The current contract with TO Engineering would continue for thirty days after the City Airport Manager begins. This would allow for a smooth transition in airport operations.

Mayor Bailey asked about the salary structure. Mr. Coyle stated he would wait until City Manager Drabinski returned from vacation to discuss this.

AB 12-221 Bid Number PW 13-04 Heavy Equipment – Backhoe Lease/Purchase Resolution 12-25

Peter Borner, Public Works Director, presented Bid Number PW 13-04 Heavy Equipment – Backhoe Lease/Purchase Resolution 12-25 to Council. He stated that the Water Division of the Public Works Department owns a 1986 Caterpillar 416 Backhoe that had reached the end of its useful life. The equipment was old, parts are difficult to find and had become a safety concern due to the boom having excessive play during operations. Public Works advertised an Invitation to Bid for a new backhoe under a five (5) year lease/purchase agreement with a guaranteed buy-back. Three bids were received (Burks Tractor, CESCO and Western States). Mr. Borner stated that all bids were reviewed and CESCO was the low bidder at \$4,575 per year or \$22,875 for the five year period. He also stated that the city attorney had reviewed the lease and found no issues.

Council Member Scott questioned whether any money would be owed once the lease term was up. Mr. Borner clarified that no money would be owed unless the City chose to purchase the equipment upon the lease end date.

Council Member Swanson moved to adopt Resolution 12-25 authorizing the Mayor to enter into, on behalf of the City of McCall, a “MASTER LEASE AGREEMENT”, “STATE AND LOCAL GOVERNMENT ADDENDUM”, and “NON-APPROPRIATION ADDENDUM” with Deere Credit, Inc. Council Member Aymon seconded the motion. In a roll call vote, Council Member Swanson, Council Member Aymon, Mayor Bailey, Council Member Scott, and Council Member Witte all voted aye and the motion carried.

AB 12-229 Resolution 12-24 Adopting the City of McCall’s Vehicle Use Policy

Human Resource Manager, Barbara Sivey, presented the City of McCall’s Vehicle Use Policy. She stated that the Idaho Counties Risk Management Program (ICRMP) offered a Risk Management Discount Program that could earn the City of McCall a 5% discount on their member contribution for the October 1, 2013 renewal. As part of the ICRMP Risk Management Discount Program it was required that the City of McCall has a Vehicle Use Policy. City staff used a template provided by ICRMP to develop the Vehicle Use Policy. The policy was updated to reflect the needs of the City of McCall. All Department Heads reviewed the policy and gave input on the development of the policy.

Council Member Aymon wanted to see wording added addressing the cleanliness of vehicle and prohibiting the use of smokeless tobacco.

Council Member Witte requested clarification regarding the employee's responsibility of vehicle maintenance. Peter Borner, Public Works director and BessieJo Wagner, City Clerk clarified the responsibility of the employee and the Fleet Manager.

Council Member Witte wanted to include on page 6, to whom accidents are to be reported.

Council Member Witte noted the following errors; page 1, paragraph 5, nothing was after the word 'required'.

Mrs. Sivey and Mrs. Wagner stated that 80% of elected officials, department heads, and staff were required to complete online training to be eligible for the ICRMP discount.

Mayor Bailey suggested that in the future a procedure and policy be separated in the document, therefore any procedural change would not need to be approved by the Council, but addressed at the staff level.

Council Member Aymon moved to approve Resolution 12-24 to adopt the City of McCall Vehicle Use Policy as amended. Council Member Swanson seconded the motion. In a roll call vote, Council Member Aymon, Council Member Swanson, Mayor Bailey, Council Member Scott, and Council Member Witte all voted aye and the motion carried.

AB 12-227 Ordinance to amend Title 4 of the McCall City Code section 4.1.14 Liquor Sales Prohibited

BessieJo Wagner, City Clerk, presented the Ordinance to amend Title 4 of the McCall City Code section 4.1.14 Liquor Sales Prohibited to Council. She stated that Title 4 of the McCall City Code was outdated and needed to be re-written. The ordinance amends section 4.1.14 LIQUOR SALES PROHIBITED of the McCall City Code to align with Idaho Code §23-927 that was updated in 2008 allowing liquor sales on Christmas and Election days; the ordinance would update the McCall City Code to coordinate with Idaho Code.

Council Member Scott questioned if this should even be in the city code. Mrs. Wagner explained that if the ordinance was not adopted, the City would defer to the State code, but the current City code must be repealed.

Council Member Witte noted errors on the following: 'identified' was misspelled on the second WHEREAS; Section 1, no colon should be after the word PROHIBITED; on the SUMMARY page, fourth line down, 'sale' was misspelled.

Council Member Scott moved to suspend the rules, read by title only, one time only, Ordinance No. 906 as amended. Council Member Swanson seconded the motion. In a roll call vote, Council Member Scott, Council Member Swanson, Council Member Aymon, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.

Ordinance No. 906 was read by title only, one time only by BessieJo Wagner, City Clerk.

An ordinance of the City of McCall, a municipal corporation of the State of Idaho, Valley County, Idaho amending McCall City Code section 4.1.14 liquor sales prohibited, to align with Idaho code to permit the sale of liquor on Christmas and election days prior to the closing of polls; deleting existing subsections (a) and (c); and providing an effective date.

Council Member Scott moved to adopt Ordinance No.906 as amended, amending Title 4 of the McCall City Code section 4.1.14 Liquor Sales Prohibited, approve the publication of the summary, and authorize the Mayor to sign all necessary documents. Council Member Swanson seconded the motion. In a roll call vote, Council Member Scott, Council Member Swanson, Council Member Aymon, Mayor Bailey, and Council Member Witte all voted aye and the motion carried.

AB 12-223 Resolution 12-22 approving the Letter of Agreement with George and Bonnie Bertram and the City of McCall

BessieJo Wagner, City Clerk, presented the resolution drafted by City Attorney, Bill Nichols, to amend the agreement between the City and George and Bonnie Bertram dated February 14, 2008. She stated that on April 30, 2007, the scenic route (SR-07-11) and design review (DR-07-18) applications were approved by the McCall Area Planning and Zoning Commission for the expansion of the Pancake House. Those applications were approved based on the completion of the conditions of approval. In February of 2008, the owners of the Pancake House entered into an agreement for the conditions that were not completed at that time.

The Owners had agreed to pave the parking and loading spaces with an improved surface consisting of asphalt, concrete, paving stones or bricks according to City public works standards and following the prescriptions noted in McCall City Code 3.8.061 by July 15, 2008. Since 2008 there were several attempts by the City to seek compliance on the issue.

A letter of agreement between the City of McCall and George and Bonnie Bertram states that they will comply with the parking lot surfacing requirements by October 2013 and the requirements for sidewalk, curbs, gutters and other street improvements will be completed as part of an LID process.

Council Member Witte noted the following errors: the fourth WHEREAS statement should have an 's' after Bertram'; the last WHEREAS is missing 'of' between letter and agreement.

Council Member Scott moved to adopt Resolution 12-22, with corrections, approving the Letter of Agreement with George and Bonnie Bertram and the City of McCall dated November 1, 2012 and authorizes the Mayor to sign all necessary documents. Council Member Aymon seconded the motion. In a roll call vote, Council Member Scott, Council Member Aymon, Mayor Bailey, Council Member Swanson, and Council Member Witte all voted aye and the motion carried.

CONSENT AGENDA

Mayor Bailey noted the added warrant register, and noted the cost associated with improvement on the third street water line.

Staff recommended approval of the following items:

1. Warrant Registers Dated November 19, 2012
2. Payroll Report for Period ending November 9, 2012
3. License Report

A brief discussion took place regarding items on the Warrant Register.


Council Member Witte moved to approve the Consent Agenda, with the minutes corrected, Council Member Aymon seconded the motion. In a roll call vote, Council Member Witte, Council Member Aymon, Mayor Bailey, Council Member Scott, and Council Member Swanson all voted aye and the motion carried.

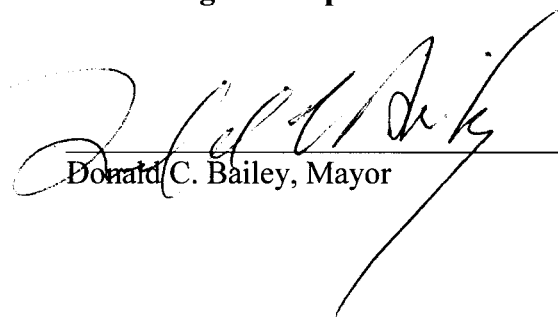
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 7:22 p.m.



ATTEST:


BessieJo Wagner, City Clerk


Donald C. Bailey, Mayor