

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
March 22, 2012**

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 5:30 p.m. Council Member Aymon, Mayor Bailey and Council Member Swanson answered roll call.

City staff present was Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Eric McCormick, Golf Superintendent; Jerry Summers, Chief of Police; Michelle Groenevelt, Community Development Director; Delta James, City Planner; Linda Stokes, Treasurer; Dennis Coyle, Parks and Recreation Director; Peter Borner, Public Works Director; John Anderson, Airport Manager; and Denise Tangen, Deputy City Clerk.

APPROVE THE AGENDA

Mayor Bailey, with the consent of the Council, amended the Agenda to move AB 12-54 from Consent Agenda to the end of the Business Agenda.

Council Member Scott and Council Member Witte joined the meeting at 5:31 p.m.

WORK SESSION

AB 12-64 Department Annual Report to Council: Finance

Linda Stokes, Treasurer, presented the Finance Department's Annual Department Report to Council.

Prior to the Public Hearing scheduled start time, Lindley Kirkpatrick, City Manager and Mayor Bailey gave a recap of the Economic Development Meeting they had attended. Mayor Bailey indicated there was discussion regarding Midas Gold and their plan to mine gold in the Stibnite area. Both Mayor Bailey and Mr. Kirkpatrick believed the meeting was productive.

Mayor Bailey led the audience in the Pledge of Allegiance at 6:02 p.m.

PUBLIC HEARING

Council Member Scott recused herself from the following three agenda items:

- AB 12-55 PUD-05-01 Whitetail PUD Amendment
- AB 12-61 SUB-05-01 Whitetail Phase 1A Final Plat Amendment
- AB 12-62 SUB-11-02 Whitetail Cabin Sites Phase 2

Mayor Bailey opened the public hearing for PUD-05-01 Whitetail PUD Amendment, SUB-05-01 Whitetail Phase 1A Final Plat Amendment and SUB-11-02 Whitetail Cabin Sites Phase 2 at 6:03 p.m.

Delta James, McCall City Planner, introduced herself and stated that all three agenda items were scheduled for the Public Hearing. She requested anyone wishing to speak on any of the three items hold comment until all three were presented.

AB 12-55 PUD-05-01 Whitetail PUD Amendment

Ms. James indicated that at a public hearing held during the February 7, 2012, meeting of the McCall Area Planning and Zoning Commission, the Commission recommended that the McCall City Council approve all three applications. All three applications were provided to the Council separately from the normal Council packet.

Staff recommended that Council approve application PUD-05-01, subject to the presented Findings and Conclusions, approve the Second Amendment to Whitetail PUD Development Agreement and approve the Escrow Agreements for Phase 1A Bike Path Project, Cabin Sites Phase 2 utilities and Phase 1A infrastructure and utilities.

AB 12-61 SUB-05-01 - Whitetail Phase 1A Final Plat Amendment

Ms. James stated that the original final plat included fourteen residential lots, one maintenance/administrative parcel, and 9 multi-use lots. The proposed amended plat included only two residential lots, recreation and open space, one maintenance/administrative parcel, and one lot designated as multi-use and open space. Ms. James indicated that the City's recent pathway planning had shown that putting the bike path along the property frontages of Warren Wagon and Highway 55 would provide better connectivity. The applicant agreed to place money in escrow for that purpose.

Council Member Aymon questioned the amount set aside for roadway improvement. Ms. James' addressed her concerns. Nathan Stewart, City Engineer, provided additional information.

AB 12-62 SUB-11-02 - Whitetail Cabin Sites Phase 2

Ms. James presented the third Sabala Whitetail LLC submission, SUB-11-02: A Subdivision Preliminary and Final Plat Application of ten cabin sites within the Whitetail PUD. She reviewed the requested lot modifications and addressed several questions from Council. Ms. James reviewed the conditions under which staff recommended approval of SUB-11-02. Mayor Bailey asked for and received clarification regarding the notice posting. He requested the City Council Findings & Conclusions be updated to reflect the additional posting on Timbercrest Loop.

Amy Pemberton, 254 Cold Creek Court, introduced herself to City Council, and indicated she represented Sabala Whitetail, LLC. Ms. Pemberton followed up on a letter received from Scot M. Ludwig. She addressed Mr. Ludwig's concerns, indicated he did not attend either previous public hearings, and neither she nor Dan Scott had been able to reach Mr. Ludwig to discuss his letter.

Council Member Aymon asked for and received clarification regarding home size requirements.

Dan Scott, 1718 East Lake Street, addressed additional City Council comments regarding Mr. Ludwig's letter.

Ms. Pemberton presented additional information regarding the Phase 1A plat amendment, and specifically requested an exception from McCall City Code Table 3.4.04 to delete Note 4, so that the limitation for the maximum footprint will be applied to each building, not the sum of the square footage of all buildings on the lot to allow for a bigger building.

Ms. Pemberton then presented Council with a map regarding the PUD Amendment. A brief discussion occurred regarding exact location and lot sizes. She indicated the developer wanted to have the Planning & Zoning Commission provide guidelines so Whitetail could do their own reviews.

Hearing no further comments, Mayor Bailey closed the public hearing at 7:14 p.m.

Bill Nichols, City Attorney, commented on Mr. Ludwig's letter received in opposition to the applications. Mr. Nichols felt that Mr. Ludwig's argument was weak, and the section of the Covenants & Restrictions that Mr. Ludwig called out in supporting his position was in the design review section of their covenants and therefore did not apply to the land use application under review. Mr. Nichols noted that Mr. Ludwig had not supported his opinion that there would be a loss in property value with an independent appraisal. He felt the City's risk of liability was very low if the council chose to approve the applications.

Council Member Swanson asked for and received clarification regarding changing the limitation of the maximum footprint.

Council Member Witte expressed concern regarding the time requirement to have turn lanes completed (by December, 31, 2013). She recommended negotiating an extra year. Peter Borner, Public Works Director, indicated that the Idaho Transportation Department was planning an overlay project for summer, 2013, and he anticipated the turn lanes would be incorporated into that project; however, he felt negotiating an extension would be a good idea to allow for unforeseen circumstances. Mr. Scott indicated he was not prepared to comment on the developer's behalf at that time. Mr. Nichols recommended not pursuing an extension in connection with these Public Hearing items.

A brief discussion occurred regarding amending Page 3 of the Findings & Conclusions regarding multiple use. Mr. Nichols agreed to prepare an Amendment to the PUD Decision Document and the Development Agreement.

Council Member Witte requested additional follow-up with Mr. Ludwig. Mayor Bailey indicated he was comfortable with the applicant's efforts.

Mayor Bailey moved to continue AB 12-55 PUD-05-01 Whitetail PUD Amendment, AB 12-61 SUB-05-01 Whitetail Phase 1A Final Plat Amendment and AB 12-62 SUB-11-02 Whitetail Cabin Sites Phase 2 until the City Council meeting on April 12, 2012. Council Member Aymon seconded the motion. In a voice vote, all members voted aye and the motion carried.

PUBLIC COMMENT

Mayor Bailey called for public comment.

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

BUSINESS AGENDA

AB 12-63 Parks and Recreation Advisory Committee Member Appointment

Dennis Coyle, Parks and Recreation Director, recommended the appointment of Matt Linde to the Parks and Recreation Advisory Committee. A brief discussion occurred regarding Mr. Linde's qualifications.

The Council unanimously appointed Matt Linde to the Parks and Recreation Advisory Committee, with a term to expire June, 2015.

AB 12-58 Winter Carnival 2012 Report

Lindley Kirkpatrick, City Manager, reviewed the follow-up on the Winter Carnival report that was in the Council packet. Council Member Aymon commented on the City labor and equipment that supported Winter Carnival, and thanked employees for their efforts. Mayor Bailey commented on the cooperative effort with outside sources.

David Carey, McCall Area Chamber of Commerce member, also thanked the City. He specifically thanked the McCall Police Department for their efforts with the rodeo, which he felt was a very good additional event. Mr. Carey also encouraged continuing to place events on the second weekend. He indicated the second fireworks were a big draw and contributed greatly to the success of the second weekend.

AB 12-59 Centennial Plaza Project Update

Peter Borner, Public Works Director, presented the Council with an update to the Centennial Plaza project and a drawing of the proposed construction. He indicated Cash for Towns would participate in the cost and a contribution of concrete would also assist with the project. Mr. Borner introduced Dean Martens from the Centennial Planning Committee. Mr. Martens thanked the City for their hard work, reviewed the timeline provided in Council packets and requested Council approve funding to order the main monument and engraving machine. The McCall Renewal Agency had agreed to contribute \$5,000. Mr. Martens indicated the Committee planned an event for July 19, 2012, and encouraged all to participate.

AB 12-52 Digital Data Submission Standards Presentation

Garrett Mapp, City GIS Analyst, and Nathan Stewart, City Engineer, introduced the Council to the proposed Standards for the Submission of Digital Surveying, Engineering and Geographic Information System (GIS) Data. He indicated a draft of the Digital Data Submission Standards had been sent to local surveyors, with positive responses. They thanked local surveyor John Russell for his assistance and time donation.

Mr. Mapp reviewed the draft and explained the necessity for this update to Council. He stated that City staff had been developing digital drawing submittal format and data standards to establish uniform requirements for all digital drawing submissions and to streamline the integration of the digital information into the City's Engineering and GIS datasets. Additionally, the criteria established a standard protocol for the collection of survey data that had been peer reviewed. It involved a City-wide network of monuments for survey control. Through use of the State Plane grid, known as the McCall Control Point Network (MCPN), and a ground based network known as the McCall Modified Grid Control Point Network (MMGCPCN), all survey data and resulting documentation (plats, surveys, engineering plans, etc) would originate from control networks that had been created and reviewed by the local surveying community. The City intended for these digital data submission standards to be beneficial to the local surveyors, engineers and general public. The data submitted to the City using these standards would be used to improve the accuracy of City-wide datasets containing information such as property boundaries, utility infrastructure, topography, land use, etc. Ultimately, this information would be made available to the public for use in future planning, development, and general documentation purposes.

AB 12-51 Potential Annexations of Residential Enclaves within the City Limits

Lindley Kirkpatrick, City Manager, indicated Council had follow-up information in their packets regarding assessed values, property tax assessments, costs involved in hook-ups and ownership of impacted parcels. Mayor Bailey gave an overview of costs verses expenses and reviewed the merits of a Local Improvement District (LID). A discussion occurred, with Mr. Nichols reminding Council that the City lost negotiation leverage when annexation was complete.

Council Member Aymon, Council Member Scott, Council Member Swanson and Council Member Witte voiced concerns about the cost to owners and stated they preferred not to annex the Ski Ranch and Ski Ranch No. 2 Subdivisions, at this time. Mayor Bailey agreed.

Council unanimously agreed to ask staff to review Bank of Cascades property, to provide additional information, to make recommendation and to proceed with paperwork for annexation of parcels West of Ski Ranch.

AB 12-56 Hwy 55 Speed Limit Reduction – Ordinance

Peter Borner, Public Works Director, indicated that On March 8, 2012, City Council reviewed the recommendations on new speed zones for SH 55 presented by Public Works and directed staff to prepare an ordinance extending the 25 mph zone to the Knowles & Zachary Roads, extending the 35 mph zone to Forest Trail & Mile High Drive and extending the 45 mph zone to the western City limits.

Council Member Swanson stated that he believed the 25 mph zone should end/begin at the bypass. Mayor Bailey disagreed because of Brundage Inn and the restaurants. Mr. Borner indicated that the Idaho Transportation Department had reviewed accident rates in their recommendation and believed speed limits were appropriate as they were. A discussion occurred regarding speed transition locations and when the changes would become effective.

Ordinance 896 was read by title only, one time only by Lindley Kirkpatrick, City Manager.

Mayor Bailey moved to adopt Ordinance No. 896, approve the publication of the summary, and authorize the Mayor to sign all necessary documents. Council Member Witte seconded the motion. In a roll call vote Mayor Bailey, Council Mayor Bailey moved to suspend the rules and read by title only, one time only Ordinance No 896. Council Member Aymon seconded the motion. In a roll call vote, Mayor Bailey, Council Member Aymon, Council Member Scott, and Council Member Witte all voted aye; Council Member Swanson voted nay and the motion carried.

Member Witte, Council Member Aymon, and Council Member Scott all voted aye; Council Member Swanson voted nay and the motion carried.

AB 12-60 Title 6 – Utility Services Code Revisions, Chapters 1, 2, and 3 General Provisions and Water Service

Peter Borner, Public Works Director, stated that McCall City Code (MCC) Title 6 was out of date. The last update made to some portions of MCC Title 6 was done in 2010; however, the majority of Title 6 was written and adopted in 1993. At the January 19, 2012, City Council meeting, staff recommended a complete rewrite, which was provided in Council's packet. He stated it was not in final format and requested Council's comments.

Council Member Aymon indicated the revisions were not gender neutral. Mayor Bailey requested the City Clerk review the document for gender neutrality, formatting to match Title III and to use the term “wastewater” in place of the word “sewer.” Council Members will provide additional comments to Mr. Borner for the final document.

AB 12-54 Accept Idaho Airport Aid Program Grant

This item was moved from the Consent Agenda to the Business Agenda, to allow for reading.

Council Member Aymon moved to read Resolution 12-07 in full. Council Member Swanson seconded in the motion. In a voice vote, all members voted aye and the motion carried.

Resolution 12-07 was read in full by Lindley Kirkpatrick, City Manager.

Council Member Scott moved to adopt Resolution 12-07, accepting the Grant offer in the amount of \$11,732. Council Member Swanson seconded the motion. In a roll call vote, Council Member Scott, Council Member Swanson, Mayor Bailey, Council Member Aymon and Council Member Witte all voted aye and the motion carried.

Council Member Scott moved to approve the Grant agreement with the Division of Aeronautics and authorize the Mayor to sign any and 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

Staff recommended approval of the following items:

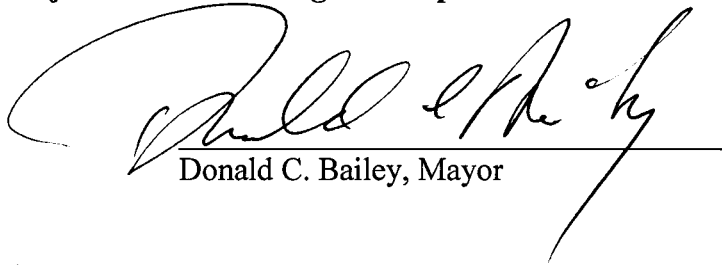
1. Warrant Registers Dated March 16, 2012
2. Payroll Report for Period ending March 2, 2012
3. Alcohol and Catering Licenses Activity Report
4. AB 12-53 McCall Donnelly Education Foundation Grant application for Recreation Department equipment
5. AB 12-54 Accept Idaho Airport Aid Program Grant
6. AB 12-57 ADA Curb Ramp program application-Idaho Transportation Department

A brief discussion took place regarding the Warrant Register.

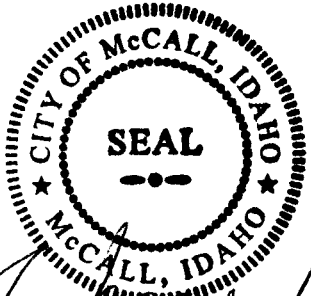
Council Member Swanson moved to approve the Consent Agenda. Council Member Witte seconded the motion. In a roll call vote, Council Member Swanson, Council Member Witte, Mayor Bailey, Council Member Aymon and Council Member Scott all voted aye and the motion carried.

ADJOURNMENT

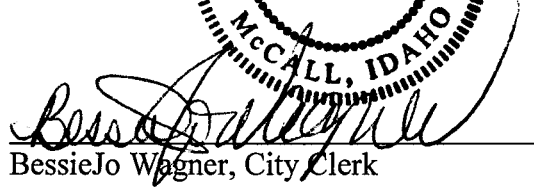
Without further business, the Mayor adjourned the meeting at 9:21 p.m.



Donald C. Bailey, Mayor



ATTEST:



BessieJo Wagner, City Clerk