

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
November 3, 2011**

Agenda

Call to Order and Roll Call
Approve the Agenda
Presentation
Reports
Pledge of Allegiance
Public Comment
Business Agenda
Executive Session
Open Session
Consent Agenda
Continued Business
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 Scott, Council Member Swanson and Council Member Witte all answered roll call.

City staff present was Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Jerry Summers, Police Chief; Linda Stokes, City Treasurer; Dennis Coyle, Parks and Recreation Director; John Anderson, Airport Manager; Peter Borner, Public Works Director; Eric McCormick, Golf Course Superintendent; Michelle Groenevelt, Community Development Director; Carol Coyle, Grant Coordinator; and BessieJo Wagner, City Clerk.

APPROVE THE AGENDA

Mayor Bailey with the consent of the Council approved the agenda as amended, to add a personnel discussion to the Executive Session and to move the Consent Agenda to follow the Executive Session.

PRESENTATION

Appreciation of the Varsity Girls Soccer Team State Championship

The Mayor presented the McCall-Donnelley High School Girls Varsity Soccer Team a Certificate of Recognition for their State Championship. Head Coach Greg Pittenger, Victoria

Cossart, the team Captain, most of the team and several of the players' parents attended the presentation.

REPORTS

Department Reports

Lindley Kirkpatrick, City Manager, updated the Council on the economic development strategy meetings, encouraging Council members to attend. Mr. Kirkpatrick also called Council's attention to the information regarding developing the guidelines for concessions in City parks.

There was general discussion regarding the Consolidated Department Report.

Committee Minutes

The Council received copies of the following committee minutes:

1. McCall Airport Advisory Committee – September 1, 2011
2. Golf Advisory Committee – July 13, 2011
3. Golf Advisory Committee – September 14, 2011
4. Library Board of Trustees – August 17, 2011
5. Library Board of Trustees – September 20, 2011
6. McCall Improvement Committee – April 14, 2011
7. McCall Improvement Committee – September 8, 2011
8. McCall Improvement Committee – October 13, 2011
9. McCall Urban Redevelopment Agency – September 20, 2011
10. Planning and Zoning Commission – September 13, 2011

Mayor Bailey led the audience in the Pledge of Allegiance at 6:01 p.m.

PUBLIC COMMENT

Mayor Bailey called for public comment at 6:02 p.m.

Hearing no comments, Mayor Bailey closed the public comment.

BUSINESS AGENDA

AB 11-199 Library Board of Trustees Appointment

Lindley Kirkpatrick, City Manager, presented Council with a letter of interest from Jacki Rubin, and requested that Council re-appoint Ms. Rubin to the Board of Trustees.

Council Member Scott moved to appoint Jacki Rubin to serve another term on the Library Board of Trustees set to expire in October of 2016. Council Member Aymon seconded the motion. In a voice vote, all members voted aye and the motion carried.

AB 11-200 Parks and Recreation Advisory Committee Member Appointment

Dennis Coyle, Parks and Recreation Director, presented the recommended Parks and Recreation Advisory Committee Member appointment to Council.

Council Member Witte moved to appoint Cory Nelson to the Parks and Recreation Advisory Board to expire in September of 2013. Council Member Swanson seconded the motion. In a voice vote, all members voted aye and the motion carried.

AB 11-195 America in Bloom Symposium presentation

Carol Coyle, Grant Coordinator, gave a presentation to the Council about the America in Bloom (AIB) program, McCall's participation in the program for a second year and the annual AIB Symposium recently held in Washington, DC. Mrs. Coyle explained to Council that the community performed especially well this year. The City won a national award for Environmental Awareness and received special recognition for the environmental stewardship at the golf course. In addition, Mrs. Coyle was nominated for a Community Champion award. The AIB program had been a great example of community pride and cohesion. Mrs. Coyle stated that many of the Advisory Committee Members as well as City employees assisted in some way.

The McCall Improvement Committee, Parks Department staff, Golf Course staff, Streets Department staff and Mrs. Coyle received accolades for their efforts.

AB 11-172 Amendment to McCall City Code Title V: Ordinance No.

Jerry Summers, Chief of Police, presented a draft ordinance which would create a new animal control section in the City Code. This ordinance was a follow-up to amendments made over a year ago. Both State Health Code and the draft ordinance included restrictions on animals in indoor locations where food is prepared, stored or served. There was much discussion about whether dogs and other animals should be restricted from outdoor dining areas. Although no decisions were made, the consensus was to not restrict dogs in outdoor dining areas. There was also much discussion about the details regarding fierce and dangerous dogs.

Council Member Witte asked for and received clarification regarding State Code versus City Code.

Council Member Aymon questioned the lack of provisions for defecation pick-up. A brief discussion occurred regarding options. She also asked for and received clarification on driving/riding animals.

Mayor Bailey requested PUD be spelled out as Planned Unit Development (PUD). He also requested the license and kennel fee Resolution be updated.

The following proofreading corrections were noted:

- Page 16, Paragraph B, capitalize the words Exemption and Violation;
- Page 17, Paragraph 4, should be Section C3 not C4;
- Capitalization should be consistent, specifically watch for City and City Council;
- Limit the use of the word destruction;
- The last sentence under Fees should start with "A provider," eliminating the first three words of the sentence;

- Reference should always be to ‘animal’ not dog (specifically Page 3) throughout the document;
- D and E under definition should be removed;
- Sign Paragraph, under definitions, should be re-named to Fierce and Dangerous Animal Sign;
- Paragraph 5.7.040, Paragraph A, should read “...ten (10) days after the owner acquired the dog...” Additionally, the second paragraph of A should include the requirement to prove the animal has been vaccinated against rabies;
- Paragraph C, Training and Exercise Grounds, should be removed from 5.7.040 and placed under the Animals at Large, Section 5.7.110;
- Ensure all gender references are **he or she**;
- Define “Nuisance” in the definitions section;
- Paragraph 5.7.090 should state “...shall be retained in the pound for a period **up to five (5) days**”;
- Page 8, Paragraph B, should specifically state ALL requirements to take possession of a fierce or dangerous dog, and not just the proof of rabies requirement; and
- Rename Paragraph 5.7.090

Council Member Witte was not comfortable with Page 4, the final paragraph under “Fierce or Dangerous,” which indicated an animal may not be declared fierce or dangerous if a person was committing a crime. Chief Summers and Mr. Nichols explained that the exemption was necessary to allow for unusual circumstances.

A discussion occurred regarding the adoption of fierce and dangerous dogs. Council Member Witte would like the first paragraph of Paragraph 5.7.090 to be more specific regarding restrictions on adoption of a fierce and/or dangerous dog.

An extensive discussion occurred regarding the definition of public buildings. Bill Nichols, City Attorney, stated that he would clarify the definition of the words public building and/or facility and whether that definition included patios and/or outside dining. Council Member Scott requested the definition and code not be more restrictive than the health department.

Council Member Witte questioned McPaws establishing the fees, and Mr. Nichols explained that because the City imposed and collected the fees, they needed to establish them.

Discussion occurred regarding fierce, dangerous, menacing and threatening. Council requested further definition of terms.

Mr. Kirkpatrick indicated Council had other options, as the discussion had become more lengthy than originally anticipated. He suggested possibly a work session. Council Member Witte offered to meet with the appropriate people to review her comments.

After extensive discussion, the Council tabled the ordinance until a future meeting.

AB 11-193 Fund Balance Policy Resolution 11-19

Linda Stokes, City Treasurer, presented a Fund Balance Policy to the Council, based on discussions at a previous Council work session. The rules governing the reporting of financial information had changed and become more complex.

Mayor Bailey requested a correction to Attachment A, Page 2, last line: separate the words amount and equal by a space. Council Member Witte requested that Page 1, Attachment A, Minimum Fund Balance Policy paragraph be changed to read: "...Special Revenue Funds for both cash flow and budget stabilization as described below:"

A brief discussion occurred to ensure all Council Members were clear on the intent of and reason for the policy.

Council Member Witte moved to approve Fund Balance Policy Resolution 11-19 with Attachment A as amended and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Witte, Council Member Scott, Council Member Aymon, Mayor Bailey and Council Member Swanson all voted aye and the motion carried.

AB 11-198 Resolution 11-20: Complete Streets Policy

Michelle Groenevelt, Community Development Director, presented a Complete Streets Policy to the Council, based on an earlier Council work session. This Resolution would establish that the City of McCall desired to create pedestrian-friendly and bicycle-friendly streets whenever possible.

Council Member Aymon requested the Paragraph entitled Complete Streets Policy now read "...A complete street may include: **lighting, traffic calming devices**, sidewalks, bike lanes..."

Mayor Bailey requested the first bullet under Vision be changed to read "Give priority to and incorporate alternative transportation mode..." Additionally, Paragraph 4 should read "Therefore, the design of intersections should accommodate..."

Council Member Witte requested several changes/corrections:

- Page 1, under Complete Streets can offer many benefits to McCall such as, first bullet, should now read "Complete streets make economic sense because **they** bolster economic growth...";
- Second bullet should read "Complete streets improve safety by reducing crashes.";
- After bullets, paragraph should read "McCall strives to be a pedestrian **friendly** environment with a priority to..."; and
- Paragraph 2 under Exceptions should read "...The cost of establishing **and maintaining** bikeways or walkways..."

Council Member Witte also asked for and received clarification regarding the section entitled Exceptions.

Council Member Witte moved to adopt Resolution 11-20 with Exhibit A: City of McCall Complete Streets Policy as amended and authorize the Mayor to sign all necessary documents. Council Member Swanson seconded the motion. In a roll call vote Council Member Witte, Council Member Swanson, Council Member Aymon, Mayor Bailey and Council Member Scott all voted aye and the motion carried.

AB 11-201 City Logo

Lindley Kirkpatrick presented the revised City logo w to Council for information purposes. It was based on the different logos that have been used by the City in general, by the Parks & Recreation Department and by the Library. Mr. Kirkpatrick stated that it was not a dramatic revision or complete new 'branding' for the City, but more of a consolidation and clean-up of the various logos that had been used. The new logo will be used in the same locations and the same ways that the existing logos had been used. The Centennial logo will continue to be used for Centennial related purposes. The following samples were provided:



Council Members Scott and Aymon felt that blue should be used for the sky instead of yellow.

EXECUTIVE SESSION

At 7:48 p.m. Mayor Bailey moved to go into Executive Session for:

- **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; and**
- **Land Acquisition – Pursuant to Idaho Code §67-2345(1)(c): To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; and**

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

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

Council discussed possible land acquisition, pending litigation and personnel issues.

OPEN SESSION

At 9:25 p.m., Mayor Bailey moved to return to open session. Council Member Swanson seconded the motion. In a roll call vote, Mayor Bailey, Council Member Swanson, Council Member Aymon, Council Member Scott and Council Member Witte all voted aye and the motion carried.

CONSENT AGENDA

Staff recommended approval of the following items:

1. Council Regular Minutes – July 14, 2011
2. Warrant Registers Dated October 28, 2011
3. Payroll Report for Period Ending October 14, 2011
4. AB 11-197 Agreement between the MCPAWS Regional Animal Shelter and the City Of McCall
5. AB 11-194 Idaho Community Development Block Grant application for Third Street Improvements

A brief discussion took place regarding the Warrant Register.

Council Member Swanson moved to approve the Consent Agenda as submitted. 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.

CONTINUED BUSINESS

AB 11-202 Discussion of the wastewater Technical Advisory Group recommendation

Council members decided to submit written comments and/or requested TAG Plan changes to staff to compile for distribution to all Council members. The Council agreed to discuss the TAG recommendation further on November 18, as part of the Work Session already scheduled for that date.

No further action was taken, pending the November 18, 2011, Work Session.

Council confirmed that the Concession Agreement for City Parks will also be discussed at the November 18 Work Session, with an additional Work Session in December, if needed.


A brief discussion occurred regarding the upcoming Lake Irrigation District meeting.

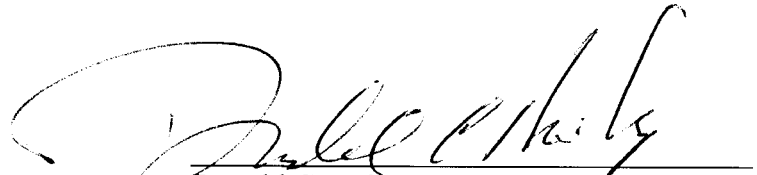
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 9:45 p.m.

ATTEST:




BessieJo Wagner, City Clerk


Donald C. Bailey, Mayor