

MINUTES

**McCall City Council
Regular Meeting
Legion Hall (McCall City Hall - Lower Level)
July 8, 2010**

Agenda

Call to Order and Roll Call
Reports
Pledge of Allegiance
Approve the Agenda
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. Mayor Bailey, Council Member Delaney, Council Member Kulesza and Council Member Witte answered roll call. A quorum was present.

City staff present were Bill Nichols, City Attorney; John Anderson, Airport Manager; Eric McCormick, Golf Course Superintendent; Jerry Summers, Police Chief; Michelle Groenevelt, Community Development Director; Linda Stokes, Treasurer; Brad Kraushaar, City Planner; Carol Coyle, Grant Coordinator; Anne Kantola, Library Director; Peter Borner, Public Works Director; and Laurie Radcliffe, Clerk-Administrative Assistant.

Council Member Scott joined the meeting at 5:34 p.m.

REPORTS

Department Reports

Council Member Delaney noted that the dog bags are being heavily used in Legacy Park.

Mayor Bailey commented on Bitterroot Drive needing attention from the streets department for cracks, because it gets a lot of traffic due to the water department location on Bitterroot.

Council Member Kulesza asked John Anderson about not renewing the contract for the non-directional beacon. John Anderson, Airport Manager, explained why it is not required. Council Member Delaney asked about the crack between the taxiway and the compass rose. Mr. Anderson indicated it is not an issue right now, but is being watched and budgeted for.

Council Member Kulesza asked for and received clarification on the REEZ solar grant. Michelle Groenevelt indicated the City is moving forward on the RFP.

Mayor Bailey noted that the wastewater storage pond failed the leak test and there was an air leak at the water treatment plant. Peter Borner indicated the pond failed by 1/8", and the air leak is fixed. Mr. Borner indicated he met with CH2M Hill today, and plans to update Council on everything in approximately one month.

Mayor Bailey clarified the Planning and Zoning Commission minutes of May 4, 2010, regarding the bank-owned property at 143 East Lake Street.

Council Member Delaney congratulated and thanked Eric McCormick, Golf Course Superintendent, for his Audubon and environmental efforts.

Council Member Delaney asked parks and/or public works to check out the area by the marina where there is significant debris from the storm, to look for safety issues and do clean-up, if the city is responsible for it. She also asked everyone to monitor dog owners in the park, to be sure they pick up after their dogs. She feels it is important to keep that privilege.

Council Member Kulesza asked about the downed trees on the golf course. Eric McCormick, Golf Course Superintendent, indicated the trees have been cut into 21 foot logs, which will be used on the course and the remainder will be chipped and reused.

Committee Reports

The Council received copies of the following committee minutes:

- Environmental Advisory Committee – April 20, 2010
- Environmental Advisory Committee – May 18, 2010
- Golf Advisory Committee – March 10, 2010
- Golf Advisory Committee – May 12, 201
- Library Board of Trustees – January 20, 2010
- Library Board of Trustee – February 23, 2010
- Library Board of Trustee – March 17, 2010
- Library Board of Trustee – April 21, 2010
- McCall Historic Preservation Committee – March 16, 2010
- McCall Historic Preservation Committee – May 4, 2010
- Planning and Zoning Commission – May 4, 2010
- Planning and Zoning Commission – May 11, 2010
- Aviation Advisory Committee – June 3, 2010

Mayor Bailey commented that P&Z attendance seems to be low. He was concerned that people on that committee may not be participating. Michelle Groenevelt assured Council that members are consistent in their attendance.

Council Member Witte asked for additional information on the Environmental Advisory Committee's composting project and to encourage composting instead of burning. Ms. Groenevelt gave a brief update.

Discussion ensued regarding the food vendors at the Fourth of July. The objection from the local restaurateurs seems to be against 'competitive' food items. Council Member Delaney feels any food is competition for local economy. She feels strongly that the City and the Chamber need to promote and support local businesses. Council Member Kulesza reviewed his discussions with several local restaurant owners and the Chamber of Commerce. Mayor Bailey suggested having a meeting with the Chamber of Commerce on this topic in early fall. Jerry Summers indicated the Chamber of Commerce was frustrated that the local vendors did not follow-through in order to participate. Council Member Delaney wondered if not having hawkers would be a possible solution. All Council members indicated they want to support local businesses.

Mayor Bailey provided copies of information on the Idaho National Laboratory and other facilities he visited during the recent Association of Idaho Cities annual conference. He found the INL tour very interesting and impressive, and urged others to visit.

Council Member Kulesza asked for and received information from Chief Summers about protocol for bullhorn use on emergency vehicles.

Mayor Bailey indicated he will address the letter received from Michael Ray Robinson and will route the response for Council's review.

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

Council Member Delaney asked that AB 10-154 McCall Bike Fest 2010, be pulled from the Consent Agenda and moved to the Business Agenda.

Mayor Bailey approved the agenda, moving AB 10-154 from the Consent Agenda to the last item on the Business Agenda.

PUBLIC COMMENT

Mayor Bailey called for public comment at 6:00 p.m.

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

BUSINESS AGENDA

AB 10-158 Comprehensive Economic Development Strategy Update

Carol Coyle presented information on the annual project list submission for the Regional Comprehensive Economic Development Strategy for Southwest Idaho. She stressed that in order to seek funding from the Economic Development Administration, a project must be on that list. A brief discussion ensued, with Ms. Coyle addressing questions from Council Member Scott and Council Member Witte. Mayor Bailey supported including the business park on the Economic project list. Council Member Kulesza would like to see the business park and the terminal separated, citing that the business park is more realistic. Another brief discussion took place. Council Member Witte asked for and received clarification regarding grant obligations.

Council Member Delaney moved to approve the submittal of eight projects for the 2010 Update of the Regional Comprehensive Economic Development Strategy, as amended by deleting “& Terminal” from the business park project. Council Member Kulesza seconded the motion. In a roll call vote, Council Member Delaney, Council Member Kulesza, Mayor Bailey, Council Member Scott and Council Member Witte all voted aye, and the motion passed.

AB 10-149 Administrative Determination: Non-Conforming Structures (setbacks)

Brad Kraushaar noted that this is an Administrative Determination, and asked Council if Council had questions or would prefer a walk-through. Council Member Witte asked what problems existed in the past and why this was needed. Mr. Kraushaar indicated this was drafted to ensure consistency. Council Member Kulesza felt this keeps owners from maintaining their property. Mr. Kraushaar indicated that the Code is to allow non-conforming structures to exist, but not perpetuate their existence; however, property owners can repair things that are unsafe. Discussion ensued.

Mayor Bailey commented that a structure is either conforming or non-conforming, there is no in between, and separating a part of a building to be non-conforming is very difficult. He stressed that this Administrative Determination is strictly in relation to setbacks. Mayor Bailey feels the code itself needs to be reviewed.

Council Member Kulesza felt that the Administrative Determination needed to be clearer and less restrictive regarding maintenance, for instance allowing painting.

Mayor Bailey asked for and received clarification of what ten percent means. Michelle Groenevelt, Community Development Director, stressed that the ten percent is used for upkeep not perpetuation.

Council Member Delaney felt this Administrative Determination should be passed to make it easier for staff to be consistent. Mr. Kraushaar indicated this was prepared to fill in grey areas, to address misinterpretations and to mitigate different interpretations. Council Member Kulesza

again stressed the need to clarify allowable maintenance, to not impose undue restraints on community members.

Bill Nichols pointed out that the Code Administrative Determination can be whatever Council chooses it to be. Mayor Bailey would like to re-work the Code Section so the Code itself can't be misinterpreted. Council Member Scott was concerned this Administrative Determination could look like a Code change and result in ramifications. Mayor Bailey requested Council take time to work together to review this Determination and give feedback to Mr. Kraushaar, to clarify issues raised and provide staff with specific suggestions. Mr. Nichols recommended giving feedback to staff for possible Code changes as well, for future consideration.

Council Member Delaney moved to table consideration of AB 10-149 Administrative Determination: Non-Conforming Structures (setbacks) until August 12, 2010. Council Member Scott seconded the motion. In a voice vote, all members voted aye and the motion carried.

AB 10-154 McCall Area Chamber of Commerce McCall Bike Fest 2010

Council Member Delaney indicated she requested that AB 10-154 be moved to the Business Agenda to again discuss bringing in out-of-town businesses to compete with locals through the use of Hawkers licenses. She would like the message to go to the Chamber to support local businesses. Mayor Bailey will ask Lindley Kirkpatrick, City Manager, as a member of the Chamber Board, to discuss this issue with the Chamber. Council Member Scott mentioned that costs to do this may be prohibitive to local businesses. Council Member Delaney felt that Chamber should try to help the local businesses afford to do this. She would like to see the Chamber talk with members of the local business community to find a solution. Bill Nichols indicated that the City cannot restrict this type of business to locals only. Mayor Bailey will follow-up with Lindley Kirkpatrick.

Council Member Witte moved to approve the requested suspension of the noise ordinance until 10:00 p.m. Council Member Kulesza seconded the motion. In a voice vote, all voted aye and the motion passed.

Attached to these minutes is a copy of the letter to the Chamber of Commerce, confirming the 10:00 p.m. noise ordinance time limit.

CONSENT AGENDA

Staff recommended approval of the following items:

- 5/27/10 Regular Minutes
- 6/24/10 Regular Minutes
- Warrant Registers printed on 7/1/10
- Payroll Report for Period ending 6/25/10
- AB 10-155 Affirmative Action Plans and LEP Plan for Title VI Compliance
- AB 10-157 Alcohol Beverage License Report
- AB 10-156 Alcohol Beverage Catering Permits

- AB 10-159 Noise Ordinance Suspension for Alpine Village Movies

Some discussion took place to clarify the warrant register and correct the minutes.

Council Member Kulesza commented on the Affirmative Action Plans, wishing to add: “or sexual orientation” where discrimination based on sex is shown. Mr. Nichols cautioned against changing the wording, due to the referenced federal regulations. Council Member Delaney and Mayor Bailey recommended leaving it as is.

Council Member Delaney moved to approve the Consent Agenda, with the minutes corrected, and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Delaney, Council Member Scott, Council Member Kulesza, Mayor Bailey, and Council Member Witte all voted aye and the motion passed.

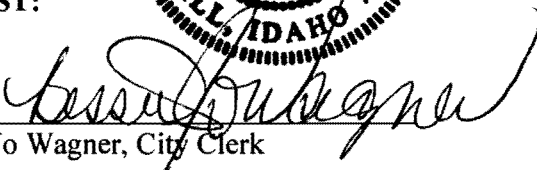
A brief discussion ensued regarding various letters received by Council. Council Member Kulesza requested someone attend the Upper Payette River Economic Development meeting next Wednesday. Mayor Bailey recommended asking Lindley Kirkpatrick, City Manager, to attend as a participant of UPRED.

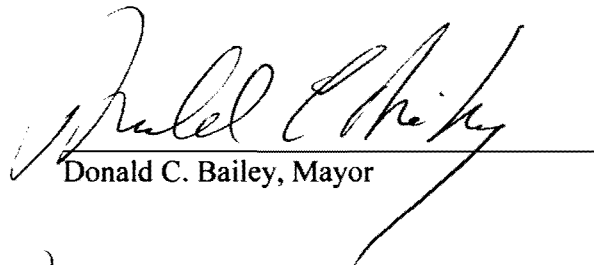
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 7:19 p.m.



ATTEST:


BessieJo Wagner, City Clerk


Donald C. Bailey, Mayor