

MINUTES

**McCall City Council
Regular Meeting
Barbara R. Morgan Elementary School
Cafeteria
December 17, 2009**

Agenda

Call to Order and Roll Call
Work Session
Pledge of Allegiance
Agenda Approval
Public Comment
Consent Agenda
Business Agenda
Committee Minutes
Council Discussion
Executive Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Kulesza called the regular meeting of the McCall City Council to order at 5:35 p.m. Council Member Bailey, Council Member Delaney, Mayor Kulesza, Council Member Scott and Council Member Witte answered roll call.

City staff present were Lindley Kirkpatrick, City Manager; Bill Nichols, City Attorney; Michelle Groenevelt, Community Development Director; Eric McCormick, Golf Course Superintendent; Tim Swanson, Interim Public Works Director; Linda Stokes, City Treasurer; Dennis Coyle, Parks and Recreation Director; Carol Coyle, Grant Coordinator; and BessieJo Wagner, City Clerk.

COUNCIL WORKSESSION

AB 09-278 McCall Water and Sewer Rate and Expense Planning

Tim Swanson, Interim Public Works Director, and Linda Stokes, City Treasurer, presented the Council with the model worksheet used for water and sewer rate expense planning. Mr. Swanson gave a brief demonstration as to how the cost of projects can be injected into the worksheet and it can formulate the needed revenue per month needed to accomplish the project within a specified time frame.

After the demonstration, it was decided that Council would schedule a special work session to work with the rate model to assist with making a determination for water and sewer rates in the future.

Mayor Kulesza led the audience in the Pledge of Allegiance at 6:17 p.m.

AGENDA APPROVAL

Council Member Scott requested that AB 09-277 a Contract for Services – Billing Document Specialists – be moved to the business agenda.

PUBLIC COMMENT

Mayor Kulesza called for public comment at 6:19 p.m.

Darrell Cobb, 1550 Chris Lane, commented on the Economic Development topic. He thanked the Council for bringing Economic Development for McCall forward for discussion. It was his opinion that the City choosing to not participate with the rest of the County was not good for McCall. He felt that the Upper Payette River Economic Development Council (UPRED) could be of assistance to the City. He would like for the City to reconsider their position of not funding UPRED.

Becky Johnstone, a local realtor, stated that she agreed with Mr. Cobb. She stated that after reviewing the information provided by the City on recommendations for the economic development, such as the organizing businesses to determine the needs and priorities, the work had already been done. She stated that the data is already available. She also commented on the recommendation that some of the economic development funds be spent on promoting the golf course, stating that golf should be advertised for the area not just the City's golf course.

Hearing no further comments, Mayor Kulesza closed public comment.

CONSENT AGENDA

Staff recommended approval of the following items:

- Minutes 11/19/09
- Minutes 12/03/09
- Warrant Registers printed on 12/10/09
- Payroll Report for Period ending 11/27/09
- AB 09-266 Alcohol Beverage Catering Permits
- AB 09-267 Alcohol Beverage License report
- **AB 09-277 Contract for Services – Billing Document Specialists – moved to the business agenda**

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

Council Member Delaney moved to approve the Consent Agenda with the minutes corrected. Council Member Witte seconded the motion. In a roll call vote, Council Member

Delaney, Council Member Bailey, Mayor Kulesza, Council Member Witte, and Council Member Scott all voted aye and the motion passed.

BUSINESS AGENDA

AB 09-277 Contract for Services – Billing Document Specialists

Linda Stokes, City Treasurer, gave a brief explanation of the costs difference to change service for Utility Billing.

Council Member Delaney moved to approve the contract with Billing Document Specialist 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 Bailey, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

AB 09-270 Environmental Advisory Committee Annual Report

Claire Remsberg, Environmental Advisory Committee Chairwoman, presented the Committee's annual report.

AB 09-276 VARHA report on community housing incentives

City staff initially requested a summary of incentive based ordinances in August of 2008 from VARHA. The Council requested this information again at the September 24, 2009 City Council Meeting as a condition of the first quarter of funding for VARHA. Mike David, VARHA Executive Director, presented the report to the City Council.

Mr. David stated that an inclusionary ordinance is a voluntary, incentive based ordinance. He stated that at this point in the community it was vital to start over with community housing ordinances that were incentive based and that the community would be involved in creating. There were three points of the report that he relayed to Council: to start early, involve the community and involve the stake holders.

Mayor Kulesza stated that he agreed with this strategy, and confirmed that the communities Mr. David had looked at many were from the state of Washington, as well as Ketchum and Hailey, Idaho and some cities in California. Mayor Kulesza asked if Mr. David had spoken with any of those communities on how they had approached the integration process to get community involvement. Mr. David responded that he was part of the efforts in Blaine County, Idaho when those communities put their incentive based ordinances in place. He had not spoken with any of the other communities mentioned. He stated that the process was tailored to fit the community through focus groups.

Mayor Kulesza inquired as to how Blaine County worked through variances and conflicts with the various groups. Mr. David responded that they had not worked through the conflicts, and stated that those issues may come up at a later time to be resolved. Mr. David stated that one of the most effective incentive based ordinances for developers was that developers had a choice of which amenity to provide.

Mayor Kulesza asked if any of the incentives were being utilized in today's market in Blaine County, Idaho. Mr. David responded that they were not; incentive based ordinances are dependent upon new development.

Mr. David, in response to Mayor Kulesza's question, stated that there were five focus groups who worked on creating the incentive based ordinances in Blaine County, Idaho in 2002.

There was a general discussion as to what type of incentives would be beneficial to McCall.

In response to Mr. David's suggestion of the need for incentive based ordinances, Michelle Groenevelt, Community Development Director, stated that during the major code revisions to the McCall City Code done in 2006, incentives for community housing were built into the code.

There was some discussion as to whether now would be the time to reconsider some of the incentives so that when development resumes the ordinances would already be in place.

Mr. David reminded the Council that there was still a vacancy for a McCall representative on the VARHA board.

AB 09-271 Economic Development Funding for FY2010

At the request of the City Council at the December 3, 2009 meeting, staff compiled information on economic development to further assist the Council in determining how the \$30,000 budgeted for economic development would be spent in FY2009-2010.

In Addition to what was provided to Council in the packets, Mr. Kirkpatrick presented some project ideas that included visitor days, business park support, business retention and expansion, and the ability to respond to development leads. Mr. Kirkpatrick gave his opinion to Council as to what economic development means. He stated that economic development is bringing new dollars into the community and retaining them in the community.

Mr. Kirkpatrick stated that there were activities where the City could partner with either the Merchant Association or the Chamber of Commerce.

Carol Coyle, Grant Coordinator, expressed the need for regional partnerships. She stated that from a grant perspective, such partnerships can strengthen an application, the project and the opportunity to get funding. She stated that when the Valley Adams Planning Partnership (VAPP) was developed it was well attended and was a very active group. She stated that currently VAPP is separated in to three sub-committees: transportation, housing, and economic development. She recommended that the City take an active role in assisting VAPP to keep going. Ms. Coyle cautioned against McCall taking over VAPP, if it is perceived by the other partners as McCall's entity, it would not be an effective partnership. Another regional partnership that Ms. Coyle recommended was Sage. She is a member of the Payette Scenic Byway Committee that meets quarterly and there are representatives from New Meadows down to Eagle on that committee. It is coordinated by staff from Sage and could be a model for how VAPP could be supported.

Eric McCormick, Golf Superintendent, addressed the suggestion of promoting golf in McCall. He stated that the when he promotes golf he promotes all the golf courses in the area. He participates in a group effort with the other four golf courses in the area to promote golf at

various Golf Shows. He stated that Golf Courses are a great way to contribute to the tourism that comes to McCall.

There was some discussion as to what the economic base was for McCall and the importance of bringing businesses that create sustainable jobs and stimulate the economy. Mayor Kulesza summarized that at the first meeting in January, the Council would make a determination as to how to utilize the \$30,000 budgeted for economic development considering all the proposals that have come before Council.

AB 09-269 Review of documents related to purchase of USFS land for Riverfront Park

Carol Coyle, Grant Coordinator, gave a brief background, including the intent for direct purchase agreement with the United States of America through the United States Forest Service (USFS) for a 6.4 acre parcel of land adjacent to the Riverfront Park area which is owned by the City of McCall. In order for the acquisition to proceed, the Payette Office of USFS has asked the Council to review the draft deed and the letter of inspection along with Exhibit A. After the documents are reviewed and approved by Council and legal counsel, then the USFS will proceed with developing a purchase agreement for the City's consideration. These documents have been sent to the City attorney for review.

City staff has consulted with staff from the Idaho Department of Parks and Recreation (IDPR), which administers the Land and Water Conservation Funding grant program. Although the project is recommended for funding, the grant paperwork must be submitted and approved by the National Park Service (NPS) in order to obtain the grant funding of 50% of the purchase price, up to \$75,000. Ms. Coyle is working with IDPR to submit the grant to the NPS. However, it was pointed out that Council should note that no funds toward the purchase can be expended until the grant award has been approved by NPS. Other work underway related to the grant application is the appraisal review (required by IDPR) and survey work to delineate the future park boundary, which will be included in the 6f map as required by Land and Water Conservation Fund (LWCF) program guidelines.

Mr. Nichols had a concern with the indemnity clause, ongoing continuing easement for drainage from the Smokejumper base through the four inch pipe. The document should have something that does not require the City to indemnify the Forest Service from any potential overt negligent act they may do.

Council Member Scott moved to approve the final draft documents subject to the resolution of the issue of what happens if something migrates through the four inch drain that could be a contaminating substance, including any changes, and authorize the Mayor to sign after authorization for LWCF grant award has been received. Council Member Bailey seconded the motion. In a roll call vote, Council Member Scott, Council Member Bailey, Council Member Delaney, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

AB 09-274 Ordinance Adoption amending MCC 8.14.4 to Allow Domestic Animals in City Parks

In June of 2009 during the Parks and Recreation Advisory Board monthly meeting, Mike and Tamara DeBoer presented to the Committee that they would like to see dogs on leashes allowed in the City Parks and a designated area that allows for dogs off of leashes. They were concerned if the City is not in favor of a more dog friendly community some tourism could be lost. After a

long discussion surrounding the issue, all members of the Parks and Recreation Advisory Board voted in favor that the current City Ordinance, MCC 8-14-4(C) (1) be amended to allow pets in selected City parks.

In October of 2009, the Parks and Recreation Director was informed by the Advisory Board that this issue needed to be addressed. The Parks and Recreation Director reviewed with staff the previously compiled information. It was determined that if the ordinance was changed a decision must be made on how to implement it. Staff requested the ordinance be amended to allow pets with restrictions.

Expenses to be incurred will be for waste stations, signs and bag dispensers. Style and type will be determined by staff and the Advisory Board. Funding within the current budget is not sufficient to solely support the implementation. Staff is suggesting that implementation be contingent upon donations, sponsorship and minimal City funding. Suggested funding sources include businesses that would benefit, the Humane Society, individuals, and possibly grants. Cost is estimated to be between \$2,977 and \$5,602.

At the November 19, 2009 Council meeting, staff presented a suggested ordinance change. Council instructed staff to change the proposed ordinance to allow more flexibility for the Parks and Recreation Director to implement the ordinance change allowing pets in parks.

Council Member Witte stated that she was against dogs in Brown Park.

Council Member Scott stated she would like to allow dogs in Brown Park.

Council Member Bailey stated it was his opinion that it was the City's responsibility to provide the dispensers and receptacles and it should be reflected in the ordinance. He also stated that the ordinance should have an expiration date at which time it should be revisited and if there was no action taken by Council, the ordinance would revert back to the old ordinance.

After much discussion, Council directed staff to revise the ordinance to include a date in two years to revisit the ordinance, and state that no park will be open to domestic animals unless there are dispensers and receptacles to dispose of animal feces.

AB 09-275 Ordinance Adoption amending Title VIII to Allow Domestic Animals and other activities on the Golf Course

Eric McCormick, Golf Course Superintendent, stated that at the September 10, 2009 City Council Meeting, staff presented Council with a proposed code change to allow dogs, joggers and walkers access to the golf course during the off season, November 15 - May 15. The Golf Advisory Committee, at their November meeting, discussed allowing dogs at the Golf Course during the winter months. It was the Advisory Committees decision to recommend to City Council that they amend Title VIII of the McCall City Code.

Council Member Delaney moved to suspend the rules, and read by title only, one time only Ordinance No. 870 amending Title 8. Council Member Scott seconded the motion. In a roll call vote Council Member Delaney, Council Member Scott, Council Member Bailey, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

Mrs. Wagner read Ordinance No. 871 by title only, one time only.

Council Member Delaney moved to adopt Ordinance No. 870 amending Title 8. Council Member Scott seconded the motion. In a roll call vote Council Member Delaney, Council Member Scott, Council Member Bailey, Mayor Kulesza, and Council Member Witte all voted yes and the motion passed.

AB 09-272 Adopt Resolution 09-13 to authorize the City Treasurer to pay routine City bills

Linda Stokes, City Treasurer, explained that due to the regularly scheduled Council meeting dates for December (the 2nd and 4th Thursday of the month) were changed to the 1st and 3rd Thursday of the month to accommodate the Christmas holiday, this change resulted in nearly a month between Council meetings causing a delay in the City's ability to pay bills in a timely manner. Staff compiled a list of vendors that provided ordinary and necessary goods and services to the City; such as debt service, lease obligations, utilities, propane, VISA bills, attorney services, library internet, postage, and fuel that would need to be paid during that time frame.

Council Member Delaney moved to adopt Resolution 09-13 to authorize the City Treasurer to pay routine City Bills from December 18, 2009 through January 6, 2010 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 Bailey, Mayor Kulesza, and Council Member Witte, all voted aye and the motion passed.

AB 09-268 Resolution 09-14 to adopt the Records Retention Schedule

BessieJo Wagner, City Clerk, presented Council with the proposed Records Retention Schedule. Idaho Code 50-907 required the City Council to adopt by resolution a record retention schedule, listing the various types of city records with the applicable retention periods. A record retention schedule establishes minimum retention periods for the various types of city records. Adoption of a record retention schedule assists in efficient and effective records management by identifying records that have exceeded their minimum retention that may be destroyed following approval by the City Attorney and, as required for semi-permanent records, approval by the Idaho State Historical Society and upon resolution of the City Council in accordance with the provisions of Idaho Code 50-907.

Council Member Bailey moved to adopt the Records Retention Schedule by Resolution 09-14 as amended and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Council Member Delaney, Mayor Kulesza, and Council Member Witte, all voted aye and the motion passed.

COUNCIL DISCUSSION

Council Member Scott presented Council with a list of proposed objectives for the town hall style meeting. The subject will come back to Council on January 14, 2010.

COMMITTEE MINUTES

The Council received copies of the following minutes:

- Tree Advisory Committee – November 18, 2009
- Urban Renewal Agency – October 20, 2009
- Urban Renewal Agency – Special Meeting November 09, 2009
- Planning and Zoning Commission – October 13, 2009
- Planning and Zoning Commission – October 19, 2009
- Planning and Zoning Commission – November 3, 2009
- McCall Public Library Board of Trustees – August 19, 2009
- McCall Public Library Board of Trustees – September 16, 2009
- McCall Public Library Board of Trustees – October 21, 2009

EXECUTIVE SESSION

At 9:56 p.m. Council Member 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. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Council Member Delaney, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

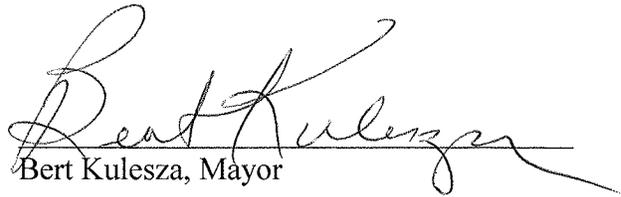
ADJOURNMENT

Without further business, the Mayor adjourned the meeting at 10:20p.m.



ATTEST:


BessieJo Wagner, City Clerk


Bert Kulesza, Mayor

MINUTES

McCall City Council
Regular Meeting
Barbara R. Morgan Elementary School
Cafeteria
December 17, 2009

The Executive Session portion of the December 17, 2009 minutes were amended on April 22, 2010 to ensure compliance with the requirements of IC §67-2344 (2).

EXECUTIVE SESSION

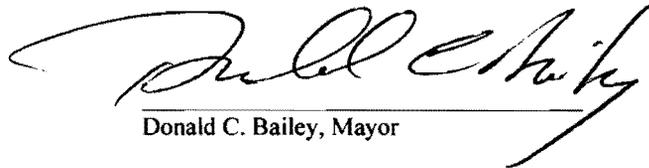
At 9:56 p.m. Council Member Bailey moved to go into executive session for litigation – pursuant to Idaho Code §67-2345(1)(f), to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Council Member Delaney, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.

Council discussed litigation issues and possible strategies and solutions.

ATTEST:


BessieJo Wagner, City Clerk




Donald C. Bailey, Mayor