

# MINUTES

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**McCall City Council  
Regular Meeting  
Legion Hall (McCall City Hall - Lower Level)  
December 3, 2009**

## Agenda

Call to Order and Roll Call  
Reports  
Approve the Agenda  
Pledge of Allegiance  
Public Comment  
Consent Agenda  
Business Agenda  
Adjournment

## **CALL TO ORDER AND ROLL CALL**

**Mayor Kulesza called the regular meeting of the McCall City Council to order at 5:36 p.m. Council Member Bailey, Council Member Delaney, Mayor Kulesza, Council Member Scott, and Council Member Witte answered roll call.**

City staff present were Bill Nichols, City Attorney; Jerry Summers, Police Chief; Linda Stokes, City Treasurer; Tim Swanson, Interim Public Works Director; Anne Kantola, Library Director; Dennis Coyle, Parks and Recreation Director; Eric McCormick, Golf Superintendent; John Anderson, Airport Manager; Michelle Groenevelt, Community Development Director; BessieJo Wagner, City Clerk.

## **COUNCIL WORKSESSION**

### **Consolidated Department Report**

Council reviewed the department reports with the Department Heads.

**Mayor Kulesza approved the agenda.**

**Mayor Kulesza led the audience in the Pledge of Allegiance at 6:00 p.m.**

## **PUBLIC COMMENT**

**Mayor Kulesza called for public comment at 6:01p.m.**

Anne Kantola, Library Director, invited the Council to come to the library to observe the new lighting.

Mayor Kulesza stated that he found information on the “snow gate” from Coeur d'Alene in response to the request for minimizing the snow berm. He stated that it costs about \$15,000 and has the ability to move snow up to six inches deep, and can move moderately well 6-12 inches of snow and nothing over 12 inches. It would be an expensive option for the City’s current equipment.

**Hearing no further comments, Mayor Kulesza closed the public comment.**

## **CONSENT AGENDA**

Staff recommended approval of the following items:

- Minutes – 9/10/09
- Warrant Register printed on 11/24/09
- Payroll Report for pay period ending 11/13/09
- AB 09-260 Alcohol Catering Permits
- AB 09-263 Lease for a New Copier/Scanner/Printer for the Library from IKON Office Solutions
- AB 09-261 Contract for the McCall Area Planning and Zoning Commission Attorney

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

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

## **BUSINESS AGENDA**

Council Member Scott recused herself from the agenda Item AB 09-262.

### **AB 09-262 Agency Agreement with McCall Aviation, Inc**

John Anderson, Airport Manager, presented the Agency Agreement with McCall Aviation. There was clarification by the City Attorney, Bill Nichols that this agreement was just an extension of the original agreement and the two changes were non-substantive revenue changes.

**Council Member Bailey moved to approve the Agency Agreement with McCall Aviation, Inc. extending the existing agreement until May 31, 2012 with the reduction of transient parking and landing fees from \$10 to \$5 and 6 tie-down spaces, and authorize the Mayor to sign all necessary documents. Council Member Delaney seconded the motion. In a roll call vote, Council Member Bailey, Council Member Delaney, Mayor Kulesza, and Council Member Witte all voted aye and the motion passed.**

Council Member Scott returned to the meeting at 6:17 p.m.

### **AB 09-264 FY10 Economic Development Funding**

Mayor Kulesza stated that the meeting on November 23, 2009 for Economic Development was beneficial. He commented that it was the Council's responsibility to get the best service for the funds allocated for Economic Development.

Council Member Delaney suggested a different approach to economic development. She stated that the City could consider, instead of giving to a large entity, such as the Upper Payette River Economic Development Council (UPRED), to look at funding smaller activities. Some of her suggestions included working with the Chamber, the Merchants Association, and some of the small businesses to assist them with education on business retention. Council Member Delaney stated that the City could look at how the City is to work with during the process of development, and ask the questions "Is the City helpful or directive?" and "What is it the City could do for your business?"

Council Member Delaney also brought up the importance of organizing the business community to find out what their needs are. It was also discussed that in considering a program such as what Council Member Delaney had outlined, there would need to be someone to drive the program. Council Member Bailey suggested that John Blaye of UPRED could perform some of those tasks. Council Member Delaney suggested that the City could put out a Request for Proposal.

Council Member Bailey also suggested that some of the funds could be used as part of the Krahn Lane Business Park, using some of the funds to pay for the preliminary engineering. He stated that after the preliminary work is completed then the City would be able to apply for grants to further the project and complete the water sewer lines.

Mayor Kulesza stated that it made sense to change the approach to economic development. Council Member Delaney stated that smaller pieces may be easier to track and show progress.

Council's general consensus was to retain the funds in the City's budget and draft a letter to Valley County stating that the City of McCall would not contribute to UPRED this year. Council would also like some recommendations from staff as to suggestions and proposals for economic development. Council wants to continue to participate in and support regional economic development. Council Member Scott stated that in the process the City may still work with John Blaye.

**Council Member Delaney moved to retain the \$30,000 allocated for economic development in the City budget and to direct staff to prepare a list of suggestions, based on the memo from Council Member Delaney (attachment A), on how best to utilize those funds and direct staff to direct a letter to the Valley County Commissioners stating that the City will not be allocating the \$30,000 to UPRED. Council Member Witte seconded the motion. In a voice vote, all voted aye and the motion passed.**

### **AB 09-247 Resolution 09-11: Update to Housing Policy**

**Council Member Scott moved to adopt Resolution 09-11, Updated Housing Policy, with the following changes:**

- Page 1 and 2 insert "and" after the first two "Whereas"
- Page 3, Section 1, first sentence add "and future employed" after "currently employed"

- Page 3, Section 1, 2.1, add “strive to” after “Program will”
- Page 3, Section 1, 5.2, add “strive to” after “Community housing will”
- Page 3, Section 1, 7.1, change “housing to maintain at least 65 percent owner occupied” to “housing to maintain the appropriate percentage of owner occupied giving the Housing Market and Needs Assessment and future census data”
- Page 4, Section 5, change “significant element of the update” to “significant element of any future update”

**and authorize the Mayor to sign all necessary documents. Council Member Delaney seconded the motion. In a roll call vote Council Member Scott, Council Member Delaney, Council Member Bailey, Mayor Kulesza and Council Member Witte all voted aye and the motion passed.**

**AB 09-248 Proposed vacation of Spruce Street (between East Lake Street and Mill Street) and the concept of developing Hill Climb Park**

Michelle Groenevelt, Community Development Director, stated that after further review it was determined that a street vacation was not necessary for the proposed project. Bill Nichols, City Attorney, confirmed that the vacation did not need to occur. Mr. Nichols explained that the definition of a right-of-way according to state code includes pedestrian use. He stated that the plan for the ramp that would serpentine through the parcel would fit with what is appropriate for a public right-of-way. He stated that the issue is how to designate a particular stretch of street for pedestrian use and not vehicular use. He stated that Tim Swanson, Interim Public Works Director, and Bill Gigray, Attorney, have been working on an ordinance that would give the City a mechanism to be able to designate a portion of right-of-way for non vehicular access. He stated that the outside edge of the parcel could be designated for the adjacent property owner for access to their property. The advantage to this proposal would be that the City would have control as to the type of development that could be done.

The Council discussed how the development of Hill Park would benefit the property owner and the City. The concept was to grant a 10’ area for access to the adjacent property, in return the property owners would develop the pedestrian park for the City.

Council Member Bailey suggested that the City take that 10’ access area and make it a one way street and that through a development agreement the park would be built, he did not think that any property needed to change hands.

Council Member Delaney expressed concern as to why the City would want to make this kind of agreement that would give the property owner a significant increase in their property value. It was explained that the parcel was currently an unused right-of-way and could be made into a nice pedestrian access from Mill Street to the parks.

There was continued discussion as to what benefits the City would have by giving access to the adjacent property owner. The property owner had a vision of a driveway that would access a mixed use development on his property. There was discussion that the City would be interested in the property owner’s proposal and that it could be accomplished through a development agreement where the City would dictate the terms of the park.

**AB 09-258 Permissive Encroachment Agreement – Gerry and Diana Nutt**

Amy Pemberton, Attorney for Gerry and Diana Nutt, explained that the owners of the property have a discrepancy in the legal description of the deed that they received upon purchase of their property. The discrepancy relates to the right of way of Warren Wagon Road. The City of McCall is the owner of those portions of Warren Wagon Road located within the City of McCall, Idaho which includes a portion adjacent to the property owned by Gerry and Diana Nutt. There is a discrepancy of five feet in the width of the right of way of Warren Wagon Road adjacent to the property owned by Mr. and Mrs. Nutt and has been developed by them and their predecessors in interest, resulting in certain improvements consisting of a house with attached garage, which encroach approximately three feet (3'), more or less, into the City Right Of Way.

**Council Member Delaney moved to approve the Permissive Encroachment Agreement 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.**

**COMMITTEE MINUTES**

The Council received copies of the following minutes:

- Airport Advisory Committee – October 1, 2009
- McCall Improvement Committee – October 8, 2009
- Environmental Advisory Committee – September 15, 2009
- Environmental Advisory Committee – October 20, 2009

**ADJOURNMENT**

**Without further business, the Mayor adjourned the meeting at 7:30 p.m.**

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Bert Kulesza, Mayor

**ATTEST:**

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BessieJo Wagner, City Clerk