

# MINUTES

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## **McCall City Council Regular Meeting September 11, 2008**

### Agenda

Call to Order and Roll Call  
Council Work Session  
Public Comment  
Consent Agenda  
Business Agenda  
Committee Minutes  
Adjournment

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

**Mayor Kulesza called the regular meeting of the McCall City Council to order at 5:32 p.m. Council Member Bailey, Council Member Delaney, Mayor Kulesza, Council Member Scott, and Council Member Witte answered roll call. A quorum was present.**

In addition to the Council Members, present were Lindley Kirkpatrick, City Manager; City Attorney Bill Nichols; Eric McCormick, Golf Course Superintendent; Walt Eisenstein, Public Works Director; John Anderson, Airport Manager; Linda Stokes, Acting Treasurer; Michelle Groenevelt, Community Development Director; Brock Heasley, Parks and Recreation Director; Brenna Chaloupka, Acting City Clerk / Administrative Assistant; and BessieJo Wagner, Deputy City Clerk / Administrative Assistant.

## **COUNCIL WORKSESSION**

### **City Manager Report**

Mr. Kirkpatrick gave an update on the following projects. The J-Ditch pond is essentially empty, and when the irrigators are done then it will start filling for the winter. The Lower Rio Vista water line project is moving ahead well, and the contractors are about ready to repave the road. ITD project of repaving the highway through town is supposed to be done by the end of October. For the Mission Street turn bay project, the City put some franchise fee dollars toward the project to bury the utilities, and Idaho Power sent the City a refund check of about \$30,000. With regard to the airport Through the Fence proposal, the Airport Advisory Committee met and does not yet have a recommendation on that proposal. They should have something by the September 25 Council Meeting.

Council Member Scott asked John Anderson about the proposal of 20 cents a square foot for the covered area only. What was Mr. Anderson's original recommendation? They offered 12, he said it should be 35, and they settled on 20. He does not think that 20 cents is enough. Council Member Bailey asked if we need to keep in mind that the land is privately owned and subject to

property taxes. Mr. Anderson stated that no, they do not have to allow this to happen at all; however, the FAA states that the fees need to be equitable as to what others are paying. There was some discussion as to different lease option terms. The FAA does not care for through the fence type proposals. However if a City decides it is in their best interest then the FAA has some opinions that need to be included in the agreement.

Mr. Kirkpatrick confirmed that all had seen the updated meeting schedule to accommodate the holiday season. There will be a location change for two of the meetings.

Mr. Kirkpatrick stated there had been previous discussion to improve communication to the public. The police department, as part of their outreach, has put together an email newsletter primarily targeted at businesses that will be distributed soon. There will be advice and tips on crime prevention or current issues or topics. He would like to expand the newsletter to include other departments and eventually become City wide.

Earlier in the year Council granted Mr. Kirkpatrick permission to live outside the city limits. His new residence is in the impact area, in Pine Terrace, about .6 miles from the City limits. Last week the Park City group was in McCall for the CityTour. There was a lot of positive feedback from all who participated. There were some ideas generated from the discussions, one particular is using a different approach to aeration at the Golf Course to be implemented in the spring. With this new approach it will give a longer play season in the fall and possibly less problems with some of the winter kill. An additional idea is the leadership development program open to the Community, to improve communication within the community. Council Member Bailey was impressed by their citizen's guide and would like the City to consider doing a similar guide.

Council Member Bailey wanted the Council to consider the Annexation of the Deboer property and to possibly extend the area to be annexed for future development.

### **The Consolidated Department Head Report**

Mayor Kulesza asked Mr. Anderson what a TIF district is as referred to on the department report. Mr. Anderson explained that it is "tax increment financing" – known as Urban renewal.

Council Member Witte - Where were the water sample tests done, that two out of three were positive for lead? Mr. Eisenstein stated that it is not unusual for it to happen every so often, it just has to be re-sampled. Most often it is a result of a contaminated sample. If it comes back a second time more sophisticated testing will be done.

Council Member Scott - How often does the City re-stripe the pavement? Mr. Eisenstein stated that it is done twice a year. The paint that last longer is twice the cost. Council would like Mr. Eisenstein to look at what the cost difference would be to buy the more expensive paint and only stripe once a year, cost to include man power and equipment.

Council Member Scott - Are the final results about the failed leak test in the J-Ditch pond from last month in yet? They are not.

Mayor Kulesza - Are we seeing the same 20-40% decrease in fuel sales at the airport as nation wide? Mr. Anderson stated that we are within that trend.

Council Member Witte - How many building permits have been issued? Ms. Groenevelt stated that there are currently 25 EDU and 85 non-EDU building permits.

Mayor Kulesza - Is there a working charter or scope of work for the Airport code revision committee? Ms. Groenevelt stated that yes; there is a scope of work. This group only looks at things that are related to planning and zoning. There are ten members that meet every two weeks.

Council Member Bailey - Will the FAA approve a commercial service into a private airport? Mr. Anderson stated that it can be done.

Council Member Scott - On the Department report can the changes be highlighted? She was pleased to see the VARHA report and would like to see reports from the other externally funded agencies. Mr. Kirkpatrick stated that the intent is to have the VARHA report monthly as well as UPRED, and the City already receives a quarterly report from McPaws.

Mayor Kulesza – Is there an update on the status of the Parking study? Ms Groenevelt stated that the Grand Payette preliminary plat was approved with conditions on Tuesday, September 2, 2008 at the Planning and Zoning meeting. One of those conditions is the parking issue. The Grand Payette applicant has a certain parking requirement and it can either be provided on site, off site or pay an in lieu fee. It is their choice. There is also a provision that states the commission can grant a reduction; the commission did not grant a reduction on the number of parking spaces.

When there are multiple uses within one parcel, you count up all the different land uses to get a parking number. The parking number is 111 spaces for this project. The City went over the parking issue extensively, and was not ready to make a recommendation to Council due to the downtown parking study. The Community Development Department applied for LOT funding for the parking study and has already issued the RFP for proposals and is receiving a lot of response from different firms, and has had communication with at least 13 so far, the deadline being September 22, 2008.

The study should take about three months to complete. Staff has already done some of the data collection with the downtown Parking Study Committee, made up of staff and volunteers, which will save some money. The firm that they choose will then do some analysis and make recommendations that can then be turned into code amendments or code changes. It will give an understanding to where we are with parking in the downtown area and where the City may need to go in the future.

Since the applicant knows that the study is being conducted there has been some discussion that they say they will not need that many spaces. The commission did not grant the reduction as there will be a lot of findings in the study and until they have those answers, the commission did not want to make any premature recommendations to Council. However the commission did give the applicants some recommendations or options they could look at. The condition was worded that they have to figure it out before they submit for final plat. There are many people and businesses interested in the parking study and want to make sure that the City does not let the applicant come in and not provide their fair share of the parking.

Mr. Kirkpatrick stated that this will be coming to Council as a land use application and to be sure that this discussion be disclosed as part of the record. Ms. Groenevelt went on to say that the

study will probably start in October or November, and then the Commission will have some solid recommendations.

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

**PUBLIC COMMENT**

**Mayor Kulesza called for public comment at 6:17 p.m.**

**Shorty Clark** – with the McCall Improvement Committee – He is concerned with the amount of vehicles for sale in the south entrance into town. He has worked with Ned Crossley to see if there may be an ordinance violation and has not found one. Bob Youde suggested that if Council agrees with the Improvement Committee, they can instruct Planning and Zoning to look at creating a new ordinance that would prevent anyone to sell a vehicle, without a license, 150 feet within the scenic roadway.

**Curt Mack** – Comments on the WH agenda item – Has a cost benefit analysis been done for the EA (Environmental Assessment): is it a benefit to the tax payers to move the runway 40 feet? He stated that the Airport is operating under a waiver for the FAA for non-compliance. One of three loans for the EA has been accepted by the City. Comments on public input: He thought that the City could have done a better job of soliciting Public input for the Airport Master plan and the Comp Plan process. Public input on future airport development is an opportunity to ask the community what they would like to see for the future of the airport. During this narrow scope of looking at the EA on this development, the question of what the community might like to see may be outside the scope. It may be allowable if the City were to speak with the FAA to see if they would be supportive.

One important thing that is going to come out of this first phase of the EA is to identify the appropriate alternatives for consideration. Mr. Mack does not know how the City could appropriately decide what the different alternatives are for this one development project if they do not know or have a clear idea about what the community's desire for the future of the Airport is. Under task one of the EA there will be initial public involvement scoping period. It talks about the importance of Public Involvement and early public outreach; however there is only a single public meeting identified and it is termed a "kick off" meeting to present the Airport's plans. Presenting information to the public does not substitute for public involvement. He would like to see public involvement expanded in the EA proposal. There should be two issues addressed: actively solicit public input on their desires for the airport and solicit their input on what they would like to see for alternatives to be analyzed through the EA process.

**Hearing no further comments, Mayor Kulesza closed the public comment at 6:25 p.m.**

**CONSENT AGENDA**

Staff recommended approval of the following items:

- Minutes from August 14, 2008

- Warrant Register printed on September 4, 2008
- Payroll Report for Period ending August 22, 2008
- AB 08-178 Alcohol Beverage Catering Permits
- AB 08-179 Alcohol Beverage License Report
- AB 08-183 ASMI Contract to Maintain the McCall Non Directional Beacon (NDB) Navigational Aide
- AB 08-184 Capital Matrix grant for Krahn Lane planning

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. Council Member Delaney seconded the motion.**

There was some discussion to clarify the Capital Matrix grant and the ASMI Contract.

**In a roll call vote, all members voted aye and the motion passed.**

## **BUSINESS AGENDA**

### **AB 08-181 W&H Pacific Master Consulting Agreement and Task Order #1**

Mayor Kulesza asked if the City had already signed an agreement with this company before. The City had agreed to sign the contract previously and held off until the receipt of the first task order.

Mr. Anderson gave a brief explanation of the contract and task order #1 is for an environmental assessment to relocate taxiway "A". The task order states how to accomplish it. With the acceptance of AIP 14 the City has \$173,373 in grant funds obligated from FAA with an additional \$9,125 in grant match, for a total available at this time of \$182,499. An additional grant of \$90,092 with a local match of \$4,742 will normally be offered in June 2009. With the approval of this contract and task order, a notice to proceed will be given with a stipulation that work shall not exceed \$182,499 until the City of McCall – Airport receives the remaining grant and the final work is authorized.

The FAA reviewed the contract and the task order, and an independent fee estimate was obtained. The estimate came within what the FAA thought it should cost.

Some items in the agreement are absolutely prescribed by the federal environmental regulations and will be addressed. There is enough money for 6 public meetings. Most airports with this type of assessment would have three meetings. The intent of this agreement is to do more than what is required. The initial meeting with the public will help to decide how many meetings there will be. All the alternatives have to be looked at.

Mr. Anderson wanted to clarify a statement made during public comment and that is the City is not operating under a waiver. The airport is operating not in compliance with FAA rules. Also the airport is not getting loans; they are receiving grants, 95% paid by the Federal government. Although it is tax payer money, it all comes out of the FAA trust fund which all comes from fuel

taxes, aviation fuels, and airline ticket taxes. It is a user fee pay system – no income tax goes into the FAA trust fund. The taxi way needs to be moved in order to continue to receive federal funds. The airport is not in safety compliance with FAA due to the taxi way location.

If it was just a local decision and not a safety concern, the money may be spent differently, however the FAA said it has to be done, it is not optional. The FAA basically did a cost benefit analysis when they determined it is a safety issue, so it has to be done. When it comes to safety, it is required to be done. An EA (environmental assessment) is needed to respond to the FAA. The purpose is a safety issue and the need is to comply with the FAA standards. This does not answer the question of landscaping, the volume of air traffic, or if we need to move the airport. This EA may not be able to answer the citizens' questions of the direction of the airport.

Mayor Kulesza talked with citizens from three other communities that stated if the City decides on airport expansion – proceed carefully as once the City accepts the expansion, it cannot go backward. He suggested that possible town hall meetings need to take place on this issue to be sure of the road to take prior to getting to the end then saying “is this where we want to be.”

This assessment is only looking at moving the taxi-way to address the safety issue.

The master plan is what you can do, not what you will do. There was some discussion as to many issues that relate to the airport and how vital it is the community and to the future of the community. The community should have the opportunity to comment on these issues independent of this EA. The EA meetings could be a catalyst to finding out what the community thinks about these different issues.

There were several public meetings during the process of the master plan and the public did not show up. The community has had the opportunity to weigh in on some of the issues and did not show. Mayor Kulesza stated again that if the airport expands there is no going back. The community needs to know what expansion could mean. It is best to improve the community's understanding. There will be much that the City has no control over as it is dictated by the FAA, but the growth factor can be influenced by the community.

Mr. Nichols recommended that in the contract, should it be approved, paragraph 12 should be deleted. There was much discussion to come to a consensus of accepting the amendments to the contract and Task Order #1 to ensure opportunity for public input as reflected in the following motion. Council Member Delaney expressed concern that the public may be inundated with meetings for the EA and then not to attend the meetings for some of the bigger issues. The meeting topics need to be clear.

**Council Member Bailey moved to approve the Contract and Task Order #1 with W&H Pacific with the following amendments: *Delete paragraph 12 – limitation of liability on the contract; Task Order #1: Paragraph 1.5 add the phrase onto the first sentence “and solicit public input on the alternatives and the scope of work”;* delete all references to contingency items; correct paragraph 3.14 to show paragraph 3.17 in place of 4.17; correct paragraph 3.17 to show paragraph 3.14 in place of 4.14; include attachment stated in paragraph 3.13 and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion and in a roll call vote, all members voted aye and the motion passed.**

**Council Member Bailey moved to authorize the Airport Manager to issue a notice to proceed subject to not exceeding expenditures greater than \$182,499. Council Member Scott seconded the motion and in a voice vote, all members voted aye and the motion passed.**

**AB 08-182 Grant offer for McCall Municipal Airport, AIP project #3-16-0023-014**

Mr. Anderson explained that this is the second of three grants that are funding the Environmental Assessment for the relocation of taxiway "A". With regard to clarification on the short time frame for the grant, the FAA makes it difficult to have a public meeting and get it back to them.

**Council Member Scott moved to approve the grant offer and authorize the Mayor to sign all necessary documents. Council Member Bailey seconded the motion and in a roll call vote, all members voted aye and the motion passed.**

**Council Member Scott moved to authorize the City Attorney to complete the "Certification of Sponsor's Attorney." Council Member Bailey seconded the motion and in a voice vote, all members voted aye and the motion passed.**

Mayor Kulesza called a 10 minute recess at 7:47 pm.

The meeting reconvened at 7:53 pm.

**AB 08-180 Discussion on the Art Roberts restroom design**

Shorty Clark, Chairman of the Parks and Recreation Advisory Committee, and Brock Heasley gave a quick overview of the Art Roberts restroom process. In 2007 City Council asked for a restroom located at Art Roberts Park. The restroom will also provide a place to put a public information display board and a way to hide the electrical set up for the Christmas tree lights. When the project went before P&Z early this year, there were some concerns. They wanted a smaller structure. At this time the Advisory Committee looked at alternate locations and they brought the McCall Improvement Committee on board to help with the aesthetics. The project was then approved through P&Z and the restroom has been ordered.

Some discussion took place about the reasoning for the location of the restroom and the five foot space between the restroom and Krahn's. It was clarified that some space was needed for access to the maintenance room and for possible safety issues. The Advisory Committee sees a need for a restroom located in every park. Council Member Delaney did not agree. Some of the P&Z concerns were stemmed from the fact that the structure would be permanent, and for such a small park, they wanted to be sure it was the right thing to do. A point was made that in the future when an analysis is done to be sure it is reasonable and the comparison fair. Some felt that a sign in Art Roberts Park with the location of restrooms would have been sufficient. There was some discussion on how the placement of the restroom was determined. The Council complimented the Parks Advisory Committee on their great work with this project.

**Other Discussion**

When the Park City group was in McCall, they presented the City with a mystery gift and a book on the History of Park City. The book will be available to who ever wants to look at it. Brenna will have it when it is available.

There was a LOT discussion about the \$55,000 more to be funded this year. The City is confident that at least half of that amount if not more will be collected. It is anticipated that most of the \$44,000 for the recycle center will be collected. There was a recap of a previous Council discussion that those projects not funded in FY 2008, will get boosted to top of list of 2009. Clarification and confirmation needs to be revisited as to where the Council would like the last funds to go.

There was discussion as to who may have made some decisions as to where some of the funds would be allocated. It was clarified that the funding matrix has been followed to determine who gets funded.

The total amount of funding received for LOT will be known on October 20, 2008 and then the Council can decide who gets funded, if the funds fall short. It was asked if the Council would make a decision of who gets funded of the remaining applicants who can get funded with the next warrant register. There was some clarification as to how the money is distributed.

Some discussion took place about the Valley County Recycling project. The Council did not feel that there was enough information at this time. It is a good concept; the Council would like to see more definitive plans. It was clarified that once the money is received by a project it is the responsibility of those doing the project to provide specifics to how the money will be spent and a time frame to complete the project.

There was a consensus amongst the Council that McPaws and the Treasure Valley Transit should be funded first, then the Recycling Center if there are funds available. When all the funding is in, then the Recycle Center needs to come to Council with their updated plans and a decision as to when they get their funding can be determined. If there are not funds to fund them this fiscal year they then roll over into next fiscal year. If funding for the first payment to Valley County Recycling comes in and they are able to show where those funds will be spent and the Council agrees then they will receive the first payment, otherwise the City will hold it.

If it is decided to wait and fund the Recycling Center in the next fiscal year then one of the contingent projects would get funded this year.

There was a question about the maintenance building for the Golf Course. There is a proposal to build on the small existing lot. Where will it be located? There are two possibilities; one is on the current lot or on the lot across the street south of there. They have looked at the existing maintenance site to keep all the equipment there, and having the space on the other side. The problem is that if the City keeps both pieces of land, there is no revenue source to use to build the new facility. There has been some discussion on this issue and it was confirmed that further discussion will happen prior to decisions being made.

What is the City's building strategy? It has been seven years since the City has built a building so there is no strategy at this time. Once the City decides they need to build a building then a strategy will be developed at that time.

What is the status of the impact fee meeting? This meeting is still tentative. Once it is decided a workshop will happen first then a public hearing. Those who have expressed an interest in this meeting will be notified. It was a general consensus to push the meeting out to October. Also the

Council wanted to ensure that the notice in the paper was explicit so there was no question from the public what the meeting is about.

There was question on the confirmation of the Marina workshop. The tentative date is set for October 2, 2008. It was requested that this workshop be put on the evening of October 16, 2008, this was confirmed.

There was a question as to why the pathway at the school abruptly stops on the Woodlands property. The School District provided the pathway on their land and now it is in the works as how that pathway will be connected to the rest of the pathway on Spring Mountain.

Council Member Bailey put together a memo and some attachments he picked up from the city meeting in Boise on budgeting. It was prepared by Anne Wescott. There was some input on how to prepare a financial plan. It was suggested that possibly they could assist the City with their budget. It may be feasible to include it in the impact fee discussion with Anne Wescott.

## ADJOURNMENT

**Council Member Witte moved to adjourn the meeting Council member Scott seconded the motion and in a voice vote all members voted aye and the motion carried.**

**Without further business, the meeting was adjourned at 8:56p.m.**

  
Bert Kulesza, Mayor

**ATTEST:**

  
Brenna Chaloupka, Acting City Clerk