

MINUTES

**McCall City Council
Regular Meeting
April 10, 2008**

Agenda

Call to Order and Roll Call
Executive Session
Council Work Session
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 3:05 p.m. Council Member Bailey, Mayor Kulesza, and Council Member Scott answered roll call. A quorum was present.

In addition to the Council Members, present were Lindley Kirkpatrick, City Manager; and City Attorneys Bill Nichols and Kim Trout (via telephone).

EXECUTIVE SESSION

Council Member Bailey moved to go into Executive Session for litigation pursuant to Idaho Code §67-2345(1)f to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation. The motion was seconded by Council Member Scott. In a roll call vote, all members voted aye, and the motion carried.

The Council discussed litigation pursuant to Idaho Code §67-2345(1)f.

Kim Trout left the meeting at 4:10 p.m.

The meeting returned to open session at 4:35 p.m. There was a recess from 4:40 p.m. until 5:30 p.m.

COUNCIL WORKSESSION

City Manager Report & Consolidated Department Head Report

David Simmonds, Network Administrator, gave a brief tour of the remodeled firing range and provided a brief report on the project.

Lindley Kirkpatrick, City Manager, updated the Council on the storage capacity of the wastewater storage pond, stating that the pond level is nearly the same as it was this time last year. Mr. Kirkpatrick stated the City has set up quarterly meetings with DEQ, explaining that several key people from DEQ will meet with the City at staff level to discuss water, wastewater, and possibly air quality. Mr. Kirkpatrick stated the next meeting is scheduled for April 16th.

Mayor Kulesza asked about the fees associated with business licenses and the logic of attempting to collect those fees when the cost of collecting those fees surpasses what is collected. Mr. Kirkpatrick stated the City Prosecutor is not paid by the case, adding that just getting a letter from the Prosecutors office may provoke businesses to pay for their licenses.

Council Member Bailey asked why a CUP application was necessary for the high school remodel. Michelle Groenevelt, Planning Manager, stated that even in the Civic Zone, a conditional use permit was required, adding that this application will be on the April 24 City Council agenda.

Council Member Bailey stated he felt the LOT funding matrix was still hard to follow, adding that he does not feel it is very complete information. Lindley Kirkpatrick reviewed the matrix with Council. There was discussion regarding changing the matrix so that it was easier to follow.

In addition to the Council Members, present for the work session were Eric McCormick, Golf Course Superintendent; Walt Eisenstein, Deputy City Manager/Infrastructure & Community Development; Jerry Summers, Chief of Police; Anne Kantola, Library Director; John Anderson, Airport Manager; Michelle Groenevelt, Planning Manager; Brenna Chaloupka, Administrative Assistant, City Manager; and BessieJo Wagner, Deputy City Clerk/Administrative Assistant.

Mayor Kulesza led the audience in the Pledge of Allegiance.

PUBLIC COMMENT

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

Lisa Wood, McCall, stated she recently received a parking ticket and feels that she did not deserve the ticket because the area she parked in was not posted. Ms. Wood explained that she had contacted the Police Department, requesting the ticket be dropped, but was told that fliers had been distributed to local businesses and that the parking regulations had been posted in the Star News and that the ticket would not be dropped.

Michael Robinson, McCall, stated he has submitted a letter of interest for the vacant City Council position and wanted to introduce himself to staff and the Council.

Hearing no comments, Mayor Kulesza closed the public comment at 6:07 p.m.

CONSENT AGENDA

Staff recommended approval of the following items:

- Minutes from April 1 and 3, 2008
- Warrant Register printed on April 4, 2008
- Payroll Report for Period ending March 21, 2008
- AB 08-73 Recommendation from the Planning & Zoning Commission regarding the Comprehensive Plan Chapter 2
- AB 08-61 Resolution 08-7: 2008 Wastewater Policy
- AB 08-63 Master Consulting Agreement with W & H Pacific to provide Airport Environmental Services

Mayor Kulesza asked if the fees had been established or negotiated in the contract with W&H Pacific. John Anderson explained that the fees would be determined via Task Orders as the project moves along. Mr. Anderson stated that when a price is set for the contract, the FAA will have the City hire independent person to analyze the fees and make sure the fees are appropriate. Mr. Anderson added that staff anticipates the fees associated with this contract will be covered by grant funds.

Council Member Bailey moved to approve the Consent Agenda 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.

BUSINESS AGENDA

AB 08-74 Reallocation of LOT funds for Golf Course Irrigation

Eric McCormick, Golf Course Superintendent, explained that the golf course had requested LOT funds and was awarded \$24,000 to upgrade the irrigation system to a Variable Frequency Drive system. Mr. McCormick stated that additional problems with the system have been discovered and that that project will have to be put off. Mr. McCormick stated staff is requesting that \$15,000 of those LOT funds be reallocated towards fixing the irrigation pressure issues and the remaining \$9,000 be used to repair the stairs at the Golf Course Clubhouse.

Council Member Bailey asked if staff had considered replacing the steps with Trex decking or a similar material. Mr. McCormick stated he would look into other options.

Council Member Bailey moved to approve the reallocation of LOT funds to use \$9,000 for repairing the stairs and \$15,000 to improve the irrigation pressure system. Council Member Scott seconded the motion and in a voice vote, all members voted aye and the motion passed.

AB 08-62 Airport Advisory Committee Member Selection

Council Member Scott recused herself at this time.

John Anderson, Airport Manager, stated there are two three year vacancies on the Airport Advisory Committee and that staff received six letters of interest for these positions. Mr. Anderson stated the Airport Advisory Committee interviewed the applicants during the March 6, 2008 regular meeting and that the recommendation is to appoint Dan Scott and Walter Lee to the Committee.

Council Member Bailey moved to appoint Dan Scott and Walter Lee to three year terms on the Airport Advisory Committee. Mayor Kulesza seconded the motion and in a voice vote, all members voted aye and the motion passed.

Council Member Scott returned to the Council.

AB 08-68 ZON-07-6: A Zoning Map Amendment for 1244 Louisa Street from R-8 Medium Density Residential to R-16 High Density Residential

Michelle Groenevelt, Planning Manager, explained that this application for a zoning map amendment was presented to Council at the last meeting, and that Council had approved the Findings and Conclusions for the rezone and that Council had approved the first reading of the Ordinance for rezone. Ms. Groenevelt stated there was a minor change to the development agreement and that those revisions have been provided to Council.

Council Member Bailey moved to approve the revised Development Agreement for ZON-07-6. Council Member Scott seconded the motion and in a voice vote, all members voted aye and the motion passed.

Council Member Bailey moved to read Ordinance No. 850 by title only, one time only. Council Member Scott seconded the motion and in a voice vote, all members voted aye and the motion passed.

Ordinance 850 was read one time only, by title only.

AB 08-67 McCall Impact Area Expansion

Michelle Groenevelt, Planning Manager, explained that the McCall City Council adopted the McCall Area Comprehensive Plan December 13, 2007 and the Valley County Commissioners adopted the same plan January 28, 2008, adding that the Future Land Use Plan map (FLUP) is part of that adopted plan.

Ms. Groenevelt explained that the adoption of the FLUP does not change the boundaries of the McCall Impact Area, rather provides a basis for the Council to request an Impact Area expansion according to the map. Ms. Groenevelt added that any change must be negotiated with the city and county governing boards, and ordinances would need to be adopted according to procedures outlined in Idaho Code 67-1003.

Ms. Groenevelt stated that a letter has been drafted from the McCall City Council to the County Commissioners to begin the process of negotiating the Impact Area boundaries.

There was discussion regarding the boundaries of the Future Land Use Plan.

Council Member Scott moved to approve the letter to be sent to the Valley County Board of Commissioners. Council Member Bailey seconded the motion and in a voice vote, all members voted aye and the motion passed.

AB 08-69 Community Housing Plan of Action Update

Michelle Groenevelt, Planning Manager, provided an update on the Community Housing Plan of Action, explaining that staff is working on preparing the documents to repeal Ordinances 819 and 820, as well as a resolution regarding a refunding policy for the Community Housing fees collected under Ordinance 820. Ms. Groenevelt stated that these documents will be presented to Council at the April 24, 2008 City Council meeting.

Ms. Groenevelt explained that staff is developing a new incentive based community housing strategy that will move through the public process according to the zoning ordinance amendments. Ms. Groenevelt stated that the Planning & Zoning Commission will hold a public hearing in the near future and will then make a recommendation to Council.

AB 08-66 Re-adoption of Ordinance No. 838: Industrial Rezone

Lindley Kirkpatrick, City Manager, explained that Ordinance No. 838 was adopted by Council during the June 28, 2007 City Council meeting but had not been published. Mr. Kirkpatrick stated that the solution was to readopt the Ordinance and see that it get published properly.

Council Member Bailey moved to read Ordinance No. 838 one time only, by title only. Council Member Scott seconded the motion and in a roll call vote, all members voted aye and the motion passed.

Ordinance No. 838 was read one time only, by title only.

There was discussion regarding whether this ordinance was actually adopted in June of 2007 or not. Council Member Bailey stated he recalled discussions surrounding the fact that changing the setbacks in the industrial zone would make the conditions worse for many of the lots on Mission Street.

Mr. Kirkpatrick stated that the previous motion did not adopt the Ordinance and that staff would look into the issue further and provide an update at the April 24 meeting.

AB 08-70 Selection of a New Council Member

Mayor Kulesza thanked the six people who submitted letters of interest for the vacancy on the City Council. Mayor Kulesza explained that there were currently two vacancies on the City Council, but that only one position will be filled tonight. Mayor Kulesza stated the second vacancy would be advertised and filled in the near future. Mayor Kulesza stated those who submitted a letter of interest but were not selected tonight would still be considered without having to reapply, unless Council was informed that they were no longer interested.

Patrick Riceci introduced himself and stated he works in the City Attorneys office in Boise, but does not feel that should interfere with his ability to serve on the McCall City Council. Mr. Riceci stated public service has always been important to him and he hopes Council will consider him for the vacant position.

Ballard Smith introduced himself and stated two of his most redeeming qualities are that he is a good listener and has the ability to make decisions.

Mayor Kulesza stated Claudia Delaney and Marci Witte had submitted letters of interest but are out of town and could not attend tonight's meeting.

Mayor Kulesza explained that Michael Kraemer's position goes through December 31, 2009 and that Kevin Briem's position would also go through December 31, 2009.

Mayor Kulesza stated he has had the opportunity to speak with all of the interested parties and feels they are all very personable and qualified. Mayor Kulesza stated Claudia Delaney stands out due to her involvement with the Planning & Zoning Commission, adding that she seems to be very effective and engaged member of the Commission.

Council Member Scott thanked all those who submitted letters of interest. Council Member Scott stated she would like more information than just the letters of interest and resumes, and would like to have a better understanding of each applicant's political philosophies and viewpoints in order to make a decision.

Council Member Bailey suggested generating a list of questions for potential candidates to answer in order to get to know more about their political philosophies and viewpoints.

Mayor Kulesza stated he would be comfortable making a decision tonight, adding that he is interested in selecting a diverse cross section of Council Members and does not feel he needs to know more about them in order to choose one.

Mayor Kulesza made a recommendation to appoint Claudia Delaney to fill the vacancy on the McCall City Council.

Mayor Kulesza moved that Council approve the appointment of Claudia Delaney to fill the vacancy on the McCall City Council. Council Member Bailey seconded the motion and in a voice vote, Council Member Bailey and Mayor Kulesza voted aye and the motion passed.

AB 08-75 Idaho Bond Bank & US Bank Financing

Lindley Kirkpatrick, City Manager, stated the Wausau judgment financing is proceeding as scheduled and that U.S. Bank is prepared to purchase a Warrant, the proceeds of which will be used to satisfy the judgment. U.S. Bank is requesting that the City sign a "letter of interest", reflecting the terms of their participation.

Mr. Kirkpatrick further explained that the Idaho Bond Bank has accepted the City's application to sell revenue bonds, the proceeds of which will be used to repay U.S. Bank. The Idaho Bond Bank is requesting that the City sign a "comfort letter", reflecting the terms of their acceptance.

Mr. Kirkpatrick stated both letters have been reviewed by Rick Skinner, the City of McCall's bond counsel, and he is recommending approval of them.

Council Member Scott moved to approve the "letter of interest" from US Bank and the "comfort letter" from the Idaho Bond Bank, and authorize the Mayor to sign both documents. Council Member Bailey seconded the motion and in a roll call vote, all members voted aye and the motion passed.

ADJOURNMENT

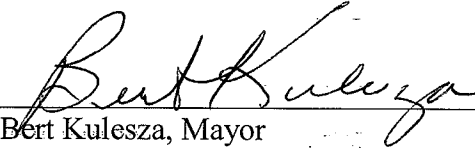
Council Member Scott stated she wanted to make sure Council followed up with Lisa Wood, the woman who felt she was given a parking ticket unfairly.

Jerry Summers, Chief of Police, explained that he feels the ticket is justified due to the fact that fliers had been distributed to downtown businesses on two different occasions and that the parking regulations have been published in the Star News.

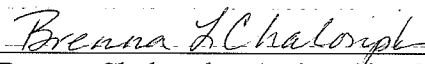
Mayor Kulesza stated he would be more sympathetic to someone who was not a long time resident, and feels that the Police Department did their job by distributing fliers and posting the notice in the newspaper.

Council Member Bailey moved to adjourn the meeting. Council Member Scott seconded the motion and in a voice vote, all members voted aye and the motion passed.

Without further business, the meeting was adjourned at 7:40 p.m.


Bert Kulesza, Mayor

ATTEST:


Brenna Chaloupka, Acting City Clerk