

MINUTES

McCall City Council Regular Meeting December 14, 2006

Agenda

Call to Order and Roll Call
Work Session
Reports
Public Hearing
Public Comment
Consent Agenda
Business Agenda
Committee Minutes
Other Business
Executive Session
Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Robertson called the regular meeting of the McCall City Council to order at 4:10 p.m. Council Member Bailey, Council Member Bertram, Council Member Kraemer, Mayor Robertson, and Council Member Scott answered roll call. A quorum was present.

City staff members present were Lindley Kirkpatrick, City Manager; and Roger Millar, Deputy City Manager.

WORK SESSION

AB 06-145 Wastewater Workshop with CH2M Hill

Rick Bishop and Betsy Roberts, of CH2M Hill, updated Council on Lift Stations 7 and 8, the City's Infiltration and Inflow program, and the Wastewater Facilities Plan.

A brief recess was taken at 6:00 p.m.

The meeting reconvened at 6:15 p.m.

Joining the meeting at this time were Bill Nichols, City Attorney; David Simmonds, Information Systems Manager; Linda Stokes, Acting Finance Director; Rick Harvey, Airport Manager; Michelle Groenevelt, Community Development Planner; Steven Hasson, Planning Manager; Eric McCormick, Golf Course Superintendent; Anne Kantola, Library Director; Brock Heasley, Parks & Recreation Director; Jerry Summers, Chief of Police; and Joanne York, City Clerk.

Mayor Robertson led the audience in the Pledge of Allegiance.

REPORTS

Mr. Kirkpatrick noted that Rick Harvey, Airport Manager, was in attendance, and that his last day of work would be Monday. Mr. Kirkpatrick said that Mr. Harvey had brought the airport, the airport operations, and the policies and procedures up to a higher standard and had done an excellent job for the City of McCall.

Mr. Kirkpatrick gave his monthly report to Council. He said he and Laura Scott had met three times with the Board of Realtors, discussing other ways to resolve or address the problem of affordable housing. He said the meetings had not focused on lawsuit discussion.

Mr. Kirkpatrick continued his report, updating the Council on the positions that had been filled in the police department. He said there were only two vacancies at this time, for a patrol officer and for a detective sergeant. He said the new Code Enforcement officer would be starting this Saturday

He said the Governor's Brightest Star Award recognized the library's bilingual program.

He briefly went over the upcoming Council meetings, including the joint work session with the Planning and Zoning Commission (P&Z) to discuss the Comprehensive Plan. He said the meeting was tentatively scheduled for Wednesday, January 17, at 6 p.m.

Mr. Kirkpatrick introduced Anne Kantola, Library Director, who extended an invitation to everyone to a Christmas Sing-a-long at the library on Wednesday, December 20, at 5 p.m.

There was a lengthy discussion concerning the East Hangar Project and holding tanks. Mr. Millar said that the Central District Health Department stated they would not grant any more holding tanks for sewage. Mr. Millar explained that the initial permits for holding tanks were issued about twenty years ago, and the permits were only good for three years. Mayor Robertson said that the City would have to install a sewer system in the near future.

Mayor Robertson opened the Public Hearing at 6:34 p.m.

PUBLIC HEARING

AB 06-231 Ordinance Amending Zoning Code on Building Height along Payette Lake Front

Mr. Hasson introduced this proposal and provided some background information, explaining that this ordinance would amend the zoning text found in Chapter 10, Sections 3.10.08, 3.10.07 and 3.6.03 of Title 3, for purpose of limiting building height along Payette Lake to a maximum 35 feet by elimination of the Commercial Zone building height exception.

He said this ordinance would eliminate language found in the zoning ordinance that afforded property owners the opportunity to apply for building height to a maximum fifty feet through the Planned Unit Development process in an area north of Lake Street and west of Third Street within the Central Business District. He said the ordinance would also make “housekeeping” modifications to Chapter 6 of Title 3 related to building height in the Civic Zone. He said the proposed ordinance had been subject to a public hearing before the Planning and Zoning Commission and the Commission had recommended its approval to the City Council.

Mr. Hasson said that a memorandum providing an overview of this action had been included in the Council’s packet along with the proposed text amendment language. He said the public hearing record of the Planning and Zoning Commission hearing was available at the Community Development Department.

Mr. Millar added that the language in the ordinance was approved unanimously by the Planning and Zoning Commission.

Curt Mack, 230 Buckcamp Lane, McCall, stated he was in favor of adopting the ordinance. Mr. Mack said there had been some confusion about where the public hearing had been posted. Mr. Millar said it was posted on the website and also posted in *The Star-News*, and had been properly noticed.

Claire Remsburg stated she was in favor of the ordinance change.

Joy Hamilton stated she was in favor of the ordinance change.

Diane Evans Mack said she was in favor of limiting the building height. She also said there had been confusion about where the public notice had been posted.

Hearing no further comments, Mayor Robertson closed the Public Hearing at 6:46 p.m.

Council Member Bailey moved to suspend the rules and read Ordinance No 831, amending the zoning code on building height along Payette Lake front, by title only, one time only. Council Member Kraemer seconded the motion. In a roll call vote, Council Member Bailey voted aye, Council Member Kraemer voted aye, Mayor Robertson voted no, Council Member Bertram voted no, and Council Member Scott voted aye. The motion carried three to two.

The Clerk read Ordinance No. 831 by title only, one time only.

Council Member Bailey moved to adopt Ordinance No. 831. Council Member Kraemer seconded the motion. In a roll call vote, Council Member Bailey voted aye, Council Member Kraemer voted aye, Council Member Bertram voted no, Mayor Robertson voted no, and Council Member Scott voted aye. The motion carried three to two.

At this time, Mayor Robertson returned to the Reports Section.

Mr. Kirkpatrick said the City had completed all the code improvements to the Senior Center building that had been planned and the Senior Center was responsible for the rest. Mr. Millar said the Senior Center decided to get a new stove, which required a new propane tank. There was a discussion about the process and the cost of getting an underground tank.

Council Member Scott asked for clarification concerning the statistics for the Police Department, and Chief Summers responded.

There was discussion of Idaho Transportation Department's (ITD) future projects west of town, especially in the Bear Basin area.

PUBLIC COMMENT

Mayor Robertson called for public comment at 6:58 p.m.

Rick Poston commented on the proposal for McCall Air and the intended use. He said he was an airport user and opposed the original expansion because he believed it was not the proper location. He noted that the corner of Deinhard and Highway 55 was badly in need of change. He said he and his wife strongly support the new proposal.

Hearing no further comments, Mayor Robertson closed the public comment portion at 7:01 p.m.

CONSENT AGENDA

Staff recommended approval of the following items:

Minutes – November 30, 2006

Payment Approval List for Warrant Register printed on November 7, 2006

Payroll Reports for Pay Period Ending December 1, 2006

AB 06-235 Alcohol Beverage Catering Permits

AB 06-236 2007 Alcohol Beverage License (Renewals)

AB 06-233 Police Department – Purchase of Weapons

AB 06-234 McCall Redevelopment Agency Board Member Reappointments –Rick Fereday, John Watkins, Scott Findlay, Fred Drake

AB 06-243 Wetlands Mitigation Site

AB 06-244 Airport Manager Appointment: John Anderson

AB 06-246 Deputy City Manager/Administrative Services appointment of Fred Quiel

Council provided some corrections to the Minutes of November 30th.

Council had some questions about the Warrant Register concerning the water line replacement on Louisa Street. They also asked for some clarification of police expenditures.

Council Member Bailey asked about the payment to the Forest Service, \$45, for the sewer line under the McCall Office. Mr. Kirkpatrick said he would get information about this payment.

Council Member Bailey asked for the location of the wetlands – south of Rivers Crossing, between the common area of Valley View and Rivers Crossing, along the River. Mr. Kirkpatrick clarified the location.

Council Member Bailey moved to approve the Consent Agenda as modified. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Mayor Robertson, Council Member Bertram, and Council Member Kraemer, all voted aye, and the motion carried.

BUSINESS AGENDA

Council Member Scott recused herself at this time.

AB 06-241 McCall Aviation, Inc., Amendment to Land Lease

Mr. Harvey introduced the application. Council Member Bailey asked about the vehicles still parked at the airport. Mr. Harvey said some of the vehicles had been removed after the owners had received letters, and he would be sending letters again to some other vehicle owners.

Mr. Harvey said he believed this proposal was an excellent partnership between a private party and the City.

Council Member Bertram said she would like to have more evergreen trees along the berm rather than just deciduous trees.

Dan Scott, McCall Aviation, made some additional comments to Council, stating that he started this process eighteen months ago, and had waited until the Airport Master Plan was closer to being completed before going ahead with the project.

He said that McCall Aviation was requesting an amendment to their existing lease for an expansion of 63,385 square feet, explaining that this additional land was necessary for a proposed commercial hangar of 120' x 120' with an attached 40' x 40' office wing and for the redesigned layout and paving of the parking lot. He said that the format of the attached application answered the requirements in the McCall Airport Minimum Standards.

Mr. Scott said this request was approved by the Airport Advisory Committee (AAC) during their regular meeting on the 9th of November, 2006, and that this project also had the consent of Mead & Hunt who were presently doing the airport master plan.

He explained that this action did not grant development approval for the project, and that Scenic Route Site Plan approval and Design Review approval would be required from the Planning and Zoning Commission, but that no such applications had been filed yet.

There was a discussion concerning the location of the fuel farm.

Mayor Robertson moved to approve the request by McCall Aviation to expand their current leasehold. Council Member Bertram seconded the motion. In a roll call vote, Mayor Robertson, Council Member Bertram, Council Member Kraemer, and Council Member Bailey voted aye. The motion carried.

Council Member Scott rejoined the Council at this time.

AB 06-238 Lick Creek Meadows Phase Two Final Plat and Development Agreement and SUB-05-05 Lick Creek Meadows Subdivision Phase Two Final Plat and accompanying Development Agreement

Michelle Groenevelt, Community Planner, introduced this application. She said the property was zoned R4, low density residential. She said that on November 7, 2006, the Planning and Zoning Commission reviewed the final plat application for the Lick Creek Meadows Subdivision Phase Two, located east of Phase One. She said the preliminary plat for this project was submitted and reviewed under the provisions of the 1994 Zoning and Subdivision ordinance. She stated that the Commission determined that the subdivision application met the requirements of MCC 3-21, and recommended that the City Council approve the final plat subject to certain conditions.

Ms. Groenevelt said the applicant had met the conditions set by the Commission and was requesting final plat approval. She said a companion development agreement was attached for the Council's review and approval

Mayor Robertson provided some clerical corrections.

Council Member Scott asked Mr. Findlay if the former owner J. B. Scott, had any further interest in the property and Mr. Findlay responded that he did not.

Mayor Robertson asked if the project would feed into the new lift project, and Mr. Kirkpatrick said it would not.

Council Member Bailey asked for clarification about the easement for the bike path. Mr. Kirkpatrick said the road right-of-way was wide enough (70 feet) to include the bike path, but it was still a detached bike path.

Mayor Robertson asked for clarification on page two of the Development Agreement, item three, where it said, "...until accepted for dedication..." Ms. Groenevelt said the section actually addressed two different issues. Mr. Findlay, the applicant, said this statement referred to the sprinkler system and the landscaping which would be his responsibility until the project was completed.

Council Member Bailey asked Mr. Findlay about the wire fencing that was supposed to have been taken down along the western boundary. Mr. Findlay said the Timber Lost IV homeowners wanted to keep the fence because it served as a separator for their properties, so in response to their opposition he had not removed it. Council Member Bailey said it was part of the conditions to take the fence down. Mr. Findlay said he would take the fence down if the Council so desired. Council Member Bailey asked if Mr. Hasson and Ms. Groenevelt would look into the situation and decide what would be best.

Council Member Bailey moved to adopt the Findings & Conclusions for the Lick Creek Subdivision Phase 2 Final Plat, as amended, and approve the corresponding final plat for SUB-05-05. Council Member Scott seconded the motion. In a roll call vote, Council Member Bailey, Council Member Scott, Council Member Kraemer, Council Member Bertram, and Mayor Robertson all voted aye and the motion carried.

Council Member Scott moved to approve the related Development Agreement and authorize the Mayor to sign. Council Member Bertram seconded the motion. In a roll call vote, Council Member Scott, Council Member Bertram, Council Member Kraemer, Mayor Robertson, and Council Member Bailey all voted aye and the motion carried.

AB 06-240 Aspen Ridge Subdivision Phase Three Final Plat and Development Agreement; SUB-05-06 Aspen Ridge Phase 3 Subdivision Final Plat and accompanying Development Agreement

Steve Hasson introduced the application explaining that on December 5, 2006, the Planning and Zoning Commission reviewed the final plat application for the Aspen Ridge Phase 3 Subdivision. He said the preliminary plat for this project was submitted and reviewed under the provisions of the 1994 Zoning and Subdivision ordinance, and the Commission found that the subdivision application met the requirements of MCC 3-21.

In turn, he explained that the Commission was recommending the City Council's approval of the final plat subject to certain conditions, and that a companion development agreement was attached for the Council's review and approval.

There was a discussion about having the Mayor sign the final plat rather than just the City Clerk. Mr. Nichols said the statute on a city subdivision only required the city clerk and the city engineer to sign. The State statutes required that Council approve the final plat even though the Mayor did not have to sign. Council Member Bertram said the Mayor should sign. Mayor Robertson said that the signature requirements should be changed to City Clerk signing only in the findings and conclusions. Mr. Kirkpatrick asked Mr. Hasson to put that request on the list of things the Council would like to consider as changes in the city code.

Mayor Robertson asked about the pond and if it was related to the waterway. Mr. Kirkpatrick said it was. Mayor Robertson said it should be referenced in the development agreement. The City was responsible for maintaining the water level and add to points 6, 7, 8 that the City had a separate agreement to maintain the water levels.

Mr. Kirkpatrick added that the bike path easement was an additional five feet.

Council Member Bailey asked for clarification on the location of the bike path. Mr. Hasson said the bike path began at Spring Mountain Boulevard and went north to Lick Creek Road. Mr. Hasson also said the City was responsible for paving the path, which would be owned and maintained by the City. He said the applicant was responsible for improving the bike path to a gravel path.

Dan Faulkerson stated that all the private streets within Phase Three would be paved by Mountain West.

There was also discussion concerning requirements for the street lighting and the need to have lights at every intersection.

Amy Pemberton distributed copies of the development agreement to the Council.

There was discussion about setbacks.

Council Member Bailey moved to adopt the Findings & Conclusions for the Aspen Ridge Subdivision Phase 3 Final Plat and approve the corresponding final plat for SUB-05-06. Council Member Kraemer seconded the motion. In a roll call vote, Council Member Bailey, Council Member Kraemer, Council Member Bertram, Mayor Robertson, and Council Member Scott voted aye. The motion carried.

Council Member Bailey moved to approve the related Development Agreement and authorize the Mayor to sign. Council Member Bertram seconded the motion. In a roll call vote, Council Member Bailey, Council Member Bertram, Council Member Kraemer, Mayor Robertson, and Council Member Scott voted aye. The motion carried.

COMMITTEE MINUTES

The Airport Advisory Committee Minutes for November 9, 2006, were included in the Council packets for review.

OTHER BUSINESS

There was a discussion about upcoming meetings. It was noted that there would not be any meetings during the week of Winter Carnival.

There was discussion about the upcoming recall election on February 6th.

There was a lengthy discussion about the recent letter from Mrs. Strode concerning her property, and how the City should respond. Council asked that Mr. Kirkpatrick send a response and distribute copies of his letter to Council.

EXECUTIVE SESSION

In a roll call vote, members voted unanimously to go into Executive Session at 8:50 p.m., pursuant to Idaho Code §67-2345(1)(f), litigation.

The Council discussed litigation issues.

The Council returned to regular business at 9:15 p.m.

ADJOURNMENT

Without further business, the meeting was adjourned at 9:16 p.m.

William A. Robertson, Mayor

ATTEST:

Joanne E. York, City Clerk