

MINUTES

McCall City Council Regular Meeting June 22, 2006

Agenda

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Pledge of Allegiance
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Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Robertson called the regular meeting of the McCall City Council to order at 5:00 p.m. Council Member Bailey, Council Member Bertram, Council Member Kraemer, Mayor Robertson, and Council Member Scott answered roll call. A quorum was present.

Bill Nichols, City Attorney, was present.

City Manager Lindley Kirkpatrick was present.

EXECUTIVE SESSION

At 5:05 p.m. Mayor Robertson moved to go into Executive Session pursuant to Idaho Code §67-2345(1f). The motion was seconded. In a roll call vote, Mayor Robertson, Council Member Kraemer, Council Member Scott, Council Member Bertram and Council Member Bailey voted aye. The motion carried.

The Council discussed litigation issues.

At 6:05 PM Council Member Scott moved to go into Regular Session. Mayor Robertson seconded the motion, and the motion carried.

At this time, the following City staff members joined the meeting in progress: Michelle Groenevelt, Community Development Planner; Linda Stokes, Acting Finance Director; Rick Harvey, Airport Manager; Roger Millar, Deputy City Manager; and Joanne York, City Clerk.

Mayor Robertson led the audience in the Pledge of Allegiance.

PUBLIC HEARING

AB 06-123 FY06 Budget Amendment

City Manager Lindley Kirkpatrick introduced the budget amendment and explained the dollar amounts in each category.

Council Member Bailey asked for assurances from the staff that all equipment maintenance would be covered in this year's budget. Mr. Kirkpatrick committed to doing that.

Mayor Robertson asked for clarification on paving for this year. Mr. Millar said he was working with the street supervisor to develop prioritization for the roads that needed paving. He said staff wants to focus on getting specific areas done and Rio Vista was at the top of the list. He said the reasons for choosing Rio Vista included traffic volume and school bus routes. He said they would also be constructing a twelve inch sewer line from Sunny Way to Boydston Street, which would need to be paved after the work was done. He said priorities would be determined after the budget amendment was passed.

Council Member Bertram asked about the cost of the Mission Street dip. Mr. Millar explained that the cost had gone up because the cost of construction was higher this year. Mr. Millar said he hoped the cost would be less than \$75,000 and he wanted to make sure the budget amount covered the entire cost.

There was discussion of how the paving agreements were made and how priorities were decided. Council and staff also discussed the escalation of costs, which included the cost of raw materials and supply and demand.

Mayor Robertson thanked Mr. Millar for his work, stating that he had brought a lot of credibility to his department.

At this time, Mayor Robertson opened the Public Hearing.

Boyd Paulson, 314 CeCe Way agreed with Council Member Bertram about the Mission Street dip and asked if it was about one hundred yards from the City limit. He said he had been waiting fourteen years for his street to be paved. Mr. Paulson showed Council a picture of his street showing the dust from traffic on the road.

Council Member Bailey stated that he had been the one to originally propose repair of the Mission Street dip and that it was not to benefit developers, but was intended to improve safety.

Mayor Robertson closed the public hearing. 6:25 p.m.

Council Member Bertram asked about the money designated for the backhoe. Mr. Millar responded that staff was no longer able to lease/purchase equipment. Mr. Millar described some of the older equipment that needed to be replaced, stating that the condition of equipment had affected the morale of the crew and the quality of work. He said the backhoes were used daily. He said there was a need to purchase the backhoe, and would rent the loader and the grader for five months of the year, explaining that it would not be a purchase option. He said this would allow staff to have new equipment every year with the maintenance covered in the rental.

Council Member Scott moved to adopt the FY06 Budget Amendment. Council Member Bailey seconded the motion. In a roll call vote, Council Member Scott, Council Member Bailey, Council Member Bertram, Council Member Kraemer, and Mayor Robertson voted aye, and the motion carried.

PUBLIC COMMENT

Mayor Robertson called for public comment at 6:31 p.m.

Tuck Miller, 657 Koski, addressed issues about the height limit and the Save Our Skyline (SOS) organization from the last City Council meeting, stating that he very much appreciated time the City staff took to meet with the their group. He said that members of SOS represented over 400 payroll checks in town.

Mr. Miller said that Council members were welcome to attend any of the SOS meetings.

Council Member Bailey asked how many of the people involved in SOS were residents of McCall. Mr. Miller replied that SOS was conducting a membership drive that would continue through July 15, but that at this point, his best guess for the percentage of members who were city residents was 50%.

Mayor Robertson commented that addressing the height issue through the comprehensive plan would be the right process.

Hearing no further comments, Mayor Robertson closed the public comment at 6:35 p.m.

CONSENT AGENDA

Staff recommended approval of the following items:

- ❖ Payment Approval List for Warrant Register printed on June 15, 2006
- ❖ Payroll Reports for Pay Period Ending June 2, 2006
- ❖ AB 06-115 Alcohol Beverage Catering Permits
- ❖ AB 06-103 Alcohol Beverage License (New) – The Pancake House
- ❖ AB 06-120 Utility Hardship Status Renewal
- ❖ AB 06-125 McCall Area Chamber of Commerce Fireworks Display Permit

There was a discussion about items on the Warrant Register. Council Member Bertram asked if the number of building permits issued could be added to the report on the plan check fees. Mayor Robertson thanked Linda Stokes, Acting Finance Director, for the information on the hardship renewal.

Council Member Bertram asked about the procedure for alcohol licenses since the City did not conduct background checks. Mayor Robertson replied that the police department was aware that there was an issue and they wanted an input in the process. Council Member Bertram asked if the process for renewals could be changed. Mayor Robertson commented that renewals did not need to come to Council before being issued, that Council only needed to be kept informed. Mr. Kirkpatrick said that different options could be considered with the ordinance, including how much authority would Council want to retain. Mayor Robertson said they only needed information and would support the police chief's recommendations.

Mayor Robertson explained why approval of the Chamber of Commerce fireworks display had been added to the Consent Agenda at the last moment, explaining that it had to come before Council either tonight or Tuesday but he chose to have it tonight because there would be more people present for the discussion.

Council Member Bailey moved to approve the Consent Agenda and authorize the Mayor to sign all necessary documents. Council Member Scott seconded the motion. Council Member Bailey, Council Member Kraemer, Mayor Robertson, and Council Member Scott voted aye. Council Member Bertram abstained. The motion carried with 4 ayes and 1 abstention.

BUSINESS AGENDA

AB 06-122 Mead & Hunt Report – Airport Master Plan

Rick Harvey reported on the meeting last night with the Planning Advisory Committee (PAC) and the Federal Aviation Administration (FAA). Tim Callister from Mead & Hunt gave a presentation. Other contributors to the Airport Master Plan included Tom Schnitzer, Eric Carlsen and Trina Fralick. Mr. Harvey discussed the need for acquiring more property and the different ways in which that could be accomplished.

Dan Scott, McCall Aviation, Chairman of the Planning Committee for the airport, encouraged Council to look through the packet, explaining that it was the foundation for all the decisions being made.

AB 06-118 Memorandum of Understanding with Neighborhood Housing Services to provide planning, development and construction services for community housing

Roger Millar provided the background history of the need to work with Neighborhood Housing to develop community housing. He said there was a perception in the community that the city controlled a lot of land but that was simply not the case. He said that most of the land was public use facilities and if those were taken out of the mix, the City owned relatively few sites.

There was a discussion of the City-owned properties.

Mr. Millar explained the function of Neighborhood Housing Services, stating that basically they would identify the appropriate opportunity for each property, identify potential homeowners, etc., for an administrator/developer fee of 15% of the project. He said they would also assist with specific task orders if requested. He explained that if the City put the land in a land lease, that would hopefully buy down the cost and the purchase would pay the cost of the construction and the cost of Neighborhood Services involvement. He said the Memorandum of Understanding would require a site specific project plan for each property, and that the Council would be kept apprised on a project-by-project basis.

Mr. Kirkpatrick asked for council action to use housing expenditure allowance for this fiscal year.

Mayor Robertson asked if staff was anticipating that these nine lots were going to be single family residences. Mr. Millar replied, that they were, if they wanted to get them done this year. He said that anything else would be a project for next year and the process would be more expensive. Mayor Robertson asked if they would be for sale rather than for rent. Mr. Millar explained that this would be the first community project and they were moving into the existing neighborhood which was exactly consistent with

the policy Council had set. He said the plans need to fit the site and that single family residences would fit.

Mayor Robertson asked if there would be an agreement following this. Mr. Millar said that the Memorandum of Understanding called for site-specific packages which would be put together and brought before Council.

Mr. Kirkpatrick said that the concept was owner-occupied rather than the city or the housing authority being a landlord and renting the property.

Mayor Robertson asked if staff was reasonably expecting that they could put a home in place and sell it for less than \$200,000. Mr. Millar said yes, that his hope was to sell in the \$100,000 to \$200,000 range. He said they had approximately fifty people on the list today and they were looking for places to own.

Mayor Robertson said he noticed there was no provision for an exit strategy. Mr. Millar said that that was something they were asking for input about from the housing authority, city attorney, and others.

Mayor Robertson stated he wanted to make sure Council was kept informed, and Mr. Kirkpatrick replied that they absolutely would be.

Council Member Bailey said he would like to see designs before approvals so Council could get the feel of what they would be considering. Mr. Millar replied that he wanted designs to be up for the public to see and wanted to make sure Council had all the input they wanted, but the direction from Council had been to get the project done this year.

Council Member Scott commented that it was critical that the first one be successful.

Mr. Nichols explained to Council that because it looked like these would be leased lots, Council would have to approve the leases so they would know exactly what was going on concerning the potential lessee and the project.

Mr. Kirkpatrick stated that the goal was to have the choice of lessee left up to the Housing Authority.

Mr. Millar said the Housing Authority was accepting applications minus the product. He said that people who worked in McCall would have a priority over people who worked in Cascade, etc. He said the City had the option to retain ten percent strictly for employees. Council Member Bertram asked if they could have more for their employees. Mr. Millar said he would advise against that because they wanted other employers to participate. Mr. Kirkpatrick said that both the hospital and the school district were very interested in the work the City was doing by bringing in an organization to work on this. He said they were interested in talking about partnership after they saw how this would work. He said if the City got to the point of developing exclusive housing for employees, the hospital and the school district were interested in

partnering with us so that a cluster of homes would include employees from different organizations.

Tom Lay, Executive Director of Neighborhood Housing Services, said they were excited about the possibility, and that they recognized the sense of urgency to get housing available. Mayor Robertson asked if it was feasible to obtain financing without federal ties. Mr. Lay responded that they did not anticipate using federal funds at all.

Council Member Bertram asked if this would fall under community reinvestment. Mr. Lay said it would depend on the financial levels being served.

Council Member Bertram suggested having an open house to kick this off.

Mr. Lay said that with the steps that McCall was taking, these would be some of the first affordable housing for single family homes in Idaho. Council Member Bertram asked concerning his action plan. Mr. Lay said they would put together a schedule that would parallel the legal aspects of the Memorandum of Understanding.

Mr. Millar said they would like to get going on the first ten homes and then have a conversation with Tom and his team about the four acre spot, before moving on to others.

Council Member Bertram asked about the Stibnite site, and Mr. Millar replied that it was on the list.

Mayor Robertson asked for Greg Lovell to comment on the Valley Adams Regional Housing Authority. Mr. Lovell introduced himself as the Chairman of the Valley Adams Regional Housing Authority and said the group was supportive, was still in formation and should have better plans at their next meeting. He said they were scheduled to find a replacement for Dick Duncan at their next meeting.

Council Member Bertram said that people who had applied for community housing needed to be kept informed at least once a month during the selection process. Mr. Lovell said he would let Mr. Duncan know about these comments.

Mr. Lay said they appreciated, and were looking forward to, the opportunity to work with the City of McCall.

Council Member Kraemer moved to approve the Memorandum of Understanding with Neighborhood Housing Services and to authorize the Mayor to sign all necessary documents. Council Member Bailey seconded the motion. In a roll call vote, all members voted aye, and the motion carried.

Mr. Millar said they would have some sort of celebration. Council Member Bertram said they needed to officially thank Steve Benad for his donation.

AB 06-117 Lake Street Sewer Contract

Mr. Millar introduced the agenda bill and explained that the intent was to invest between the developer's involvement and the City's involvement. He said they were proposing to sign the contract and a change order at the same time.

Mr. Millar said the contract would be ready early next week. Mr. Nichols said this action would authorize the Notice to Award immediately and would authorize approval of a contract.

Mr. Millar explained that signage that would be in place during sewer improvements.

Council Member Kraemer moved to approve the Lake Street Sewer Contract, subject to review of the contract by City staff and City attorney, and authorize the Mayor to sign. Council Member Bertram seconded the motion. In a roll call vote, all members voted aye, and the motion carried.

AB 06-119 SUB-05-14: Broken Ridge Commons (Phase 1) Final Plat and related Development Agreement

Michelle Groenevelt, City Planner, introduced this item, explaining that this first phase was strictly residential.

There was a lengthy discussion concerning items in the Findings and Conclusions.

Council Member Bertram asked that the Conditions of Approval include requirements concerning noxious weeds; Ms. Groenevelt said she would add it into the agreement. Council Member Bailey commented that the condition was specifically written into the subdivision code in the new City Code.

Council Member Bertram asked that the agreement reference to "City standards" be very specific. Council Member Bailey said that the subdivision code had a paragraph that specifically addressed that and that could be referenced in the agreement. Ms. Groenevelt said she would make it consistent throughout.

Mr. Kirkpatrick noted that if they adopted an agreement that said landscaping would be the responsibility of the City, Council needed to realize that the cost for this would go up for the Parks Department. He said they wanted to avoid highly groomed landscaping in the right-of-way if the City was going to have to maintain it.

Michael Jobes with Bridge Development discussed ideas for parking.

Council Member Bailey asked if the CCR's had been prepared. Ms. Groenevelt replied that they had been reviewed by the City Attorney.

There was some discussion of when and where Council members could review these. Mr. Nichols cautioned Council that it would be okay to review the application file but because of ex parte contact prohibitions Council should limit any discussions with staff.

Mr. Kirkpatrick asked Council to let staff know what their preference was, whether to have the entire file or to review the files at City Hall.

There was an extensive discussion concerning the development agreement.

Mayor Robertson moved to adopt the Findings and Conclusion. Council Member Bertram seconded the motion. In a roll call vote, all members voted aye, and the motion carried.

Mayor Robertson moved to approve the development agreement and authorize the Mayor to sign. Council Member Kraemer seconded the motion. In a roll call vote, all members voted aye, and the motion carried.

AB 06-121 CUP-06-14: Idaho First Bank Conditional Use Permit

Michelle Groenevelt introduced the agenda bill and gave clarification of the industrial area which was shown on the future land use map, explaining that it referred to Commerce Street.

There was discussion concerning salvaging the flowering crabapple trees along the street; Council asked that an attempt should be made to save them.

There was also discussion concerning improvement to the public bike path.

Greg Lovell responded to the question concerning the trees, explaining that they were being taken out to comply with the requirements for the sidewalk and that it would be up to Mr. Simplot whether or not he wanted to save the trees. Council asked that the developer communicate with Community Development if the owner was willing to let them salvage the trees.

There was some discussion about sharing meeting room space with the City, and Mr. Lovell said it might be possible.

Council Member Kraemer moved to approve the Findings and Conclusions. Council Member Scott seconded the motion.

Council Member Bailey asked that the motion be amended to add conditions 5 and 6, that the developer install or provide appropriate pedestrian safety and remove and salvage trees if the owner agreed.

Mr. Lovell said they would require reimbursement for anything else that had to be done, and that it was Mr. Simplot's property and Idaho First did not have any control over it.

Mr. Millar said that the bike path was a multi-use path and that the City provided the crossing protection. He said they would work with the applicant and with Chief Summers on a solution.

Mr. Lovell reminded Council that Idaho First had to work with Mr. Simplot. Council Member Bertram asked Mr. Lovell to let Mr. Simplot know that the City would be interested in salvaging those trees at their own expense. Mr. Lovell said he would contact Mr. Simplot about it.

Council Member Bailey asked to modify condition 6 to make every effort to salvage the trees, and to modify condition 5 to work with the City.

Council Member Kraemer moved to approve the Findings and Conclusions as modified by Council Member Bailey. Council Member Scott seconded the motion. In a roll call vote, all members voted aye, and the motion carried.

REPORTS

Rick Harvey, Airport Manager, distributed drawings to Council, noting that minor changes had been made to the East Hangar project. He said he had already received some rejections back on the hangars he was trying to acquire. He said that a representative of the Federal Aviation Administration (FAA) had visited on Tuesday and made recommendations that would allow the airport to go ahead without the hangar acquisitions. He said he hoped to have this done by October, and that the offers on the hangars had been rescinded.

Mr. Millar gave a report on the sewer line construction for the Village at Deer Forest Subdivision. He also reported on paving projects and gave an update on Granite Falls Condominiums. He said that the contractor on the Boydston Street project was fined by OSHA for not shoring up a trench which collapsed and injured a worker.

Mr. Millar said that Eric Fieldstad had completed a training session for PUD to help identify problems around town.

Mr. Millar told Council that some complaints had been received from neighbors concerning contractors' generators being left on at night. He said the contractors were running pumps twenty-four hours a day, seven days a week, and were using generators because they did not have electricity. He said that September was the completion date for the road at Spring Mountain, and the problem would be resolved.

Mr. Millar also reported that the eastside water tank would be ready to go in mid-July.

Mr. Kirkpatrick informed Council of a minor accident yesterday with a Parks vehicle. He explained that our policy required an instant drug test, and the employee had tested

positive. Mr. Kirkpatrick said that our policy requires they go home immediately, and we send the test out for further testing. He said that if the results were positive on the next test, the employee would be terminated. He said that the employee was on administrative leave at this time.

Mr. Kirkpatrick announced there would be budget work session on Tuesday, June 27, at 1 p.m., and it would be a continuation of discussion from last Tuesday.

Mr. Nichols said that the fish pens project had been remanded for counsel so they would not be able to discuss it. He said there would be a hearing before Council next month. He said that the Fish and Game Department had indicated that there would still be time to get the fish in the pens through the third week of July.

Council Member Bertram asked for a special meeting to discuss this, and Mr. Kirkpatrick said he would arrange a special meeting date.

Council Member Bertram asked about the speed limit on the East-West Loop, and Mr. Kirkpatrick said staff would make a recommendation.

Council Member Bertram mentioned a situation involving a dog that had been hit by a car and was injured. She said the police officer called to the accident had no protective gear and there was no program in place that addressed handling injured animals. She said the City needed to have a plan for injured animals to allow for public safety.

Mayor Robertson asked if tasers had been purchased. Mr. Kirkpatrick reported the tasers had been ordered but not received.

Mayor Robertson asked about the status of the stop sign at Davis. Mr. Millar said the Transportation Advisory Committee had recommended removing the stop signs. He said they were also considering the speed limit on the Mission to West Valley portion of the East-West Loop.

ADJOURNMENT

Without further business, Council Member Kraemer moved to adjourn. Council Member Scott seconded the motion. Council Member Bailey, Council Member Bertram, Council Member Kraemer, Mayor Robertson and Council Member Scott voted aye, and the motion carried. The Council adjourned at 10:45 p.m.

William A. Robertson, Mayor

ATTEST:

Joanne E. York, City Clerk