

# MINUTES

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## McCall City Council Regular Meeting Thursday May 26, 2005

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#### ADJOURNMENT

## CALL TO ORDER AND ROLL CALL

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

City staff members present were Lindley Kirkpatrick, City Manager; Roger Millar, Community Development Director/Deputy City Manager; Tammy Zokan, City Attorney; Bill Keating, Public Works Director; Amanda Townsend, City Treasurer; Ralph Appa, Police Chief; and Dan Irwin, City Clerk.

## EXECUTIVE SESSION

At 5:01 p.m., Mayor Eimers moved to go into executive session per Idaho Code Section 67-2345(1f) to consider pending litigation. Council Member Bertram seconded the motion. In a roll call vote, Mayor Eimers, Council Member Bertram, Council Member Robertson and Council Member Muller voted aye. The motion carried.

The discussion pertained to litigation relating to the J-Ditch Phase 2 case.

At 5:55 p.m., Mayor Eimers moved to come out of executive session. Council Member Robertson seconded the motion. In a roll call vote, Council Member Bertram, Council Member Robertson, Council Member Muller and Mayor Eimers voted aye. The motion carried.

## PUBLIC HEARING

The Council reconvened in regular session at 6:05 P.M.

Mayor Eimers led in the Pledge of Allegiance.

### AB 05-100 FY 05 Budget Amendment / Ordinance No. 812

Amanda Townsend, City Treasurer, stated that Ordinance No. 812 proposes to amend the fiscal year 2005 appropriations ordinance by appropriating additional monies in the amount of \$968,147. She said that the budget amendment proposes to fund several projects including the lead remediation project at City Hall, issues related to the development moratorium and sewer capacity issues, and provide for additional Library funding. Ms. Townsend explained that in this budget amendment proposal, the paving

projects that were proposed in the original budget amendment were eliminated with the exception of the Pine-Wooley project. Ms. Townsend said that the other paving projects would now be planned for completion in October 2005 using the funds from the fiscal year 2006 budget. She added that the proposal would allow for the completion of the paving projects during the same calendar year but would be funded in a different fiscal year. Ms. Townsend explained that the total amount of money required to perform the projects included in the proposed budget amendment total \$735,992 but an additional \$232,155 must be appropriated because of accounting transfers from the general fund.

**Mayor Eimers moved to amend the agenda to include a discussion about the City Attorney. Council Member Bertram seconded the motion. All Council Members voted aye. The motion carried.**

Council Member Muller asked for an explanation of the Mission Street dip repair project.

Bill Keating, Public Works Director, stated that the City has a development agreement with the developers of River Ranch for repairing the dip in Mission Street by the airport. He said that municipal water service will be extended to the subdivision this summer and the project needs to be completed concurrently.

Mr. Kirkpatrick said that the City's share of the project is \$88,000. He explained that the funds to complete the project would come from the fund balance and capital reserve.

Council Member Muller asked what would happen if the project ends up costing more than what is currently estimated.

Mr. Kirkpatrick said that any additional expense would have to be approved by the Council.

Council Member Robertson asked why the project wasn't included in the fiscal year 2005 budget.

Mr. Kirkpatrick said that the development agreement allowed several years before the developer was required to complete the project. He explained that the developers have now decided to complete the project this summer.

Council Member Muller said that he is concerned that the balance for the completion of the project would have to come from the fiscal year 2006 budget if it isn't estimated correctly.

**Mayor Eimers opened the public hearing to testimony at 6:15 p.m.**

Judy McGuire, 255 Ernesto, asked for clarification as to when the paving in Rio Vista would be performed.

Council Member Robertson responded that the City staff has proposed completing the paving projects in October 2005.

**Hearing no more comments, Mayor Eimers closed the public hearing to public testimony at 6:17 p.m.**

Council Member Robertson noted that the Council had also received a letter from Mr. and Mrs. McGuire in regards to the budget amendment.

Mayor Eimers stated that the City Council had allocated \$160,000 in the current budget for remodeling the old fire station. He suggested that the Council may want to consider reallocating some of the funds for completing the paving projects and using the balance to conduct a facility needs study for the Police Department and City Hall.

Council Member Muller said that he supports the idea of conducting a facility study for the City Departments. He said that he doesn't think the City has an accurate appraisal of the old fire station's value as a commercial building in the current real estate market. He stated that he would like to explore the potential of using a bond measure to construct a new Police Station by the airport in order to keep all of the emergency services in one location.

Mayor Eimers stated that he would like to reallocate \$100,000 of the funds originally planned to perform the fire station remodel to perform the paving projects and utilize the rest to get an estimate of what a new Police Station would cost.

Council Member Bertram asked how much land was available at Deinhard Lane that could be used for the Police Station.

Mr. Kirkpatrick stated that the Council shouldn't prejudge a location for the Police Station. He said that a facility study should be conducted that considers all elements including site placement.

Council Member Robertson stated that the City has many projects to complete that aren't budgeted such as the regional lift station at Spring Mountain Ranch. He said that he was surprised to see that the cost of the lead abatement project has escalated to \$50,000.

Ralph Appa, Police Chief, said that the original estimation by Summit Environmental Inc. included the removal of three barrels of waste from the old firing range. He explained that the company ended up removing more waste material than originally estimated and the additional money would allow for the proper disposal of the additional waste. Chief Appa added that the City just received the final report back from Torf Environmental that finds that lead contamination still exists in the room. He said that the report recommends encapsulating the range to ensure a safe working environment for City employees.

Mayor Eimers asked how the encapsulation would occur.

Chief Appa explained that partition walls would be constructed and the range would be coated with a special type of paint.

Council Member Robertson said that the project was originally approved in order to provide additional office space for City employees. He said that it was disappointing to discover that the room still isn't usable after spending \$50,000.

Mr. Kirkpatrick stated that Staff has always explored using the area for additional storage. He said that the lead problem would have had to be cured regardless of the intended use.

Chief Appa said that the future costs for the room should be minimal and would allow the space to become useable for storage.

Council Member Bertram asked how the room was accessed and what would be stored in it upon completion.

Mr. Kirkpatrick said that the room would be divided in half to allow for records storage for City Hall and evidence storage for the Police Department.

Council Member Robertson stated that the projects proposed in the budget amendment differs from the one that was going to be placed on the April 14<sup>th</sup> agenda. He said that he would like to see the original proposal and compare the projects that were eliminated against those that were added. He stated that he supports adopting the Ordinance but doesn't want to approve the specific expenditures at this time. He stated that he would like to weigh the former expenditures against the projects that are proposed in this budget amendment.

Mayor Eimers said that \$95,000 had been inserted for the Planning and Zoning Code update, which replaces most of the paving projects. He asked Mr. Kirkpatrick to explain the expenditures in the proposed ordinance.

Mr. Kirkpatrick stated that a large portion of the budget amendment is to address the issues related to the moratorium and for conducting the impact fee study. He explained that several master plans must be developed in order to assign costs to the impact fee schedule that may be adopted. He said that the budget amendment includes the development of a Parks and Recreation master plan and a sewer facility master plan for inclusion into the impact fee schedule. He explained that a master plan for City streets would be included in the next fiscal year budget. Mr. Kirkpatrick stated that a new item in the budget amendment is the \$95,000 expense for the zoning code update and mapping.

Mr. Millar explained that the \$95,000 in the budget amendment would provide \$20,000 to purchase GIS software and equipment to bring the City mapping project in-house.

He said that the remaining \$75,000 would be used to supplement the cost for the legal review of the zoning code rewrite, the hiring of a consultant to review the code rewrite, and the cost of codifying and printing the new code after it is eventually adopted.

Council Member Bertram said that she didn't remember the inclusion of the old jail project in the previously drafted budget amendment.

Mr. Kirkpatrick explained that the project was awarded to the City several years ago but wasn't carried forward in the budget. He stated that the appropriation of the funds would allow the project to be completed.

Council Member Muller asked if the project had changed from the original plan of constructing a kiosk.

Mr. Kirkpatrick stated that the new plan is to provide for structural repairs to the facility. He said that the building wouldn't be open to the public.

Mr. Kirkpatrick said that other new items in the budget amendment include the costs for a new building inspector position and the cost for the plan check services. He explained that both items would be paid from the additional revenue that will be collected from the new plan check and building permit fee schedule.

Council Member Robertson stated that the building permit revenue is \$54,000 but the budget amendment only appropriates \$43,000 for the plan check costs and new building inspector position.

Mr. Kirkpatrick explained that the additional \$11,000 would be used for part of the impact fee study.

Mr. Kirkpatrick said that the expenditures to fund the Court Services Agreement and the Golf Course Clubhouse parking lot repair project were included in the former budget amendment proposal. He stated that \$65,000 was added to the Golf Course contingent revenue and expense from a former reserve account that no longer has to be maintained. He explained that the Council will need to discuss the specific use of the contingent amount but it needed to be appropriated in the budget amendment.

Mayor Eimers said that the City might need to consider having the Golf Course repay the outstanding balance of the loans from the general fund. He asked how much the outstanding balance was.

Mr. Kirkpatrick said that there is still \$85,000 due from the golf fund to the general fund.

Mr. Kirkpatrick stated that expenditures to begin the work of developing a facility plan and master plan for the sewer system are both included in the budget amendment.

Mayor Eimers asked if the master plan for the sewer system would prioritize future capital expenses as was done in the water system master plan.

Mr. Kirkpatrick confirmed that it would.

Council Member Robertson said that he didn't think a sewer rate study was included in the original budget amendment. He said that a rate study is an accounting report, which is supported by the engineers. He said that the cost seemed to be high for such a service.

Mayor Eimers stated that the sewer rates for McCall have been the same since he has been on the Council. He said that it is important to get the rate study underway. Mayor Eimers added that the rate study and development of the master plan for the water system helped significantly in establishing stability to the water fund.

Mr. Kirkpatrick said that the amount allocated for sewer capacity improvement projects was roughly the same as the original budget amendment. He stated that the amount of appropriation was determined by the balance of funds, which weren't allocated for the other projects. He stated that the paving project for Pine-Wooley is still included in the budget amendment in anticipation of the City receiving a grant for the project. He said that if the grant weren't received, the project would be put into the fiscal year 2006 budget and completed in October.

Council Member Robertson said that it is important to complete the project soon because of the amount of dust that is being stirred up by traffic on the road.

Mr. Kirkpatrick stated that the Public Works Department would begin dust abatement on all of the roads that were originally planned to be paved during this fiscal year using the fund balance. He explained that the adoption of the budget amendment would only delay the paving projects by one month. He said that the proposed budget amendment would allow the City to concentrate on addressing the moratorium issues.

Council Member Bertram said that she isn't comfortable delaying the Rio Vista paving projects. She said that she supports the Mayor's suggestion of using the money that was allocated to remodeling the old fire station for performing the paving projects in this fiscal year. She said that she wants the City to commit to completing the project this summer as traffic has increased in the area and will continue to only get worse. Council Member Bertram stated that she doesn't want to see the paving projects pushed into next fiscal year even if it is completed in the same calendar year.

Mr. Kirkpatrick said that the streets to be paved in Rio Vista were identified as Ernesto Drive, Gena Way, and Carico Road. He said that it would cost \$102,000 for the completion of the projects. Mr. Kirkpatrick said that in order to complete the projects, a transfer to the streets fund would need to be approved since the contingency amount in the fund isn't sufficient.

Council Member Robertson said that he doesn't have a problem approving the budget amendment but doesn't want to authorize the spending of money. He said that the Council still needs to discuss several things such as the money that has been budgeted for the Rio Vista sewer step system project. Council Member Robertson stated that in January 2004 the Council requested that staff explore paving streets in Rio Vista and provide the Council with a recommendation. He said that staff recommended pursuing the sewer step system prior to paving the road, but the project was subsequently rejected by DEQ. He said that he is concerned about pushing the paving projects into the next fiscal year as the paving projects continue to be delayed. He said that he would support cutting staff before cutting the paving projects if they end up being added to the next fiscal year budget. Council Member Robertson said that he would like the Council to schedule a work session to discuss the budget numbers and proposed projects. He said that he would approve the budget amendment to allocate the new revenue but thinks the Council needs to engage in more discussions about the specific expenses. He suggested that the Council could approve the budget amendment and request that staff identify additional funds that could be used to complete the paving in Rio Vista in this fiscal year.

Ms. Townsend clarified that a second budget amendment would need to be approved in order to transfer the revenue into the streets fund for completing the projects.

Council Member Robertson said that he would like to schedule a work session at the next Council meeting to negotiate the expenditures.

Mayor Eimers asked which projects Council Member Robertson was uncomfortable with.

Council Member Robertson said that the expenditure for the lead abatement project is only an estimate and he would like to be provided with firm numbers. He said that \$50,000 has been budgeted for the impact fee study, but the City may be able to utilize the study that was completed by Valley County in the 1990's.

Mr. Millar said that the City needs to establish the legal nexus to defend the implementation of impact fees. He said that the total cost for the project could actually exceed \$50,000 and the City needs to have some funds identified to develop the scope of work.

Council Member Bertram said that the completion of the impact fee study is important and the City would be able to recoup the costs that are involved after implementing an impact fee schedule.

Council Member Muller stated that the budget amendment specifies the amount of money to be appropriated but doesn't address the specific expenditures. He suggested that the Council adopt the Ordinance and adjust the expenditures during a work session.



Ms. Townsend clarified that any changes to the budget amendment would have to equal the amounts that are appropriated to each fund in the budget amendment. She said that a second budget amendment would be required if any amounts were changed.

Council Member Robertson said that he would like to further discuss the amount allocated for I&I improvements to the sewer system. He said that there is already \$263,495 in the current budget to perform I&I improvements and he would like to see the paving in Rio Vista completed. He said that the paving projects couldn't proceed under the budget amendment since it would allocate the total revenue to the wrong funds.

Mr. Kirkpatrick explained that the amount proposed in the budget amendment would allow the City to perform other improvements to the sewer system besides I&I repair. He stated that the money could be used to assist fixing the land application problems as well.

Mayor Eimers asked what Council Member Robertson would like staff to prepare if the Council decides to discuss the expenditures at the June 2<sup>nd</sup> special meeting.

Council Member Robertson stated that he would like staff to prepare a proposal based upon the input of the Council's discussion. He said that the proposed expenditures have changed significantly from those that were identified in the last budget amendment.

Mr. Kirkpatrick stated that the needs of the City have changed due to the implementation of the moratorium. He said that the new budget amendment addresses those changing needs.

Tammy Zokan, City Attorney, explained that the Council could adopt the ordinance as presented and discuss the expenditures at a later time. She said that a second budget amendment would have to be adopted if the total amounts allocated in any of the funds are changed.

Council Member Robertson said that he is concerned that the money budgeted for the Mission Street Dip isn't sufficient to complete the City's obligation in the project.

Mr. Keating said that he would be surprised if the project exceeds \$200,000. He said that the amount budgeted is a realistic estimation for completing the project.

Mayor Eimers announced that the Council would add a work session to the June 2<sup>nd</sup> agenda to discuss the specific expenditures in the budget amendment.

Council Member Robertson said that he supports adopting the ordinance and possibly adjusting the specific expenditure numbers at the special meeting on June 2, 2005. He said that the Council might discover that a second budget amendment will need to be adopted.

Mr. Millar stated that many items included in the budget amendment are time sensitive and need to be adopted by the Council so he can put the proposals together.

**Council Member Robertson moved to suspend the rules, read by title only, one time only, Ordinance No. 812. Council Member Bertram seconded the motion. In a roll call vote, Council Member Bertram, Council Member Robertson, Council Member Muller, and Mayor Eimers voted aye. The motion carried.**

Mr. Kirkpatrick read Ordinance No. 812 by title only. He noted that the ordinance number referenced in the title needed to be amended to #797.

**Council Member Robertson moved to adopt Ordinance No. 812 as amended. Council Member Bertram seconded the motion. In a roll call vote, Council Member Robertson, Council Member Muller, Mayor Eimers, and Council Member Bertram voted aye. The motion carried.**

Council Member Robertson clarified that City Staff is not authorized to spend any of the money for any of the projects identified in the staff memo until the Council discusses the expenditures at the June 2<sup>nd</sup> Special Meeting.

## **PUBLIC COMMENT**

Mayor Eimers called for public comment.

As there was nobody who wished to speak, Mayor Eimers closed the public comment at 7:45 p.m.

Council Member Robertson moved to amend the agenda and hear the items contained in the business agenda. Council Member Bertram seconded the motion. All members voted aye. The motion carried.

## **BUSINESS AGENDA**

### **AB 05-108 Neighborhood Housing Services – Affordable Housing Presentation**

John Blaye, Valley County Economic Development Coordinator, said that several months ago the Mayor and Council directed the hiring of a consultant to conduct a housing needs assessment. He said that Reece Consulting was hired to complete the study and that a draft copy of the report would be available to the Mayor and Council Members on June 8<sup>th</sup>. He stated that the Valley County Commissioners are now advertising a request for proposal to hire a housing consultant to help coordinate

housing development assistance in Adams and Valley County. He said that applications would be submitted to the Valley County Commissioners for review on June 27<sup>th</sup>. Mr. Blaye introduced Tom Lay and Mary Pridmore from Neighborhood Housing Services and explained that they would be providing a presentation on affordable and community housing.

Council Member Robertson asked for clarification of what the County Commissioners have approved in regards to the hiring of a housing consultant.

Mr. Blaye said that the Commissioners have put together a tentative budget and will be reviewing applications from consultants who would be responsible for the development and coordination of community housing programs in Valley and Adams County. He said that they would be hiring a consultant on a one-year contract with a salary up to \$100,000 from County funds. He said that they would probably be meeting with the City Council Members at a later date to obtain their approval.

Council Member Bertram asked if the consultant would be responsible for establishing a Housing Authority.

Mr. Blaye said that the duties of the consultant include assisting the Cities and Counties in amending their Comprehensive Plans to ensure consistency with inclusionary housing, zoning ordinances, and development of community housing choices. He said that they would be responsible for pursuing the establishment of a Housing Authority and providing negotiations to facilitate public and private partnerships in developing community housing.

Mr. Millar stated that he was unaware of the plans that have been developed by the County Commissioners.

Mayor Eimers said that it was stunning that the initiative hadn't been previously discussed with the Council Members.

Mr. Blaye said that he would provide the Council Members with the information regarding the Commissioner's plans to hire the consultant.

Tom Lay, Neighborhood Housing Services Executive Director, thanked the Council for allowing him to present a possible solution for providing community housing in the area. He explained that Neighborhood Housing Services (NHS) began in 1982 as the Vista Neighborhood Association. He said that the organization was awarded grant funding through the Neighborhood Reinvestment Program to distribute funds throughout the Boise community to improve housing. He stated that the organization obtained a background in lending when it became responsible for administering energy loans and first mortgage origination. Mr. Lay said that NHS has since facilitated loans in 80 communities throughout the state. He explained that NHS first began establishing community housing in the development of rental programs. He said that the organization started the Homeward Bound program to establish housing for the

homeless, and eventually moved towards infill and multi-family housing opportunities. Mr. Lay distributed copies of the housing projects that have been developed by NHS to the Council. He said that NHS built the Davis Park Apartments in 1991 through a Section 42 tax credit project. He explained that the 15-year tax credit project required that the complex be made affordable to the low-income residents of Boise for a 30-year period. Mr. Lay stated that the project was built on a vacant lot in Boise when affordable housing was in large demand in the community. He said that NHS received the Mayors architecture award for sustaining a high quality look while providing an affordable housing solution in the community.

Council Member Robertson asked if private funds were used for the tax credit project.

Mr. Lay explained that private funds from Key Bank were used to purchase the tax credit project. He explained that the purchaser of the tax credit project is able to opt out of the project, but the affordability standards are required to remain with the project for a 30-year period. Mr. Lay added that the Idaho Housing and Finance Association is the sponsor of tax credit projects in the State of Idaho.

Council Member Robertson asked if the project is still able to work in the current market.

Mr. Lay said the project is difficult to sustain in Boise due to the 12% vacancy rate in rental housing. He said that the individual market dictates how successful the project is.

Council Member Robertson asked how the affordability standards are determined.

Mr. Lay said that it is based upon the income of the residents. He explained that units must be reserved for residents at 80%, 50%, and 30% of the area medium income (AMI). He said that the individual rent amount differs for each group of residents.

Mr. Lay stated that NHS has done a substantial amount of homeownership programs as well. He explained that the Mystic Cove project provided 66 single-family homes for sale to residents at 80% of the AMI. He explained that the project was developed through community development block grant funds and private funds obtained through partnerships. He said that the houses originally sold for \$96,000 and were the only units in the Boise MSA that were available for under \$100,000. He said that the purchasers had to deal with deed restrictions for a 5-year period but it turned out to be a big benefit to those who were able to make the purchase.

Mr. Millar asked what the income qualifications of the family were.

Mr. Lay stated that the family had to be at or below 80% of the area medium income. He said that a family of four had to earn approximately \$38,000.

Council Member Muller asked how the program worked if the occupant decided to sell the home.

Mr. Lay explained that a third mortgage existed on the property for the first five years of homeownership. He said that if the resident sold during that time they were required to satisfy the obligation of the third mortgage or sell to another income qualifying resident. He stated that the third mortgage was established to protect the integrity of the block grant that was used to develop the project.

Mr. Lay stated that Neighborhood Housing Services would be glad to assist the Council and the City in finding solutions that meet their housing needs.

Mr. Millar said that the services provided by NHS are one of many possibilities that could be used to address the housing needs of the community. He stated that the City leaders need to evaluate the overall housing needs of the community and develop a solution. Mr. Millar said that the presentation by NHS provides the Council with one of the solutions that are available for addressing the community's housing needs.

Karl Augustine, Sage Community Resources, said that he has developed a strong working relationship with NHS. He said that Mr. Lay and Ms. Pridmore are very knowledgeable about housing programs and have a great track record in meeting the needs of the communities, which they worked in.

### **AB 05-96 Historic Preservation Commission Annual Report**

Jill Meyer, Historical Preservation Commission Chairperson, said that she is one of five members that comprise the Historical Preservation Commission. She said that the other members include Marlene Bailey, Pat Eames, Robert Vosskuler, and one vacancy. She said that the mission of the Commission as defined by the City Code is to promote the educational, cultural, economic and general welfare of the public of the City of McCall, Idaho, through the identification, evaluation, designation and protection of those buildings, sites, areas, structures and objects which reflect significant elements of the City's, the State's and the nation's historic architectural, archaeological and cultural heritage. Ms. Meyer said that one of the main activities of the Commission is to create an inventory of historical properties in the City. She said that the Commission has been able to secure the services of a consultant to conduct a windshield survey of properties in the community that may be eligible for placement on the National Register of Historic Places. She explained the Commission received a grant to hire the consultant through the efforts of Carol Coyle. Ms. Meyer said that the Commission has provided a match to the grant funding through the in-kind volunteer hours that they contribute. She stated that the SITPA site and Rice Meeting House are already on the National Register and they have been working with the Library and Central Idaho Historical Museum to create collections of photos, oral histories, newspapers, and other documents and objects important to the City of McCall. Ms. Meyer said that during the past year, Pat Eames was able to attend a training to see what other communities are doing about historical preservation. She said that the Commission holds monthly meetings in the Idaho room of the McCall Public Library and sponsors the annual birthday of the City of McCall, which falls on July 19<sup>th</sup>. Ms. Meyer said that the goals of the Commission for the next year include developing a self guided walking tour brochure for the City, begin a local

historic site designation program to give recognition to local sites not eligible for State or National designation, and continue to have their members attend trainings. She said that the Commission would be asking for \$1500 in the City's fiscal year 2006 budget for training and travel. She stated that they also need to acquire a computer and scanner to continue their database work.

Council Member Robertson asked where the funding to the Commission comes from.

Mr. Millar explained that it was located in the Community Development budget.

Council Member Robertson asked if there are tax consequences or reconstruction consequences if a site is placed on the National Historical Register.

Ms. Meyer stated that she was unsure. She said that the Commission needs to look up what is provided for in the Code. She said that the Commission's grant would assist in determining what is entailed when a property becomes listed on the Historical Register.

Council Member Robertson stated that it is important to consider the financial consequences that may be involved in designating a historical property. He stated that the City Code should be reviewed to see what is entailed when a property is designated.

#### **AB 05-109 CDBG Southern Corridor Blight Declaration / Resolution 05-08**

Terry Vittable, McCall Improvement Committee and Chairperson of the Design Sub-Committee for the Four Corners/South Corridor Project, stated that the Committee has come a long way in preparing for the submittal of a Community Development Block Grant application. She stated that Karl Augustine has led the Committee through the procedures needed to declare the Southern Corridor a blighted area in order to apply for the funding.

Karl Augustine, Sage Community Resources, explained that the intention of the McCall Improvement Committee is to put together an Idaho Community Development Block Grant Application for downtown revitalization and to expand upon on the previous efforts of beautifying the Southern Corridor. He explained that the McCall Improvement Committee conducted a survey of the Southern Corridor and is now asking the Council to declare the area as blighted in order to proceed in the process seeking block grant funding. Mr. Augustine stated that the McCall City Council had previously declared blighted areas in the urban core, which resulted in Phase 1 and 2 of the revitalization projects in the urban core. He explained that the proposed area that has been identified would encompass the entire Southern Corridor. Mr. Augustine stated that the area runs from Railroad Avenue to Jacob St.

Council Member Bertram asked for Mr. Augustine to elaborate on why the area was expanded to Jacob St.

Mr. Augustine explained that the Four Corners Project runs approximately 1500 feet south of the intersection of Deinhard Lane and Highway 55. He said that Jacob Street is the logical cut off point for the area since it is the closest intersection to the project. Mr. Augustine said that expanding the area to Jacob Street will allow the City the ability to seek funding for additional improvements in the future without restarting the entire process.

**Council Member Robertson moved to adopt Resolution 05-08. Mayor Eimers seconded the motion. All members voted aye. The motion carried.**

Mr. Augustine explained that the adoption of the Resolution is a fundamental eligibility threshold in order to apply for the block grant. He said that the next step in the process is for the Committee to work with a design professional to develop the preliminary plans and arrive at an estimated cost. He said that the work needs to begin as soon as possible because of the interaction that will need to occur with ITD. Mr. Augustine stated that the entire process to complete an application usually takes 12 months but they are attempting to do it in 6-7 months.

### **AB 05-101 Rio Vista Step System Status Report**

Bill Keating, Public Works Director, said that in October Holladay Engineering designed a step system to serve the sewer needs of residents in Rio Vista. He explained that the project was submitted to the Department of Environmental Quality in October 2004, but was rejected. Mr. Keating explained that DEQ wanted the entire system including the effluent tanks and septic tanks installed, operated, and maintained by the City. Mr. Keating said that the City was proposing to put a pressure line in the street and each individual house would have its own pump system that would connect into the pressure line. Mr. Keating explained that in a traditional system the City is responsible for the sewer mains and the service lines are the responsibility of the homeowner. He said that the step system proposal would be a similar arrangement. Mr. Keating said that 40 existing homes and 46 future lots exist in the area. He said that the City doesn't want to assume the liability of the privately owned equipment located on the individual property. He said that the homes are located next to the Payette River and are mostly occupied by seasonal residents. Mr. Keating said that Holladay discussed setting up a meeting with DEQ to discuss the system but it never happened. He said that the letter from DEQ supports the City exploring a traditional system with three lift stations equipped with emergency generators because of the placement next to the river.

Council Member Muller asked how big the undeveloped lots in the area were.

Mr. Kirkpatrick said that the lots range from 1/4 acre up.

Mr. Keating said that Jeff Lappin won't issue new or replacement septic permits for the area.



Council Member Robertson said that Jeff Lappin informed him that the State of Idaho has been late in accepting the concept of sewer step systems. He said that Mr. Lappin says that the systems are used throughout other states and they work great. He stated that the City was originally intending to pave roads in the subdivision and it was staff's recommendation to pursue the idea of first making sewer improvements.

Mr. Keating added that the design of the step system occurred before the capacity concerns of the sewer system were known. He said that even with the development of a system in Rio Vista the City might not be able to provide service to the homes because of the capacity restraints in the system. Mr. Keating said that in 1995 Toothman-Orton Engineering worked on establishing a LID for the area. He said that the firm estimated the preliminary cost at that time was \$850,000.

Mayor Eimers said that when he and Council Member Robertson met with DEQ in Boise they meant to discuss the project. He suggested that the City might want to consider resubmitting the project to DEQ.

Mr. Keating said that he would rather support the installation of a traditional system in the area through the LID process once the new City Engineer is hired. He said that the property owners could approve the LID and pay for the system since they are the ones who would benefit.

Mayor Eimers asked what concerned DEQ about the project.

Mr. Keating said that the homes are located by the river and the individual lots are serviced by only one pump. He said that if the pump fails there could be a serious environmental concern.

Council Member Bertram asked if anyone knew how many people owned lots in the area. She said that she thought that a 50% vote of the ownership was required.

Ms. Zokan explained that a LID is approved by the Council through a public hearing process. She explained that the decision rests with the Council unless there is an overriding objection to the establishment of the LID.

Council Member Robertson said that the LID allocation would be approximately \$20,000 per lot if the total project cost is \$1,500,000. He said that the sewer service would be a big benefit to the home and lot owners in the area.

Mr. Kirkpatrick said that if the Council is interested in the possibility of establishing a LID for establishing sewer service in the area, a letter could be sent to the residents of the area or they could be notified by the Star News that the Council is considering the initiative. He said that the funds that are in place for the step system could be used to develop the preliminary design of a traditional sewer system once the new City Engineer is hired.



The Council agreed that the City should explore the possibility of forming a LID to provide sewer service in the area.

Council Member Robertson said that the Council should amend the agenda to hear the items on the Consent Agenda since the majority of the remaining public are interested in those items. The Council agreed to amend the agenda.

## CONSENT AGENDA

Council Member Robertson announced that he had previously provided corrections to the minutes to the City Clerk.

Council Member Robertson asked about the payment to J-U-B Engineers.

Mr. Kirkpatrick explained that the payment was for the leak test for the winter storage pond.

Council Member Robertson said that he thought J-U-B had only been performing the test during the prior week.

Mr. Keating clarified that they had working on the test for six to seven weeks.

Mayor Eimers asked if the J-Ditch pipeline at the river was ready for operation.

Mr. Keating reported that the pipeline was pressure tested and no problems were reported. He said that the project is on track and the pipe will be ready for operation when the irrigation season begins.

**Council Member Robertson moved to approve the Consent Agenda as corrected and authorize the Mayor to sign all necessary documents. Council Member Muller seconded the motion. All members voted aye. The motion carried.**

## BUSINESS AGENDA

### AB 05-105 Contract for Building Plan Check Services / Resolution 05-09

Mr. Millar stated that the City made an effort to hire a Plans Examiner but were unable to find someone to fill the position that could afford the housing costs in the City. He said that it was discovered that a number of entities, including Valley County, contract plan review services to private companies. Mr. Millar stated that prices were solicited from three contractors for building plan check services. He said that after reviewing qualifications and rates from the companies it was determined to select The Building Department LLC. He explained that the cost to use the company would be funded with

revenue collected from the plan review and building permit fees. He added that the workload on the city building inspector would be lightened by contracting the services to the private company.

Mayor Eimers asked if there would be a problem with cash flow for the timing of the contract.

Mr. Millar explained that the new rates for building permits and related inspections would be effective June 1, 2005. He said that the company would be responsible for reviewing building plans and payment to the city will be due from the applicant when the plans are submitted to the City. He explained that the company would not be responsible for reviewing engineering plans.

Council Member Robertson provided corrections to the contract with The Building Department LLC.

**Council Member Robertson moved to adopt Resolution 05-09 approving the contract with The Building Department LLC. as amended, and authorize the Mayor to sign all necessary documents. Council Member Muller seconded the motion. In a roll call vote, Council Member Bertram, Council Member Robertson, Council Member Muller, and Mayor Eimers voted aye. The motion carried.**

### **Removal of the City Attorney**

Mayor Eimers explained that he amended the agenda for the Council to discuss terminating Moore, Smith, Buxton, and Turcke as the City Attorney.

Council Member Robertson said that the Council has grown to appreciate the services of Ms. Zokan and the action by the Council shouldn't be considered personal.

**Mayor Eimers moved to remove Moore, Smith, Buxton, and Turcke as the City Attorney effective July 15, 2005, and to direct staff to publish a request for qualifications for legal services by the next week. Council Member Robertson seconded the motion. All members voted aye. The motion carried.**

## **REPORTS**

Mr. Kirkpatrick stated the City has received a good response from the RFQ for engineering services. He said that the deadline for submission would be the following day. He explained that the a committee consisting of Don Bailey, Rick Fereday, Council Member Robertson, Bill Keating, and Brock Heasley had been formed to interview the firms and make a recommendation for him to consider.

Council Member Muller stated that he has concerns about the makeup of the committee. He said that it would be important that the committee asks the right questions to ensure that an appropriate firm is hired to address the many issues facing the City.

Mr. Kirkpatrick asked if the Council would prefer to change the selection process.

Council Member Muller stated that he is comfortable with Council Member Robertson on the committee. He said that his vote should be relied upon more than the other members of the selection committee. He said that he would like to know if Council Member Robertson disagrees with the final recommendation that is made to Mr. Kirkpatrick.

Mr. Millar explained that the committee would make a recommendation to Mr. Kirkpatrick who will then decide on a final candidate for confirmation by the Council. He said that the plan is to interview three applicants and the applications will be copied for the Council to review.

Mr. Kirkpatrick added that the committee is only making a recommendation to him. He said that he would have the final determination of who should be recommended to the Council for confirmation and will ensure that Council Member Robertson's comments are considered in reaching the determination.

Mr. Kirkpatrick said that City Staff is approaching the next step in the budget development process where the Department Heads will meet with each of the Committee Chairs. He explained that the first draft of the budget is almost complete and copies will be distributed to the Council when complete. He added that the next budget session with the Council is scheduled for July 8, 2005.

Mr. Kirkpatrick reported that he is in the process of trying to schedule a Golf Management Team meeting. He stated that the Cedar course is currently open and the Birch course will open on the weekend but will have six temporary greens. He said that the first tournament is scheduled for June 11<sup>th</sup> and it is anticipated that everything will be open. Mr. Kirkpatrick stated that Jerry Palmerton has been implementing different mowing techniques that will result in new ascetics for the course. He explained that buffers would be added around the water hazards and tee boxes, which will cut down on water and labor expenses.

Chief Appa thanked the Star News for the donation of the new pedestrian crossing signs. He reported the crosswalks were painted and the signs were placed in anticipation of Memorial Day weekend.

Chief Appa reported that he had talked with the City Prosecutor about downtown parking. He stated that eight to nine signs would be placed at the entry of downtown explaining the parking regulations.

Chief Appa announced that the former Executive Director of the Chamber of Commerce had accepted a plea arrangement from the County Prosecutor. He stated that under the arrangement Mrs. Smith will plead guilty to one felony charge and will be required to pay restitution.

Chief Appa stated that the Police Department has issued several violations on Mission Street under the provisions of the new nuisance ordinance.

Council Member Bertram stated that she has noticed that Moxie Java is again placing their trash on the sidewalk.

Chief Appa stated that the business is under new ownership and management. He stated that he would discuss the issue with them.

Council Member Bertram requested that Mr. Millar and Mr. Kirkpatrick assist the Parks and Recreation Director with the Conditional Use Permit for the fish pen docks at Brown Park.

Council Member Bertram asked if the City received restitution from the culprits who removed the trees in the City right of way by the park. Mr. Kirkpatrick said that second notices were sent but the City still hasn't received payment.

**ADJOURNMENT**

**Without further business, Mayor Eimers moved to adjourn. Council Member Muller seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 10:10 p.m.**

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Kirk L. Eimers, Mayor

**ATTEST:**

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Dan Irwin, City Clerk