

# MINUTES

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## McCall City Council Regular Meeting Thursday, January 22, 2004

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#### *Adjournment*

## **EXECUTIVE SESSION**

At 5:00 p.m. Mayor Eimers called the meeting to order, Councilmembers Eimers, Robertson, and Bertram answered the roll call, a quorum was present.

At 5:03 p.m., Mayor Eimers moved to go into executive session per Idaho Code 67-2345(1f) to consider pending litigation. Council Member Robertson seconded the motion. At a roll call vote, Council Member Bertram, Council Member Eimers, Council Member Robertson voted aye. The motion carried.

Council Member Greer arrived at 5:10 p.m.

Mayor Eimers moved to adjourn from the Executive Session; Councilmember Robertson seconded the motion, all Councilmembers voted aye. The discussion concerned pending litigation.

## **ANNEXATION WORKSESSION**

Council conducted a work session regarding annexation issues and reviewed substantial information from staff.

Council directed staff to place the item on the February 26, 2004 Council agenda for further discussion.

## **PUBLIC COMMENT**

Mayor Eimers called for public comment.

No public comment was received.

## **CONSENT AGENDA**

Council Member Bertram asked that Agenda Bill 04-12, Alcohol Beverage Catering Permit be pulled and brought back at a later time.

Council Member Robertson asked for clarification to the warrant register by department page 3 in regards to the postage of a \$1,000.00, stating that it was not for utilities but for miscellaneous mailings by the City. Amanda Townsend

responded that it does not cover utility bills, but it does cover delinquent and shut off notices, and any other miscellaneous mailings.

Council Member Robertson asked about the installation cost of the gas furnace. Was this gift to the City, and did we budget for the installation. Mr. Strobe said the City did not budget for the installation, because when we were doing the budget we did not know we were going to have someone donating a furnace. \$2,000.00 will come out of the building and repair line item, and the Library Director will need to find \$400.00 in other lines to fully fund the expenditures.

Council Member Robertson asked for clarification on what Soft Stops are for Lift Station number 3. Mr. Strobe explained what they are.

Mayor Eimers moved to approve the Consent Agenda. Council Member Greer seconded the motion. All Council Members voted aye. The motion carried.

## **BUSINESS**

### **AB 04-16 Audit Report**

Kevin Smith, representing Balukoff Lindstrom & Co. presented Council the audit report for FY 2003.

**During the meeting, one break was taken from 8:07 p.m. to 8:14 p.m.**

### **AB 04-15 Police Advisory Committee Follow-up to September 11, 2003 meeting**

Ralph Appa, Chief of Police and Dave Fields, McCall Police Advisory Committee Chairperson, presented revisions to the McCall Police Advisory Committee Charter.

Council Member Robertson recommended not making the committee an absolute ten people; he said ten is a good number, but that you need to be able to operate with four or five. He asked if we had a charter for every committee. Mr. Strobe responded by saying we are trying to standardize a charter/mission statement for all committees, so that when we have a change in committee leadership we aren't re-inventing the wheel.

**Mayor Eimers moved as recommended to approve the changes outlining the committee's duties, process, mission, and charter. Council Member Greer seconded the motion. All Council Members voted aye. The motion carried.**

### **AB 04-03 Ordinance No. 790 Aspen Ridge Subdivision (SUB-02-1) Phase One Final Plat**

Mr. Kirkpatrick said the Planning and Zoning Committee approved the preliminary plat. This is only the first phase 42 lots and a common area parcel. There are two separate actions: one, to approve the final plat and adopt the Planning and Zoning's draft findings and conclusions and authorize the mayor to sign all the necessary documents. The second action is Ordinance 790 that segregates the LID 3 assessment for the first phase in Aspen Ridge. Mr. Kirkpatrick asked to make one change to the Ordinance; page 4 sections 9, the change would allow publishing a summary of the Ordinance rather than publish the entire Ordinance.

Council Member Robertson asked about the dividing off by lots and what the balance portion is on LID 3. Also there was talk about the lots around Majestic view and if they were a part of Spring Mountain Ranch.

Council Member Bertram asked if McCall had ever done a plat with LID's on them, that she had never seen one in the County before. She also wanted to know how this affects LID 3. Mr. Kirkpatrick responded that Spring Mountain Ranch area was divided into parcels A thru M. This plat encompasses 4 of those letter parcels each as an LID assessment associated with it. The LID assessment is part of those 4 parcels and splits them out to lot 114, Aspen Ridge Subdivision phase one splits that burden out. Council Member Bertram asked what the lot size is for Aspen Ridge and if the LID was based on the size of the lot or are they all the same price. Mr. Kirkpatrick said they range in size from a third of an acre up to six tenths of an acre, and that they are not all the same price, the individual assessment per lot ranges from \$1,500.00 to \$2,900.00.

Council Member Bertram asked why the individual lots in Spring Mountain Ranch are so much less than the allocations. Mr. Kirkpatrick said because the benefits derived, the lots in Spring Mountain Ranch are closer to the golf course and are weighted to fairway lots. Shawn Kohtz with Holladay Engineering added that some of the original principle has been paid off and that the allocations we have now have been reduced by the original pay off, so now there is a smaller amount of principal to pay off. Council Member Bertram asked if when the lot is sold then the money comes directly out of escrow into paying off the LID. Mr. Kirkpatrick said the LID would be paid off at the time of sale.

Rod Skiftun asked how we might protect the City from forecloses on future parcels. Mr. Kirkpatrick responded that the City will be looking very closely at any future LID proposals. Council Member Bertram asked for clarification of LID number three. Attorney Tammy Zokan explained that this segregation has an added benefit in that you're requiring people to pay off their portion at the time of purchase.

**Council Member Greer moved to adopt the draft findings and conclusions and approve the final plat, and authorize the mayor to sign all necessary documents. Council Member Bertram seconded the motion. Councilmember Robertson abstained, all other Councilmembers voted aye. The motion carried.**

**Council Member Greer moved to suspend the rules and read Ordinance 790 by title only one time only Ordinance 790. Mayor Eimers seconded the motion. At a roll call vote, Council Member Eimers, Council Member Bertram, Council Member Greer voted aye. Council Member Robertson abstained. The motion carried.**

Ordinance 790 was read by title by Robert Strope.

**Council Member Greer moved to adopt Ordinance 790 and authorize the mayor to sign all documents. Mayor Eimers seconded the motion. At a roll call vote, Council Member Eimers, Council Member Bertram, Council Member Greer, Council Member Robertson voted aye. The motion carried.**

**AB 04-14 Ordinance No. 778 Implementing the City Council's January 8, 1998 decision re: the vacation of a portion of Dawson Avenue (VAC-97-1)**

Mr. Kirkpatrick said during the course of the review of the recent Dawson Avenue vacation request (VAC-03-3, AB 03-95), it was discovered that the 1998 Dawson Avenue vacation was not completed. The Council approved the vacation and adopted Findings & Conclusions, but did not adopt an Ordinance. An Ordinance can be adopted now, validating the Council's previous action. Mr. Kirkpatrick recommended suspending the rules and reading Ordinance 778 one time only, by title only; adopting Ordinance 778 and authorizing the Mayor to sign all necessary documents.

**Council Member Robertson moved to suspend the rules and read Ordinance 778 by title only one time only Ordinance 778. Mayor Eimers seconded the motion. At a roll call vote, Council Member Eimers, Council Member Bertram, Council Member Greer, Council Member Robertson voted aye. The motion carried.**

Ordinance 778 was read by title by Robert Strope.

**Council Member Robertson move to adopt Ordinance No. 778 and authorize the Mayor to sign all necessary documents. Mayor Eimers seconded the motion. At a roll call vote, Council Member Eimers, Council Member Bertram, Council Member Greer, Council Member Robertson voted aye. The motion carried.**

**AB 04-17 Ordinance No. 791 Repealing Chapter 4, Title IV of the McCall City Code relating to Pool and Billiards**

Mr. Strope said in 1981 the City Council adopted an ordinance requiring an annual license for pool tables, to include a \$10.00 fee. Staff cannot find any evidence of recent enforcement of the ordinance. There are several businesses in McCall that currently have pool tables in use that should be licensed and are not. At the December 11, 2003 McCall City Council Meeting, Council directed staff to take the necessary steps to rescind this Ordinance. Recommended action; to waive the rules and read Ordinance

791 by title only, one time only; adopt Ordinance 791; and authorize the Mayor to sign all necessary documents.

Council Member Robertson asked to make a correction on agenda bill 04-17 to reflect the changes as December 11, 2003. Mayor Eimers seconded the motion.

**Council Member Robertson moved to suspend the rules and read Ordinance 791 by title only one time only Ordinance 791. Mayor Eimers seconded the motion. At a roll call vote, Council Member Eimers, Council Member Bertram, Council Member Greer, Council Member Robertson voted aye. The motion carried.**

Ordinance 791 was read by title by Robert Strope.

**Council Member Robertson moved to adopt Ordinance 791 and authorize the Mayor to sign all necessary documents. Mayor Eimers seconded the motion. At a roll call vote, Council Member Eimers, Council Member Bertram, Council Member Greer, Council Member Robertson voted aye. The motion carried.**

## REPORTS

### City Manager/City Clerk – Robert Strope

Mr. Strope is meeting with Dr. and Mrs. Card regarding the trees in Brown Park, Friday January 23<sup>rd</sup>.

Public Works will be working with the Chamber of Commerce on snow removal for the Winter Carnival.

Mr. Strope stated that the City Attorney requested that he ask the City Council to direct the City Attorney to prepare the necessary documents for a judicial confirmation of an ordinary and necessary declaration to fund the construction of a water storage tank.

**Mayor Eimers moved to direct the City Attorney to prepare the necessary documents for a judicial confirmation of an ordinary and necessary declaration to fund the construction of a water storage tank. Council Member Robertson seconded the motion. All Councilmembers voted aye, the motion carried.**

Mr. Strope asked the Council to make a formal motion regarding Councilmember Robertson's comments at a previous meeting regarding starting all meeting with the Pledge of Allegiance

**Council Member Robertson made a motion to approve a flag and say the Pledge of Allegiance at the start of all Council Meetings. Council Member Greer seconded the motion. All Council Members voted aye. The motion carried.**

Mr. Strobe said he is retaining the Clerk title. Tina Clark and Shirley Overton will divide up the duties as deputies. Council Member Robertson asked about the staffing strength for the elections. Mr. Strobe said Tina Clark will be adding that to her list of duties.

## **ADJOURNMENT**

**Without further business, Council Member Greer moved to adjourn. Mayor Eimers seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 9:10 p.m.**

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Kirk L. Eimers, Mayor

**ATTEST:**

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Shirley K. Overton, Deputy City Clerk