

MINUTES

McCall City Council Regular Meeting Thursday, December 11, 2003

Table of Contents

Call to Order and Roll Call

Public Comment

Consent Agenda

- Minutes of November 13, 2003
- Payment Approval List for Warrant Registers printed on December 5, 2003 and December 8, 2003
- Payroll Report for Pay Period Ending November 21, 2003 (Payroll Report for Pay Period Ending December 5, 2003 was added at the meeting.)
- AB 03-179 Alcohol Beverage Catering Permits
- AB 03-181 Holladay Engineering Pay App. No. 8 Four Corners Project
- AB 03-182 Fund Transfer for Library gifts

Business

- AB 03-176 Syringa Drive Reconstruction Project
- AB 03-177 Charter Communications Presentation
- AB 03-186 Snowmobile Law Enforcement Issues
- AB 03-180 Mutual Aid Agreement – Valley County
- AB 03-173 Mutual Aid Agreement – City of Cascade
- AB 03-172 Police Chaplain Program
- AB 03-184 Potential Annexation Areas
- AB 03-183 Golf RFQ Responses
- AB 03-175 City Ordinance on Pool and Billiards
- AB 03-174 Council Confirmation of City Manager's appointment of Department Head
- AB 03-178 Alcohol Beverage License Renewals

Reports

- Department Head Reports as of December 8, 2003
- Police Department Summary of November 1-30, 2003
- Airport Advisory Committee Minutes of October 1 and 28, 2003
- McCall Public Library Board of Trustees Minutes of September 18, 2003
- Police Advisory Committee Minutes of October 14, 2003

- Transportation Advisory Committee Minutes of November 5, 2003

Adjournment

CALL TO ORDER AND ROLL CALL

Mayor Colton called the regular meeting of the McCall City Council to order at 7:05 p.m. Mayor Colton, Council Member Arp, Council Member Bertram, Council Member Eimers, and Council Member Muller answered roll call. A quorum was present. City staff members present were City Attorney Susan Buxton, City Manager/City Clerk Robert Strope, Community Development Director Lindley Kirkpatrick, Police Chief Ralph Appa, Director of Golf Operations Dan Pillard, and Acting Treasurer Amanda Townsend.

During the meeting, two breaks were taken. One from 8:25pm to 8:35pm and one from 10:20pm to 10:25pm.

PUBLIC COMMENT

Mayor Colton announced that there would be an executive session at the end of the meeting, that consent item AB 03-178 Alcohol Beverage License Renewals would be moved to the end of the Business Agenda, and that Business item AB 03-177 Charter Communications Presentation would be inserted into the Business Agenda upon their arrival.

Mayor Colton called for public comment.

Bill Robertson of McCall commented that McCall should be more festive during the holiday season with more lights and decorations.

With no further comment, Mayor Colton closed the Public Comment section of the Agenda.

CONSENT AGENDA

Council Member Bertram requested that the wording of her comments on page four of the November 13, 2003 minutes be changed to better reflect her comments. City Manager Strope stated he would make the adjustment.

Council Member Arp asked for confirmation that the two checks written to McCall Optimist Club on page eight of the Warrant Register by Department were not duplicates.

City Manager Strobe confirmed that they were separate items.

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

BUSINESS

AB 03-176 Syringa Drive Reconstruction Project

City Engineer Vern Brewer summarized information concerning the Syringa Project, referring to the October Public meeting, the fact that construction was done according to City Codes, and that after looking at costs his recommendation is to retain the work done as is.

Shirley Potter of Syringa Drive, McCall, presented several points in reference to Vern Brewer's letter to the City dated November 6, 2003. Points included the belief that the residents should have been included in the planning stages to address their concerns before the construction plans were finalized; that swales would be a better option as they allow people to get out of harm's way; that ditches in some areas are too deep and that side walls in some areas are too steep; that the borrow sidewalls should be reseeded; and that drainage was not a problem in the past, so residents had the expectation that the road would stay the same as it was.

Vern Brewer presented the Council with pictures taken in the spring of 2001 showing the road coming apart, and with standing water. He pointed out that the former sewer lines were not up to code, and that the street did not accurately follow the right of way, and that these concerns were part of the considerations in planning.

Council Member Bertram noted that the City has changed the look of the neighborhood, that borrow ditches are not conducive to the neighborhood, and asked if there were other alternatives.

Mr. Brewer said that in the future he would recommend that residents be notified and included in the planning stage. He also said that changes would be costly and would change the longevity of the road, but that the Council has the prerogative to revisit the design.

Mr. Strobe asked Mr. Brewer about the cost of doing studies about drainage and life expectancy of roads, and stated possible sources of funding.

Council Member Bertram suggested doing a study and taking the funds out of the Council Contingency Fund.

Council Member Bertram moved to direct the City Engineer to conduct the study, not to exceed eight thousand dollars, to be funded from the Council Contingency Fund as discussed. Council Member Eimers seconded the motion. Council Members Arp, Bertram, Eimers, and Muller voted aye. Mayor Colton abstained. The motion carried.

AB 03-177 Charter Communications Presentation

City Manager Robert Strobe introduced Carla Roberts and Randy Rice from Charter Communications to address the issue of poor cable reception in McCall.

Concerns expressed from Council included Charter Communications seeming lack of help with problems, and access to cable only within city limits.

Ms. Roberts presented the City Manager with letters from the stations in Boise and said that KIVI is working to provide a better signal.

Mr. Rice explained that the quality of signals delivered to him determine the quality delivered to consumers. They are working with channels from Boise to try to improve incoming signals. He suggested that receiving signals from more distant providers or by different means would be cost prohibitive and would not provide local channels to McCall. Charter is looking for other solutions within their ability to pay.

As this was simply a presentation, there was no recommended action.

AB 03-186 Snowmobile Law Enforcement Issues

Police Chief Appa referred to the memo and supporting documents attached to AB 03-186 Snowmobile Law Enforcement Issues. He pointed out that there was not any issue until complaints started coming in about trespassing and vandalism.

Jim Hinson of McCall said that the new enforcement of the ordinance has prevented residents access to trails unless they trailer their snowmobiles, and it is unclear where they are allowed to go.

Mr. Mayfield of McCall pointed out that circumstances have changed in the seven years since the ordinance went into effect. Previous access roads are unusable with increased traffic and plowing, that the wording of the ordinance is unclear, and that enforcing the five access points listed are not in tune with the original intent of the ordinance.

City Attorney Buxton stated that the City could not implement a moratorium on the ordinance and stated that the enforcement action to prohibit travel on Bear Basin Road was not a new closure and that the police department's interpretation of the ordinance was reasonable.

Extensive discussion of the subject followed, to include a statement by Randy Swick of the Forest Service that the Forest Service would be closing Bear Basin Road to snowmobile traffic.

City Manager Strope recommended that he work with the Snowmobile Club in conjunction with the Forest Service to develop a specific recommendation regarding the ordinance and then present the Council with their recommendations.

AB 03-180 Mutual Aid Agreement – Valley County
AB 03-173 Mutual Aid Agreement – City of Cascade

Police Chief Ralph Appa stated that these agreements are just formalizing and defining a practice that is already in place.

Council Member Eimers moved to approve the Mutual Aid agreements and authorize the Mayor and the Chief of Police to sign all necessary documents. Council Member Muller seconded the motion. All Council Members voted aye. The motion carried.

AB 03-172 Police Chaplain Program

Dave Fields stated that he is offering his services to the McCall Police Department as Police Chaplain to provide spiritual services to the department and to the community, and that he will be attending ISP Chaplain training.

Council Member Arp expressed concern about overstepping the separation of church and state, and about a chaplain imposing his beliefs on the community without being asked.

Attorney Susan Buxton requested a copy of the ISP training information so she could determine whether a Police Chaplain position in McCall would in fact honor the separation of church and state

Council Member Eimers moved to endorse the Chaplain Program as presented contingent to Attorney Buxton's approval. Council Members Bertram and Muller seconded the motion. Council Members Bertram, Eimers and Muller voted aye. Mayor Colton and Council Member Arp voted nay. The motion carried.

AB 03-184 Potential Annexation Areas

Community Development Director Lindley Kirkpatrick said that the staff has completed a preliminary review of annexation potential. It appears that some annexation may be appropriate – providing a benefit to the newly annexed areas and a benefit to the City. Because of the complexities of the issues and the recent election of new City Council Members, a special Council work session in January would be the most effective way to gather information, give a framework for annexation, and present recommendations. He suggests meeting at 6:00 pm prior to the McCall City Council Meeting on either January 8 or January 22, 2004. It was agreed to schedule the work session on January 22, 2004 at 6:00 pm.

AB 03-183 Golf RFQ Responses

City Manager Robert Strobe stated that the golf issue was a complex issue, and that time would be needed to present the RFQ's and to discuss the golf situation. The debt can be re-funded in October of 2004, and the city has two options. One is to keep the same term and with higher interest rates the debt service would increase. The second option is to extend the term to ten years from seven years which would reduce the debt service payment. He recommends that a workshop be set up for January 2004.

AB 03-175 City Ordinance on Pool and Billiards

City Manager Robert Strobe stated that 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. There are two options: begin enforcing the ordinance and collecting the fees or rescind the ordinance. It would not create a significant additional workload to begin issuing the licenses and collecting the fees, as it can be done in conjunction with the annual business license renewals, however the staff does not feel there is any significant public benefit to requiring a license for pool tables.

Council Member Arp moved to direct staff to take steps to repeal the ordinance on pool and billiard tables. Council Member Eimers seconded the motion. All Council Members voted aye. The motion carried.

AB 03-174 Council Confirmation of City Manager's appointment of Department Head

City Manager Robert Strobe stated that Amanda Townsend has accepted a conditional offer of promotion to Treasurer, contingent on Council confirmation

Council Member Eimers moved to confirm the City Manager's appointment of Amanda Townsend as Treasurer. Mayor Colton seconded the motion. All Council Members voted aye. The motion carried.

AB 03-178 Alcohol Beverage License Renewals

Council Member Muller moved to approve the issuance of all Alcohol Beverage Licenses listed contingent of all approvals being obtained from the State, County, and Police Department. Council Member Eimers seconded the motion. Council Members Arp, Colton, Eimers, and Muller voted aye. Council Member Bertram abstained. The motion carried.

REPORTS

City Manager/City Clerk – Robert Strobe

City Manager Robert Strobe referenced a letter about the City drinking water.

Mr. Strobe announced that there would be a work session on Zoning Code Changes on Thursday January 15, 2004 with the City Council, McCall Planning and Zoning, the County Commissioners, and the County P & Z.

Mr. Strobe also suggested that the Council have work sessions every Thursday in January since there are so many topics to be addressed prior to the J-Ditch trial in February.

Council Member – Bonnie Bertram

Council Member Bertram stated that she would not be present at the January 8, 2004 City Council meeting to be sworn in for her four year term. It was decided that she could take part in the meeting by phone.

EXECUTIVE SESSION

At 11:00p.m., Council Member Eimers moved to go into executive session per Idaho Code 67-2345(1f) to consider threatened and pending litigation. Mayor Colton seconded the motion. The staff recommended Mr. Greer and Mr. Robertson join the Council in the executive session given their status as Council Members-Elect. The Council concurred. In a roll call vote, Council Member

Bertram, Council Member Arp, Mayor Colton, Council Member Muller, and Council Member Eimers voted aye. The motion carried.

The discussion concerned pending litigation.

ADJOURNMENT

Without further business, Council Member Eimers moved to adjourn, Council Member Muller seconded the motion. All Council Members voted aye. The motion carried. The Council adjourned at 11:20 p.m.

Ralph Colton, Mayor

ATTEST:

Robert Strobe, City Clerk