

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, AUGUST 22, 2005
IN THE HAILEY TOWN CENTER MEETING ROOM**

The regular meeting of the Hailey City Council was called to order at 5:35 p.m. by Mayor Susan McBryant. Present were Council members Rick Davis, Martha Burke, Don Keirn, and Carol Brown. Staff present included City Attorney Ned Williamson and City Clerk Heather Dawson.

Mayor McBryant announced that City Hall business hours changed from 8:00 a.m. opening to 9:00 a.m. opening, beginning September 1, 2005.

Keirn moved, Burke seconded consent agenda approved as submitted.

CA 274 Motion to approve Second Amended Phasing Agreement for Winterhaven Condominiums

CA 275 Motion to approve Findings of Fact and Conclusions of Law for final plat approval of Frosty Acre Subdivision
CA 276 Motion to approve Resolution 2005-13 setting terms for Historical Preservation Committee members

CA 277 Motion to authorization mayor to sign Historical Preservation certification application

CA 278 Motion to adopt Resolution 2005-14 and authorize the mayor to ratify, accept and execute the Friedman Memorial Airport AIP 30 Grant

CA 279 Motion to authorize mayor to sign Amendment for Water Permit 37-07854

CA 280 Motion to authorize mayor to sign Special Events Permit for Dalai Lama

CA 281 Motion to approve Alcohol Beverage License annual renewals

CA 282 Motion to approve claims for expenses incurred during the month of July 2005

ORDINANCE 918 – Keirn moved, Davis seconded to authorize the ordinance, read the third and final reading by title only.

ORDINANCE 919 – Davis moved to authorize Ordinance 919, read the third reading by title only. Keirn seconded; the motion carried unanimously.

Mayor noted that the city council had held a successful town hall meeting, did express that we are looking for alternative sources of revenue. The ad hoc committee recommended that we pursue a local option tax. The council also wanted to pursue , development impact fees, and so we are pursuing alternate revenue sources.

ENCROACHMENT ORDINANCE – MAILBOX PLACEMENT

Hellen said there is a certain ascetic value to trees in the right of way, so we limited what type of trees could be there, and excluded cottonwoods, willows, poplars, maples. Hellen said a tree planting guide had been prepared several years ago, and these trees were

identified as troublesome in right of ways, either because they break easily or because their roots are obtrusive. The canopy of the allowed trees won't be below 7 feet. He said he gathered comments from Kathleen Eder, Hailey postmaster, regarding the mailbox placement and materials. The mailboxes and other obstructions would be set a minimum of 8 feet off the right of way. The post office will give information that an encroachment permit is required when a household wants to erect a mailbox.

Brown asked if an arborist had been consulted in developing the list. Hellen said one had not been; he had simply used the Tree Planting Guide. Brown suggested referencing that document, as it had been developed by a committee including arborists. She asked why a tree isn't allowed 8 foot off the right of way, but a mailbox is. Hellen said trees develop larger diameters, and become problems as they grow. Hyde added that mailbox standards are based on break-away standards. She asked if there is any procedure for a variance. Williamson said there is not; this is designed to be black and white. He said this is about only new landscaping and encroachments.

Mayor McBryant opened the public hearing. Chris Simms was very concerned with the street trees issue. He suggested a more comprehensive review and greater public involvement. There were no further comments.

Davis said all ordinances have different interpretations depending on who is reading it. He asked if 8 feet means it has to be flush, rewording would be appropriate so everyone could interpret it the same way. Keirn asked how we plan to get this ordinance out to people. Hellen two staff members would be assigned to notifying people where they are not in conformance with standards. Keirn added that the post office distribution would be important. Simms noted that Our Town could address the matter.

Brown hoped the post office would be as equally gracious in distributing information. She was not comfortable with how much of this ordinance is written, except the mailbox and newsbox standards. Hyde said it is a problem when we do anything, maintenance, drainage, utilities. Brown said that's all the more reason to have many minds work on this. Hellen said had some language regarding grandfathered trees. Brown said Linda Reis had conducted a tree inventory. Hyde said that inventory was updated last fall. Brown was concerned that this isn't thought all the way through, especially the trees that are within 18 feet of the right of way. She wanted to make sure people hear about this, rather than pushing it through. Burke said the right time to plan trees is spring and fall. Burke said she wanted to be an urban forest; she wants the community to focus on its trees and landscaping. She wanted residents to take responsibility for the care and damage restoration of these trees. Burke said if we are going to change the ordinance, let's lay out these responsibilities. Brown said the tree ordinance does that. McBryant said the issue of trees is an emotional issue. Because we are trying to deal with mailboxes, a structural problem, and are also dealing with trees, highly visible and personal. As legislators we are moving toward doing what's easiest for city staff rather than developing what the community would like to have. Residents should be able to replace or care for a tree with an application to city staff. It shouldn't matter who the owner of the day is. Everyone treasures old Hailey, but is that the only area that should

be able to look like that? Based on that she too is willing to separate this out for more discussion.

Brown moved to read the first reading by title only of Ordinance 920, excluding B2a and Section 1, Definitions. Keirn seconded; the motion carried unanimously.

DEVELOPMENT IMPACT FEES AND LOCAL OPTION TAX

Mayor thanked the clerk for laying out the parameters and asked for an introduction. The council favored continuing to pursue a local option tax. McBryant noted that a willingness to dedicating time to five more information exchange sessions is needed. Davis asked if the committee would be willing to participate. The council did not want to try for November 8, and said February 7 would be a better date.

McBryant said would need to address an impact fee ordinance in subdivision ordinance. Williamson said after the study is approved, it gets written into its own ordinance. There may be some references between the subdivision and impact fee ordinance. The cost to the developer would increase to some degree. If community housing is also addressed, the developer will have to factor that reduced rate. Increasing the gap between the fixed priced housing and the entry level housing. More of our community will be displaced. That is her only concern. Davis said impact fees could be waived on community housing. McBryant said the difference will be collected on the market rate house. She was afraid we are displacing the really middle class working people. Keirn said we are losing money on residential housing. McBryant was not sure should waive off impact fees to affordable housing.

Chris Simms said Smart Growth supports following additional revenue sources, glad to see that we are looking at development impact fees. He expressed real concern with moving forward with Tischler Associates. His previous study was a canned approach, gave no good information. Suggested using a local group, Green, Marty Flannes, far cheaper than Tischler did the last time around. Keirn asked if he's familiar with the Idaho law. Simms said. McBryant said perform on a tighter timeline. Ask for a fairly tight timeline for a response. Developing Green.

Mayor asked the council if they would like to work on appointing a development impact fee committee. Asked the council to provide names. Clerk said the committee needs to tie the capital improvement plan to the Hailey Comprehensive Plan.

EPA STAG GRANT – Water Meter Project Final Documents

Hellen said the STAG Grant is paying for our meter system. Convinced the EPA to allow us to consider the project complete, since we have installed as many meters as we had funding for, even though there are more meters to install.

Davis moved to authorize the mayor to sign STAG Grant final documents.

Insurance issue – clerk explained. Williamson said needed to see if have authorities. Council authorized further exploration.

FEES

The council concurred with late fees. Keirn said we incur . Brown asked about direct deposit, if that would. The council wanted a resolution, to take effect at the beginning of the fiscal year. Give time to the employees to know. Davis wanted the statements changed to reflect late fees.

NB Toe of the Hill Grant Agreement

Hellen said volunteers, trail signs, maps of the trails, and our matching \$29,000 is in kind contribution. Davis authorized the mayor to sign.

WORKSHOP

Mayor thanked the council for town hall meeting.

ATTORNEY REPORTS

Williamson said Quigley owners want some direction from the city as to how it should design its annexation project. They want to know what Hailey wants. The concept of meeting with small groups of representatives is a legal concept. Keirn said comments construed from decision makers. Brown said don't know where to aim, but everyone is in the same boat, and staff is the correct people to be talking to. Keirn said our system is like a filter, and it's a good system. We could have some joint workshops with the commission. Davis said a joint workshop would be a preferred method. McBryant said we would be meeting with someone who does or doesn't have an active application. Would we then be soliciting their annexation. If they have filed an application, I would be comfortable with the discussion. Williamson said there is an application which shows a golf-course. . McBryant wasn't sure how much staff time would be needed. We do have a blueprint, we've just adopted a new comprehensive plan. What's the driver that makes a difference. Keirn said size and impacts.

AIRPORT REPORTS

Burke said the response from the town meeting has been overwhelming. McBryant said Burke had done a great job. The boards are displayed in the library.

Davis said have a brief historical commission meeting here on Wednesday, then will utilize Tracy to help write a grant.

Keirn said had a SIDO meeting with SIDO group, another meeting on Thursday morning. Will have two board members, short-listed RFP's, one in Missoula, one in Vail, one in South Dakota. Stivers said homeland security grants are paying for the bulk of it.

Brown out Aug 27- Sept 4. At the town hall meeting, Jim Finch was in the audience, the expert on all things transient. He thought she had made it sound that Hailey's share would be 2.5 million, but that is in fact the total cost. The next transit meeting is 8:00 a.m Sept 7, Parks and Land Sept 6 Tuesday evening.

Burke said townsite overlay committee to meet September 8, make recommendations to the council on Sept 26.

Hellen reported on meter project, only minor problems.

Keirn moved to go into executive session to discuss land acquisition. Brown seconded; a roll call vote showed all in favor. The council went into executive session at 7:40 p.m.