

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, APRIL 24, 2006
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, Don Keirn, and Carol Brown. Martha Burke was absent. Staff present included City Attorney Ned Williamson and City Clerk Heather Dawson.

OPEN SESSION FOR PUBLIC CONCERNS – No general comments were made.

CONSENT AGENDA

Davis removed both sets of minutes, CA126 and CA127 from the consent agenda. Brown moved to approve the remaining consent agenda items. Keirn seconded; the motion carried unanimously.

- CA 122 Motion to approve Management Partners to complete fiscal impact analysis for annexation application by Tony Ehrenberg
- CA 123 Motion to approve Special Events Permits, including Trailing of the Sheep Festival at McKercher Park
- CA 124 Motion to approve Amendment to Planned Unit Development Agreement, Woodside Elementary School
- CA 125 Motion to approve Findings of Fact, Conclusions of Law and Decision for Richard Taylor and Robin Christensen's final plat approval of Hooks Townhouse Subdivision.
- ~~CA 126 Motion to approve minutes of the March 13, 2006 City Council meeting and to suspend reading of them~~
- ~~CA 127 Motion to approve minutes of the April 10, 2006 City Council meeting and to suspend reading of them~~
- CA 128 Motion to approve claims for expenses incurred during March, 2006
- CA 129 Motion to approve treasurer's cash report for the month of March, 2006
- CA 130 Motion to adopt updated 2006 Subdivision Standard Specifications and Drawings

CA 126 Minutes of March 13, 2006

Davis wanted to recuse himself from voting on approval of the minutes, since he had recused himself from the discussion of Cutters Annexation during that meeting. Keirn moved, and Brown seconded that the minutes be approved as presented. The motion carried with Davis abstaining.

CA 127 Minutes of April 10, 2006

Davis corrected a typographical error in the section of minutes on Fair Housing month. Brown moved, and Keirn seconded that the minutes be approved as amended. The motion carried with Davis abstaining.

PRESENTATION – FLOOD PREPARATION PLAN

Fire Chief Mike Chapman said the mountain snow pack is 158% of snow water equivalent. He said we don't have information to compare to 1983 statistics, but in 1997, snow on April 24 was at 157% of snow water equivalent. National Weather Service daily updates don't occur until the Big Wood River level reaches 4.5 feet. Current estimates are that full bank will be reached approximately this Saturday. The city's emergency operation plan specifies that 4.5 feet is the point that triggers action into executing the plan and to prepare city operations. Chapman himself estimated we will reach 4.5 feet on Thursday or Friday. In 1997 no houses were damaged; there was water in the garage, but not the houses.

If the event is short-lived, there are a numerous supply of volunteer helpers. Typically, flood peaks don't last longer than 3 days. He and city staff have been working on a revised Emergency Operations Plan that dovetails with the county's new plan. An informed decision is made by each homeowner as to how to protect their own property. If housing must be evacuated, we do full case analyses with plenty of notice time unless there is a log jam or avalanche that blocks the river.

Diane Shay said she spoke with FEMA this afternoon to determine if there are any specific concerns or regulations. FEMA does not want us to bring big dump trucks of fill dirt in violation of our own ordinances. Flood insurance needs to be in place 30 days prior to any flood event, and it can take up to 3 weeks to get an on-site survey done by the insurer. Brown said some Gooding folks found some insurance that came into effect in ten days. She asked if flood insurance it covers sheet flooding only and not ground seepage. Brown noted that the entire city street crew was at a sandbagging training. She appreciated that as a citizen.

PRESENTATION - HAILEY ARTS COMMISSION

Brown said she had met with an ad hoc committee interested in arts, and the committee had concluded that an arts commission would be a benefit to Hailey. She introduced the ad hoc committee, including Dana Dugan, Denise Simone, Mark Johnston, Becki Keefer, Jim Spinelli, Sam Gutmeyer, Stefanie Marvel, and Rick Davis.

Mark Johnston said the committee recommends that the city establish an arts commission, the first of such in the Wood River Valley and a conduit for the city to review all the arts, as a way to establish a better way of life for all citizens. Arts enhance the quality of life for everyone.

Denise Simone said as an arts commissioner for the state, she is so proud that our city is considering that type of relationship.

Dana Dugan said arts brings an economic boon to the communities as a way to bring tourists in.

Jim Spinelli said the Hailey Chamber of Commerce is interested in helping to define what we're going to look like in the future.

Stefanie Marvel said she is impressed with Hailey taking a leadership position in the valley with respect to the arts, an integral part of our lives, and Hailey can be a center in that regard.

Becki Keefer said we are poised in perfect timing for this as a method to define our community, promoting band shell concerts and monthly art showings.

McBryant thanked those who had helped carry the idea of an arts commission to this point. This matter will be taken up under new business.

MAYOR'S REMARKS

McBryant noted that she will be out of town until mid-may, and there is a potential for some sheet flooding during that time. Davis will be the command official during her absence.

INDUSTRIAL REVENUE CORPORATION

Williamson said an Industrial Revenue Corporation will create a new funding technique for the issuance of tax exempt bonds for businesses in Hailey. Representatives of Wells Fargo Bank are backing a local business, Rocky Mountain Hardware, and the city has been asked to waive the three readings of this ordinance. Mayor McBryant said this is not just for Rocky Mountain Hardware; the commission will remain in place to consider other businesses for this economic opportunity. She said both she and Keirn are interested in sitting on the board. Williamson said if a board member has an ownership interest in a business seeking one of these loans, that would constitute a conflict of interest. There are a couple of entities that allow elected officials to be on the board. These elected officials who are also board members review the same matter twice. That is not a conflict; it may be good for the municipality. It would be wise not to have a majority of elected officials on the board. We had discussed at the last meeting to go with a five member board because it may be difficult to pull together a quorum for infrequent meetings with only three members.

McBryant said Gary Coates, Jim Spinelli, and Jim Latta, are all willing to serve, and would comprise a good mix and bring a wide range of experience to this commission. Keirn said the corporation could expand into an industrial park with industrial land that it acquires.

The public hearing on the adoption of Ordinance 942 to create an industrial development corporation brought no public comment. McBryant felt this was a wonderful opportunity. Brown said this was brought up at the last meeting, and there is urgency in being responsive.

Davis moved to adopt Ordinance 942, waive the three readings and read by title only. Brown seconded; the motion carried unanimously.

Brown moved to adopt Resolution 2006-04 to appoint a board of directors and establish terms, with McBryant to serve in a 1 year term, Keirn and Latta in 2 year terms, and Spinelli and Coates in three year terms. Keirn seconded the motion. Davis said Latta does not live within the city limits. Brown moved to table her motion.

Keirn moved to reconsider the motion adopting Ordinance 942. Davis seconded, and the council voted to reconsider. **Brown then moved to change the language under Ordinance 942, Section 2.24, to allow the commission to be comprised of four residents and one member at large appointed by the city council, and adopt Ordinance 942 with that amended language.** Davis seconded; the motion carried unanimously.

Brown moved to untable her motion regarding the Resolution. Keirn seconded; the motion carried unanimously. The vote was then taken on the Resolution, which was adopted unanimously.

Keirn moved to adopt the charter and by laws establishing an industrial revenue corporation. Davis seconded; the motion carried unanimously.

Davis moved to authorize signature of the City of Hailey's consent to allow the Sawtooth Rangers to sublease the rodeo grounds for the purpose of temporary parking for Rocky Mountain Hardware employees during the construction project . Keirn seconded. McBryant suggested that the sublease mirror the requirements of the school district CUP. **Brown moved to amend to motion to include such requirements,** and Davis seconded; the motion carried unanimously, and then the main motion carried unanimously.

WATER ORDINANCE AMENDING ODD-EVEN WATERING REGULATIONS

Hellen said Hailey's water conservation code is being amended to remove the odd-even irrigation restrictions, so people can figure out how much water is being used under the new scenario. Residents have expressed that they would water less if they did not have to hold to odd-even regulations. Hyde said he anticipates some abuse of the system, but it does give citizens opportunity to work through changing their irrigation habits. The ordinance prohibiting willful waste of water and restrictions on irrigating in the time periods from 10 a.m. to 5:00 p.m. would remain in force.

Larry Huck of 215 Fourth Avenue South asked what the metered rate will be. McBryant said the average will be set to be about what people are paying now. Hellen said the irrigation rates are currently based on lot size. As he has worked toward setting rates, he has tried to establish rates that would create similar billings at moderate irrigation depths. McBryant asked how that information will get to the residents. Hellen said the budget process should be a tool for getting that information out. He said he has an idea of how

much water residents ought to be using. Hyde said he has opened up his phone to the public to address this on a one-to-one basis. McBryant said an average 12,000 square foot lot may use 60,000 gallons per month, and suggested showing a guideline for the proposed rate. Hellen said he has not presented the rate structure to the council. He can tell how many gallons per month residents ought to be using. There's a difference between what people are currently using and what they ought to be using – 1 to 1.5 inches.

Mayor McBryant opened the public hearing. Al Lindley of 505 East Croy said this gives more flexibility for every third day watering, without worrying about city officials peering over the fence.

Brown felt strongly about enforcing day time restrictions, asking for active enforcement of that extremely wasteful activity. **Davis moved to read Ordinance 943 by title only, and waive the three readings.** Keirn seconded; the motion carried unanimously.

RESOLUTION TO ESTABLISH HAILEY ARTS COMMISSION

Brown said the proposed Resolution establishing a Hailey Arts Commission resulted from the ad hoc committee's meetings. The by-laws were essentially borrowed from parks and lands board and historical preservation commission by laws. A five person commission representing the different art styles seemed to be best. Mayor McBryant asked if we need to identify, appoint, and define terms for these five people. She encouraged adopting the resolution, and hold off on the appointment of commissioners to the next meeting at which she would be present. Williamson said he had added conflict of interest language into the by-laws, and wanted to reference the Idaho code section on open meeting laws. **Davis moved to adopt Resolution 2006-05, with changes implemented by legal council.** Keirn seconded; the motion carried unanimously.

Al Lindley said with the Sun Valley Center having purchased the Ezra Pound building, it would be good to have someone on the board of directors that represents that group. Brown said Sam Gutmeyer sat on the committee, and Sun Valley Center was identified as one of the key partners.

McBryant said some worker bees are heavily called upon in our community to sit on various committee, and may have undo influence in shaping our community. She asked for suggestions for new names to appoint to this commission.

AIRPORT AUTHORITY APPOINTMENT

McBryant announced that she wants to reappoint Burke to her airport authority position, which will expire in June. Burke has developed some wide ranging and valuable contacts with the FAA. **Brown moved to reappoint Burke for another 2-year term.** Keirn seconded; the motion carried unanimously.

COUNCIL REPORTS

Davis said the historic preservation commission will be meeting here tomorrow evening at 6:30 p.m. A rough draft of the demolition ordinance should be finalized for the planning staff to take to their commission.

Keirn said he went to the last meeting of the Blaine Ketchum housing authority. McBryant asked Williamson to determine if the current board is an interim board or not.

Keirn said E-911 revenue shortfalls were discussed and tabled at the last meeting. Brown said if the jail bond fails, there may be some opportunity to talk about some partnering and consolidation of services.

Brown said she will be out of town April 27 to May 10. A very successful trail building day occurred last Saturday on Toe of the Hill Trail, with the Big Wood Back trails group turning out to help. The trail has been a cool volunteer project that will be such an asset to the east side of the city.

Brown said the Library Board is recruiting for a new member, since Carol Shenanahan resigned. She said she will miss their next meeting.

Brown had also attended a Peak/Kart meeting, at which detailed plans on how to merge the new bus systems, complete with a timeline and methods were discussed. An executive session was held to talk about personnel. Peak bus ridership continues to climb, and KART is dropping a percent or two each month. Peak serves the south valley. She continues to be asked why Hailey is not joining the board. She knows money is the key issue, but felt we needed to be a more formal part of the board. Davis agreed, saying they need us there as a participant. They can't do anything in the city without our permission. She suggested a new business item be scheduled to discuss this matter.

Brown said the Area of City Impact is being effected by Blaine County's 2025 ordinance, currently under revisions, and Transfer of Development Rights are being considered. We need to get quick and fast feedback to the county as to how we would like that structured.

Dawson thanked those council members who had brought Dan Burton to Hailey, saying the workshops had been energetic and spawned some good ideas. Hailey has ample room to create round-about intersections and create other improvements suggested by that expert. TischlerBise had also recommended that intersections be a key target for development impact fees in Hailey's capital improvement plans. Dawson added that utilizing some of Burton's boulevard designs in old Hailey, with a center median, single traffic lanes, landscaping and sidewalks may defer some of the irrigation costs of Hailey's 100 foot street right of ways from homeowners to the City, with enhanced safety as well. Hellen added that on May 2 the Transportation Study group would hold another meeting.

Mayor said Lisa Horowitz put together a workshop on the old Hailey town site, which was extremely well done. Regarding Blaine County 2025, the effect is to transfer as many people from outlying county to be put at the borders of the city, with greater density there. She will be drafting a letter before she leaves that stresses the solution is not to place the people at the borders of the city. Instead, the county should determine zoning and then stick to that, which would allow the cities to grow within. Keirn noted that the county proposal creates legislative sprawl. The city should look like a city, and the county should look otherwise. Brown said she had some thoughts about that, especially as it relates to annexation.

Hellen said he received 50 responses from employees, 25 of whom are interested in community housing. Half are interested in the city owned lots, and half were not. A question has arisen if there is a demand for the affordable housing that's being developed.

Davis then noted that the theme for this summer's 4th of July parade is "A River Runs Through Us." There being no further business, the mayor adjourned the meeting at 7:20 p.m.

Susan McBryant, Mayor

Heather Dawson, City Clerk