

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, MAY 8, 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 Council President Rick Davis. Present were Council members Don Keirn, Martha Burke and Carol Brown. Mayor Susan McBryant. was absent. Staff present included City Attorney Ned Williamson and City Clerk Heather Dawson.

OPEN SESSION FOR PUBLIC CONCERNS

Michael Wiederrick requested a change in rubbish billing so that the city would bill multiple tenants instead of the property owner. Council took the issue under advisement.

CONSENT AGENDA

Three items were pulled from the consent agenda. Keirn moved to approve the remainder of the consent agenda item; Brown seconded; the motion carried unanimously.

- CA 136 Motion to waive a \$75.00 Park Use Fee for WRLT Kid's Fishing Day
- ~~CA 137 Motion to approve Law Enforcement Records Management System~~
- ~~CA 138 Motion to approve Amendment to Frosty Acre Subdivision PUD Agreement~~
- CA 139 Motion to approve Grant Agreement for Idaho Department of Lands Grant for Central Woodside Park Phase 2
- CA 140 Motion to approve Special Events permit for the Artist' Market with waiver of time limits
- CA 141 Motion to approve taxi license for Wood River Limo
- ~~CA 142 Motion to approve minutes of the April 24, 2006 City Council meeting and to suspend reading of them~~

Kathy Grotto, Planning Director, had pulled CA 138- Frosty Acres Findings of Fact in order to implement minor changes to the draft Findings of Fact. Brown moved to approve the Frosty Acres Findings of Fact with the date changes proposed by Grotto.

Williamson had pulled CA 137, saying the law enforcement records management system concept did not yet have the multi-jurisdictional agreement. Brown moved to approve movement toward a law enforcement records management system and agreement.

Davis had pulled the minutes of April 24, 2006 to correct a name spelling. Brown moved to approve the minutes as corrected. Keirn seconded; the motion carried with Burke abstaining.

OB 143 – 2nd reading Ordinance #941 – Height Increase in Business Zone

Davis read the second reading of proposed Ordinance 941 by title only.

OB 144 Ehrenberg Annexation Study Reconsideration

Dawson introduced Tony Ehrenberg’s request that the council reconsider its action taken at the previous meeting to allow Ehrenberg to contract with Management Partners for a fiscal analyses of his small residential annexation project. Ehrenberg had felt the cost unnecessary, and hoped that the city would be willing to use the same analyses it had used for Cutter’s annexation on this project.

Keirn felt the fiscal study requirement was overkill.

Brown said there are some units within the area to be annexed already hooked up to sewer and water. She was willing to use the study from Cutters in order to establish the annexation fees. Anything more complicated may require further study.

Davis was concerned about setting a precedent. Williamson said a precedent has already been set with the school district.

Keirn moved to reconsider the council motion made at the previous meeting. Brown seconded. The motion carried with Burke abstaining. Keirn moved to use the Cutters study as a base line from which to set the fees for the Ehrenberg annexation. Burke seconded; the motion carried unanimously.

OPENING REMARKS

Davis announced that Emmanuel Episcopal Church will be taking samples to find a bone marrow match for local dentist Steve Boughton, an active member of our community who is fighting leukemia. Information from the scening goes to a national registry to find a donor.

AIRPORT REPORTS

Burke updated the council on her recent visits with the FAA, calling that agnecy a business partner with deep pockets who has come to the conclusion that maintaining the current airport site is not a viable option. An Environmental Impact Study is about to be conducted on the proposed site near Lincoln County.

OLD TOWN MERCANTILE CONDOMINIUMS

Dean Winning and Dustin Shenk of Benchmark Associates were present to answer any questions that might come up about the Old Town Mercantile condominium plat. Grotto described the project as a three story commercial building with a development agreement including four items. Item A is not needed in that it is covered already in fire and building codes, and Item D is included as a plat note.

Davis opened the public hearing. Gary Stivers asked about the overall parking and what the city of Hailey has done to accommodate parking. Grotto said the parking requirements are met with 4 spaces on site, several on-street spaces adjacent to the

building which were improved by the applicant, and some parking between that building and the Nature Conservancy Building, and on Second Avenue next to the judicial building, both being within 1200 feet of the business. Williamson added that owners would have to provide additional parking if there are use changes. Over 30 parking spaces were required.

Davis closed the public hearing. **Keirn moved to approve the final plat for Old Town Mercantile Condominiums, subject to conditions A-D.** Burke seconded; the motion carried unanimously.

DEMOLITION ORDINANCE

The Historical Preservation Commission will hold a special meeting on May 16 to finalize their draft. The matter was continued to May 22, 2006.

FIRE CODE REVISIONS

Keirn asked if this ordinance has been borrowed from other towns without aerial equipment. Hjelm said this ordinance wasn't borrowed; it is homegrown. Williamson said there are some formatting and procedural elements to work out, but the ordinance is ready conceptually. Davis opened the public hearing. There was none.

Brown moved to continue the matter to the May 22, 2006 meeting. Keirn seconded; the motion carried unanimously.

INCLUSIONARY COMMUNITY HOUSING ORDINANCE REVISIONS

Grotto said the inclusionary community housing ordinance was adopted in December, 2005. We have since come up with some additional alternatives, and the commission felt that the ordinance conflicted with certain sections of the comprehensive plan. The first primary amendment is under 4.11.4 which lists the standards for community housing. The first standard sets forth the requirement for 20%, and the amendment provides an exception to that. In the core, residential or mixed use developments with 10 units (raised from 5 units) would have to develop 10% (rather than 20%) community housing units. The second alternative is for other zoning districts, which may reduce their requirement if providing small units of less than 1000 square feet gross floor area. A table is included to show the reduction. To include alternative deed restrictions, 50% must comply with income restriction, and the remaining half can be based on other restrictions such as location of resident's work place, the Telluride model. The last amendment involves some language clean up. Commission recommended these amendments for approval. Also recommended were linkage provisions, and allowing employee housing, even if its rental, to qualify as community housing units, and she would like to explore these two areas further.

Williamson said he had submitted a memorandum with his thoughts on linkage ordinance.

Davis opened the public hearing. Grotto presented an email from Michael David in support of the amendments. Davis said the amendments will encourage more housing in our downtown core by making that of less impact. Brown concurred, saying she wished the commercial building the council just reviewed had residences on the top floor. Light Industrial doesn't currently allow housing, but her employer has a light industrial unit in Ketchum which is used as temporary housing, not permanent housing. Grotto said SCI does allow residential as a conditional use, but the agreement doesn't allow any residential uses because of the proximity to the airport. Hjelm said LI doesn't allow for residential uses because a vast majority of the LI buildings are lightweight steel construction, which collapse easily in a fire situation. The ordinance represents an effort to minimize fire rescue problems. The timeline with lack of ventilation make those buildings difficult to enter, and fires can be fought from the exterior if there are no residents to evacuate.

Brown moved to approve ordinance 944, finding it in conformance with the comprehensive plan and the welfare of the general public, and that it does not require additional services, and that the council hold the first reading by title only. Keirn seconded; the motion carried unanimously.

MUNICIPAL CODE REVISION – TAXI LICENSE REQUIREMENTS

Dawson introduced an amendment to the taxi license ordinance which would exempt car rental shuttle services from taxi license requirements. Brown clarified that a charge for the shuttle service is collected. Keirn said the customer's exposure is less than taxis and less than hotels, which is a longer distance courtesy service. Davis opened the public hearing; there was none. **Keirn moved that the council approve Ordinance 945, and read the first reading by title only.** Brown seconded; the motion carried unanimously.

WORKSHOP

Hellen said he had received an email from Jim Finch, adding stops in Woodside for Peak bus. Brown wanted to see this on the May 22 agenda. She said there may be some in-kind labor to approve.

Dawson, on behalf of Mayor McBryant, presented a city administrator job description which had been drafted by the mayor. Brown said we should plan for that position appropriately in the budget process. She was happy to see that moving forward. Davis encouraged the mayor to bring this forward again at a later meeting.

Burke thanked the council for reappointing her to the Friedman Memorial Airport Authority.

There being no further business, the meeting was adjourned at 6:45 p.m.