

**MINUTES OF THE SPECIAL MEETING OF THE  
HAILEY CITY COUNCIL  
HELD MONDAY, JULY 31, 2006  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The special meeting of the Hailey City Council was called to order at 4:30 p.m. by Mayor Susan McBryant. Present were Council members Rick Davis, Don Keirn, Martha Burke and Carol Brown. Staff present included City Attorney Ned Williamson and City Clerk Heather Dawson.

**OPEN SESSION FOR PUBLIC CONCERNS**

There were no concerns of a general nature made by the public.

**CONSENT AGENDA**

CA 271 and CA 272 were pulled from the consent agenda. Davis moved that the remaining consent agenda be approved as presented. Burke seconded; the motion carried unanimously.

CA 269 Motion to authorize mayor to sign Hailey Arts Commission Grant application, after final review by email correspondence is completed prior to application deadline of August 7, 2006

CA 270 Motion to approve minutes of the June 12, 2006 City Council meeting and to suspend reading of them

~~CA 271 Motion to approve minutes of the July 10, 2006 City Council meeting and to suspend reading of them~~

~~CA 272 Motion to approve minutes of the July 24, 2006 City Council meeting and to suspend reading of them~~

**CA 271 Minutes of July 10, 2006.** Mayor McBryant noted that some language marked in bold that appeared to be part of a motion made by Burke, should not be in bold. Davis moved and Burke seconded that the minutes be approved as amended. The motion carried unanimously.

**CA 272 Minutes of July 24, 2006** Mayor McBryant corrected the minutes to note that she had said there “could” rather than “would” be further debate on an ordinance at the second reading. Davis corrected a spelling error. Keirn moved that the minutes be approved as amended. Davis seconded; the motion carried unanimously.

**OB 273 2<sup>nd</sup> READING ORDINANCE 955 – OFF-AIRPORT CAR RENTAL LICENSES**

Brown asked why the airport allows only three car rental companies to occupy space within the terminal. Airport Manager Rick Baird said there is not sufficient space for more than three. He said one of the goals of the ordinance is to reduce congestion in front of the terminal. Davis said he had learned that the 10% charge is assessed against all car rental companies using the airport, whether they have space in the terminal or not.

Mayor McBryant then read the second reading of Ordinance 955 by title only.

**OB 274      2<sup>ND</sup> READING ORDINANCE 956 – WATER & WASTEWATER  
– AMENDMENTS TO MUNICIPAL CODE TITLE 13**

Mayor McBryant read the second reading of Ordinance 956 by title only.

**MAYOR'S REMARKS**

Mayor McBryant noted that Hailey is again engaging in a traffic enforcement program designed to increase safety on Main Street. She thanked the city engineer for replacing the crossing flags after the old ones had faded.

**PH 275      474 Club, LLC Planned Unit Development, Preliminary Large Block  
Plat & Flood Plain Development Permit (Continued from July 24, 2006)**

**Sweetwater** – Williamson said after the previous city council meeting the applicant had met with staff, and today's draft has not yet been reviewed by Williamson. He suggested the applicant go through the changes within the draft. In the packet is in email from Jim Laski, Sweetwater's attorney, to Williamson outlining a request for relief either from community housing or the park in lieu payment, because the council wanted the signal to be constructed during the first phase.

Mayor McBryant was disappointed in not having had the document in advance of the meeting. Laski apologized that revisions were made up through today. The interim changes had to do with specific phasing items of paragraph 9 of the agreement. Mayor McBryant asked if the public doesn't need the opportunity to review the documents in advance as well. Laski said it made sense to have that meeting last week with staff, subsequent to the last council meeting. Grotto said the hearing was continued on the record to tonight, and she did not anticipate notice problems. Laski preferred to discuss the red-lined version just handed out tonight.

He said he had incorporated items from the June 26 document. Under the present ordinance 16% of the units are below 1000 square feet, and not using any density increases. He proposed to include ½ the community housing units as alternative deed restricted units, distributed throughout the phases and buildings of the project. The second requirement is fulfilled by deeding a parcel of land along River Street and making a cash payment for the remainder of the community housing obligation. Under the SGA development agreement 1.2 acres of parks could be built or in lieu payments of \$390,000 could be made. We are providing the funds, and providing 1.6 acres of private park space. He had drafted the agreement to allow deferred payments before execution of the final recordation. A traffic signal will be needed by the end of Phase 2, and we've agreed to pay the shortfall between what the city currently has from Balmoral and the total project cost. \$285,000 will be spent at the beginning of Phase 1, and he hoped to delay payments for either the community housing or park land improvements to phase 3, to accommodate budget shortfalls that occurs during Phase 1. The next section of the

agreement outlines the waivers being requested, listed in A-F. Amenities we're offering are listed as well. He asked for discussion of when the public transit facilities should be constructed. The third transit stop comes from a letter Jim Lewis, Blaine County School District Superintendent, sent. In Section C, a reference was added that we provide notice to owners when their allocated parking spots may not meet minimum length requirements. Paragraph 8 clarifies public use of various amenities, and that we would maintain certain improvements in the public right of way. Paragraph 9 contains the bulk of the changes. His client does not have a construction loan commitment yet, and if there is a delay in acquiring that, construction would not commence until next spring. The infrastructure is to be done in the time frames we've said will happen, in order to get building permits for the next phase. If construction is delayed, we will pave the roads and re-vegetate the land. The agreement contains a security arrangement, and allows us to reduce that security as we progress. Paragraph 9 details our ability to record plats for various buildings for phases, rather than wait until an entire phase is complete.

Brown asked if deed restrictions will be elaborated upon. Laski said the housing authority hasn't developed the deed restriction they are supporting. Brown was comfortable being able to elaborate later. She preferred certain amenities being deeded to the city. Laski said the park land improvement is intended to tie into the SGA agreement. Burke said she would like to see the land conveyed to the city. She felt strongly that the traffic light go in prior to construction, to accommodate construction traffic. She asked if the city has ever allowed recorded plats in this manner before. Williamson said it is appropriate on larger buildings that there be only one plat. He talked with City Planning Director Kathy Grotto about the number of units we would like to see in each plat, if for example there are 40 units in a phase, we might allow 20 in one phase and 20 in another, or have the developer show precisely what is in each plat. He would like to see us work with some sort of consolidation. Laski did not want to see a set amount, because some of the buildings will be of various sizes.

Keirn expressed willingness to concede on some of the other requests, but agreed with the other council members that the land needs to be conveyed to the city and the traffic signal should be constructed early on. Davis said putting in infrastructure that may be damaged by the construction should be delayed until later, otherwise he agreed with the other council members. Brown noted that a sidewalk width is not called out. Laski said the decision about sidewalk widths needs to be incorporated into the PUD agreement.

McBryant had notes about the sidewalk, conveyance of housing to the city, and said the payment in B-2 on page 3 is not acceptable. Regarding the present value of money, we don't want this money coming in too small increments. She would want the second half paid in full, if we go with this type of formulation. Some of the considerations make some sense to her, she could adjust the incremental increases on some of these, back end load the park contribution and front end load the housing units, have the rest be required at about the mid-point of the project. She did not see accepting that number unless we attach an escalator clause. Traffic mitigation to be completed by Nov 1, 2007 is okay with her. She did appreciate the applicant's addressing of lesser sized parking spaces. This project represents community housing that is restricted by size of the unit and real

property. It's a natural way of gaining some control over escalating cost of housing. She said we're not recognizing that is a methodology to provide more affordable housing. She did not want to waive off the community housing requirement, but she could set that to the back. The PUD amenities will help make the property more saleable, and are not amenities to the community. She could waive off the timing of the off-site bike path. This project is scheduled to take 5 years, and she needed to make a flow chart of what matters to the city.

Laski said the community housing payments are a crucial element to the applicant. Given the fact that the city will get 1.7 million in land before the project gets off the ground, if we could delay the payment of housing in lieu fees, won't get authority to make a huge chunk of payment in phase 1. He would agree to traffic signal up front, but would still hope for some corresponding relief.

Grotto said on page 5, still only talks about widening of existing bridge. Commission was firm that if bridge can't be widened, it will need to be replaced. There will be restrictions on the parking of boats and RV's on site, and the city would have authority to enforce that if it became a problem.

The council discussed the utility box, and agreed it should be the smaller box on a pole rather than the huge box on the ground.

Brown wanted to see the traffic signal up front. Park land payments are already spread out, so how do we defer that? She was willing to defer some of the community housing to a later phase. Bike path could be moved to Phase 2. Keirn said need to start negotiations somewhere with community housing, break payment up into 4 phases, put CPI on later 3 phases. Davis wanted to have the answer on the bike path question. He felt that could be put in around Phase 4. As far as community housing payments, he was fine with the way it is, see what will be negotiated. He was nervous that Williamson hasn't looked at the agreement yet. Mayor asked if it is appropriate to place a construction management agreement within the PUD agreement. That agreement is subtle, gives a go-to person when portions of the construction project have gone astray. If there's an impact to the surrounding lots and they lose their utility service, it addresses who gets called and how that is handled. To get it down in print helps both sides, including city staff. She said she would meet with staff and the applicant's attorney. Laski said part of the off-site bike path would not get impacted during construction. Phase 4 will impact the part next to the bike path, in the connection area. Davis said it makes sense to do it all at once.

**Brown moved to continue this matter to the August 14, 2006 meeting, authorizing the mayor to meet with applicant to discuss 3 items.** Keirn seconded; the motion carried unanimously.

**NB 276 – BLAINE COUNTY DISPATCH BOARD VACANCY LEFT BY RON LEBLANC**

Mayor McBryant said the city of Hailey is the largest body of residents and does not get to select members to this committee. Do we want to make a selection and thus continue to validate a completely dysfunctional committee? Keirn said Chapman is on the committee and would like to resign as well. Brown said if we're going to select someone, he/she must have the time to devote to such an endeavor. Gary Stivers said it has been almost 2 months since the last meeting of the board. McBryant said there is no reason the sheriff has to be in charge of consolidated dispatch – that is the one board member that doesn't change. Keirn said Chapman had been assigned to replace the Ketchum fire chief. Davis did not favor putting someone else on, because Chapman is on it. McBryant said Chapman is ready to come off.

McBryant said the mayor of Sun Valley recommend William Boger of Fairway Road who has an impressive resume in terms of start up. She said this is a unique time to talk about structure. The data base that the police departments are purchasing collectively ties to the consolidated dispatch issue. Will the dispatch administrator be an independent contractor? How do the two programs dovetail. Are the programs tied to the Sheriff because of proprietary information, and has that changed now that the same information is in a consolidated data base. Burke said because of the lack of success of this committee, before an appointment is made it may be good to review financial expenses to date. Gary Stivers said this is an enormously technical process, involving the routing of phone lines to a public safety answering point. On top of that is layered enforcement and fire science. The committee members don't know how to work in a public meeting very well. He said although the group is fairly dysfunctional, he felt the job is nearly done. It's been impressive watching it move along, there's a switch that can handle much of Idaho in terms of receiving calls. Keirn said there is a lot of dissention within the committee. The system may be good for police but not as good for fire.

McBryant said it is an opportunity to take a step back. Brown said the county holds the purse strings. Brown said she would invite a frank discussion with the county commissioners, even if the end is in sight. McBryant said the Woodside Fire Station currently under design for construction could easily be adjusted to include a dispatch center.

**NB 277 – APPROVAL OF PAYMENT OF CLAIMS FOR EXPENSES**

Brown said we have \$9000 in collective council account, and the Arts commission wants to use approximately \$300 of those funds. Davis moved to approve the payable. Keirn seconded; the motion carried unanimously.

There being no further business, the mayor adjourned the meeting at 6:05 p.m.