

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, AUGUST 27, 2007
IN THE HAILEY TOWN CENTER MEETING ROOM**

The regular meeting of the Hailey City Council was called to order at 5:30 p.m. by Mayor Susan McBryant. Present were Council members, Rick Davis, Don Keirn, and Martha Burke. Staff present included City Attorney Ned Williamson.

Mayor McBryant opened with her intent to make every effort to move meeting along as quickly as possible, so those who would like to see the 6:30 Town Hall meeting regarding the fire on Channel 13 will be able to do both.

OPEN SESSION

Dana Cameron, promoter of the Blue Cow Antique Show, wants to do what is best for community, regarding the possible postponement of the antique show scheduled on Labor Day weekend and hosting the Antique show the same weekend as Trailing of the Sheep. Mayor McBryant stated the traffic concern is not in the City of Hailey, but in Ketchum. She feels Ms. Cameron should use her own business acumen to decide what is best. The City doesn't feel they should dictate what to do. Keirn suggested calling SVKCVB to see how much things have slowed down in Ketchum. Burke stated, "you are a big draw; perhaps a bigger draw because there isn't anything up north." Davis stated anything south would be a big draw for those left here. No other comments.

CONSENT AGENDA

Davis requested to pull CA322; Williamson pulled CA312; **Burke moved to approve the Consent Agenda as presented with the exception of CA 322 and CA 312. Keirn seconded; the motion carried unanimously.**

- CA 311 Motion to approve Delegation of Authority for management of Castle Rock Fire to Incident Commander Jeanne Pincha-Tulley.
- ~~CA 312 Motion to accept lien release from RSCI for Water Storage Tank project, and authorize final payment of \$319,043.64.~~
- CA 313 Motion to authorize Work Order from Valley Paving for Woodside Central Basketball courts installation, costing \$39,705.
- CA 314 Motion to authorize Work Order agreement with Idaho Power for electric service to Woodside Central Park restroom.
- CA 315 Motion to authorize mayor to sign the State/Local Agreement for the Safe Routes to School Grant.
- CA 316 Motion to authorize cooperative agreement with ITD for In-Street Lighting System at crosswalks on Main Street (SH 75), and to enter into Resolution 2007-12.
- CA 317 Motion to approve Final Lien Release for Airport West Subdivision, and to authorize its recordation
- CA 318 Motion to approve Special Events Permit for Saturday Spudapalooza event at the Wicked Spud
- CA 319 Motion to approve Special Events Permit for Sun Valley Ski Education Ski Swap
- CA 320 Motion to approve Special Events Permit for Rotarun Concert Fundraiser in Hop Porter Park on Sunday, Sept 16, 2007, allowing a waiver of noise ordinance provisions for the event

- CA 321 Motion to approve Alcohol Beverage License renewals for 2008, as presented
~~CA 322 Motion to approve Findings of Fact, Conclusions of Law, and Decision—Replat of~~
~~Lots 16, 17 and 18, Block 39, Hailey Townsite—Final Plat approval (Hailey Eye~~
~~Center).~~
- CA 323 Motion to approve minutes of August 13, 2007, and to suspend reading of them
CA 324 Motion to approve payment of claims incurred during July & August, 2007
CA 325 Motion to approve treasurer’s cash report for the month of July, 2007

Williamson discussed CA 312, page 4. Lien release is more than release but is a release of all contracts. A mutual release is not acceptable at all. McBryant asked if it would be more meaningful if denied. Williamson stated that the language of lien release is to try to get the tank behind us but we aren’t quite there. We will accept the final payment amount conditioned upon Williamson submitting a satisfactory lien release. **Davis moved to approve after changes have been made and approved by Williamson, Keirn seconded. Motion carried unanimously.**

Davis pulled CA 322 due to conflict of interest. **Keirn moved to approve, Burke seconded. Davis abstained. Motion carried.**

MAYOR’S REMARKS

Mayor McBryant commented that due to the Castle Rock fire, this is a remarkable time we are working in. An informational meeting from one of the hot shots from Calif. thanked everyone who has offered a helping hand in whatever form to the greater community. In Ketchum yesterday, we were advised by Commissioner Bowman that winds may creep fire in our direction. He suggested we have a liaison. Carol Brown is PIO for USFS, but can not serve as liaison. Bob MacLeod has stepped in and will continue to attend incident command as representative from Hailey. Thanks to Bob for volunteering. Fire has focused us entirely; therefore, there will be no appointments or proclamations tonight.

PUBLIC HEARING

Chuck Brockway – Request for Flood Plain reclassification of lots near Bullion Street

Mr. Brockway presented - The “Board Ranch” may sometime be in the city of Hailey; there are two flooding aspects, the Big Wood River and the Hailey Slue. The 1997 FEMA restudy of the Big Wood River delineates the light blue line on the map. Mr. Brockway feels that delineation is incorrect, based on last year’s flood and models. Mr. Brockway is convinced FEMA’s indication is about 1 foot high for base flood. Even using FEMA’s topographic work map, he still doesn’t understand how they came up with their zone. The purpose of this study is not to do anything to the river, but to get the flood plain in line with reality. Even though base flood elevations are too high, they can be used to map. Brockway kept baseline flood elevations (BFEs) and took detailed topographic elevations. He determined the flood zone is the river bank, until it sheets out further south. When compared with the 2006 flood, using those high water marks, they are below FEMA’s 100 year elevations. (2006 was a 160-170 year-flood). Mr. Brockway feels the 2006 data confirms their findings. From old photos, they have found the river

has been channelized, which is likely man-made to some extent. The stable bank can withstand a 100 year event.

The other flooding aspect, the Hailey Slue (the source of which is Indian Creek, according to FEMA) is incorrect. FEMA admitted they had made a mistake; Indian Creek blends with river water. Zone X (areas of 100 year flood which are shallow, less than 1' and low velocity) is low risk. For regulatory purposes, Zone X is there for informational purposes. One doesn't need flood insurance for Zone X. The County Commissioners have endorsed these findings on the condition that FEMA take a look at the area south of Zone X.

Mayor McBryant asked if it all wasn't numbers, in terms of definition. Chuck felt the 2006 flooding proved his theory. Keirn asked what the change to Zone X would do to our zoning requirements. Shay stated that currently 20,000 square feet is the minimum lot size now. If changed to Zone X, it will not be regulated. Shay won't say that Zone X does not require flood insurance. Williamson asked how many properties would be affected if changed to Zone X? Brockway and Davis responded "quite a few". [Sawmill Sub, etc.](#) Williamson asked if County would initiate a rezone? Brockway did not think they would. Bullion Partners has requested the inquiry. McBryant would like to know which and how many properties would be affected both ways. Burke asked, from a philosophical standpoint, why wouldn't we want to be sure the flood plane is correct? The applicant has a reason to want to have it changed, but we should be certain what we are working with is correct. Shay did not know the existing zoning, but is quite sure it is Flood Plain. Shay relies heavily on Jim Koonce for data and background. The County had Brockway return to the drawing board at least once, but agree that if we have accurate data, we should go with it. Geoffrey Moore, 1250 Woodside Blvd asked, who is Chuck? Diane Barker, 109 Geronimo stated she has to agree with Shay; if someone has paid for a correct study, it would be a bonus to the city to have accurate data. Davis isn't sure if his property is affected or not, but has a problem taking an undeveloped piece of property and putting existing homes in harm's way by reclassifying this piece. If we proceed down this line, each property owner which may be affected either way should be notified at Brockway's expense. Keirn asked how the noticing was done? Brockway stated they had complied with city and FEMA noticing. FEMA doesn't require noticing for Zone X. Shay assumes the city noticed 300' from exterior of property. McBryant is worried about people not noticed who may be affected later.

Shay mentioned this isn't any sort of approval, but only an endorsement from the City to be then able to proceed to FEMA. Chuck can proceed with or without the endorsement of Hailey. Burke echoed the concerns and hopes FEMA will look at all aspects. Davis asked if FEMA deems these numbers are correct, do we have to accept it? Shay hopes we will, as flood plain administrator. Williamson feels we have little to say about Zone X. McBryant is looking for endorsement of Brockway's request. Keirn endorses the request for FEMA to change map Burke requested to add the lower corner (Zone AE potentially), for FEMA to look at that directly. She is particularly interested in pursuing county's concern of lower section.

Transportation Master Plan with Andy Mortenson

A lengthy presentation of the most recent plan and recommendations/options was presented, followed but discussion recapped below:

The primary detraction to back-in parking is that idling fumes are spewed directly into retail shops and pedestrian zones. There is a 10% reduction in cost for parallel parking and a much narrower swath is needed, but less parking results. Dilemmas faced include restructure all diagonal parking? Bike lanes are not safe with front end diagonal parking. Recommendation: initially stripe with back-in parking with bike lane as a test. With back-in diagonal parking, the driver can easily look over left shoulder for oncoming bikes or cars. If this is not acceptable, the City can then re-stripe, omitting bike lane without restructuring street. Mortenson does not feel that River Street needs both sides diagonal parking. Burke asked if is there any engineering which allows for both bikes and pedestrians on wide sidewalks. There are industry standards. Wood River Trail for example, works well. Mature cyclists SHOULD be in the street, children should be on the sidewalk, at lower speeds. 10-12' sidewalk can be a perfect design solution. Policies are to continue to urge children to use sidewalk for bikes.

Other shared-use streets can have shared lanes, rather than designated bike lanes. Perhaps 2nd, Croy and Bullion can have shared lanes (wider streets). Regarding the 100' streets, some are unraveling on edges. Swales good for snow storage; edge treatment prolongs maintenance needs. Where should the sidewalks go? Bring excessive speeds down by re-striping, thinner travel lane and bike lane will help.

Policy help – Capital improvements, pedestrian improvements, and maintenance needs are on a 20 year planning horizon. Are there potential funding solutions? The Transpo Group is a week and a half away from completion of their plan.

Many cities in similar climate conditions are in same “boat”, needing to quadruple maintenance budget. They recommend working in phases, start with \$81,500, then see if you can increase the maintenance budget to deal with more significantly traveled streets then reassesses. Ketchum has almost the identical condition.

Burke is concerned that these figures don't consider the sidewalk maintenance during winter. Burke went on to explain that we will need to adjust snow removal. We have to struggle with this; we cannot leave it in the closet.

When asked about a 20 year project cost, the reply was, Lots!!! Research into Traffic Impact Fee Programs, 50/50 with State on SHW75 could potentially garner \$6.8 million. Transpo Group will include this in plan now for future councils.

Davis questioned if replacing location of stop signs is included in the traffic plan? A recommended stop sign placement policy will be provided. Responding to community input can be a problem. Stop signs are to bring down excessive speed, which can be done with alternatives (trees, site lines, etc.)

\$24,000,000; less than a third is impact-fee potential. Other options, not currently used: LID; Urban renewal funding, franchise fees, revenue bonds, Countywide Vehicle Registration Fee. Burke encouraged increasing franchise fees.

McBryant asked what technologies are being looked at? Least expensive? Double chip sealed? Mortenson stated that Toothman is looking at most cost effective technologies, the specific methods he isn't sure of. Keirn asked if the inflation factor is entered in. Yes. Burke is pleased with the runway resurfacing; its green aspect was appreciated (re-milled asphalt). Keirn is curious where figures came up. Rick referred to LID, will get answer in future. McBryant isn't afraid of financial; 7 year plan is not unreasonable. The political will can be found.

Gina Lagergrin, 215 Myrtle Street East requested a clarification; on the colored picture with green swale, where is parking which is normally in front of homes? She was told the slide is conceptual, with sidewalk at extreme edge. A number of different orientations for parking, intermittent sidewalk will be presented. When corridor is redone, it is a community decision. Sidewalk so far back detracts from what else can be done with right-of-way. Gina's concern is for parking on street and is unsure; sidewalks should be on street-side of trees. When they are 5' from homes they are not workable, unused, turned into storage, ready to be scrapped. Don't assume there are established sidewalks. Beth Duke 641 Eastridge Drive stated she is concerned with swales, doesn't want gravel areas like Foxmoor. There should be grass areas, not gravel/parking. Diane Barker, 109 Geronimo, stated sidewalks should be closer to streets, and then homeowners will take care of green area. Has asked Kathy Grotto about bond v. sidewalk policy? She feels 150% is too much, 100% bond would be an orderly method for city to build sidewalks. She requested the city think through a city-driven text amendment. Elizabeth Jeffrey 415 2nd Ave. South likes the idea of sidewalks being closer to street and loves walking the sidewalks of our streets. There are no sidewalks where she lives; would need to mandate parallel parking. Currently people park over both swale and sidewalk.

Burke is asking how we blend new with existing sidewalks. The City staff did a walking inventory of existing sidewalks. Staff now knows where they are being pushed up due to tree rooting. They can put an image together of how they can look, how to transition intersections, tree-scaping, and swales for a nice corridor. Ron Taylor 419 2nd Ave South would like to see a bike area in conjunction with sidewalk; can there be a hard separation? Rob Lonning 415 So 2nd Ave likes a parcel by parcel evaluation. The landscaping will impact location of sidewalk on a block by block nature. Re: River Street, I'd like to think the community could figure out the back-in diagonal parking. Effective parking processes. Elizabeth Jeffrey stated that it would be nice to have River Street feel less wide. Possibly feel less like a tarmac at the airport. Susan asked how we could provide charm and practicality. Jason Miller, Director of Planning and Marketing of Mountain Rides asked about transit-related improvements? He is looking for an update, as they are working on their plan over the next three-four months. The Transit Plan does not have a map of the bus stops, but if bike system is cohesive and coordinated transit will work. Jason endorses moving sidewalks closer to streets; currently they are not used as you feel intrusive. Regarding cycling, one of the basic tenants of the League of American Bicyclists is they fare better when bikes are treated as vehicles. When children are ready to ride in the street is up to the parents; currently streets don't work well but if streets are designed to accommodate cyclists with traffic calming structures, it will work

well. Mixing a lot of cyclists and pedestrians is not a good idea. Burke reminded us of the death of the child 7 years ago, crossing Bullion on 2nd. Beth Duke asked to see partial bike path. Geoffrey Moore said he feels Old Hailey will take its course but what about new subdivisions? Hold them to the highest standard as they come in? Do all citizens pay, or will new developments foot their bill? Tom asked Geoff to look at Old Cutters and their sidewalks.

Peter Loeb 403 East Carbonate asked about putting electrical lines underground before sidewalks? It might be better and cheaper to coordinate that with the new sidewalks. I don't know if we should depend on impact fees, it is an unknown number; there are other costs to be included in the city. Hellen stated the new draft will be on the web side in approximately two weeks. Mortenson thanked everyone for their great comments. Davis asked about standards for new construction. Hellen assured council that there are standards.

McBryant thanked Jason Miller, et al for the free bus service to help ease traffic burdens on the highway. Miller advised that it will continue for the next few days.

Municipal Code Amendment regarding encroachment permits and processes for approval

Ned discussed the changes to Major Project; 25' designed to cover townsite lot in Hailey in LR area, sidewalk improvement would be covered. Page 170 change; additions cut from section 16.040, transplanted. Standards evaluation; (pg 171-172) Applicable Streetscape Standards – may change. Planning Director added to list of who can impose conditions. Ron Taylor asked for definition of Major Projects. Deliberation: **Keirn is fine; moved to adopt as ordinance by Davis; seconded by Burke; carried unanimously.**

Old Business

3rd Reading Ordinance 986 – Rezone of Woodside Parcels by Lido Equities
Burke moved to approve, seconded by Keirn; Davis recused; motion carried.

3rd Reading Ordinance 989 – Zoning Ordinance Text Amendment, Design Review, Section 6A.5. **Burke moved to approve, seconded by Keirn; motion carried unanimously.**

3rd Reading Ordinance 990 – Zoning Ordinance Text Amendment, SCI District, Section 14.2. **Burke moved to adopt, Keirn seconded, motion carried unanimously.**

2nd & 3rd Reading Ordinance 992 – Annual Appropriation Ordinance
Burke requested waiving the 2nd reading of this ordinance; Keirn seconded; motion carried unanimously.

Consideration & Discussion of 1st Amendment to Sewer Services Agreement w/ Rinker Trust

Davis was asked to chair the meeting at this point. Williamson gave an update/summary. There is an agreement with Rinker Trust; the Trust has asked for change due to significant decrease in density of the proposed Peregrine development, from 380 to 272 lots. Request has been made to focus only on the sewer; the water issue will be dropped for the time being. Well site and pump house facility site have been offered, in addition to fire services site, all with utility access rights. Davis asked if monthly rates and hookup fees will remain the same; Williamson replied that anyone hooking up will pay user fees plus 10% surcharge. Harry Rinker concurred and appreciated the excellent cooperation and feels city is well served by it. Burke is concerned if Brown had a chance to confer? She had strong opinions; is opposed to amendment. Burke feels it is a good response to the differential from 380 to 272 units. Has Mike Chapman had a chance to review? Is this a good area for fire services? Williamson pointed out that sites for fire and well would revert back rather than be available for sale and relocation. Keirn feels the land could be well used by City of Hailey, it will only grow in value. **Keirn moved to adopt amendment, Burke seconded. Davis stated discussions had occurred related to combined services for fire; this may be a good site. Motion carried unanimously.**

Harry Rinker thanked the council. Rinker hopes the building fees will be waived. Davis stated that since this is not an agenda item it couldn't be discussed at this point.

Peter Loeb expressed that he is upset about this process. He feels he has been shut out from process and there is an obligation to communicate. There hasn't been public comment.

McBryant and Williamson felt noticing requirements had been met.

WORKSHOP: - waived in interest of brevity.

Airport Reports – it was mentioned Frontier is planning to include Friedman for 2008 summer.

EXECUTIVE SESSION

Ned Williamson requested an executive session for the purpose of discussion pending litigation under IC 67-2345.f. Keirn moved that the council go into executive session. Burke seconded; a roll call vote showed all in favor. The Mayor and Council went into Executive Session at 7:50 p.m.

Following a motion, second, and roll call vote to adjourn, the council went out of Executive Session at 8:05 p.m. and the mayor adjourned the meeting immediately thereafter.

Susan McBryant, Mayor

Heather Dawson, City Clerk