

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

There were no comments offered for the open session for public concerns.

**CONSENT AGENDA**

Davis pulled CA 353. **Davis moved to approve the remainder of the consent agenda as submitted.** Keirn seconded; the motion carried unanimously.

- CA 351 Motion to accept donation of \$721.01 from Amanda Moulton for Climate Protection efforts
- CA 352 Motion to ratify mayor's signature of a grant application prepared by Hailey's Climate Protection Committee, applying to ICLEI for \$5000 to use regionally for a Circuit rider employee to assist with base line data compilation for local governments within the Wood River Valley.
- ~~CA 353 Motion to approve minutes of September 10, 2007~~
- CA 354 Motion to approve claims for expenses incurred during the previous month
- CA 355 Motion to approve treasurer's cash report for August, 2007
- CA 356 Motion to approve contract of services with Moore Smith Buxton & Turcke, Chartered.

CA 353 Davis corrected the minutes to say "on the Planning Committee for the Tri-Bah. **Burke moved to approve the minutes with Davis' change in wording.** Keirn seconded; the motion carried unanimously.

**MAYORS REMARKS**

Mayor McBryant said when a public official has an accident such as she did last week when a bicyclist T-boned her car in a crosswalk it heightens awareness to look at Main Street in terms of safety. There is a conflict between uses of a state highway and a town's Main Street and we need to keep pedestrian safety in mind when approving hanging flowers, banners and other things that obstruct the drivers view while driving through our Main Street core.

Bob MacLeod, City Liaison in the Castle Rock Fire, said a debriefing meeting on the Castle Rock Fire was attended by himself, Carol Brown, Jeff Gunter, Jim Spinelli. There was an assessment of the Castle Rock fire, with all the teams present. The funding of such an emergency is highly convoluted, and acting quickly is imperative to the success of getting paid.

Brown said a lot of information about what went right was shared and memorialized. The Forest Service wants to acknowledge the outstanding fire departments, and Hailey was the second engine on the scene. Brown awarded HFD with a framed photograph in appreciation for the time and dedication HFD spent at the Castle Rock Fire.

#### **PH 356 – Final Plat for P.M. Brown Condominiums**

Dave Pietri of Benchmark Engineers represented Rental Marts., Inc for final plat approval of the PM Brown Condominiums. Davis recused himself because his employer has an office in the building. Planning Director Beth Robrahn suggested adding the word applicable to conditions E and H to the subdivision fees. Williamson added that this is a conversion building, and the term applicable would not be subjective, but very clear to the circumstance of the building.

Mayor McBryant opened the public hearing. There were no comments.

**Brown moved to approve the final condominium plat with conditions, E-H, modifying E and H to insert the word applicable. Condition G should read that the platt must be recorded in one year.** Burke seconded; the motion carried with Burke, Keirn and Brown in favor, Davis abstaining.

#### **OB 357 – 3<sup>rd</sup> READING ORDINANCE 993 – SUBDIVISION ORD AMENDMENTS**

**Burke moved that the council authorize the third reading of Ordinance 994 by title only, and authorize the mayor to sign.** Keirn seconded; the motion carried unanimously. The mayor read and executed the ordinance.

#### **OB 358 – WATER & SEWER RATES**

Hellen said the new sewer rates are based on winter water use and some problems with leaks or people running water during the winter has escalated their rates. He suggested a policy to address the issue, but the mayor noted that a policy can't supersede an ordinance. Williamson confirmed that the ordinance would have to be amended if the council agrees with the policy. Brown said the way the policy was handled with her, when she had a leak, felt fair. Burke confirmed that each year the winter use would be reflected in the following year's rates. Keirn suggested that a pencil-thin stream is all that is needed to prevent freezing. McBryant suggested taking a several-year average of winter use; it varies widely on temperature. Hellen was concerned that the software may not have the capability to calculate those averages. Davis asked if we are trying to protect private services or city services. Hellen said when city services are affected by freezing, the city pays the cost of thawing those out. He said there are some city services that are still shallow, and when lots are subdivided, the services are required to be lowered.

Davis felt the problem hinges on lack of education to the public, and he recommended a one-page information sheet that the council can give the public when asked; so everyone is being told the same thing. McBryant said although we've done that a couple of times, the new rate structure adopted last month made that less clear.

### **MAYOR NOTED**

The Mayor took a moment to acknowledge that this is Jim Spinelli's last week with the City, and thanked him for his past year of work with the city, saying his success at the chamber will be our success at the city. A farewell for the community will be held at Bandidas' on Wednesday September, 26, 2007. A farewell for Tara Hyde will be held at D'Vine next Thursday, October 4, 2007.

### **LOT FUNDS**

Dawson assured the city council that, although all the month's LOT revenue is not in, sufficient revenue would be brought in to meet the \$425,000 goal. She outlined the suggestions in her staff report explaining that we could pay down the lease on engine #2 for HFD. HPD has budgeted \$15,000 in next years budget for Ballistic Shields for 5 police cars. She suggested that \$20,000 be rolled to next year's blower lease and \$60,000 rolled to next year for lighted crosswalks.

Davis said safety is his primary concern, but he would like to see some extra funds forwarded to the Chamber of Commerce. Mayor said she had some conversations with Jim Spinelli, and they had discussed that actual use of those funds would be determined prior to those decisions being made. Discussion then ensued as to whether the lighted crosswalks would be better placed downtown, where it's busier but lighter, or near Myrtle, where it's darker. Keirn asked about a traffic light at Myrtle, and the value of the 2 lighted crosswalks, costing \$100,000, was discussed compared to the \$300,000 of a traffic light. Brown asked if the strobe lights are addressed in the traffic master plan. The council concurred that Myrtle and Croy would be the best crosswalks. Gunter said Croy is the most highly used, and Myrtle has a lot of traffic. Hjelm noted that Croy, Myrtle are most highly used, followed by Pine. Hellen advised council that the crosswalks could be moved if the spots designated were deemed inappropriate at a later date.

**Davis moved to approve the spending of LOT as proposed in staff's report to the council, and excess funds be discussed in light of Chamber needs, after chamber informs about its uses.** Brown seconded; the motion carried unanimously.

### **INITIATIVE PETITIONS SET FOR ELECTION – FORM OF BALLOT**

Dawson informed the Hailey City Council that 4 initiative petitions had been received and set for the November 6, 2007 election. Council was asked to look at the language to decide if ballot should be summarized by the City Attorney which is dictated by state code and ordinance. Williamson suggested leaving this matter as is. McBryant said a lot of time and care went into the ballot language by the petitioner, and felt it appropriate to honor that.

Brown said she needed to temporarily recuse herself until she gets a determination whether her vote on this matter puts her in violation of the Hatch Act as a federal employee. Davis said in order to understand the ordinances; won't they have to be read in full? He felt some brief language needs to call out what 2 of the initiatives mean. The

lowest priority initiative and the cannabis initiative are pertaining to marijuana, and that may not be clear to voters. Williamson said that we have a choice to leave as is or to summarize it. We cannot do both. Clerk explained that Sample Ballots will be posted prior to the election and will be printed in summary in the paper for all interested party's to read at their convenience prior to Election Day. Davis asked if we can put information in Our Town. Mayor and Brown advised against that, saying the press will cover this.

**Keirn moved to print the ballots with full initiative language.** Davis seconded; the motion carried with Burke, Davis and Keirn in favor, Brown abstained.

### **REPORTS**

Mayor said a historic license is now available for \$35.00. October 4, 2007 is Arts Alliance Day.

Clerk advised that the First Bank of Idaho moved their special event that was approved by Council at a prior meeting from Saturday to Sunday, so as not to conflict with the Kick Ash Bash. Mayor and council agreed that would be fine.

Gunter offered a staff report saying, "we're functioning well as a police department, troops have exceeded his expectations." Good response to high profile events. Restructured the chain of command, assigned job duties, he is acting more as an administrator, and the lieutenant and sergeant have absorbed more duties. Shelly Pharis and Derek Stewart have been certified. Steve England is on the Board of Director's of The Advocates, Raul Ornelas on CERT Team (an emergency response team such as SWAT) Gunter is active on the Climate Protection Committee. The department is receiving instruction training on response to active shooters. Two staff members are attending a disaster protection response. August had a record traffic school with 56 attendees, this month there will be more. Julie Fox Jones called to express compliments about student driver behavior. The department has been catching many burglars and has returned over \$30,000 to crime victims. HPD is taking the high road in cooperation with other agencies. Expressed regret to see Spinelli go, as he's been working with them. Gunter has had more conversation with the Clerk in one weekend than since he's been here. He has greater understanding of her roles as PIO for the city. Worked with department heads on employee issues; a tremendous team effort is taking place among department heads. One of the highest compliments he has received was from the Deputy Prosecutor stating he did not have to be present at one point because the jurisdictions were working well together. Working with Bob Greenlaw on building safety, and hoped to offer some suggestions for improving the building. Asked Dave Stellers to talk about the CALEA accreditation. Stellers said the program is geared for large metropolitan police departments, but standards have been revised and are applicable for our agency. Not a total policy and procedure rewrite, but ensures that our policies are up to national standards and are legal. Only Pocatello is accredited in the state so far. We notify them, send a small fee, and go over policy. Keirn noted that Bob Greenlaw is a board member, and will continue under his employment with Blaine County, to attend those board

meetings. Stellars said he is a great resource. Davis hoped to see much of this report in Our Town.

Mayor said one of the goals she had put out to the regional leadership board was to improve HPD and Blaine County Sheriff relationships. Those improvements are underway.

Hellen said he wanted to keep November through April as months of assessment of sewer rates, to discourage early season irrigation when water can still freeze. He said snow season parking restrictions will be enforced.

Jim Spinelli said he has been working with Heidi Dose on the WIFI project, which has been turned on in Ketchum and is working without any bugs. Dose will be working with Randi Wilson, at the Library to find out the needs, and he will report back the council about the project. He said the project benefits the businesses in the downtown core, and he would be happy to continue representing the city on this matter.

Spinelli said he is a smarter and better person for his time at the city.

Brown met with the Arts Commission in a planning session, developed a clear list of goals, one of which is to bring forward a 1% public arts ordinance.

Burke said she will miss the October 8, 2007 City Council Meeting.

Keirn said Davis will sit in for him on the first Fly Sun Valley Alliance meeting in early October, because Keirn will be out of the area. He said Hailey has been incorporated into SIEDO's advertising. Davis said historic commission meets tomorrow.

Davis said Hailey is losing its City Administrator and beginning a new fiscal year at the same time, and he would like to propose starting a new search process sooner than later. Brown and Keirn agreed. McBryant said they may want the benefit of the new council member and mayor. They may not get a good response from prospective candidates prior to the election. Brown suggested hiring a professional interim administrator; it would be nice for a new mayor to come into something in place. Mayor did not want to train a new administrator in her last month. Davis asked if the process could be agenda'd and discussed at the next meeting. Mayor agreed to agenda this topic on October 8, 2007.

There being no further business, the mayor adjourned the meeting at 7:10 p.m.