

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, MAY 12, 2008
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 Rick Davis. Present were Council members Martha Burke, Carol Brown, Don Keirn and Fritz Haemmerle. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

CONSENT AGENDA

CA 148 was pulled by Martha Burke and CA 150, 151, 152, 153, 154, 155 were pulled by Fritz Hammerle. **Burke moved to approve consent agenda minus CA 148, 150, 151, 152, 153, 154 and 155. Keirn seconded; motion carried unanimously.**

- CA 147 Motion to approve Quigley Canyon Annexation Application Review Agreement
- ~~CA 148 Motion to approve Alturas Partners request to waive the City of Hailey's construction work hour limitations of Municipal Code 9.04.030 (the noise ordinance) to allow a parking area improvement project beginning May 15, 2008 ending June 3, 2008 with hours of operation from 6 am - 9 pm as needed.~~
- CA 149 Motion to approve Alcohol Beverage License Application for Osaka Sushi Restaurant.
- ~~CA 150 Motion to approve special event "Holy Tomato! Plant Sale" at 206 N. River St (next to Zaney's) on 5/24/08 & 5/25/08 from 9 am to 3 pm.~~
- ~~CA 151 Motion to approve co-application for a special event to be conducted on May 29th, 2008 from 1:00 pm - 7:00 pm, by City of Hailey and Hailey Chamber of Commerce, with application fees waived, for a Carnival to be conducted at Mint Bar courtyard and alley.~~
- ~~CA 152 Motion to approve special event for the Crisis Hotline Wine Tasting on May 17, 2008 from 5:30 pm - 7:30 pm, to be held at the Inn at Ellsworth Estate, with approval of the fundraiser's request to waive the permit application fee (\$125) and the security deposit (\$500).~~
- ~~CA 153 Motion to approve special event Wicked Spud Back Alley Parties, every Wednesday from 6/4/08 to 9/6/08, 6:00 pm to 9:30 pm.~~
- ~~CA 154 Motion to approve special event for Sun Valley Center for the Arts Fandango, at 314 2nd Ave. South on 6/20/08 from 7:00 pm to 9:00 pm.~~
- ~~CA 155 Motion to approve special event for the Animal Shelter of Wood River Valley "Mutt Strutt" the start and finish located at the Middle School northern most field, 7/20/08 from 10:00 am to 1 pm.~~
- CA 156 Motion to authorize Mayor to approve reimbursement request for Woodside Central Park LWCF Grant.
- CA 157 Motion to authorize Mayor to sign an Additional Work Items Contract 2008 for Park Maintenance.
- CA 158 Motion to adopt Findings of Fact, Conclusions of Law, and Decision for Final Plat of Sweetwater PUD Townhomes, Sublots 25-35 & 58-71, as drafted.
- CA 159 Motion to adopt the Findings of Fact, Conclusions of Law, and Decision for Final Plat of Woodyard Place Subdivision, as drafted.
- CA 160 Motion to approve grant agreement with ICLIE for \$5,000 grant.
- CA 161 Motion to approve minutes of March 31, 2008 City Council Workshop, and suspend reading of them.
- CA 162 Motion to approve minutes of April 14, 2008 City Council Meeting, and to suspend reading of them.
- CA 163 Motion to approve Summary of Ordinance 1004 (Business License Ordinance Amendment).
- CA 164 Motion to approve Hailey Fire Department Annual Report.
- CA 165 Motion to approve claims for expenses incurred in March, and the checks issued in April to pay the claims.
- CA 166 Motion to approve Treasurer's expense and revenue report for the month of April, 2008.
- CA 167 Motion to approve Treasurer's Local Option Tax Report for the month of April, 2008.

Burke voiced her concerns regarding CA 148 and waiver from noise ordinance from 7am – 7pm on weekdays and on Sunday from 7am – 7pm. Burke pointed out that in the request there is nothing saying exactly what time they plan on doing the work. Mayor Davis clarified that the times scheduled are from 6am to 9pm including Sunday. Project Manager, Matt Engle residing at 101 Bullion St. said that he sympathized with Burke and explained that they would like to be done with this project by the 21st of June, 2008. Engle explained that he does not expect work to be done everyday. Brown would like to alter Sunday Morning to 9am. **Brown moved to approve Alturas partners request CA 148 with altering Sunday from 9am to 9pm as needed. Keirn seconded; Motion carried unanimously.**

Haemmerle pulled CA150 – 155 because he questioned why the city required applications to name the City of Hailey on their liability coverage when the events are on private property. He is unsure why this is required or if it is legal, why do we need it. He is requesting the council not require this provision. Dawson explained that the ordinance outlines that the city can request insurance. Haemmerle thinks the customer should have to provide insurance for themselves. **Haemmerle moved to approve CA 150, 153, 154 and 155 with the removal of the requirement to have the City of Hailey as the insured. Keirn seconded; Motion carried unanimously.**

Brown questioned the waiving of fees request for **CA 151 and CA 152**. Heather Dawson, City Administrator explained that the security deposit is required by ordinance. The \$125.00 application fee is to cover cost of application review. The security deposit is collected to apply against bills which might be generated by the event for city services resulting from the event. The \$500.00 fee is for the use of the park. **Brown moved to approve CA 151 and CA 152 but not waive the fees on these special events or any other special events where the City of Hailey is an applicant or co-applicant. Keirn seconded; Motion carried unanimously.**

MAYOR'S REMARKS:

No remarks

PROCLAMATIONS & PRESENTATIONS:

Hailey Environmental Leadership Program (HELP) municipal baseline projections – presented by HELP committee

Becky Stokes, Treasurer presented. Kyle Livingston, Americorp volunteer was introduced and assisted in the presentation. They told council that the baseline study had been completed. Livingston explained that the presentation will also be on the Hailey City Hall website at haileycityhall.org. Livingston pointed out that the Water & Waste Water Treatment Plant accounts for 61% of the city's carbon emissions. There was an overall decrease of 93 tons in ECO2 emissions from 2005-2007. City hall reduced consumption drastically along with the street department. Parks & the Hailey Fire Department have stayed steady.

Livingston asked, where do we go from here? We need to set goals. The biggest challenge is decreasing the carbon emission despite community growth and inevitable need for more municipal growth. Livingston went on to explain what the city has done so far and the opportunities that lie ahead.

Brown questioned why the Waste water treatment plant is a gorilla? Stokes said that there are governmental requirements that have to be met. We have done all we can there. Hellen explained that the lighting is being addressed and he believes that it will show savings in the future. It's a large building that needs to be heated.

Stokes welcomed all suggestions and thanked Mayor & Council for their interest and involvement in this effort to reduce the city's carbon footprint.

APPOINTMENTS & AWARDS

Appointment of Elizabeth Zellers to the Hailey Arts Commission

Brown moved to approve appointment of Elizabeth Zellers to the Hailey Arts Commission. Burke seconded; Motion carried unanimously.

Appointment of Friedman Memorial Airport Authority Board Member – Martha Burke's seat.

Keirn moved to approve the appointment of Martha Burke to continue to serve on the Friedman Memorial Airport Authority Board. Brown seconded; Motion carried unanimously.

PUBLIC HEARINGS:

An application by Bruce Tidwell, Roberta Cowan, Robert Closser for vacation (abandonment) of a portion of city Block 7

Brown recused herself.

Bruce Smith, Alpine Enterprises presented. Smith displayed a map for council to review. Smith explained that in 2002 when the Drexler family sold this piece of land they attempted this application at that time. At this time they are asking for a vacation. There is a letter in the council packet from Becki Keefer. Smith explained that the last sentence in Keefer's letter is suggesting that the park not be vacated. He does not agree. Smith pointed out that Chief Chapman submitted a recommendation for a fire station on that portion of land. Smith does not think that is a good location. He would like to work out an agreement that would be agreeable with everybody. Mariel Platt, Planner advised that department heads were given a chance to review and comment on this issue and some of the ideas included a transit facility, fire station or green space for future development. Mayor Davis opened the meeting up for public comment. Charlie Butterfield, 451 Mother Lode Loop voiced his concerns regarding the trees. He suggested that if this land is vacated that some sort of an agreement be made that no development could happen where those trees are. He is for vacating but with some restrictions if that is possible. Peter Lobb, 403 E. Carbonate spoke. Lobb pointed out that the cities biggest asset is land. He advised to be careful when giving land away. Ned Williamson, City Attorney advised Mayor and Council of a case called Black vs. City of Ketchum. It deals with conditioning vacations. We would need to think through any condition attached to an approval to see if it's even possible. Burke agrees with Lobb and said that we should not give land away and we should protect those trees. She would not like this used as an increase in density parcel. Haemmerle pointed out some of the points in the packet that he cannot agree with. Keirn agrees with Burke and Haemmerle.

Haemmerle moved to uphold the hearing examiners recommendation with respect to recommendations a – e; and to find that the proposed vacation is not for the public good and should therefore be denied, but that the easement described in 9.2.5 potentially can serve a public good, and should therefore be approved. Burke seconded; Motion carried unanimously.

An application by Bulotti Construction, Inc. for a Floodplain Development Permit and Preliminary Plat approval of the subdivision of Lot 15, Block 1, Subdivision (911 Silver Start Drive) to create 2 lots (to be continued to May 19, 2008 special meeting) – no documents.

Heather Dawson, City Administrator clarified that the applicant had requested a continuance, and that the hearing can be continued to May 19, 2008. It will start in Hailey's Council Chambers at 5:30pm and move to the County Courthouse at 6:15pm. **Brown moved to approve the new meeting time and date. Keirn seconded; Motion carried unanimously.**

OLD BUSINESS

3RD reading of proposed Ord. 1005, Municipal Code Amendment – Council meeting protocol and motion to approve the Summary after this reading.

Burke moved to adopt Ord. 1005 and read by title only. Keirn seconded. Brown brought up an email that was received regarding the public not being allowed to pull an item from the consent agenda. Brown does not want to take that right away from the public. **The above motion was amended. Brown move to approve the 3rd reading of proposed Ord. 1005 altering section 2.0 regarding consent agenda. The ordinance will read that a member of the public can pull and item from the consent agenda for full discussion. Keirn seconded; Motion carried unanimously.**

2nd reading of proposed Ord. 1006, an amendment to the Zoning Ord, Article 7, revising guidelines for accessory structures.

No motion needed. Mayor Davis read Ordinance 1006.

2nd reading of proposed Ord. 1007, amendment to Municipal Code Title 13 to change water conservation restrictions – adopting odd/even irrigation schedules

No motion needed. Mayor Davis read Ordinance 1007.

2nd reading of proposed Ord 1008, amendment of Titles 15 and 13 to encourage Energy Star Construction by deferring fees to be paid at time of Certificate of Occupancy.

No motion needed. Mayor Davis read Ordinance 1008.

NEW BUSINESS

Presentation and discussion of Blaine County Ambulance District levy increase which is May 27th election ballot by Support Adequate Funding for Emergency Response. (SAFER)

Len Harlig presented and had handouts for staff and public. We currently have a good paramedic/ambulance level in our valley. He realizes that to maintain it we need more income. 1st responders in Hailey do a wonderful job and are many times first on the scene. He is proposing we maintain what we have right now. Brown clarified that he is asking for support on this issue. Keirn commented that we are 11 ½ miles from the hospital and is in support. Haemmerle pointed out that some of the ambulances are 16 years old. Harlig advised that the county has put all the numbers together. Brown thanked Harlig for pointing out the positive qualities of Hailey. Brown did the math and figured that her taxes would increase \$12.00. Harlig will draft letter for signature and asked if they could print in the paper. Tom Bowman asked if they would authorize the Mayor to sign a letter of support. **Brown moved to authorize Mayor Davis to sign a letter of support which could be submitted for publication and which the council would ratify by resolution at their next meeting. Keirn seconded; Motion carried unanimously.**

Presentation and discussion of Blaine County Dispatch request for funding from Hailey

Stokes presented the General Fund Revenue and explained where the city is after the first 7 months of the year. Revenue is down and has a lot to do with the economic issue with building. The budget process starts in June.

Mike McNees, Blaine County Administrator spoke on emergency communications for Blaine County. Mike McNees introduced Bob Greenlaw who walked thru the dispatch history while McNees walked through the numbers.

Would like to talk on the consolidation of the emergency dispatch center. Greenlaw outlined the history. Blaine County is in phase 2. There are still some counties in Idaho that do not have 911 service. The largest cost element is personnel (Wages and benefits). Operating expenses are approximately \$29,000. (Handout with dollar figures and numbers of calls that go to fire or police are in the packet) Equipment lease is a county expense. This is a new service. They are not asking for funds for a service we already have. Haemmerle asked about user shares. How are they provided for by state statutes? McNees said that Idaho statute gives county's the authority's they use to have consolidated services. Haemmerle asked who is responsible for salaries. McNees said that the commissioners will set the salaries and provide increases (raises) in salaries. Greenlaw explained that 911 gets the emergency call and takes the information. Dispatch then dispatches accordingly. Greenlaw said that the training increases. Good service is provided from technology & teamwork. There is an agency that will come up and evaluate what we're getting and how we're going to get there. They operate by policy & procedure. The manual will be available electronically. Davis asked if dispatch times are being recorded and Greenlaw confirmed that they were. McNees understands that no money will be decided on tonight. He looks forward to working with Mayor and council throughout the summer.

Brown said that although she is in full support of the county's planned higher level of service, she does not believe that cities are the parties to ask for that amount of money. She thinks this should be treated as the ambulance service is; it should be put before the county voters. Haemmerle think's it is more of a legal question. Who has to pay the salaries? We should not pay for anything that we do not have to pay for. Haemmerle agrees with Brown and doesn't think we can take on this obligation. Keirn agrees. Mayor expressed that he looks forward to working with the county but as they could see from Stokes presentation Hailey is not flush and will not be for a number of years.

Resolution to amend Planning and Zoning Commission Bylaws

Beth Robrahn, Planning Director presented. P&Z Commission recommends these amendments. 6.4 proposing to strike the reference to Roberts rule of order for anything that is not laid out in the bylaws. Brown concurred that the spelling out of motions is a good idea. Brown talked about the 6.4 reconsideration. She clarified that you can only reconsider at the next meeting and that this should be added. Haemmerle asked if the applicants can reconsider? Item 6.4 needs rewording for clarification of whom and when something can be reconsidered. This will be brought back at a future date.

Nomination of the Hailey Masonic Lodge by the Idaho State Historical Sites Review Board to the National Register of Historic Places in May 2008

Brown questioned if the Masonic Lodge is ok with Mayor Davis signing the nomination of the Hailey Masonic Lodge by the Idaho State Historical Sites Review Board to the National Register of Historic Places in May 2008. Dawson spoke to the Masonic Lodge today and they are in favor. HHPC would like to use this as a prototype. There will be a public hearing May 27th in this room.

Masonic was looking to get approval tonight. Haemmerle thinks it is important that the board be able to have their public hearing and then recommend to council. Council would like the HHPC to review and recommend to council.

Emergency Declaration for spring flooding from heavy rains or other natural occurrences

Tom Hellen, Public Works Manager returned from LEPC meeting last week and said that all cities are putting the Emergency Declaration before council now. They are concerned regarding the debris from the Castle Rock Fire of last year. An Emergency Declaration would then be in place in case of a flood. **Keirn moved to adopt Resolution 2008-04 and authorize Mayor Davis to sign. Brown seconded. Haemmerle had some concerns but if it increases our chances of getting funding he is ok with it. Motion carried unanimously.**

WORKSHOP

City Engineer response to concerned citizen living in Woodside, requesting a stop sign at Cherry Hill Dr. and Woodside Blvd.

Citizen, Tracie Carlson, 1051 Cherry Hill Drive voiced her concern about the increase of traffic. She has concerns about Woodside and Cherry Hill Dr. regarding safety at the corner. Carlson lost her dog at that intersection. One child has been hit there. This intersection is four blocks from Hailey Elementary. The bike path is 32" wide. Adult bike is 30 inches wide. Carlson has circulated a petition for stop signs and has obtained 106 signatures. Petition and photographs were submitted to City Clerk, Mary Cone.

Dustin Arnold and Julie Thomson asked council if there is a stop sign law for distance between stop signs? There are no stop signs or speed limit signs for over a mile on Woodside Blvd. The cost of a stop sign is \$500, a child's life is invaluable. Tom Hellen, City Engineer explained that street signs do not make cars stop. They will roll through it. Speed bumps are not always a good answer. Mayor Davis will address and bring this back to council.

Email received from Julie Thomson regarding traffic concerns in Woodside on Glenbrook Dr.

Addressed above.

STAFF REPORTS

Brown has questions regarding the striping on Elm from 3rd to the bike path. Hellen advised that the asphalt path would be ten feet wide. Robrahn had many concerns and Hellen said that he would do more research.

Tom Hellen advised that the Street Department is looking at getting rid of a number of vehicles that are not fuel efficient and are costing the city too much to maintain.

Beth Robrahn told council that some of the Deerfield residents were concerned about the streets in Deerfield in regards to Quigley. Robrahn encouraged them to put a citizen group together and for them to present to council what they would like to see. Robrahn thinks there would be a lot of opportunity for neighborhoods to get together and talk with council and wanted to put that suggestion out there.

Jeff Gunter, Chief of Police told council that HPD will be participating in the Carnival.

Heather Dawson, City Administrator advised staff that the AIC Conference is coming up in June in Garden City, Idaho. She congratulated Robrahn for her successful facilitation of the first Parks & Lands Board meeting relative to master planning the rodeo grounds Tomorrow night P & Z will be holding the goal setting meeting and Dawson will be assisting in the facilitation of that. The Mayor has been meeting with all department heads and discussing their goals and priority's. Following this week's meetings, the work plan will be prepared for council discussion and prioritization.

Carol Brown thanked everyone for meeting with the people on their driving and traffic concerns in Woodside. She also attended the Parks & Lands board meeting and congratulated Robrahn.

Don Keirn attended the Fly Sun Valley meeting this morning. They will be doing the bylaws again. They will be waiving the approval by elected officials. Wednesday there will be an economic summit development meeting.

Fritz Haemmerle said that he is excited about the forthcoming bike race scheduled for July. He is glad to see these types of events in the City of Hailey. He went on to say that there appears to be an ongoing issue with the Sawtooth Rangers and another Equine group(s). He thinks we may need to intercede. Mayor does not think we can intercede. Robrahn pointed out that she has heard that there are other groups that we should be reaching out to and getting their input. Williamson will look at the lease and see if there is anything that can be done. Haemmerle would like us to do something facilitate discussions between these groups if possible.

Martha Burke updated council on the airport meeting last month. It was a very positive meeting. Baird is hoping to arrange for Mark Perryman to come to our June 3rd meeting to discuss the environmental analysis. She would like us to have the opportunity to meet with him one on one. The FAA conference was entitled Safe Green Valley. McBryant is chairing an adhoc committee at the airport.

EXECUTIVE SESSION

Haemmerle moved to go into executive session Re: Pending Litigation (ID 67-2345 f/j) and/or Real Property Acquisition (IC 67-2345 .c). Burke seconded; a roll call vote showed all in favor. The council went into executive session at 8:10 pm. Haemmerle recused himself for five minutes, after which Brown and Davis recused themselves. Following a motion by Haemmerle, second by Keirn, and roll call vote of the three council members still present, the council went out of executive session at 8:35 pm.

There being no further business, the meeting adjourned at 8:35pm.