

**MINUTES OF THE SPECIAL MEETING
OF THE HAILEY CITY COUNCIL
HELD MONDAY JULY 28, 2008
IN HAILEY CITY HALL MEETING ROOM**

Mayor Davis called the meeting to order at 5:35 pm and asked for a motion from council to go into Executive Session. **Martha Burke made the motion, seconded by Fritz Haemmerle for Imminently Likely Litigation (IC 67-2345.f), motion passed unanimously.**

At 6:05 the council returned from Executive Session.

AIRPORT ISSUES:

Burke encouraged everyone to attend the upcoming meeting at the Blaine County Courthouse - August 5th at 5:30 pm regarding phase I EIS study by Landroman & Brown.

PUBLIC COMMENTS:

Steve Crosser - 431 Aspen Drive in Hailey regarding the fires a couple of weeks ago. Crosser wanted to thank the city on behalf of all of his neighbors especially the police and fire fighters, all local firefighters (including Bellevue, Sun Valley, Wood River Fire, etc.) who helped out on the recent fire. Crosser went on to ask how the investigation was going and noted that there were witnesses. Chief Gunter stated that it was determined the following day that the fire was in the jurisdiction of the county not the City of Hailey. Gunter added that prior to that determination, Hailey Police had interviewed four people of interest and all of the fire investigation information has been handed over to Blaine County Sheriff's office.

Al Lindley – 505 E. Croy in Hailey spoke regarding the consolidated dispatch topic. Lindley is concerned with the City of Hailey not taking part in this dispatch. He has received approximately fifty calls this week from concerned citizens asking that the city do their part and figure out how to fund it later.

CONSENT AGENDA:

CA 250 item was pulled by Ned Williamson.

CA 252 item was pulled by Fritz Haemmerle.

CA 256 item was pulled by Martha Burke because she was not present at the June 30th council meeting.

CA 248 Motion to approve Alcohol Beverage License Renewals

- CA 249 Motion to approve Special Event sponsored by Citizens for Smart Growth – Silent Auction at The Inn at Ellsworth Estate (702 3rd Ave. South on August 5, 2008 from 6-8 pm)
- ~~CA 250 Motion to authorize Mayor Davis to sign lease agreement for new loader (street department)~~
- CA 251 Motion to approve a study by SPF Water Engineering on the city's water rights and future water needs
- ~~CA 252 Motion to approve a study by SPF Water Engineering of the Peregrine Ranch Recharge proposal (continued from July 14th meeting)~~
- CA 253 Motion to approve a study by SPF Water Engineering of the city's water system computer model and water supply concerns (continued from July 14th meeting)
- CA 254 Motion to authorize Mayor to sign contract for Countryside Traffic Signal with Power Plus Engineers, Inc. (Bid amount approved on July 14 council meeting - \$107,390.00)
- CA 255 Motion to approve Findings of Fact and Conclusions of Law – final plat approval for Electra Lane Condos, application by Brian Bothwell and Terry Wall
- ~~CA 256 Motion to approve minutes from June 30, 2008 and July 14, 2008 meetings and suspend reading of them~~
- CA 257 Motion to approve claims for expenses incurred during the month of June, 2008
- CA 258 Motion to approve Treasurer's Revenue and Expense Report for the month of June, 2008

CONSENT AGENDA:

Motion was made to approve all other Consent Agenda items by Don Keirn, seconded by Burke, motion passed unanimously.

CA 250 – Motion to authorize Mayor Davis to sign lease agreement for new loader
Williamson pulled this item for clarification. There is no lease agreement in the packet. This is for spending funds for the new loader. **Brown moved to authorize expenditure of funds for a future lease agreement for a new loader. The motion was seconded by Burke and passed unanimously.**

CA 252 – Motion to approve a study by SPF Water Engineering of the Peregrine Ranch Recharge proposal (continued from July 14th meeting) Fritz Haemmerle wanted to share new information with council on the Indian Creek Recharge. Haemmerle states that it has been characterized by many people that that Recharge application has been denied. It has not been denied. What happened was that application was sent back for being incomplete in various ways. Haemmerle has met with Roxanne Brown (she works for SPF Engineering and is responsible for filing claims) on some other issues and they had a chance to discuss Indian Creek's application. Brown believes that there is statutory authority for the City to file recharge on that type of water. Haemmerle suggests that we expand this proposal to include having SPF review the application for completeness and help us (City of Hailey) file the application. Williamson suggested that we get a separate proposal. **Haemmerle moved to approve Consent Agenda item CA252, seconded by Keirn, motion passed unanimously.**

CA 256 – Motion to approve minutes from June 30, 2008 and July 14, 2008 meetings and suspend reading of them Burke was not present at the June 30th meeting so she wants to remove herself from the approval of this portion of the minutes discussion.

Motion to approve June 30th minutes made by Keirn, seconded by Haemmerle, motion passed with Burke abstaining.

Motion to approve minutes from the July 14th meeting made by Brown seconded by Burke, motion passed unanimously.

MAYOR'S REMARKS:

Mayor Davis asked Hailey citizens to keep our city a beautiful place to live by keeping the city right of ways free. Although there are no ordinances about parking vehicles in the city right of way Mayor Davis asked that if people do park in the right of ways to insure that the vehicles run and that they do not distract the nearby neighbors. Mayor Davis also noted that we do not have a dog ordinance does not require one animals on a leash as long as the dog in under voice command. He hopes that our citizens will abide by this ordinance because the city has received many complaints about dogs running loose in the morning and becoming a threat to not only pedestrians but also bicyclists. Mayor Davis pleaded with the community to help keep our city safe and beautiful by doing their part. The Mayor asked everyone to try not to block city right of ways as well as keep dogs under control.

PROCLAMATIONS & PRESENTATIONS:

Sean McLaughlin from 210 north second (of the Wood River Bicycle Coalition) presented to council results from the recent summit. He learned about “bicycle friendly community status” by the League of the American Bicyclists. August 15th is the application deadline. In response to the application, an audit is conducted and then determination is made by the League of American Bicyclists. If awarded this status then the League will appoint a consultant to help the community obtain higher status level. Gold, silver, bronze, etc. McLaughlin will make a copy of the application for the city clerk (within the next week) prior to submitting it.

PUBLIC HEARINGS:

PH 260 – Brian Yeager of Galena Engineering presented the application for the applicant. The planning director, Beth Robrahn has no issues or conditions of approval with this application. **Motion to approve final plat made by Burke, seconded by Keirn, motion passed unanimously.**

OLD BUSINESS:

OB 261 – 2nd Reading by Title only of proposed Ordinance 1009, amendment to Article 6A. **Mayor Davis conducted 2nd reading of Ordinance 1009.**

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OB 262 – 1st Reading by title only for Ordinance 1010

Motion to adopt ordinance 1010 made by Burke and conduct the first reading by title only, seconded by Keirn, motion passed unanimously. Mayor Davis conducted the first reading of Ordinance 1010.

OB 263 – 2nd Reading by title only of proposed Ordinance 1013.

Brown asked to change one word on page 147 item 2.36.040 item C. Change “consult” to “comment”. Haemmerle adds that he feels that consult needs to stay because the language should be stronger than “comment.” Williamson adds that this is a broad stroke and can be amended in the future. **Mayor Davis conducted the 2nd reading by title only, for Ordinance 1013. Williamson noted the change and will make it for next reading.**

OB 264 – 2nd Reading by title only of proposed Ordinance 1014. **Mayor Davis conducted 2nd Reading by title only of Ordinance 1014**

NEW BUSINESS:

NB 265 – Old Cutters proposed amendment to the Cutter’s Annexation Agreement – **Jim Speck contacted city attorney, Ned Williamson and asked to pull this item from the agenda. His client will re-think this, no need to reschedule this item.**

NB 266 – Discussion regarding Blaine County Dispatch service to Hailey. Mayor Davis opened the discussion and handed the floor to city attorney, Ned Williamson. Williamson gave a short historical overview for Dispatch services. In 2002, county voted for a \$2 assessment, (Emergency Communication Acts) to adopt E911 services. The county at that time committed to being the “administrator” of the dispatch services. With being the administrator, comes the funding of those services. Williamson added that the city has had several meetings with Blaine County where he suggested that the county review and readjust the fee to spread the fee across all users equally. The E911 act allows the commissioners to readjust the fee. Another alternative was proposed in the Friday 7/25 meeting between the city and county. The users (suggested by the county) who want a higher level of service pay more for the service. Last suggestion to the county was a proposed county wide electorate to have voters approve of this tax.

Burke asked about the % fee that the county is asking Hailey to pay.

Mayor Davis mentioned that a letter has been received by the county written by Mike McNeese. The administrative support would go away if the city does not contribute.

Haemmerle posed a question to Williamson. The City of Hailey has not ever paid fees for these dispatch services in the past, Williamson agreed. County residents will be getting more service than City of Hailey residents also members of the county.

Chief Jeff Gunter added that the dispatch would decide whether or not a situation was an emergency. Gunter states that situations can escalate from non-emergency situations to emergency situations quickly and he is concerned with this proposed decrease level of service that the city currently receives. Also a concern, Gunter states, is if this decreased service level were realized, he anticipates turnover in his staff. His workforce would not have the necessary (non-emergency) administrative support deemed crucial to their safety and support in order to perform their job. Gunter added that he believes Hailey citizens would be confused with this situation. Gunter noted that the national officer certification he is trying to obtain currently would not be able to happen.

Dawson asked a question regarding volume numbers provided by the county? Gunter stated that it was a combination of all calls. Dawson stated that the county is eradicating services to any city, council agreed.

Mike Chapman clarified that basic level of service is not the same as “existing level of service”. The existing level of service is not the level that the county wishes to obtain. The dispatch currently monitors the yellow channel for Bellevue, Wood River Fire & Rescue and Hailey. Going forward the dispatch would ignore Hailey and not the others on this channel, asks Chapman? The recent fire is a good example, where the fire was deemed in the city for the first 18 hours and then later the county agreed that it was in the county. Chapman points to the fact that he considers this an emergency situation – but how would it be handled in the future state suggested by Blaine County?

Haemmerle asked Chapman to explain CirComm – it is a multi – county agency dispatch center. After a couple of years, Twin Falls (city) determined that they were not getting the level of service they needed and pulled out. CirComm has joint powers with other county entities. The City of Twin Falls created their own dispatch center where CirComm forwards calls to them. Council discussed the CirComm fees, average about \$10 per resident. Chapman indicates that he thought it was call volume divided by number of people. Chapman mentioned that the city of Wendell pays approx. \$6,000 per year.

Gunter added that there were 3882 students in Hailey schools last year, these are both county and city residents. What would happen when issues occurred at the schools?

Brown added more history to the consolidated dispatch situation. In May, she was shocked that the County asked for \$258 thousand from the city. She feels blindsided by this presentation by Bob Greenlaw and Mike McNees. Where was the discussion about this situation? Haemmerle clarified last week’s newspaper article which indicated that the City council had “made a deal” with the county and that they were “backing out of the deal.” Council member Burke concurred with Haemmerle’s concern around the misrepresentation in last week’s article.

Burke recounts a meeting a couple of years ago where Sarah Michaels discussed the County’s plan for dispatch services and Hailey city council asked directly – what will it

cost us? And Burke remembers that nothing was being asked of Hailey. Therefore, Burke did not worry or concern her thoughts around future dispatch issues. And more recently (May 12) the council when presented with the option to pay \$258,000 to fund dispatch services explained the current financial budget constraints to the county administrators and let them know we would not be able to pay.

Haemmerle summarized that if the City of Hailey does not pay, its citizens will receive a lower level of service. There are three options – option 1, pay no money and get decreased level of service. Option 2, we pay and county agrees to provide existing level of service. Problem Haemmerle sees with this is that the other entities cannot pay their proportionate shared expenses (i.e. Bellevue City). Option 3; pay some money as a stop gap, keeping the communication ties open. Haemmerle believes that the county can approve of an override which would provide equal level of payment per resident. Brown added that if we provide some money to bridge the gap to enable the county to have time to present a levy override to county voters then she would be agreeable to it. If we give money, it must be funding the dispatch and not something else. If the county does not agree to that, added Haemmerle, “the blood of cutting off our dispatch is in their hands.”

Keirn added his concern around if we do pay some money to the county, then we as the city have no control over where the money is to be spent.

Burke stated that she wants to act in goodwill.

Mayor Davis asked staff to find out what the CirComm fee is per person. Davis offered to speak with the Mayor of the other cities involved to ask for support. Council expressed grave concern that Hailey citizens would be looking at reduce dispatch services.

Dawson spoke to council, pointed out that the cities are being charged unproportionately by the county. Blaine County and Ketchum recently merged dispatch services and Blaine County pays 3.7% of their property taxes for dispatch and Ketchum pays 7.7% of its property taxes. Sun Valley pays 4.1% of its property taxes to fund dispatch services. Bellevue is being asked for \$63,000. Brown agreed with Mayor Davis that we are being asked to fund Bellevue’s portion that they are not able to pay for. Keirn noted that the Sheriff’s Department provides Bellevue with Police services, why did they not help at all? Williamson summarized that he hears the council discussing the “stop gap funding measure” as an option but he reiterates that he sees dispatch as being a county function. Brown added that any stop gap measure would come with terms. It is good faith on our part to allow them time to get a levy override to the county voters.

Mayor Davis opened the floor to public comments. Tony Evans 1011 E. Spruce Street with the Idaho Mountain Express asked what the county responded to when the city called them asking why the news article mentioned that the city had agreed to a “deal” when in fact the city had not agreed on any “deal” with the county. Why can we not continue the same level of service without cities providing additional funding to the county. Virtually all of the equipment in the new dispatch center was paid for by the

Department of Homeland Security grants added Mike Chapman. This means there was no significant amount of cash outlaid by the county for the new dispatch call center at the new jail. Williamson added that “the county did not definitively reject the existing level of service coupled with a higher level of service. But it not meet with any enthusiasm either.” Haemmerle noted that we have provided several options to the county and the county has never really given any alternative options.

Haemmerle asked Chapman to clarify existing level of service vs. basic service.

Council asked Williamson to write a letter showing their continued effort of good will to Blaine County Commissioners.

Mayor ended discussion with Hailey wants to be a part of the solution, not a part of the problem.

NB 267 – Discuss authorization of expenditure of Capital Funds to provide curb, gutter, sidewalk and paving on 2nd Avenue between Croy Street and Bullion Street. Dawson explained past policy on past usage of Capital Funds. Our previous policy on capital fund has been that when we plan to spend the capital funds on specific projects, we show that in our annual budget as a planned expense and drops out of the Capital Fund into the department budget. And during this particular period, these sidewalk repairs are not in the department budget. So to move these moneys from the Capital Fund to the department budget should require some city council conversations. Also note that this is the beginnings of a “Sidewalk Plan.” In Lieu fees are collected in this part of town to help fund sidewalks.

Hellen explained that the offer from the Hailey Eye Center is proposing to install one half of a city block of sidewalks. Hellen added that this proposal would be a bit problematic for snow removal, etc. Dawson asked, when there is a full city block to be developed, how does the council feel this should be developed? Should we provide an entire city block of sidewalks by funding only 50% of the cost? Haemmerle restates the question, do we want our downtown core to look like a city or do we want it to still feel like a residential area?

Brown supports the sidewalk, curb and gutter in the downtown core, because she believes that the citizens want sidewalks in the core.

The council after some discussion agreed that they need a sidewalk master plan. A plan that addresses more than just this isolated sidewalk issue.

Robrahn added that we should “complete the circle” by amending the ordinance to reflect what the priorities are for the sidewalk plan. The amendment should allow for changes outside of the downtown core. Dawson and Robrahn will begin meeting in the next week to discuss the long term plan. Council agreed that the public involvement will be key to this plan. Dawson reiterates council’s wishes to be more proactive – not waiting on

development to fund sidewalk plan goals. By combining these with In Lieu opportunities to complete our sidewalk master plan is the council's wish.

Hellen stated that right now the estimate is approximately \$42 thousand to do curb, gutter, sidewalk and paving on 2nd Ave.

Dawson totaled the amount we want to pull from the capital fund - approximately \$55 thousand dollars. So this should be the motion from the council, to transfer funds from CIP budget to the street department.

Brown moved to transfer \$55 thousand dollars from the CIP to street department, seconded by Keirn, motion passed unanimously.

WORKSHOP:

Mayor Davis asked if the council has ever visited the Life Church property. Brown has looked at it but not felt comfortable walking on the property without the owners' authorization. Council agreed that they would walk the property if a meeting was scheduled. Robrahn stated that the applicant would like council to visit the property. Williamson asked to provide public notice for council to do this site visit. Robrahn will continue it from the Aug 11th meeting to a later certain date. Then council asked Robrahn to ask the applicant what they would like to do.

Mayor Davis announced that there will be a Special Olympics meeting on Wednesday at 10 am in Hailey Council Meeting room regarding being a host town for the Special Olympics.

Thursday at the Farmers Market the Food Network will be there to film it.

Mayor Davis asked if the prosecuting attorney contract has been renewed. Dawson answered, no not yet. All contracts are reviewed, renewed at the same time in the next meeting or two and will be noticed to the public.

Mayor Davis asked Williamson to review the Homecoming request to close highway 75.

Brown wanted to disclose that Rich McIntyre phoned her last week about water. She stated that she is not well versed in water rights so she just listened to what he had to say. He assured Brown that the agencies would send letters to the city clarifying their positions.

Keirn asked the county administrator today regarding a decision on the SIEDO contribution. He assured Keirn that they will make a decision by tomorrow (July 29, 2008). Keirn will email everyone when he has the information on the decision.

Burke reminded everyone about Airport meeting on Tuesday August 5th at 5:30 Blaine County Courthouse. She believes the Airport and Landroman and Brown will be doing another workshop – 2 times, an afternoon and evening. Brown will miss the meeting and asked to get updates from Burke.

Dawson spoke regarding Sustain Blaine. They learn prior to the start of a meeting with the county recently that they signed a contract with Sustain Blaine and all the parties. Hailey City has money in the budget for Sustain Blaine. Two upcoming meetings are on July 31st here in Hailey City Hall Meeting Room and Aug 1st at noon in Ketchum City Hall. Mayor Davis is scheduled to be interviewed by that consultant on Thursday at 3 pm.

With no further staff updates, the Mayor adjourned the meeting at 8:18 pm.

Rick Davis, Mayor

Mary Cone, City Clerk