

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, APRIL 27, 2009
IN THE HAILEY TOWN CENTER MEETING ROOM**

The meeting of the Hailey City Council was called to order at 5:30 p.m. by Mayor Rick Davis. Present were Council members Don Keirn, Carol Brown, Fritz Haemmerle and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson and City Clerk Mary Cone.

OPEN SESSION:

Geoffrey Moore – 1250 Woodside Blvd had comments to council about the recent article in the Idaho Mountain Express regarding consolidation titled “Quench the Flames.” Moore expressed his concern with this article stating it was not based on facts but a slanted opinion. Moore read from a letter he had prepared to aid him in getting his points across. Moore believes that the Wood River Fire and Rescue’s recent termination of the auto aid agreement with Hailey is a stunt.

Jamie Coulter of 320 West Cedar spoke to council and handed out a picture for them to review while he spoke. Coulter is asking for a couple of stop signs to be placed in the city, going East and West on Cedar Street around Silver Star and the other one on West bound Cedar Street just before Cedar Bend and War Eagle. Mayor Davis will discuss this with City Engineer Tom Hellen and get back with Coulter.

CONSENT AGENDA:

CA 169	Motion to accept donation of 20 to 30 healthy Spruce trees, potted and approximately 2-3 feet tall, from an anonymous donor for use by the City of Hailey at its best discretion. (no documents)	
CA 170	Motion to authorize federal grant application to National Endowment for the Arts requesting \$10,000 for the Fox Building Mural Project	1
CA 171	Motion to approve and authorize the Mayor to sign contract with SPF Engineering for Miscellaneous Water Rights Issues (estimate not to exceed \$10,000)	23
CA 172	Motion to approve an estimated cost of work for Galena Engineering for Design Engineering Services for a 16” water transmission main.....	35
CA 173	Motion to authorize Public Works department to interview two firms (HDR and Centra) for the NPDES Discharge Permit and TMDL Study	37
CA 174	Motion to approve and sign revisions to the 2009 Park Maintenance Contract with Idaho Proscapes, Inc, effecting a reduction in services for a cost savings of over \$5000. The services not contracted for will be performed by city staff, and organic fertilizer will be acquired through another company for 2 parks.	41
CA 175	Motion to authorize professional services contract with Ketchum Computers for implementation of Hailey’s Information Technology Plan, specifically oversight of new file server installation.....	51
CA 176	Motion to authorize the selection of Ruscitto/Latham/Blanton as Architects for the Rodeo Grounds project	69
CA 177	Motion to approve Findings of Fact and Conclusions of Law and the Development Agreement and authorize the Mayor to sign both documents – approval of rezoning Lots 8-12, 20-24, and the northern half of vacated Cedar Street, Block 125, Hailey Townsite (311 Cedar St. East) from General Residential (GR) to Limited Business (LB) with a development agreement.....	73
CA 178	Motion to approve and authorize the Mayor to sign Resolution 2009-04 – Identity Theft Prevention Program	105
CA 179	Motion to approve SVMA Celebrate Summer in South Valley Carnival Special Event	113
CA 180	Motion to approve Girls on the Run Special Event.....	123

CA 181 Motion to approve City Council meeting minutes of April 6, and April 13, 2009 and to suspend reading of them. 135
CA 182 Motion to approve claims for expenses incurred during the months of March and April 2009 151

Public Works Director Tom Hellen pulled consent agenda item 169. Brown also pulled consent agenda item 169.

Keirn pulled consent agenda item 176.

Davis pulled consent agenda items 175 and 179.

Burke pulled consent agenda item 174.

Motion to approve all other Consent Agenda items minus 169, 174, 175, 176, and 179 made by Burke seconded by Keirn, motion passed unanimously.

CA 169 – Hellen pulled this item because it came in late Friday afternoon when he was out of the office. In talking to some of the Tree Committee members, Hellen added, that they would like to discuss this offer and make a recommendation to council. Hellen tabled this item.

CA 174 – Burke asked if there is enough money in the budget to clean the restrooms more regularly if necessary. Hellen affirmed yes there is room in the budget to clean more often if needed but that the Parks employees will check the restrooms more often as well.

Burke made a motion to approve CA 174, seconded by Haemmerle, motion passed unanimously.

CA 175 – Mayor Davis asked Williamson if he has read the Ketchum Computers contract and is he okay with it. Williamson confirmed he has read it and is okay with it.

Motion made by Brown to approve the Ketchum Computers contract and authorize the Mayor to sign, seconded by Keirn, motion passed unanimously.

CA 176 – Keirn wanted to know if the City Administrator, City Treasurer or one of the council members will be present in the discussions regarding budget. Hellen affirmed that there will in fact be representation from one of those parties mentioned. Keirn is okay with this then.

Motion to approve consent agenda item 176 made by Burke, seconded by Keirn, motion passed unanimously.

CA 179 – Hellen indicated that the past few years it has been city policy to not loan out city equipment except for city sponsored events i.e. 4th of July. Council would like Hellen to review what it would take to loan out the city equipment. Hellen will check into this idea.

Motion made by Brown to approve consent agenda 179 the South Valley Carnival Special Event, seconded by Keirn, motion passed unanimously.

Mayor Davis moved the Public Hearing up in tonight’s discussion as it is a school night and many students are present in this meeting.

PUBLIC HEARINGS:

PH 188 Discussion regarding possible closure of the skate park

Haemmerle gave a summary as to the vandalism and disturbing recent behavior by some adolescents. Haemmerle is concerned with this behavior and stated that it is not the intent of the city to close the skate park but the behavior needs to stop. Haemmerle implored to the public, asking them to turn in people that they see causing harm to anyone or anything at the skate park. Haemmerle wants to hear any and all ideas for solutions to these recent issues.

Mayor Davis opened the session for public comment.

Joyce Benter of 517 1st Ave spoke to council. Benter suggested a security type entity or equivalent to a life guard at a swimming pool.

Ben Brooks of 210 Bald Mountain Road in Ketchum spoke to council. Brooks went to the Hailey skate park recently and attempted to get a 15 year old to stop poor behavior and the response was this individual asked Brooks to hit him.

Chris Matteas 311 Aspen in China Gardens suggested that the city apply oil on the dirt parking lot near the skate park as it causes a slippery surface on the skate park.

Paul Jones of 1711 Heroic Road concurs with Haemmerle's comments. Jones skate boards with his son at both Hailey and Ketchum. Jones asked some kids at the Hailey skate park to stop swearing because of the younger children present. Jones is disappointed in hearing about the vandalism.

Haemmerle let Jones know about a recent change, the Hailey Police are writing letters to kids who vandalize the park referencing our city ordinance. The letter states that the kid is no longer welcome at the skate park and if they do show up that they will be arrested for trespassing.

Shelley Kouter of 3930 Woodside spoke to council. Kouter has been involved in the skate park activity over the last week. Kouter suggested forming a parent committee to help oversee the skate park. Another idea is to form a brainstorming committee with the active skaters to come up with what actions need to take place. Kouter suggested that an open line of communication with the Hailey Police and the parent overseeing the skate park.

Haemmerle pleads with parents to control their teenage kids.

Steve Fairbrother of 950 Buckhorn spoke to council. Fairbrother has been actively involved in the skate park and would like to see lights and cameras installed in the park. Fairbrother would like to be a part of an adult committee as suggested by Kouter. Fairbrother would like to see helmets required at this park.

Krista Gurkey of 120 Prairie Sun Bellevue asked who should be enforcing the rules. Haemmerle believes that it should be self-enforced. Gurkey suggested tapping into probation officers, big brother big sister volunteers or other youth organizations.

Cathie Caccia of 440 Eureka spoke to council. Caccia would like to educate people to learn what can be done to help keep the park open. Caccia suggests a Park clean up day. Caccia wanted to know what it would take to get recycle bins at the skate park. Caccia will check with the Environmental Resource Center (ERC).

Pete Kramer of 1061 Baldy View Drive spoke to council. Kramer sees two issues, keeping the park going and policing. Kramer implores to the skaters; take pictures with your cell phone and call the police and let them handle the issue. Haemmerle thinks the park would be better if adults would be brave enough to stand up to the misbehaving children.

Steve England, Hailey Police Officer spoke to council. England implores that the Police department needs witnesses and people willing to identify misbehaving individuals and to state what they were doing. England believes some of the bad behavior happens mostly when adults are not present at the park.

Dave Fairbrother of 950 Buckhorn has been attending the park for the past year. Fairbrother has been going to the park more often since the trespassing letters have been sent out – they seem to help keep some of the “bad apples” away from the skate park.

Jim Kuehn of 114 Buttercup spoke to council. Kuehn read comments from four individuals very involved in raising the money to build the skate park 4 years ago. Kuehn believes that the skate park is the most commonly used park in Hailey. Kuehn believes that the park needs to be re-sealed and the landscaping maintained. Kuehn believes that the trash should be picked up daily. Kuehn suggests that the city make a portion of Lions Park available for BMX bike riders since the bike riders are not allowed to use the skate park due to the potential of the bike pegs damaging the park surface. Kuehn is pleased to see tonight’s turnout and involvement by the city to make this a better park.

Joe Zellers of 1020 Red Elephant spoke to council. Zellers is a teacher and knows that some kids have stopped going to the Hailey skate park for fear of the misbehaving kids.

Mayor Davis thanked all parents and skaters and thinks the committee is a great idea.

Burke believes that the education is critical to the success of the park. Burke thinks a video feed would be beneficial and solar powered down cast lights. Burke likes the idea for a temporary street section to allow for additional skating props.

PROCLAMATIONS AND PRESENTATIONS:

PP 183 Proclamation – Municipal Clerks Week May 3 – May 9, 2009

Mayor Davis read the proclamation.

HAILEY CITY COUNCIL MINUTES
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PP 184 Presentation by Wood River Land Trust (WRLT) regarding Trout Friendly Lawns program

Katherine Goldman with WRLT spoke to council. Goldman gave a history of the Trout Friendly Lawn program started by WRLT. WRLT is working with the City to make Heagle and Curtis Parks green by using chemical free fertilizers. Goldman asks council to entertain an incentive to water conservers who are Trout Friendly Lawn certified. Goldman believes recognition would go a long way with conservers.

Brown appreciates the handouts from Katherine as they were very informative.

Haemmerle spoke with Tom Hellen today regarding the idea to lower the rate for low water usage and raise the rate for high water usage.

Goldman will continue to work with city staff and the HELP committee to come up with ideas on an incentive program.

PP 185 Presentation by Wood River Land Trust regarding Lions Park restoration expansion and DEQ grant

WRLT pulled this item from the agenda.

MAYOR'S REMARKS:

Mayor Davis regrettably announced that Hailey lost a great bank this week – First Bank of Idaho as it was taken over by the Federal Government and US Bank bought some of their assets.

APPOINTMENTS AND AWARDS:

AA 186 Arts Commission appointments 2 unfilled positions

The Arts Commission recommends appointment of two vacancies. Mayor Davis recommends to council that they appoint Kelly Young and Jessica Miller to vacant Arts Commission seats.

Brown is grateful to these appointees for volunteering to serve on the Arts Commission.

Brown makes a motion to appoint Jessica Miller and Kelly Young to the Arts Commission, seconded by Burke, motion passed unanimously.

AA 187 Friedman Memorial Airport Board Appointments

Brown proudly makes a motion to nominate Susan McBryant to another 2 year term, seconded by Burke, motion passed unanimously. Haemmerle wondered if others were considered for this position. Burke responded that it was the wish of the council to keep Susan McBryant involved in this Board when she stepped down as Mayor due to the complexity of the situation and the history which she had.

OLD BUSINESS:

OB 189 Motion to conduct 2nd Reading of Ordinance 1027 – to change the zoning of Lots 8-12, 20-24, and the northern half of vacated Cedar Street, Block 125, Hailey Townsite (311 Cedar St. East) from General Residential (GR) to Limited Business (LB)

Mayor Davis conducted the second reading of Ordinance 1027 by title only.

NEW BUSINESS:

NB 190 Adoption of new Credit Card Use policy for City of Hailey

Dawson asked to pull this item to do some more work and present to council at a later date. Council is okay with this request.

NB 191 Recommendation of a new Credit Card vendor for the City

Dawson asked to pull this item to do some more work and present to council at a later date. Council is okay with this request.

NB 192 Discussion of and Adoption of Resolution to enact Hailey Community Oversight committee by-laws for the Hailey Medical Marijuana Act, Hailey Lowest Police Priority Act and Hailey Industrial Hemp Act

Brown recused herself from this conversation.

Williamson gave council an overview of the rationale and thought process which led to him to draft the committee by-laws in tonight's packet. Williamson pointed to the findings in the three ordinances (section 2 in all of them) and mentioned that he has never seen an Ordinance which contains this information but he did not draft this and is okay if council leaves this as is or removes the findings.

Mayor Davis is okay with leaving the language in as adopted. Haemmerle thinks there should be consistency with how ordinances are adopted by voters or by council. Burke believes the stricken language "tells the story as it happened" and is okay with leaving it in as presented tonight.

Williamson suggests that the Mayor and council appoint 6 individuals, and 1 individual representing the Liberty Lobby. Page 267 in the packet sets forth what the oversight committee would be doing.

Keirn makes a motion to approve Resolution 2009-05 adopting the by-laws of the oversight committee, seconded by Burke, motion passed unanimously. Brown recused from this discussion and motion.

NB 193 Discussion of date for Fire Summit, pursuant to responses and availability from other jurisdictions

Page 279 and 280 in the packet are two responses to the summit letter sent. Council will look for end of June to discuss this item to give municipalities more time to respond.

NB 194 Update on Events Calendar for 2009 approved and pending events, with discussion of business district outdoor venues for music

Mayor Davis summarized the idea and conversation with Dawson summarized on page 281 of tonight's packet. Mayor Davis wants to know what council thinks of this suggestion. Brown thinks this is a great idea but we need to be careful in how we define this situation. If the music can only be held by patrons of the establishment is it okay to allow this without a special event permit, asks Mayor Davis. Brown is in support of this idea. Keirn and Burke are in support of this idea.

Pete Kramer of 1061 Baldy View Drive gave an update to council on the Northern Rockies Folk Festival which is scheduled for Friday July 31st and Saturday August 1st at Hop Porter Park. Kramer indicated that they are implementing ideas for separate tickets for Friday and Saturday nights and ideas around recycling. Kramer also indicated that they are researching quiet generators for vendors to help with the electrical power supply shortages experienced in past years.

WORKSHOP:

Tom Hellen went to Pocatello for a Public Works seminar regarding a certification of Public Works employees. The certification focuses on bringing up a city Public Works department up to National Standards.

Mike Chapman announced that the training is complete for the new Firefighter volunteers (8 new volunteers). Advanced Firefighter training is this weekend in Hailey in conjunction with the Friedman Airport with the hopes of having this training ongoing annually. Chapman is disappointed in the April 24th article in the Idaho Mountain Express b/c it was not true.

Dawson announced there is only one regularly scheduled meeting in May. The other meetings are special meetings for Quigley. Due to these May meetings, we will begin budget discussions in June 2009.

Jeff Gunter, Police Chief

Saturday Gunter will be a judge at the senior center contest.

Gunter believes the police presence is a positive impact on the vandalism.

Mayor Davis – Thursday at noon Carey community center will be hosting the Blaine Regional Leadership. Mayor Davis will be out of town Friday afternoon May 8th.

With no further business Mayor Davis adjourned the meeting at 8:04 pm.

Rick Davis, Mayor

Mary Cone, City Clerk