

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, MAY 11, 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:

Bob McLoed of 417 E. Myrtle representing the Blaine County Historical Museum spoke to council. The museum was just awarded a Smithsonian exhibit for 6 weeks next year.

Tom Bowman Blaine County councilmember spoke to council. The county dispatchers have moved to the new public safety building. The county will be deciding what to do with the old property where the dispatchers worked. Bowman asked for their ideas for future use of this property.

CONSENT AGENDA:

CA 197	Motion to approve Alcohol Beverage License Application from The Mint Bar, Inc.	1
CA 198	Motion to approve and authorize Mayor to sign Department of Justice Recovery Act – Local Solicitation Bureau of Justice Assistance Grant application for \$15,000.....	9
CA 199	Motion to approve and authorize the Mayor to sign agreement with Galena Engineers for design of 16” transmission water main.....	15
CA 200	Motion to approve and authorize the Mayor to sign agreement with SPF Water Engineering for continued engineering on Water System operations	23
CA 201	Motion to ratify Mayor’s signature on Sewer Line Easement Agreement for Hailey Readiness Center	33
CA 202	Motion to approve and authorize the Mayor to sign Resolution 2009-05 regarding Banner specifications and fees	41
CA 203	Motion to approve Special Event sponsored by Camp Rainbow Gold held at Teddy Bear Day Care, 609 South Main Street, on June 6, 2009 from 10:00 am – 6:00 pm; with waiver of noise ordinance for amplified sound of a ‘kid’s band’	45
CA 204	Motion to approve Special Event sponsored by Wood River Organics for Holy Tomato Plant Sale at Zaney’s side yard , 208 North River Street, on May 30 and May 31, 2009 from 9:00 am – 1:00 pm	51
CA 205	Motion to approve Special Event sponsored by the Wicked Spud/Heidiglyphics/Figleaf Productions for Back Alley Parties at the Wicked Spud, 305 North Main, on every Wednesday from June 24, 2009 through August 26, 2009, from 6:00 pm – 9:30 pm; with waiver of noise ordinance for amplified sound AND waiver of minimum 8 events per calendar year.....	59
CA 206	Motion to approve Special Event sponsored by the Wicked Spud and Music’nMe for Friday Fun Nights at the Wicked Spud, 305 North Main, on every Friday from May 22, 2009 through August 28, 2009, from 6:30 pm – 8:30 pm; with waiver of noise ordinance for amplified sound AND waiver of minimum 8 events per calendar year	63
CA 207	Motion to approve Special Event sponsored by the WR Farmers’ Market Association for Hailey Farmer and Artist’s Market at the lot south and adjacent to Bank of America, 217 North Main, on	

	every Thursday from June 11, 2009 through October 8, 2009, from 2:30 pm – 6:30 pm; with waiver of noise ordinance for amplified sound AND waiver of minimum 8 events per calendar year.....	69
CA 208	Motion to approve Special Event sponsored by the Sun Valley Center for the Arts for FANDANGO at the Ezra Pound House/Hailey Sun Valley Center for the Arts, 314 South Second Avenue, on June 19, 2009 from 7:00-9:00 pm, with waiver of noise ordinance for amplified sound.....	77
CA 209	Motion to approve Magic Valley Business Systems Sharp AM-205 copier contract changing contract from annual to monthly – no price change.....	87
CA 210	Motion to approve City Council meeting minutes of April 27, 2009 and to suspend reading of them	89
CA 211	Motion to approve claims for expenses incurred during the month of April 2009 including dispatch payment for having received acceptable service for the prior month.....	97
CA 212	Motion to approve treasurer’s cash report, including LOT report.....	123

Consent Agenda item 201 was pulled by Ned Williamson.

Motion to approve all items minus Consent Agenda item 201 made by Keirn, seconded by Burke, motion passed unanimously.

Williamson feels that this item is best suited to be approved after the 3rd reading of the vacation of the alleyway. No action was made on this item.

PRESENTATIONS & PROCLAMATIONS:

PP 213 Presentation by Idaho Power re: new transmission line into Wood River Valley

Dan Olmstead with Idaho Power introduced himself and other employees present tonight. Jim Bell, local Idaho Power Manager, Tom Barber, Project Manager for this project (he is located in Boise), Brian Hobson, Senior Planning Engineer with Idaho Power are all present with Hobson giving the presentation to council.

Hobson gave an abbreviated overview of their recent Wood River Valley study and future Wood River Valley power assessment needs. Idaho Power looked at potential developable land to come up with a population and energy usage forecast. Hobson pointed to a map showing the Wood River Electrical Plan Overview which showed capacity for the existing transmission lines and potential risk for a 20-30 minute brown out if a new transmission line were not put into place. The current line into Hailey is not redundant. A committee was formed 10 years ago with local municipal parties from cities and the county to discuss Wood River Power needs. A reassessment was suggested in 10 years on whether or not to build new transmission lines, that is the reason for today’s presentation. Hobson outlined 0 to 5 year projects, 10 year projects and 30 year projects for redundant systems. The suggestion today is to build a second line from Hailey to Ketchum in the I-75 highway corridor (overhead lines not underground as the cost of underground lines are 10 times more expensive than overhead lines). Idaho Power is in the beginning stages of getting the required permits for the Hailey to Ketchum transmission line and selecting the final routes. Public Hearings will be held

within the next year, hoping to break ground within one year. Idahopower.com has more information; click on “about us” concluded Hobson.

PP 214 Proclamation declaring May 2009 as National Foster Care Month

Mayor Davis read the National Foster Care proclamation declaring May 2009 as National Foster Care month.

PP 215 Proclamation for 2010 Census partner

Brown is an avid genealogist and hopes that everyone will complete the census as she knows it is vital for future historical searches.

Mayor Davis read the 2010 Census partner proclamation.

APPOINTMENTS:

AA 216 Appointment(s) to the Hailey Tree Committee

See Public Hearing item 222 below regarding this appointment.

AA 217 Appointments of Marijuana Act Oversight Committee members

Mayor Davis asked how council is coming along with finding potential nominees. Mayor Davis suggested that this item be moved to the June 8th agenda so that council has more time to gather a list of interested individuals.

PUBLIC HEARINGS:

PH 218 Discussion with County Commissioner Tom Bowman regarding funding for ongoing USGS water study

Tom Bowman, Blaine County Commissioner presented to council his annual request for the ongoing USGS water study. This need will be extended for a 3rd year, until FY 2011. Hailey’s annual budgeted amount is \$5,475.

PH 219 Discussion with County Commissioner Tom Bowman regarding recommendation by the Blue Ribbon Commission on governance of the new airport

Tom Bowman presented to council the recommendation by the Blue Ribbon Commission on governance of the new airport. The recommendation is for a 5 member board; nominees are nominated by the Blaine County Commissioners (details in tonight’s packet) and must be Blaine County residents.

Mayor Davis opened the session to public comments. There were no public comments.

Haemmerle expressed concern with two current Blue Ribbon Commission members stating opposition with the mission of relocating the Friedman Airport. Bowman responded that Blaine County is in full support of the relocation of the Friedman Airport. Bowman will be back in front of council at some point in the near future with a final recommendation from the Blue Ribbon Commission.

PH 220 An application by the Idaho Army National Guard for the vacation (abandonment) of a portion of the alleyway, located between Lots 8-12 & 20-24, of Block 125, Hailey Townsite, within the General Residential (GR) and Townsite Overlay zoning districts. The Hearing Examiner recommended approval on April 13, 2009 (Motion to approve Ordinance and conduct 1st Reading by title only)

Beth Robrahn, Hailey Planning Director gave an overview to the council. Robrahn stated that this is a formal vacation of a portion of an alley which has never been used as an alley.

Major Doug Warner spoke for the Armory. Warner expressed that this is the last vacation that they are aware of which is needed for the Armory improvements.

No public comments were made.

Burke makes a motion to approve Ordinance 1028 the vacation of a portion of the alleyway located between Lots 8-12 and 20-24, of Block 125, Hailey Townsite, and authorize the Mayor to conduct the first reading by title only, seconded by Haemmerle, motion passed unanimously.

Mayor Davis read Ordinance 1028 by title only.

PH 221 Discussion of the issue of forced annexation of four parcels located within Blaine County that could result in the City of Hailey processes the application of Hartland Development Company LLC for annexation of 21.81 acres of the Colorado Gulch Preserve located within W1/2NWSW TL 7859, SEC 15 and SESE, N1/2SE, 2N 18E, SEC

Robrahn oriented council by pointing out on the City of Hailey zoning map where this property is located. Also clarified this is not a public hearing on an application, tonight is merely a discussion.

Williamson gave an overview of the history of this property. Williamson would like council to discuss the idea of forced annexation and to express those thoughts tonight but not make any decision.

Brown disclosed that she lives on Silver Star Road.

Jim Laski is present tonight on behalf of the developer Hartland Development Corp, LLC.

HAILEY CITY COUNCIL MINUTES
May 11, 2009

Brown would like to discuss this on a broad basis and not specific to this parcel of land.

Haemmerle believes that there are cases around the city which are good candidates for forced annexation.

Brown believes that these situations should be considered on a case by case basis and that like Haemmerle, there are times where forced annexation is appropriate.

Burke is concerned with the potential of a forced annexation where it would potentially create “islands” of city property and where the developer benefits from the annexation and individuals forced to annex into the city receive liabilities (water hook up fees).

Mayor Davis opened the session to public comment.

William Miles spoke to council, Miles has submitted written comments dated 5/6/09 which are in tonight’s packet.

Joan Brison – her driveway is near this proposed annexation. Brison did not receive a notice and believes she is within 300 feet of this property. Brison is opposed to forced annexation.

Peter Lobb 403 E. Carbonate spoke to council. If there is such a benefit to the City for annexation, then maybe the City of Hailey should lower the hook up fees.

Scott Pletcher of the Wood River Land Trust spoke to council. Pletcher wants the council to justify each annexation.

Brian Yeager with Galena Engineering speaking on behalf of Hartland Development Corporation spoke to council. Yeager wanted to ask council to be open to future annexations. Yeager’s goal and hope tonight was to hear that council is open to future potential forced annexations.

Jeff on behalf of Hartland Development Corporation spoke to council. It is not the goal of this developer to create hardships for nearby land owners.

Kathy Barthis on Silver Star Road points out there are other considerations when looking at annexation. Barthis has horses and if she were to be annexed that might impact her property use and limit the number of horses she could have on the property.

PH 222 Amendment to Hailey Municipal Code Section 2.36.020, Establishment of the Haily Tree Committee, to increase membership from five voting members to seven voting members, allowing two to live outside the city limits of Hailey, one within the Area of City Impact and one anywhere within Blaine County

Brown believes that two more members would give the committee more flexibility.

Brown makes a motion to amend Municipal code 2.36.020 increasing the Tree Committee from 5 to 7 members and to conduct 1st reading of Ordinance 1029, seconded by Keirn, motion passed unanimously.

Motion by Brown to nominate Keri York to the Hailey Tree Committee, once the 3rd Reading is conducted of Ordinance 1029 and the Ordinance is in effect (after publication), seconded by Burke, motion passed unanimously.

Mayor Davis conducted the 1st Reading of Ordinance 1029 by title only.

PH 223 Proposed Amendment to Municipal Code Chapter 12.12 regarding Park Reservation and Use Policies and discussion of two proposed resolutions providing for park use fees and guidelines for park use and reservations

Tom Hellen Hailey Public Works Director gave an overview of the proposed changes to council.

Dawson points council to page 202, paragraph 1 in tonight's packet, the last sentence states that 10 days before if no special event is planned the park will be made available for public reservations. Dawson asked council if 10 days is enough time to plan a personal event.

Brown likes the proposed changes and thanked the Parks and Lands board and Janet Fugate, present tonight.

Burke would be happy to consider modifying the 10 day notification if it needs changing.

Motion made by Keirn to adopt Ordinance 1030 adopting the proposed amendments to Municipal Code Chapter 12.12, seconded by Burke, motion passed unanimously.

Mayor Davis read the first reading of Ordinance 1030.

OLD BUSINESS:

OB 224 Motion to conduct 3rd Reading of Ordinance 1027 and authorize the Mayor to sign – 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)

Motion to conduct 3rd Reading of Ordinance 1027 and authorize the Mayor to sign made by Burke, seconded by Haemmerle, motion passed unanimously.

Mayor Davis conducted the 3rd Reading of Ordinance 1027 by title only.

NEW BUSINESS:

NB 225 Adoption of new Credit Card Use Policy for City of Hailey

Dawson gave an overview of the research and proposed information in tonight's packet.

Haemmerle wants to strike the comment "extraordinary circumstances..." from the agreement and Policy and add language that any violations are reported to the Mayor.

All council members are in agreement with Haemmerle and want the sentence removed which includes "...human error and extraordinary circumstances will be taken into consideration and investigate any violations of this agreement."

Brown pointed out a typo on page 216 of packet in the box, employee has too many "e's".

Keirn moves to adopt Resolution 2009-06 and authorize the Mayor to sign, subject to the changes just discussed, seconded by Burke, motion passed unanimously.

NB 226 Selection of new credit card vendor for City of Hailey

Motion made by Haemmerle to accept the new credit card vendor First Bankcard, seconded by Brown, motion passed unanimously.

WORKSHOP:

At the April 27th council meeting there was a citizen request to put a stop sign on Cedar Street. The radar trailer was put in this area and the information gathered does not warrant a stop sign, stated Hellen, the City Public Works Director. Hellen does believe that a roundabout would be a good idea in this area. Mayor Davis asked Hellen to get an estimate on the roundabout.

Council asked in the last meeting if Special Events would be able to borrow city equipment, (barricades). Hellen would like council's thoughts on this topic as it is a challenge to make sure loaned equipment is returned. Council would like to see an arrangement made with the Hailey Chamber of Commerce and a deposit taken in case the equipment is replaced if damaged or not returned.

Hellen hopes that the council will see a sketch of the Rodeo Grounds.

Dawson gave council a brief overview of where we are with the current budget. Mountain Rides has applied for a stimulus grant. Two weeks from tonight, no council meeting because it is Memorial Day. Dawson would like to put a few consent agenda items on the May 26th meeting, Quigley discussion.

Brown will miss the ICRMP training this year. Wednesday night Brown has a Library Board meeting. This Thursday Brown is missing the tree committee because of the Quigley meeting. Council wants to cancel the 5/14 Quigley meeting. This will be confirmed with Robrahn tomorrow. Brown participated last weekend in the 5th annual Lions Park clean up day. The new section of the Toe of the Hill Trail is really a great addition to the trail and Brown is very grateful to Harry Rinker for donating this easement.

Keirn, Fly Sun Valley Alliance meeting was cancelled at the last minute today. The next meeting will be in June.

Burke, May 23rd is the Friedman Fly In put on by the Blaine County Pilots Association, Atlantic Aviation and Friedman Airport.

With no further business, Mayor Davis adjourned the meeting at 8:00 pm.

Rick Davis, Mayor

Mary Cone, City Clerk