

**MINUTES OF THE SPECIAL MEETING OF THE
HAILEY CITY COUNCIL
HELD TUESDAY JULY 14, 2009
IN THE HAILEY TOWN CENTER MEETING ROOM**

The special 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, Martha Burke and Fritz Haemmerle and Carol Brown. Staff present included City Attorney Ned Williamson, and City Administrator Heather Dawson and City Clerk Mary Cone.

Dave Hennessey for applicant opened with statements regarding the recent staff report produced by the City Planning department. Hennessey is withdrawing proposed development of Deadmans Gulch and above the pond (which is comprised of parcel 7 and all of Deadmans, approximately 15 lots) from the application. They will continue to pursue development within the Area of City Impact (ACI), added Hennessey. Hennessey indicated that the applicant will work with Blaine County on developing Deadmans Gulch and above the pond. Haemmerle asked Hennessey what is the largest lot left for development now? Hennessey responded that approximately 1 acre is the largest size lot now. Robrahn confirmed Hennessey's information.

Mayor Davis asked City Engineer Tom Hellen to give an update on wastewater solutions. Council has recently received a report from the Sfingi Group (a local construction design and planning company). Hellen indicated that the original wastewater plans included upgrading the Woodside trunk line to satisfy existing homes and new capacity for this development. Hellen asked Sfingi to estimate the cost savings estimate a replacement sewer line, reclaimed water line and redoing the boulevard at the same time. Sfingi suggested a reclaimed line and sewer line along the bike path instead of disturbing the Woodside trunk line. This solves the problem with the airport and raising money to redo Woodside Boulevard. This solution came in considerably less than the original idea and is a benefit to everyone added Hellen. Brown asked Hellen, is there any down side to having 2 trunk lines. Hellen replied, no down side. The second line could act as a contingency line if the first line went down, ended Hellen.

Mayor Davis opened the floor to public comment as to receiving new information since the last meeting.

Vanessa Fry of 113 E Bullion Street suite C thanked the city and the developers for listening to the public comments regarding the particular parcels (which the developer just pulled tonight from the proposed development plans).

Marty Flannes of 126 South Main feels that it is a good move by the applicant. Is it the 1994 Area of City Impact (ACI) boundary line or the comp plan ACI line or the ACI line that Hailey wants now which the applicant is referring to? Williamson replied it is the 1994 ACI line.

Mayor Davis closed the public comments section.

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Keirn asked for clarification from Robrahn. The irrigated land is ½ acre – also referred to as the area of disturbance, noted Hennessey. Haemmerle asked Hennessey if the applicant is open to removing the fences on the properties greater than 1 acre. Hennessey replied yes. Robrahn clarified that the irrigated area is a maximum of ½ acre.

Haemmerle is okay with eliminating condition number 10 (ten) since the developer will limit the perimeter fences around lots larger than ½ acre as it provides more open space. Keirn is in agreement with Haemmerle.

Burke asked a question about noxious weeds. Hellen and staff commented that something can be added to the agreement if necessary. Brown suggested modifying this condition with this information.

Mayor Davis asked council about conditions 1-54.

Conditions 1 & 2 are no longer applicable because this development has been removed from the application.

Haemmerle makes a motion to remove conditions 1 & 2 as they are no longer applicable, seconded by Keirn, motion passed unanimously.

Haemmerle makes a motion to remove condition 10 subject to the following restrictions: that the disturbance area not be larger than ½ acre and that perimeter fences on 1 acre lots or larger will not be allowed, that on ½ acre lots there may be a fence (the disturbance area may be fenced) and it excludes driveways, seconded by Keirn, motion passed unanimously.

Haemmerle spoke regarding conditions 35, 36, 37, 38, and 39 – water rights. Haemmerle spoke regarding condition 35 and suggested that we wait until the SRBA has concluded as to the status and scope of the water rights submitted. Haemmerle explained the SRBA court process to council. Haemmerle suggested adding language, when a plan is submitted; the scope of the plan submitted will be limited to the amount of water which is approved by the SRBA. Evan Robertson for the applicant asked if they could do a phasing agreement with water rights which states that whatever the water rights are at the given development phase; their irrigation will be dependent on that defined amount. Haemmerle asked Robertson if he is pleased with the SRBA's recommendation. Robertson replied yes.

Williamson clarified two objections by the applicant to the SRBA's recommendations, the date and the acreage as these could increase the scope and value of the water rights. The recommendation is more limiting to Hailey in those two aspects. Williamson noted that the key information here is the golf course and the amount of surface water it will use and that it is planned for development in phase 1. If the water rights are not decreed then continued irrigation will be an issue. Williamson believes that reclaimed water and water rights are critical and intertwined.

In summary, if the SRBA concludes that there are not enough water rights for the entire project then the later phases will not have water, Haemmerle states. Brown agrees with Haemmerle's summary.

Mayor and council are in agreement that all water rights should be conveyed to the city.

Mayor Davis read Condition 37 – was the size of the well an issue? Hellen answered, yes. Hellen requested a 1500 size. Haemmerle believes that this condition the City should share the cost of this development.

Condition 38 – council is in agreement with this condition.

Condition 39 – council is in agreement with this condition. Robertson asked to not pay connection fees twice. Robertson asked for a change in the development agreement. Hellen asked for clarification, because connection fees are due when a building permit is issued. Dawson asked if the developer wanted to pay the connection fees at one time as defined in a potential annexation agreement and either waive connection fees for future households or have individual households or the developer pay as they connect certain portions of the golf course to the system. Robertson agreed with Dawson and prefers the individual households to pay the connection fees. The council is in agreement with this request of the applicant.

Condition 39.5 – recommendation of the report? Haemmerle asked to add items 1-8 (from SPF Engineering report dated 12/31/2008) to this condition. Brown agrees with Haemmerle and wants items 1-8 added to condition 39. Hennessey is okay with this condition. Brown asked to have these 8 conditions from SPF's report added as condition 39.5 to the existing staff report.

Hellen asked if the council wants to add his recommendation for a separate irrigation system as a condition. Hellen referred council to page 11 of the staff report which has suggested agreements with regards to the water and wastewater systems. Number 1, recommendation of a separate irrigation/water system constructed by the developer owned and operated by the City of Hailey. Burke and Brown would like to see this added as a condition. Haemmerle asked if they could come back to page 11 once they discuss wastewater.

Condition 40, Robrahn suggests to council that this condition be replaced with Tom's suggested conditions number 5-8 from the staff report. Council is in agreement with this suggestion from Robrahn (items 5-8 on page 11 of staff report dated today 7/14/09). 1 and 3 are Hellen's recommendations, regarding a separate irrigation system, and a separate metered system. Page 12, item 5, on suggested conditions, Haemmerle asked the applicant if they have reviewed all of these proposed conditions on page 11 & 12 of the staff report and do they agree with them? Robertson is in agreement with these conditions.

Number 6 of the staff report (page 11 & 12) regarding reclaimed water system - Haemmerle asked how the applicant would handle the expenses spelled out in the Sfingi Group report and do you agree with them? Robertson and Hennessey for the applicant, they have submitted these to their engineers and they are waiting to hear back from them. Robertson does not mind paying for their share in these expenses but thinks this should be specified in the annexation agreement.

Number 7 of the staff report (page 12) - Will the reclaimed water be attached to the water system, asked Haemmerle? Council believes it should be attached and would like to see it as a condition.

Number 8 – parties need to establish a priority of irrigation uses, who is first served by the irrigation. If there is a shortage of irrigation, priority is golf course, parks, and then home lots. The golf course being the largest public benefit was seen as a priority during the workshop discussions with the applicant and city staff.

Condition 12 – traffic mitigation and neighborhood plan. Brown clarified that this is the Safe Routes to Schools plan that the neighbors agreed to and dated June 24, 2008. All council is in agreement with this condition.

Condition 13 – all council is in agreement with this condition.

Condition 14 – roundabouts. Haemmerle feels that they should discuss if this is the best idea for this area. Hellen thinks they can fit one in this area. Robrahn asked council to review the staff recommendations on page 17 before making decisions as staff has suggested some changes to the conditions. Haemmerle likes staff's recommendation #1 on page 17. Council is in agreement with this suggestion.

Revisit Condition 12 - Hellen asked council to review condition # 2. (pedestrian activated lights in the middle of a subdivision, Hellen wonders if this an appropriate use in a residential area) Hellen thinks that council should remove condition 12 and replace it with recommendation number 2 in staff report. Brown is okay with this as long as neighbors concerns are continued in the solution. Council is in agreement with this change.

Condition 15 – Hennessey suggested that they work with Hellen to come up with a solution with this condition. Robrahn noted that a committee (comprised of city staff and citizens) is in the process of forming a complete streets plan which may impact this condition. Haemmerle feels that a statement must be general enough to not conflict with the future complete streets solution being developed by the city. Number 5 is general enough to apply to condition 15, added Robrahn. Number 5 suggestion incorporates condition 15 – Number 5 suggestion replaces condition 15. Brown would like to add number 4 as a new condition. Traffic calming measures should be added on Quigley, Bullion and Croy, suggested Hennessey. Brown would like connectivity to existing sidewalks. Burke suggests to use the solution as which is most appropriate. Council is in agreement with these changes replacing 15 with number 5 and adding number 4.

Condition 16 – add onsite to condition. Council is in agreement with this change.

Condition 17 – Haemmerle does not understand how/why the developer should contribute to the operations to the transit system. Burke thinks it makes more sense to provide more shelters to encourage more use. Council wants to delete condition 17. Dawson suggests that Mountain Rides will come to the city when they have increased ridership. Council is still in agreement to remove condition 17.

Condition 18 – Council is in agreement with this condition.

Condition 19 – Change to parcels 2-6 stated Hennessey. Hellen suggested doing what was asked in the Old Cutters development. Williamson suggested having public right of ways for utilities in the alley ways. The homeowners association will take care of the alleyways, except the utilities. Council is in agreement with this condition.

Condition 20 – Haemmerle asked if this would be modifiable if something would change in the future? Williamson does not think it is modifiable as it states now. This may be substandard according to our current right of way conditions. Brown would like Williamson to think about this condition more to make sure it fits with future needs or is flexible to meet future needs.

Condition 21 – all council is in agreement with this condition. (i.e. a mini bike path which connects cul-de-sacs).

Condition 22 – pedestrian access similar to condition 21. Council is in agreement with this condition.

Condition 23 – Council is in agreement with this condition.

Condition 24 – secondary access into the property. Brown would like to see as many accesses as possible. Keirn is in agreement with Brown. Robrahn clarified and pointed to a map showing emergency access only in a certain area versus a public access road. Hennessey added that they would incorporate this emergency access with the golf cart path. Burke would like to see this access as emergency access and non-motorized use to help reduce impact on wildlife. This would be a private road and plowed by the homeowners association in the winter. Haemmerle remembers a suggestion to add a parking lot area. Hennessey added there will be parking near the golf club. Mike Baledge, Hailey Fire Department, commented that the recent plans submitted to date are acceptable to the Fire Department and of great benefit to the city and community.

Hellen pointed to a recommendation regarding traffic – number 3 (page 17 in staff report) regarding adding a roundabout at Croy Street, 8th Avenue, and Eastridge Drive. Brown asks to apply the same recommendation as condition 14 discussed earlier tonight regarding a roundabout. If possible, put a roundabout, if not, choose the alternate solution.

Brown moved to continue this hearing to next Tues. July 21st, seconded by Keirn, motion passed unanimously.

Haemmerle suggests that they start discussion about trails in the next meeting.

Mayor Davis concluded the meeting at 7:14 pm.

Rick Davis, Mayor

Mary Cone, City Clerk