

**MINUTES OF THE SPECIAL MEETING OF THE
HAILEY CITY COUNCIL
HELD TUESDAY JULY 21, 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.

7/21/09 special meeting Hailey city council

Mayor Davis called the meeting to order at 5:41 pm.

Carol Brown not yet in attendance when the meeting starts.

Mayor Davis asked Beth Robrahn what change occurred on the Deadmans trail between July 14 & July 21st. Robrahn indicated that the Parks and Lands Boards wishes were not incorporated in the original staff report.

Conditions 26, 27 & 32, Haemmerle proposes to modify all these to read, all trails should be constructed during Phase 1 of the project (pg. 22 of the staff report). Haemmerle believes that snowmobile access should only be allowed on the South side. The existing parking area for Quigley, Haemmerle asked if the applicant has a parking solution for this project.

Dave Hennessey spoke for the applicant. Hennessey indicated they have two parking areas one is in Bureau of Land Management (BLM) land. Haemmerle would like to see a back up plan if the BLM trail access does not work out. Hennessey points to page 3 of the amended staff report. The trails would be open to everyone but the trails to the North side would be available for only hikers. Parking at the golf clubhouse will also accommodate parking for hikers and trail access. Hennessey spoke with John Kurtz at BLM regarding the Deadman and Hangman trail connection, Kurtz is not in favor of a connection between the two trails. Lastly, Hennessey spoke about winter use; they would like to have a sledding hill on part of the golf driving range (approx. 7,500 yards). Hennessey has no issue with restricting use of Radio Tower Hill.

Haemmerle makes a motion to approve conditions 26, 27 and 32 subject to those being constructed in phase I and follow recommendations on page 22 of staff report, seconded by Keirn, motion passed unanimously.

Subject to using part of the driving range in the winter for a sledding hill

Carol Brown arrived at 5:53 pm.

Keirn makes a motion regarding bullet point 3 (staff report dated July 21, 2009 page 4) under recommendations from staff report restricting winter use of trails on Quigley Hill and Radio Tower Hill at the North East end of Quigley Canyon as to reduce the impact on wildlife and subject to winter use of a portion of the driving range as a sledding hill, seconded by Burke, motion passed unanimously.

Conditions 28 & 29 – on page 23 of staff report dated July 14, 2009 regarding the golf course

Keirn wondered if condition 28 the last sentence should be just golf course because it would continue to be a Nordic facility if the golf course were not there. If the property ceases being a golf course, what will happen to this open space, Keirn asked? Williamson indicated that even if the property was deeded to the city, it doesn't mean the City could do anything with it. If this property is deeded to the city and it does revert back to open space then it would be a maintenance responsibility of the City, added Williamson. Haemmerle talks about the timing of the identified land to be deeded. When will it be deeded to the city, asked Haemmerle? Williamson said it could be deeded immediately or upon completion of the golf course.

Haemmerle makes a motion to accept amended Conditions 28 and 29 in case the golf course or Nordic facilities cease to exist or are never constructed, then the property is deeded to the City and remains as open space, seconded by Burke, motion passed unanimously.

Williamson suggests that if this application is approved for annexation, then the specifics of this situation need to be ironed out. Council agrees with Williamson.

Condition 30 - all public parks and public open spaces

Evan Robertson spoke for the applicant. Mayor Davis asked Becki Keefer (Parks and Lands Board representative at tonight's meeting) why the open space is being asked for in this way. Keefer replied for consistency in managing these areas. Robertson is not sure why the city wants to take over this land. Haemmerle feels that as long as the land is contractually bound as open space, then it really is not necessary to have the property deeded to the city. Burke is in agreement with Haemmerle. Brown would like to have the city manage the open space. Robertson would like to remain in charge of the South side of the canyon and have the city manage the North side of the canyon so that trail heads would remain open to public.

Haemmerle talks about building the parks in Phase I. Brown has the understanding that each park is to be built with the applicable Phase of the project. Mayor Davis suggests that staff make these changes and bring this back to council.

Conditions 48-53 – Mayor Davis suggests that the agreement needs modification because the developer has removed some lots from development/application. Phasing and financial guarantees can be discussed now, added Haemmerle. Phase I, Haemmerle

would like to see a point identified where Nordic use would be okay while the golf course is growing – being developed. Hennessey indicates that there should be something that could be worked out with being somewhat operational prior to the golf course being finished (approx. 3 years to get golf course up and running). Haemmerle suggests that we discuss having first lien rights and bonds for the phases. Keirn suggests that the City be named as the first lien like Haemmerle. Hennessey will revise the plans since they have pulled some development above the pond.

Haemmerle asked Williamson about on-site and off-site impacts. Williamson feels that an updated fiscal report is needed before credits can be discussed and council needs to decide on the annexation application first. Who is paying for reclaimed water and who is paying for water rights, asks Haemmerle.

Conditions 44-54, council expects changes due to the applicant pulling development above the pond and Deadmans.

Condition 44-52 are okay with council, subject to (condition 50 being revised parcels 1 through 7).

Condition 53 – Haemmerle added that this condition does not currently include the reclaimed water rights.

Condition 55 – new condition offsite improvements suggested Tom Hellen, Public Works director. Reclaimed water should also be added to this new condition.

Robrahn also stated there are Planning and Zoning conditions that are not related to the issue topics being discussed by council which will be given to council just so they have all the information in front of them. Robertson believes that credits should be considered or at least begin discussions of these items with staff.

Haemmerle wants to have the freedom to revisit any condition for discussion or clarification at any time. Mayor and council are in agreement with Haemmerle.

Robrahn will generate a clean set of the conditions for Mayor, council and applicant to review. Robrahn asked council when they would like to meet again.

Dawson reviewed the next meetings in August. Haemmerle feels that it will take awhile to get a revised fiscal study.

Brown suggested a special meeting on August 31, 2009. Staff needs to get with the developer between now and then to discuss the fiscal changes.

Burke wanted everyone to know that a decision has not yet been made as far as the annexation goes. Robertson would like to see some guidance from council. Haemmerle indicated that he is okay with 2 of the 3 issues but one never knows if the negotiations or new fiscal figures will alter his thoughts. Robertson thanked Haemmerle for his insight.

Brown moved to continue this application to Aug. 31, 2009, seconded by Burke, motion passed unanimously.

With no further business Mayor Davis adjourned the meeting at 6:58 pm.

Rick Davis, Mayor

Mary Cone, City Clerk