

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

The Meeting of the Hailey City Council was called to order at 5:31 P.M. by Mayor Rick Davis. Present were Council members Carol Brown, Don Keirn, and Fritz Haemmerle. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson and City Clerk Mary Cone.

**PUBLIC COMMENTS:**

Patricia Stewart of 200 W. Carbonate spoke to council. Stewart wanted to make sure that city staff was trained to do their jobs. The road at Hop Porter Park is also a concern to Stewart as it does not look like a professional job. Stewart is happy to help the city with anything that is needed. Mayor Davis asked Stewart to come in Wednesday July 29<sup>th</sup> at 11:00 am and meet with him.

Heather Dawson gave council an overview on the work at Hop Porter Park regarding the hazardous tree removal which occurred a few weeks ago and grating the road at Hop Porter Park (which is not complete yet).

Mayor Davis pointed to the flag in the council chambers given to Hailey from the City of Eagle Idaho, for Pfc. Bowe Bergdahl's safe return home. The flag was flown in Eagle's Field of Honor in May 2009 honoring military's past and present. This flag is to be presented to Bowe's family.

**CONSENT AGENDA**

CA 302	Motion to approve and authorize the Mayor to sign FAA grant offer for Friedman Memorial Airport AIP project No. 3-16-0016-034 .....	1
CA 303	Motion to approve Special event – Hailey Skate show & competition on 8/9/09 at the Skate park .....	13
CA 304	Motion to approve Special event – Beauty and the Beast Skateboard Demo on 8/8/09 at the Skate park.....	21
CA 305	Motion to approve Special event Hailey Fire fighter association celebration 8/13/09 .....	27
CA 306	Motion to approve Special event Burgess/Trahan Wedding at Heagle Park 8/8/09.....	33
CA 307	Motion to approve renewal of annual Alcohol Beverage Licenses for Hailey businesses .....	41
CA 308	Motion to approve minutes of June 9, 2009, and to suspend reading of them .....	59
CA 309	Motion to approve minutes of July 13, 2009, and to suspend reading of them .....	65
CA 310	Motion to approve claims for expenses incurred during the month of July 2009 .....	73

**Haemmerle makes a motion to approve all consent agenda items, seconded by Brown, motion passed unanimously.**

**APPOINTMENTS & AWARDS**

*AA 311 Certificate of Appreciation for Cathy Nikolaisons & Krista Gehrke*

Mayor Davis thanked Cathy and Krista for all their work in helping the City of Hailey host the country Lichtenstein during the 2009 Winter Special Olympics. They helped find homes for families to stay, coordinated transportation, and many other tasks for the Olympic Games. Without their help the events would not have been so successful – thanks to both Cathy and Krista.

*AA 312 Recognition of Excellence – Jared Larna Hailey Volunteer Fireman*

Mayor Davis presented Jared with the Recognition of Excellence and read the Certificate. Jared has recently been chosen by the Fraternal Order of Leatherheads for being an outstanding all around ambassador to the organization exhibiting a superior example to other firefighters and a positive image to the organization. Hailey congratulates Jared for his hard work and contributions to our community.

**PUBLIC HEARINGS:**

*PH 313 An Ordinance establishing a revised Fee Schedule that adds new fees for applications for design review of projects with no substantial impact, modifications to projects which have received design review approval, and recommendations for design review exemption; that revises the fee for duplexes in the Townsite Overlay District and accessory structures; that eliminates the separate fee for rezones with development agreements, and consolidates the text amendment fees..... 103*

Robrahn gave council an overview of why these additional fees are being proposed. Robrahn tracked staff time in regards to these application types to determine the fee reimbursement amount.

Haemmerle asked Robrahn if other cities charge similar fees. Robrahn did not research these fees but knows that Kathy Grotto (former Hailey Planner) researched several cities prior to establishing a fee structure in Hailey a few years ago.

Mayor Davis opened the session for public comment. There were no comments.

Brown would like to see some comparisons of other cities before making a decision.

This will be brought back to council on August 10<sup>th</sup>, 2009 after being noticed as a Public Hearing.

*PH 314 Public Works director - revised report on water rates, consideration of rate schedule and decision to publish announcement of public hearing 109*

Tom Hellen, Public Works Director summarized the proposed changes, in short lower users will pay less and high users above 50,000 gallons will pay more.

Tony Evans with the Idaho Mountain Express asked why the proposed drop in fees. Hellen indicated that with people using less water, the capacity has increased due to this conservation.

*PH 315 Discussion and consideration of LOT election and proposed resolution with next steps ..... 111*

Dawson gave council a summary of this topic and indicates there are a couple of options for timing – Nov. 2009 or May 2010.

Brown is good with the 20 year term and keeping the rates the same.

Keirn agrees with Brown and feels that 20 years is a good timeframe. Keirn would not be open to taxing all retail goods sold.

Haemmerle feels that 20 years may be too long.

Mayor Davis opened the floor to public comments.

Peter Lobb 403 E. Carbonate spoke to council. Lobb wants to know the difference between the retail tax and the liquor by the drink tax? Lobb feels that this type of tax in general is not fair.

Tony Evans with Idaho Mountain Express asked if Local Option Tax (LOT) deters tourists from visiting our City. Mayor Davis feels it does not impact tourists' decisions because the tax is low.

Jim Spinelli of 309 South Main Street with Hailey Chamber of Commerce spoke to council. Spinelli had 3 restaurants drop out of the Chamber of Commerce when the Local Option Tax was first implemented but he has not had any complaints in the last 3 years. Spinelli does not think the Local Option Tax deters any tourist from visiting our city. Spinelli feels this money collected goes towards bettering our City and contributes to vital services. (Police, Fire and infrastructure are helped with the LOT). Spinelli is not sure about the 20 year term either. Spinelli thinks sooner the better on whether this will continue – because we are all working on our budgets. Dawson asked for ideas from Spinelli. Spinelli has the survey which was originally collected before the first LOT election. He would be happy to share with the City the survey feedback captured at that time.

Haemmerle asked if this needs to go to public vote. Brown and Dawson confirmed that a super majority (60% must pass) is needed to pass.

The last meeting in August, council needs to make a decision.

*PH 316 Discussion of and if acceptable a motion to approve McKercher Park Restroom contract for a total cost of \$47,400 paid from collected Development Impact Fees .....115*

Dawson handed out to council a document outlining 2009-2012 Capital Projects which include various trail projects and park restrooms. Dawson summarized the amount of Development Impact Fees and let council know that fees collected first must be spent first and within 5 years of collection or must be returned. The purposes are limited for what we can spend this money on, added Dawson. Hellen indicated this is a state contract (in reference to the McKercher Park restroom estimate) and we can piggyback on that without going out to bid for these items.

No public comments.

Haemmerle looked at the Hop Porter park bathrooms today and feels that this bathroom is in very bad shape and embarrassing.

Brown spoke to Becki Keefer and confirmed that these bathrooms are high on their list (Parks and Lands Board) of things to accomplish. Brown is comfortable with moving forward but hears Haemmerle's concerns. Brown hopes we can get a handle on the graffiti. Hellen has some ideas on how to deter vandalism – solar powered signs indicating that those who vandalize will be prosecuted.

Dawson clarified we are 2 years into the 5 year period and these fees are collected on residential construction. We are limited to what we can use this money for but we can delay one of these restrooms if council prefers.

Hellen will paint over the graffiti before Friday night.

**Keirn makes a motion to approve the restroom contract as amended: that council approves us to piggyback on the State of Idaho bid contract and authorize the Mayor to sign any contractual agreements for ordering the restroom equipment, seconded by Brown, motion carries with two votes for and Haemmerle voting against.**

#### **NEW BUSINESS:**

##### *NB 317 Discussion regarding Birdwood Development Agreement*

Williamson had hoped to have the agreement for tonight's meeting. Williamson has asked Jamie Coulter's attorney to draft a response. Williamson let council know that Jamie Coulter is attempting to buy the back lot of Birdwood and wants a development agreement which prohibits development on the lot.

Jamie Coulter 320 W. Cedar Street spoke to council. Coulter wants to buy this land and does not want to build the road or a development of the property. Coulter feels that Williamson's proposed agreement prevents him from building a small structure – like a garden gazebo or ADU. What development is currently allowed on the property Coulter would like to preserve the existing zoning for the lot.

Brown asked Williamson if she should leave. Williamson indicated it was okay for her to stay as no decision will be made tonight.

#### **STAFF REPORTS:**

Brown and Keirn attended Idaho Fish and Game meeting to discuss living with wildlife in the Valley. Feeding wildlife in the City is an issue. Hailey does not have the issues that have been seen in the North Valley yet. Cutters and Quigley may be the areas that we think about in the future and make sure that folks do not feed the wildlife. It is important to respect the wildlife and educate the community as to why it is not good to feed wildlife added Brown.

Mayor Davis announced that Aug. 7<sup>th</sup> from 4-6 at the Community Campus will be a celebration and grand opening of Blaine County Big Brothers and Big Sisters organization (it will be associated with the Community Coalition).

On Thursday Aug 6<sup>th</sup> the Idaho Housing and Finance Association Board of Directors will be meeting at the Old Blaine County Courthouse. Mayor Davis will be there to welcome them, it is from 8:30 – 9:45 am. Topics will include a local Mayors discussion as well as the city's economic status and housing needs.

With no further business Mayor Davis adjourned the meeting at 6:45 pm.

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Rick Davis, Mayor

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Mary Cone, City Clerk