

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD OCTOBER 12, 2009
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:36 P.M. by Council President Martha Burke. Present were Council members Carol Brown, Don Keirn, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

CONSENT AGENDA:

CA 414	Motion to approve allocation of available Percent For Art Funds in the amount of \$7925.64 – for “Welcome to Hailey” sign project	1
CA 415	Motion to approve and authorize the Mayor to sign lease with Advanced Towing for use of Wastewater Treatment plant for temporary towed vehicle storage	5
CA 416	Motion to authorize the Mayor to sign letter of support for ARCH to secure funding from Idaho Housing & Finance Authority for 2 Walnut Street units in Hailey	11
CA 417	Motion to authorize the Mayor to sign letter of support for Rialto Hotel nomination to the National Register of Historic Places	13
CA 418	Motion to approve summary of Ordinance 1034 and authorize the City Attorney to sign.....	39
CA 419	Motion to approve Special Event Skate Jam at Skatepark on 10/24/09 from 11 am – 2 pm.....	41
CA 420	Motion to approve Special Event WRHS Homecoming Parade on 10/14/09 from 2:30 pm – 3:15 pm	45
CA 421	Motion to approve minutes of September 28, 2009 and to suspend reading of them.....	63
CA 422	Motion to approve claims for expenses incurred during the month of September 2009, including dispatch payment for having received acceptable service for the prior month	75
CA 423	Motion to approve treasurer’s cash report, including LOT report.....	99

Brown moved to approve all consent agenda items, seconded by Keirn, motion passed unanimously.

PUBLIC HEARINGS:

PH 424 An application by Michael Kraynick and Richard Barker Trustee for final plat approval of Lots 9A & 12A, Block 61, Hailey Townsite. The current legal description of the property is Lots 9-12 and south 1/2 of Lot 8, Block 61, Hailey Townsite (317 Spruce St. East), located within the Limited Residential (LR-1) and Townsite Overlay District

Planning Director Beth Robrahn gave an overview to council. There are no issues which have not been met or carried over. The sidewalk in-lieu fees have been paid, amount is shown in the conditions section.

Keirn moved to approve PH 424 final plat approval of application by Michael Kraynick and Richard Barker Trustee of Lots 9A and 12A, Block 61 Hailey Townsite with conditions A-F, seconded by Brown, motion passed unanimously.

PH 425 Block 126, Lots 4-10 -- Development Agreement with School District and 1st reading of an Ordinance rezoning said property from General Residential to Limited Business in conformance with the Development Agreement

Williamson has made changes as he stated to council that he needed to do at the last council meeting.

Motion to approve development agreement with School District made by Brown seconded by Keirn, motion passed unanimously.

Motion to conduct 1st reading of Ordinance 1037 rezoning block 126, lots 4-10 from General Residential to Limited Business by title only, seconded by Keirn, motion passed unanimously.

Council President Burke conducted the 1st Reading of Ordinance 1037 by title only.

PH 426 Block 126, Lots 1-3 -- 1st reading of an Ordinance rezoning said property from General Residential to Limited Business

Williamson did not do a development agreement as Hailey owns this property and it is leased by Wood River Rural Fire.

Motion by Keirn to adopt Ordinance 1038 rezoning block 126, lots 1-3 from General Residential to Limited Business, seconded by Brown, motion passed unanimously.

Council President conducted 1st Reading of Ord. 1038 by title only.

Williamson pointed out that in the last meeting this was adopted with a Development Agreement and now we do not have a development agreement. Williamson suggested that the motion be amended to remove the development agreement.

Brown makes a motion to change the Findings of Fact as adopted in the September 28, council meeting removing the need for a development agreement with the City of Hailey as the council was unsure at the time whether they needed to have an agreement with itself, now it is determined that there is no need for it and Brown wants to correct for the record the Findings of Facts deleting the need for a development agreement, Keirn seconded, motion passed unanimously.

PH 427 (Continued from 9/28/09 meeting) Discussion and consideration of proposed Nuisance Ordinance No. 1031

Council President Burke indicated that she would feel more comfortable discussing this topic with Councilman Haemmerle and Mayor Davis as well as having more showing for the public as she knows this is important to many people.

Based on public comments she has received on this topic, Dawson feels the public would like to make formal comments to council and since no one is present tonight, maybe we should come back to this item later in the meeting.

Williamson has been notified by Haemmerle that he has sent an email with comments on this proposed ordinance. Williamson has not yet received these comments but looks forward to reviewing them.

Council will come back to this item to see if there are public comments later in meeting.

PH 428 Discussion and consideration of Pretreatment Ordinance (revision to Chapter 13.05 of the Municipal Code; Wastewater Pretreatment; and a Best Management Practices (BMP) manual for Fats, Oils & Grease (FOG) dischargers)

Hellen summarized that the main update is grease traps in restaurants; this is a formal adoption of the standards they have been following for a few years.

Pg. 180 – fees question by Keirn. Hellen mentioned that they have not needed the fees yet but this is put in place in case we need it get reimbursed in the future.

Brown moves to approve Ordinance 1039, revision to Chapter 13.05 of the Municipal Code pretreatment regulations, seconded by Keirn, motion passed unanimously. Brown would like to hear concerns (if any) from Mayor Davis and Councilman Haemmerle at the next meeting. Burke and Keirn agree with Brown.

Council President conducted 1st Reading of Ordinance 1039 by title only.

OLD BUSINESS:

OB 429 3rd Reading of Ordinance 1034 and authorize the Mayor to sign – Text Amendment to Zoning Ordinance No 532, Sections 9.3 Off-Street Parking Dimensions and 9.4 Parking Space Requirements

Keirn moved to approve 3rd Reading of Ordinance 1034 and authorize the Mayor to sign, seconded by Brown, motion passed unanimously.

OB 430 Proposed waiver of 2nd Reading and conduct 3rd Reading of Ordinance 1036 - Cox Cable TV Franchise Ordinance and Agreement proposed 5-year franchise

As discussed in the last council meeting, this Franchise Agreement expires on 10/21/09, the council suggests waiving the 2nd Reading this week and conduct the 3rd Reading so as to make this deadline.

Keirn moves to waive the 2nd Reading conduct the 3rd Reading and authorize the Mayor to sign Ordinance 1036 by title only, motion passed unanimously.

Council President conducted the 3rd Reading of Ordinance 1036 by title only.

Motion to approve Franchise Agreement and authorize the Mayor to sign made by Brown, seconded by Keirn, motion passed unanimously.

NEW BUSINESS:

NB 431 Introduction of proposed changes to the Parking Municipal Code, Chapter 10.08

Hellen gave background to council. This topic originally came up in February 2009 and at that time there was discussion around how far off the street the vehicle could be without being in violation (changed the distance from 12' feet to 8' feet). Also discussed was enforcement of 2 hour parking in downtown. Hellen approach the Chamber of Commerce with this question. The Chamber took the question to the local businesses via the South Valley Merchants Alliance. The answer is that local businesses like the parking the way it is, without increasing the 2 hour parking.

Adopting these changes will allow the Police department to write infraction notices (ticket, assessing a fee) for those parking in the Public right-of-way within 8 feet away from the street pavement edge.

Gunter gave council a background. There used to be 4 towing companies in the valley. Now there is only one company. And they have a contract with the City of Ketchum. It takes longer time to tow cars now. This will come back to council as a Public Hearing item for public comment.

STAFF REPORTS:

Brown announced there is a Library Board meeting this Wednesday. The library is finalizing their move, it looks great – check it out. The regularly scheduled Tree Committee meeting was last week just after the snow storm. They discussed the recent fallen trees/limbs. Aspen trees – in the poplar family did not do well in the snow storm.

Hellen let council know that the Street department is picking up tree limbs off of trees in the City right of way. They have been instructed to not pick up limbs if there are no trees in the right of way. If the trees are too tall, we are hiring professionals to remove broken limbs.

Tom Ward Hailey Tree Committee member suggested that we get the message out on the radio. Burke asked if we could apply for a grant to replace some of the trees lost. Brown confirmed the inventory would have helped but it is not done yet. Dawson indicated that we are exploring disaster relief for the tree damage.

Dawson mentioned that during the East Hailey Comprehensive Plan neighborhood meeting – Robrahn received compliments to the City for forming the Tree Committee.

Hellen gave an update on the River Street improvements grant application (Block grant). In the last council meeting Jeff McCurdy from Region 4 Economic Development Partnership gave a presentation. Since then McCurdy met with the Director of the Department of Commerce who suggested that we apply next year so that we can put some infrastructure in place – including a Downtown revitalization plan (which will be on the next meeting). We rushed to get engineer bids when we were attempting to meet a November 20th application deadline. And now that part is on hold until we put the planning in place and apply in 2010. Now there is no special meeting in November 16th - as that was for this grant application.

Williamson let the council know that a property developer may legally challenge Hailey's Development Impact Fee Ordinance. (it is the owner of the Village of Hailey Town Center on River Street)

Gunter said there is no school this Thursday or Friday. The High School Homecoming Parade is Wednesday afternoon at 2:30 pm.

Gunter will be getting \$12,000 from ITD on various traffic related enforcements which his department has done.

Council President brought the discussion back to the Nuisance Ordinance.

PH 427 (Continued from 9/28/09 meeting) Discussion and consideration of proposed Nuisance Ordinance No. 1031

After more discussion on whether or not to continue this discussion; council made a motion.

Brown moves to continue the nuisance ordinance to a date uncertain, seconded by Keirn, motion passed unanimously.

EXECUTIVE SESSION: Real Property Acquisition (IC 67-2345.c)

Brown moves to go into exec. Session for Real Property Acquisition (IC 67-2345.c), seconded by Keirn, motion passed with roll call vote. Brown, yes. Keirn, yes. Burke, yes.

Council went into Executive Session at 6:30 pm.

Council returned from Executive Session at 7:09 pm.

7:30 p.m. – ELECTION FORUM: Hailey Local Option Tax and Blaine County School District Levy discussions

School district presenter Lonnie Barber was with Mike Chatterton. Barber told council about the 20 person levy committee which has come up with the list of items which he hopes will be funded by voter approval on 10/29/09. This levy committee has spent approximately 100 hrs. reviewing the list of needed school items. Barber added that Hailey schools are some of the highest performing schools in Idaho. The list of goals was narrowed to 10 and 3 of them can be financed with a levy instead of a bond.

HAILEY CITY COUNCIL MINUTES
October 12, 2009

If the valley slows down then we won't need to build a school in year 2012. The good news about a levy is that the school does not have to collect it.

Mike Chatterton spoke to council. The schools rainy day funds are approximately \$14 million dollars. A supplemental levy may be needed in 2013 which is approximately \$2 million. This levy request is for \$59 Million.

The school can borrow money from the federal government at 0% interest with a payout of 14 years. They want to do the work in one year and will hire local contractors to do the work. Barber and Chatterton thanked council for inviting them to speak tonight about the upcoming levy election, 10/29/09. You may vote at any elementary school.

Next on the agenda was the LOT discussion.

Dawson reviewed a PowerPoint presentation covering LOT facts and figures. Highlighting the total amount of funds and how those funds have benefited the community. The council was handed this presentation before tonight's meeting. The LOT will be voted on during the General Election November 3, 2009. Absentee voting through November 2nd is at City Hall, voting on Election day is also at City Hall from 8 am to 8 pm.

Council President Burke concluded the meeting at 8:30 P.M.

Rick Davis, Mayor

Mary Cone, City Clerk