

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD APRIL 12, 2010
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 Carol Brown, Don Keirn, and Fritz Haemmerle. Martha Burke did not attend. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

CONSENT AGENDA:

CA 139	Motion to approve Findings of Fact and Conclusions of Law – denial of Colorado Gulch Preserve Annexation application.....	1
CA 140	Motion to approve renewal of Animal Shelter contract \$16,000 per year paid quarterly.....	13
CA 141	Motion to declare surplus property, 5 Berretta Holsters and give equipment to Blaine County Sheriff's Office in exchange for training fees (\$300) for Officer Field Training May 10-14, 2010	19
CA 142	Motion to approve minutes of April 5, 2010 and to suspend reading of them	21
CA 143	Motion to approve claims for expenses incurred during the month of March 2010.....	27
CA 144	Motion to approve Treasurer's report with LOT report and Capital Projects Report – Rodeo Grounds.....	43

Williamson pulled Consent Agenda item 140 the Animal Shelter contract.

Williamson will revise and put back in front of council in a future meeting.

Haemmerle makes motion, seconded by Brown, to approve all items minus CA 140, motion passed unanimously.

PROCLAMATIONS AND PRESENTATIONS:

PP 145 Proclamation for Disability Awareness Week April 19-24, 2010

Haemmerle moves to approve proclamation, seconded by Brown, motion passed.

Mayor Davis read the Disability Awareness Week Proclamation.

PP 146 Presentation by Hailey Historic Preservation Commission (HHPC) re: historical building signage

Preservation Committee member Rachel Wolfe of 231 W. Myrtle Street spoke to council regarding a plan they have for buying and displaying signs around town for our Historical buildings registered with the State Historical Society. Wolfe is present tonight with another committee member, Ben Schepps.

The commission has been working on this project, they want to order, purchase and display these signs and the first 4 signs will be paid for by one of the commission members (4 signs are approximately \$740). Wolfe handed out a sample of the sign to

council. The signs are similar to the signs used in the City of Rupert. In February, Hailey was recognized as a Preserve America Community. Haemmerle asked Wolfe how they plan to raise the additional funds. Wolfe replied they are working with the Chamber of Commerce and that there are grants available; which the HHPC is considering which ones to applying for. Brown is very excited about this signage idea. Brown also suggested that the Wolfe checks with the City Planning Department to ensure the signs are in compliance with city ordinance.

Mayor and council are in full support of this project.

PP 147 Community Oversight Committee Presentation

Community Oversight Committee Presentation

Peter Lobb Chairman of the Community Oversight Committee spoke to council.

Lobb read from the court decision and then recommended to council that the Mayor enforce the Lowest Police Priority Act. Lobb suggests that the Mayor endorse the whole act except the last two paragraphs of 11.08.050 (page 88 of council packet) regarding deputization/commissioning and federal funding. Lobb suggests that the committee feels that the time is right to enforce this and that the people want this to be enforced. Brown asks clarifying question, council does not get involved in enforcement that is a mayoral decision.

Lobb is not sure how practical this is to implement. Mayor Davis will get will Williamson to understand better what enforcement would look like. Lobb believes that our drug problems in America can be helped by change at the bottom.

Haemmerle sees these initiatives as help to present at the State level to effect change. Haemmerle feels that this request should be considered.

PUBLIC HEARINGS:

PH 148 Public Hearing and decision to conduct 3rd Reading of Ordinance 1054, authorize the Mayor to sign – calling a General Obligation Bond Election to raise \$3.5 million for Rodeo Grounds Redevelopment

❖ *Approval of Summary of Ordinance No. 1054 for publication*

Dawson reviewed the changes between 1st draft and tonight's draft. Dawson, pg. 99 – recreational facility changed "Rodeo Arena" to "Multi-Use Event Arena" from the 2nd Reading to 3rd Reading – due to staff error.

PUBLIC COMMENTS:

Ron Fairfax of 102 Cochise Drive in Hailey spoke to council. Fairfax has been involved with Hailey Ice for about 10 seasons. Fairfax believes that a new event arena will be

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great for children in the area, it will temporarily bring in construction jobs for the facility and it will bring permanent jobs once construction is complete. This facility would allow the city to host big groups for tournaments and other events. These tournaments will in turn bring in business to our restaurants and hotels. This will be an upscale entrance to our city. A great project and will be well thought of in years to come.

Peter Lobb of 403 E. Carbonate believes this is the right way to handle this project. Leave it to the voters to decide.

Jay Hedrick of 160 Cranbrook Road has been involved with Hailey Ice during the years. Hedrick clarified the ice rink will always be here whether the project is approved or not by voters. Hedrick told the story of the Marketron owner moving his company to Hailey because he loved the area so much. Hedrick hopes that this new multi-use facility is one more draw for an individual to relocate his/her business or family because they love it here.

Lynn Champion of 38 Deercreek Road agrees with Hedrick and Fairfax. Like Hedrick and Fairfax, Champion believes an event facility would be an important draw to our community. Champion feels that the rodeo arena would be great to preserve what little history we have in Hailey.

Keirn moves to authorize 3rd Reading of Ordinance No. 1054, authorize the Mayor to sign and, seconded by Brown, Haemmerle feels this will preserve the western heritage and agrees with all the public comments and feels this, motion passes with roll call vote. Brown, yes. Keirn, yes. Haemmerle, yes.

Mayor Davis conducts the 3rd Reading of Ordinance No. 1054 by title only.

Motion to approve summary of Ordinance No. 1054 by Brown, seconded by Keirn, motion passed unanimously.

PH 149 A city initiated text amendment to Article 2, Definitions, Article 4.2.2, Limited Residential District, 4.3.2, General Residential District, 4.5.2, Limited Business District and 4.6.2, Transitional District and Article 7, Supplementary Location and Bulk Requirements; the amendments would establish definitions of urban agriculture and chicken coop, would permit limited urban agriculture in all zoning districts that allow single family dwellings and establish standards for chicken coops. The Planning & Zoning Commission recommended approval of the amendments on Feb 17, 2009

Mariel Platt, Hailey Planner gave council a history. Platt let council know that the Planning and Zoning Commission recommended approval, council has yet to approve this ordinance, yet some residents have purchased chickens thinking that urban agriculture was already allowed in the city. Platt has contacted large cities including Portland and Boise to find out if they have had complaints on sounds/smells with chickens. They have not received significant complaints. Platt also suggested that

council issue this with a statutory expiration of 1 year and then have council determine after the year whether to extend or eliminate this ordinance.

Jack McCabe of 306 4th Ave South spoke to council. McCabe believed that one year ago this Ordinance was adopted. McCabe has chickens and does not have any complaints from neighbors. McCabe states that the smell is contained within the coop. McCabe feels the proposal of 5 per household is appropriate. McCabe has an outdoor run and a covered portion. McCabe hopes the city will soon pass this ordinance.

Jill Metcalfe of 1230 Aspen Valley Drive submitted a petition of signatures in favor of having urban agriculture passed – the petition is in council’s packet tonight. Metcalfe is excited about the opportunity of letting her children learn firsthand about learning where their food comes from. Metcalfe feels it is invaluable for people to grow their own food.

Julie Fox Jones of 891 Foxmoor spoke to council. Jones grew up with chickens and has them now. Neighborhood dogs are the worst out of all predators. Jones feels you need specific guidelines to protect the chickens and make sure people know that the chickens are like to be kept warm with shelter in the winter. Chickens produce fewer eggs in the winter. Predators, such as foxes are not a problem if the coop is secure.

Peter Lobb of 403 E. Carbonate has had chickens. Lobb expects there will be problems with neighborhood dogs if enough people get chickens. Lobb cautioned council to be careful.

M. Stephens of 1231 Buckskin spoke to council. Stephens does not have chickens but her neighbor has them (Julie Jones) and she loves them. Stephens is in favor of trying this to see if it is successful.

Steve Crosser of 431 Aspen Drive asked for clarification on some details regarding the setbacks. The minimum setback would be 20 feet added Platt. Crosser thinks this might be too close.

Haemmerle wants to permit for this but he does like the idea of sun setting and allowing council to make a decision at the end of the year. Haemmerle predicts issues with dogs killing chickens because we are not great at controlling dogs in our city. Keirn believes the administration of a permitting process would not be adhered to; therefore he does not like this idea. Keirn is okay with 3 or 5 chickens, but not roosters.

Brown is in agreement with the suggested sun setting clause, and is okay with 5 chickens. Brown thinks 20 feet is ample with regards to side yard setbacks. Brown appreciates all of the research that staff performed for this packet.

Mayor Davis does not like the Conditional Use Permit process idea as he sees this as a challenge to enforce.

This would expire unless the council affirmatively voted to extend the ordinance added Haemmerle.

Brown moves to approve the proposed amendments to Articles 2.2, 4.2.2, 4.3.2, 4.5.2, 4.6.2, and 7.1, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare and adopt Ordinance No. 1055 and authorize the Mayor to conduct the 1st Reading by title only and modifying section 9 of the ordinance stating that it will expire in one year unless affirmatively continued by council, seconded by Keirn, motion passed unanimously.

Mayor Davis conducts 1st Reading by title only of Ordinance No. 1055.

Mayor Davis called for a 5 minute recess at 6:46 pm.

PH 150 A city initiated text amendment to Article 8.2, Signs, of the Hailey Zoning Ordinance No. 532. The amendments would reorganize procedures and standards, clarify standards for all types of signs permitted, create a new section to address signage for multi-tenant buildings, amend the sign area allowed for portable signs, and limit the number of portable signs permitted per business and permitted within the public right-of-way. The Planning and Zoning Commission recommended approval of the amendments on Dec 7, 2009

Platt gave council a history of this ordinance. Staff made suggested council changes from the March 22nd meeting.

Bob McLeod 417 E. Myrtle read the ordinance and feels it is written well. McLeod feels staff is very helpful. Haemmerle has changed his mind on balloons – he wants to allow balloon use based on citizen and business owner comments. Robrahn suggested that with the permit application process that placement of the sign if it has balloons cannot be located on a street corner.

Robrahn suggested that the Planning Department when reviewing portable sign applications, they would address placement of the signs so that they would not obstruct the vision triangle – which would address concerns from the Public Works Director Tom Hellen and the Police Chief Gunter in safety. Staff and council liked this solution.

Brown moves to approve the proposed amendments to Section 8.2, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and

general welfare; modifying Section 8.2.6 item 9, to now read “Any inflatable object used for promotional or sign purposes, excluding balloons attached to any Portable Sign in the public right-of-way, moves to adopt Ordinance No. 1056 authorize the 1st Reading by title only, seconded by Haemmerle, motion passed unanimously.

Mayor Davis conducted the 1st Reading of Ordinance No. 1056.

NEW BUSINESS:

NB 151 Discussion of agreement for development of the replacement airport and redevelopment of Friedman Memorial Airport

Williamson pointed to the agreement in tonight’s packet which came from Peter Kirsch. Kirsch urged both Blaine County and Hailey to adopt a more general document to keep things going. Williamson suggested to Tim Graves that they meet with the County Commissioners, which they did so, and had a good discussion regarding the requested MOU. This document clearly states that the current airport traffic will be relocated - both commercial and general aviation. Williamson stated that the City of Hailey Resolutions adopted need to be included within this document. The County Commissioners will be meeting with the Advisory Committee tomorrow afternoon to discuss their roll, Williamson sees favor in acting now or waiting to see the outcome of tomorrow’s meeting.

Haemmerle was at the meeting with Williamson. Haemmerle feels that this document clarifies a lot. By allowing the Advisory Committee to sign this document it spells out their functional limitations are isolated to the relocated airport. Keirn is in agreement with Haemmerle. Keirn read an advertisement from the Friday newspaper announcing that the Advisory Committee meets on Tuesday April 13th. “Interested parties have contended that general aviation is a major revenue source and the pilot’s opinion should be weighed more heavily in decisions about relocating Friedman Airport.” Keirn is not sure how to interpret this advertisement. If someone on the Advisory Committee is not on board with the airport relocating then that person should be removed from the Committee as this decision has been made.

Brown is okay with everything on this document except the Advisory committee signing it.

Susan McBryant welcome the opportunity to sign this document because it helps give them a defined roll – which has not happened up until this point. McBryant welcomes this document added McBryant as a whole.

Williamson will convey the comments to Tim Graves regarding the suggested change about the signatures of the Advisory Committee on this agreement. Williamson will bring revised document to council when he has an update – possibly next meeting.

STAFF REPORTS:

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Tom Hellen thanked everyone for their patience over the past 3 months.

Mike Chapman Fire Chief would like to replace the Assistant Chief position as soon as the funds are available. Hailey did not receive the Fire station grant, over 2,700 applications and less than 2% received funds. Chapman was recently appointed to the IAFC Go Team – liaison between peers, allied agencies and disaster officials to assist in the coordination and recovery during disaster situations. There were 20 people nationwide selected – Chapman was one of the 2 selected for our region.

Dawson contacted the Downtown Revitalization Committee to see if anyone was interested in being a member of the Urban Renewal Committee. Dawson has not yet found anyone interested, if anyone knows who might be interested in this please contact Dawson.

Chief Gunter handed out a report to council on the police department.

Brown attended a Library Board meeting last night. Brown gave an update on the Mallory Collection – April 29th ceremony to unveil the digitized collection – a collaborative project between the Historic Preservation Committee and the Hailey Library.

Mayor Davis asked if Michelle Griffith with ARCH had news to share. Griffith announced that they just received word tonight that they were awarded the grant for the River Street project. \$515,000 received from IFHA, a HUD program and \$592,000 worth in tax-credits. Next step is to work on the lease and the PUD process.

Mayor Davis concluded the meeting at 7:34 pm.

Rick Davis, Mayor

Mary Cone, City Clerk