

**MINUTES OF THE REGULAR MEETING OF THE  
HAILEY CITY COUNCIL  
HELD DECEMBER 13, 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, Fritz Haemmerle. Staff present included City Attorney Ned Williamson, and City Administrator Heather Dawson.

**OPEN SESSION FOR PUBLIC CONCERNS:**

[5:31:05 PM](#) Michael Wickes, 311 E. Bullion Street, is concerned about the dangers of portable signs on Main Street, particularly the ones located on corners where it becomes difficult for drivers to see around them. Mr. Wickes went on to suggest four-sided bus stop shelters to protect public transit users from severe weather. He hopes the council will “make this a city issue, not a Mountain Rides issue. The resulting green branding is good for the city’s image.”

Mark Johnstone, 641 S. River Street, points out that the Hailey Arts Commission is in dialog with Mountain Rides to develop bus shelters with art elements in them.

Tony Evans, Idaho Mountain Express, is pleased to see public officials commenting on the newspaper’s website and encourages more of the same.

**AIRPORT ISSUES:**

[5:43:17 PM](#) Susan McBryant speaks to the council regarding the airport. The first public visioning meeting was just held and she estimates 35-40 people attended. She notes that 4 general aviation people were there, two from Fixed Base Operators (FBOs). She feels some disappointment in their level of attendance and indicates the need to reach out to that group more. There are two more public sessions planned.

**RODEO GROUNDS:**

[5:38:27 PM](#) Michael Bowles of Ruscitto Latham Blanton speaks to the council regarding progress on the rodeo grounds. In spite of the weather, ice rink foundations have been poured and waterproofed. In the rodeo arena facility, the south-facing facilities restrooms and concessions have footings and foundation walls now. By the end of this week, foundation systems should all be complete. The east bleacher system is having a few structural design issues, but those are being worked through now. The only major component not bid out yet is the rodeo fencing. Draft of bid package is now out for review. Follow-up from Kreizenbeck should come next week. Over 50% of the unsuitable material has been removed from the parking lot area. Work is now being done on the drop inlets and catch basins. For the Interpretive Center, RLB is scheduled to re-engage the city for design changes and the LEED certification process after the first of the year. RFP for the skate park is scheduled for Wednesday.

Tom Hellen notes that the Wednesday meeting is scheduled for 2:00. Among the items to be discussed is an ad hoc committee for designing the skate park. He also notes there is some conflict between an old water line and a new catch basin. The water line is to be moved to another location to prevent freezing.

**EXECUTIVE SESSION:** Pending and Imminently Likely Litigation (IC 67-2345(1)(f))

Mayor Davis recuses himself from Executive Session.

[5:56:39 PM](#) mayor calls this meeting back to order after Executive Session.

**MAYOR’S REMARKS:**

Mayor has no remarks for this meeting, except to welcome Deb Gelet who will be taking minutes in the absence of Mary Cone, City Clerk.

**CONSENT AGENDA:**

[5:57:04 PM](#)

CA 559	Motion to approve taxi license renewals for the year 2011.....	1
CA 560	Motion to authorize the mayor to sign the 2010 Tree City USA application.....	13
CA 561	Motion to approve the nomination of an “ad hoc” committee to review and rank the skate park design-build proposals received on December 15, 2010.....	15
CA 562	Motion to ratify mayor’s signature on agreement with All Seasons Landscaping for installation of plants/trees at the E. W. Fox Demonstration Garden for \$12,853.00—city attorney is reviewing contract.....	25
CA 563	Motion to ratify contract with Gallegos Corp. for Rodeo Grounds masonry Work for not to exceed \$102,500.00.....	43
CA 564	Motion to approve Independent Contractor Agreement with Deb Gelet to perform professional services for the City of Hailey, specifically to take minutes for City Council and Planning and Zoning Commissions meetings at an agreed upon contracted hourly rate of \$20 per hour.....	59
CA 565	Motion to approve Group Health Insurance Contract with Blue Cross of Idaho for calendar year 2011.....	65
CA 566	Motion to approve Group Dental Insurance Contract with Delta Dental Of Idaho for calendar year 2011.....	71
CA 567	Motion to approve summary of Ordinance 1074.....	71
CA 568	Motion to approve Findings of Fact, Conclusions of Law Decision for Village At Hailey Center Final Plat, Lot Line Adjustment Approval (Lots 14A and 20A, Block 20, Hailey Townsite).....	77
CA 569	Motion to approve minutes from Special meeting November 8, 2010 and to suspend the reading of them.....	85
CA 570	Motion to approve minutes from Special meeting November 22, 2010 and to suspend the reading of them.....	89
CA 571	Motion to approve minutes from Special meeting November 29, 2010 and to	

	suspend the reading of them.....	99
CA 572	Motion to approve claims for expenses incurred during the month of Nov., 2010.....	103
CA 573	Motion to approve Treasurer’s report with LOT report, and Capital Projects report—Rodeo Grounds.....	139

**Consent Agenda unanimously approved with Carol Brown’s revisions to minutes under CA 570. There are currently question marks in the minutes that should be corrected. Carol Brown moves to approve, Fritz Haemmerle seconds, motion passes unanimously.**

**PROCLAMATIONS AND PRESENTATIONS:**

*PP 574 Rodeo Park Public Art Design presentation by Hailey Arts Commission, and Ruscitto Latham Blanton*

[5:58:42 PM](#) Michael Bowles from Ruscitto Latham Blanton explains the process selecting public art for the Rodeo Grounds. Mr. Bulls calls on Mark Johnstone, chair of the Hailey Arts Commission, for further explanation and presentation. [6:03:29 PM](#) Mr. Johnstone briefly names the artists involved and explains their work. Ellen Navsik is a concrete artist. Troy Passey works with language in his visual works. Ellen and Troy will be creating 8 or 9 benches with language incorporated into them. Bill Amaya will carve wooden doors for the Interpretive Center, incorporating a map of the valley and more of Troy’s language work. He provided a sample for the council to view. Marie Stewart will create a mural in the ice rink and incorporate the swirls of skating lines. She also provided a sample of her art style. Ellen Nesbit also proposes sculptures and has provided small maquettes for the council. Tom Teitge proposes a topo map next to the Interpretive Center, and designs for entrance way designs made of rodeo and farming implements. All proposals were reviewed by the Arts Commission and enthusiastically approved for forwarding to the council. Positive discussion and comments from the council ensued regarding materials and possibilities.

*PP 575 BCHA annual report and current activities presentation*

[6:11:58 PM](#) Kathy Grotto and Linda Thorson of the Blaine County Housing Authority present highlights of their annual report and current activities. Among other topics, the presentation includes information regarding the disparity between market rate prices of homes in the Wood River Valley and the area median income; sales of community homes and short profiles of the buyers; and the collaboration between other community and municipal entities, for example, ARCH, Ketchum’s CDC, and Habitat for Humanity. Ms. Grotto points out that BCHA finished their fiscal year “slightly under budget, but we continue to be cautious.”

**APPOINTMENTS & AWARDS:**

*AA 576 Planning and Zoning Commission Appointments (2)*

[6:28:40 PM](#) Geoffrey Moore and Janet Fugate are the recommended applicants. Carol Brown moves to approve their appointments and the motion is seconded by Fritz Haemmerle. Discussion ensues regarding concerns about a slowly shrinking pool of candidates as volunteers may be serving on more than one commission or committee and risk burn-out. Mayor Davis will bring this up with staff. **Motion to approve the appointments carries unanimously.**

AA 577 *Development Impact Fee Advisory Committee Appointment (1)*  
[6:32:12 PM](#) Geoffrey Moore is the recommended appointee. **Carol Brown moves to approve; Don Keirn seconds. Carol notes the same concerns as in discussion of AA 576. Motion carries unanimously.**

AA 578 *Library Board Appointments (2)*  
[6:32:54 PM](#) Recommended appointees are Linnea Polichetti and Gretchen Goss. **Carol Brown moves to approve, Fritz Haemmerle seconds, and the motion carries unanimously.**

AA 579 *Parks and Lands Board Re-appointments*  
[6:33:31 PM](#) Cheryl Kramer and Darin Sales are recommended. **Carol Brown moves to approve, Don Keirn seconds, and the motion carries unanimously.**

### **PUBLIC HEARINGS:**

[6:34:14 PM](#) Mayor Davis moves PH 581 and 582 to the top of this section of the agenda and recuses himself, turning the meeting over to Fritz Haemmerle.

PH 581 *An application by ARCH Community Housing Trust for a Planned Unit Development (PUD) Agreement of 24 new residential units, located on AM Lot 2, Block 1, Sutton Subdivision (731 River Street N.) within the Business (B) zoning district. The Planning and Zoning Commission recommended approval on July 19, 2010 (continued from September 13, 2010, October 11, 2010, October 25, 2010, November 8, 2010, November 22, 2010 and November 29, 2010).*

PH 582 *Consideration of Ground Lease for River Street Property with River Street Apartments Limited Partnership.*

[6:35:49 PM](#) Ned Williamson advises continuing these two matters until reaching a resolution of the Sweetwater lawsuit, explaining that the applicant needs a lease, and the city needs clear title. Mr. Williamson hopes to submit documents to the City Council within a week. **Don Keirn moves to continue these two matters until a special meeting on December 20, 2010 at 5:00. Carol Brown seconds the motion and it carries unanimously.** Upon Mr. Williamson's recommendation to also continue *NB 589 Consideration of settlement agreement (Sweetwater v. City of Hailey)*, **it is moved, seconded and unanimously carries as well.**

[6:38:25 PM](#) Mayor Davis returns to the meeting.

PH 580 *A city initiated text amendment to all sections of the Hailey Comprehensive Plan. The Planning & Zoning Commission recommended approval on June 21. Continued on the record from September 27, 2010 and October 18, 2010.*

Beth Robrahn presents and reviews the plan with Council's recommended changes to text and land use map. [6:45:22 PM](#) Council asks for clarification on several points and contributes more comments including some concerns about building heights and the preservation of historic

buildings on Main Street. [6:55:47 PM](#) Mayor Davis opens the meeting to public comment. John Gaeddart, Quigley Road, suggests additional changes to the land use map, including the addition of Cutters Park, Woodside Elementary School, the LI are south of Power Engineers, and a neighborhood service center for Quigley among others. [6:58:22 PM](#) Peter Lobb, 403 E. Carbonate, speaks about quaintness and sense of scale being one of Hailey's attributes and asks that the Comprehensive Plan address height of buildings. He would like to see language in the plan discouraging additional building heights. [7:01:07 PM](#) Tony Evans, Idaho Mountain Express, asks if Hailey is trying to preserve the old Forest Service buildings on Main St. He considers them historic. Discussion continues noting that the Forest Service buildings in Ketchum have been preserved, but that the City of Ketchum owns them. In the case of the Forest Service buildings in Hailey, they are privately owned. [7:10:57 PM](#) **Carol Brown moves to continue this item for an update at the special meeting called for December 20, 2010. Don Keirn seconds, and the motion carries unanimously.**

*PH 583 Discussion and Consideration of an Amended Joint Powers Agreement Concerning Airport Authority Governance.*

[7:11:44 PM](#) Ned Williamson reviews agreement with Council and expresses satisfaction with its current form noting that the county will likely make revisions. Council discusses before the meeting was opens to public comment by Mayor Davis. Tony Evans, Idaho Mountain Express clarifies that Fritz Haemmerle's comments were on newspaper website, not in the paper. At [7:24:36 PM](#) public comment was closes and Council discussion continues. Mr. Williamson notes the advisory board and other cities are looking at this agreement next Tuesday, but he would like to take one more look at it and continue this matter until the December 20, 2010 special meeting. **Carol Brown so moves. It is seconded and unanimously passes.**

*PH 584 Consideration of adoption of the 2009 Building Code with proposed Ordinance 1077.*

[7:28:48 PM](#) Dave Ferguson explains the 2009 International Building Code and Residential Code as adopted and amended by the State of Idaho. He explains that the State updates the code and local jurisdictions are required to adopt the updates before the first of the new year. Mr. Ferguson suggests going with the bare minimum of what state is recommending, and further suggests detailing the local Hailey code in early in 2011. The meeting is opened to the public by Mayor Davis. No comments are offered. **Fritz Haemmerle moves to adopt Hailey Ordinance 1077, to waive three readings, and to give authority of the mayor to sign. Don Keirn seconds and the motion passes unanimously.** Mayor Davis cites as an Ordinance of City of Hailey, Idaho amending Section 15.08.010 of the Hailey Municipal Code by adopting the 2009 International Building Code and the 2009 International Residential Code providing for severability clause, providing for repeater clause and providing an effective date.

*PH 585 Consideration of meter reading dispute ordinance amendment Chapter 13.04, proposed Ordinance 1078*

[7:35:55 PM](#) Tom Hellen explains the city's meter reading dispute policy and how he has put that into an Ordinance. One change he points out is that disputed readings have to go beyond a certain range of the previous year's readings. He has changed the range from 25% of previous year to 50%. Council discusses whether meter reading errors should result in refunds or credits, and whether certain other possible city fees might be waived. [7:41:47 PM](#) Fritz Haemmerle

moves to adopt Hailey Ordinance 1078, read by title only and to authorize the Mayor to sign. Peter Lobb, 403 E. Carbonate asks if this matter will be open for public comment, and asks whether the city or the homeowner should initiate the process if usage goes over 50%. Tom Hellen explains that the homeowner should initiate. With no further public comment offered, the meeting then closes to the public. **Fritz Haemmerle moves to adopt Hailey Ordinance 1078, read by title only, amending sub-section 4(B)(b) wherein the customer can seek a refund or credit at the customer's own decision, the city can waive any overcharges of fees from the city. [7:44:36 PM](#) Carol Brown seconds, there is no further discussion and the motion passes unanimously.** Mayor Davis asks Heather Dawson to put this on next Monday's meeting agenda for a second reading.

### **NEW BUSINESS:**

Mayor Davis pulls from the agenda NB 586 Outline of Hailey Chamber of Commerce Visitor Center contract at Rodeo Grounds.

*NB 587 Review of flood plain ordinance standards and policies.*

[7:46:12 PM](#) Jim Zurubica presents to council. He explains that the city recently amended our Flood Plain Ordinance to adopt the most recent FEMA flood study. During the review of that ordinance, it became clear that there were some issues with policy, language, and some of the higher regulatory standards there to enhance our community rating. We will be re-rated next year, so it's a good time to review. Mr. Zurubica requests the Council's assistance and guidance with this in the coming months.

*NB 588 Adoption of proposed revised Employee Handbook.*

[7:50:17 PM](#) Heather Dawson explains the draft of the handbook in front of Council, pointing out that most of the changes are housekeeping issues, but there are three primary changes. Language has been inserted regarding public emergencies and disasters. The work week has been made uniform to better manage overtime. And the handbook now calls out the calendar year. Ms. Dawson asks to change one element of the resolution on page 315 with the Council's approval. Her second suggested change is on page 339. She suggests keeping the letter from the Mayor there. Ned encourages support for the revisions. Council asks questions of Heather and Ned, including some discussion of PTO. Carol Brown moves to approve, Don Keirn seconds, and the Motion carries unanimously. [8:00:39 PM](#) **Carol moves to approve, Don seconds, ayes, carries.**

### **OLD BUSINESS:**

*OB 590 3<sup>rd</sup> Reading of Tree Ordinance No. 1076 and motion to authorize mayor to sign.*

[8:01:18 PM](#) **Fritz Haemmerle moves to approve, Don Keirn seconds, ayes carry unanimously.**

### **STAFF REPORTS:**

[8:02:19 PM](#) Tom Hellen reports on Woodside Boulevard improvements. He is meeting with federal highways to prepare for a grant application on Wednesday. Notice has been given to

residents regarding progress and public hearings. He adds that there may be some money available for continuing the River Street improvement project. He has requested help with another grant application which may provide funding in 2013. Beth Robrahns notes there will be two employment positions advertised in paper this week, and asks for councils' thoughts on holding airport master planning meetings toward the end of January, 2011.

### **COUNCIL REPORTS:**

Carol Brown notes the upcoming leadership meeting next Monday night regarding emergency preparedness. Don Keirn notes he served on the selection committee for a new economic development director of the Sun Valley Economic Development Corp. A candidate has been selected and will be announced after the board's approval. Carol Brown adds that she and Don Keirn are meeting with Becky Keefer regarding the rodeo grounds on Wednesday. [8:07:51 PM](#) Mayor Davis asks for the council's comments on the city's snow removal process. Tom Hellen notes his fear that if snow events had kept up, the budget may not have met the needs. With recent warmer weather, he feels more confident the budget may suffice.

[8:09:49 PM](#) Meeting is adjourned by Mayor Davis.