

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD JUNE 13, 2010  
IN THE HAILEY TOWN CENTER MEETING ROOM**

**4:30 p.m. CALL TO ORDER** - Multi-Use ARENA site tour with Architect at Hailey Rodeo Park

The Meeting of the Hailey City Council was reconvened in the Hailey Town Center Meeting Room at [5:28:09 PM](#) by Mayor Rick Davis. Present were Council members Carol Brown, Don Keirn, Fritz Haemmerle, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, Jeff Gunter, Beth Robrahn, Mariel Platt, Tracy Anderson, Tom Hellen, Mike Chapman, and Becky Stokes.

**OPEN SESSION FOR PUBLIC CONCERNS**

Mayor Davis introduced representatives from the offices of Senator Crapo and Representative Simpson in Twin Falls at [5:29:12 PM](#), here to offer their offices as a resource for the Council and constituents.

[5:31:51 PM](#) Peter Lobb, 403 E. Carbonate, noted concern about using public money during these economic times to participate in the Smart Growth Awards. He requested the Council pull CA 277 to discuss before voting on this.

**Airport Issues:**

[5:33:07 PM](#) Susan McBryant reported on the value of existing tenant leases, budget, the Joint Powers Agreement, issues of sponsorship, and the Blaine County Advisory Committee. Council discussion included clean-up of the airport site, budget challenges, and the hiring of communications experts in this process. [5:37:59 PM](#)

**Woodside Boulevard Project Report:**

[5:45:42 PM](#) Tom Hellen expected draft documents for review soon so that the Council could have final approval before the next meeting and bidding process.

**Rodeo Grounds Project Report with Architect and Hailey Park Foundation:**

[5:47:03 PM](#) Michael Bulls, and Nick Latham from Ruscitto/Latham/Blanton were present. Mr. Bulls provided a status report, and noted the project was on schedule for the July 4 opening. He reported that the Sawtooth Rangers will begin working arena sand this week. [5:51:31 PM](#) Council members who attended the tour today expressed enthusiasm and approval.

[5:53:11 PM](#) Steve Keefer, represented the Hailey Parks and Land Board and presented to the City a check for \$288,000 from donors for the Rodeo Park project.

**CONSENT AGENDA:**

CA 272 Motion to approve additional services billings for Ruscitto/Latham/Blanton for fees incurred outside of the original contract scope, but authorized under the original contract to be negotiated, for the Hailey Rodeo Park Project.

- CA 273 Motion to approve selection of Orr Floor Care Inc. as cleaning contractor for multi-purpose arena, and authorization of agreement identifying scope of services and payment terms.
- CA 274 Motion to award a contract to Webb Landscape, Inc. for the completion of planting, dry stream bed construction, rock placement and mulching of the E.W. Fox Garden and authorize the Mayor to sign upon approval of the agreement by the City Attorney.
- CA 275 Motion to approve the Replacement Security Agreement for Sweetwater, which agreement would allow Sweetwater to replace its Letter of Credit with \$97,000 cash to insure the completion of landscaping elements.
- CA 276 Motion to approve Revocable License Agreements with the owners of buildings within Hailey listed on the National Register of Historic Places, which agreement would allow the installation of historic information signs onto the buildings with the owner's consent, and authorization for the mayor to sign these agreements.
- ~~CA 277 Motion to approve nominations to Idaho Smart Growth Awards program for Hailey's Woodside Boulevard Project and Hailey's Comprehensive Plan rewrite, and to authorize purchase order for each nomination's \$50 submittal fee.~~
- CA 278 Motion to approve Hold Harmless and Indemnification Agreement with Blaine County School District for 4th of July Fireworks Display by City of Hailey from Blaine County School District Property.
- CA 279 Motion to approve Permit for Public Display of Pyrotechnics for the City of Hailey 4th of July Fireworks event produced by Lantis Fireworks acting on behalf of the City of Hailey.
- CA 280 Motion to approve Safe and Sane Fireworks Permits for Outlook Fireworks and Phantom Fireworks.
- ~~CA 281 Motion to authorize city official to sign Letter of Agency for contractual telephone service for one year.~~
- CA 282 Motion to declare surplus equipment in the Library
- CA 283 Motion to approve minutes of April 11, 2011 Hailey City Council Meeting and to suspend reading of them.
- ~~CA 284 Motion to approve minutes of April 25, 2011 and to suspend reading of them.~~
- ~~CA 285 Motion to approve minutes of May 2, 2011 and to suspend reading of them.~~
- ~~CA 286 Motion to approve minutes of May 23, 2011 and to suspend reading of them.~~
- ~~CA 287 Motion to approve claims for expenses incurred during the month of May, 2011, and claims for expenses due by contract in June, 2011.~~
- CA 288 Motion to approve Treasurer's Monthly reports for May 2011.

**5:55:36 PM Fritz Haemmerle moved to approve the Consent Agenda minus items 277, 281, 284, 286, and 287. Don Keirn seconds and the motion carried unanimously.**

CA 277 Carol Brown inquired about the reasons or benefits for spending money for nomination. Beth Robrahn noted she was disappointed to find out there was a fee involved, but still thought participation was worthwhile. Fritz Haemmerle noted his continued concerns about the costs associated with obtaining grants and awards. Council chose not to authorize City funds for these applications.

CA 281--[5:58:08 PM](#) Heather Dawson offered further details regarding how this decision was made. Carol Brown expressed caution in depending on cable service in emergency situations. Don Keirn agreed.

[6:00:22 PM](#) **Carol Brown moved to authorize Mayor Davis to sign the Letter of Agency with Qwest. Don Keirn seconded.** Fritz Haemmerle asked if Qwest was contacted regarding savings. Heather Dawson assured that the City had negotiated the best deal available. **The motion then passed unanimously.**

CA 284 [6:01:29 PM](#) Mayor Davis noted that a reference to “Phil Hughes” should be changed to “Bill Hughes.”Comments during Public Hearing item 189 on the agenda.

CA 286 Heather Dawson requested a revision to the minutes of the May 23 meeting to reflect “Mayor Davis recessed the meeting at 5:45. The Council reconvened at 6:00 PM at the distance learning lab at the high school to hear a presentation from the airport master planning consultants, and adjourned the meeting at 8:30 PM. [6:02:12 PM](#).

[6:02:41 PM](#) **Fritz Haemmerle moved to approve CA 284 subject to the mayor’s changes and CA 286 subject to the changes made by Ms. Dawson. Carol Brown seconded, and the motion carried unanimously.**

CA 287 [6:02:54 PM](#) Ned Williamson requested discussion in Executive Session regarding vendors listed in the Council packet, notably for invoices numbered 5913, 4927, and 101. [6:04:13 PM](#) **CB moved to approve claims for expenses during the month of May, 2011, minus invoices 5913, 4927, and 101. DK seconded, and the motion passed unanimously.**

### **MAYOR’S REMARKS:**

MR

[6:04:39 PM](#) Mayor Davis noted his attendance at the Army National Guard Armory facility re-opening after remodeling, the landing of the Black Hawk helicopter in McKercher Park, and a framed American flag given by the Army National Guard in appreciation for the City’s support.

### **PROCLAMATIONS AND PRESENTATIONS:**

PP 289 *Report on EPA Grant Program Training in Denver, attended by Mariel Platt, Sustainability Coordinator, and Tracy Anderson, Grant Administrator, and update on Hailey Community Climate Challenge.*

[6:05:37 PM](#) Mariel Platt gave an overview and Power Point presentation of the Hailey Community Climate Challenge, the programs within the Challenge, sub-awardees and partners helping the City with the Challenge. [6:18:35 PM](#) Ms. Platt shared a film clip showing Building Material Thrift workers salvaging 19 tons of reusable materials with their first use of a new forklift. [6:22:01 PM](#) Eric Grootveld from Mountain Rides explained the Bike Share component of the Climate Challenge, and noted that Scott USA is on board for an initial donation of 18 bicycles to the project. [6:29:42 PM](#) Carol Brown noted the benefit of assigning someone on staff to take on these goals.

PP 290 *Woodside Boulevard Project Artists' presentation of artistic designs for the project, and identification of selected pieces for interim use in Hailey's downtown.*

[6:31:04 PM](#) Tracy Anderson introduced artists, Jason Georgiades, Nate Galpin, Mark Sheehan, and explained the process of selection, noting that the Hailey Arts Commission has approved and now recommends these designs to the Council. The artists then presented their designs individually, Mark Sheehan [6:36:46 PM](#), [6:41:01 PM](#) Jason Georgiades, and [6:44:03 PM](#) Nate Galpin.

[6:47:46 PM](#) **Carol Brown moved to approve the designs and artist selection. Martha Burke seconded, and the motion passed unanimously.**

PP 291 *Blaine County Housing Authority Semi-Annual Report Presentation and Funding Request.*

[6:49:00 PM](#) Kathy Grotto of Blaine County Housing Authority delivered a Power Point presentation outlining their cooperative work with ARCH, the Sustain Blaine Advisory Group, and the Idaho Housing and Finance Association. Ms. Grotto emphasized the need for creating a new model for gaining community housing, and identified future directions for BCHA.

PP 292 *Mountain Rides Transportation Authority Quarterly Report and Funding Request.*

[7:10:34 PM](#) Jason Miller, Executive Director of Mountain Rides, made a budget request for 2012, and gave data on ridership, services and usage in Hailey, costs, and benefits to Hailey residents. He noted a "strong upward trend" in ridership in the City.

#### **APPOINTMENTS AND AWARDS:**

None.

#### **PUBLIC HEARINGS:**

PH 293 *Plastic Bag Resolution proposed by Wood River High School Environmental Club.*

[7:21:44 PM](#) Erika Greenberg, Wood River High School teacher and advisor to the club, introduce the students who outlined their most recent efforts to support this proposed resolution. They presented revised language and details of their continued surveys and studies. [7:34:26 PM](#) Council members asked questions of the students including whether or not this proposal might be best implemented county-wide rather than in a single city. [7:36:59 PM](#) Mariel Platt pointed out that she had contacted Atkinsons, Albertsons, Kings, and the Chamber regarding tonight's hearing.

[7:37:26 PM](#) Mayor Davis opened the meeting to public comment.

[7:37:32 PM](#) Marcia Collado, 311 E. Carbonate, disagreed with statistics provided by the students. She noted reusable bags may be unsanitary and emphasized the need to educate the public further.

[7:39:01 PM](#) Dana Denney, 830 Empty Saddle Trail, noted no sanitary issues in the use of reusable bags and spoke in full support of the students' work.

[7:41:08 PM](#) Karen Hartman, South Hiawatha, noted that the ink used on plastic bags is toxic, and that San Francisco and Malibu, California have banned the use of plastic bags. She further noted that Italy, Belgium, Mexico City, and Ireland have taxed the use of plastic bags.

[7:42:59 PM](#) Scott Runkel, Community School teacher, stressed the importance of avoiding single-use bags regardless of their components, and voiced "100% support" of the student's proposal.

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[7:45:48 PM](#) Jacob Greenberg, Shorty's Diner, pointed out the Los Angeles Board of Supervisors banned plastic bags, and charges a ten-cent fee on paper bags.

[7:46:25 PM](#) Jim Laski, 48 Townsend Gulch Road, suggested signs for reminding customers to bring their own bags, and inquired about the use of easily decomposable bags.

[7:47:26 PM](#) Kristin Poole, 1221 Buckskin, pointed out that school is not in session now and the students are working on this project because it feels important to them. She further urged the Council to put the measure on a ballot.

[7:48:13 PM](#) With no further public comment offered, Mayor Davis brought the meeting back to Council.

Fritz Haemmerle urged caution in regulating human behavior, and noted he does not approve of over-governance. He expressed support of some amendment, however.

[7:50:17 PM](#) Martha Burke spoke in support of the measure and considered it "more an issue of public health, safety and welfare when you consider the environmental impact."

[7:53:30 PM](#) Don Keirn noted he does not support plastic bags, but urged caution in heavy-handed governance. He favored putting this on a ballot.

[7:54:46 PM](#) Carol Brown applauded the students' work and pointed out that their efforts have encouraged more discussion about bag use.

[7:55:45 PM](#) Rick Davis voiced support and his appreciation for Mr. Haemmerle's caution. He stressed the importance in educating the public and commended the students, teachers and parents for their support.

[7:57:31 PM](#) **Carol Brown moves to approve Resolution 2011-15 modifying paragraph #1 concerning the language after "A ban..." to read "...restriction or regulation on certain plastic bags...". Don Keirn seconded, and the motion carried unanimously.**

[7:58:23 PM](#) Ned Williamson clarified the differences between initiatives and advisory votes.

[8:01:47 PM](#) Mayor Davis called a five-minute recess.

*PH 294 Amendments to Municipal Code Title 9, Hailey's Noise Ordinance, to establishing an outdoor amplified sound permit and exempting approved special event permits, park reservation and outdoor amplified sound permits from the restrictions of Section 9.04.030 (continued from May 2, 2011)*

[8:04:47 PM](#) Beth Robrahn provided background, and pointed out the changes suggested in the May 2 meeting and those suggested by Ned Williamson after his review. [8:08:40 PM](#) Council discussion included other types of noise and why all noise is not covered under the same ordinance. Jeff Gunter explained that he needs a complaint to enforce disturbing the peace, but that he can enforce an ordinance without a complaint.

[8:11:50 PM](#) Mayor Davis opened the meeting to public comment.

[8:11:57 PM](#) Tony Evans, Idaho Mountain Express, asked about other sounds at night that might be covered by an ordinance, such as the sound of crashing bottles when restaurants empty their bins at closing time, and sounds of automobiles and motorcycles.

[8:14:04 PM](#) Peter Lobb, 403 E. Carbonate, wondered what might be done about "two-stroke motorcycles ripping through city."

Jeff Gunter explained the law to Mr. Lobb and noted Police Department efforts to enforce this particular matter.

[8:15:00 PM](#) Dennis Carlin (Carlyle?), 4<sup>th</sup> Avenue, opined that sound levels are an enforcement headache.

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[8:15:44 PM](#) With no further comment offered, Mayor Davis brought the meeting back to the Council. Discussion included the 10:00 P.M. limit for amplified sound, the difficulty of trying to cover all possibilities in an ordinance, enforcement challenges, and whether there were required permits. Fritz Haemmerle emphasized that he strongly preferred “plainly audible” over decibels as a measurement of sound levels.

[8:30:03 PM](#) **Carol Brown moved to have the first reading of Hailey Ordinance 1084 modifying Sec. 1 B 1 to return the sentence beginning “The operation of any such radio...” to be returned to the original language “...as to be plainly audible...”, and to be read by title only. Don Keirn seconded and the motion passed unanimously.**

*PH 295 An application by Airport LLC for an amendment to the zone district map for the City of Hailey. The application would change the zoning of Friedman Park Subdivision, Lot 11A, Block 2 (960 S Main St), located near the intersection of Airport Way and Main St, from Light Industrial (LI) to Limited Business (LB); the P&Z Commission recommended approval conditioned upon a development agreement (continue to June 27, 2011 due to notice posting error).*

[8:31:42 PM](#) **Carol Brown moved to continue. Don Keirn seconded and the motion passed unanimously.**

*PH 296 Discussion of Jeff Pfaeffle’s proposal on behalf of the Stevens Family Ranch to coordinate a multi-party project which would include the Wood River Land Trust, the Open Space Levy Board, and the City of Hailey as the annexing city of the 21.28 acre bench parcel in a 153 acre open space project at Colorado Gulch*

[8:32:24 PM](#) Jim Laski and Jeff Pfaeffle were present on behalf of Stevens Family Ranch. They provided a Power Point presentation detailing this 153-acre public open space proposal. This would continue the greenway through Hailey, and was contingent on the City annexing the bench parcel with an agreed upon density of 2.57 per acre. Mr. Laski expressed his clients’ hope that a Council person might be appointed to work with the Stevens family to find a cooperative way to accomplish this proposal.

[8:41:35 PM](#) Ned Williamson pointed out that this is a divergence from the usual annexation process. Council discussion included clarification of process and requirements, whether a local conservation entity might buy the project, and whether a public meeting might be held on the property.

[8:46:03 PM](#) Mayor Davis opened the meeting to the public.

[8:46:25 PM](#) William Miles, 71 Broadford Road, noted that he is an adjacent property owner, and did not get noticed for this meeting. He wondered why the property was not being sold without annexation. He stressed that forced annexation is “not good” and that this matter should be publicly heard.

[8:48:34 PM](#) Peter Lobb, 403 E. Carbonate, believed that the property is in the riparian zone and the floodplain resulting in its being undevelopable. He opined that habitat is what makes it of value, and that not allowing public access may better protect that habitat. He cautioned against creating taxpayer burden and advised the Council to “say no to forced annexation now.”

[8:52:22 PM](#) Keri York, Wood River Land Trust, indicated that the Land Trust is very interested in continued discussions about the best ways to protect this property. Ms. York further offered clarification about the development potential there, and location of current public access.

[8:58:02 PM](#) Jeff Pfaeffle commented on what portion of the land might be buildable, and noted that “some properties are not suitable for private ownership, and that his clients are trying to find a way to make this workable.

[9:00:04 PM](#) Jim Laski noted the opportunity present due to the Blaine County Open Space Levy Board’s consideration of purchase of the property. Ned Williamson questioned whether the Levy Board will require City’s commitment to annexation. Mr. Laski indicated the Stevens family would like a commitment. Carol Brown expressed her mixed feelings about the project because she supports the open space, but does not approve of forced annexation of the three adjacent properties. Martha Burke agreed, but expressed concern about obligating future City Councils to this agreement. [9:08:31 PM](#) Don Keirn thought it unlikely that an agreement could be reached before the July 15 Levy Board meeting. Mr. Laski suggested it may be possible to achieve a basic framework by then. Carol Brown suggested a 4:30 P.M. public meeting on the site before the next City Council meeting on July 11. Mayor Davis requested the staff to make it so. [9:16:09 PM](#) Ned Williamson asked if there was adequate time to notice public attendance. Carol Brown and Fritz Haemmerle emphasized the need for getting public feedback before moving forward. Mr. Laski offered that the property owners will pay for and execute the task of noticing the public and the adjacent neighbors. Martha Burke pointed out that the cooperation of the Wood River Land Trust and the City’s annexation process must be separate. Property owners offered to pay for and do the work of noticing. [9:27:35 PM](#)

*PH 297 Consideration of a resolution amending Resolution 2010-02 to adopt a map identifying the deteriorated or deteriorating areas as defined in the Idaho Urban Renewal Law.*

[9:28:48 PM](#) Ned Williamson and Beth Robrahn explained that the map is meant to clearly identify areas.

[9:33:36 PM](#) Mayor Davis opened the meeting to public comment.

With no comment offered, the meeting was brought back to the Council.

Discussion included the purpose of the map, and the reasons certain areas are delineated.

[9:42:06 PM](#) Martha wonders about continuing stuff since the hour is so late....

Matt Engel, 1720 Northridge Dr., asked to be allowed to speak. He requested clarification on map areas. [9:42:23 PM](#) Mayor Davis opened the meeting again to public comment.

[9:45:55 PM](#) The meeting returned to the Council.

[9:46:04 PM](#) Mike Chapman encouraged an expansion to the area noted on Third Avenue citing the condition of the Grange Hall and Fire Station.

[9:47:40 PM](#) Ned notes the importance of having this document in place when considering the airport site redevelopment.

[9:53:41 PM](#) **Carol Brown moved for the City to approve Resolution #211-16, authorize the mayor to sign, and modify the map as presented to include that strip of Third Avenue down to East Chestnut that includes the Hailey Fire Station and Grange Hall, Don Keirn seconded. Motion carried with Mr. Haemmerle opposed.**

*PH 298 Discussion of Friedman Memorial Airport Amended and Restated Joint Powers Agreement.*

[9:54:37 PM](#) **Carol Brown moved to continue to the June 27 meeting. Martha Burke seconded and the motion carried unanimously.**

#### **OLD BUSINESS:**

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*OB 302 Report from Don Keirn and Carol Brown re: Dispatch PAC meeting of June 2, 2011, during which funding models were recommended, and subsequent Blaine County Commissioner's meeting of June 7, 2011, at which funding model decisions were made.*

**NEW BUSINESS:**

*NB 299 Amendment to Municipal Code Chapters 13.02 and 13.04 to allow user base fees to be used for water and wastewater system expansion and define the use of surface water as a component of Hailey's Municipal Water System.*

**9:55:15 PM Carol Brown moved to continue to June 27 meeting. Martha Burke seconded, and the motion carried unanimously.**

*NB 301 Consideration by Hailey City Council, acting as a property owner within the Airport West Subdivision, to consent to the Airport West Owner's Association's application to the City of Hailey for amendment to the Airport West Annexation agreement with the City of Hailey, which amendment would allow accessory dwelling units on properties within the subdivision.*

**9:55:38 PM** Tom Hellen explained his role in this matter. Ned Williamson clarifies the meaning of this consent.

**9:57:00 PM** Speaking for the Airport West Ownership Association, Matt Engel expressed hope the Council would sign in order to move forward with the annexation agreement.

**10:00:19 PM Fritz Haemmerle moved to approve. Martha Burke seconded and the motion passed unanimously.**

**STAFF REPORTS:**

SR 303 Fire Department Annual Report.

SR 304 Library Directors Report.

**EXECUTIVE SESSION:** Real Property Acquisition (IC 67-2345(1)(c)), Pending & Imminently Likely Litigation (IC 67-2345(1)(f)), and/or Personnel (IC 67-2345(1)(a/b))

**10:01:35 PM CB moved to go into Executive Session to discuss Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Don Keirn seconded. A roll call vote passed the motion unanimously.**

Mayor Davis and Council members came out of Executive Session and concluded the meeting at 10:12 P.M.

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Rick Davis, Mayor

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Mary Cone, City Clerk

