

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JUNE 27, 2011
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at [5:28:08 PM](#) P.M. 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, Beth Robrahn, Jeff Gunter, Ned Williamson, Becky Stokes, and Tom Hellen.

Open Session:

[5:28:41 PM](#) Bob MacLeod, 417 E. Myrtle, announced the Friends of the Hailey Library Garden Tour on July 23. Money raised by the tour will benefit the library.

[5:29:53 PM](#) Robert Lowe, 1111 Broadford Rd., pointed out that a section of Broadford Road has “five giant holes” needing repair. He was told by the road department that the budget would not allow for repair right now, but he feared for public safety if the holes remain. Mayor Davis offered to discuss this during the next staff meeting.

[5:33:09 PM](#) Jytte Mau, 130 Gulf Stream Lane, has not been receiving agendas for city meetings. She asked if the plastic ban issue was on tonight’s agenda, and expressed disappointment that her business was not notified of this issue.

[5:35:17 PM](#) With no further concerns offered, Mayor Davis closed this portion of the meeting.

AIRPORT ISSUES:

None.

CONSENT AGENDA:

- CA 305 *Motion to approve contract with TAG for Hailey Historic Crossroads Research.*
- CA 306 *Motion to approve grant agreement amendment for the Woodside Boulevard project, amending minor administrative elements.*
- CA 307 *Motion to approve contract with Webb Landscape, Inc, for the completion of planting, dry stream bed construction, rock placement and mulching of the E.W. Fox Garden.*
- CA 308 *Motion to authorize submittal of a Project Letter of Intent for the Hazard Mitigation Assistance Grant Program for Woodside Subdivision.*
- CA 309 *Motion to authorize the Mayor to sign Utility Agreements with Idaho Power, Intermountain Gas, Cox Communications, Qwest and Syringa for the Woodside Blvd. Reconstruction Project.*
- CA 310 *Motion to authorize Mayor to sign a waiver of liability from Idaho Power for their assistance in setting the new banner poles at Spruce & Main.*
- CA 311 *Motion to authorize Mayor & Council President to sign the Idaho Power easement for underground lines and equipment at the Rodeo Grounds.*
- CA 312 *Motion to approve Resolution 2011-17, establishing that certain Hailey events are exempt 12.14.070(1)(a).*
- CA 313 *Motion to approve the transfer of alcohol beverage license to La Costa Restaurant from Chapala’s Restaurant.*
- CA 314 *Motion to approve minutes of June 13, 2011 and to suspend reading of them.*
- CA 315 *Motion to approve claims for expenses incurred during the month of May, 2011, and claims for expenses due by contract in June, 2011.*

Carol Brown pulled CA 314.

5:35:47 PM Don Keirn moved to approve consent agenda items excluding CA 314, seconded by _Fritz Haemmerle, motion passed unanimously.

Regarding CA 314, Carol Brown requested two revisions in the meeting minutes of June 13, 2011. On page 2 of the minutes at the bottom (page 55 of packet), under CA 277, Ms. Brown asked that the minutes read, "Council chose not to authorize City funds for these applications." Ms. Brown also asked that her motion under CA 281 read "...sign the Letter of Agency with Qwest."

Carol Brown moved to approve CA 314 with these revisions, Don Keirn seconded, motion carried unanimously.

MAYOR'S REMARKS:

Mayor Davis noted the planned June 30, 2011 commemoration of Bowe Bergdahl's second year of captivity in Afganistan, and encouraged attendance in support of the Bergdahl family.

PROCLAMATIONS AND PRESENTATIONS:

PP 316 Sustain Blaine Progress Update and Funding Request.

5:37:40 PM Harry Griffith and Joy Kasputys, of Sustain Blaine, delivered a Power Point presentation to update the Council on their organization, to review their progress, emphasize benefits to City, report their fundraising efforts, and to request funding from the City. 5:53:34 PM Fritz Haemmerle asked how much money the City contributed last year. Mr. Griffith reported that Sustain Blaine did not request any money from the cities in the valley then, but now the organization feels more prepared to effectively use civic funds in their programs.

PP 317 Fly Sun Valley Alliance Report and Funding Request (no documents)

5:54:33 PM Carol Waller and Eric Seder of Fly Sun Valley Alliance delivered a Power Point presentation on the organization's efforts so far, and their goals. Ms. Waller pointed out the group has not asked the City for funding before, but now hopes the Alliance may be given a portion of LOT funds.

6:07:38 PM Peter Scheurmier, of Copper Ranch Lane, and Avis owner in Hailey, noted a dramatic increase of business going to Salt Lake City and Boise. "If we don't get people coming in here directly on planes, we don't make enough money."

6:10:18 PM Carol Waller made her closing remarks.

PP 318 Animal Shelter of the Wood River Valley Report and Funding Request

6:12:23 PM Heather Dawson noted their reports and last year's contract are in the packets.

APPOINTMENTS AND AWARDS:

None.

PUBLIC HEARINGS:

PH 319 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.

[6:13:35 PM](#) Mayor Davis asked Ned Williamson to give overview. He reported that some Woodside user fees had been questioned, therefore he made some proposed amendments now in the Council packets. Mayor Davis then opened the meeting to public comment.

[6:15:11 PM](#) Linda Hillman, 3041 Woodside Blvd., asked if landscaping improvements will cost homeowners or the City.

[6:16:00 PM](#) Peter Lobb, 403 E. Carbonate, thought the funding should come out of the City's general budget, not out of homeowners.

[6:17:00 PM](#) Tom Hellen noted the City was not allowed to use general fund money in the water department. Mr. Lobb suggested another funding method should be found.

[6:17:27 PM](#) With no further comment offered, the mayor brought the meeting back to the Council.

[6:18:06 PM](#) After discussion, **Carol Brown moved to approve Ordinance 1087, first reading by title only. Don Keirn seconded and the motion passed unanimously.**

PH 320 Woodside Boulevard Final Design and Bid Package approval.

[6:19:19 PM](#) Lori Labrum and Jim Flair, JUB Engineers, delivered a Power Point presentation giving the project overview including approvals from agencies, scheduling, and public input.

[6:22:50 PM](#) Council discussion included question on the roll curb, sidewalks and bike paths.

[6:23:45 PM](#) Lori Labrum responded that JUB met individually with each property owner, identified spaces where parking could be added, and agreeing to removal of landscape buffers where necessary. Ms. Labrum pointed out that the result is there will not be a lot of landscape buffer in south Woodside.

[6:25:10 PM](#) Fritz Haemmerle asked if landowners were generally happy with the concessions. Ms. Labrum expressed confidence that they were, and hoped JUB could have approval to advertise for construction.

[6:29:30 PM](#) Council discussion included on whether this project could be done in one summer instead of two.

[6:30:31 PM](#) Mayor Davis opened the meeting to public comment.

[6:30:41 PM](#) Linda Hillman, 3041 Woodside Boulevard, noted that she has not heard from JUB nor the City since the meeting at the elementary school. She hoped parking could be accommodated in front of her home to avoid conflict with the bike lane. Mayor Davis asked Lori Labrum to contact Ms. Hillman the following day to work this out.

[6:32:02 PM](#) Mike Walbert, 1030 Woodside Boulevard, noted that he is close to reaching an agreement on the roundabout with Ms. Labrum and will continue to work with her.

[6:32:25 PM](#) Gloria Wieand, 630 Fox Acres Road, expressed that it had been a real pleasure to work with this team, and that she felt good about the project now.

[6:32:59 PM](#) With no further comment offered, Mayor Davis closed the meeting to public comment.

[6:33:09 PM](#) **Fritz Haemmerle moved to authorize JUB's bidding process. Martha Burke seconded, and the motion carried unanimously.**

PH 321 *An application by the City of Hailey for final plat approval of Wertheimer Park Subdivision. The plat would create 3 lots (Blaine Manor, Rodeo Grounds and Hailey Elementary; the P&Z Commission recommended approval.).*

[6:34:01 PM](#) Beth Robrahn gave an overview, noting that one condition (B) was taken care of on tonight's Consent Agenda (311).

[6:35:54 PM](#) The meeting was opened to public, but none was offered.

[6:36:05 PM](#) **Carol Brown moved to approve the final plat amended with conditions A-G as shown in the Council packet. Martha Burke seconded, and the motion passed unanimously.**

PH 322 *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 (continued from June 13, 2011).*

[6:37:16 PM](#) Beth Robrahn gave an overview and noted that the P&Z Commission recommended approval with a development agreement that does not allow residential use on the property as long as the airport is there. The Airport Authority asked that noise language be included.

[6:39:29 PM](#) Ken Sangha, 230 Robin Hood Drive, noted he has been trying to do something to improve that property for years because it is right at the entrance to City and could be more aesthetically appealing. He expressed hope he could be given the rezone in order to use the property for assembly.

[6:40:53 PM](#) Fritz Haemmerle wondered why the City should allow this to be the only LB lot on that side of the highway. Beth Robrahn explained that the zoning fits into the long-term vision of that area.

[6:43:31 PM](#) Mayor Davis opened the meeting to public comment.

[6:43:39 PM](#) Peter Lobb, 403 E. Carbonate, expressed belief that it is inevitable that change will come to that part of town and he encouraged the rezone.

[6:44:09 PM](#) With no further comment offered, the meeting was closed to public comment.

[6:44:24 PM](#) MB noted that Rick Baird of Friedman Memorial Airport would like to add language to the development agreement to point out that the location is next to the airport and subject to noise and air pollution.

[6:46:41 PM](#) **Carol Brown moved to adopt Ordinance 1088 approving the application subject to a development agreement prohibiting residential use, and adding language that noted the property was adjacent to the airport and would therefore be subject to possible air and noise pollution; and to authorize the mayor to conduct the first reading by title only. Martha Burke seconded, and the motion carried unanimously.**

PH 323 *Discussion of Friedman Memorial Airport Amended and Restated Joint Powers Agreement*

[6:48:41 PM](#) Ned Williamson noted the history of the agreement and highlighted the changes in language. He noted he now generally accepts the county's changes.

[6:53:20 PM](#) Mayor Davis opened the meeting to public comment. None was offered.

[6:54:39 PM](#) **Fritz Haemmerle moved to approve the draft as presented in the Council packet. Don Keirn seconded and the motion passed unanimously.**

PH 324 *Discussion of recommended land use and market strategy for the redevelopment of the airport site, titled "Friedman Memorial Airport Redevelopment Plan and Feasibility Analysis, a Recommended Framework Plan: Land Use and Market Strategy". Consideration of resolution acknowledging receipt of the report and states the City generally adopts the framework described in the report. The strategy was presented to the public on May 23, 2011.*

[6:56:28 PM](#) Beth Robrahn gave an overview noting her belief that it is important at this time to have a general guide for the first five or so years, and that this guide is designed to be flexible. She noted that the drafted resolution would accept the analysis already conducted and adopt these general guidelines. At the heart of this strategy is the creation of a campus setting in the middle of the project to attract new businesses, and that the strategy is not reliant on large format retail.

[7:04:33 PM](#) Council discussion ensued covering the potentially explosive nature of accepting large format retail use, encouragement of thorough public hearings, and whether this is consistent with other master plans. [7:14:25 PM](#) Fritz Haemmerle requested complete clarity that "no one is out there shopping for big box tenants." Ms. Robrahn offered to get that assurance for him.

[7:15:05 PM](#) Tony Evans, Idaho Mountain Express noted that he was told Rick Roland was specifically recruiting big box tenants.

[7:16:40 PM](#) Jytte Mau, Hailey, questioned the layout's affect on the downtown core.

[7:18:02 PM](#) Peter Lobb, 403 E. Carbonate, suggested redacting any reference to big box tenants from the report, and creating two alternative plans should this one not work out.

[7:19:00 PM](#) Jane Drussel, 106 S. Main, approved of having a plan, but is not in favor of large format retail of any kind. She cautioned the Council against any zoning changes between downtown the redevelopment are now. She preferred infill.

[7:22:13 PM](#) Jim Phillips, 20 Quigley Road, expressed his belief that the guiding document should be the Comprehensive Plan and that the City should compare carefully to see if this is compatible.

[7:25:12 PM](#) Tony Evans, Idaho Mountain Express, noted that consultants who came when Sustain Blaine had their original meetings said then that big businesses were interested in moving to Hailey. Mr. Evans believed those business names should be divulged.

[7:26:26 PM](#) Rick Baird, Friedman Airport, believed the City should take "some possession of this plan" since "the FAA and the airport authority ordered this plan to make city comfortable..."

[7:29:09 PM](#) Discussion between Fritz Haemmerle, Rick Baird, Jim Phillips, Rick Davis and Jane Drussel continued on land values.

[7:33:54 PM](#) Martha Burke expressed comfort with this conceptual plan with the understanding that it is fluid, and suggested perhaps language regarding big box retail could be changed or removed.

[7:42:06 PM](#) Council discussion continued on large format retail, making certain the Comprehensive Plan drove this conceptual plan rather than the other way around, the expense of obtaining this research and creating this plan.

[7:56:44 PM](#) Fritz Haemmerle requested a more concise resolution from staff to incorporate tonight's discussion.

[8:04:18 PM](#) Beth Robrahn requested more direction in what should be included in a pared down resolution. [8:05:39 PM](#) Council continues with direction for Ms. Robrahn, and a suggestion to bring a revised resolution to the July 11 City Council meeting.

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[8:10:19 PM](#) Carol Brown moved to reconsider the issue at the July 11 meeting with a revised resolution. Don Keirn seconded, and the motion carried unanimously.

PH 324 Public Hearing on amendment to Fiscal Year 2011 Appropriation Ordinance, with budget amendments to allow the expense of grant revenues for corresponding grant expenses.

[8:12:08 PM](#) Rick Davis asked for clarification from Becky Stokes.

[8:13:36 PM](#) The meeting is opened to public comment. None was offered.

[8:13:53 PM](#) Carol Brown moved to approve Ordinance 1089 as presented in Council packets, read by title only. Don Keirn seconded and the motion passed unanimously.

PH 324 Amendment to Municipal Code Chapter 13.05, Pretreatment, for housekeeping amendments to language.

[8:14:57 PM](#) Tom Hellen provided an overview, and Council offered discussion.

[8:16:03 PM](#) Mayor Davis opened the meeting to public comment. None was offered.

[8:16:18 PM](#) Carol Brown moved to adopt Ordinance 1090 with the edits as shown in Council packets, read by title only, and authorizing the mayor to sign. Don Keirn seconded and the motion passed unanimously.

NEW BUSINESS:

NB 327 Selection of the Portico Group to create the conceptual design for the Rodeo Park Interpretive Exhibit, and authorization to enter into negotiations for contract with the firm.

[8:18:09 PM](#) Heather Dawson requested an agenda amendment to group three rodeo items together, and two ARCH items together. With Council approval, Ms. Dawson gave an overview of the selection. Council members expressed enthusiasm for the Portico work they have seen.

[8:21:52 PM](#) Martha Burke moved to approve the selection of Portico Group and authorization to enter into contract negotiations. Carol Brown seconded, and the motion carried unanimously.

NB 328 Motion to approve Corrected Memorandum of Ground Lease between the City of Hailey and River Street Apartments Limited Partnership and authorize the council president to sign.

[8:41:47 PM](#) Rick Davis recused himself. Fritz Haemmerle took over as Council President. Ned Williamson explained there was a problem in recording the lease, and that he had corrected a date error on the document.

[8:43:23 PM](#) Carol Brown moved to approve the corrected lease and to authorize the Council President to sign. Don Keirn seconded and the motion passed unanimously. Mayor Davis returned to the meeting.

NB 329 Hailey Rodeo Park Public Art fabrication agreements with three of the five rodeo park artists.

[8:22:18 PM](#) Heather Dawson explained there were design agreements, but not fabrication agreements and the materials costs needed to be addressed.

[8:25:09 PM](#) Martha Burke moved to approve fabrication agreements for the three named artists. Carol Brown seconded and the motion carried unanimously.

NB 330 *Consideration of Hailey Rodeo Park Phasing Plan identifying design review elements tied to certificate of occupancy for the multi-purpose arena, and owner's discussion of other project component timelines, including skateplaza, interpretive exhibit design & interpretive center construction schedule, public art, and landscaping.*

[8:25:43 PM](#) Heather Dawson explained the stages proposed and reasons for this phasing.

[8:29:53 PM](#) Council discussion included need for discussion and clarification, weather and soil conditions typical in April, whether bid prices would change with phasing plans, whether concrete should go in before winter for continuation in April.

[8:36:50 PM](#) Ned Williamson noted some change in the cost of the contractual construction manager if construction is delayed.

[8:39:41 PM](#) Michael Bulls, Ruscitto Latham Blanton, clarified that starting the foundation early may affect LEED certification.

[8:40:21 PM](#) Consensus was to not hurry. Nick Latham offered to bring back more definite information at the next Council meeting. Heather Dawson offered to talk to the construction manager to see about his cost and availability.

NB 331 *Consideration of request to obtain a "NAID" number to allow city's participation in the HUD \$1 Homes for local government program.*

[8:44:10 PM](#) Beth Robrahn gave an overview. Michelle Griffith from ARCH gave further details including answers to Carol Brown's questions about potential City liability.

[8:49:36 PM](#) **Fritz Haemmerle moved to obtain the NAID number. Martha Burke seconded, and the motion passed unanimously.**

OLD BUSINESS:

OB 332 *Second Reading Ordinance 1084—Noise Ordinance.*

[8:50:25 PM](#)

STAFF REPORTS:

[8:51:03 PM](#) to [9:00:28 PM](#).

Adjourn: [9:01:38 PM](#)

Rick Davis, Mayor

Mary Cone, City Clerk