

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JULY 25, 2011
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at [5:31:57 PM](#) P.M. by Mayor Rick Davis. Present were Council members Carol Brown, Don Keirn, and Martha Burke. Fritz Haemmerle was excused. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, Mariel Platt, Tom Hellen, Beth Robrahn, Becky Stokes, and Jeff Gunter.

[5:32:30 PM](#) Ned Williamson asked the Council to amend the agenda to consider the reappointment of Martha Burke and Susan McBryant in NB 375, and to add another representative to make a total of three. **Carol Brown moved to amend the agenda as requested. Martha Burke seconded and the motion carried unanimously.**

AIRPORT ISSUES:

[5:33:29 PM](#) None offered.

Open Session For Public Concerns:

[5:33:47 PM](#) Pete Kramer, 1061 Baldy View Drive, noted the upcoming 34th annual Northern Rockies Folk Festival and provided an update regarding their new website, aggressive efforts to obtain sponsorships, coordination with the Environmental Resource Center on recycling efforts, the use of solar-based energy systems, and RV parking and camping at Lyon's Park during the event weekend.

[5:40:39 PM](#) With no further public concerns offered, Mayor Davis closed this portion of the meeting.

CONSENT AGENDA:

- CA 356 *Motion to ratify application for donation from the Wattis Dumke Foundation for \$5,500 toward design of the Interpretive Center Exhibit at the Hailey Rodeo Park.*
- CA 357 *Motion to approve Annexation Review Agreement for city staff work related to the Colorado Gulch Preserve public easement and development proposal of the Stevens Family through its representative Jeff Pfaeffle.*
- CA 358 *Motion to approve agreement with ARCH Community Housing Trust to defer payment of Development Impact Fees until the time a Certificate of Occupancy is issued on the River Street Place Project.*
- CA 359 *Motion to approve annual renewal of alcohol licenses which will expire on 8/31/2011.*
- CA 360 *Motion to approve new alcohol license for Hailey business (Chapalita's).*
- CA 361 *Motion to approve the Ride Idaho Inc. Camp Special Event to take place at Nelson Field 8.10 – 8/12/2011.*
- CA 362 *Motion to approve the Hailey Street Party Special Event on Carbonate on 8/11/2011.*
- CA 363 *Motion to approve the Kiwanis Car Show Special Event on 8/6/2011.*
- CA 364 *Motion to approve the Annual Trailing of the Sheep Festival Special Event on 8/8/2011.*
- CA 365 *Motion to approve Summary of Ordinance 1085, amending Municipal Code Chapters 13.02 and 13.04 to allow user base fees to be used for water and wastewater system expansion.*

CA 366 *Motion to approve Summary of Ordinance 1086, housekeeping amendments to Municipal Code Chapter 13.05, Pretreatment.*

CA 367 *Motion to approve minutes of July 11, 2011 and to suspend reading of them.*

CA 368 *Motion to approve claims for expenses incurred during the month of June, 2011, and claims for expenses due by contract in July, 2011.*

[5:42:28 PM](#) **Carol Brown moved to correct CA 364 on the agenda to note October 8, 2011 rather than August, and to pull CA 358 and 357. Don Keirn seconded and the motion carried unanimously.**

[5:43:23 PM](#) Ned Williamson explained that Jim Laski requested that the Annexation Review Agreement noted in CA 357 be continued to the next regular Council meeting. He also recommended moving CA 358 to New Business. [5:44:59 PM](#)

MAYOR'S REMARKS:

[5:40:49 PM](#) Mayor Davis noted the City's thoughts are with Fritz Haemmerle and family who are in Twin Falls with Mr. Haemmerle's ailing mother. The mayor went on to highlight the Best of the Valley voting results which awarded several medals to the City of Hailey and City employees.

PROCLAMATIONS AND PRESENTATIONS:

PP 369 *Hailey Chamber of Commerce presents fiscal year 2011-2012 budget request.*

[5:45:12 PM](#) Heather LaMonica Deckard, Chamber Director, spoke regarding the importance of maintaining marketing services, the statistics of the Chamber's social media and website hits, the breakdown of requested funding, and noted that the Chamber's request was equal to the previous year's request.

[5:53:19 PM](#) Ramona Duke, 1021 Foxmoor, business owner and Chamber member, spoke in support of the Chamber's request.

Patrick Buchanan, 3040 Berrycreek, spoke in support of the Chamber's budget request.

Dale Ewerson, 517 Chestnut in Bellevue, president of Hailey Chamber this year, also spoke in support.

[5:55:21 PM](#) Jamie Coulter, 320 West Cedar, spoke in support.

Jeff Knight, Wood River Inn on Main Street, also spoke in support.

[5:59:06 PM](#) Summer Bauer, 1350 Queen of the Hills, in support.

[5:59:51 PM](#) With no further comment offered, the meeting was brought back to the Council where discussion included total operating budget amount, sponsorships, memberships, and grants that supply additional funding to the Chamber. [6:00:53 PM](#)

APPOINTMENTS AND AWARDS:

None.

PUBLIC HEARINGS:

PH 370 Quigley Annexation Application—continued discussion with council regarding terms of agreement.

[6:01:42 PM](#) Beth Robrahn gave overview and noted changes from the original proposal which warrant reconsideration by the Council.

[6:03:36 PM](#) Dave Hennesy, Quigley Canyon Ranch, highlighted the changes in the new proposal.

[6:08:22 PM](#) Kevin Roberts, Quigley Canyon Ranch, also spoke in support of the new proposal.

[6:09:47 PM](#) Beth Robrahn clarified the process involved in this application.

[6:11:20 PM](#) Staff and Council discussion included whether this application might be remanded back to the Planning & Zoning Commission, whether a draft agreement at the Council level is appropriate, which parts of the project would be in the City and which parts would be in the County, subdivision and density proposals, golf course and/or sustainable agriculture parcels, and possible start dates.

[6:22:57 PM](#) Mayor Davis opened the meeting to public comment.

[6:23:09 PM](#) Elaine Daniels, 7 Quigley Lane, voiced her concerns about adequate public notice and her thought that this should be remanded back to P&Z.

[6:24:17 PM](#) Jim Phillips, 20 Quigley Road, noted that this was a substantially different application from the original, and he thought Mr. Hennesy should offer a presentation so the public could truly envision the new proposal. He encouraged the City to get more public input and take its time in analyzing the proposed project.

[6:29:09 PM](#) Daralene Finnell, 710 E. Bullion, agreed that this hearing was premature and that public notice was not adequate. She voiced concerns about increased traffic, and direct competition to existing homeowners who are trying to sell property now.

[6:31:12 PM](#) Bill Hughes, 241 Eureka Drive, also felt there was inadequate public notice and believed the timing of this project “is way off.”

[6:32:50 PM](#) With no further comment offered, Mayor Davis closed the meeting to public comment.

[6:32:58 PM](#) Council discussion included the need for thorough public notification and complete public input, and whether this application should go back to Planning & Zoning.

[6:37:41 PM](#) Mayor Davis noted that the application presented at this meeting was a different one from the original, particularly that the golf course was not included and the proposed density was higher. He also noted the public comments that indicated dissatisfaction with not being provided early notice of this application nor maps to aid understanding. Martha Burke suggested holding public workshops similar to the Woodside Blvd workshops.

[6:39:28 PM](#) Ned Williamson pointed out that staff never intended to decide anything tonight. This was intended only to ask whether the Council would like to see this process move forward. He assured the Council that the next steps would include a lot of public opportunity.

[6:40:41 PM](#) Council discussion continued regarding public benefits of the project, water issues, and better public notification. Mayor Davis directed staff to pursue well-publicized workshops and public hearings. Beth Robrahn noted the time this process may require and asked if the Council approved. Don Keirn suggested the Fire Department’s review of the project as well.

[6:44:15 PM](#) **Carol Brown moved application discussion to August 29, 2011 if Councilman Haemmerle will be able to attend. Martha Burke seconded, and the motion carried unanimously.**

PH 371 Consideration of fire collaboration recommendations made by Emergency Service Consulting, Inc. (ESCI) and Resolution to accept study.

[6:44:45 PM](#) Heather Dawson offered introduction and overview before turning the topic over to Lane Wintermute and Martin Goughnour of Emergency Services Consulting International.

Through a Power Point presentation, ESCI noted the goal was to identify how the fire departments can work together in a manner of maintaining or improving service delivery at the same or reduced cost levels. Their final report showed that it will improve service delivery with no increase in cost. ESCI pointed out the importance of cooperative effort strategies, financial comparisons of the strategies investigated, and the reasons ESCI preferred one strategy over another. [7:02:13 PM](#) Their recommendation was to consolidate the Hailey and Bellevue departments into the Wood River Fire Department.

[7:07:17 PM](#) The meeting was brought back to Council for questions and discussion, which included revenue figures and how they flux year to year, how this may affect levy rates, budget considerations, differences in assumptions used to develop and analyze strategies (necessary to reach conclusion, but different between people/ESCI/agencies), existing facilities, [7:18:42 PM](#) comparisons of strategies and costs/savings.

[7:27:16 PM](#) Mayor Davis opened the meeting to the public for comment.

[7:27:27 PM](#) Linda Haavik, 3rd Avenue, mother of Wood River Fire Fighter, spoke in support of the study as presented.

[7:29:56 PM](#) Geoffrey Moore, 1250 Woodside Boulevard, spoke on ISO ratings, and requested hard evidence of financial savings. He encouraged the City to protect existing assets and asked how citizens will pay for services should costs go down. He cautioned about simply moving revenue from one category to another on citizen bills.

[7:34:18 PM](#) Ramona Duke, 1021 Foxmoor, asked what the consolidation plan would do if one participating entity could not pay its share.

[7:34:56 PM](#) With no further comment offered, Mayor Davis closed the public hearing.

Council discussion included what can be done immediately to reduce duplication in training, the process of either approving the study or directing staff to continue working on this, and whether this should go to a ballot. [7:41:36 PM](#)

[7:46:48 PM](#) Rick Davis suggested this be continued to August 29, 2011 to include Fritz Haemmerle's opinions. Further discussion concluded that Mike Chapman and Heather Dawson should let Council know when they can be ready with firmer numbers and identification of assumptions, strategies and costs with the other entities involved. [7:49:29 PM](#)

PH 372 Airport West Owners Association Request for 4th Amendment to Airport West Annexation Agreement to allow accessory dwelling units.

[7:49:51 PM](#) Matt Engel, Airport West Business Park, gave an overview and expressed his hope that the Council will approve the amendment.

[7:52:42 PM](#) Mayor Davis opened the meeting to public comment. With none offered, he brought the meeting back to the Council.

[7:53:41 PM](#) **Carol Brown moved to approve the request for 4th Amendment to Airport West Annexation Agreement to allow accessory dwelling units and to authorize the mayor to sign. Don Keirn seconded, and the motion carried unanimously.**

PH 373 Public Hearing on proposed new or increased fees including administrative fees, camping fees, noise permit fees, and wastewater fees.

[8:02:05 PM](#) Heather Dawson provided overview and reasons for making adjustments. Ned Williamson clarified the need for some language changes. Tom Hellen spoke on rate levels and the challenges in trying to predict the appropriate level needed.

[8:05:45 PM](#) Mayor Davis opened the meeting to public comment.

[8:06:47 PM](#) Heather LaMonica Deckard, 120 S. 3rd Avenue, asked how a noise permit might relate to special events, noting that downtown merchants want leniency to be able to put forth events with as little city intervention as possible. Beth Robrahn explained how the permit process works for special events. Jeff Gunter noted that noise is “the number one complaint” received by his office and that it must be regulated.

[8:09:51 PM](#) Patrick Buchanan, 520 Cedar Lane, asked if there is a noise citation in place currently, and would it be possible to address complaints with warnings.

[8:10:58 PM](#) Jim Hill, 103 3rd Avenue North, spoke of his enjoyment of music in the neighborhood, and he voiced appreciation of “the few events Hailey has.”

[8:12:32 PM](#) Tony Evans, 415 1st Avenue, notes that the Wicked Spud plays music later into the night every summer and that it should be regulated in respect for people’s work nights. He also noted his view that decibel levels may not be the correct way to measure impact.

[8:13:33 PM](#) Jim Hill, 130 3rd Avenue North, asked for level water fees noting that the current process is “unfair to larger lots that have no houses on them.”

[8:17:06 PM](#) Krista Gehrke encouraged discussion of camping fees and hoped for friendly fee levels.

[8:18:26 PM](#) Heather LaMonica Deckard also agreed with reasonable camping fees..

[8:18:37 PM](#) Geoff Moore, 1250 Woodside Boulevard, asked how the City can charge fees if we do not have a campground.

[8:19:35 PM](#) With no further comment offered, Mayor Davis closed the public hearing.

Council discussion on noise included possible exemptions, fee amounts, permit importance for enforcement versus encouragement, amount of time it takes to apply for permits, possibility of online process to limit inconvenience in permitting, cost recovery, a trial period of one year, and higher fees if Hailey Police has to return to a location for enforcement.

[8:30:11 PM](#) **Carol Brown moved to approve Resolution No. 2011-19 making the minor change that the initial fee is free, adjusting subsequent visits to \$25.00 each, and authorizing the mayor to sign. Don Keirn seconded, and the motion carried unanimously.**

[8:31:01 PM](#) **Carol Brown moved to approve Resolution No. 2011-20. Don Keirn seconded, and the motion carried unanimously.**

[8:31:32 PM](#) **Carol Brown moved to direct staff to prepare a resolution for overnight stays in the City at the proposed rate of \$10.00 per night and \$25.00 for three nights. Don Keirn seconded, and the motion passed unanimously.**

[8:32:17 PM](#) Tom Hellen requested that consideration of Resolution No. 2011-21 be pulled until the budget is finalized. Through further discussion, Council voiced general approval of the concept presented.

PH 374 Consideration of Amended and Restated Joint Powers Agreement with Blaine County for governance of Friedman Memorial Airport.

[8:34:43 PM](#) Ned Williamson summarized the agreement and expressed his comfort with the current version.

[8:36:06 PM](#) Mayor Davis opened the meeting to public comment. None was offered.

[8:36:29 PM](#) **Carol Brown moved to ratify the Amended and Restated Joint Powers Agreement with Blaine County for the governance of Friedman Memorial Airport. Don Keirn seconded, and the motion carried unanimously.**

NEW BUSINESS:

NB 375 Appointment to Friedman Memorial Airport Authority of Hailey's 3rd Representative under the revised Joint Powers Agreement.

[8:37:56 PM](#) In Council discussion, Don Keirn voiced his willingness to be the third member.

[8:38:39 PM](#) **Carol Brown moved to nominate Don Keirn as Hailey's 3rd Representative joining Susan McBryant and Martha Burke on the FMAA, to authorize staff to confirm existing 2-year terms, and to review the 2-year terms in one year from the present date. Martha Burke seconded, and the motion passed unanimously.**

NB 377 Discussion of Hailey Police Department's proposal to the City of Bellevue for contracted law enforcement.

[8:41:34 PM](#) Mayor Davies requested a change in the agenda out of respect for the Bellevue City officials present at the meeting. Heather Dawson provided overview and general terms. Jeff Gunter gave background, goals, and advantages for this proposal.

[8:43:24 PM](#) Dave Hattula, Bellevue Council Alderman, thanked the City and Jeff Gunter, voicing appreciation for the opportunity for the two cities to work together.

[8:49:56 PM](#) **Carol Brown moved to direct staff to work out negotiations with the City of Bellevue for contracted law enforcement. Martha Burke seconded. After discussion about scheduling, the motion passed unanimously.**

NB 378 Consideration and approval of tentative budget for Fiscal Year 2011/2012, and authorization to publish Notice for Public Hearing on August 22, 2011.

[8:52:50 PM](#) Carol Brown encouraged partnering with contracted services to help cut costs. Council discussion included LOT figures. Mayor Davis encouraged giving the requested amount to the Chamber. Heather Dawson further explained efforts to partner up, noting that it is well received and she is optimistic. Ms. Dawson also noted that the \$312,818.80 (not to exceed) amount should be modified to \$13,768,897.00.

[8:59:15 PM](#) **Carol Brown moved to approve the tentative budget, modifying the proposed budget amount to \$13,768,897.00 (not to exceed). Don Keirn seconded, and the motion carried unanimously.**

NB 376 Proposed Integrated Pest Management Policy for the City of Hailey, and discussion of citizen's letter requesting consideration of pesticide management on private property, within the city limits.

[8:59:57 PM](#) Kathryn Goldman, representative of the Pesticide Action Network, noted that agenda text should not read *private* property, but rather *public* property. She cited recent reports in national media on the dangers of pesticides, and outlined the policy PAN is proposing. She emphasized public notification and consistency throughout the county.

[9:07:55 PM](#) Krista Gehrke, member of PAN, said she witnessed spraying at Hop Porter Park with no signage to notify park users, and is behind this proposal 100%.

[9:09:04 PM](#) Sunny Grant, 3430 Bloomberg Drive, commended the City on its foresight regarding environmental work.

[9:10:00 PM](#) Brian Ross, 134 Willow Way, East Fork, explained the reach of this movement to an international level, noted all the “good environmental and aesthetic efforts the City has made,” but emphasized that protecting children from chemical exposure is critical.

[9:12:31 PM](#) Miles Teitge, 341 Eureka Drive, noted that he is a concerned parent of a young child and was distressed to learn the grass at the Farmers’ Market had been sprayed. He voiced strong support for PAN and their proposal.

[9:13:44 PM](#) Judy Foster, 2270 Winterhaven, retired behavioral intervention specialist, shared her knowledge of pesticides and dangerous exposure to neurotoxins. She encouraged finding alternative methods and continuing long term vision.

[9:16:33 PM](#) Council discussion included costs of weed and pest controls, and cooperation with county for consistency. Tom Hellen added that he is moving toward organic fertilizers in parks. Mariel Platt offered to work on this issue as well.

[9:19:46 PM](#) Carol Brown noted she would like to set policy goals. Don Keirn suggested that Ned Williamson and Tom Hellen go over this and fine tune it. Martha Burke agreed and further suggested working in partnership with the school district as well.

[9:23:17 PM](#) Heather Dawson noted a letter from Carol Comtaruk recommending the City restrict the use of toxins on private property and refrain from their use on public lands.

NB 379 Consideration of Memorandum of Restrictive Covenants and Regulatory Agreement with Idaho Housing and Finance Association to insure a Period of Affordability with specific rent limitations on 6 units within the ARCH River Street Place housing project.

[9:25:00 PM](#) Ned Williamson provided background, noted that the document included in Council packets is not the correct document, and gave corrected information. Michelle Griffith, ARCH Trust, added further details. Mr. Williamson preferred the actual corrected document be before the Council before taking action. He also noted some language should be adjusted in the Addendum to Ground Lease to ensure that the City retains priority in the case of foreclosure.

[9:30:38 PM](#) Mr. Williamson suggested providing the corrected documents to the Council prior to a Special Meeting on August 29, 2011, and that the contracted law enforcement agreement with Bellevue could be considered then as well.

[9:32:56 PM](#) **Martha Burke moved to continue NB 379 to a Special Meeting on Friday, August 29, 2011 at 3:00 p.m. Carol Brown seconded and the motion passed unanimously.**

[9:33:38 PM](#) Carol Brown moved to approve the revised document as shown (which was handed out to council during the meeting) Development Impact Fee Agreement between ARCH and City of Hailey, seconded by Keirn, motion passes unanimously.

OLD BUSINESS:

[9:35:42 PM](#) Martha Burke excuses herself from the meeting temporarily to tend to her sick dog.

OB 380 3rd Reading Ordinance 1085 - Amendment to Municipal Code Chapters 13.02 and 13.04 to allow user base fees to be used for water and wastewater system expansion.

[9:36:03 PM](#) Carol Brown moved to approve the 3rd reading of Ordinance 1085 and authorize the mayor to sign. Don seconded, and the motion passed unanimously. Mayor Davis conducted the reading.

OB 381 3rd Reading Ordinance 1086 – Amendment to Municipal Code Chapter 13.05, Pretreatment, for housekeeping amendments.

[9:36:51 PM](#) Carol Brown moved to approve the 3rd reading of Ordinance 1086 and authorize the mayor to sign. Don seconded, and the motion passed unanimously. Mayor Davis conducted the reading.

OB 382 3rd Reading of Ordinance 1087 - Amending FY 2010/2011 Appropriation Ordinance.

[9:37:37 PM](#) Carol Brown moved to approve the 3rd reading of Ordinance 1087 and authorize the mayor to sign. Don seconded, and the motion passed unanimously. Mayor Davis conducted the reading.

OB 383 3rd Reading of Ordinance 1088 - amending 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).

[9:38:11 PM](#) Carol Brown moved to approve the 3rd reading of Ordinance 1087 and authorize the mayor to sign. Don seconded, and the motion passed unanimously. Mayor Davis conducted the reading.

STAFF REPORTS:

[9:40:39 PM](#) Mayor Davis called for a three-minute break.

[9:41:33 PM](#) Tom Hellen noted that the bidding process began on the Woodside Boulevard project.

EXECUTIVE SESSION:

[9:43:23 PM](#) Carol Brown moved to go into executive session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Don Keirn seconded and the motion passed with a roll call vote.

Mayor Davis and council came out of Executive Session and concluded the meeting at 10:20 P.M.

Rick Davis, Mayor

Mary Cone, City Clerk