

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD OCTOBER 10, 2011
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at [5:31:44 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, Tom Hellen, Jeff Gunter, Mary Cone, Beth Robrahn and Mike Baledge.

OPEN SESSION for items not on the agenda:

[5:31:55 PM](#) Michael Wickes, 311 E. Bullion, noted his frustration that complete information on issues is not easily available through the City's website. He cited the example of the Wendy Pabich letters regarding water in Quigley Canyon. Mr. Wickes continued by saying he sees her information about water to be a "deal breaker" on the Quigley annexation application. Ned Williamson interjected that this was not the appropriate time to discuss this matter and asked Mr. Wickes to bring it up in a public hearing. Mr. Williamson further offered to share more information with Mr. Wickes at his request.

[5:41:07 PM](#) Blake Eagle, 171 Cranbrook, pointed out that he is being billed for water and sewer before he is residing in his home which is under construction. He asked for review of this matter and an explanation. Eagle has been charged for sewer and he does not have sewer water running yet. Mayor Davis offered to discuss this with Heather Dawson and call Mr. Eagle the following day.

AIRPORT ISSUES:

[5:43:12 PM](#) None.

CONSENT AGENDA:

CA 476 *Motion to ratify administrative waiver of the 30-day notice of television program changes required of Cox Cable to the City of Hailey under the Cable TV Franchise Agreement, in order to allow Cox to immediately implement a program change that will add Idaho Public T.V. Channel KIPT HD on channel 1010 and move Idaho PTV Plus from channel 1010 to channel 116, without a 30 day notice period delay of the new program launch.*

~~CA 477 *Motion to approve Resolution 2011-37, authorizing Task Order #3 to HDR Engineering for continued assistance for TMDL public process and NPDES Permit negotiations in the amount of \$71,750.*~~

CA 478 *Motion to approve the Mule Shoe's Alcohol Beverage License. Already approved by HPD.*

CA 479 *Motion to approve minutes of September 26, 2011 and to suspend reading of them.*

CA 480 *Motion to approve claims for expenses incurred during the month of September, 2011, and claims for expenses due by contract in October, 2011.*

CA 481 *Motion to approve Treasurers' Reports for Month of September, 2011.*

[5:43:28 PM](#) Tom Hellen pulled CA477. **Fritz Haemmerle moved to approve the Consent Agenda minus CA 477. Don Keirn seconded. Roll call vote: Brown, yes; Keirn yes; Haemmerle, yes; Burke, yes.**

Mr. Hellen explained his pulling of CA477 because the dollar amount provided in the Agenda is not accurate. He suggested amending that entry to a “not to exceed \$8,900.00” amount. Ned Williamson requested further staff review and discussion. A formal comment letter from the City to DEQ is suggested prior to October 21, 2011. Heather Dawson noted that the deadline is prior to the next Council meeting and asked that the dollar amount and specific language be approved.

[5:48:52 PM](#) **Carol Brown moved to approve the task order, changing the amount to “not to exceed \$8,900.00, and to include a comment letter from the City subject to City Attorney’s review. Don Keirn seconded. Roll call vote: Brown, yes; Keirn yes; Haemmerle, yes; Burke, yes.**

PROCLAMATIONS AND PRESENTATIONS:

PP 482 Presentation & Proclamation for National Red Ribbon Week (Oct. 22-30) – Idaho Drug Free Youth to present and Blaine County Community Drug Coalition will also be present (Leah Fredbeck).

[5:49:05 PM](#) Leah Fredbeck, Blaine County Community Drug Coalition, gave an overview and history of Red Ribbon Week. She noted the week represents community awareness, and brought with her a student who engages in educational activities to support a drug free lifestyle message.

[5:52:22 PM](#) **Council members encouraged the reading. Mayor Davis so conducted.**

APPOINTMENTS AND AWARDS:

AA 483 Library Board reappointment (Gretchen Kafka)

[5:54:42 PM](#) **Carol Brown expressed her enthusiastic support of Ms. Kafka, and moved to reappoint Gretchen Kafka to another term. Don Keirn seconded. Roll call vote: Brown, yes; Keirn yes; Haemmerle, yes; Burke, yes.**

PUBLIC HEARINGS:

PH 484 Proposed Ordinance 1092, to amend Municipal Code Sections 1.14 and 1.16 on General and Initiative Elections, to conform with new state laws governing elections.

[5:55:44 PM](#) Mary Cone explained that the purpose of the proposed ordinance is to align the City’s ordinance with the state’s. Open to public

[5:56:36 PM](#) Mayor Davis opened the matter to public comment. None was offered, so the matter came back to the Council for discussion.

Fritz Haemmerle moved to approve Ordinance 1092. Carol Brown seconded. Roll call vote: Brown, yes; Keirn yes; Haemmerle, yes; Burke, yes.

Mayor Davis conducted the first reading of Ordinance No. 1092.

PH 485 Airport Discussion – update and next steps.

[5:57:40 PM](#) Rick Davis noted that he put this on the agenda to see if Council wants to further direct the FMAA.

[5:58:25 PM](#) Krista Gehrke, 370 Little Indio, asked to have the present 3 scenarios spelled out with clear information for the public to avoid hearsay and rumor, and to promote an educated decision. Don Keirn noted that that information is coming soon.

[6:00:33 PM](#) Peter Lobb, 4th and Carbonate, expressed hope that in the future we do not agree to the same meeting format as the recent airport meeting held in Sun Valley. Mr. Lobb felt appointed stakeholders were given special status at the meeting and strongly disagreed with that.

[6:02:03 PM](#) With no further public comment offered, Mayor Davis closed the public hearing section of the meeting. Mr. Davis reported his impression of the recent airport meeting held in Hailey at the Courthouse. He believed the public wants facts and numbers. Fritz Haemmerle opined that the City can do a better job of getting public input, and suggested that a meeting be scheduled for only one purpose, “for citizens to show up and tell us what they think. One meeting for one purpose.” Don Keirn noted there was comparably little comment from Hailey citizens in contrast to the amount of comment from Bellevue residents. Mr. Haemmerle continued on getting solid information to citizens, and his opinion that Blaine County “is used to going the City over this issue because they think we’re used to being impacted by airport. We need to put all options on the table, not just a selected few.” In response to Carol Brown’s inquiry, Martha Burke explained that staff was instructed to study extension of the runway parallel to the highway because that would open the door to FAA conversation. Fritz Haemmerle expressed concern that County Commissioner Larry Schoen instructed staff to contact a landowner to begin negotiations before eminent domain. Further Council discussion included other runway ideas, what the FAA will allow and how they might be persuaded to release a fully developed Environmental Impact Statement, costs of various airport options, and the protection of sage grouse. More discussion included the importance of value engineering, Site 12 remaining an option, the County’s reticence to consider another site, and whether the FAA will continue to discuss options. [6:27:46 PM](#) Mayor Davis said he and staff will draft a letter to explain the City’s position to the FAA. Ned Williamson asked Martha Burke about any limits of the upcoming discussion with the FAA in Washington, DC. Ms. Burke explained the directive given to staff and encouraged getting more in depth information and continuing discussion. [6:42:26 PM](#)

OLD BUSINESS:

OB 487 2nd Reading of Ordinance 1091, Municipal Code Title 13, Water and Wastewater, to authorize housekeeping amendments to streamline administrative processes/authorities associated with the collection of administrative fees.

[6:52:46 PM](#) Heather Dawson referred to Blake Eagle’s letter to the City regarding the structure of water and sewer billing. She noted that changes to that structure are currently in the works, and wondered if some of Mr. Eagle’s concerns could be incorporated at this point in the Ordinance process. Tom Hellen provided more detail history and information. Mayor Davis noted he agreed with Mr. Eagle and explained the reasoning behind the current structure.

[6:56:43 PM](#) Carol Brown expressed hope that ordinance language can be brought forward simply, and Council suggested going forward with the second reading.

Mayor Davis conducted the 2nd reading of Ordinance No. 1091.

NEW BUSINESS:

NB 486 Introduction of amendments to Municipal Code Chapter 5, Businesses, which would eliminate the requirement for a separate Day Care License for businesses operating day cares, as those businesses are subject to the new state rules governing day cares.

[6:42:41 PM](#) Mary Cone provided history and overview noting the goal of managing day care operating counts by keeping them under the City's business permit requirements and the State's day care requirements. Carol Brown noted there would be no actual change in the requirements for day care operations, just a cleaner oversight process. Mike Baledge explained the fire department's inspection process, and how the State has greatly improved their standards and enforcement so they are now comparable to Hailey's previous excellent standards and enforcement. He further explained that Hailey would continue to enforce State regulations. Further discussion included how the City knows where day cares are operating, cost difference between a State license and one from the City. Council asked staff to draft an ordinance for consideration. [6:52:31 PM](#)

STAFF REPORTS:

[6:58:00 PM](#)

Tom Hellen announced that the Parks and Land Board has set June 23, 2012 as the grand opening of the improved skate park, and noted that the new park has been a great success and extremely well received.

Heather Dawson noted the staff's extensive work on the rubbish proposal.

Fritz Haemmerle asked the status of the Tiger 2 grant. Ms. Dawson explained there would be a meeting on October 11, 2011 and then it would come back to the Council for consideration.

[7:03:52 PM](#) Carol Brown noted that she attended the recent transportation conference, and that the next meeting of the tree committee will address Pest Action Network's hopes for coordinated efforts.

Don Keirn explained that the URA will visit other nearby URAs in Jerome and Twin Falls to compare notes and methods.

**EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f))
Matters & Motions from Executive Session or Workshop**

[7:06:31 PM](#) Fritz Haemmerle moved to go into Executive Session for Pending and Imminently Likely Litigation (IC 67-2345(1)(f)). Don Keirn seconded. Roll call vote: Brown, yes; Keirn yes; Haemmerle, yes; Burke, yes.

Mayor and council concluded Executive Session at 7:35 p.m.

Rick Davis, Mayor

Mary Cone, City Clerk