

**AGENDA OF THE  
HAILEY CITY COUNCIL MEETING  
Monday February 6, 2012 \* Hailey City Hall Meeting Room**

**Present:** Don Keirn, Fritz Haemmerle, Pat Cooley, Martha Burke

**Excused:** Carol Brown

**Staff Present:** Jeff Gunter, Heather Dawson, Ned Williamson, Beth Robrahn, Mariel Platt, Tom Hellen, Dave Ferguson

**CALL TO ORDER**

[5:31:19 PM](#) Mayor Haemmerle called the meeting to order.

**Open Session for Public Concerns**

[5:31:34 PM](#) Geoffrey Moore, 406 1<sup>st</sup> Avenue South, asked the Council to take public comment on NB 049 and on NB 052.

Julie Lawson, Broadford Road, asked how the City will implement a runway safety area within the existing fence line.

Donald Clapton, 1010 Atelier, Sun Valley, opined that the new rodeo arena was under-promoted and underutilized and suggested the City consider contracting with him as a promoter. He noted he would bring in high school students to assist and to gain professional training. He further specifically offered to submit 30 good leads for various events and backup documentation for those events in return for a \$1,000.00 fee.

[5:36:04 PM](#) Mayor Haemmerle pointed out that Mr. Clapton had contacted him and they had discussed this idea. Mr. Haemmerle reminded Mr. Clapton that Open Session was not the appropriate venue for such a presentation, and asked that Mr. Clapton pitch his services directly to him or to appropriate City staff in the future.

**Airport Issues**

[5:37:39 PM](#) Mayor Haemmerle noted that airport issues would be considered in detail later in this meeting.

**CONSENT AGENDA:**

*CA 037 Motion to approve Resolution 2012-04 to authorize contract for purchase of LED lights under the EPA Community Climate Showcase Grant.*

*CA 038 Motion to approve claims for expenses incurred during the month of January, 2012, and claims for expenses due by contract in February, 2012.*

*CA 039 Motion to approve the alternative sidewalk location, connecting the existing sidewalk adjacent to the Hailey Elementary School along the north property line to the west property line to satisfy the sidewalk requirement for the new BCSD maintenance building in Airport West.*

[5:38:00 PM](#) Tom Hellen asked to pull CA 037.

[5:38:14 PM](#) **Don Keirn moved to approve the Consent Agenda minus CA 037. Martha Burke seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke yes.**

[5:38:43 PM](#) In discussing CA 037, Tom Hellen noted an additional cost of just under \$10,000.00 to finish all 18 proposed lights, and asked if the Council wanted to continue moving forward in view of the costs. He advised the grant provided a good price for the additional

lights, but that there would still be additional money spent. Council discussion included possible sources of this money, timing, and options. Mayor Haemmerle opined it would be best to wait on that part of the decision until consulting with City Treasurer Becky Stokes.

[5:40:55 PM](#) **Martha Burke moved to approve moving forward under the grant, but to delay further authorization pending consultation with City Treasurer. Don Keirn seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke yes.**

#### **MAYOR'S REMARKS:**

*MR 000*

[5:41:23 PM](#) Lady Wolverines are in the girls' basketball district championship game tomorrow at 7:00 p.m. at Wood River High School. He encouraged "the whole town" to attend.

#### **PROCLAMATIONS & PRESENTATIONS:**

*PP 040 Hailey Fire Department 20-year Service Award presented to Scott Miley (no docs)*

*PP 041 Presentation of annual financial statements for fiscal year ending September 30, 2011, by auditor Dennis Brown (no docs)*

*PP 042 Presentation on Hailey Community Climate Challenge Progress Update (no docs)*

[5:41:55 PM](#) Mariel Platt provided the update with highlights on the Social Bikes program, Save-A-Watt and CARRP v2.0, Energy Efficiency Workshops, and Renewable Energy Workshops. She noted that the Challenge has been very well accepted and the workshops well attended.

#### **APPOINTMENTS**

[5:48:14 PM](#) None.

#### **PUBLIC HEARING:**

*PH 043 Airport discussion: Role of FMAA Board Member*

*Review of Hailey's Guiding Principles for Airport Master Plan*

*Review of agenda items for Feb FMAA Meeting.*

[5:48:18 PM](#) Mayor Haemmerle provided a general summary of the discussion points.

[5:49:25 PM](#) Martha Burke spoke on communication issues recently considered, and noted reasons the communication between the Council and the FMAA may have faltered. She apologized to the Council for not having the dates and context for the subject Washington, DC meeting. She offered information from that meeting, voiced hope there may be an opportunity to re-visit the JPA and how that works with City representatives. Ms. Burke clarified that the purpose of the DC meeting was to brief congressional delegates on the status of the airport and FAA process. Council consensus was reached that improved communication between FMAA and the City should be the goal. Don Keirn added that providing specific timing of our airport project to congressional delegates may not be the best approach given that congressional terms are not long enough to keep lengthy projects at the forefront of their attention. He advised keeping them informed without references to the length of time that may be involved.

[6:02:37 PM](#) Council discussion continued on the timing of this meeting, the level of communication, and disappointment that the City was not fully informed. Mayor Haemmerle noted that Blaine County Commissioners were present at this meeting and emphasized the importance of ensuring that the County and the City are "absolute equal partners" on the airport issue in the future.

HAILEY CITY COUNCIL MINUTES

February 6, 2012

[6:06:46 PM](#) Council discussion continued on the role of FMAA board members, fiduciary duty to the City, the purpose of the proposed Guiding Principles, and methods for bringing issues discussed at FMAA meetings back to the City Council within three days so that decisions made at the FMAA level would not adversely affect the City without the Council's input.

[6:11:22 PM](#) Mayor Haemmerle offered to set special meetings to be sure information can be dealt with in a time-appropriate manner.

[6:14:02 PM](#) Susan McBryant, 430 Robinhood Drive, suggested establishing policy for what should come back to the Council from FMAA representatives so they will have better direction for their participation. Mayor Haemmerle agreed. Martha Burke suggested that Council members review the FMAA meeting packets as soon as they are made available and also attend FMAA attend meetings. Pat Cooley asked for clarification on action items and discussion items on the FMAA agenda. Ms. Burke explained, and Mayor Haemmerle noted that she pointed out an important point in that there was no time to review and gather Council opinion prior to each FMAA meeting. The mayor further wondered if the representative role at the FMAA is workable under the current structure.

[6:21:28 PM](#) The Council further reviewed the upcoming FMAA agenda. Ms. Burke stressed that the agenda had on it items important enough that she believed the Council members should attend the next FMAA meeting.

[6:23:58 PM](#) Mayor Haemmerle emphasized that he wanted City representatives on the FMAA to bring important matters back the Council before action is taken on those matters.

[6:28:03 PM](#) Tom Bowman, Blaine County Commissioner, opined that Ms. Burke and Susan McBryant are two of the most experienced FMAA members and their expertise may be better used by allowing them to move forward in FMAA meetings. Mayor Haemmerle noted he continues to be very concerned with that, and hoped Guiding Principles and city policy will help with this matter. Tom Bowman noted that the current JPA has many checks and balances built into it.

[6:34:08 PM](#) Regarding the draft of proposed Guiding Principles, Council discussion included many specific language changes which were recorded by hand on City staff's copies of the draft. Mayor Haemmerle noted the importance of public hearings in gauging important health, safety, welfare issues. Martha Burke encouraged considering both the positive and negative impacts of airport rather than just the negative impacts. Consensus was reached to draft another version of the principles and bring them back for Council review. Heather Dawson also shared recommendations given by Carol Brown before she left on vacation.

*PH 044 Woodside Boulevard Project - Authorization for city staff to enter into contract negotiations with a construction Engineering & Inspection (CE&I) firm.*

[6:50:22 PM](#) Heather Dawson provided an overview, and Tom Hellen provided details and City staff perception of five firms who responded to the RFQ. Staff's recommendation was Civil Science from Twin Falls. Mayor Haemmerle noted he had a discussion with Rod Ramsey from Civil Science and further shared the details of that conversation and his level of comfort with the recommended firm. Don Keirn pointed out that Civil Science specializes in this type of work.

[6:54:23 PM](#) Rod Ramsey provided the Council with the company's background and specialties.

[6:55:30 PM](#) Ned Williamson clarified the next steps in this process noting that it should be an expedited project.

[6:56:11 PM](#) Mayor Haemmerle opened the meeting to public comment. None was offered.

**6:56:20 PM Martha Burke moved to authorize staff to begin negotiations with Civil Science for a contract to provide CE&I services for the Woodside Boulevard Project. Don Keirn seconded. Mayor Haemmerle asked that Ned Williamson be at the head of negotiations, and Ms. Burke so amended her motion to that effect. Don Keirn seconded the amended motion. Roll call vote: Keirn, yes; Haemmerle yes; Cooley, abstained; Burke yes.**

*PH 045 A city initiated text amendment to Articles 2, 6A and 8.2, of Hailey Zoning Ordinance No. 532. Proposed amendments to Article 2 include amending the definitions of Administrator, Day Care Business, Home Occupation, Height of Building and Use. Amendments to Article 6A include clarifying language adopted by Ordinance 1062 related to the design review process, pedestrian amenities, location of buildings and parking areas, buffering between sidewalks and parking areas and clarifying which Town site Overlay guidelines apply to single family residential, non-residential, multi-family and historic buildings. Amendments to 8.2 include clarifying master sign plans and the intent for flexibility in the total allowed sign area for multi-unit buildings. On December 5, 2011 the Planning and Zoning Commission recommended approval.*

**6:58:09 PM Beth Robrahn gave an overview describing the “fine-tuning” of language in the amendments. Mayor Haemmerle asked if P&Z had looked at these and whether there were any dissenting opinions. Ms. Robrahn assured that P&Z had approved the amendments, but she noted two minor language changes from the P&Z recommendations.**

**7:04:03 PM Ned Williamson questioned standards for amenities (seating, art, bike racks) and asked for that section to be better defined. Beth notes that these still have to go through design review process. Discussion continued on whether standards should be more precisely defined to guide future decisions.**

**7:11:22 PM Mayor Haemmerle opened the meeting to public comment.**

**7:11:30 PM Michael Bulls, 731 Deer Trail, expressed concerns about the language referring to record grade and finish grade. He asked that building heights be compatible with neighboring properties. Ms. Robrahn explained how she felt the draft language addressed Mr. Bulls’s concerns, and he then agreed he was comfortable with the language.**

**7:17:05 PM Jay Cone, 651 El Dorado, expressed comfort with the language related to grade. He further asked the Council to approve the draft language regarding amenities. He hoped the City would “leave some room for the designer, architect, or artist to create” and further reminded that amenities would still be subject to design review.**

**7:20:44 PM With no further comment offered, Mayor Haemmerle brought the discussion back to Council.**

**7:22:57 PM Don Keirn moved to approve propose amendments to Articles 2, 6A and Section 8.2, with the exception of Sec. 4 of Ordinance 1097, A.2.a.iii which is to be further defined by P&Z, and then to adopt 1097 as amended, and to read by title only. Martha Burke seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes. Mayor Haemmerle conducted the reading.**

**Mayor Haemmerle conducted the 1<sup>st</sup> reading of Ordinance No. 1097 by title only.**

**7:28:00 PM Martha Burke moved to approve Ordinance 1098 which will amend Section 8.2, and to authorize the mayor to read by title only. Don Keirn seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes.**

**Mayor Haemmerle conducted the 1<sup>st</sup> reading of Ordinance No. 1098 by title only.**

**7:29:19 PM Pat Cooley moved to approve Ordinance 1099 amending section 2.2. Martha Burke seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes.**

**Mayor Haemmerle conducted the 1<sup>st</sup> reading of Ordinance No. 1099 by title only.**

*PH 046 Proposed no smoking/drinking/chewing ordinance at City parks (Skate Park & Jimmy's Garden).*

**7:30:35 PM** Mayor Haemmerle provided an overview and purpose of the ordinance.

**7:31:14 PM** Peter Lobb, 4<sup>th</sup> and Carbonate, noted he had no sympathy for users, but that this ordinance also addressed possession. He pointed out that this would make a crime for an adult at the park to possess cigarettes in a pocket. Mr. Lobb proposed passing an ordinance against actually consuming or using, but not possession. He further suggested it should be the responsibility of parents to supervise their children at the park, and that signage notifying the kids of the City's option to close the park for improper activities would give the kids the opportunity to enforce rules amongst themselves or risk losing their parks.

**7:34:43 PM** With no further comment offered, Mayor Haemmerle brought the meeting back to Council. Discussion included Mr. Lobb's point on innocent possession, the importance of an ordinance, signage, and the option of readdressing this issue in one year to see if it has resolved.

**7:38:38 PM Martha Burke moved to adopt Ordinance 1100 with modified language as Ned Williamson suggested, and to authorize the mayor to conduct the first reading. Don Keirn seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes. Mayor Haemmerle conducted the reading by title only.**

*PH 047 Proposed election ordinance to delete runoff elections for city council members.*

**7:40:59 PM** Mayor Haemmerle explained the reasons behind the proposed ordinance.

**7:41:36 PM** The meeting opened to public comment.

Peter Lobb, 403 E. Carbonate, supported the idea, but not completely. He noted that if one office happened to have five or six candidates running, it would be possible for one to be elected with only 20% of the vote. He suggested specifying a higher percentage necessary to win the seat.

**7:42:47 PM** With no further comment offered, Mayor Haemmerle closed the public hearing. Pat Cooley thought Mr. Lobb made a good point, but felt that the financial burden of run-off elections to the City was worth supporting the ordinance.

**7:44:50 PM Martha Burke moved to adopt Ordinance 1101, and to authorize the mayor to read by title only. Don Keirn seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes. Mayor Haemmerle conducted the reading.**

*PH 048 Discussion on the above-code, Build Better Ordinance, to consider amendments to make it mandatory.*

**7:46:18 PM** Mariel Platt reviewed the Build Better Ordinance and noted that the purpose of this discussion was to provide a brief update on other municipalities positions on this issue, and to ask the Council if or how they wanted more information for their consideration.

**7:51:44 PM** Mayor Haemmerle opened the meeting to public comment.

**7:51:52 PM** Blake Eagle, 171 Cranbrook, expressed hope that there would be continuity amongst all jurisdictions, cities and county. He further noted that appraisers do not have

enough information to give higher value to these improved projects. He agreed with going in this direction, but did not want anyone to be forced to higher standards if appraised values will not support that.

[7:53:53 PM](#) Geoff Moore, 406 1<sup>st</sup> Avenue South, felt this was “over regulating on the City level,” and would slow down an already challenged building trade and the overall economy here.

[7:55:10 PM](#) Blake Eagle, 171 Cranbrook, asked if there might be incentives that can be installed but not mandated, and whether the City might consider mandating building material waste and recycling?

[7:56:08 PM](#) Jay Cone, 651 El Dorado, felt it is very important that this issue becomes mandatory. He commended staff for their response and wondered if another year of volunteer compliance would help to tighten this issue as a mandate then.

[7:57:29 PM](#) With no further comment offered, the meeting was closed to public comment. Council discussion included a comparison of local municipalities and a review of Ms. Platt’s material in that regard. Don Keirn noted the importance of gaining experience without hobbling contractors, and of keeping municipalities consistent. Consensus was reached to fine-tune a voluntary program for one year, to work on prescriptive aspects, and to keep the Council apprised of how things are working county-wide for the voluntary year.

#### **NEW BUSINESS:**

*NB 049 Presentation by Sustain Blaine regarding community polling device and request for funding.*

[8:02:56 PM](#) Heather Dawson noted that the representatives of Sustain Blaine had already left the meeting.

*NB 050 Presentation of draft Comprehensive Plan Indicators Annual Report.*

[8:03:38 PM](#) Beth Robrahn explained that she wanted to have this draft ready before her departure, noting this was the Community Development department’s first effort in creating a report that would become annual.

*NB 051 Architect discussion with owner (City of Hailey) regarding interpretive center design changes.*

[8:07:56 PM](#) Michael Bulls, Ruscitto Latham Blanton, presented comparisons between original plans and changes proposed for reducing construction costs and still maintaining project goals. He noted that the Chamber of Commerce had already agreed in general with these changes. Council discussion included roof options, possible use of the porch as display area during the summer, and budget concerns. Consensus was reached to move forward with the proposed changes as cost saving was necessary.

*NB 052 Resolution 2012-05 authorizing agreement with Intermountain Professional Rodeo Association for a Sep 1-2 2012 Finals Rodeo at Hailey’s event arena.*

[8:16:51 PM](#) Heather Dawson provided the background and development of this agreement. She detailed specifics regarding costs, ticket sales, and responsibilities of all parties. Ned Williamson expressed his support of the agreement, but noted the agreement should state exactly when the City would be paid.

[8:20:07 PM](#) Mayor Haemmerle opened the meeting to public comment.

[8:20:14 PM](#) Geoff Moore, 406 1<sup>st</sup> Avenue South, asked what attendance might be expected, that the City may only net about \$3,700, and his feeling that this amount “falls very short of our original goals.” Further, he asked if the \$500 security deposit would cover actual costs,

HAILEY CITY COUNCIL MINUTES

February 6, 2012

reminding the Council of the power washing necessary after July 4 events in 2011. He expressed his support of this event, but asked the Council to be certain enough money was generated to offset impacts.

[8:22:56 PM](#) Heather Dawson clarified the numbers on sales and costs, noting that IMPRA estimated they will bring 800 people to town for this event. She further pointed out the proximity of this event to Ketchum's Wagon Days. Tom Hellen explained there will be better controls over what candy products can be sold at the arena and that will help with the cleaning impacts. Mayor Haemmerle pointed out this is still an experimental process with the new arena, and encouraged looking at costs in addition to the benefits of that many people coming to Hailey. Don Keirn noted the surge this would provide to LOT funds. Pat Cooley welcomed the exposure of Hailey and the new rodeo facility. Ned Williamson researched IMPRA on the Idaho Secretary of State's website and assured the group has "been around for many years." Mayor Haemmerle asked Mr. Williamson to add language to the agreement that requires payment to the City within one week after the event.

[8:26:33 PM](#) **Pat Cooley moved to approve Hailey Resolution 2012-5. Martha Burke seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes.**

Heather Dawson noted other events scheduled for the arena grounds this year.

*NB 053 Proposed ordinance to eliminate the community oversight committee.*

[8:28:45 PM](#) Mayor Haemmerle provided background on the committee and the reasons for considering its elimination. Ned Williamson noted that committee has not met for awhile since there is nothing for them to consider presently. Peter Lobb, speaking as head of the committee, explained there was nothing for them to oversee since the 5<sup>th</sup> District Court decision. He further noted Hailey Police Department's full cooperation, but said the committee felt there was nothing more they can do now since this is all covered by State law. Mr. Lobb thought the best course of action would be to dissolve the committee. Mayor Haemmerle assured that the City would entertain thoughts to reconstitute the committee at any time should the state law change, or should Hailey citizens want it brought back.

#### **WORKSHOP:**

Staff Reports Council Reports Mayor's Reports

*SR 000* [8:32:42 PM](#)

[8:33:27 PM](#) **Mayor Haemmerle adjourned the meeting.**