

**AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday March 05, 2012 * Hailey City Hall Meeting Room**

**indicates a late addition to the agenda*

Present: Carol Brown, Don Keirn, Fritz Haemmerle, Pat Cooley Martha Burke
Staff: Heather Dawson, Tom Hellen, Steve England

CALL TO ORDER –

[5:35:22 PM](#) Mayor Haemmerle called the meeting to order.

Open Session for Public Concerns

Geoffrey Moore, 406 1st Avenue South, asked the mayor to please allow public comment on CA 084.

Peter Lobb, 403 East Carbonate, asked that NB 101 might be opened to possible public comment. Mayor Haemmerle explained that New Business items normally percolate up to public hearings.

AIRPORT ISSUES

[5:36:44 PM](#) Mayor Haemmerle noted that the airport would be discussed later in this agenda.

CONSENT AGENDA:

~~CA 083 Motion to approve Resolution 2012-07, establishing Guiding Principles for Friedman Memorial Airport relocation process.~~

~~CA 084 Motion to approve Grant Agreement for Hailey Fire Department Air Compressor, under which a \$46,680 compressor would be paid for with federal dollars and \$2,334 matching funds.~~

CA 085 Motion to approve Arbor Day Proclamation and Grant Application for Arbor Day Tree Planting.

~~CA 086 Motion to authorize Mayor to sign Cox renewal internet agreement for city hall and street shop for 1 year.~~

CA 087 Motion to ratify Mayor's signature on CD signature authorization for Ireland Bank, \$250,000 CD has matured and rates are lower at Ireland Bank than the state investment pool – we will invest with the state investment pool.

CA 088 Motion to approve Summary of Ordinance 1097, amending Zoning Ordinance Section 6A.

CA 089 Motion to approve Summary of Ordinance 1098, amending Zoning Ordinance Section 8.2.

CA 090 Motion to approve Summary of Ordinance 1099, amending Zoning Ordinance Section 2.2.

CA 091 Motion to approve Summary of Ordinance 1100, amending Municipal Code 12.12. to prohibit smoking and drinking in Hailey's Skatepark and Jimmy's Garden park.

[5:36:56 PM](#) Ned Williamson asked to pull CA 083. Carol Brown asked to pull CA 086.

Mayor Haemmerle pulled CA 084 in response to Mr. Moore's request.

Carol Brown moved to approve the Consent Agenda minus CA 083, CA 084, and CA 086. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.

[5:37:52 PM](#) Mayor Haemmerle spoke about CA 083, noting that Carol Brown had expressed concern about the possibility of Friedman Airport becoming a general aviation airport only, and the importance of commercial air service to the valley.

[5:38:41 PM](#) **Carol Brown moved to approve CA 083 with concerns duly noted. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.**

[5:39:21 PM](#) Fritz Haemmerle reminded of Geoffrey Moore's request for comment on CA 084, and invited Mr. Moore to speak. Mr. Moore suggested that surplus LOT funds might be used as matching funds in the grant process, and that perhaps this money is better used for safety equipment.

[5:40:43 PM](#) Heather Dawson noted that funds are not appropriated in this way for this year and explained other ways in which the Council may still consider Mr. Moore's request.

[5:42:05 PM](#) Mayor Haemmerle noted that LOT revenues are up and there will be some excess revenue. He encouraged staff to honor Mr. Moore's request if it is possible. Council discussion was also in favor.

[5:43:00 PM](#) **Carol Brown moved to approve the grant agreement paying matching funds out of general funds for now, and then taking it out of LOT funds later in the year as Heather Dawson explained was possible. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.**

[5:43:47 PM](#) Carol Brown spoke on CA 086 noting that Cox has been unwilling to run a line to the City's wastewater treatment shop and she is unhappy with that position in considering this contract renewal. Tom Hellen explained the reasons Cox have declined to run that line. Council consensus was reached to strongly encourage Cox to reconsider their position.

[5:46:40 PM](#) **Carol Brown moved to approve the mayor's signature on the renewal agreement and that Mayor Haemmerle contact Cox to request they change their position. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.**

MAYOR'S REMARKS:

MR 000 [5:47:47 PM](#) Mayor Haemmerle reminded that there has been an increase in LOT revenues, and expressed hope that this is indicative of some level of economic recovery.

PROCLAMATIONS & PRESENTATIONS:

PP 092 Arbor Day Proclamation.

[5:48:17 PM](#) Mayor Haemmerle read the proclamation.

PP 093 Presentation of 2011 Annual Financial Statements by auditor Dennis Brown, followed by motion accepting financial statements.

[5:50:16 PM](#) Dennis Brown, CPA presented the City's annual financial statement, and opined that "for a City this size, it is admirable that the Council and Staff has managed to keep these numbers this healthy." Don Keirn asked for clarification about net asset figures. Mr. Brown explained calculating these figures is somewhat different in governmental accounting from business accounting.

[5:54:01 PM](#) Carol Brown asked why there are no recommendations for changes included in Mr. Brown's report. He explained that guidelines for auditors have changed and that requirement has eased a bit. Mayor Haemmerle asked if the City held sufficient amounts in all areas.

[5:57:21 PM](#) Dennis explained his reasoning and conclusions in that regard. Council consensus was one of caution, but confidence.

PUBLIC HEARING:

PH 094 Quigley Canyon Annexation – presentation of water value appraisal for water rights within Quigley Canyon and fiscal impact assessment (continued from January 23, 2012). **This item was continued on the record to April 30, 2012, to give the public adequate time to review the fiscal analyses.**

[5:59:05 PM](#) Mayor Haemmerle explained why this matter will be continued; noting that the water appraisal is now on the City's website, but that the fiscal impact assessment is still outstanding. Heather Dawson advised that the report should arrive within four to six weeks. Mayor Haemmerle encouraged efforts to obtain the report at the earliest possible date.

[6:00:28 PM](#) **Carol Brown moved to continue PH 094. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.**

PH 095 Discussion of 2012 Hailey Citizen Survey results and the potential of funding items through a Capital Fund Levy.

[6:00:48 PM](#) Heather Dawson explains the background and results of the survey.

[6:05:19 PM](#) Tom Hellen explained his process and reasoning in creating his report noting that he matched as best he could the citizen survey results. Heather Dawson reminded that citizens often do not address some of the items Public Works may find necessary because those items may be underground and therefore not in the public eye. Discussion included specific projects and funding mechanisms available.

[6:13:01 PM](#) Mayor Haemmerle explained that fund balances and revenues have worked well so far, but that funding sources are drying up and capital needs will be ongoing.

[6:15:10 PM](#) Mr. Haemmerle opened the meeting to public comment.

[6:15:28 PM](#) Peter Lobb, 403 E. Carbonate, opined that the City has relied on annexation fees as a funding mechanism and that requires we take on more infrastructure liabilities. In this economy with no more annexations, the City has no incoming funds. He noted that is the driving reason for discussing a bond and probably a levy, but felt passing one is unlikely in this economy. He further cautioned about possible inaccurate analysis of the citizen survey results.

[6:18:16 PM](#) Lowell Thomas, 911 Aspen Valley Drive, reminded that his property values are down, his taxes are up, and any bond or levy would simply be another expense to homeowners. He suggested putting this off until the economy rebounds.

[6:20:56 PM](#) Tony Evans, Idaho Mountain Express, asked for the history of what has been funded by bonds in the City for the past 20 or 30 years. Heather Dawson offered to send the history to Tony.

[6:26:34 PM](#) Geoff Moore, 406 1st Ave South, asked for clarification on the \$100,000 exemption on the capital fund levy. Mayor Haemmerle explained the exemption is only on a primary residence, not on second or third properties. Mr. Moore further noted that the Comprehensive Plan indicators seem to show that the economy is not growing as well as the LOT revenues may indicate and therefore cautioned further costs to property owners, but agreed that the City needs a permanent source for capital funding.

[6:29:20 PM](#) Greg Travelstead, 621 S. 4th Avenue, suggested ways to accurately read the survey results, and alternative ways to view those results. He felt there were design flaws in the survey. Mr. Travelstead further suggested ways to budget capital funds more effectively.

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[6:33:03 PM](#) Mayor Haemmerle asked Mr. Travelstead how he would propose to raise money. Mr. Travelstead encouraged creating a savings plan, “a rainy day fund,” in addition to the cost-cutting efforts already in place. Mr. Haemmerle reminded of the downward economic trend and the effects on staff, infrastructure and programs. Carol Brown noted that state law prohibits rainy day funds, so this idea would be “a bit more complicated than business operations.” Mayor Haemmerle explains state’s legislation. Mr. Travelstead opined it may be best to “take the big bath and get our financial state in order.” Mr. Haemmerle assured that this was the purpose of having this discussion, and noted that the Council is making up for previous years of not facing this issue.

[6:40:30 PM](#) Heather Dawson shared what bonding may be available due to market value decreases. Martha Burke noted that solutions in the 1970s were temporary solutions, but affordable, and perhaps this approach is a viable option now.

[6:43:44 PM](#) Council members thanked the public for expressing thoughts and ideas.

[6:45:00 PM](#) With no further comment offered, Mayor Haemmerle brought the meeting back to the Council.

PH 096 Woodside Boulevard Project –

-Update on negotiations with Civil Science for Construction, Engineering & Inspection services for the project;

-Preview of contract.

-Update on bid evaluation and next steps: Letter of Intent to Award Bid and Request for concurrence on bid evaluation from Federal Highways Administration.

- Financial review of project and preview of Amendment to Grant Agreement, which will be required to

- Update the costs of the project and name the contractor in the grant agreement.

[6:45:47 PM](#) Mayor Haemmerle believed this would best be moved to the March 19, 2012 meeting when the contract should be in.

[6:46:49 PM](#) **Carol Brown moved to continue PH 096 to March 12. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley abstained, Burke, yes.**

PH 097 Approval of bids for Rubbish Services – authorization to prepare exclusive franchise agreements with successful bidder.

[6:47:21 PM](#) Heather Dawson provided an overview, noting that in the end of the bidding process only one contractor (the City’s current provider) actually bid on the franchise. Ms. Dawson explained the ways Clear Creek met the City’s desires in putting together the proposal, adding that the structure is now “more of a pay-as-you-go structure,” and that it offered a good compromise in costs for residents. Ned Williamson felt this was a responsive bid that met the needs of Hailey.

[6:50:50 PM](#) Mayor Haemmerle opened the meeting to public comment. None was offered. The Council consensus was very positive regarding the agreement and the way in which it was reached.

[6:51:52 PM](#) **Carol Brown moved to approve the bid as shown in Council packets and to authorize staff to publish the ordinance in its entirety along with a Notice of Public Hearing for consideration of the Franchise Ordinance on April 9, 2012. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.**

PH 098 Consideration of Franchise Ordinance for Rubbish Hauling, and authorization to publish draft proposed ordinance for 30 days.

6:52:49 PM Carol Brown moved to hold a special meeting of the City Council on April 9, 2012 at 5:30 p.m. in City Hall to consider the ordinance and to address the trash collection contract. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.

PH 099 Review of Friedman Memorial Airport Authority March 6, 2012 agenda and decision items.

6:53:59 PM Mayor Haemmerle provided an overview of the last meeting, noting that topics brought forward as next steps have not yet happened, so there are not many action items now. Martha Burke offered information from the FMAA staff packet.

6:55:53 PM Susan McBryant, FMAA, provided her analysis of the staff packet contents and asked for guidance from the Council. She further noted that FMAA representatives may be asked to make decisions on the City and County guiding principles, and that while these are similar, the City and the County “are not in lock step.”

6:58:47 PM Mayor Haemmerle asked that if there needed to be discussion on attempting to reconcile the guiding principles, the representatives should discuss, but take no action to adopt reconciled principles until the suggested language came back before the City Council. Martha Burke clarified the process for the FMAA and FAA and pointed out that the City and County may simply not agree.

7:03:09 PM Council discussion included encouraging the FAA to see the two documents as a mirror of this community, and not to try to mesh these documents. Mayor Haemmerle advocated for two representatives from the City present whenever the FMAA meets with the FAA. Martha Burke cautioned that this may not get the results from the FAA that the City hopes. Mayor Haemmerle asked specifically for confirmation that only Rick Baird would be present at the next meeting with the FAA. Mr. Baird assured this was so.

7:08:20 PM Carol Brown thanked Susan McBryant for her clear explanations of this process, and Mayor Haemmerle noted again his desire to improve information clarity and communication.

NEW BUSINESS:

NB 100 Discussion of conditions of Design Review approval of Interpretive Center, and report on next steps.

7:12:33 PM Heather Dawson explained the design changes suggested, and asked if the Council would allow Ruscitto Latham Blanton to submit this to the building department tomorrow.

7:15:20 PM Mayor Haemmerle opened the meeting to public comment.

7:15:39 PM Cathie Royston, 970 Buckhorn, asked why the City was building this project. Mayor Haemmerle explained the public’s vote on the bond, and the need for revision due to prohibitive costs and the economic downturn.

7:17:08 PM With no further comment offered, Mayor Haemmerle closed this section of the meeting.

7:17:16 PM Carol Brown moved to approve the design changes and allow submission of the construction drawings. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes.

NB 101 Introduction of ordinance requiring security for improvements and fees required in an annexation.

[7:17:38 PM](#) Mayor Haemmerle explained that an initiative petition was submitted to the City requesting that developers be required to post security or sufficient bond money prior to annexation. The mayor encouraged acceptance and thanked Billy Hughes for his efforts on the petition. Council consensus was favorable.

[7:19:44 PM](#) Mayor Haemmerle opened the meeting to public comments. Greg Travelstead, 621 S. 4th Avenue, thanked the Council for this agenda item and encouraged acceptance.

[7:20:31 PM](#) Peter Lobb, 403 E. Carbonate, supported the idea, and further suggested language be changed from 'shall' to 'will.'

[7:23:01 PM](#) With no further public comment offered, the topic was brought back to Council. Discussion included exemption for small developments (under 10 lots). Ned Williamson asked what to do if one large parcel should be submitted, adding that zoning regulations will assist with that issue.

OLD BUSINESS:

OB 102 3rd Reading Ordinance 1097, amending Zoning Ordinance Section 6A.

[7:28:20 PM](#) Carol Brown moved to approve the reading by title only and to authorize the mayor to sign. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes. Mayor Haemmerle conducted the 3rd reading of Ordinance No. 1097 by title only.

OB 103 3rd Reading Ordinance 1098, amending Zoning Ordinance Section 8.2.

[7:29:51 PM](#) Carol Brown moved to approve the reading by title only and to authorize the mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes. Mayor Haemmerle conducted the 3rd reading of Ordinance No. 1098 by title only.

OB 104 3rd Reading Ordinance 1099, amending Zoning Ordinance Section 2.2.

[7:30:48 PM](#) Carol Brown moved to approve the reading by title only and to authorize the mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes. Mayor Haemmerle conducted the 3rd reading of Ordinance No. 1099 by title only.

OB 105 3rd Reading Ordinance 1100, amending Municipal Code 12.12.to prohibit smoking and drinking in Hailey's Skatepark and Jimmy's Garden park.

[7:31:36 PM](#) Carol Brown moved to approve the reading by title only and to authorize the mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes. Mayor Haemmerle conducted the 3rd reading of Ordinance No. 1100 by title only.

OB 106 3rd Reading Ordinance 1101, amending Municipal Code 2.20.020 to repeal run-off elections for city council seats.

[7:32:46 PM](#) Carol Brown moved to approve the reading by title only and to authorize the mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke yes. Mayor Haemmerle conducted the 3rd reading of Ordinance No. 1101 by title only.

OB 107 2nd Reading Ordinance 1102, amending Municipal Code to eliminate the Community Oversight Committee which was formed to formulate marijuana legislation.

7:33:50 PM Carol Brown moved to approve the reading. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.

Mayor Haemmerle conducted the 2nd reading of Ordinance No. 1102 by title only.

WORKSHOP:

Staff Reports, Council Reports, Mayor's Reports

SR 000

7:34:51 PM Tom Hellen informed that stop signs went up at the middle school today, and no parking signs will come as weather permits. The permit for the wastewater plant was signed today commencing the 30-day comment period.

7:38:05 PM Heather Dawson reminded of the strategic planning meeting next week.

7:38:26 PM Steve England advised that HPD is providing more education and monitoring of middle school traffic and pedestrian flow improvements. Also, merchants have requested HPD assistance in monitoring students in businesses after school. There seems to be an increase in shoplifting. Officer England assured merchants that HPD will be more present. Heather Dawson noted the Snow Bunny's concerns about restroom use in their restaurant while the temporary facilities at the skate park are not installed. Tom Hellen will follow up.

7:42:22 PM Council discussion ensued regarding attendance at upcoming meetings. Carol Brown and Don Keirn will be out of town for a couple of the meetings and offered to call in, if possible, for those meetings.

7:46:11 PM Mayor Haemmerle adjourned the meeting.