

**MINUTES OF THE
HAILEY CITY COUNCIL SPECIAL MEETING
Monday April 9, 2012 * Hailey City Hall Meeting Room**

Present: Carol Brown, Fritz Haemmerle, Pat Cooley, Martha Burke.

Absent: Don Keirn.

Staff present: Tom Hellen, Ned Williamson, Heather Dawson, Jeff Gunter.

5:30 p.m. CALL TO ORDER –

[5:31:25 PM](#) Mayor Haemmerle called the meeting to order.

Open Session for Public Concerns

[5:31:37 PM](#) None.

CONSENT AGENDA:

CA 143 Motion to approve City of Hailey Comment Letter on Draft National Pollutant Discharge Elimination System (NPDES) Permit published by the EPA for 30-day comment period on March 14, 2012.

CA 144 Motion to approve Resolution 2012-17 authorizing agreement with Liquid Engineering for inspection and cleaning of water tanks for \$9,485.

CA 145 Motion to approve Resolution 2012-18 authorizing agreement with Lantis Productions for July 4th Fireworks display for \$20,000.

CA 146(a) Motion to approve special event Boxing Smoker at Hailey Armory on April 13, 2012 9 pm.

CA 146(b) Motion to approve donation or destruction of Surplus Property in Hailey Fire Department and authorize Resolution 2012-19.

CA 147 Motion to approve claims for expenses incurred during the month of March, 2012, and claims for expenses due by contract in April, 2012.

[5:31:48 PM](#) Tom Hellen pulled CA 143. Carol Brown pulled CA 146.

Martha Burke moved to approve the Consent Agenda minus CA 143 and CA 146. Carol Brown seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.

[5:32:26 PM](#) Tom Hellen explained that he pulled CA 143 to ask the Council to review the edited letter provided in their packets. He and Ned Williamson collaborated on that letter for strength of language. Mr. Hellen asked the Council to consider approving the edited version of the April 5, 2012 letter. **Carol Brown moved to approve the edited April 5, 2012 letter as CA 143. Pat Cooley seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

[5:33:58 PM](#) Carol Brown asked for clarification on the actual event cited in CA 146(a). Jeff Gunter explained that a “Boxing Smoker” is essentially a boxing match. **Carol Brown then moved to approve CA 146. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

MAYOR’S REMARKS:

[5:35:54 PM](#) Mayor Haemmerle reported that he and Jeff Gunter visited the skate park today to observe the condition of the park, and to encourage responsible behavior there. Two metal birds have been broken off a sculpture there, and the park is accumulating litter. The mayor reminded everyone that Saturday, April 21, is a family clean-up day there and asked for participation. He further noted that he will close the park for a day if there is another incident of vandalism. If there is a second incident, he will close the park for a week. Any incidents after that will call for a month-long closure. He asked that everyone remind the skaters of their responsibilities and the pending consequences.

PROCLAMATIONS & PRESENTATIONS:

PP 000 [5:37:56 PM](#) None.

APPOINTMENTS & AWARDS

[5:38:02 PM](#) None.

PUBLIC HEARING:

[5:38:22 PM](#) Mayor Haemmerle reminded of the protocol for this meeting.

PH 148 Review of Friedman Memorial Airport Authority April 3, 2012 meeting decisions made pursuant to information given by Rick Baird, Airport Manager (no documents)

[5:39:03 PM](#) Rick Baird noted his recent meeting with the FAA, describing the purpose of the meeting was to present to the FAA the community's hope for moving forward. He advised the FAA that the community felt that air service is vitally important, that the ultimate goal is a new airport site, and that restarting the EIS process is desirable. Mr. Baird noted that alternative site 10A was not a viable option due to wildlife, and alternative site 12 (along Highway 20) is not viable due to weather. The FAA hoped to wait until the Safety Management System (SMS) evaluation is complete before taking further action. Mr. Baird expressed hope that the Airport Layout Plan process could start before the SMS was complete, and noted that the FAA seemed amenable to that, but there was no confirmation. Council discussion included airport use by regional jets (RJs), the possible outcomes of the SMS and what that means to the city, how decisions are made by the FAA, and any foreseeable timeline.

[5:56:02 PM](#) Mayor Haemmerle noted County Commissioner Tom Bowman's letter to SkyWest had come before the Council at their last meeting, and that the Council thought it contained good ideas, but wanted time to fact-check. Council discussion included the proposed RJ700's "modest noise profile" and Mr. Baird's insight into that. Mr. Baird noted that "much noisier craft have flown in here in the past." Further discussion included the letter's language regarding the safety and reliability of the RJ700. Mayor Haemmerle asked Martha Burke to help Tom Bowman revise the language in the letter. Mr. Baird further noted that the RJ700 is environmentally friendlier than the craft currently used here by SkyWest. No public comment was offered on the FMAA's April 3 meeting or Mr. Bowman's proposed letter to SkyWest.

PH 149 Public Hearing on Franchise Ordinance 1103 for Commercial and Residential Rubbish Hauling Service.

[6:05:44 PM](#) Ned Williamson noted this previously reviewed by the Council, that there were no further questions, and that the publishing deadlines were being met.

[6:07:01 PM](#) Mayor Haemmerle opened the matter to public comment.

Peter Lobb, 403 E. Carbonate, asked about the fees and costs included in the agreement and how those amounts were determined.

[6:08:47 PM](#) With no further comment offered, Mayor Haemmerle closed the meeting to public comment, and asked City staff to provide answers to Mr. Lobb. Heather Dawson provided an itemized explanation. Evan Robertson, representing Clear Creek, commented that the fees were consistent with other municipalities.

[6:13:26 PM](#) Mr. Lobb requested that the City review these fees every once in a while to be sure they truly are efficient. Carol Brown noted that the Council generally tries hard not to waive the required three readings of proposed ordinances, but that she was comfortable with this one due to the amount of public outreach and information already done.

[6:15:04 PM](#) **Carol Brown moved to adopt Ordinance 1103 as shown in Council packets, to authorize the waiver of the three readings in favor of deadlines, to read once tonight by title only, and to authorize the mayor to sign. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes. Mayor Haemmerle conducted the reading.**

PH 150 Adoption of Franchise Agreement with Clear Creek Disposal for Commercial (Resolution 2012-20) and Residential (Resolution 2012-21) Hauling Service.

[6:17:12 PM](#) Ned Williamson explained the calculation of fees and some language changes in the documents.

[6:18:07 PM](#) Mayor Haemmerle opened the meeting to public comment. None was offered.

[6:18:19 PM](#) **Carol Brown moved to approve Resolutions 2012-20 and 2012-21 and the accompanying franchise agreements with an effective date of April 11, 2012. Pat Cooley seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

PH 151 Consideration of Ordinance amending the annexation procedures chapter of the municipal code to require developers of annexed property to provide security for unpaid annexation fees and improvements.

[6:20:23 PM](#) Mayor Haemmerle provided background and history of this agenda item. Ned Williamson added further notes regarding water rights.

[6:22:34 PM](#) Mayor Haemmerle opened the matter to public comment.

Jim Laski, Townsend Gulch Road and representing Grant Stevens, noted he did not understand why the City felt it needed this amendment, noting the current economy does not allow much flexibility under this amendment, and his feeling that the City is tying its own hands. He encouraged leaving options open.

[6:24:19 PM](#) Geoffrey Moore, 406 1st Avenue South, expressed his approval of this amendment and encouraged its adoption.

[6:24:49 PM](#) Greg Travelstead, 621 4th Avenue South, also encouraged adoption and opined it will not tie the City's hands. He further noted this is a result of a citizen-driven petition.

[6:26:03 PM](#) Peter Lobb, 4th and Carbonate, stated "this is the best thing I've seen in all the years I've sat here in these meetings." He further opined that it protected the City's best interests, and thanked Mr. Travelstead for his participation, thanked the mayor for putting it on agenda.

[6:27:05 PM](#) Tony Evans, Idaho Mountain Express, asked for clarification of the process of going from petition to a Council decision or an ordinance. Mayor Haemmerle explained that people have the right to petition their government, and when that happens, the City determines whether it should go to a public vote with the expense of that, or whether the government should

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move on it instead. Ned Williamson added that petitioners could also attend to public hearings to voice their views on the process or the issue at hand.

[6:29:33 PM](#) With no further comment offered, Mayor Haemmerle closed the meeting to public comment. Council discussion included the possibility of being able to refine this ordinance as experience is gained, and general consensus that this is the best way to move forward at this time.

[6:32:51 PM](#) Carol Brown moved to adopt the Ordinance No. 1104, waive 2 readings and authorize the mayor to conduct the first reading by title only. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes. Mayor Haemmerle further voiced his approval and conducted the reading.

NEW BUSINESS:

NB 000 [6:34:33 PM](#) None.

OLD BUSINESS:

[6:34:46 PM](#) None.

WORKSHOP:

Staff Reports Council Reports Mayor's Reports

SR 152 Letter from Knife River to Tom Hellen asking to use city lot as staging area during construction of Woodside Blvd. project.

[6:34:50 PM](#) Tom Hellen asked the Council's agreement before he sends a letter of approval. Ned Williamson asked if toxic substances such as oils or fuels might be kept at the site. Mr. Hellen noted he will limit that. Mayor Haemmerle requested indemnification language and that the site be returned to its previous state. Further concerns included whether the area will be fenced for sightlines and security, and any traffic plans to protect safety.

Carol Brown reported on dispatch meeting [6:39:01 PM](#) Carol Brown reported on the recent meeting regarding emergency dispatch and expressed hope that the mayor will agree to pay Hailey's portion for one more year while the details of a new agreement can be worked out. Mayor Haemmerle expressed his feelings that mediation was not helpful and "we'll have to move on to a legal resolution." Ms. Brown concurred that the ordinance is not a strong one and the mediation was not helpful.

[6:41:36 PM](#) Martha Burke expressed frustration with the unsightly lot near Fox Acres Road currently named the Rick Davis Business Park. She hoped the City might apply pressure to have the site cleaned up as it is "a gateway into the City and a terrible eyesore." Carol Brown expressed hope that the land might be added to the adjacent native plant area. Discussion included the fact that the lot is currently in bankruptcy proceedings and options are limited.

[6:45:11 PM](#) With no further business at hand, Mayor Haemmerle adjourned the meeting.