

**MINUTES OF THE
HAILEY CITY COUNCIL MEETING
Monday June 18, 2012 * Hailey City Hall Meeting Room**

***5:00 pm mayor and city council will meet at Rodeo Grounds Interpretive Center for a look at construction progress**

Present: Carol Brown, Don Keirn, Fritz Haemmerle

Absent: Pat Cooley, Martha Burke (present via telephone as noted)

Staff: Tom Hellen, Jeff Gunter, Mariel Platt, Becky Stokes, Ned Williamson, Heather Dawson

5:30 p.m. CALL TO ORDER -

[5:34:45 PM](#) Mayor Haemmerle called the meeting to order.

Open Session for Public Concerns

[5:35:19 PM](#) Evelyn and Jim Phillips, 20 Quigley Road, expressed strong support for public access to trails and offered to open a portion of their land to permissive use for public access to Quigley trails. Noting that Dave Hennessey has blocked trail access to popular local trails out Quigley, Mr. & Mrs. Phillips offered to provide access and expressed hope that the City will “be central in a planning process and maybe use Cutter’s Park as a central access area” to trails. Mr. Phillips further encouraged development of an overall trail plan that is sensitive to wildlife. Mayor Haemmerle commended the Phillips’s on their offer and thanked them for their efforts. The offer was met with strong applause.

[5:39:51 PM](#) Geoffrey Moore, 406 1st Avenue South, asked if the City would look at pesticide use. He emphasized he was not speaking in support of a ban, but noted that a commercial sprayer worked next to his home in high wind conditions and Mr. Moore felt the overspray was a risk to his dog’s health and perhaps to the children at the elementary school. Carol Brown noted that a commercial applicator would be in violation of licensing rules on a windy day and recommended reporting such events.

[5:41:46 PM](#) Mr. Moore further noted that residents are using the alley off 1st Avenue between Pine and Elm as a disposal site for yard waste, and asked that the City address the muddy and messy conditions there. He further inquired if there would be a public comment period to address any organizational requests for public money. Mayor Haemmerle reminded that the City’s budge process allows ample time for public comment on these and other fiscal requests.

Martha Burke joined the meeting via telephone.

CONSENT AGENDA:

- CA 234 *Motion to approve Resolution 2012-31, authorizing Cooperative Fire Protection Agreement with the Bureau of Land Management and the Sawtooth National Forest Service and authorize the mayor to sign.*
- CA 235 *Motion to approve Alcohol Beverage License for Blaine County Senior Center.*
- CA 236 *Motion to approve Safe and Sane Fireworks permits for 4th of July Fireworks stands sales.*
- CA 237 *Motion to approve Northern Rockies Folk Festival at Hop Porter Park Aug 3rd and 4th 6-11 pm.*
- CA 238 *Motion tpo approve special event 4th of July Parade and Criterion Bike Race 10 am to 4 pm.*

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- CA 239 Motion to approve special event A Day of Chalk on July 14th 9 am to 1 pm.
CA 240 Motion to approve special event Grand Opening of the Skate Park Celebration on Jun. 23rd from 9:30 am – 2 pm.
CA 241 Motion to approve minutes of May 23, 2012 and to suspend reading of them.
CA 242 Motion to approve minutes of June 4, 2012 and to suspend reading of them.
CA 243 Motion to approve claims for expenses incurred during the month of June, 2012, and claims for expenses due by contract in July, 2012/
CA 244 Motion to approve Treasurer's reports for the month of May, 2012/

5:44:17 PM Carol Brown moved to approve the Consent Agenda. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes.

5:45:20 PM Martha Burke withdrew from her telephonic participation temporarily.

MAYOR'S REMARKS:

MR 000

5:45:34 PM Mayor Haemmerle reminded that the skate park grand opening is slated for June 23, 2012, and that a clean-up day for Hop Porter Park is June 30, 2012. He encouraged everyone to attend and participate.

APPOINTMENTS & AWARDS

AA 245 *Hailey Community Climate Challenge, Construction Recycling Certificate of Excellence Awards presented to Jim Bradley of Bradley Construction and Paul Conrad of Conrad Brothers Construction.*

5:46:34 PM Mayor Haemmerle bestowed the awards in recognition of the builders' diversion of 50%-86% of construction waste from the landfill by recycling and utilization of other sustainable building methods.

AA 246 *Nomination of Rick Davis and approval of Resolution 2012-39, authorizing him to serve as Hailey's representative on the Blaine County Housing Authority (replaces a several year vacancy left by Anna Mathieu).*

5:48:43 PM Carol Brown moved to approve Resolution 2012-39 "with much gratitude." Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes.

PROCLAMATIONS & PRESENTATIONS:

PP 247 *Presentation by Hailey Chamber of Commerce "State of the Chamber" – 1st two quarters of this fiscal year report and budget needs for FY 2013.*

5:50:06 PM Patrick Buchanan, President of the Hailey Chamber, presented a check for \$5,000 to the Hailey fireworks fund. Mr. Buchanan was joined by Geegee Lowe and Heather LaMonica Deckard in noting the types of inquiries the Chamber receives, the new interpretive center that will house the Chamber, membership numbers are up by 10%, the establishment of a new ambassadors club to stay in touch with local business owners in town, media placement, the redesigned web page and social media presence, and the Chamber's desire to increase their contribution to Hailey's beautification program. Mr. Buchanan noted the Chamber is requesting \$75,000 for their upcoming budget. **6:03:25 PM** Mayor Haemmerle noted Jane Drussel's extraordinary efforts on City beautification. Carol Brown expressed appreciation for

the partnership she experienced in working with Ramona Duke and Heather LaMonica Deckard at the Chamber.

PP 248 Presentation by Mountain Rides Transportation Authority – operational status report and budget needs for FY 2013.

[6:05:33 PM](#) Jason Miller, Executive Director of Mountain Rides, outlined services offered by Mountain Rides, bike/pedestrian programs, an overview of requests for funding from all sources, allocation of those funds, and benefits to the community. Mountain Ride's budget request to Hailey is \$75,000. Mr. Miller further noted that ridership is growing and has even more potential. [6:17:53 PM](#) Mayor Haemmerle asked what portion of the ridership is made up of students. Mr. Miller answered that the Valley Route number is up from less than 10% to almost 20% in that regard. [6:21:54 PM](#)

PP 249 Presentation by Fly Sun Valley Alliance for 2013 budget needs.

[6:22:04 PM](#) Carol Waller, representing Fly Sun Valley Alliance, emphasized the importance of air service in Hailey, the number of Hailey residents who are full-time employees of Sun Valley Co., the competitive nature of air service, a description of air service users, and the economic benefits to Hailey. Fly Sun Valley's request to Hailey is \$10,000. Mayor Haemmerle asked if the Alliance would be actively supporting the current airport location. Ms. Waller emphasized that their focus would remain on air service, not location. [6:36:32 PM](#)

PP 250 Presentation by Animal Shelter of the Wood River Valley.

[6:36:50 PM](#) JoAnne Dixon, Executive Director of the Animal Shelter, requested renewal of the contract with the City for impound services. She noted that their rate is not changing even though the number of animals involved is going up. She further pointed out the other benefits the shelter provides, including their spay/neuter program. [6:39:43 PM](#)

PP 251 Presentation by Sustain Blaine and budget needs.

[6:39:53 PM](#) Harry Griffith, Executive Director of Sustain Blaine, pointed out the strength and diversity of members on their board, and emphasized Sustain Blaine's efforts to understand the economy here in order to create timely information for decision-making. The group has developed a profile for Hailey to aide in planning with the goal of attracting businesses to the City and Valley. They are currently gathering data to determine how many users are using local recreational facilities. The goal is to monitor that usage and define what it means to the local economy. Sustain Blaine's funding request to the City is \$10,000. [6:46:31 PM](#)

[6:47:45 PM](#) Mayor Haemmerle called a brief recess to bring Martha Burke back to the meeting via telephone.

[6:48:49 PM](#) The meeting was reconvened.

PUBLIC HEARING:

PH 252 Approval of Findings of Fact and Conclusions of Law re: Quigley Annexation Application.

[6:48:59 PM](#) Ned Williamson noted that the draft of proposed findings and conclusions was included in Council packets and was provided to the applicant. Applicant's attorney, Evan Robertson, wondered if either side had really negotiated and expressed hope that further discussions might still happen. Discussion included the fact that two Council members are absent from this meeting, and

whether the Council should proceed with the matter at hand or delay until all are present. Mayor Haemmerle disclosed his conversation with Mr. Hennessy earlier today, noting that Mr. Hennessey wishes to negotiate. Mr. Robertson expressed belief that negotiations may be good for both sides, and hoped there would be room for cooperation. He further pointed out the applicant will take this project to the County should the City not desire further negotiation. [6:56:20 PM](#) Mayor Haemmerle pointed out the length of time this application has already been considered and asked what form of negotiation the City might expect from the developer. [7:00:09 PM](#) Carol Brown reminded that Pat Cooley is not present and that the public had no opportunity to know about this question of further negotiation. She expressed her preference for full Council attendance and public hearing. Mr. Robertson encouraged a model wherein the concept might be developed first and then public option garnered. Mayor Haemmerle voiced his preference to hear the public present at this meeting. Ned Williamson reminded that the findings and conclusions were the matters on this agenda, not possible new negotiations.

[7:04:30 PM](#) Mayor Haemmerle opened the meeting to public comment.

Ramona Duke, 221 Foxmoor, expressed hope the Council would delay the matter until the Council can fully consider it.

[7:04:55 PM](#) Peter Lobb, 4th and Carbonate, spoke strongly against reconsideration. He further urged the Council to approve the findings and conclusions “and be done with it. I am appalled and annoyed. Let him go to the County.”

[7:06:31 PM](#) Tony Evans, Idaho Mountain Express, asked for clarification about Mr. Robertson’s opinion that this has been handled as “more of a judicial than legislative matter.” Mr. Evans urged that “we should all understand what that argument means.”

[7:08:09 PM](#) With no further public comment offered, Mayor Haemmerle brought the meeting back to the Council. Carol Brown reiterated that she wanted citizens to be aware before any action is taken and she spoke in favor of delay for that reason. Don Keirn agreed that the public should be informed, but he thought the findings and conclusions were accurate and that “this has been long going already, let’s approve the findings and conclusions and let the developer start over.” Martha Burke noted there was no discussion about negotiations in the past, and saw no problem in deferring the decision about findings and conclusions until the next meeting with full Council attendance. Mayor Haemmerle encouraged that the public should know what has been put on the table late this afternoon and thought the Council might “simply delay the findings until everyone can be notified about what has just happened.” [7:16:09 PM](#) Mr. Robertson explained that the applicant is not sure what the City’s terms may be, so it would be hard to come prepared with a proposal that is more to the City’s liking. He requested further clear input from Council members. Council discussion continued on possible delays, whether the Council should stay focused on the findings and conclusions only, the matter of requiring the developer to start with a new application, whether the applicant was sincere about moving on to the County or coming back to the City, and why “this line in the sand” was drawn at this time.

[7:25:29 PM](#) **Carol Brown moved to defer the decision on the findings and conclusions until July 16, 2012. Martha Burke seconded. Roll call vote: Brown, yes; Burke, yes; Keirn, no, Haemmerle, yes. The motion passed.**

Ned Williamson asked if the developer could say what they have in mind. Mayor Haemmerle emphasized that he would like to hear their best offer on density, noting “they get one shot at the July 16 meeting and it will be known to public.”

PH 253 (This item will be opened and continued to July 16, 2012) A city initiated text amendment to the Hailey Municipal Code to add a new title, Title 18 establishing procedures in compliance with Idaho Code sections 67-6518 and 67-6509 and updating and adding street design standards and infrastructure standard specifications and drawings. (continued from June 4, 2012).

PH 254 (This item will be opened and continued to July 16, 2012) A city initiated text amendment to the Hailey Subdivision Ordinance, Ordinance No. 821 to amend Section 1 to amend the definition of City Standards to refer to those standards adopted by ordinance in Titles 18 of the Hailey Municipal Code and to amend Section 5 to refer to Title 18 of the Hailey Municipal Code for minimum infrastructure improvements (continued from June 4, 2012).

[7:29:59 PM](#) Mayor Haemmerle explained that PH 253 and PH 254 are revisions to street standards and that he wanted to bring these back to the Council with new concepts in place. He noted that Mariel Platt is currently working on that.

[7:31:24 PM](#) **Carol Brown moved to continue PH 253 and PH 254 to the August 20, 2012 meeting. Don Keirn seconded. Roll call vote: Brown, yes; Burke, yes, Keirn, yes. The motion passed unanimously.** Mayor Haemmerle noted that ‘sharrows’ will soon be painted for the public to see and consider as part of these two matters.

PH 255 Approval of Woodside Boulevard Pay Request #1 and staff update on project components, including:

- *Engineer’s Update on Project*
- *Irrigation System Bid and Funding Discussion*
- *Landscaping Design – presented by representatives from Sawtooth Botanical*

Garden

- *Copper Ranch Agreement*
- *Administrator’s Update on Public Involvement*
- *First Inspection Report from Federal Highways Administration – Grant Compliance*

[7:32:31 PM](#) Heather Dawson noted that Natalie Ertz (Resource Center Coordinator) was present to represent Sawtooth Botanical Garden, who hopes to provide consultation and help however they can with the landscaping on the Woodside project. She proposed a demonstration xeriscape garden to show the community the beauty and function of that type of landscape. She noted this would be a donation project from landscapers, etc. The hope is to begin planting in the spring of 2013. The Council expressed gratitude and appreciation.

[7:36:31 PM](#) Heather Dawson provided an overview of irrigation bidding and funding, noting that this is not part of Knife River’s contract, but that “Eggers was used for this.” Ms. Dawson further explained the need to offer this to Knife River as a change order to see if the City gets an appropriate bid from them. Otherwise, this project would go out to a general bid. Mayor Haemmerle asked for a timeline on this process. Ms. Dawson expected it could be finished by July 2, 2012.

[7:39:20 PM](#) Tom Hellen provided additional update on the project, noting it was generally going well, although it was not in some segments he expected to be in at this time. He noted some significant difficulties with utilities. Mayor Haemmerle asked if the City website had been updated to inform the public. Heather Dawson reminded that email updates go out as well.

[7:46:31 PM](#) Heather Dawson provided an update on the Copper Ranch participation in this project. She noted they will pay for their portion of the Woodside project, and that their comments were included in Council packets. She further reminded that the City is holding a cash bond, that Copper Ranch will release that to the City and pay the remainder in \$5,000 monthly installments, and suggested 2012-40 with the acceptance of the Construction Reimbursement Agreement. Mr. Dawson also informed that the first inspection report from Federal Highways was good.

[7:50:35 PM](#) Mayor Haemmerle opened the meeting to public comment.

Geoffrey Moore, 406 1st Ave South, asked for clarification on the Copper Ranch agreement and whether tax payers would be liable if Copper Ranch did not hold to the agreement. Mayor Haemmerle replied the taxpayers would not be liable. Tom Hellen offered further explanation.

[7:53:15 PM](#) With no further comment offered, Mayor Haemmerle brought the meeting back to the Council.

[7:52:59 PM](#) **Carol Brown moved to approve Resolution 2012-40. Don Keirn seconded.**

Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes. The motion passed unanimously. (Connection with Ms. Burke was lost.)

[7:53:59 PM](#) **Don Keirn moved to approve the first pay request. Carol Brown seconded.**

Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes. The motion carried.

NEW BUSINESS:

NB 256 Discussion of Wastewater Plant Operation Costs under new NPDES Permit, potential need for wastewater rate increases.

[7:54:41 PM](#) Ned explained the new NPDES. Mayor Haemmerle noted there are now additional requirements for testing and therefore increased costs. Tom Hellen further explained the stricter guidelines, noting citizens should expect a monthly average increase of 14% on residential monthly bills. [8:00:33 PM](#)

NB 257 Preliminary design of irrigation Main Extension from Woodside Blvd. to Balmoral and Keefer Parks.

[8:00:40 PM](#) Tom Hellen explained the pros and cons of the design and the question of completing this in Fall 2012 or Spring 2013. Mayor Haemmerle asked when the cost figures would be available, and expressed hope they would be available by the July 16, 2012 meeting. [8:03:04 PM](#)

OLD BUSINESS:

OB 258 2nd reading of Ordinance 1105 – voluntary Build Better Program extends to January 1, 2013.

[8:03:09 PM](#) **Mayor Haemmerle conducted the 2nd reading of Ordinance No. 1105.**

WORKSHOP:

Staff Reports Council Reports Mayor's Reports

SR 259 Correspondence and Press Release re: Hailey City Parks Maintenance and Renovation.

[8:05:44 PM](#)

SR 260 List of Special Events in Hailey.

[8:07:34 PM](#)

SR 261 *Draft Agenda for July 2012 City Council Meetings (2)*.

[8:04:26 PM](#) Jeff Gunter noted he will train one officer to work part-time on code enforcement.

EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f))

8:09:04 PM Carol Brown moved to go into executive session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes. The motion carried.

The Mayor and council came out of Executive Session at 8:20 P.M.

Fritz X. Haemmerle, Mayor

Mary Cone, City Clerk