

**MINUTES OF THE
HAILEY CITY COUNCIL MEETING
Monday August 6, 2012 * Hailey City Hall Meeting Room**

Present: Carol Brown, Don Keirn, Fritz Haemmerle, Pat Cooley, Martha Burke

Staff: Heather Dawson, Micah Austin, Mariel Platt, Jeff Gunter, Tom Hellen, Ned Williamson

5:30 p.m. CALL TO ORDER

[5:31:42 PM](#) Mayor Haemmerle called the meeting to order.

Open Session for Public Concerns

[5:31:57 PM](#) None.

CONSENT AGENDA:

CA 308 *Motion to ratify Final Report for Idaho Arts Commission Entry Track Grant activity for \$1,013 grant.*

~~CA 309 *Motion to approve Resolution 2012-49, authorizing approval of FMAA to pursue \$100,000 grant for technical analysis of airport alternatives at Friedman Memorial Airport.*~~

CA 310 *Motion to approve Resolution 2012-50, authorizing US Green Building Council to access water and energy usage records at the Interpretive Center and committing to regular reporting on usage data for five (5) years, beginning the date of occupancy.*

CA 311 *Motion to approve Resolution 2012-51, authorizing contract for law enforcement services for the City of Bellevue in exchange for \$316,620.*

~~CA 312 *Motion to approve Resolution 2012-52, authorizing an Easement Agreement between the Hiawatha Canal Water Users Association of Lateral or Laterals and the City of Hailey.*~~

CA 313 *Motion to approve Resolution 2012-53 amending sections of the Hailey Personnel Handbook.*

CA 314 *Motion to approve Alcohol License renewals for Hailey Businesses.*

~~CA 315 *Motion to approve minutes of July 16, 2012 and to suspend reading of them.*~~

CA 316 *Motion to approve claims for expenses incurred during the month of July, 2012, and claims for expenses due by contract in August, 2012.*

CA 317 *Motion to approve Treasurer's Quarterly Report for period ending June 30, 2012.*

[5:32:09 PM](#) Martha Burke asked to pull CA 315 so that she may abstain. She was not present for that meeting. Mayor Haemmerle pulled CA 309 to allow the issue to be addressed by public hearing later in this meeting. He also pulled CA 312 to abstain as he represents the water users.

[5:33:02 PM](#) **Carol Brown moved to approve the Consent Agenda minus CA 309, CA 312, and allowing Martha Burke to abstain from CA 315. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes, and abstaining from CA 315.**

[5:33:43 PM](#) **Martha Burke moved to approve CA 312. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

MAYOR'S REMARKS:

MR 000 [5:34:06 PM](#) *Mayor Haemmerle noted the Social Bike located in the meeting hall tonight, and together with Mariel Platt offered a short explanation about how the public can rent or borrow*

these in the near future in Hailey. He further commended Ms. Platt's efforts in implementing this program.

PROCLAMATIONS & PRESENTATIONS:

PP 318 Renewable Energy Systems Awards.

PP 319 Hailey Community Climate Challenge progress update.

[5:35:44 PM](#) Mariel Platt addressed PP 318 and PP 319 together in a Power Point presentation explaining the Challenge, the bike share program, a Just Bag It video clip showing creative reuse of pet food bags, a Chicken Coop construction workshop using reused building materials, and renewable energy systems awards. The second drawing of award winners took place throughout this meeting. Names drawn included Jason Miller, Holly and Ronald Hatch, Sidney Chickrell, Trey Knox and Ashley Green, Mary Kay Foley, and Stephanie Manning. Ms. Platt further noted a workshop to be held at The Sage School for solar thermal hearing system—free and open to public. And, the River Street Senior Housing project built by Wright Brothers Construction, has won a rebate for diverting construction materials. Ms. Platt further noted that the Welcome/Interpretive Center at the rodeo grounds is currently at LEED silver level, but is on track to be more energy efficient than expected.

APPOINTMENTS & AWARDS

[5:50:22 PM](#) None.

PUBLIC HEARING:

PH 320 Review of Friedman Memorial Airport Authority agenda meeting documents Aug 7, 2012.

[5:50:32 PM](#) Rick Baird provided a brief overview of the agenda. Council discussion included how alternatives may be considered in the 90-day planning study, whether alternatives outside the fence will be considered, the purpose of the study, and possible next steps.

[5:59:08 PM](#) Council discussion included CA 309 which was pulled from the Consent Agenda by Mayor Haemmerle so that it could be discussed under Public Hearing. Susan McBryant, FMAA, also spoke on possible additional studies.

[5:59:50 PM](#) Mayor Haemmerle opened the matter to public comment. None was offered.

[6:00:01 PM](#) Heather Dawson noted that any motion should reference Resolution 2012-54 rather than the number included in Council packets. **Martha Burke moved to approve Resolution 2012-54. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

PH 321 Request by Fly Sun Valley Alliance for Local Option Tax measure to raise funding for minimum revenue guarantees and marketing and consideration of a joint powers agreement.

[6:00:59 PM](#) Carol Waller, Fly Sun Valley Alliance, provided background information and an overview of their proposed ballot request for an additional 1% on LOT to be applied to minimum revenue guarantees and marketing. Ned Williamson explained the current LOT breakdown and time deadlines necessary for putting this on the upcoming ballot. [6:05:13 PM](#) Mr. Williamson further explained allowable uses of this money, and a recent opinion issued by the State Attorney's office. He expressed hope that the JPA would be in place before this question went to the ballot, that all cities would have control of where the proposed funds would be spent, and that there would be a thorough annual review of that spending. Council discussion included the Attorney General's recent opinion, where these monies might be spent, the JPA and whether it has any legal oversight included, and the time limit for the proposed LOT increase.

HAILEY CITY COUNCIL MINUTES

August 6, 2012

[6:13:12 PM](#) Mayor Haemmerle opened the matter to public comment.

[6:13:23 PM](#) Micah Austin commented that he has spent considerable time getting up to speed on airport matters, and opined “this proposal is no different from any other economic development incentive.” He further noted the “relatively small contribution from Hailey” and called the proposal “a very good deal.” Mr. Austin cautioned that if this proposed 5-year program does not work, “there is no Plan B.”

[6:15:42 PM](#) Patrick Buchanan, President of the Hailey Chamber of Commerce and a small business owner, shared that he recently returned from a road trip through Colorado where he observed closely the workings of small cities there. He voiced support for moving forward with this proposal, and at the very least, putting it on the ballot.

[6:17:08 PM](#) Peter Scheurmier, owner of Avis Rent-a-Car, noted his concerns about having to charge his customers more, but added his belief that the airport “must be more accessible, more competitive.” He added that collective efforts valley-wide could really help to do that.

[6:20:22 PM](#) Jack Sibbach, Director of Marketing at the Sun Valley Resort, urged the Council to “work together for economic gain and get this on the ballot.”

[6:21:15 PM](#) Tony Evans, Idaho Mountain Express, asked about the distinction between MRG (Min Revenue Guarantee) versus marketing money, and who would determine what exactly gets marketed.

[6:22:00 PM](#) Susan McBryant, 430 Robin Hood Drive, voiced concern that this may not particularly serve Hailey well, noting that we may get some business, but Hailey would not be the large beneficiary to MRGs. She added that so many marketing efforts may not be as effective. She further pointed out that this would give another entity control of the spending of tax dollars and urged that the language in this document include thorough fiscal oversight.

[6:25:04 PM](#) With no further comment offered, Mayor Haemmerle closed the matter to public comment.

Council discussion included how the LOT breakdown works, JPA details, how marketing would be determined, possible ballot language, who would control the monies collected, annual fiscal audits. Further discussed was that the JPA shows Blaine County as a member yet the County does not collect any LOT funds. Carol Brown noted for the record that she received five emails in support of this request. [6:29:50 PM](#) Further discussion included the benefits of putting this question to the public, the potential of a new airport, the purpose of one-year terms on the JPA, the possibility of dropping the bar and restaurant inclusion so as not to unduly burden local customers, whether County should have a vote or a seat on the JPA, MRGs and marketing efforts, the importance of utilizing clear language in this document, the use of public funds for private purposes, and the strengths and/or failures of the tourist community in the valley.

[6:46:40 PM](#) Mayor Haemmerle continued the discussion about the JPA language, urging that the majority of funds should go to MRGs and not to marketing. He further asked whether the marketing would be focused on flights specifically or on other valley entities. Peter Scheurmier suggested that the marketing should be aimed at promoting flights. [6:52:50 PM](#) Patrick

Buchanan pointed out the importance of locals being able to fly out of Hailey conveniently and affordably. [6:55:27 PM](#) Mayor Haemmerle summarized the Council’s consensus, [6:58:36 PM](#) and noted this matter would likely reappear at the August 20 Council meeting. Ned Williamson reminded that he will be out of town for much of the time between now and August 20. [7:00:24 PM](#)

PH 322 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 and June 18, 2012).

[7:06:22 PM](#) Mariel Platt hopes PH322, and PH323 can be considered together. So be it. Mayor Haemmerle provided some overview/history. Platt explained the process involved, the purpose and the content. Micah Austin adds explanations of the content and purposes behind proposals herein. [7:16:15 PM](#) Council discussion included in-lieu provisions for sidewalks, various other ways sidewalks are addressed in city process, priorities and criteria, design review possibly coming to Council after P&Z and the importance of timeliness there, [7:30:28 PM](#) moves to continue public hearing to the second meeting in September, Keirn seconds, Williamson and Platt add comments that Planning and Zoning Commission should review this and then it will be brought back to the council at a future date uncertain.

PH 323 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 and June 18, 2012).

PH 324 Consideration of a city initiated text amendment to Section 4.5.3 of the Hailey Zoning Ordinance, and accompanying Ordinance to amend Zoning Ordinance No. 532. The proposed amendment's objective is to promote economic development by allowing some retail use in the Limited Business (LB) zoning district while still encouraging retail uses downtown. The amendment would expand the conditional use of "wholesale distributors" in the section to "wholesale distributors or wholesale distributors with incidental and subordinate retail sales." A recommendation in favor of this text amendment was made by the Hailey Planning and Zoning Commission on July 9, 2012.

[7:33:06 PM](#) open to public. None.

[7:33:51 PM](#) **Carol Brown moved to approve the proposed amendment to Section 4.5.3, finding that the amendment is in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding areas, and that the proposed amendment will promote the public health, safety and general welfare and adopt Ordinance 1107 and authorize the mayor to conduct the first reading by title only. Don Keirn seconds. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes. Mayor Haemmerle conducted the reading.**

[7:35:59 PM](#) Ned Williamson and Micah Austin explained that the timing of this process (specifically required additional readings) may delay a potential property sale, and hoped a solution might be found.

[7:36:54 PM](#) **Carol Brown moved to reconsider the original motion. Martha Burke seconded.** Discussion included whether readings should be waived. Consensus was reached that there was no danger to public health, safety and general welfare in this case.

[7:38:53 PM](#) **Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

[7:39:09 PM](#) Carol Brown moved to approve her original motion, to waive the three readings, to read 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 reading by title only.

PH 325 Development Impact Fees – consideration of Hailey Development Impact Fee Advisory Commission’s recommendation for fees established under the 5-Year Update Study prepared by Rich Caplan & Associates, and the Hailey Planning and Zoning Commission’s recommendation of July 9, 2012 that the Hailey Comprehensive Plan be updated with the report.

[7:40:26 PM](#) Heather Dawson provided overview and an explanation of process and content.

[7:45:48 PM](#) Council discussion included clarification of intent and language, whether averages should be utilized, legislative caps, timeframes for review of this matter, and the timeframe for making this decision. [8:02:00 PM](#) Ms. Dawson further recommended specific language for this motion should there be one. Council discussion included the need for additional review and consideration of this agenda item.

[8:02:24 PM](#) Carol Brown moved to continue the matter to the August 20, 2012 meeting. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.

PH 326 Woodside Boulevard Project Update.

[8:03:04 PM](#) Mayor Haemmerle noted change order figures and added he “is very pleased with being well on budget.” He added that the project is now 50% completed, and that the USDOT report is ‘satisfactory.’ Heather Dawson asked the Council for a color choice on concrete at roundabout. Tom Hellen explained the location of the colors. Consensus was reached to select green slate. [8:09:30 PM](#) Ms Dawson pointed out that temporary traffic calming devices were just installed in Woodside. Mr. Hellen further explained scheduling in relation to anticipated snowfall. Pat Cooley asked the Council to reconsider treatment of the section of Woodside Boulevard in front of Balmoral due to new curbcuts. He expressed concern that the section would not hold up over time with the new cuts. Tom Hellen noted that Federal Highways may not allow this, and he offered to check with them this week to confirm. [8:14:40 PM](#) Mr. Cooley further pointed out that the sidewalk along Copper Ranch is settling due to construction.

NEW BUSINESS:

NB 327 Consideration of Nordic Skiing Center based out of Lions Park.

[7:01:09 PM](#) [So as to minimize wait time for Eric Rector and Jim Keating, Blaine County Recreation District, Mayor Haemmerle chose to take this item out of agenda order. Please note the timestamp adjacent.] Mayor Haemmerle gave an overview of the proposed skiing center. Council consensus was immediate and emphatically positive. Tom Hellen spoke about city snow removal equipment and safety concerns, noting he saw no problem in working out those concerns. Mr. Rector further assured that BCRD had ideas about protecting safety during snowstorms. Council gave approval for staff to work with BCRD on this project.

OLD BUSINESS:

OB 000 [8:16:37 PM](#) None.

WORKSHOP:

Staff Reports Council Reports Mayor’s Reports

HAILEY CITY COUNCIL MINUTES

August 6, 2012

SR 328 Director's report from Hailey Library from month of June 2012.

SR 329 List of Special Events in Hailey.

Carol Brown noted that wildfire duties may keep her from attending some Council meetings, and that she will be out of town on October 1, 2012.

Heather Dawson reminded that the September schedule would be challenging due to holidays and P&Z meeting nights. [8:18:21 PM](#) Mayor Haemmerle requested that Council members email their unavailable dates to him so that he and Ms. Dawson might work out a schedule.

EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f))
[8:20:06 PM](#) **Carol Brown moved to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

Mayor and council came out of Executive Session at 8:35 pm, no decisions were made.