

**MINUTES OF THE
HAILEY CITY COUNCIL MEETING
Monday December 3, 2012 * Hailey City Hall Meeting Room**

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

Staff: Jeff Gunter, Heather Dawson, Ned Williamson, Tom Hellen, Micah Austin, Becky Stokes

5:30 p.m. CALL TO ORDER

[5:31:08 PM](#) Mayor Haemmerle called the meeting to order, and began the meeting by advising of the “stunning vandalism” on Woodside Boulevard, including intentional driving and parking on newly finished planting strips. He asked for respect and appreciation of “the new asset for Woodside built at considerable expense,” and noted that the City is offering a \$1,000.00 reward for the identity of violators. Mayor Haemmerle emphasized the City’s intent to fully prosecute.

Open Session for Public Concerns

[5:34:04 PM](#) Geoffrey Moore, 406 1st Avenue South, voiced his strong disappointment in the destruction on Woodside Boulevard. Further, he thanked staff for the holiday decorations at City Hall, Main Street, and the holiday plaza.

[5:34:57 PM](#) Danny Mills, 660 River Trail, addressed parking on planting strips on Woodside Boulevard by saying he had parked his car on the strip to get it “out of the way,” not to vandalize. Mr. Mills said he was unaware that parking there was not allowed, and that he was not given adequate time to move the car after a warning had been placed on it. He felt his car was damaged in the process of towing it and asked that the City compensate him for the damage. Mayor Haemmerle asked Mr. Mills how he could have believed that parking on the new planting strip would be allowed. Mr. Mills advised he has sought legal counsel for the matter.

[5:39:43 PM](#) closed.

[5:31:26 PM](#) **Martha Burked moved to approve a late change in the meeting agenda to add CA 505 and PH 509. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

CONSENT AGENDA:

CA 501 *Motion to approve Resolution 2012-86, for rental purchase option agreement with H&E Equipment Services for a Bobcat Model 5600 to be used for snow removal on Woodside Blvd, monthly rental fee of \$2,000.*

CA 502 *Motion to approve Resolution 2012-87, authorizing contract with SPF Water Engineering for the design, bidding, and construction oversight for a pump station using Hiawatha Canal water rights for irrigation of Woodside Blvd., Keefer and Balmoral Parks in the amount not-to-exceed \$15,200.*

CA 503 *Motion to ratify mayor’s signature on Wells Fargo Sewer Refunding fee agreement authorized on Nov. 19, 2012 council meeting with Ordinance No. 1114.*

CA 504 *Motion to approve Taxi Business License renewal for Miller’s Limo.*

~~*CA 505 Motion to approve minutes of November 19, 2012 and to suspend reading of them.~~

CA 506 *Motion to approve claims for expenses incurred during the month of December, 2011, and claims for expenses due by contract in January, 2012.*

[5:39:53 PM](#) Pat Cooley pulled CA 505. Mayor Haemmerle abstained from CA 504.

[5:40:12 PM](#) **Carol Brown moved to approve the Consent Agenda minus CA 504 and CA 505. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

[5:40:32 PM](#) Don Keirn, acting in his capacity as Council President, asked for comments on CA 504. None were offered. **Carol Brown moved to approve CA 504. Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

[5:40:58 PM](#) Pat Cooley spoke on CA 505 asking for the minutes to reflect the name of the building official present at the Council's November 19, 2012 meeting; Cedrick (Suds) Knehans not Wayne Orvik. Mr. Cooley further asked that the minutes reflect his specific question asking why the City would need to inspect non-structural windows noting time and expense concerns. **Pat Cooley then moved to approve CA 505 with the requested corrections. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

MAYOR'S REMARKS:

[5:42:19 PM](#) None.

PUBLIC HEARING:

PH 507 Review of Friedman Memorial Airport Authority agenda meeting documents Dec 4, 2012.

[5:42:31 PM](#) Susan McBryant, FMAA, provided an overview on a report she, Don Keirn and Martha Burke created for the Council. She further notified that long-time attorney Barry Luboviski is retiring his position with the FMAA and they are sending out requests for qualifications. Ms. McBryant asked the Council to reaffirm their position to enable delegates to carry that forward at the next FMAA meeting. [5:45:52 PM](#) Mayor Haemmerle reiterated the content of his November 2012 letter to the FAA, and clarified what the City wants in moving forward. Rick Baird, Friedman Memorial Airport, spoke about next steps and the planning process. Discussion continued on the "dual path approach," the importance of moving along in a timely manner, possible compromises, and methods of moving forward with the FAA while protecting the City's position. Mayor Haemmerle re-emphasized the importance of the dual path approach. [5:58:05 PM](#) Dave Mitchell, with T-O Engineers in Boise Idaho, noted he was present not to change any opinions, but to assist in providing information. He opined that the "ultimate solution to this is a new airport," however he reminded this is a difficult process, and that perhaps a good solution may be to allow the airport to survive at its current site until such time as it can be relocated. He further stated that he could see the FAA resistance because of timing.

[6:01:38 PM](#) Rick Baird, explained how he and Mr. Mitchell have worked together so far, and hoped the City understands what the forward process and the dual path process will mean.

[6:04:09 PM](#) Further discussion included understanding clearly the use of "dual path" language, the November letter to the FAA, and the long term goal of relocating the airport. Fh further explains his position...Rick Baird thinks dual path forward is a sound position...things CAN be done at existing site to make this work...Dave and he believe that a master planning process can address all this with an eye to the future replacement airport. Don Keirn notes 'dual path' is a matter of semantics and thinks the letter's goals still stand.

[6:08:32 PM](#) **Carol Brown moved to stand with the City FMAA representatives and the November 2012 letter to the FAA. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

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[6:13:29 PM](#) Rick Baird emphasized that “staff is trying hard to support the FMAA and not to increase impact on Hailey and Bellevue as much as they can.”

[6:17:15 PM](#) Mayor Haemmerle opened the meeting to public comment. None was offered.

PH 508 Consideration of Ordinance amendment to Chapter 10.08 of the Hailey Municipal Code establishing municipal parking tickets (continued from 11/5/12 meeting).

[6:17:27 PM](#) Ned Williamson explained the amendment and how he arrived at the language in it.

[6:21:01 PM](#) Mayor Haemmerle opened the matter to public comment. None was offered.

[6:21:13 PM](#) Council discussion included whether time limits work, clearly designating non-parking areas rather than specific parking spots, protecting areas adjacent to driveways, restriping and weather constraints, complaints received by Hailey Police Department, home business encroachment, secondary vehicles, and overnight parking. Consensus was reached to avoid long-term parking and to define no-parking areas more clearly. Carol Brown noted she was willing to move forward with the understanding that the Council may need to revisit this as time goes on.

[6:35:39 PM](#) **Carol Brown moved to adopt Ordinance 1118, and to authorize the Mayor to conduct the first reading by title only. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.** Mayor Haemmerle conducted the reading. [6:37:43 PM](#)

**PH 509 Woodside Boulevard Project – Consideration of approval for Substantial Completion as of October 20, 2012.*

[6:38:04 PM](#) **Carol Brown moved to continue PH 509 to the December 17, 2012 meeting.**

Don Keirn asked why this should be continued. Mayor Haemmerle advised there will be more information available by that date. **Mr. Keirn seconded the motion. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

NEW BUSINESS:

NB 510 Consideration of financial statements for fiscal year ending September 30, 2012 as presented by independent auditor Dennis Brown, this year's is a Single Audit as federal expenditures were in excess of the \$500,000 threshold, due to the Federal Highway, EPA and DOE grants.

[6:39:19 PM](#) Dennis Brown explained his audits and noted he had issued a clean opinion. Mr. Brown further provided details to Council, pointing out that general funds are in the positive, and applauded the City's efforts to protect those reserves. [6:44:23 PM](#) Discussion included taxable values and levies over the past four years, internal controls, observation and oversight, inherent limitations of audit process, and financial obligations of Council members in considering the Consent Agenda items.

[6:55:59 PM](#) **Carol Brown moved to accept the report of Mr. Brown. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

NB 511 Consideration of request from several downtown businesses for 15 minute parking spaces on Bullion and Croy Streets.

[6:56:27 PM](#) Micah Austin explained there were some objections to Luke's Pharmacy's request. The objection raised by L.L. Green Hardware was resolved, however, the objection raised by Red Door Design remained. The owner of Red Door advised that her parking was overwhelmed during the remodel of Luke's Pharmacy, and that she hoped the City would give one of the block's allotted 15-minute spots to Luke's and the other to Red Door, or to consider providing

more than two spots per block. Council discussion included the number of spaces per block, the importance of acknowledging that these spots are not private for any business, and the location of nearby parking lots. Mr. Austin recommended approving the request as written and he will then check in with Red Door Design as time goes on.

[7:04:13 PM](#) Geoffrey Moore, 406 1st Avenue South, asked if the designated time frame would be noted on signs, and whether the 15-minute parking applied to evenings as well as daytime business hours. He hoped evening restaurant parking would not be impacted.

[7:04:54 PM](#) Council consensus was favorable to protect evening restaurant parking and staff was asked to work out the signage in that regard.

[7:06:31 PM](#) **Pat Cooley moved to approve the request from Luke's Pharmacy, Copy & Print, and the Hailey Public Library, and to locate the 15-minute parking spots amongst the businesses on each block. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

NB 512 Consideration of the 2012-2013 winter Snow Removal Policy.

[7:07:37 PM](#) Mayor Haemmerle asked to continue NB 512 to the December 17. **Carol Brown moved to continue NB 512 to the December 17, 2012 meeting. Don Keirn seconded.** Micah Austin advised that he received a request from a spa business to push snow into the street before business hours. Mayor Haemmerle asked to receive comments via email. **Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

NB 513 Consideration of Resolution 2012-88, with (3) three contracts with Sluder Construction for snow removal for the 2012-13 snow season.

[7:08:41 PM](#) Tom Hellen provided background on the matter and noted the importance of timeliness given the imminent weather.

[7:10:18 PM](#) **Martha Burke moved to adopt Resolution 2012-88. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

NB 514 Consideration of Resolution 2012-89, with Task Order from HDR Engineering for assessing biosolids processing at the wastewater treatment plant, including dome removal; and completion of a Preliminary Engineering Report per DEQ requirements, including a cost estimate.

[7:10:47 PM](#) Mayor Haemmerle reminded this matter previously came before the Council, but was pulled to allow City staff to work through costs and guidelines with HDR. Tom Hellen explained the standards and guidelines now determined. Heather Dawson noted they addressed costs versus the value of engineering as well. Ned Williamson explained the language addressing anaerobic versus aerobic digesters. Tom Hellen further explained the technology behind that language.

[7:18:12 PM](#) **Carol Brown moved to approve Resolution 2012-89 authorizing Task Order #6 with HDR Engineering for Preliminary Engineering Services of Solids Thickening and Handling for the City of Hailey for a not-to-exceed amount of \$69, 677.00. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

OLD BUSINESS:

OB 515 Agreements pertaining to sale of bonds authorized on Nov. 19, 2012 council meeting with Ordinance Nos. 1113 and 1114.

[7:18:52 PM](#) As on information item only, Heather Dawson called out for the record the agreements included.

OB 516 3rd Reading Mobility Design Ordinance 1116 – Municipal Code Amendment to add Title 18 and proposal of Ordinance No. 1116 Summary.

[7:19:53 PM](#) **Carol Brown moved to conduct the third reading of Ordinance 1116 and the summary. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.** Mayor Haemmerle conducted the reading.

OB 517 3rd Reading Mobility Design Ordinance 1117– Subdivision Ordinance Amendment to refer to Title 18.

[7:22:08 PM](#) **Carol Brown moved to conduct the third reading of Ordinance 1117. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.** Mayor Haemmerle conducted the reading.

WORKSHOP:

Staff Reports Council Reports Mayor's Reports

SR 518 List of Special Events in Hailey.

SR 519 Letter from Delta Dental of Idaho for city employees' dental insurance renewal at same rates as last year for period January 1, 2013 through December 31, 2013.

[7:23:30 PM](#) Micah Austin advised that a result of the recent bicycle/pedestrian planning meeting resulted in consensus to move forward on region-wide planning for bike paths.

[7:25:05 PM](#) Mayor Haemmerle invited all to attend the Friday afternoon gatherings at the Hailey Holiday Square, and offered to pay for the first 25 and last 25 drinks at the Hailey Hotel for attendees.

EXECUTIVE SESSION:

[7:26:04 PM](#) **Don Keirn moved to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

Mayor and council came out of Executive Session and concluded the meeting at 7:45 pm.