

**MINUTES OF THE  
HAILEY CITY COUNCIL MEETING  
Monday May 6, 2013 \* Hailey City Hall Meeting Room**

**Present:** Carol Brown, Don Keirn, Pat Cooley, Martha Burke

**Absent:** Fritz Haemmerle

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

**5:30 p.m. CALL TO ORDER –**

[5:31:11 PM](#) Council President Don Keirn called the meeting to order.

[5:31:26 PM](#) Carol Brown moved to amend the agenda to add Executive Session for the purpose of Pending & Imminently Likely Litigation (IC 67-2345(l)(f)). Pat Cooley seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.

**Open Session for Public Concerns**

[5:32:31 PM](#) Geoffrey Moore, 406 ½ First Avenue South, asked that the Council open CA 149 to public comment, or pull the matter from this agenda for later consideration. Ned Williamson advised he will pull CA 149.

[5:33:00 PM](#) Peter Lobb, 4<sup>th</sup> and Carbonate, asked if CA 166 should be considered before CA 165 in order to discuss the contract with HBR before considering a rate increase. Don Keirn advised that the Council will take public comment on CA 165 at this meeting, and that both CA 165 and CA 166 will be continued to the next regular meeting.

**CONSENT AGENDA:**

*CA 148 Motion to authorize Council President to sign letter of support to Sustain Blaine for a grant application to Idaho Department of Commerce for Rural Idaho Economic Development Grant.*

*~~CA 149 Motion to approve Resolution 2013-34, authorizing contract with Sawtooth Construction for construction of sidewalk and pedestrian crossing light on Elm Street (2012 Safe Routes to Schools Grant).~~*

*CA 150 Motion to approve Resolution 2013-35 ratifying the Idaho State Historical Society Memorandum of Understanding for CLG Grant FY13 for \$2,500 with revised scope of work identified in the April 15, 2013 Project Description and Budget.*

*~~CA 151 Motion to approve Resolution 2013-36, authorizing contract with SPF Water Engineering for \$4,000 for preparing Conjunctive Administration Strategies.~~*

*CA 152 Motion to approve amendment to ARCH River Street Place Agreement.*

*CA 153 Motion to approve Resolution 2013-21, authorizing contract with Lantis Production, Inc., for a \$20,000 July 4<sup>th</sup> fireworks display.*

*CA 154 Motion to approve Resolution 2013-38, authorizing Arena Use Agreement for Jordan World Circus to use the arena on Friday, June 7, 2013.*

*~~CA 155 Motion to approve Resolution 2013-39, authorizing Arena Use Agreement for Rocky Mountain Bull Bash Productions to host the PBR Classic Bull riding event at the arena on Friday, July 26, 2013.~~*

*CA 156 Motion to approve Resolution 2013-40, authorizing agreement with Imperial Asphalt for hot crack fill services at the same cost per ton as in 2012, approx. \$15,000.*

*~~CA 157 Motion to approve alcohol license for new Restaurant Seasons Steakhouse.~~*

*CA 158 Motion to approve Special Event, Girls on the Run 5k & Expo at Heagle Park on Saturday May 18, 2013 from 9:30 to 12 pm.*

~~*CA 159 Motion to approve minutes of April 15, 2013 and to suspend reading of them.*~~

~~*CA 160 Motion to approve minutes of April 22, 2013 and to suspend reading of them.*~~

~~*CA 161 Motion to approve claims for expenses incurred during the month of April, and claims for expenses due by contract in May, 2013.*~~

*CA 162 Motion to approve Treasurer's reports from April 2013 and 2nd Quarter report ending March 31, 2013.*

[5:34:14 PM](#) Tom Hellen pulled CA 149. Heather Dawson pulled CA 155, and Ned Williamson pulled CA 151, CA 157, CA 159, and CA 161.

[5:34:53 PM](#) Tom Hellen addressed CA 149, noting that plans and costs were in front of Council members and that property owner Ron Fairfax, DDS was present to comment. Ned Williamson pointed out that the bid should be addressed as well. Mr. Hellen explained that the Idaho Department of Transportation requires that the original contract must be awarded first and change orders considered after that. Mr. Williamson voiced his concern regarding having knowledge that a change will be required even before the contract is signed. Council President Keirn invited Geoffrey Moore to comment. Mr. Moore encouraged the use of asphalt on the project. Dr. Fairfax noted that earlier plans differed from current ones. He stated he had looked at comparable spaces in town and asked the Council to alter the plans adjacent to his office to allow at least 22', angled parking, and to protect the large trees on the lot.

[5:40:42 PM](#) Bonnie Lazarini, Elm Street, advised that the current plan would eliminate winter parking for her tenant. She asked the City to please remove the large apple tree next to driveway to allow tenant's parking there if the City adheres to the current plan. [5:41:55 PM](#) Heather Dawson reminded that this design was approved by the Council last summer, procedure was followed through IDT and the bidding process. She noted that the current concerns from adjacent landowners are recent, and that the estimates done on design change orders were included in Council packets.

[5:43:20 PM](#) Ned Williamson pointed out this project has already gone out to bid on the contract. Council discussion included the process of design approval, bidding, change orders, costs to go out to bid again (versus awarding bids and then submitting change orders), the available time period and how that relates to grant funding, and available options for Ms. Lazarini aside from removing the apple tree.

**[5:48:34 PM](#) Martha Burke moved to approve Resolution 2013-44, to authorize the contract with Sawtooth Construction for the 2012 Safe Routes to School Grant project. Pat Cooley seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

[5:49:04 PM](#) Heather Dawson addressed CA 155 by noting that Rocky Mountain Bull Bash Productions also requested permission to hold a dance at the rodeo grounds after the rodeo. She asked the Council to consider this in light of the amplified sound requirements, and further noted that a Hailey citizen reported noise concerns over the past weekend when the citizen could hear three different amplified sound events at his Della View home. Council consensus was that sound management remains important and should be duly enforced. Ms. Dawson advised she will take that information back to Bull Bash Productions.

**[5:52:16 PM](#) Martha Burke moved to approve CA 155. Carol Brown seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

[5:52:37 PM](#) Jeff Gunter addressed CA 157 by advising that the Seasons Steakhouse alcohol license approval from the state was still outstanding.

**Carol Brown moved to approve CA 157 on the condition of receiving alcohol license approval from the state. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

[5:53:12 PM](#) Pat Cooley CA 159 by noting a correction should be made on the minutes of April 15, 2013. The minutes should reflect that Don Keirn abstained on the vote on PH 141, and Pat Cooley voted yes.

[5:53:55 PM](#) **Martha Burke moved to approve as corrected, CB 2nds. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

[5:54:10 PM](#) Heather Dawson addressed CA 161 by explaining that included were refunds of development impact fees that had not been used within the required five-year period.

**Carol Brown moved to approve CA 161. Martha Burke seconded. Roll call vote: Burke, yes; Cooley, yes; Burke, yes.**

[5:55:57 PM](#) **Carol Brown moved to approve the remaining items on the Consent Agenda. Pat Cooley seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

#### **MAYOR'S REMARKS:**

*MR 000*

[5:55:12 PM](#) Council President Don Keirn noted that Mayor Haemmerle is currently in Boise, but Mr. Keirn offered congratulations to the Arbor Fest event planners for a great turnout and successful festival.

#### **PUBLIC HEARING:**

*PH 163 FMAA meeting agenda and documents for Tuesday May 7<sup>th</sup>.*

[5:56:21 PM](#) Don Keirn introduced Rick Baird, Ron Fairfax, and noted highlights of FMAA agenda, including that the airport tower should be operated until September with funding from the operation fund reserves of the FMAA rather than funds from the FAA. [5:57:57 PM](#) Rick Baird, Friedman Memorial Airport Manager, further advised the Council on highlights of the upcoming meeting agenda, and elaborated on operational limitations, safety management risks, and the tower issue. [6:07:15 PM](#) Discussion included timing of the tower funding as it relates to FAA deadlines and requirements. [6:15:22 PM](#) Council President Keirn opened the matter to public. None was offered. [6:15:32 PM](#) Council consensus was reached to support tower funding through the FMAA operational funds at least into September.

*PH 164 Consideration of Annexation application for property lying east of the WR Middle School.*

[6:17:55 PM](#) Micah Austin provided a brief overview of the application, pointing out that the annexation was anticipated and platted for this purpose. John Gaeddart, Blaine County School District, pointed out locations on the plans as they were presented. Mr. Austin provided the Planning & Zoning Commission's findings, conclusions and plat notes. He further noted no comments had been received by property owners nearby. [6:24:53 PM](#) Council President Don Keirn invited John Gaeddart and Mike Chatterton, BCSD, to speak. Mr. Gaeddart voiced appreciation for work done by P&Z and Mr. Austin, and noted that the neighbors near the school expected this application and have no issues with it. He further provided the reasoning behind this project. Ned Williamson asked for clarification of details on the Mauer subdivision boundaries and neighboring lots.

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[6:28:48 PM](#) Council President Keirn opened the matter to public comment. Tom Bergin complimented the good planning and good outcome. [6:29:29 PM](#) With no further comment offered, the meeting was brought back to Council.

Ned Williamson noted that this property falls under an exception and does not require an impact fee study. Heather Dawson was assured there was no increase in the number of students at the school. Council discussion included reasons this annexation is favorable and how many other annexations would not be favorable in this environment.

[6:33:17 PM](#) **Carol Brown moved to approve the annexation request from the Blaine County School District, subject to conditions (a) through (c), and to waive the impact study. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

*PH 165 Public Hearing on proposed increase of Water and Wastewater fees, and consideration of Resolution 2013-41, increasing water and wastewater fees.*

[6:35:36 PM](#) Council President Don Keirn explained he would take public comment and then move this matter to the next City Council meeting. [6:36:15 PM](#) Tom Hellen explained that this agenda item and the next will tie together. He then pointed out the reasons for fee increases. Heather Dawson noted the increases were designed to pay for engineering and a possible bond.

[6:41:51 PM](#) Ned Williamson added that Mayor Haemmerle has indicated there will be public hearings throughout this process. He further explained that two separate resolutions would be possible, and described the structure of these increases. [6:43:46 PM](#) Council discussion included predicted Idaho Power increases for industrial users.

[6:44:58 PM](#) Council President Keirn opened the matter to public comment. Geoffrey Moore, 406 First Avenue South, expressed concern that increasing rates to deter use of water may have the negative impact of citizens no longer watering old trees, and therefore damaging the City's urban forest. [6:46:39 PM](#) Tom Hellen agreed that it may be a fine line, but added that there are ways of adjusting for seasonal rates, and ways to still maintain a healthy landscape.

[6:47:35 PM](#) Peter Lobb, Fourth and Carbonate, expressed concern about raising rates before knowing what the actual costs are. He further pointed out that HDR may be paid for designs the City may not use if voters do not approve. He suggested moving the vote to November and putting the design work into the bond with full, clear information.

[6:50:01 PM](#) Tom Bergin, Fourth Avenue South, encouraged further public hearings on the matter for good public policy and perspective from citizens.

[6:51:28 PM](#) With no further comment offered, Council discussion included the recent downtown Jerome fire and water shortage, the importance of good management, and whether engineering should come before or after a bond. Tom Hellen reminded that pilot testing and public outreach is included in the engineering. Heather Dawson asked if these processes could come after a bond, and Mr. Hellen agreed they could with qualifications.

[6:54:59 PM](#) **Carol Brown moved to continue PH 165 to the May 20, 2013 meeting. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

*PH 166 Approval of Resolution 2013-42, authorizing contract with HDR engineering for design and engineering of wastewater biosolids facilities.*

[6:55:33 PM](#) **Martha Burke moved to continue PH 166 to May 20, 2013. Carol Brown seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.**

**NEW BUSINESS:**

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*NB 167 Discussion on Water Conservation Programs.*

[6:56:07 PM](#) Carol Brown wondered if more public would turn out at the next meeting and whether that would be the best time for Mariel Platt to present her report. [6:57:41 PM](#) Ms. Platt provided a brief review of her ideas and examples of other community efforts to conserve water. She noted incentives such as rebates for conservation measures, efficient sprinkler heads, drip systems, and education outreach programs. [7:00:42 PM](#) Martha Burke encouraged having the irrigation of City right-of-ways managed with assistance from City volunteers who have experience in the matter. Mariel Platt noted that the Idaho Conservation League and the Wood River Land Trust is also interested in partnering with the City on this same issue. [7:04:14 PM](#) Mariel Platt further pointed out ways to use water more effectively. [7:04:41 PM](#) Council President Kiern invited Peter Lobb, Fourth and Carbonate, to speak. Mr. Lobb noted he has used low-water drought resistant landscaping for years, and that making this change will require different plant materials and a change in public perspective. [7:06:51 PM](#) Geoffrey Moore, 406 First Avenue South, asked if irrigation could be accomplished using grey water. Tom Hellen advised this is possible, but it is expensive to change the system. Mr. Moore hoped the City might require grey water systems on new construction. [7:08:04 PM](#)

#### **OLD BUSINESS:**

*OB 168 3rd Reading Ordinance No. 1124 and consideration of Summary of Ordinance No. 1124 – Municipal Code Amendment to Sections 2.24 and 2.32 to implement an Arts and Historic Preservation Commissions merger.*

[7:08:14 PM](#) Carol Brown moved to have Council President Keirn conduct the 3<sup>rd</sup> reading, to approve the summary, and to authorize the Council President to sign. Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes. Don Keirn conducted the reading.

#### **WORKSHOP:**

Staff Reports Council Reports Mayor's Reports

*SR 169 Library Director's report for March 2013.*

*SR 170 Response letter from Congressman Mike Simpson regarding Hailey's NEH grant.*

*SR 171 Special Event list.*

[7:10:09 PM](#) Micah Austin handed out a preview of the District Use Matrix for Council's early viewing. He further reminded of the upcoming URA meeting. Mr. Austin also noted the Chamber is organizing a street dance on Croy Street for the July 4<sup>th</sup> festivities and asked if Council had any concerns. Consensus was to encourage the amplified sound requirements, but to encourage the event.

[7:13:21 PM](#) Heather Dawson advised that she, Becky Stokes, and Mariel Platt would be attending an EPA conference, and so would not be present at the next Council meeting.

[7:14:05 PM](#) Carol Brown expressed appreciation for Staff's good work on Arbor Fest.

#### **EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(l)(f)).**

[7:15:13 PM](#) Carol Brown moved to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(l)(f)). Martha Burke seconded. Roll call vote: Brown, yes; Cooley, yes; Burke, yes.

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Fritz X. Haemmerle, Mayor

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Mary Cone, City Clerk