

**MINUTES OF THE SPECIAL MEETING OF THE
HAILEY CITY COUNCIL
HELD JANUARY 15, 2014
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:30 P.M. by Mayor Fritz Haemmerle. Present were Council members Carol Brown, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

5:31:48 PM Burke moved to approve the amended agenda, seconded by Brown, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.

5:32:22 PM Steve Crosser Hailey resident – has a concern of notification for projects beyond 300 foot notice. Mayor Haemmerle asked Crosser to hold his comments to the Public Hearing portion of the meeting because Crosser’s comments are specifically regarding the Syringa school Design Review process/application.

5:33:46 PM Chris Werth asked an easement access question. Like Crosser, Mayor Haemmerle asked Werth to save his comment for later in the meeting.

5:34:30 PM Ned Williamson addressed the public notice process for this meeting. Does not have to meet LUUPA noticing requirements and the open meeting laws for special meetings were followed and met.

CONSENT AGENDA:

CA 023	Motion to approve minutes of January 6, 2014 and to suspend reading of them	1
CA 024	Motion to approve claims for expenses incurred during the month of December, 2013, and claims for expenses due by contract in January, 2014	9
CA 025	Motion to approve Treasurer’s reports from December 2013	35

5:35:15 PM Burke moved to approve all consent agenda items, seconded by Keirn. motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.

COUNCIL PRESIDENT ELECTION:

5:36:05 PM Brown moved to nominate Keirn as council president, seconded by Burke. Motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.

PUBLIC HEARINGS:

PH 026	<i>Consideration of ordinance declaring a moratorium not to exceed to 182 days on applications for design review of schools (non-residential buildings)</i>	
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[5:36:43 PM](#) Mayor Haemmerle gave an overview of this situation discussing Conditional Use Permits and schools. Mayor Haemmerle asked citizens to keep their comments to 2 minutes or less.

[5:40:18 PM](#) Williamson explained the situation leading up to tonight's meeting. Williamson explained the moratorium statute Idaho Code §67-6523, law allows for a moratorium for a maximum of 182 days, adopting an ordinance would temporarily prohibit Design Review applications. Williamson discussed the 6 options. 1) status quo, 2) Moratorium on Design Review applications for Schools, 3) Moratorium on Design Review for new schools for at maximum of 182 days, 4) Ordinance allowing modular buildings for 1 year or less, design review required, 5) cannot put a school in an existing structure, 6) allows for temporary use of structure for 1 year.

If council adopts an Ordinance for a moratorium then direction would be given to the Community Development Department to define specifications to allow for schools in residential areas.

[5:53:07 PM](#) Williamson discusses imminent peril with regard to moratorium ordinance. Williamson announced that the property in China Garden is no longer under contract to purchase by the Syringa School. Traffic could be considered imminent peril in the situation of schools in residential neighborhoods. Zoning is designed to protect neighborhoods no matter where you live.

[5:55:57 PM](#) Brown was contacted by Matt Filbert a Bellevue resident, stating that timing is of essence, don't adopt a moratorium, school is a valuable asset to the city. Lisa Horowitz contacted Brown, Horowitz told Brown that she thought a moratorium is appropriate, and it should be expedited and city should make this a top priority and help the school lease or buy a property.

[5:56:44 PM](#) Keirn was contacted by two individuals who did not give their names, both opposed to the moratorium, one call was from California and the other, Montana. Also, Kim Coonis contacted Keirn. Coonis is opposed to the school being located in China Gardens where she lives.

[5:57:14 PM](#) Pat Cooley received a call from Tom Ferries. Ferries asked Cooley how a moratorium would work and that he was opposed to one. Ferries was a proponent of the school.

[5:57:30 PM](#) Martha Burke was contacted by Scott McGrew and his wife Sirimuhk, and Aris Flood. Burke was also contacted by Kim Coonis, she very concerned about traffic that the school would create. About 2 weeks ago Burke received a pedicure and sat next to Phoebe Pilaro, current Syringa Board member.

[5:58:16 PM](#) Heather Dawson received calls at city hall today from many individuals opposed to the moratorium. Dawson apologized if the list is not complete as some of the messages were not clear when she retrieved them from her voice message system. The list included: Svea Grover,

Sarah Flood, Kristin Albright, Whit Albright, Erin Ellis, Randy Flood, Raquel Smith, June McGrew, Heidi Reeves, Rob Reeves, and Dave Johanningmeier.

Brown received 43 emails from citizens, she is comparing the emails with the handouts she has received tonight from staff to determine if some are not duplicates. She was able to read all except about 15 emails before the meeting tonight.

[5:59:34 PM](#) Mayor Haemmerle received 7 phone calls today against the moratorium. He apologized, he did not keep a list of the names. Mayor Haemmerle also received an email from Daryl Fauth who is against the moratorium and the short notice of the moratorium.

[6:00:05 PM](#) Micah Austin received 4 calls today. 2 calls from the Blaine County School District, Chip Maguire, and the other did not provide a name. All calls were inquiring about a moratorium and what one would do to their potential or existing projects.

[6:00:50 PM](#) Alex McPherson Hailey property owner asked a question regarding lengthening a moratorium beyond 182 days. Williamson answered this question, held to 182 day length moratorium by state code §67-6523.

[6:02:03 PM](#) Mayor Haemmerle gave some ground rules for public comments, purpose to regulate schools not prohibit them.

Public comment:

[6:05:01 PM](#) Pamela Plowman Hailey resident, and daycare provider in Hailey, explains the recent need to teach children in different ways. Plowman explains the needs for multi dimensional training for children. Putting off this school impacts 100 or more families.

[6:07:45 PM](#) Frank Rowland, Hailey resident, hopes that council, whatever they do, would encourage, enhance and help the Syringa School.

[6:09:07 PM](#) Greg Bloomfield, Chairman of Board syringe mountain school, spoke to council. Bloomfield stated there are 118 students that are signed up for their school this fall. If council adopts the strictest option, Syringa school will not be able to operate. Bloomfield implored that modular classrooms are expensive.

[6:12:05 PM](#) Kristen Albright, Hailey resident, happy to hear that council is open to the school. Albright read a letter explaining that the Syringa school was state approved as a charter school 5 months ago. If Syringa is not allowed to open in the fall, then over 100 children will not have a school to go to.

[6:14:07 PM](#) Randy Flood – owner of a few properties in China Gardens, and a realtor, attempting to find a location for the Syringa School. Will the city annex more property to accommodate the school?

[6:15:26 PM](#) Blaine Porter Hailey resident, not against schools, but must put them in the correct place. Porter believes a moratorium is best option to get time to assess situation. Porter thinks council has been pushed against the wall on this issue. Look at the future to resolve problem and look at other facilities wanting to expand.

[6:18:04 PM](#) Dick Springs, lives in Bellevue triangle, and sits on the Board of the Syringa School. None of the options laid out tonight will allow the Syringa school to operate this fall. Urges council to not adopt a moratorium, suggests other options.

[6:20:17 PM](#) Bob Hoskins Hailey resident believes council needs to do something to protect the neighborhoods and look at locations of schools very closely.

Matt Filbert [6:21:18 PM](#) Bellevue resident reads a letter regarding problems. He asks to find solutions, moratorium could prevent the school from opening this fall. Thinks this school would be beneficial to the valley.

[6:23:41 PM](#) Scott Corkery Hailey resident, lives in traffic area by middle school, the traffic does not bother him, and a moratorium would be a mistake.

[6:24:48 PM](#) Jessica Banks agrees with Corkery, schools are not a big impact, safety of children is a priority. No moratorium.

[6:25:56 PM](#) Crystal Wolf Hailey resident, would love to see her 4 year old in this school, safest place for schools is in neighborhoods, no moratorium.

[6:26:54 PM](#) Susan McBryant, Hailey resident would be a disappointed if Syringa school didn't have a back-up plan. The city should take action to serve the entire community, yes moratorium.

[6:28:51 PM](#) Michael Kraynick Hailey resident, this is an unreasonable, reactionary response to a single application, feels it is un-constitutional. You should shut down all schools and churches.

[6:30:57 PM](#) Becquel Smith, has a 5 year old child enrolled in Syringa school, is concerned that this was not a secret to locate the school in Hailey, feels the lack of notification of this meeting is indicative of reactionary move by city council. Let the Design Review process work, the application was not approved, moratorium is not necessary.

[6:33:13 PM](#) Mary Gervase Acting Director of the Syringa School, spoke about a family moving here from Montana to enroll child in Syringa school. Gervase spoke to Don Keirn and let him know that the phone number from Montana that he received was from this family wanting to relocate to the valley. Gervase gave a correction, now are 130 students enrolled right now, approx 5% of families are relocating to the valley. Goal for the Syringa School is to be in Hailey.

[6:35:05 PM](#) Julia Dupuis, Hailey resident, believes zoning needs to be planned, feels the Planning and Zoning Commission got it right. Take a step back and give them time to plan a

school into our community. Dupuis thinks the school did a poor job of their application and is in favor of moratorium.

[6:36:33 PM](#) Selim Star, Hailey resident, states all schools are in General residential area, are they all causing imminent peril? If you want to force schools to be in business district...choose status quo.

[6:38:51 PM](#) Nancy Linscott Hailey resident. Linscott was a Planning and Zoning Commissioner member when the Blaine County Middle School went through design review, this application did not bring out a moratorium. Concept is neighborhood schools.

[6:41:01 PM](#) Svea Grover Hailey resident agrees with Linscott. Neighborhood schools are important to have. Moratorium is not necessary.

[6:42:02 PM](#) Jason Georgiades, Bellevue resident, no eminent peril these days, parents drive safer.

[6:43:35 PM](#) Brian Christine Hailey resident – disagrees with moratorium, need to foster kids.

[6:44:14 PM](#) Hallie Star Hailey resident, has students in Syringa School, this is harsh, don't adopt a moratorium.

[6:46:13 PM](#) William Ziebell Ketchum resident, moved family here in part for the school and the Waldorf education, he is for the moratorium. The board needs to take responsibility for not having meetings which were open. He thinks an expedited moratorium would be good, to enhance the zoning and a way of fitting the school into a proper location. They did not do a good job of presenting their project in front of the Planning and Zoning Commission.

[6:47:08 PM](#) Kelly Zeman, Elkhorn resident does not support a moratorium. Zeman hopes that the Syringa School will work with community.

[6:48:59 PM](#) Eric Lutz, moved from Vermont, works for forest service, he received a Waldorf school education, his kids are in Syringa school. It seems that the Planning and Zoning decision was a process. Moratorium is not necessary. Do Status quo as your option, he asks of council.

[6:50:57 PM](#) Summer Hoopes, Hailey resident, not in favor of moratorium. She feels like we have what we need, important that we don't tie the Syringa boards hands. Central location in valley is Hailey, perfect spot for this school. No moratorium.

[6:53:01 PM](#) Mike Pogue, Hailey resident, implored to council, you are trying to fix a problem that doesn't exist. The Planning and Zoning process works as shown by the denial this week. The school wants to find the right place and work with neighbors. No moratorium is necessary. No threat to welfare of public safety, council should look at imminent threat to school and enrolled students.

[6:54:58 PM](#) Scott McGrew, Hailey resident born and raised in Hailey has seen the City changed over the years. McGrew's children go to this school. No on moratorium. Knee jerk reaction, does not reflect well on our city, respect the process, and keep innovation alive.

[6:57:20 PM](#) Jorjan Sarich, Hailey resident, confused that Syringa school does not have another option.

[6:58:19 PM](#) Whit Albright, Hailey resident comments. Albright was born and raised in the valley, this is a great opportunity for our valley, moratorium does not make sense.

[7:00:40 PM](#) Bobbi Filbert Bellevue resident, and has a 4th grader in the Syringa Mountain School, missed opportunities we want to work with Hailey. No on moratorium

[7:02:26 PM](#) Ginger Ferries Hailey resident is against moratorium. Ferries has kids in this school.

[7:03:31 PM](#) Kaz Thea Hailey resident, disheartened to hear about the moratorium. Huge choice of schools in the valley, don't close the door on this opportunity. No on moratorium.

[7:05:43 PM](#) Shawn McMann Feels design review process worked.

[7:06:43 PM](#) Chris Werth Hailey resident, how do you enroll a child in a school that doesn't exist? This project needs to slow down, roads and sidewalks need to be addressed.

[7:08:54 PM](#) Tanya Green a Shoshone Idaho resident, is excited about the Syringa school and wants to send children to the school. Don't let the kids suffer, no moratorium.

[7:09:48 PM](#) Nolina Burge, Bellevue resident, has 2 kids in school.

[7:10:28 PM](#) Peter Lobb Hailey resident, proposes a moratorium for a shorter timeframe to allow city time to define parameters to allow a school to operate in an existing neighborhood.

[7:11:17 PM](#) Chip Maguire – if moratorium goes through, it will be a direct hit to Syringa school.

[7:12:02 PM](#) Amy Schlatter, Bellevue resident and Hailey property owner, would like to reiterate, as a teacher, she believes in choice for students, found a system that works for her child, this would stop the school in its tracks (referring to the moratorium).

[7:14:21 PM](#) Stephen Kirk Hailey resident, views the Syringa school as asset in China Gardens. Most of good schools in any community are in middle of neighborhood, feels moratorium is political and a knee jerk reaction, no on moratorium.

[7:15:35 PM](#) Steve Crosser Hailey resident, asks if the school is still going to pursue the Aspen Drive property for their school?

[7:16:51 PM](#) Lori Wortig, Ketchum resident and on the Syringa Mountain school board. Wortig doesn't feel a moratorium is necessary.

[7:18:07 PM](#) Alex McPherson Hailey resident, wants to look at the process that council is taking, feels that the process is working. Moratorium is emergency situation, this is not an emergency. Schools are a permitted use in this zoned area.

[7:20:19 PM](#) Tener Rogers Hailey resident, has 2 kids in Syringa school currently, disruption if students have to go to public school during transition. No on moratorium

[7:21:37 PM](#) Sirimuhk McGrew, Hailey resident and kids go to Syringa school. Moratorium is unnecessary.

[7:23:02 PM](#) Dave Johanningmeier, Hailey resident, have 2 kids in this school, no on moratorium, where can we put the school?

[7:24:14 PM](#) Mayor Haemmerle asks a question to the Syringa school board. Mountain school operates under a CUP with the County currently. What is the problem with Syringa operating under a CUP. Mayor Haemmerle explains CUP and possible parameters. Discussion continues.

Mayor Haemmerle closed the public comment.

Council discussion:

[7:28:52 PM](#) Burke talks about the last question posed. Different standards for public education? Burke explained her experience in public involvement and putting in schools around the city, takes lots of planning. Burke suggests some next steps, make changes, reapply with city, and listen to neighbors. Burke is against moratorium.

[7:32:16 PM](#) Cooley – this is not a referendum on the Syringa school, this is a land use issue. It is incumbent upon council to guide the school on where to locate. We need guidelines for our Planning and Zoning Commission and city staff to follow for design review. Council needs to have a say on certain details.

[7:34:46 PM](#) Mayor Haemmerle – hopes all of you can appreciate some control/respect for a process and defining proper placement of schools. It is not all about the Syringa School, you are not entitled to plop down wherever you want. You must have respect for these neighborhoods, balancing of uses so everyone is happy.

[7:36:56 PM](#) Keirn, is in favor of neighborhood schools. Need to find the right place for this school. There must be some control as Haemmerle mentioned.

[7:38:40 PM](#) Brown, there is a perception in tonight's comments that planning cannot happen if moratorium is in place. Perception that moratorium is about shutting down the school, not true. City has put moratoriums in place before on signs, use it to put the right rules in place. This isn't just about Syringa, it could be about future schools. Schools belong in neighborhoods. Existing neighborhoods have the right to keep their quality of life. It is hard to put a new use in an existing neighborhood. Planning is easier with guidelines. Not thrilled with moratorium.

[7:43:02 PM](#) Mayor Haemmerle this is a difficult situation, people have made plans, we must protect people in the neighborhoods. Contemplating letting them move forward with plan B and work with neighborhoods. Brown would like to see the staff work with them. Keirn is in agreement with Brown and Haemmerle, work with them on options. Keirn believes that staff needs to define what is needed for schools to be in place. Haemmerle believes a CUP is a proper way to deal with the school. Burke comments that retrofitting schools in a neighborhood is necessary. Haemmerle states that you (Syringa school) must respect the neighbors. There is no guarantee, would like to see your plan B. Please work with the neighbors, and give a lot of consideration to traffic and times of operation. Propose bringing back soon.

Haemmerle would like to see how quickly staff can bring a CUP to council. Williamson answered, go to Planning and Zoning Commission first, before council sees it.

[7:51:23 PM](#) 6:30 pm at the Community Campus, Performing Arts Theater, showing the Hailey Community Climate Challenge documentary movie sneak preview.

[7:51:45 PM](#) Burke implored to the public in tonight's audience, get on Planning and Zoning Commission and get involved in your city now. In 4 years there will be 2 seats available, Burke and Keirn will not run for office again.

[7:52:45 PM](#) Break to allow people to leave.

PH 027 Consideration of Fire Service Automatic Aid Agreement

[7:55:55 PM](#) Chief Aberbach introduced this item to council.

[7:56:55 PM](#) Question by Brown, what are the major changes? Aberbach, asking for a ladder truck in specific situations, better checks and balances for everyone, more clear, most of changes on page 4 of the agreement.

[7:58:38 PM](#) **Burke made a motion to approve agreement with Resolution 2014-06, seconded by Brown, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

STAFF REPORTS:

[8:00:04 PM](#) Road and bridge funding letter from Blaine County Commissioners. The county is moving forward with levy on a ballot at potentially the same time as the City goes to ballot for the Wastewater Treatment plant upgrades.

[8:00:49 PM](#) Dawson announced a council goal setting meeting from 10:30 to 12:30 on February 21st.

[8:01:21 PM](#) Tom Hellen gave a biosolids update. Hellen received word from HDR Engineering that we will see the 60% design for the review on Tuesday and they will be here Thursday to go over it with us. This is moving forward.

[8:01:33 PM](#) **Motion to conclude meeting made by Burke, seconded by Keirn, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**