

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD FEBRUARY 3, 2014
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:31 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.

Burke not in attendance tonight.

[5:31:35 PM](#) call to order

Open Session for Public Comments:

[5:32:03 PM](#) Bob Macleod Hailey resident announced that if anyone has not seen Hailey’s EPA Community Climate Challenge Documentary, you should, as it is very good.

CONSENT AGENDA:

CA 028	Motion to approve application for Firefighter’s Assistance Grant to replace SCBA equipment, which grant requires 5% city matching funds.....	1
CA 029	Motion to ratify grant for Library.....	5
CA 030	Motion to approve Resolution 2014-07, authorizing 5-year lease agreement with Sawtooth Rangers for use of the Hailey Arena for Days of the Old West Rodeos and Ride Nights throughout the year	7
CA 031	Motion to approve the Public Art and Donations Acceptance Policy as recommended by the Hailey Arts and Historic Preservation Commission.....	19
CA 032	Motion to approve Idaho Power Service Request for a retrofit of 48 existing street lights to dark sky compliant, this is the last retrofit and the cost will be \$8,846.....	23
CA 033	Motion to approve new alcohol license for A Taste of Thai Restaurant	39
CA 034	Motion to approve Resolution 2014-08, authorizing payment of certain vendors prior to submitting claims to city council for approval and ratifying same in the next meeting	41
CA 035	Motion to approve minutes of January 15, 2014 and to suspend reading of them	43
CA 036	Motion to approve claims for expenses incurred during the month of January, 2014, and claims for expenses due by contract in February, 2014	53

[5:33:26 PM](#) **Keirn moved to approve all consent agenda items, seconded by Cooley, motion passed unanimously. Roll call vote, Brown, yes. Keirn, yes. Cooley, yes.**

MAYOR’S REMARKS:

[5:33:48 PM](#) Conjunctive Management 2,300 wells are subject to curtailment, conjunctive mgmt is real.

Mayor announced he would move the Wood River Land Trust presentation as the next discussion.

NEW BUSINESS:

NB 040 Wood River Land Trust's (WRLT) water conservation efforts

[5:35:06 PM](#) Patti Lousen, Project Coordinator with the WRLT. The WRLT has its 20th anniversary, and to date has protected 15,000 acres, Rock Creek is about 10,000 acres, they are attempting to protect this area. Lousen will be discussing the Trout Friendly Program (TFP). The City of Hailey will become a partner with WRLT, 3 Hailey parks will qualify for TFP, Hop Porter Park, Jimmy's Garden and EW Fox Demonstration Garden. One of the qualifications of the TFP does not allow broadcast spraying, but it is okay to spot spray. In the past, WRLT has worked with individual owners to certify lawns (which is very time intensive), last year the WRLT partnered with City of Hailey, Mariel Platt and Kelly Schwarz. Lousen is talking with Platt to determine what they need to do in the future to educate the public at large, seminars to bring in guest speakers. Coming up, March 7th, WRLT is sponsoring a Water Conservation Seminar at Community Campus. Lousen then discusses ways to change grass type and thereby saving up to 50% of water use. Installing a rain sensor or smart programmer can save you 25%-60% water use. Many conservation organizations have been meeting to determine – what do we do to help mitigate conjunctive management. In closing, TFP is doing well, excited to partner with City of Hailey on TFP, looking for your representation at the upcoming seminar.

Lousen is leaving several items, including agendas for the upcoming seminar, and Trout Friendly Lawn Brochures.

APPOINTMENTS AND AWARDS:

AA 037 Resolution 2014-09, reappointments to the Urban Renewal Agency

[5:53:06 PM](#) Dawson explains tonight's resolution.

[5:54:40 PM](#) **Brown moves to approve 2014-09, gratefully reappointing Mary Sfingi, seconded by Cooley, Brown appreciates, Sfingi's service. Keirn asks if he should vote, Williamson answers Keirn, you should abstain. Haemmerle asks Williamson if the Resolution can be passed with only 2 council members voting, Williamson answers, yes. Brown, yes. Cooley, yes. Motion passed. Keirn, abstained as he serves on this board. Haemmerle then states that he did not vote but if he did, he would vote yes.**

PUBLIC HEARINGS:

PH 038 Noise Ordinance Discussion (continued from December 2 and 16, 2013)

[5:56:14 PM](#) Williamson explains today's environment regarding noise in the City of Hailey. Initially, we looked at modifying the time allowed to permit amplified sound. 1) allows amplified sound from 10-10, 2) in parks and multi-purpose arena between 10-11pm and [5:58:38 PM](#) 3) would allow amplified sound with undetermined or to be determined times and decibel levels. Williamson then turned to page 103 in packet, to point out the chart of permits. Williamson explained our old ordinance did not cover all parameters, time and noise level, special event

permits covered time but not decibel level addressed through amplified sound permit but not timeframe. This ordinance combines both times and decibel levels. Williamson has met with city staff and discussed options, including eliminating all permitting. What we have now, many permits for multiple activities. [6:03:03 PM](#) Haemmerle asks question about pg. 104, Rolling Stone exception, this is Section 3, answers Williamson. Williamson further explained the council's options and areas that they need to consider. Haemmerle asks where in the code does the Wicked Spud music events fall under, Williamson answers page 106 of packet. Pg. 118, Williamson asks council to look here – Charts referenced in packet by EPA and World Health Organization, different charts and levels – and points out that it is hard to discern why they are different and get a baseline.

[6:15:55 PM](#) Brown asks, what has OSHA stated as a standard? Williamson has not done that research.

Public comments:

[6:16:55 PM](#) Jenna Lagergren, Hailey resident, is appreciative that the City is doing this work. Lagergren states that previous OSHA charts set at 90 decibels now that has changed to 85 decibels. Lagergren references her email which is in tonight's council packet. Lagergren suggests lowering the 90 decibel level to 80 or 85 at the music source. She has hearing loss due to listening to loud music when she was young. Lagergren implores council to lower the decibel level below 90.

[6:23:52 PM](#) Sandy Shaw Hailey resident is here to say she would like to see the 10 pm deadline for music. Shaw does not want to hear music after 10 pm, this is important to her.

[6:25:07 PM](#) Jeff Gunter is in support of most of the ordinance language. Gunter is not in favor of setting decibel levels in general residential areas or apartment areas. Gunter measured all amplified sound permit levels, only 2 events were asked to lower the level of sound.

Mayor asked for a quick break while Dawson retrieved some information in a past meeting packet.

[6:31:10 PM](#) Haemmerle reconvenes meeting. Dawson hands out to council a list of sound checks done by Gunter on past amplified sound events;

[6:31:53 PM](#) Brown appreciates the chart and feels this is worthwhile.

[6:32:19 PM](#) Keirn states this ordinance is not to control noise within a business, but disturbing the public/residences. South Central Heath District is burdened with protecting the county/valley. The oversight, he believes is good.

[6:34:02 PM](#) Cooley agrees with Keirn. Our focus is outside the building. Cooley is not sure our previous ordinance was broken.

[6:36:07 PM](#) Brown supports 11 pm for a large event 1500 people, in a park.

[6:36:45 PM](#) Haemmerle recalls one event last year started the ball rolling that wanted to go past 10 pm at the Rodeo Arena. Haemmerle is in favor of limiting sound in residential areas. Ready to adopt in next meeting. Brown is comfortable with adopting tonight.

[6:38:31 PM](#) Williamson suggests to exempt emergency vehicles, jets, and street equipment.

[6:39:16 PM](#) **Brown moves to approve Ordinance 1144, conduct 1st reading, second by Keirn, Cooley asked about the levels in the chart, on page 106 in packet, 4 different decibel levels, discussion ensued regarding decibel levels and how it would pertain to events at various areas. And discussion regarding adjusting the chart. Brown amends her motion to include an exemption for emergency vehicles, and street equipment, Keirn seconded the amended motion, Brown first.**

[6:44:46 PM](#) Haemmerle conducts 1st reading of Ord. 1144, by title only.

Mayor wants this as PH for 2nd reading.

PH 039 Airport discussion and consideration of matters scheduled for February FMAA meeting – Feb 11th meeting (no docs)

FMAA agenda not posted yet. Keirn announced FMAA should have scope of work out next week and Keirn will make sure it gets distributed to the Mayor and council. Non-stop flight added from Denver. No concerns heard regarding regional jets.

No public comments.

NEW BUSINESS:

NB 041 Consideration of audited Financial Statements for fiscal year ending September 30, 2013

Audit. [6:48:13 PM](#) Dennis Brown CPA, presented the unmodified report (clean report). Management discussion – pg. 3-9, compliments staff on analysis of the past few years, sheds light on the state of the budget. Brown highlights several points, home run refinancing the Water and Sewer bonds, significant savings to the city in doing this.

[6:51:49 PM](#) Keirn agrees that the staff report is really helpful in seeing the state of the city.

NB 042 Fire Department Annual Report

[6:52:59 PM](#) Fire Dept. Annual report, Craig Aberbach thanked the mayor for appearing at the HFdept. Training last week, very positive on the firefighters....

Aberbach covered the highlights the year, Beaver Creek Fire, retirement of Mike Chapman, applied for 2 grants last year for new equipment, air packs and fire hoses. Adopted an auto aid agreement with area agencies.

Projects for 2014- partnerships with BCSD and Hailey Police dept. Preparing for 2015 ISO grants. Aberbach reviewed benevolent activities above and beyond, listen [6:58:02 PM](#) .

[7:00:40 PM](#) Dawson announced that this report was put in Our Town Newsletter with this month's utility bill.

NB 043 Introduction of Ordinance amending how Wastewater base rates are set for new occupants of Townhomes/Condos where irrigation is on the homeowner's association meter
NB – W wW rates ordinance –

[7:03:14 PM](#) hellen gave a background to council, Sweetwater homeowner complained, a new owner using avg. of 2000 gallons of water, allow for adjusting sewer rates after 2-3 months of water usage.

Council does not have questions. They are okay with moving forward to PH next meeting.

NB 044 Fee Amendment – Sign Permit Fees and Library color copying charge fee
NB – sign permit fees

[7:06:40 PM](#) Micah Austin gives an overview of these changes. Austin discusses the sign permit fees, portable sign fees and floodplain development fee. Austin feels it is important to distinguish when development is a substantial impact (\$400 fee) and non-substantial impact \$75 fee.

Mayor and council asked to see this under PH next meeting.

Library fees = overview given by Mary Cone.

STAFF REPORTS:

[7:14:42 PM](#) Austin let council know that Shopco is looking at City of Hailey again.

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

[7:15:44 PM](#) Keirn moves to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)) , Cooley seconded, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes.

Mayor Haemmerle and council came out of Executive Session and concluded the meeting at
7:25 P.M.