

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD JULY 21, 2014  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:32 P.M. by Mayor Fritz Haemmerle. Present were Council members Carol Brown, Don Keirn, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

Pat Cooley not in attendance.

[5:32:59 PM](#) call to order

[5:33:49 PM](#) Keirn moved to amend agenda adding items late CA 275 and CA 276, motion seconded by Burke. Include in motion the late addition of the Executive Session, seconded by Burke. Motion passed unanimously.

Open Session for Public Comments:

[5:34:19 PM](#) Bob Wiederrick announced that the play ground equipment will be shipped soon for Deerfield Park – should arrive by Wednesday this week. Next Wiederrick spoke to the Initiative Petition and Recall Petitions he is circulating. Wiederrick reads from a letter and feels that pursuing an appeal to the Old Cutters court decision is a waste of taxpayer dollars.

[5:36:30 PM](#) Bob MacLeod spoke to council regarding the upcoming Smithsonian exhibit Hometown Teams grand opening which is Tuesday July 29<sup>th</sup> at 6 pm at the Welcome Center (Wertheimer Park).

**CONSENT AGENDA:**

CA 254	Motion to approve Resolution 2014-58, authorizing mayor to approve change orders for Sluder Construction for water main line replacement and changes in the amount of materials used for the irrigation project at Heagle, Lions and Hop Porter Parks (change orders #1, #2, #3 & #4) .....	1
CA 255	Motion to approve Resolution 2014-59, authorizing agreement with Valley Paving, setting new minimums for asphalt repair work needed when utility work is done in the roadway .....	7
CA 256	Motion to approve Resolution 2014-60, authorizing mayor to sign agreement with Utility Services Associates for water main leak detection work .....	11
CA 257	Motion to approve a new Special Event being the Hometown Teams Smithsonian Exhibit grand opening tailgate party to be held on Tuesday July 29 <sup>th</sup> at 6:30 pm at the Hailey Welcome Center .....	19
*CA 275	<i>Motion to ratify Arena Use Agreement negotiated by city staff pursuant to council direction, with Resolution 2014-61, for use of Arena by Mexican Bull Riding Event on July 20, 2014 .....</i>	<i>23</i>
*CA 276	<i>Motion to approve Arena Use Agreement with Resolution 2014-62, for Sun Valley PBR event on July 25, 2014 .....</i>	<i>37</i>
CA 258	Motion to approve alcohol license for Chic Nail & Beauty Bar LLC .....	47
CA 259	Motion to approve minutes of July 7, 2014 and to suspend reading of them .....	51
CA 260	Motion to approve claims for expenses incurred during the month of June, 2014, and claims for expenses due by contract in July, 2014 .....	59

CA 261	Motion to ratify claims for expenses incurred during the month of June, 2014, and claims for expenses due by contract in July, 2014 .....	87
CA 262	Motion to approve Treasurer’s report for the month of June 2014 .....	91

**5:37:05 PM Burke moved to approve all consent agenda items, seconded by Keirn, motion passed unanimously.**

**PUBLIC HEARINGS:**

*PH 263 Cobblestone - Safe Routes to School sidewalk project – Mobility Design Title 18 (continued from July 7th)*

**5:38:17 PM** Mayor Haemmerle introduced the Cobblestone project.

**5:38:39 PM** Mariel Platt gave a history of this item. Project will not begin until next construction season because of logistical challenges with changing the grant agreement, which ITD initiated.

Platt showed maps to council of this area set to receive the sidewalks via a projector. A design was planned with the school district, galena and city of hailey, Platt reported to council.

**5:41:39 PM** Howie Royal speaks to council. And explains that this is the best route and expresses thanks for the city’s efforts on this project.

No Public comments.

\$157,000 is the grant amount. \$10,000 from school and \$10,000 from City.

**5:44:27 PM Brown moves to approve, seconded by Keirn, motion passed with roll call vote. Burke, first.**

*PH 264 Consideration of a Zone Change application by Judy Castle, represented by Gary Slette, for an amendment to the City of Hailey Zoning District Map. Proposed changes would rezone the Woodside Subdivision #9, Lots 11-15, Block 41 (3831, 3841, 3851, 3861, and 3871 Glenbrook Drive) from Business (B) to General Residential (GR) thereby allowing single family dwellings on each lot. Hailey P&Z recommended denial on June 9, 2014*

**5:45:08 PM** Mayor Haemmerle asked Micah Austin to introduce this item. Austin displayed a map of the property on the projector. Gary Slette is present on behalf of applicant. Austin explained the application. The Planning and Zoning Commission recommended denial of this request based on testimony presented at the meeting, 14.6 c zoning. Request not compatible within the surrounding areas. Austin shows the land use planning document to council and explains its purpose to the City. Austin confirmed sometime in the 1980’s these lots were zoned residential. With the current zoning (Business) the anticipated residential use is condos or townhouses for these lots. If rezoned to Residential, the development would be single-family structures.

[5:52:36 PM](#) Haemmerle asked a question. If this remains Business zone how many units could be built? 14 dwelling units asked Haemmerle? Austin confirmed 14 units and they could be Apartments, Townhomes, or Condominiums.

[5:53:25 PM](#) Brown asked more details about why the Planning and Zoning Commission recommended denial. Austin answered. Austin referred back to his staff report and stated what the applicant meets according to our code.

[5:55:09 PM](#) Gary Slette representing client spoke to council. Slette gave a history as to why the rezone is being applied for. History is relevant to these 5 lots, originally zoned as residential. Springer Grubb facilitated the Power Engineers development, and at that time included these 5 lots – which changed the zoning from General Residential to Business. Slette attended the Planning and Zoning Commission meeting, and he agrees that this application meets the general requirements. Slette implores this was residential, and feels it natural to place back to GR from Business. GR is compatible with the surrounding uses. They are ready to build right now.

Public comments:

[6:01:16 PM](#) Dennis McMamara resident on Glenbrook speaks to council. Has lived in this area for 17 years, four houses down from these lots. MacNamara feels that residential homes would cause traffic and speeding cars. He feels speed bumps should be added to the street. MacNamara feels this area needs more business lots instead of residential.

[6:07:27 PM](#) Lisa McGraw lives on Glenbrook, and has lived there 28 years, adjacent to these 5 lots. She was told that there would never be houses here. He stated if the choice is between 14 units or 5 houses, she takes 5 units.

[6:08:52 PM](#) Gary Slette responded to McGraw’s comments. This situation ignores the reality that there is a builder ready to construct 5 new homes in this area, and people should be able to decide where they want to live – even across from a dumpster – owned by Power Engineers.

Council Discussion:

[6:10:44 PM](#) Brown wishes we could go back in time and not have allowed Business in these lots? No good solution she sees. Brown agrees, 5 is better than 14. Leaning towards the 5 but not happy about the layout.

[6:12:25 PM](#) Keirn agrees with Brown. Between a rock and a hard place. Single family units are the best way to go.

[6:13:35 PM](#) Burke asked herself, if put into this situation “what would make me want to sell my house if I lived close by?” Burke stated multi-family houses would make her want to leave and also an unwanted business – for example a - gas station. Burke thinks the 5 single family homes would be the best option in this situation.

[6:15:27 PM](#) Haemmerle speaks – there is townhomes development close to where his sister lives and it is a mess. This property will not remain empty forever. If he were close by, he would want residential versus business. He believes this favors residential development, and disagrees with the gamble of keeping it zoned as Business.

[6:17:27 PM](#) Burke sees how the Planning and Zoning Commission could make this recommendation. However, Burke can say, in her view, this is compatible with the surrounding area.

Brown is ready to move forward.

**[6:19:13 PM](#) Burke moves to approve applicants request, and change the zoning of Lots 11-15, Block 41, Woodside Subdivision No. 9 from Business (B) to General Residential (GR), finding 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 use is compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare, seconded by Keirn, motion passed with roll call vote. Burke, yes. Keirn, yes. Brown, yes.**

[6:20:38 PM](#) Brown asked Austin to reach out to the Planning and Zoning Commission and let them know that they did a good job with a difficult situation.

[6:21:30 PM](#) Williamson let council know the Findings of Fact will be presented to them in next meeting, with a proposed ordinance.

*PH 265 Council Adoption of Tentative Budget for FY 2015, which “not-to-exceed” amount will be published twice prior to the budget public hearing on August 22, 2014*

[6:21:50 PM](#) opening remarks

[6:22:02 PM](#) Dawson stated that this is exactly as council viewed it from the last meeting. Page 151 is the list of eligible LOT projects, as council asked for from last meeting.

[6:23:32 PM](#) Mayor Haemmerle explained a few of these items and the rationale around them. If \$10,000 opens up, then we could possibly apply this excess to the fireworks funds.

No public comments.

Council discussion.

[6:24:59 PM](#) Brown appreciates the list of potential items to spend excess LOT funds on.

[6:25:17 PM](#) Keirn thinks w

**6:25:24 PM Brown moves to adopt a not to exceed budget, \$17,013,521, and direct staff to publish this budget prior to a public hearing scheduled for August 18, 2014. Burke seconded, motion passed with roll call vote. Burke, yes. Keirn, yes. Brown, yes.**

Burke thanks staff for their dedication and for staying with the city. This 2 percent raise does not speak to your worth.

*PH 266 Consideration of proposed amendments to Title 9 of the Municipal Code for the use of bows and arrows upon issuance of a city permit*

6:27:14 PM Austin speaks to the information in tonight's packet. Austin gives a history of the lots that were considered. The current plan is to be inside the rodeo arena. The Parks & Lands board is okay with this proposal. Austin stated that our Ordinance needs to be updated to allow for this use. Austin also stated that he needs more information from applicant in order to be comfortable with it.

6:31:23 PM Brown asked a few questions. One around allowing this in all parks and the other, what about other events. Austin answered.

Public comments.

6:32:26 PM Evan Robertson asked if one needed an enhanced quiver permit to do this? And laughed. Haemmerle replied, if you explain what it is – we'd do it.

6:32:43 PM Tony Evans thinks this would be great for our city to have a place to do archery.

Council is okay with this.

**6:34:52 PM Burke moves to approve Ordinance No. 1157 authorizing the use of bows and arrows upon issuance of a city permit, seconded by Brown, motion passed unanimously.**

6:35:43 PM Haemmerle conducts first reading of Ordinance No. 1157, by title only.

*PH 267 Discussion of annexation application by Eccles Flying Hat Ranch, LLC of 227 acres into the City of Bellevue*

6:36:29 PM Haemmerle opened up this discussion. Haemmerle wrote letter and sent it to Bellevue City and asked for input on this annexation. There are physical separations between our cities that have been in place forever and could make unwanted changes.

6:38:38 PM Austin adds that he has researched this for the past few weeks. Austin is discouraged because from 1998-2001 there was a proposed annexation from Eccles into the City of Hailey. At that time, Hailey and Bellevue came together collaboratively (with the Airport officials and also citizens) to decide what was best for everyone. Before Hailey City Council acted on this request, the applicant withdrew the request. Both Hailey and Bellevue have defined the importance of having the open space between the cities. This is why Hailey wants to be

involved. There is a meeting on the 28<sup>th</sup> of July (Bellevue Planning and Zoning Commission), Austin will attend. Austin explained the cons against annexation, because many lots are vacant on Main Street in Bellevue - not the time to expand their border.

[6:42:36 PM](#) Williamson spoke about the 91.5 acre business parcel in the middle of residential (referring to the map on page 199 of the council packet). Williamson feels that it is important to receive a better understanding of this proposed development because this would have significant impact on both cities.

[6:43:18 PM](#) Haemmerle is disappointed in the lack of cooperation of the cities, when we've been always looking out for the best interest of them (gave examples of airport runway spots).

No Public comments.

[6:44:28 PM](#) Keirn, this separation (open space) between the cities has been important to both cities.

[6:45:27 PM](#) Burke, page 197, request from staff, direction. Please attend the meeting on July 28<sup>th</sup>. Asked if Austin or Williamson could give the history of the past annexation application from Eccles to the City of Hailey. Burke is very disappointed – devastated that these individuals are ignoring the community at large. The decent thing to do, is to keep our economic future = which is linked. Burke asks is there a big box store that is looking at this for development? We need questions answered – do not want a hostile approach.

[6:48:48 PM](#) Haemmerle comments. This could turn into an ugly annexation, driven by self-interests.

[6:49:57 PM](#) Brown agrees with everything that has been said so far. Brown appreciates the past collaborative efforts as have happened in the past. Will there be hillside development? We have a great relationship with Bellevue, keep this in mind with these conversations. We have cooperated on many issues in the past.

[6:51:58 PM](#) Haemmerle states we have a tiered approach to this situation.

[6:54:32 PM](#) Burke mentions that the site selection process was started 20 years ago to protect Bellevue City. Haemmerle added to this comment. Mutual best interests do not drive our relationship. Burke feels this will be a challenge in the next few months.

[6:55:55 PM](#) Austin mentions land use planning, protecting our corridor. When corridors are not protected – not best thing for either city – need to avoid unthoughtful development.

## **NEW BUSINESS:**

NB 268 *Presentation on the Blaine County Community Bike and Pedestrian Master Plan and motion to approve Resolution 2014-\_\_\_, adopting the Master Plan as a guiding document for future projects and infrastructure*

[6:57:54 PM](#) Platt gave an overview of this project, named the partners involved – every entity throughout the valley, including but not limited to Sun Valley Company, Blaine County, Forest Service, Idaho Transportation Department. It is intended to be a guiding document to our valley. Page 68 of the document (not packet page – the complete document can be found on Hailey’s website: [www.haileycityhall.org/publicworks/engineering/documents/2014-0627BlaineCo\\_Bike\\_Ped\\_Plan\\_000.pdf](http://www.haileycityhall.org/publicworks/engineering/documents/2014-0627BlaineCo_Bike_Ped_Plan_000.pdf)). It lists overall priority scores, and simplifies the research conducted on this project. Then on page 71 of the document, it charts all of the items. Community outreach section, 5 or 6 priority projects, making them happen section. Austin will discuss the actual projects planned for Hailey. 6 projects for Hailey, Austin named them including a River Street and West Cedar Street roundabout, at Silver Star Drive.

[7:04:12 PM](#) Mayor Haemmerle asked a question. Platt answered, if a discrepancy, then Hailey’s Title 18 would be our tool for guidance.

[7:05:06 PM](#) Austin continues naming the Hailey projects – modify the intersection crossing highway at the Rodeo Grounds. This brings the whole system together – Blaine County and all the municipalities. Austin explains the Resolution posed to council tonight.

[7:09:58 PM](#) Haemmerle feels that this could be great for our valley, making us a bike destination.

[7:10:29 PM](#) **Burke moves to adopt Resolution 2014-63 adopting the Blaine County Community Bicycle and Pedestrian Master Plan, seconded by Keirn. Motion passed with roll call vote, Burke yes. Keirn, yes. Brown, yes.**

NB 269 *Discussion on sidewalk repairs adjacent to City Hall*

[7:11:52 PM](#) Platt has put a temporary solution in place for the deteriorating bricks on the back patio of City Hall - but we need a long term solution. Brown asked about the stamped asphalt next to Luke’s Pharmacy.

Mayor Haemmerle asked for Platt to do research and determine which solution is the most cost effective. Platt will research and bring back to council.

### **OLD BUSINESS:**

OB 270 *3rd Reading Ordinance No. 1151 and consideration of Summary of Ordinance No. 1151 – CUP for Schools*

[7:16:05 PM](#) **Brown moves to conduct 3<sup>rd</sup> reading of Ordinance No. 1151 and summary, seconded by Keirn, motion passed with roll call vote. Burke, yes. Keirn, yes. Brown, yes.**

[7:17:37 PM](#) Haemmerle conducts 3<sup>rd</sup> reading of Ordinance No. 1151, by title only.

Mayor changes the agenda order and asks for a council motion to go into Executive Session before continuing to read the ordinances in Old Business.

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

[7:18:50 PM](#) Motion made by Burke to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)), seconded by Keirn. Motion passed with roll call vote. Burke, yes. Keirn, yes. Brown, yes.

Mayor and council go into Executive Session at 7:18 PM.

[7:32:02 PM](#) Council returns from Executive Session

[7:32:16 PM](#) Motion to adjourn meeting after the 2<sup>nd</sup> readings of ordinances, made by Burke, seconded by Keirn, after readings are conducted, motion passed unanimously.

**OLD BUSINESS Continued:**

*OB 271 2nd Reading of Ordinance No. 1152 amending Hailey Ordinance No. 1133, Appropriation Ordinance FY 2014, to increase the appropriation ordinance by \$688,000*

[7:33:51 PM](#) Mayor conducts 2<sup>nd</sup> Reading of Ordinance No. 1152, by title only.

*OB 272 2nd Reading of Ordinance No. 1153 amending Chapter 13.04 of the Hailey Municipal Code to establish wastewater rates for seasonal water users*

[7:35:52 PM](#) Mayor conducts 2<sup>nd</sup> Reading of Ordinance No. 1153, by title only.

*OB 273 2nd Reading of Ordinance No. 1154 amending Chapter 5.04 of the Hailey Municipal Code to delete the requirement of an affidavit as part of a submittal for alcohol licensing in City of Hailey*

[7:36:50 PM](#) Mayor conducts 2<sup>nd</sup> Reading of Ordinance No. 1154, by title only.

*OB 274 2nd Reading of Ordinance No. 1155 amending Chapter 5.02 of the Hailey Municipal Code to require an alarm system connected to public dispatch for businesses engaged in the sale of firearms*

[7:38:06 PM](#) Mayor conducts 2<sup>nd</sup> Reading of Ordinance No. 1155, by title only.

Meeting is adjourned based on motion made before readings of Ordinances.