

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD FEBRUARY 9, 2015
IN THE HAILEY TOWN CENTER MEETING ROOM**

***Amended Agenda Item**

The Meeting of the Hailey City Council was called to order at 5:28 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.

[5:28:41 PM](#) call to order

[5:29:08 PM](#) Burke moves to approve the amended agenda adding items CA 037, CA 063 and SR 062, motion seconded by Cooley, Motion passed unanimously.

Open Session for Public Comments:

[5:29:37 PM](#) Bob Wiederrick Hailey resident reads a letter regarding Development Impact Fees to council. Wiederrick passes out copies of an article in Idaho Mountain Express from former CD director Micah Austin. Wiederrick believes that the Development Impact Fees must be used in certain categories. Wiederrick asks council to amend its Development Impact Fee Ordinance by the end of March? Wiederrick asks council to remove the fee from commercial uses, and refund Wiederrick's fee that he paid plus interest. If not, he will take action to initiate a referendum petition to remove the Development Impact Fee. If Wiederrick is not able to get a referendum to voters or it does not pass with voters, he will as a last resort file a case against Hailey, in which he believes in sound success.

[5:32:17 PM](#) Mayor Haemmerle thanks Wiederrick for his comments.

[5:32:48 PM](#) Peter Lobb Hailey resident comments to council. Lobb talks about recent LGBT legislature in Boise. Lobb wonders if municipal ordinances can help the state.

[5:34:43 PM](#) Haemmerle responds that the Hailey city council will see a proposed ordinance on this subject in the next few months.

CONSENT AGENDA:

- CA 033 Motion to ratify letter of intent to apply to Steele Reeves Foundation for \$44,000 in grant funds toward \$60,000 in park projects for Balmoral Park, including shade structures, picnic tables, restroom (moved from Skatepark as match) west boundary fence, trees, shrubs, benches, trash receptacles and dog stations
- CA 034 Motion to approve grant application by Hailey Public Library for \$2,190 toward financial literacy grants.....
- CA 035 Motion to approve Grant Reimbursement request for final distribution of Idaho DEQ Grant funds for Hailey's 2007 Wastewater Master Planning grant

- CA 036 Motion to approve Resolution No. 2015-03, amending the contract with Carollo Engineers for Hailey’s Wastewater Master Plan, to add \$_____ for the engineer to update cost estimates in the Wastewater Master Plan to 2015 costs
- *CA 037 *Motion to approve Streaming Agreement with Resolution No. 2015-04, authorizing American Conservation Film Festival (ACFF) – to stream film made for the Hailey Community Climate Challenge Project and authorize the Mayor to sign.....*
- *CA 063 *Motion to approve recommendation to cancel request for statement of Qualifications for a CE&I contractor for the biosolids project.....*
- CA 038 Motion to approve the final list of construction companies who will be invited to bid on the WWTP Biosolids Project, based on scores obtained during a prequalification process conducted by city staff
- CA 039 Motion to ratify FKC Insurance Rider for an amount of \$233,700 up from \$168,700
- ~~CA 040 Motion to approve Resolution 2015-05, authorizing an amendment to Hailey’s Personnel Handbook to add policies governing the use of social media by city employees and volunteers, and other minor housekeeping amendments.....~~
- CA 041 Motion to approve Resolution 2015-06, declaring surplus personal property and authoring sale, destruction or recycling of said personal property
- CA 042 Motion to approve special event, Kiwanis Car Show, to be held at the Roberta McKercher Park (Saturday, August 1st, from 8:00 a.m. to 5:00 p.m.)
- CA 043 Motion to approve special event, Hailey Skate Competition, to be held at the City of Hailey Skatepark (Saturday, June 20th from 9:00 a.m. to 4:00 p.m.)
- CA 044 Motion to approve special event, Trailing of the Sheep, to be held at the Roberta McKercher Park (Saturday, October 10th from 10:00 a.m. to 4:00 p.m.).....
- CA 045 Motion to approve minutes of January 20, 2015 and to suspend reading of them
- CA 046 Motion to approve claims for expenses incurred during the month of January 20, 2015, and claims for expenses due by contract in February, 2015
- CA 047 Motion to approve Treasurer’s report for January 2015.....

[5:36:05 PM](#) CA 040 pulled by Cooley.

[5:36:20 PM](#) **Keirn moved to approve all consent agenda items minus CA 40, seconded by Burke, motion passed unanimously. Brown abstained from minutes CA 45, as she was not present for that meeting. Motion passed unanimously.**

[5:37:02 PM](#) CA 040 – Cooley finds the sentence on page 38 of packet troubling. “...Supervisors have the right to read all contents stored on an employee’s computer at any time and for any purpose.” Cooley asks why is a personal computer and cell phone subject to search by manager? Cooley feels this as too evasive, it should read “city owned computer.” Burke agrees with Cooley. Burke felt that it meant “city owned” when she read it.

[5:38:18 PM](#) Williamson states that this is old language and this should be updated to be “city owned” Williamson had several lengthy discussions about this section because the 4th amendment does apply to government employees. Williamson agrees with Cooley, it should read “city owned.”

Mayor Haemmerle wants it to be revised and brought back in the next meeting.

[5:42:58 PM](#) Williamson speaks to the social media policy, we didn’t have much guidance but this is a good start.

APPOINTMENTS AND AWARDS:

AA 048 *Hailey Planning and Zoning Commission appointment to fill expiring term of Jay Cone (Dec 2014)*

Mayor Haemmerle has narrowed his choice but hasn't contacted the individual yet.[5:44:25 PM](#). He will definitely suggest an appointment in the next meeting.

PUBLIC HEARINGS:

PH 049 *Airport Issues pertaining to February 5, 2015 FMAA Meeting*

[5:44:46 PM](#) Haemmerle lots of construction going on at the airport. Rick Baird has invite everyone to see the construction, so avail yourself the chance and get a tour. The master plan will be distributed to everyone before the FMAA meeting.

Keirn added that there will be officer elections coming up.

After some discussion, Brown would like to see a Hailey person, as Chair. It would be good to get back into the rotation of this duty. Discussion ensued suggesting that Don Keirn could be the Hailey Chair on the FMAA.

Mayor Haemmerle reminded everyone to look at the construction going on right now.

PH 050 *Discussion of Blaine County Road & Bridge Levy with consideration of:.....*

- 1. *Hailey's level of participation;*
 - A. *Does Hailey want to contribute questions or resources to the poll?*
 - B. *Does Hailey want to request a dollar figure other than the \$3 million targeted by Blaine County?*
 - C. *Will Hailey issue a support resolution or letter?*
 - D. *How will Hailey participate in education of Hailey voters regarding this levy?*
- 2. *Hailey's proposed use of the funds.*

[5:47:59 PM](#) Mayor Haemmerle opens the discussion on this item. The county is set on moving forward with this to voters again. The state is not giving as much funding for roads so someone has to do something about roads and it is falling to the local jurisdictions to come up with a funding solution. Mayor Haemmerle is asking for public comment tonight on this topic. Hailey would receive approx. \$135,000 annually if the levy passed. On page 152 of packet, outlines the timeline and ways to communicate funding needs of Hailey, and pg 154, capital needs that staff has put together. Page 157, ways of raising money.

[5:52:15 PM](#) Susan McBryant Hailey resident is glad that this topic is being discussed. McBryant feels that the political environment is good for this discussion. Hailey is the most functional political body in the valley. When McBryant heard that the County was going to include the cities, she was concerned, it blurs the true vision in voters' eyes. This is chump change, McBryant feels that Hailey needs to opt out of the counties levy. McBryant feels there are other

ways that will bring in longer term and more money. Education is critical to the success. McBryant thinks the city should go out separate from the county. The county levy is a band aid, not a long term solution for Hailey.

[5:59:10 PM](#) Peter Lobb Hailey resident – we need to really get money rolling in, somehow. That will take education and city council lobbying, very important. The problem is getting people to vote on this. Lobb believes that Hailey should go for it, it has to be done.

Council discussion:

[6:01:03 PM](#) Mayor Haemmerle this is a bit problematic, with or without us in the county levy, our citizens will be taxed by the county.

[6:02:54 PM](#) Brown, this is a bit déjà vu, we had these discussions last time around. Brown is torn on this one. Brown wants to be able to support the county's efforts. Brown is curious about, what if state legislature makes the changes that they've been talking about? A two year fix gets them time, but not where they need to go in the long-term. Brown doesn't like a two-year fix.

Mayor Haemmerle makes a point, Hailey citizens will be taxed anyway. If the city opts in or out of the county's levy.

[6:07:58 PM](#) Burke brings back the conversation that she tried to have with Jacob Greenberg in the last meeting. The county should go for the amount they really need, not a band-aid fix. Burke wants a long-term solution from the county.

[6:10:53 PM](#) Cooley comments, a little is better than nothing. Some of our primary work is sidewalks. If the county levy doesn't pass then we move on.

[6:13:25 PM](#) a Student in the audience asks if city can apply for a gasoline tax. Haemmerle, replied, good question, no we cannot.

[6:15:40 PM](#) Keirn is torn between opting out of the county levy or in.

[6:16:05 PM](#) Haemmerle, don't dismiss \$135,000. In the grand scheme of things, maybe we should ask the county to lobby hard at the state level. Then a better long-term needs approach.

Brown would like to see the county levy in November.

Susan McBryant speaks again. McBryant suggests that Hailey identify its own needs. Strategically the county thinks they will have better luck in success if they include the municipalities. McBryant thinks this approach cripples the city for resolving long-term needs.

Cooley asks a question. Dawson answers. If the cities opt out, then the county will ask for a \$2 million levy. If the county includes the cities, it will be a \$3 million levy.

Brown would generally support the Counties levy, where we received the approx. \$135,000. In two years, she would like to see them come up with a long-term solution.

Mayor Haemmerle remarks, we need good roads in the county, it reflects poorly on everyone if they are not kept up nicely.

[6:30:40 PM](#) Mariel Platt asks council if they really want the county to go out to the voters in November at the same time as the county.

[6:32:55 PM](#) Discussion ensues about our needs versus county needs.

[6:37:46 PM](#) Mayor Haemmerle will draft a letter to the county.

PH 051 Hailey Infrastructure Improvements – Report with Capital Project List

[6:39:57 PM](#) Dawson explains her handout given at the beginning of tonight's meeting and references the packet page 152, a June 19th BAH at city hall. Dawson reviewed the successes in past bond elections. The 2006 Fire Station bond failed due to not defining it as an essential need. In March, operational needs and deficiencies will be presented to council. Dawson expects that most city boards will have additions to this list.

[6:46:52 PM](#) Mayor Haemmerle asks about a water well item, pg. 154, near bottom. Some of these things, like this DEQ well, is a redundant well requirement, to satisfy state laws.

[6:48:43 PM](#) Tony Evans asks a question about city roads needs, what is this amount? Do you know? Haemmerle asks Dawson to get Evans information, pg 155 will give him some information. Evans wants to be able to help communicate Hailey's needs. Evans would like to hear what the cities needs are, he will get with Dawson tomorrow.

[6:57:02 PM](#) Cooley thinks we are taking the correct approach, slow, methodical and educate voters.

Mayor and council have general discussion on what is the best approach. Burke believes that all areas should see benefits from this, not just concentrated in one area.

[7:01:27 PM](#) Brown adds that the word is spreading to the boards and commissions and she commends everyone on their work.

NEW BUSINESS:

NB 052 Consideration of Request for Proposals to consultants for annexation and development impact fee study updates

[7:02:16 PM](#) Lisa Horowitz presents this item, Annexation fees and Development Impact Fee Ordinance updates. Why an RFQ? Horowitz announced that this process should result in a Clear, logical fee process. Development Impact Fees (DIF) are specific to certain defined areas.

Annexation fees are broader, city halls, libraries and other city services. Annexation fees are designed to prepare cities for impacts in the future. It is time to update both Annexation and DIFs.

[7:05:57 PM](#) Haemmerle announces that this is prudent to do before an annexation application is in front of us.

[7:06:25 PM](#) Keirn suggests on the scope of work, consultant should come in another trip as a face to face meeting. This is important to know and meet prospects.

[7:07:11 PM](#) Brown is in support of this and believes it is good timing.

Next steps are to issue an RFQ to consultants.

[7:08:22 PM](#) Brown moves to move forward , seconded by Keirn, motion passed unanimously.

NB 053 Consideration of Social Hosting, Runaway and Beyond Control ordinance

[7:08:54 PM](#) Williamson speaks to council, the county passed a social hosting ordinance recently. In discussions with the county we do not have runaway and beyond control ordinance guidelines in the City. Williamson included this in this draft. As for social hosting, an adult may not allow minors to drink on their property/house. Williamson points to a difference in the counties sentencing an infraction for an adult but a minor drinking underage is a misdemeanor.

[7:14:31 PM](#) Haemmerle feels that the first offense should be a misdemeanor not just an infraction. Keirn agrees.

[7:15:15 PM](#) Gunter agrees with Mayor Haemmerle's suggestion.

[7:16:32 PM](#) Michael David with the Community Drug Coalition is present at the meeting to talk to the council. David feels that a misdemeanor is more appropriate. David asks a question, if a minor hosting the party, who gets the misdemeanor? David agrees that you do not want to turn anyone away if they show up at your house "under the influence." David doesn't feel that 2,3 or 5 people are gathered, it's when there are many cars lined the streets. There is good evidence in communities that these laws are working to reduce problems. This isn't magic, it won't eliminate all underage drinking, just reduce the number of them happening. David commends the council on considering this ordinance.

[7:23:47 PM](#) Brown supports the overall process. Write a law that could be enforced. Brown wonders if this conflicts with any other law – having a minor drinking a small glass of alcohol with their parents.

OLD BUSINESS:

OB 054 3rd Reading of Ordinance No. 1169, City of Hailey text amendment to the Zoning Ordinance 532 to amend Article 5.4, the District Use Matrix, and Article 7, Supplementary Location and Bulk

Requirements, Section 7.1.10 which addresses the keeping and raising of chickens. The amendment proposes to increase the maximum number of laying hens allowed, amends language addressing locations for the keeping of chickens, and amends the use of Urban Agriculture within the District Use Matrix

[7:25:44 PM](#) Burke moves to have 3rd reading, authorize the mayor to sign, seconded by Keirn, motion passed unanimously.

Mayor Haemmerle conducts the 3rd reading of Ordinance No. 1169, by title only.

OB 055 2nd Reading of Ordinance No. 1171 amending Hailey Municipal Code Chapter 12 to clarify that the possession and use of tobacco and alcohol by minors is prohibited in all city parks

[7:27:23 PM](#) Mayor Haemmerle conducts the 2nd reading of Ordinance No. 1171, by title only.

STAFF REPORTS:

[7:28:37 PM](#) Aberbach gives his presentation to the Mayor and council. 3 full time employees, 1 part-time employee and 19 part-time firefighters Aberbach covers highlights of 2014, including, partnering with Wood River Fire Department agreement, Fire Explorer program, partnered with Blaine county schools program, Do the Right Thing. Two explorers will be certified when they graduate from high school. Aberbach reviewed other successes including having 2 live fire training burns in the city.

Aberbach reviews basic statistics, 58% of HFD calls are EMS in nature, overall, budget dollars have decreased and training hours have decreased. Projects for 2015 – expand training programs to the south, partner maximize auto-aid agreements.

[7:40:11 PM](#) Platt handed out a water conservation brochure for an upcoming seminar on March 6th. Brown will explain in more detail about this topic next.

[7:41:01 PM](#) Brown speaks, John Stephenson was contracted to do a down scale climate change model for the Wood River Valley. He will be looking at changes 20 and 40 years out. Stephenson is from Oregon State University.

[7:42:34 PM](#) Horowitz has prospective dates for the town square focus group sessions Wed. Feb 25 noon or Thursday February 26, 2015. Horowitz will send email to Mayor and Council to ask them which session they would like to attend.

[7:43:19 PM](#) Letter from Carol Comtaruk, have drones been excluded anywhere in the city?

[7:43:52 PM](#) Burke moved to adjourn meeting, Cooley seconded. Motion passed unanimously.