

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD MARCH 16, 2015  
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, and Pat Cooley. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

Martha Burke not present

Open Session for Public Comments:

5:31 call to order

**CONSENT AGENDA:**

- [CA 090](#) Motion to approve Resolution 2015-11, declaring April 2015 to be Fair Housing Month in the City of Hailey.....
- [CA 091](#) Motion to approve Resolution 2015-12, authorizing a grant application for 2015 Arbor Day Grant Program “Planting Idaho” .....
- [CA 092](#) Motion to approve Resolution 2015-13, authorizing a grant application for Friedman Memorial Airport Grant AIP 41 for Phase 3 of Runway Safety Improvements in the amount of \$9,253,125, adopting and ratifying the representations and assurances within the grant application, and authorizing the mayor to sign the grant .....
- [CA 093](#) ~~Motion to approve Resolution 2015-14, authorizing MOU with Clearwater Landscaping for 2015 park adoption services at Keefer Park.....~~
- [CA 094](#) ~~Motion to approve Resolution 2015-15, authorizing MOU with C U Next Storm Landscaping for 2015 park adoption services at Foxmoor Park.....~~
- [CA 095](#) ~~Motion to approve Resolution 2015-16, authorizing MOU with Lily & Fern for 2015 park adoption services at Jimmy’s Garden.....~~
- [CA 096](#) ~~Motion to approve Resolution 2015-17, authorizing MOU with Webb Landscaping for 2015 park adoption services at Hop Porter Park.....~~
- [CA 097](#) ~~Motion to approve Resolution 2015-18, authorizing sale or destruction of declared surplus property.....~~
- [CA 098](#) Motion to approve Resolution 2015-19, authorizing appointment of Richard Pogue to Hailey Planning and Zoning Commission to fill expiring term of Jay Cone Dec. 2014, Pogue’s term will end Dec. 2017 (3 year term).....
- [CA 099](#) Motion to approve minutes of March 2, 2015 and to suspend reading of them .....
- [CA 100](#) Motion to ratify claims for expenses due March 2015 .....
- [CA 101](#) Motion to approve claims for expenses incurred during the month of February, 2015, and claims for expenses due by contract in March, 2015 .....
- [CA 102](#) Motion to approve Treasurer’s report for February 2015.....

5:31 – Cooley pulls CA 097 for a question.

Mayor Haemmerle pulls CA 093, CA 094, CA 095 CA 096.

**Brown moved to approve all consent agenda items minus CA 093 - CA 097, seconded by Keirn, motion passed unanimously.**

Mayor Haemmerle pulled items CA 093- CA 096 to give a special thank you to all of our adopt-a-park companies, Clearwater, CU Next Storm, Lily & Fern and Webb Landscaping. Without their great generosity of time and effort, our parks would not look as nice as they do.

Cooley asks if the Fire department has any items on this list. City Clerk Cone, answered that the Fire Department should be removed from the Resolution.

**Cooley moves to approve CA 097 as amended, Keirn seconds, motion passed unanimously.**

**MAYOR'S REMARKS:**

*MR 103 Invitations to Idaho Legislators and Governor for next city council meeting on April 6, 2015 for public hearing on topics 1) Non-Discrimination Ordinance; 2) Nuclear Waste Shipments to Idaho; 3) Idaho Department of Water Resources opinion that municipalities' water use is fully consumptive.*

5:34 pm – Mayor Haemmerle has received several comments (some negative) regarding the town square project. Mayor commented that this is not costing the city much money (city has spent \$) because a BSU grad student is conducting the project. 109 surveys have been completed, we are looking for 300 to be returned. It is not a funded project by the city he reiterates. It is merely a public exercise to gain input from citizens on details of a potential town square location.

Secondly, Mayor Haemmerle announced that he has invited state legislators to our April 6<sup>th</sup> meeting to discuss several topics including, Non-Discrimination ordinance, nuclear waste shipments into Idaho and Idaho Department of Water Resources Municipal Consumptive water use. Donna Pence has responded and will try to be here for the meeting, Steve Miller will also try to be at the April meeting. No word from the Governor's office about attending.

**PROCLAMATIONS AND PRESENTATIONS:**

*PP 104 Fair Housing Month Proclamation*

5:38 pm – Mayor Haemmerle read the Fair Housing Proclamation.

*PP 105 Arbor Day Proclamation*

5:40 pm – Mayor Haemmerle read the 2015 Arbor Day Proclamation.

Mariel Platt gave an update 70 American Hazelnut and 75 White Fir seedlings to give away at this year's Arborfest on May 9, 2015.

**PUBLIC HEARINGS:**

*PH 106 Community discussion re: Friedman Memorial Master Plan Update, which proposes to adopt Chapter C – Capacity Analyses and Facility Requirements, and Attachment #10 - Dual Path Planning Thresholds*

5:43 pm – Mayor Haemmerle gave an overview of this item. Regarding chapters a b and c. It is unclear when this chapter b will be voted on. We thought it was chapter c but it is not. Discussion ensued about the vagueness of the process. Mayor Haemmerle suggested that FMAA should remove the chapters that have already been adopted. FMAA wanted to pass chapter b last meeting. Mayor Haemmerle suggested that we need to identify trigger points. i.e. more direct flights mean increased flights of larger aircraft. So in the long-term, we need to identify at what point do we consider relocating the airport? Dual Path is tolerated up to a point – that point is not yet defined, but we need to discuss this trigger.

5:53 pm – more and more people are flying out of Hailey from surrounding areas to get direct flights, Mayor Haemmerle added. A regional airport should be discussed as a long-term solution. Lots to discuss on chapter c. Cooley and Keirn thought that R. Baird would try to get more guidance on the chapters going forward.

5:56 pm – Donna Serrano – chapter b is going to be voted on. Serrano, a Bellevue resident. Serrano is concerned about chapters b & c. They are concerned with alternate #7, will increase the footprint of the airport by 20% by taking over Eccles Ranch to the south of airport. Serrano implored that Alt. #7 is starting point for future planning of the airport. Serrano will send Mayor Haemmerle the source of Alt. #7, maybe it is in chapter c.

5:59 pm – Peter Lobb, Hailey resident feels that it is vital that the council express their opinion now to lay the framework for the future Mayor and council members of Hailey. Get it in this document now – because it is hard to change later, Lobb added.

*PH 107 Consideration of Social Hosting, Runaway and Beyond Control ordinance*

Ned Williamson announced that this is the first public hearing for this ordinance. Williamson gave a summary for this ordinance. The main focus of this ordinance is social hosting. The County's ordinance was used as the basis of our proposed ordinance. Williamson thought the first offense should be a misdemeanor for offering alcohol to minors, consistent with penalty imposed on minors for the first offense. 2<sup>nd</sup> change allows parents to offer alcohol on special occasions such as Thanksgiving and Christmas in their own home to their minor children, state law allows this, 3<sup>rd</sup> change, minor who goes to a party under the influence, can stay at the party. Last change is focused around the situation where a minor may come to a party and the preference is to allow that minor to stay at the party even if he/she is under the influence, Williamson deleted this such prohibition.

Public comments, none.

Brown is okay with this proposed ordinance.

6:04 pm – **Motion to approve Ordinance No. 1172 made by Brown, Keirn seconded, motion passed unanimously.**

**Mayor Haemmerle conducts the 1<sup>st</sup> Reading of Ordinance No. 1172, by title only.**

*PH 108 Hailey Infrastructure Improvements – Identification of underfunded maintenance items and consideration of letter to State Legislators requesting legislation which increases transportation funding for roads in Idaho*

6:06 pm – Mayor Haemmerle gave an update on the needs around infrastructure improvements, these must happen and cannot be continually ignored.

Heather Dawson handed out a summary of the documents which are in the packet tonight. We are under funding an average of \$285,000 per year for general maintenance. Mayor Haemmerle will meet with the Chamber this week to begin discussions with our community on this topic. We want the communities input on the prioritization of these maintenance items. Dawson asks, does Hailey want to send a letter of support to the legislators for future funding?

Mayor Haemmerle is in support of sending this letter. Keirn agrees with Mayor.

Haemmerle 6:09 pm, in the past, these maintenance items have been funded generally by annexations, now that annexations are not happening any longer this is a gap in funding.

Peter Lobb Hailey resident, comments to council. The only way to do this is by bonds or levies due to inflation. We should prioritize the most important items and leave for future council to do the rest. Mayor Haemmerle agrees with Lobb that 3% increase annually from taxes is not enough to beat the cost of inflation to carry out the projects.

Brown comments (ask Heather) adding something into letter. Dawson confirms that the dollar amount will be completed in the 2<sup>nd</sup> paragraph before the letter is finalized and sent.

The Mayor believes this letter needs to be sent to our legislators. Cooley, Keirn and Brown agree with the Mayor.

**NEW BUSINESS:**

*NB 109 Discussion of Wastewater Treatment Plant Biosolids project.....*

*-Approval of solicitation of bids and approval of April 1, 2015 as the date to start advertisement to bid*

*-Approval of bid and contract documents*

*-Declaration of sole sourcing for Velodyne polymer units*

6:13 pm - Williamson, gives a summary of this item. Voters passed the biosolids project last November, at this point, the design is mostly done. The Project completion date is 320 days from notice to proceed, if the notice to proceed is June 3, the completion date would be April 18, 2016.

We pre-qualified the contractors, 6 are interested. There are good contractors on this list, hopefully they will all submit competitive bids. Many documents in the packet, Williamson named them, including bidding instructions, bid documents, agreement, general conditions, performance and payment bond. Also in the packet is an HDR letter regarding sole sourcing, which means we must award to the lowest responsive bidder. Two twists to discuss, what happens if bid amount exceeds the proceeds that we have? The “adder” to the bid process will ask for, 2 parts of project that could be postponed, demolition of the existing dome and second, proposing a pump and blower for expansion but not needed now. If the sum is less than or equal to the money available 6:19pm. 1<sup>st</sup> thing to eliminate is the blower and pump and then next removal of dome. Another twist, we’ve procured a thickener and screw press, group for thickener, included the polymer unit, but screw press did not include a polymer unit. Polymer units must match on these 2 units.

Pg. 252 – Mayor Haemmerle asked if this explains Williamson’s points.

**Keirn moves to approve the solicitation of bids with advertising to begin on April 1, 2015, seconded by Brown, motion passed unanimously.**

**Keirn moves to approve the Contract Documents as shown in council packet, seconded by brown, motion passed unanimously.**

**Brown moves to a) approve a notice of intent to sole source the polymer units by advertising a notice on April 1, 2015, and b) to declare that there is only one (1) source reasonably available, because the compatibility of the equipment is the paramount consideration and because competitive solicitation is impractical, disadvantageous or unreasonable under the circumstances, seconded by Keirn, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes.**

#### *NB 110 Discussion of upcoming Cross Connection Ordinance*

Platt wants to pull this item for a future discussion after consulting the water department employees. She will bring this to council in a future meeting.

#### **STAFF REPORTS:**

Chief Gunter gives an update on some recent house bills. Gunter summarizes that one bill was going to charge back cities for public defender fees. It was discovered that it is not worth the time. Many of these violations will be changed to infractions to reduce case load for public defenders. Another house bill was going to do away with the concealed weapons permit – this failed and may be back next year. Another bill proposes to provide cannabis oil for epileptic kids, Gunter states that there is no proven research that this help with this condition, all agencies are opposed to it.

Mariel Platt – There are 2 Public Works employees attending a pesticide spraying class this week to save money on summer contracting fees.

Dawson gave an update - Jon Marvel spoke with Micah Austin last year about goats eating weeds. Marvel objects to the goats eating weeds and wants to know if the City is going to allow it.

Brown will miss next meeting. Keirn will miss next meeting. Carol leaves April 2<sup>nd</sup>. Possibly meeting March 30<sup>th</sup>? Discussion ensued about rescheduling The April 6<sup>th</sup> meeting. Dawson recommends April 20<sup>th</sup> as the only meeting in April.

Mayor Haemmerle is stunned that when the City moves forward with a concept or idea, people are antagonistic with the idea or concept and feel that it means that it is a project, he encourages the public to be involved in our process.

Cooley concession stands work is proceeding, goal is May 2015 to have sinks, counter tops, in both concession areas.

**6:34 pm - With no further business to discuss, Cooley moves to adjourn, motion seconded by Brown motion passed unanimously.**