

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD NOVEMBER 7, 2016
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:27 P.M. by Council President Don Keirn. Present were Council members Colleen Teevin, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

Fritz Haemmerle not present tonight.

[5:27:10 PM](#) meeting is called to order by Don Keirn Council President

[5:27:31 PM](#) **Motion to amend agenda adding Executive Session made by Burke, seconded by Cooley, motion passed unanimously.**

Open Session for Public Comments:

No public comments

CONSENT AGENDA:

- [CA 384](#) Motion to ratify Resolution 2016-132, authorizing a grant application to Idaho Office of Emergency Management for an All Hazards Mitigation Grant in the amount of \$103,360, to assess and refurbish the Hailey Fire Station for improved seismic, storm and wind load capabilities, and authorizing the appointment of Mayor Haemmerle as applicant agent.....
- [CA 385](#) Motion to ratify Library grant application and acceptance of award from National Science Foundation Califa Library Group to spend \$3,500 on Hailey Public Library science-based programs for adults
- [CA 386](#) Motion to ratify PK12 Innovative STEM project grant application for Library, grant award up to \$2,500
- [CA 387](#) Motion to approve Resolution 2016-133 ratifying agreement for grant-writing services between the City of Hailey and Fire Grants Help % Praetorian Group, Account Manager Carrie Schneider to provide \$2,250 for full grant application for an aerial fire truck.....
- ~~[CA 388](#) Motion to approve Resolution 2016-134, authorizing an MOU agreement with Wood River Land Trust for an amendment to an existing agreement for operations and maintenance at Lions Park.....~~
- ~~[CA 389](#) Motion to adopt Resolution 2016-135, authorizing an agreement with Alta Planning and Design for work on the Pathways for People bike and pedestrian levy projects.....~~
- ~~[CA 390](#) Motion to approve Resolution 2016-136 for a lease agreement with Airport West LLC, to store snow on Lot 1, Block 1, Airport West Subdivision~~
- [CA 391](#) Motion to adopt Resolution 2016-137, authorizing amended contract with Harmony Engineering to provide another 2 conceptual plans for River Street for a not to exceed \$3,550.....
- [CA 392](#) Motion to approve alcohol license for Wiseguy Pizza Pie at their new location of 411 North Main Street contingent upon receiving State and County Licenses.....
- ~~[CA 393](#) Motion to approve minutes of October 17-2016 and to suspend reading of them.....~~
- [CA 394](#) Motion to ratify claims for expenses due by contract in October.....
- [CA 395](#) Motion to approve claims for expenses incurred during the month of September and October and claims for expenses due by contract in November.....

[5:28:20 PM](#) CA 388, CA 389 and CA 390 items pulled by Mariel Miller.

CA 393, Burke pulls minutes to abstain from the motion.

[5:28:48 PM](#) **Burke moves to approve all consent agenda items minus CA 388, CA 389 and CA 390, seconded by Cooley, motion passed unanimously.**

[5:29:05 PM](#) CA 388 Miller outlines changes to this item, Exhibit C map has changed slightly, and Miller handed out new exhibit at meeting tonight.

[5:29:22 PM](#) **Burke moves to approve item with new Exhibit C, seconded by Cooley, motion passed unanimously.**

[5:29:37 PM](#) CA 389 Miller, contract with Alta Planning and Design change to the contract 3rd page, paragraph 10 governing law, change within the state of Idaho, requested by city attorney.

[5:30:11 PM](#) **Cooley moves to approve item as amended tonight, seconded by Burke, motion passed unanimously.**

[5:30:20 PM](#) CA 390 lease for snow storage, miller amends this item by stating that the final terms were being finalized while packet was being completed. Miller has handed out the final contract tonight and explains the changes, including: maximum number of snow loads is 500, and monthly rent is \$875.

[5:31:14 PM](#) **Cooley moves to approve snow removal lease item as amended, Burke seconds motion passed unanimously.**

CA 393 No motion to approve minutes will put on next agenda.

PUBLIC HEARINGS:

PH 396 Consideration of an application within the Hailey Area of City Impact for Planned Unit Development (PUD) and Subdivision Preliminary Plat, the Quigley Farm PUD. This is an application to Blaine County by Quigley Farm & Conservation Community, LLC, represented by Hennessy Company and SERA Architects for a 51-unit mixed use project. The City of Hailey is not the decision-maker, and will provide comments to the County on this application. (Continued from October 17, 2016 meeting)

[5:32:03 PM](#) Keirn opens this item and then hands over to Lisa Horowitz.

Horowitz discusses items in tonight's packet, first 2 items comp plan and site plan.

Horowitz introduces Jeff Roberts with Sara Architects. Roberts presents to council the site map. Public access map is displayed to council. Roberts reviews the potential core uses in the neighborhood use area, include health and wellness, and agriculture. [5:36:26 PM](#) Roberts

mentions other ideas, including a commercial kitchen, business incubator space, live/work units, educational spaces and bakery and garden shop.

[5:37:28 PM](#) Dave Hennessey speaks to this item, these are the uses that came out of the Design processes that were held, ideas that would enhance the use of this space.

[5:38:22 PM](#) Jim Keating Executive Director of Blaine County Recreation District (BCRD) speaks to council regarding this application. Overall, the recreational value to this property to the community is very high. Specific input was taken from Hailey residents during this process. There is a multi-use path that connects to current path. BCRD is requesting path to their standards to connect in another trail. Keating points to the other public access out Quigley road to BLM lands. Access point proposed to Toe of the Hill Trail has huge value, potentially connect to public access lands in another spot. Keating described the potential opportunity to connect schools to recreation, which is very powerful. Trail park, with parking offered at base of trailhead on south side of parcel, could connect to BLM land in future. 4th piece is general recreation area in west property lining residential subdivision in Hailey.

[5:45:37 PM](#) Cooley asks a question on trails and BLM access and timeframe on the MOU which would enable public access to this area. Hennessey responds to Cooley's question, it is in process.

[5:46:37 PM](#) Keirn asks a question of Hennessey, fee simple sale? Hennessey responds, Quigley foundation is proposed to own quite a few properties in that area and lease it out to non-profits or public. Keirn asks about zoning. Hennessey responds that these are permitted uses in the county generally.

[5:48:40 PM](#) Teevin asks about Quigley Road, how does it change in future phases? Hennessey responds. Would the existing parking lot remain at northern spot? Yes, Hennessey replies.

Public comments:

John Wiese Hailey citizen [5:50:59 PM](#) speaks, this is piecemeal project. Wiese does not see how we can make an assessment on what will be a much longer project. Wiese recommends that to do a traffic study, he thinks this traffic is very low. Wiese feels there is another area ripe for a field space, where the wastewater treatment area is planned.

[5:53:12 PM](#) Jim Keating clarifies his comments on traffic, foot traffic is what he was speaking of.

[5:53:54 PM](#) Penny Thayer Hailey resident, agrees with Wiese. Thayer suggests another spot for the ball fields – instead of where they are planning, further away from the existing community. Need clarity before moving forward.

[5:55:05 PM](#) Troy Thayer Hailey resident, lives very close to this property. Thayer clarifies Penny's comments, no formal school district acceptance of this property, what are the plans. Would BCRD take over this property?

[5:56:10 PM](#) Keating responds to Troy Thayer's question.

[5:56:38 PM](#) Troy Thayer speaks again.

[5:57:07 PM](#) Linda Reiss Hailey resident speaks and is looking at map trying to figure out where the side canyon is and where the 200 head of elk were this past winter, where is that spot in relation to this development. Reiss is concerned in future if Quigley road is to be paved in the future, what mitigation is planned. Reiss asks about the commercial uses, what happens to existing empty Hailey space.

[5:58:59 PM](#) Frank Andrews, Buckhorn Drive resident, refers to Woodside subdivision when it was developed. Andrews thinks this is difficult to decide on now.

[6:00:01 PM](#) Jim Phillips points of clarifications regarding Quigley Road, next meeting. With regards with proposed land uses, when making recommendations to Blaine County, neighborhood service center, also talk about business zone, no formal process around whether this is feasible. Some proposed uses would comply with the zoning, some would not. Point is, many uses, office, commercial, when city makes recommendation to county, be careful to limit as much as possible what appropriate uses are according to our Comprehensive Plan. i.e. restaurant. Otherwise, county will assume broader list is okay with city, Phillips concludes.

[6:03:40 PM](#) John Wiese speaks again, Deerfield residents are present but he doesn't see business owners present tonight, because they don't know this will be competition to them.

[6:04:57 PM](#) Lisa Horowitz clarified the Comprehensive Plan map, allows some commercial use. Neighborhood district should be no more than 3 acres, regarding zoning.

[6:07:22 PM](#) Cooley, when are we going to discuss zoning? Horowitz responds. Horowitz goes through the proposed uses, first with nonprofit office space. Horowitz expects that council may find some uses are not in compliance with our Comprehensive Plan. Commercial kitchen, need more information, what size would this be? Incubator space, if small might be application. Live/work may comply. Education spaces, another proposed use, part of school, okay, if not may need to be with neighborhood service center. Restaurants, hard to figure out if this is subordinate to this neighborhood, possibly a size limit? Farmers market, small retail convenience store may be okay, micro-brewery, not sure if this would comply, depends on size. Many uses may comply depends on scale, size.

[6:14:46 PM](#) Burke begins, first thing she would pull, would be a Farmers Market in this area, suggest that this area bring their produce to current Farmers Market location in Hailey. If a restaurant worked with recreational amenities, then Burke thinks this is a good idea. Burke does not like the retail store idea and explains why. Not sure garden feed store is needed, may not need to compete with existing businesses in the valley. Non-profit office space, okay. Burke likes ideas of commercial kitchen [6:17:48 PM](#) Burke is always supportive of live/work units. If educational uses are with school, okay. No to micro-brewery, not needed.

[6:19:03 PM](#) Cooley asks, how to keep non-profits – non-profit. Cooley doesn't want to pull business from current Hailey core, but too soon to definitively decide on at this point.

[6:20:37 PM](#) Teevin asks a procedural question. Horowitz responds, will continue to be broad. Is it appropriate to suggest other uses? Teevin agrees with Burke. Farmers Market communication is key. Current spot is not ideal. Teevin thinks a seed bank may be useful, and would fit the atmosphere. Hennessey responds that they are speaking with a few people about this already. Educational sharing of seeds, great idea. Teevin loves the idea of a commercial kitchen, size appropriate, hard for people trying to get started, to have access to a kitchen.

[6:24:59 PM](#) Keirn summarizes and agrees that some uses may not be appropriate. Keirn agrees with Burke on micro-brewery, don't need another convenience store either.

Next meeting transportation and water and sewer discussions, [6:26:35 PM](#) Keirn would like to see the following meeting to summation and get comments to Blaine County by January 2017.

[6:27:15 PM](#) Horowitz announced that we are skipping the 2nd December meeting and November 21st meeting. Horowitz comments about trail system.

[6:27:47 PM](#) Burke asks a question about trails with phasing. Hennessey responds. There are more trails proposed with the additional phases. Roberts clarifies.

[6:31:42 PM](#) Horowitz clarifies fields and apple gardens. Hennessey responds, have sent another MOU to the school district. They are looking to move the ponds, sewer?

People make their way out of the meeting room.

PH 397 Consideration of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to clarify: Restaurants, including Drive-through and Restaurants which may or may not include the sale of alcoholic beverages; Parcel Delivery and Shipping Services, and amendments to Title 17, Section 17.02, Definitions to add or modify definitions related to the above (Continued from October 17, 2016 meeting)

[6:36:04 PM](#) Horowitz researched parcel delivery services term and its history, 2001 changed from mailbox to parcel delivery services. We are back to original question, how do you feel about the use and should it be permitted, conditional or not permitted in the business district. Planning and Zoning Commission recommendation is that this use should not be permitted.

Williamson arrived at meeting and announces that this does not mean that the business would have to leave if not permitted.

[6:40:58 PM](#) Peter Lobb Hailey resident, Planning and Zoning Commission does not like this business but overall delivery services should be outside the core.

[6:42:00 PM](#) Julie Cord, owner of property that UPS leases comments if it is not-permitted then UPS would not be able to stay because of the winter temporary expansion. Cord feels it should

be conditional and reviewed annually. Cord is in the real estate industry, finding a space for a business, if not zoned properly then business will leave the area. Look at the future and sees importance in flexibility and option to review. UPS has been here for 28? Years it is not easy to move, if they can't stay in this spot, they would leave Hailey. To have a business leave that wants to stay would be very disappointing. This business is beneficial to everyone and the winter extension is important. At one meeting, the sight of the business was brought up, it is commercial use, doesn't seem that different than other businesses on River Street.

[6:47:00 PM](#) Bob MacLeod Hailey resident, speaks on the holiday expansion topic, he is in support of UPS extension and explains why.

[6:47:59 PM](#) Tony Evans Idaho Mountain Express, UPS, food delivery is becoming more prominent.

[6:48:36 PM](#) Lobb comments again, conditional use is the way to go. The business will eventually go away.

[6:49:14 PM](#) Burke asks if a P&Z commissioner lived close to this business, partial to this business moving, she feels this is a conflict of interest and may not be impartial. Burke remembers when the city hall was on carbonate and river streets and coors distributorship was very close to the UPS lot. Burke feels this is a conditional use and fine with a temporary structure in the winter.

[6:51:52 PM](#) Teevin makes sense to consider changing zone when UPS leaves. Maybe part of discussion is to revisit this in XX number of years.

[6:53:10 PM](#) Cord comments they don't live here, hard for them to travel here.

[6:53:32 PM](#) Cooley wants UPS to stay in Hailey. If conditional use, modular they've been using okay, but not if it gets larger. Williamson makes a suggestion. Horowitz comments too. Cooley comments on non-conforming use, if another one, can't do it? Williamson clarifies.

[6:57:21 PM](#) Keirn feels non-conforming use is way to go.

Burke is still for conditional use.

[6:58:52 PM](#) **Burke moves to continue this discussion to the next meeting on November 21st, seconded by Cooley, motion passed unanimously.**

PH 398 Consideration of a rezone request in the Area of City Impact by Tom Richmond to rezone the 2.07 acre lot at 11809 SH 75 (directly south of Arrow R Storage and accessed via Arrow Road) from Low Density Residential District (R-1) to Light Industrial (LI). The property is located within Section 4 & 5 T2N, R18E, BM, Blaine County. A Hailey Planning and Zoning recommendation was made on October ____, 2016.

[6:59:11 PM](#) Brian Yeager presents for applicant and property owner, Tom Richmond. Tom Richmond is present tonight. Yeager announces that Tom Richmond needs to expand his business to the additional adjacent property he owns. In summary, Arrow Road will not have a new access off of highway to this new property. They are planning to propose a new sewer system, down size the system. Area facing highway would not change. Applicant owns surrounding properties, essentially buffering his own business. Want 35 feet for building height, maximum is 35 in Hailey. Still need to go in front of county for design review.

[7:03:50 PM](#) Burke asks how high is existing building. Tom Richmond answers.

[7:04:35 PM](#) Horowitz reviews the Planning and Zoning Commission recommendations, including no access from adjacent residential, they recommend 35' maximum height and suggest county looks at scale.

[7:06:42 PM](#) Williamson asks a question of applicant. Yeager responded they agree with all Planning and Zoning Commission recommendations.

[7:07:24 PM](#) Kathy Grotto with Blaine County clarifies, they don't have "design review" but have conditional use process.

Burke is good to go. Cooley is okay too.

Teevin asks a question. Richmond answers.

[7:09:11 PM](#) **Cooley makes motion to authorize Mayor to sign letter Listen, seconded by Burke, motion passed unanimously.**

PH 399 Motion to adopt Resolution 2016- _____ (no resolution in packet) to expand a bus loading zone in front Albertson's, and Hailey Hotel eliminating one parking spot in front of each location for a total of (2) parking spots to allow safer egress of buses

[7:10:15 PM](#) Horowitz opened with this item, then handed over to Jason Miller with Mountain Rides. [7:11:10 PM](#) Miller explains the pictures displayed to council, currently have 65' in both these spots, optimal would be 80'.

No public comments.

Council good to go.

[7:13:41 PM](#) **Burke moves to approve additional space 80' and will consider a resolution in the next meeting, Teevin seconds. Motion passed unanimously.**

PH 400 Consideration of Resolution 2016-138, adopting the 2016/2017 Snow Removal Policy

[7:14:46 PM](#) Mariel Miller opens that we are reminding people about requirements in winter. Only real change with this policy is with phone numbers for mutual aid entities and elaborating the sidewalk policy page 216 of packet, this describes what we have been doing in past years.

No public comments.

[7:16:43 PM](#) **Cooley moves to approve snow policy, seconded by Burke, motion passed unanimously.**

PH 401 Consideration of Traffic Safety Ordinance in preparation of commencement of trainings in January 2017

[7:17:26 PM](#) Williamson gives a bit of history of traffic school. State now dictates the terms of the program.

No public comments

[7:18:52 PM](#) **Burke moves to approve Ordinance No. 1206, seconded by Cooley, motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Teevin, yes.**

[7:19:13 PM](#) **Keirn conducts the 1st reading of Ordinance No. 1206, by title only.**

OLD BUSINESS:

OB 402 3rd Reading of Ordinance 1204 and adoption of Summary, amending Chapter 15.16 of the Hailey Municipal Code (Development Impact Fees) to revise the schedule of fees, to amend exemptions and to add an exemption

[7:20:04 PM](#) **Burke makes a motion to approve 3rd Reading of Ordinance No. 1204, approve summary and authorize the Mayor to sign, Cooley seconds. Motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Teevin, yes.**

[7:20:55 PM](#) **Keirn conducts 3rd Reading of Ordinance No. 1204, by title only.**

OB 403 3rd Reading of Ordinance 1205 and adoption of Summary, amending Municipal Code Chapter 14.01 Annexations to modify annexation procedures

[7:23:15 PM](#) **Burke makes a motion to approve 3rd Reading of Ordinance No. 1205, approve summary and authorize the Mayor to sign, Cooley seconds. Motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Teevin, yes.**

[7:23:36 PM](#) **Keirn conducts 3rd Reading of Ordinance No. 1205 by title only.**

STAFF REPORTS:

[7:24:27 PM](#) Miller pre-application Lions Park snow storage moving, one criteria, no seller yet, bring back when we have a seller. Miller announced that they will work on getting a seller and see if funds are available then.

[7:25:37 PM](#) Burke has had a question from a citizen who drives a volt, electric car, need a charging station in Hailey. It is time. We need to encourage it. Miller responds.

EXECUTIVE SESSION: Real Property Acquisition (IC 74-206(1)(c)), and Pending & Imminently Likely Litigation (IC 74-206(1)(f))

[7:27:10 PM](#) **Burke moves to go into Executive Session for Real Property Acquisition (IC 74-206(1)(c)), and Pending & Imminently Likely Litigation (IC 74-206(1)(f)), seconded by Cooley, motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Teevin, yes.**

[7:58:17 PM](#) **With no further business to conduct Burke moves to adjourn meeting, seconded by Cooley. Motion passed unanimously.**