

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD OCTOBER 16, 2017  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:30 P.M. by Council member Martha Burke. Present were Council members Colleen Teevin, and Pat Cooley. Staff present included City Attorney Christopher Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

[5:29:30 PM](#) Call to order by Martha Burke.

Don Keirn and Mayor Fritz Haemmerle are not present at tonight's meeting.

Open Session for Public Comments:

[5:30:01 PM](#) Bob Wiederrick Hailey resident spoke to council. Wiederrick issues an award to Hailey, economic stagnation award of 2017.

[5:31:46 PM](#) Cooley moves to amend agenda exec. Session, seconded by Teevin, motion passed unanimously.

**CONSENT AGENDA:**

- [CA 402](#) Motion to set 2 Special Meetings on November 13 and December 11, 2017 instead of the regularly scheduled meetings for November and December 2017.....
- [CA 403](#) Motion to approve letter of support for Mountain Rides grant application and authorize the Mayor to sign letter .....
- [CA 404](#) Motion to approve Resolution 2017-105 and authorize a Lease Agreement with Advanced Towing to utilize the wastewater treatment plant's property for storage of impounded vehicles .....
- [CA 405](#) Motion to authorize the City to submit for a Conditional Use Permit with the Community Development Department for a public use at Lot 1, Block 1, Airport West Subdivision #2 for municipal snow storage.....
- [CA 406](#) Motion to approve Resolution 2017-106 and authorize an Agreement for Task #5 with Power Engineers to provide right of way inspections for the City.....
- [CA 407](#) Motion to approve Special Event Permit for Halloween Hoopla on October 31, 2017 from 3:30pm to 5:00pm .....
- [CA 408](#) Motion to approve Surplus Property Resolution 2017-107, authorizing proper disposal according to law .....
- ~~[CA 409](#) Motion to approve minutes of October 2, 2017 and to suspend reading of them.....~~
- [CA 410](#) Motion to approve claims for expenses incurred during the month of September 2017, and claims for expenses due by contract in October 2017 .....
- [CA 411](#) Motion to approve Treasurer's report for the month of September 2017.....

[5:32:15 PM](#) Teevin pulls CA 409 to abstain

[5:32:28 PM](#) Teevin moved to approve all consent agenda items minus CA 409, seconded by Cooley, motion passed unanimously.

CA 409 - Teevin was absent from meeting and will abstain from minutes approval.

[5:32:56 PM](#) Cooley moves to approve minutes, Burke seconded, motion passed with Teevin abstaining.

### **PROCLAMATIONS AND PRESENTATIONS:**

*PP 412 Presentation on e-bike policy challenges by BCRD and Mountain Rides  
(no documents)*

[5:33:49 PM](#) Presentation by Mountain Rides (Kaz Thea) and Jim Keating of Blaine County Recreation District (BCRD). Thea presents to council e-bikes use on bikes and pathways in the valley. E-Bikes defined in 2003, we are focusing on class 1 pedal assist bikes in the discussion today. 750 watts, which is 1 horse power, limited in speeds below 20 mph. Class 2 bikes have a hand throttle; motor engaged from a throttle, maximum speed is also 20 mph. Class 3 is turbo and goes up to 38 mph. All of these classes are clearly marked on these bikes wherever you buy them, adds Thea. Demographics, 58% are within 45-64 age class, 25% 25-44. Largest demands are 33% are for running errands or commute to work. Economic drivers, don't use car as much, parking issues reduced. Thea displays European sales from 2006-2015 has greatly increased, 2 million sold last year in Europe. Have seen 6 million in sales revenue in US for e-bikes. Mountain e-bikes are not generally allowed in all mountain trails, okay where motorcycles go. As of right now, e-bikes are not allowed in Wood River Valley cities, Ketchum, Hailey and Sun Valley. Sun Valley Company allows e-bikes. Sun Valley will adjust their language to be consistent with other communities if adopted. 2 resolutions passed BCRD and Mountain Rides ask other valley entities to adopt such laws. At state level, 27 states have defined e-bikes. 3 states have adopted the 3 tiered systems, which require manufactures to clearly label bikes. 750 watts seem to be the standard. Idaho is considering e-bikes language, would allow usage on federally funded paths.

Next steps, want municipalities to adopt the same language, first meeting is in Hailey this Wednesday at Community Campus, 2<sup>nd</sup> meeting at the YMCA in Ketchum. This is formal process for gathering public input. [5:47:40 PM](#) We want to have a draft ordinance after input from public focus groups Thea stated.

[5:48:17 PM](#) Jim Keating BCRD, speaks to council, shows a map of the bike path and all of the entities that would need to adopt. Safety and proper usage of e-bikes on our roads and trails is the goal. We have 36 miles of paved public pathways. In Hailey, it is complex, there are 3 different ownership sections from Buttercup to Myrtle St which is owned by ITD, next Myrtle to Fox Acres owned by ITD. Fox acres to Woodside Blvd. subject to Hailey ordinances, managed by easement and owned by Hailey. [5:52:54 PM](#) Our goal is to bring information forward and find solution for all jurisdictions.

[5:53:53 PM](#) Burke announced public comments from Ken Lagergren, they support e-bikes, there are some class 3 bikes around the valley and they should not be allowed.

[5:54:35 PM](#) Miller comments, all of spurs off of main artery, funded by state funds, would be eligible to be applied to those projects (i.e River Street projects).

Burke asked for comments from council. Cooley generally it speaking that it is a good idea. Teevin asked a question of Miller. Miller replied. Thea, the state may be slow in adopting some legislation.

[5:56:49 PM](#) Aberbach, the fire department has access to use e-bikes, they are a great benefit, and they want to be able to use them in an emergency.

Burke, we are open and interested and will look at something brought forward in the future.

### **PUBLIC HEARINGS:**

*PH 413 Consideration of proposed Ordinance to change the City Council regular meeting dates to the 2nd and 4th Mondays of the month from the 1st and 3rd Mondays to eliminate conflicts with other meetings*

[5:57:58 PM](#) Cooley likes these dates as would eliminate conflict with other meeting.

Horowitz announced that the Planning and Zoning Commission is okay with the change.

No public comments.

[5:59:40 PM](#) Simms clarified for the rest of the year the 2 special meetings council approved this tonight under consent agenda.

[6:00:25 PM](#) Teevin moves to adopt Ordinance No. 1227, Cooley seconded, motion passed with roll call vote. Teevin, yes. Cooley, yes. Burke, yes.

[6:00:54 PM](#) Burke conducts the 1<sup>st</sup> Reading of Ordinance No. 1227 by title only.

### **NEW BUSINESS:**

*NB 414 Motion to approve Resolution 2017-\_\_\_\_\_ and authorize an Agreement with the lowest bidder and issue the Notice of Award for the Riverside Lift Station flood mitigation project (bids are due 10/13 – bid tab sheet will be provided at the meeting)*

[6:01:27 PM](#) Miller, we received no bids, everyone is too busy to respond. Plan is to pick a date to do this ourselves. Will get street dept ready for winter and then do this.

Cooley asked if can go to bid with other contractors? Miller responded, we could look into that.

Miller had planned to start within next week or two with street department. Cooley is in support of staff doing the work instead of bidding it again.

*NB 415 Consideration of Personnel manual changes Resolution 2017-\_\_\_\_\_, to allow for voluntary gifting of Paid Time off to fellow employees*

[6:04:47 PM](#) Heather Dawson presented this item, this is strictly voluntary, approved donations may be from a higher dollar employee to lower paid employee, hour for hour. There was extreme effort in writing this to make sure it is understood that this is only voluntary. It is different than examples from Sun Valley and Ketchum cities as it does not go into a bank. But it goes directly to the employee.

Teevin, missed that this was anonymous.

[6:06:49 PM](#) Simms, discussion among department heads and staff prior to presenting to council.

Cooley and Teevin like this.

[6:07:11 PM](#) Dawson suggests a slight amendment, on pg 131, bottom paragraph, "PTO may not be taken in advance of time earned" a future gift would be prohibited. Suggest, changing "time earned" to "time awarded" and "all PTO may be taken in the year given."

[6:08:24 PM](#) Simms it is a small change, they did not recognize the language Dawson suggested. And he is okay with the suggested language, and feels that it is a good idea.

[6:08:53 PM](#) Cooley has a question, what about leave that spans 2 calendar years. No restrictions. Simms, don't think there are restrictions. Dawson agreed and explained.

Not necessary to go to public hearing, internal document, Dawson added.

[6:10:42 PM](#) **Cooley moves to approve Resolution 2017-108 with suggested amendments by Dawson, seconded by Teevin, motion passed with roll call vote. Teevin, yes. Cooley, yes. Burke, yes.**

### **OLD BUSINESS:**

*OB 416 3<sup>rd</sup> Reading of Ordinance No. 1225 - zoning and text amendment to Title 17, Section 17.05, District Use Matrix, to clarify and add definitions of: Health and Fitness Facility; Studio, Artist; Performing Arts Center; Recreation Facility, Commercial; Recreation Facility, Public; and Recreation Facility, Residential, and amendments to Title 17, Section 17.02, Definitions to add or modify definitions related to the above and **consideration of Summary of Ordinance No. 1225***

[6:11:34 PM](#) **Cooley moves to approve Ordinance No. 1225, conduct 3<sup>rd</sup> reading, adopt summary, read by title only, Teevin seconded. Motion passed with roll call vote. Burke, yes. Teevin, yes. Cooley, yes.**

[6:12:32 PM](#) **Burke conducts 3<sup>rd</sup> reading of Ordinance No. 1225, by title only.**

*OB 417 2<sup>nd</sup> Reading of Ordinance No. 1226 - a City-initiated Text Amendment to Title 17, Section 17.06, Design Review, to create a Pre-Application Design Review process*

[6:13:52 PM](#) **Burke conducts 2<sup>nd</sup> reading of Ordinance No. 1226, by title only.**

**STAFF REPORTS:**

[6:14:48 PM](#) Aberbach thanked council for showing up at truck dedication. Burke, it was a great event.

[6:15:43 PM](#) Miller, broadford road set to be paved next week. Under budget will be completed soon.

[6:16:15 PM](#) Dawson, really looks like city has done a lot of good work. Burke everyone worked together and extra hard, deserves thanks.

Teevin announced, glad that both of you are back, directed to Miller and Dawson.

**EXECUTIVE SESSION:** Pending & Imminently Likely Litigation (IC 74-206(1)(f))

[6:17:07 PM](#) **Cooley moves to go into Executive Session for Pending & Imminently Likely Litigation (IC 74-206(1)(f)), seconded by Teevin, motion passed with roll call vote. Teevin, yes. Burke, yes. Cooley, yes.**

Council went into executive session.

[6:41:29 PM](#) Council returned from Executive Session. **Cooley moved to adjourn, seconded by Burke, motion passed unanimously.**

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Fritz X. Haemmerle, Mayor

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Mary Cone, City Clerk