

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD DECEMBER 11, 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 Mayor Fritz Haemmerle. Present were Council members Colleen Teevin, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

[5:30:44 PM](#) Call to order by Mayor Haemmerle

Open Session for Public Comments:

Peter Lobb, Hailey resident pulls CA 467 for discussion.

**CONSENT AGENDA:**

- [CA 454](#) Motion to approve and authorize the Mayor to sign the Tree City USA application .....
- [CA 455](#) Motion to approve ratifying the Mayor’s signature on and submittal of a grant application for FEMA.....
- [CA 456](#) Motion to authorize Resolution 2017-124, approving FMAA grant application with ITD for \$25,000 award and authorize the Mayor to sign .....
- [CA 457](#) Motion to approve Resolution 2017-125, and authorize the Mayor’s signature on LHTAC’s Children Pedestrian Safety Program, a grant application, for improvements to East Croy Street and 2<sup>nd</sup> Ave.....
- ~~[CA 458](#) Motion to authorize Resolution 2017-126, ratifying the Mayor’s signature on a Seagraves Foundation Grant Agreement through which Seagraves Foundation will contribute \$175,000 to the purchase of Jimmy’s Garden.....~~
- [CA 459](#) Motion to ratify Library Director’s signature on grant agreement with Resolution 2017-127, library, Aspen skiing company’s, Limelight Ketchum Community Fund \$4,280 .....
- [CA 460](#) Motion to accept donated artwork to the Hailey Public Library .....
- [CA 461](#) Motion to approve agreement with Brockway Engineering PLLC, Resolution 2017-123 was adopted in the last meeting but the agreement wasn’t included in packet documents- to design and engineer improvements to the River Street Well increasing the resource yield at that location, for an amount not to exceed \$9,976. ....
- [CA 462](#) Motion to authorize Resolution 2017-128, approving Corporate Membership agreements to the YMCA and Bigwood Fitness .....
- [CA 463](#) Motion to approve Resolution 2017-129, authorizing Joint Defense and Confidentiality Agreement with McHugh Bromley PLLC and Givens Pursley LLP and the cities of Ketchum and Bellevue .....
- [CA 464](#) Motion to approve Resolution 2017-130, authorizing the Mayor to sign a Memorandum of Understanding with Blaine County for cooperative snow removal services .....
- [CA 465](#) Motion to approve Resolution 2017-131, authorizing the Mayor to sign an Agreement with Alpine Tree Services to provide tree care for the City in an amount not to exceed \$10,000 .....
- ~~[CA 466](#) Motion to approve Resolution 2017-132, authorizing snow removal agreement with Sun Valley Landscaping, Inc. for sidewalks around city hall as needed for a rate of \$150 per cleaning .....~~
- ~~[CA 467](#) Motion to approve Resolution 2017-133, authorizing an agreement and scope of work with HDR Engineering, Inc. to provide an analysis on wastewater treatment impacts to the City’s Wastewater Treatment Plan as a result of the Quigley Farms annexation and recommendation on how to mitigate any impacts.....~~
- [CA 468](#) Motion to approve Resolution 2017-134, and authorize the Mayor’s signature on a quitclaim deed for transfer of ownership of a groundwater right jointly owned by the City of Hailey and Hailey Cemetery and submit and authorize the Mayor to sign a change in ownership form and submit to IDWR.....
- [CA 469](#) Motion to approve Resolution 2017-135, authorizing execution of rental agreement with City of Bellevue to rent Hailey’s 1965 FWD Snow Blower .....

- [CA 470](#) Motion to approve Resolution 2017-136, authorizing Change Order No. 2 with Apollo Construction for a credit on the Wastewater Lift Station Access Road for \$600 .....
- [CA 471](#) Motion to authorize the Mayor’s signature of Idaho Power’s Customer Consent for Non-Residential Accounts form for the Sun Valley Institute and Idaho National Laboratory’s digital blue print project.....
- [CA 472](#) Motion to reappoint Fritz Haemmerle to Sun Valley Air Service Board with Resolution 2017-137 for another one-year term ending December 31, 2018 (current term expires 12/2017).....
- [CA 473](#) Motion to approve Resolution 2017-138, reappointing Fritz Haemmerle and Don Keirn to Friedman Memorial Airport Authority for two-year terms through December 31, 2019. (current terms expire 12/2017) .....
- [CA 474](#) Motion to reappoint Martha Burke and Pat Cooley to Joint Board of Hailey / Wood River Fire Protection District with Resolution 2017-139 for a one-year term (expires 12/2017) .....
- [CA 475](#) Motion to reappoint Richard Pogue to Hailey Planning and Zoning Commission with Resolution 2017-140 for a three-year term (expires 12/2017).....
- [CA 476](#) Motion to reappoint the Hailey Planning & Zoning Commission as the Hailey Development Impact Fee Advisory Committee with Resolution 2017-141, finding that the makeup of the Board is in conformance with IC 67-8205.....
- [CA 477](#) Motion to approve Resolution 2017-142, reappointing Carol Waller, Toni Whittington and Errin Bliss to Hailey Arts and Historic Preservation Commission for 3-year terms expiring Dec. 31, 2020.....
- ~~[CA 478](#) Motion to approve Resolution 2017-143, authorizing the reappointment of Dean Hernandez and the new appointment of Henno Heitur and Nancy Litzinger to Hailey Parks and Lands Board for 3 year terms expiring Dec. 31, 2020.....~~
- [CA 479](#) Motion to approve Resolution 2017-144, authorizing the City of Hailey’s dental insurance rates through Delta Dental of Idaho .....
- ~~[CA 480](#) Taxi License Renewals.....~~
- [CA 481](#) Motion to approve minutes of November 13, 2017 and to suspend reading of them.....
- [CA 482](#) Motion to ratify claims for expenses during the month of November 2017.....
- [CA 483](#) Motion to approve claims for expenses incurred during the month of November, 2017, and claims for expenses due by contract in December, 2017 .....

[5:31:50 PM](#) CA 478, pulled by Dawson for a correction. Item CA 458, pulled by Mayor Haemmerle

**Burke moved to approve all consent agenda items minus CA 458, CA 466, CA 467, CA 478, CA 480, seconded by Teevin, motion passed unanimously.**

[5:32:47 PM](#) CA 458 Haemmerle thanks the Seagraves Foundation for grant for \$175,000 to enable the city to purchase Jimmy’s Garden.

[5:33:20 PM](#) **Keirn moves to approve CA 458, seconded by Burke, motion passed unanimously.**

[5:33:52 PM](#) ca 466 160 ckleaning burke moved, keirn seconded passed.

[5:34:14 PM](#) CA 478, Nancy Linscott is the correct last name not Litszinger, Dawson explains. **Burke moves to approve CA 478, seconded by Keirn, motion passed unanimously.**

[5:34:44 PM](#) CA 480 Cone explained that Wood River Taxi application was received late today, please approve this item as well as items in the packet. Item was handed out to council at meeting tonight.

**Motion to approve CA 480 by Burke with addition of Wood River Taxi's application and rates, seconded by Keirn, motion passed unanimously.**

[5:35:30 PM](#) CA 467, Peter Lobb, comments, wouldn't this have been a good idea before the annexation? Better to have developer to pay for this instead of the city? Maybe what we did, wasn't the smartest thing.

[5:36:48 PM](#) **Burke moves to approve CA 467 agreement with HDR, Keirn seconds, motion passed with roll call vote. Teevin, yes. Burke, yes. Keirn, yes. Cooley, yes.**

Mariel Miller comments that the developer has agreed to pay for this item.

### **MAYOR'S REMARKS:**

[5:37:36 PM](#) Haemmerle announced this is his first meeting in over 2 months, he had an unfortunate accident, and spent 30 days in the hospital, having something like this accident, gives a person a new perspective. As we go into the holidays, we are only guaranteed one thing in life – life itself. Try to treat everyone better, slow your life down, enjoy your family and the spirituality of it. If you need help, reach out and help your fellow man. Have a great holiday and enjoy the season.

### **APPOINTMENTS AND AWARDS:**

AA 485 *City of Hailey Employee Service Awards:*  
10 Year Employees - Mariel Miller, Charles Cox  
15 Year Employees - Mike Baledge, Mike Parker, Christina Leos  
20 Year Employees - Steve Holyoak  
25 Year Employees - Kelly Schwarz, Terry Turner

[5:39:58 PM](#) Mayor moves to the front of the room to give recognition awards to 10 year employees awards.

[5:41:01 PM](#) Mariel Miller is recognized for 10 years, Public Works Director – she is moving in January to Colorado with her family to pursue new opportunities. Miller thanks everyone, she has enjoyed working in Hailey, and her move is bittersweet.

[5:42:15 PM](#) Charles Cox, 10 years Police Office, thank you for serving us. Listen.

15 year awards

[5:43:14 PM](#) Mike Baledge Hailey Fire Marshal and Deputy Fire Chief, recognized by Mayor Haemmerle. Applause by room.

[5:43:55 PM](#) Mike Parker, Wastewater department, thank you for your service, have to have an open mind to work there, announces Parker.

[5:44:37 PM](#) Christina Leos, you juggle a lot of things, keeping these officers in line. Leos thanked everyone.

[5:45:15 PM](#) Steve Holyoak, WW good water down there, test it all the time, good team and good city.

[5:46:06 PM](#) Terry Turner, Street Department thanked Terry for his service.

[5:46:42 PM](#) Kelly Schwarz, Street Department, last year bad snow year, thank you to you and your crew.

Final words listen by Mayor.

### **APPOINTMENTS AND AWARDS:**

AA 486 *Service Awards for retiring Board and Commission Members* (No Documents)  
*Juerg Stauffacher - 6 years on Hailey Tree Committee*  
*Phil Rainey - 3 years on Hailey Parks & Lands Board*  
*Rick Davis - 5 years as Hailey's representative to Blaine County Housing Authority*

Mayor Haemmerle announced that we will recognize these folks at a later time.

### **PUBLIC HEARINGS:**

PH 487 *Consideration of a Development Agreement between the City of Hailey and ARCH Community Housing Trust, for property located at 3920 Woodside Boulevard, Hailey, Idaho, and more particularly described as Lot 14, Block 46, Woodside Subdivision No. 11. The agreement addresses the manner and timing of construction, construction and landscaping of the property and other factors affecting the general health, safety and welfare of the citizens of City and users of the Property with regards to the City Council Conditions of Approval of the May 19, 2017, rezone of the subject property*

[5:49:17 PM](#) Horowitz starts out and gives an overview of this item. Findings are in your packet, we received a petition for reconsideration, council decided that we should do a Development agreement which is in the packet tonight.

Michelle Griffith with ARCH Community Housing Trust, speaks to Mayor and Council. A site plan is displayed to the room, this is a result of public comments and help from Becki Keefer, making the best use of the property. the original plan had neighbor parking, public parking was removed as a result of public comments. Discussed fencing, agreed to not fence the outside area but will have a fence next to the buildings. Moved the patio areas to the side based on public input.

Public Comments:

[5:54:39 PM](#) Gadrie Edmunds speaks, she appreciates the cooperation with City and council's time.

[5:55:27 PM](#) Simms speaks to council, plans are clear as presented by Griffith.

[5:55:54 PM](#) Cooley asked, is there public parking, across the street, Cooley thinks there should be parking by the park. He likes that there is parking across the street in front of Power Engineers.

[5:56:51 PM](#) Teevin asks about the circles. Griffith, those are trees. Griffith added, they will put gravel and road mix and signs, the trees are planted by them (ARCH). Teevin asked if a private company is going to take care of the park. Griffith, this was never brought up or discussed. Mayor Haemmerle, some landscaping companies adopt a park.

[5:59:04 PM](#) Simms refers to a section in the development agreement regarding the maintenance of building.

Teevin, what about maintenance of the park area?

Burke, read that ARCH will take care of the housing portion maintenance.

[6:00:18 PM](#) Simms the document reads as it is the entire property maintenance, council should discuss this further.

[6:00:49 PM](#) ARCH does not have capacity to maintain the park. Simms responds, this section needs to be discussed. Clarification in this area, it needs to be agreed on before moving forward.

[6:01:55 PM](#) Haemmerle, the City maintains all parks.

[6:02:49 PM](#) Keirn comments that it's a small park area.

[6:03:19 PM](#) Cooley asks, what does the park area look like? Griffith, had discussions with the Blaine County Recreation District (BCRD), options for groundcover and plants, logs and earthen berms. Agreed to plant trees by this area and will water them, but do not have the expertise to design this area and select materials.

[6:06:24 PM](#) Stephanie Cook speaks to council, she assumes the Parks department will take over the maintenance of this park area.

[6:07:16 PM](#) Miller, will find ways to make this happen, may find a business to adopt it. This has not been assessed yet.

[6:07:52 PM](#) Teevin comments, this needs to be clear.

[6:08:00 PM](#) Haemmerle, need to change language in the agreement.

[6:08:20 PM](#) Burke is prepared to adopt but respects the need to change this language.

[6:08:59 PM](#) Burke moves to approve, with understanding that parks department takes care of maintenance.

[6:09:24 PM](#) Simms, feels this can happen.

[6:09:51 PM](#) Griffith, we have to do a lease also, do you want to do these together.

[6:10:11 PM](#) **Burke makes a motion to continue item to Jan 8, 2018, seconded by Cooley, motion passed unanimously.**

*PH 488 Consideration of a proposed Ordinance No. \_\_\_\_\_ recommended by the Hailey Planning and Zoning Commission regarding a City-initiated Text Amendment to Title 17, Section 17.02, Definitions, to clarify and amend the definition of: Dwelling Unit. The amendment would include changes to the minimum gross floor area in that every dwelling unit shall have not less than one hundred fifty (150) square feet of gross floor area, replacing the current regulation of one hundred twenty (120) square feet of gross floor area (continued on the record from the November 13, 2017 Council meeting)*

[6:11:15 PM](#) Horowitz explains that the dwelling unit definition is proposed at 150 sq ft., in response to comments from council during the Public Hearings on the Small Residential Overlay district. Council requested an amendment to 120 sq ft, size and the Planning and Zoning Commission recommends 150 sq ft, on pg 284 of packet you'll see their rationale for their recommendation to council.

No Public comments.

[6:13:20 PM](#) Keirn is concerned with this size, this is very small. Cooley wonders why we are looking at this small of a size amendment? Cooley comments that #4, health safety and general welfare, doesn't meet the criteria.

[6:15:18 PM](#) Haemmerle asked, what is ADU size? Horowitz responds, 300 – 900 sq ft.

[6:16:07 PM](#) Burke, was an advocate of the small apartments, many people have approached Burke, and they say let Marriot do the renting. Horowitz responded, they will not contemplate short term rentals (the Marriot Hotel).

Discussion ensued with council about size of units.

[6:19:30 PM](#) Haemmerle asks, can we have a tiered system, with varied sq footage? Horowitz, responded, must be a Conditional Use Permit, approved by Council.

[6:21:54 PM](#) Haemmerle, there is a problem with this whole thing. 200 sq ft living unit and 300 sq ft ADU.

Horowitz suggests staff to rework this item. Haemmerle 200 sq ft as CUP is okay but not standard.

**6:24:05 PM Motion to remand back to the Planning and Zoning Commission made by Keirn, seconded by Burke, motion passed unanimously.**

*PH 489 Consideration of Resolution 2017-119, updates to Hailey Parks, Lands and Trails Master Plan and plan for future revisions*

6:24:33 PM Stephanie Cook presented to council on September 25<sup>th</sup>. Since then, we've opened up a period for public comment, posted on website, discussed at a Parks and Lands Board meeting, published an article in Our Town newsletter. Also collected comments from other city departments, and public comments have been incorporated, including those from Dave Keir. Cook has changed all dates from 2002, to 2017. Arts Commission was formed, so that goal was removed. Under partnerships, added Kiwanis and WRLT. Appendix will be added for the Greenway Master Plan to this master plan. Keir's comments, some of them were incorporated, some not as not appropriate to the master plan document. Neighbors 6:29:56 PM will be involved moving forward for input and will use the park planning sheets to categorize and utilize the parks to their fullest. The plan is to discuss each park at Parks and Lands board meetings, invite public comments. Cook wants council's input on what they think is the right direction.

6:32:14 PM Haemmerle, our standpoint, we decided what to do with regional and community parks. Suggest collecting comments from neighbors and then approach council with suggestions. Neighborhood parks, warrant neighbors input.

6:33:34 PM Burke, is Curtis Park used? What are we missing? It is like that park is invisible.

6:34:45 PM no public comments.

**6:34:57 PM Burke moves to approve the Hailey Parks, Lands and Trails Master Plan with Resolution 2017-119, seconded by Cooley, motion passed with roll call vote. Teevin, yes. Keirn, yes. Cooley, yes. Burke, yes.**

### **NEW BUSINESS:**

*NB 490 Conversation with the Chamber regarding contract and lease of the Welcome Center.*

6:35:34 PM Mayor Haemmerle announced this conversation will happen at a future date.

*NB 491 Consideration of November 7th election results and Resolution 2017-145 capturing results from Blaine County Commissioners canvass on November 14, 2017 as our record*

6:36:21 PM NB 491 election results, Haemmerle reviewed the results of the election, not the first time these initiatives went down handily, waste of time.

[6:38:05 PM](#) Mayor Haemmerle comments about the election results, for seats 1 and 2 and the initiatives that failed again.

**Cooley moves to approve Resolution 2017-145 canvassing results from the November 7<sup>th</sup> election, seconded by Keirn. Motion passed with roll call vote. Teevin, yes. Keirn, yes. Cooley, yes. Burke, yes.**

### **OLD BUSINESS:**

#### *OB 492 Update on Pathways for People projects*

[6:38:40 PM](#) A handout is given to council and a list is displayed to the room on a projector screen, items in green and blue. Miller will discuss the blue projects, River Street grant, \$2 million, design this year and build out in 2019. Idaho Transportation Department (ITD) has a \$4 million resurfacing project to be done in 2021. In anticipation of the resurfacing, 9 corners on Main Street are going to be redesigned this summer, no grant match required. Our Transportation Master Plan is over 10 years old we need to update it. We need to budget for it next year, need to prioritize going forward.

[6:41:26 PM](#) Miller continues to talk about the East Croy Street and 2<sup>nd</sup> Ave. Improvements, repairs to existing projects, if there is money left over, we will connect the sidewalk to the skatepark. The levy was passed by voters in May 2016, it was designed and engineered, then went to bid. We received no bids. We are currently bidding this out again.

Regarding the East Myrtle street improvements, which will help children get to the Middle School safely. Selected Galena Engineering, ITD contracts directly with Engineer.

[6:44:19 PM](#) Sidewalk maintenance, completed \$33,000 expense on sidewalk grinding in over 1,000 spots throughout the city. We also paid \$6,000 on sidewalk inventory in May 2017, to assess conditions and placement of all sidewalks, and to put a plan together to repair them. Propose sidewalk plan to council tonight for \$61,000.

Miller hands over to Kelly Schwarz [6:46:11 PM](#) to discuss the sidewalk inventory. We have 22.62 miles of sidewalks, we are putting together a grading system similar to the street grading system. Most of our sidewalks are 3 feet wide, lots of them are 4 ft wide, and have up to 11-foot-wide sidewalks. Newer sidewalks are the wider ones. We can reseal 7-foot sidewalks with minor maintenance because they are newer. 4 and 5-foot-wide sidewalks we can do overlays. 3-foot-wide sidewalks - most need to be replaced, due to age, and cracked or pushed up due to root heaving. Schwarz shows the new sidewalks located in Old Cutters and Woodside Blvd which are in good shape. 8-foot-wide ones are in business district area, 7-foot-wide ones are in downtown. 6-foot ones are spalling on 1<sup>st</sup> Ave and Bullion. The 4-foot-wide sidewalks are almost gone in some areas.

Schwarz explains the proposed plan to do the ranking of the Remaining Service Life (RSL) of sidewalks. The ranking ranges from 0-9 where zero is worst and 9 is the best condition, and

Schwarz shows the maps to mayor and council. This system (iWorqs) can track replacements and future maintenance.

[6:54:20 PM](#) Teevin asked, what do we do beside the big trees. Schwarz, not yet decided what to do with replacement of these sidewalks we need to discuss with neighbors, we may need to move the location of the sidewalks.

[6:55:33 PM](#) Miller, we can work at doing improvements every year.

[6:56:11 PM](#) Haemmerle asked can Schwarz give us estimates on the different maintenance types. Yes, their system allows them to calculate different repairs.

Miller closing comments, we have identified more repairs than our budgeted \$61,000 allows us to repair. We will chip away at these repairs in the future.

*OB 493 3rd Reading of Ordinance No. 1227 - City Council meeting date change to 2nd and 4th Mondays of month*

[6:58:58 PM](#) **Burke moves to approve Ordinance No. 1227, read by title, and authorize the Mayor to sign, seconded by Keirn, motion passed unanimously.**

**Mayor Haemmerle conducts 3<sup>rd</sup> Reading of Ordinance No. 1227, by title only.**

#### **STAFF REPORTS:**

[7:00:00 PM](#) Horowitz there is an Arts and Historic Preservation Commission meeting at 4, then they are going to the Blaine County Historic Museum, this Thursday, please join us if interested.

**EXECUTIVE SESSION:** Real Property Acquisition (IC 74-206(1)(c)), Pending & Imminently Likely Litigation (IC 74-206(1)(f)), and/or Personnel (IC 74-206(1)(a/b))

Simms asked council to amend agenda for a different topic. Mayor asked for council motion to amend agenda for executive session topic change from Real Property Acquisition (IC 74-206(1)(c)) to Pending & Imminently Likely Litigation (IC 74-206(1)(f)).

[7:00:49 PM](#) **Motion to amend the agenda change the executive session to pending & imminently likely litigation not real property acquisition, seconded by Cooley, motion passed unanimously.**

[7:00:58 PM](#) **Burke moves to go into Executive Session to discuss Pending & Imminently Likely Litigation (IC 74-206(1)(f)), seconded by Cooley, motion passed with roll call vote. Burke, yes. Teevin, yes. Cooley, yes. Keirn, yes.**

[7:23:45 PM](#) Mayor Haemmerle and council came out of Executive Session.

[7:26:15 PM](#) Teevin moves to adjourn meeting, Keirn seconds, motion passed unanimously.

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Fritz X. Haemmerle, Mayor

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Mary Cone, City Clerk