

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MARCH 12, 2018
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:32 P.M. by Mayor Fritz Haemmerle. Present were Council members Colleen Teevin, Kaz Thea, Pat Cooley, and Martha Burke. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

[5:32:40 PM](#) Call to order by Mayor Haemmerle

Open Session for Public Comments:

No public comments

CONSENT AGENDA:

- [CA 079](#) Motion to approve Hailey Arbor Day Proclamation, setting 2018 Arbor Day in Hailey on May 12, 2018.....
- [CA 080](#) Motion to approve Resolution 2018-018, authorizing grant application for Arbor Day Tree to be planted in conjunction with Arbor Day activities
- [CA 081](#) Motion to approve Resolution 2018-019, authorizing grant agreement with the State of Idaho Parks and Recreation for the Balmoral Park Improvements project.....
- [CA 082](#) Motion to authorize Hailey Police Department to apply for Magic Valley Public Safety Grant for \$2,800 if awarded will provide 4 body worn ballistic vests – 100% cost of vests
- [CA 083](#) Motion to approve Resolution 2018-020 and authorize the Mayor to sign Southern Wood River Valley Fire Service Automatic Aid Agreement
- [CA 084](#) Motion to approve Resolution 2018-021 and authorize the Mayor to sign an agreement with Clearwater Landscaping for seasonal upkeep at the Fox Acres Roundabout.....
- [CA 085](#) Motion to approve Resolution 2018-022 and authorize the Mayor to sign an agreement with Webb Landscaping for seasonal upkeep at the Fox Demonstration Garden.....
- [CA 086](#) Motion to approve Resolution 2018-023, and authorize the Mayor to sign the Adopt A Park agreement with Webb Landscaping for maintenance and mowing at Hop Porter Park during the 2018 park season.....
- [CA 087](#) Motion to approve Resolution 2018-024, surplus property and authorize the proper destruction or removal according to set procedures.....
- [CA 088](#) Resolution 2018-025, authorizing an agreement with iWorQ for a Public Works Department and Water Division software with an annual cost of \$1,250 and a \$25.00 initial set up fee.....
- [CA 089](#) Motion to approve a Special Event, Color Me Fearless 5K, to follow a course from River Street, on Broadford Road, through the Draper Preserve and end at Hop Porter Park, on Saturday, June 2, 2018 from 10:00am to 1:30pm
- [CA 090](#) Findings of Fact, Conclusions of Law and Decision regarding a Preliminary Plat application by Quigley Green, LLC for a Large Block Plat for Blocks 1-17 and Preliminary Plats for Phase 1 of a 230.85-acre property described in Exhibit B-1 to the Quigley Farm Annexation Agreement (document on file with the Hailey Community Development Department). Phase 1 consists of Preliminary Plats for Blocks 1 2, 3, 4, 10, 11 and 15
- [CA 091](#) Findings of Fact, Conclusions of Law and Decision regarding a request by PANC Investments, LLC, to resubdivide Lot 18, Block 7, Old Cutters Subdivision (611 San Badger), into two sublots, to be called the San Badger Townhomes
- ~~[CA 092](#) Findings of Fact, Conclusions of Law and Decision regarding a request for a zone change by Bill Gooding on behalf of the owners of the Hailey Business Park South Condominiums, Units 1-15 located at 1120 Broadford~~

~~Road. The request is to change the zoning from Technological Industry (TI) to SCI Sales and Offices (SCI-SO).....~~

- [CA 093](#) Motion to approve minutes of February 26, 2018 and to suspend reading of them.....
- [CA 094](#) Motion to approve claims for expenses incurred during the month of February, 2018, and claims for expenses due by contract in March, 2018
- [CA 095](#) Motion to approve Treasurer’s Reports for the month of February, 2018

Horowitz pulls [5:33:19 PM](#) CA 092 for correction.

Burke pulls the minutes to abstain CA 093.

[5:34:05 PM](#) Burke moved to approve all consent agenda items minus CA 092 and CA 093, seconded by Cooley, motion passed unanimously.

[5:34:16 PM](#) CA 093 Burke will abstain from the motion as she was not present in the meeting.

Kaz Thea asked that her name be replaced for Don Keirn’s in heading of minutes. [5:34:55 PM](#)

CA 093 Cooley moves to approve as amended, Teevin seconds, motion passed with Burke abstaining.

[5:35:17 PM](#) CA 092 – Horowitz points to the last page of document 7 of 7, she handed out a revised document at the meeting, showing an underlined sentence, the item is not in packet.

Cooley moves to approve as amended, Teevin seconds. Motion passed with roll call vote, Thea, yes. Teevin, yes. Cooley, yes. Burke, yes.

PROCLAMATIONS AND PRESENTATIONS:

PP 096 5BEE Recycling Presentation by WRHS WATER Club

[5:36:10 PM](#) 5BEE water club students present to council.

[5:36:42 PM](#) Josey Zamora, Vanessa Martinez and Kim Aranda, WATER Club members present to Mayor and Council. Elizabeth Jeffrey approached them earlier this year to put signs on dumpster bins to aid Hailey recyclers. They display artwork that they started with and then revised after comments last Thursday in a meeting with city staff. They want to put a wrap on the bins to help educate people. Josey presents, explains changes to graphic, border is corrugated line. They will add a hexagon shape and show users to flatten boxes – next slide is on glass recycling.

[5:40:22 PM](#) Vanessa presents the glass dumpster design and how it has changed. She wants suggestions from council.

[5:40:50 PM](#) Burke what is type of material used for these signs? Jeffrey responds, it is a plastic that is used on the Ketchum utility box artwork [5:41:05 PM](#).

[5:41:21 PM](#) Thea asked, does it take up most of space on the dumpster. Vanessa replied, yes it does, each hexagon shape is 8 inches by 8 inches in size, the wrap will cover the dumpster, they are overall trying to simplify recycling, to help people.

Not sure how to “define” corrugated. There are many definitions and they are having a challenge selecting one that is simple and helpful.

[5:43:18 PM](#) Vanessa shows a picture of the corrugated border on the artwork, any ideas, waffled cardboard.

[5:43:48 PM](#) Mayor Haemmerle suggests removing the corrugated border on the glass bin recycling sign.

[5:44:32 PM](#) Teevin suggests that the students call the ERC for help with their definition.

[5:44:53 PM](#) Vanessa points to a metal sign placed behind the Mayor, explaining that these signs will be posted near the recycle bins to remind citizens that the dumpsters are for corrugated cardboard only.

[5:45:18 PM](#) Mayor Haemmerle asked, for all recycle bins around Hailey? Yes, confirmed.

[5:45:34 PM](#) Kim did the artwork for the original bee design, so that there would not be any copyright issues. They had originally used a bee stamp in the design.

[5:46:23 PM](#) Elizabeth Jeffrey has a donor to pay for the cost of the first 2 bin’s signage.

[5:46:56 PM](#) Mayor asks a funding question. Dawson, we do have a fund for education and outreach through our Clear Creek Franchise Agreement. Dawson announced the cost is \$110 for each sign / per dumpster. There are 11 recycle dumpsters in Hailey.

This group wants to paint the bins a blue color, the sides and back. [5:48:24 PM](#) Dawson answered the Mayor’s question about painting metal bins, Clear Creek does own the dumpsters Mike Goitendia is okay with painting them but he wants their name and phone number to remain on the dumpsters. The WATER Club will paint them. Metal is difficult to paint add the Mayor.

[5:49:11 PM](#) Elizabeth Jeffrey will check with Mike Goitendia to paint the dumpsters with the correct type of paint. The Mayor suggests to do one first and see how we like it.

[5:49:37 PM](#) Thea – this is a good idea.

[5:50:09 PM](#) Burke, this is a fantastic idea, great club, and setting a tone that everyone appreciates.

[5:50:30 PM](#) **Burke moves to move forward with plan, Teevin seconds, motion passed unanimously.**

Applause by crowd.

PUBLIC HEARINGS:

PH 097 Update report on the Hailey Greenway Master Plan

[5:51:30 PM](#) Horowitz presents update to Mayor and council. March 23rd is the end of 60-day comment period, the next available meeting to discuss this is April 9th. The update in the council packet is from Harmony Engineering. There are 2 possible layouts for the ballfield, Horowitz handed out an email she received from Shaun Guisasola, citing his preference of the option 1 layout. We will bring the back in April for council.

[5:53:21 PM](#) Mayor Haemmerle asked Horowitz to give a brief overview of Harmony Engineering memo.

[5:53:33 PM](#) Horowitz, comments about plan improvements a Lions Park. There were generally many public comments against camping as an option, city will continue occasional camping associated with special event. Next, floodplain improvements comments, still a priority, asked for consultant to do these layouts.

[5:55:00 PM](#) Thea, don't move too quickly without the Raz study results.

[5:55:17 PM](#) Haemmerle, this study was originally for the area, then we added the scope of project to include flooding analysis. This is not an "either or" situation. The people that come here are not in opposition of floodplain fixes.

[5:56:28 PM](#) Thea suggested that the Raz Study, could be significant in improving the flooding types of issues.

[5:56:58 PM](#) Mayor adds that ballfields are a quality use in a floodplain.

[5:57:47 PM](#) Simms, expect the Raz study for the April meeting.

[5:58:07 PM](#) Horowitz, next comments about parking – they are inadequate now and improving them by the ballfield will be challenging.

[5:58:41 PM](#) Horowitz added, there are 10 comments in support of a play wave and a few opposed to it.

Most comments on public restrooms, are in support of, if supported by municipal sewer, then it may be challenging to extend services on the other side of the river.

[5:59:44 PM](#) Concessions are generally supported by softball folks, not by others who are against the sports field upgrade. Lions park amenities versus flooding – comments. Consultant suggests to reduce or eliminate activities in certain areas – like the riparian area. Ball field and play wave are still in the plan.

[6:01:16 PM](#) We received comments on this site being an old dump site and that moving the snow storage site is a high priority project.

[6:01:30 PM](#) floodplain issues, some comments felt there was too much focus on flooding, questions about the Local Improvement District comments. Horowitz reiterated that each project are only in the idea stage, they are not shovel ready, much needs to be done to carryout each project of the plan.

[6:02:30 PM](#) Colorado Gulch replacement bridge comments – Horowitz added the primary players are Blaine County and WRLT.

Comments on private property and land uses. Staff and consultant both recommend removing this reference.

[6:03:31 PM](#) Comment about having hot springs – staff doesn't recommend adding this activity.

[6:03:51 PM](#) Horowitz displays options for ballfield, players like option 1.

[6:04:35 PM](#) Horowitz explains with option 2 it requires fill and subsequent compensatory removal of fill in other areas of the park.

[6:05:08 PM](#) Mayor added that the March 6th, memo is an excellent synopsis of public comment to date, the public should review this document.

Public comments.

[6:05:41 PM](#) Tony Evans, comments, the current plan as he reads it includes diverting water as an overflow, but the 3 tasks for Raz study, he asked Harmony if Raz study will include the water meandering around the river. It seems to Evans that you might take into account the possibility of flooding impacts with moving water around the ball field. Refers to Mallory photos of the meandering Big Wood River. It seems an enormous amount of water came down river, if diverted, it might come back into river, would this create possibility of flooding impacts? It looks like removal of options are inexpensive, how much would it cost to add the meandering around the softball field.

[6:09:07 PM](#) Mayor responded, these things are not mutually exclusive, it is a plan and not fully specked out projects. Floodplain questions should not remove the ballfield. This is a general plan only.

[6:10:15 PM](#) Evans is not suggesting mutually exclusive, but why don't you add this to the scope of the study?

[6:11:05 PM](#) Horowitz to add it to the study, costs \$1,200.

[6:11:28 PM](#) Al Hackle speaks to council, spent about 30 years working disaster situations. He read this plan, he doesn't see any action plan stated here and there should be, this is frustrating as

a floodplain resident. He is looking for action from council in the floodplain because it (flooding) reduces his property values, he can't wait 10 years, expected to see statement on whether or not the tennis court would be addressed.

[6:13:46 PM](#) Mayor Haemmerle responds, this is a plan on a large stretch of land in the area. Hailey has received a grant from FEMA, but cannot meet with them yet on projects, it is contingent on them approving the projects, we have many ideas, but cannot do anything until we have the go ahead from them.

[6:14:47 PM](#) Mark Kieckbusch Della resident was out of their house for 2 months last year. Why are you talking about the ballpark instead of flooding? You seem unwilling to fix flooding issues.

[6:15:27 PM](#) Mayor Haemmerle responds this is a plan for a large stretch of land, we have grants but cannot get funding from FEMA until they speak to us. If you want to speak to our engineer after this, you may speak with Brian Yeager.

Kieckbusch – when are you taking action. Mayor responds, when FEMA gives us the okay.

[6:16:53 PM](#) The money for the ballpark is mostly volunteer work by the ball players. Hailey doesn't have the money for what you us to do. Mayor Haemmerle suggests that the neighbors form an LID district, you would need approval from FEMA too.

[6:17:59 PM](#) Yeager responds, you can't push FEMA, they will give you a date, and then they say, we will be back in touch.

[6:18:21 PM](#) Dawson gives an update, it will be 6 months before the City will receive reimbursements of \$65,000 for flooding support efforts from last spring.

[6:18:54 PM](#) Mayor Haemmerle adds that the money from FEMA has to be prioritized, they do not respond quickly. Kieckbusch asked what is flood control district doing? Mayor Haemmerle responds. Kieckbusch, our property values are declining. [6:20:12 PM](#) Mayor Haemmerle, we have not gotten money or approvals, without them the city cannot do anything.

[6:20:36 PM](#) Burke this is not a choice, we are between a rock and a hard spot, without government help. [6:21:10 PM](#) Mayor Haemmerle, there are some citizens that don't want the city to raise our budgets to do a lot of work down there.

[6:21:25 PM](#) Kevin Wilson Della resident spoke, he went 47 days with no power. There are things you can do, there are overflow places not in the flood area you can use to provide extra flow so that we don't flood again. Last year at the end of the year, the River was at 3 feet and the water was still flowing down his street. He is going to flood again. Wilson is not happy with the way he is being treated. Mayor Haemmerle suggests Wilson can speak to the City Engineer after this discussion.

[6:23:08 PM](#) Burke did you get any information when you were building in a floodplain? Wilson confirmed yes.

[6:23:36 PM](#) Mayor Haemmerle, we have done what we can, and have to wait to do any work.

[6:24:00 PM](#) Burke suggests you (the neighbors) write FEMA, form a coalition with your neighbors, owners and contact FEMA, and see if it helps push us ahead of the line.

[6:24:33 PM](#) Peter Lobb this is not about flood control, he agrees with staff comments about removal of items. Lobb only disagrees with the softball field, they tend to be noisy. Lobb doesn't have problem with tournaments or drinking, Hailey needs to make a choice, do you want this to be quiet riparian area with wildlife, or bring in more noise, he thinks this is a mistake to expand the ball field. Find another place less intrusive of wildlife. If he were king, he'd remove this item (ball field). It is a shame to jeopardize wildlife for softball.

[6:27:24 PM](#) Patty Lousen with the WRLT, a partner in this study speaks to council. The Land Trust is also working with Blaine County, and by utilizing Army Corps engineer funds, trying to identify funding available for grants, these moneys haven't been allocated yet, there is other work that county and cities are doing. But we are working on it, we are all keen to determine if we can apply for these grants. The WRLT doesn't look at this as a play wave – we look at it as a break control, sediment control, and clarifies, this is slow process, they are working with Hailey as a partner, and this feature of wave control provides flood control too, not only a recreation feature.

[6:30:03 PM](#) Mayor Haemmerle comments, FEMA compares us to other events in the country first.

[6:30:29 PM](#) Sam Linnet, attorney and citizen comments to council. Linnet implores, you should have as much open space as possible, potentially the ballfields. There are land use and zoning improvements that could be made along the Greenway that would improve recreation, potentially mitigate flooding, and have a lot of benefits. Having this plan as an option and having the master plan, long-term in 20,30,50 years from now could be very beneficial. And throughout the stretch of the river, zone for floodplain and stop building in the floodplain.

Council will revisit this on April 9th meeting.

Brian Yeager goes to a conference room with Della neighbors after floodplain ordinance. After a brief discussion, the neighbors want to wait until after the floodplain ordinance discussion to leave meeting.

Council comments:

[6:34:00 PM](#) Teevin – pulls public comment, verbal public comment not documented. Horowitz commented, those are in minutes, can forward to consultant. Parking lot, would it be paved? Horowitz, it is not specified. R1 & r4, don't have estimate on reclaiming ballfield? Teevin feels this is worth it. [6:36:06 PM](#) Mayor, should we cost out this at this point? Horowitz, we have not cost out anything. Removing ballfields completely is not in there, b/c not an option right now.

Improving ballfields is not a high priority for Teevin. Teevin wants to add the cost to reclaiming the ballfield to the Raz study..

[6:38:09 PM](#) Burke attended concepts – permits we can apply for, to take out fill that is the ballfield, permit 319 grant. Lousen comments. That money if awarded, would lower area, put ball field back after fill is removed..

[6:40:09 PM](#) Teevin other issues are not about ball field

[6:40:29 PM](#) burke we can all win, remove fill AND put ball field back in after fill removed from old dump. Mayor we need a snow storage site first, then we can do other things with area. Burke supports this plan.

[6:42:22 PM](#) Teevin wonders how we can cost out raz study? Horowitz clarifies, no estimates in the raz study.

[6:43:55 PM](#) Cooley, practical point of view, not expensive to expand the ballfield. From a financial and practical application, we see what campion ice house has done for our community, we should expand ballpark, expand amenities, try for funding to drop this down, there is a backstop, but no other fixtures to stop flowing water. In future if money is there, raz studys done, then move snow storage, get money to remove fill.

[6:46:11 PM](#) Thea if we are removing fill, we need to do water sample tests, add this as item of information. Wherever there is greenspace we should look at [listen](#). wants info. To let us know if beneficial to flooding in della area. Would like to see us prioritize floodplain interaction, right now there are barriers. It will take decent research as mention by lousen, conducted by army corps of engineers. Where we have open land and barriers to river and flooding, we should consider these things. This is a longer-term thing, she doesn't know what it will cost to remove tennis courts, remove fill, City of Hailey is not prepared to do this tomorrow.

[6:49:15 PM](#) horowitz \$1 mil. To remove tennis courts. Thea, we cannot address this now, because of cost. Thea, it is her responsibility, financially and otherwise, prioritize flooding in our city. Thea understands FEMA, worked with them in the past. There are great things in this plan but takes lots of time and money.

Mayor open for public comment until April 9, meeting.

PH 098 Consideration of a City-initiated Text Amendment to Title 17, Section 17.04J, Flood Hazard Overlay Zoning District (FH), to update the existing code to meet current standards and recommendations from the State of Idaho Floodplain Coordinator and the National Flood Insurance Program (NFIP) and to reflect lessons learned in 2017 flooding. The existing code section will be repealed and replaced in its entirety. Proposed changes include new definitions, permit exemptions, limitations on fill and edits intended to streamline administration of the code

[6:51:40 PM](#) Rebecca Bundy certified floodplain manager for Hailey, reminds council that NFIP is a cooperative agreement and voluntary, but if ever found in non-compliance, there could be

severe repercussions to Hailey floodplain residents, including that they cannot apply for grant funding or flooding insurance. We decided to update code, had a visit from NFIP in August, trying to make sure code is revised in preparation of this week's visit. Bundy covers the goals, we based this on the Idaho state code model, dove-tailed it to not lose any provisions to any Hailey code changes made since 1988. Incorporated Association of Idaho Cities (AIC) suggestions. Presented to this to the Planning and Zoning Commission and those recommendations were sent to FEMA floodplain coordinator, and IDWR and now submitted to you with her comments. Any substantive changes, matches the model ordinance (what FEMA would like to see), with the exception of a few instances that go above and beyond the code, i.e. 17.04J.020C see activities exempt from requiring a Floodplain Development Permit, on page 243 of packet. This section is a concern to the floodplain coordinator, and FEMA wanted more time to review it. Bundy proposes, skipping this section tonight, as we are meeting with Region 10 FEMA floodplain this week, they are in support of concept, but want to make sure this doesn't cause problems with FEMA. On page 247, definitions, certain required definitions are marked with an asterisk – need to be verbatim – not modified in any way. Another section with substantive change, is a requirement to elevate utilities, 2 feet above floodplain for new construction. 17.04J.060.a.4, 1 foot above floodplain, suggested 2 foot above floodplain for new construction and substantive improvement - over 50% of structure. Bundy reviewed the next item which concerns putting fill on property, we have had issues with people adding fill for berms. Current code is not clear, FEMA recommends, if fill then you dig a hole the same size to offset the water for the fill. Section 17.04J.060.a.18, made an exception for backfill of foundation.

[7:01:47 PM](#) Mayor Haemmerle clarifies on the compensatory storage fill requirement you could do fill if you have compensatory storage and show that your fill doesn't affect neighbors. Bundy, confirmed, that is correct.

[7:02:03 PM](#) Bundy, the grading which is required with a Building Permit is a six-inch rise in 10 feet around the perimeter of the building, it does not have to be fill but can be, that is just the grade and how the soil needs to go away from the foundation, we did put an exception in there to make sure these structures could always be compliant with building code. Mayor Haemmerle asks a question for clarification, if you are putting in fill, does this require a permit? Bundy replies, yes, the way the NFIP code is written, technically you need a floodplain development permit to move spoonful of dirt. In discussion with FEMA about this clarification now. [7:03:20 PM](#) another change is that the current code states that the bottom of lowest floor system (floor joist) needs to be 1 foot above flood elevation 17.04j.060.b.1, However, we are proposing, regulating to top of the floor, approximately the same as how it states today. This gives the planner the information they need directly from the flood elevation certificate. This saves a planner from having to measure the crawlspace area in the future. Bundy shows a crawlspace typically found in the floodplain, this is allowed by FEMA, if allowed by local building code. Fences in the floodplain, gives no guidance in code. [7:06:07 PM](#) After the last flooding event, we felt that there shouldn't be fences below floodplain elevation, but also felt we needed to respond to neighbors that have dogs and children, open at bottom of fence with wire mesh for water to flow, proposing fence floodplain permit - combined permits into one for ease.

[7:07:32 PM](#) Mayor Haemmerle asked Bundy, Planning and Zoning Commission had 5 hearings on this? Bundy yes, at various times to accommodate schedules. FEMA wants to look at items on Page 244 & 245 of packet, right? Bundy, confirmed, yes.

Public Comments:

[7:08:23 PM](#) Kevin Wilson – his chain link fence plugged up in the flooding last year, so he ripped his fence out completely – there was 4 feet high flooding on his fence.

[7:09:33 PM](#) Horowitz understands that in extreme cases like Wilson’s house 2 inches could be problematic, we talked about this at length at P&Z, because they started at 4 inches in the draft and understand this is a very hard fence to procure. There will be a cost to the city with the amount of chain link fencing we have a Heagle Park and by the lift station. All of that would need to be replaced, if council decided to go with a bigger opening than 2 inches.

[7:10:15 PM](#) Bundy adds that any opening size will cause a dam, and debris backs up against it. The question, is the city in a position to not allow in floodplain. It is a compromise.

[7:11:09 PM](#) Cooley spoke with Rick Spaulding, and he doesn’t understand substantial improvement, 4 foot crawlspace, if he had fire in his house and has to do substantial improvement, does he have to change the crawlspace? Bundy responds, he might have to add fill in his crawlspace, according to the NFIP requirement.

[7:13:05 PM](#) Teevin, on pg 247, there is an extra heading for 17.041.030, Definitions. Yes, she will remove it, replies Horowitz. Page 258, b3 b, 21. “RVs and ATVs stored or kept outdoors” is this repetitive. This is FEMA verbatim – Bundy will check to make sure it is verbatim language. Teevin asks on the fencing topic, if vegetative fencing is **appropriate?** Pg. 244, page 7 of plan, 3B, fertilizing, worth discussing language, prevent new homes from using toxic chemicals, may be heavy handed but we don’t want it going down the river. Bundy, from her experience, doesn’t believe state law will allow us to do that but will check.

[7:15:42 PM](#) burke thanks Bundy for these changes, wonders how we can make good decisions. Feeling much better about moving forward. Fencing is a problem. Burke not prepared to say no fencing.. not prepared to do away with the cities chain link fence.

[7:17:06 PM](#) **Burke moves to continue, seconds? Motion ??**

Brian Yeager leaves the room to talk with Della residents about flooding. [7:17:41 PM](#)

PH 099 Reconsideration of 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 not have less than two hundred (200) square feet of gross floor area, instead of one hundred twenty (120) square feet of gross floor area, and to reconsider changes that ensure the primary residential unit on a lot shall not be smaller than the accessory unit

[7:18:51 PM](#) Horowitz gives a brief recounting of this item and states that, 150 square feet is the Planning and Zoning Commission's recommendation. Horowitz gives an explanation – after a brief discussion when item remanded back to the Planning and Zoning Commission, they have kept their same recommendation of 150 square feet. [7:20:47 PM](#) Mayor Haemmerle, clarifies, 120 sq feet is an IBC building code size. Horowitz IBC code is much simpler. Burke, we added other terms, Horowitz confirmed yes.

Public comments.

[7:22:02 PM](#) Peter Lobb likes 200 sq feet, you don't have to stick with IBC, you can do what you want, 200 sq ft is reasonable.

[7:22:33 PM](#) Bob Macleod, agrees with Lobb 200 sq ft – feels reasonable.

[7:23:04 PM](#) Teevin likes 200 sq ft – and she feels we should stick with our initial recommendation.

[7:23:18 PM](#) Cooley likes 250 sq ft.

[7:23:35 PM](#) Horowitz, Jim Warjone's units will be between 200 and 250 sq ft.

[7:24:00 PM](#) Mayor Haemmerle suggests, 300 sq ft, and you can have less than that as an approved conditional use.

[7:24:30 PM](#) Thea doesn't mind 150 sq ft, it is on the builder to sell that size, we shouldn't over regulate a builder. Thea asks a question about the accessory structure language? [7:25:32 PM](#) Simms comments, may have tiny primary homes with an Accessory Dwelling Unit (ADU). Concern that a tiny home would become an accessory use on the lot. This was discussed with the Commission and language was added in to prevent this from happening.

[7:26:22 PM](#) Cooley didn't we discuss Mayor's option of building a small unit and have a larger unit, 1:1. Conversation ensued on this topic.

Burke likes 200 sq ft.

Horowitz comments. Cooley what about, For every unit built above xxx sq ft. have unit xxx sq ft? [7:27:37 PM](#) Haemmerle can get complicated.

[7:28:11 PM](#) Mayor Haemmerle reminded council, this has been in the IBC building code for years, do you want to stick with the building code size or change it?

Burke, this 150 sq ft hasn't been applied much? Horowitz, it has never been applied.

[7:29:05 PM](#) Teevin suggests staying with 200 sq ft.

Haemmerle, comments, let the public decide if the apartments are too small at this size. [7:29:45 PM](#) Teevin, we are assuming the developer can adjust to enlarged units.

[7:31:13 PM](#) Simms, if we deviate from the proposal other than the square footage we will need to re-notice this item for a future meeting. 200 sq ft is not a material change.

[7:32:03 PM](#) **Burke moves to approve Ordinance No. 1231, and conduct the first reading by title only, amending Title 17 Section 17.02, Definition, definition of “dwelling unit,” changing 150 sq ft to 200 sq ft, Teevin seconds, Thea asks question, and shall include other requirements as specified in IBC or IRC code,” what is this? Horowitz answers, this is plumbing and plumbing separation. Motion passed with roll call vote. Teevin, yes. Burke, yes. Cooley, yes. Thea, yes.**

[7:34:43 PM](#) **Mayor Haemmerle conducted the 1st reading of Ordinance No. 1231 by title only.**

PH 100 Consideration of Ordinance No. ____, changes to Title 17, Section 17.05 to correct an error to Ordinance No. 1225, where Hailey Ordinance No. 1225 erroneously omitted “Recreation Facility, Residential” from the District Use Matrix

[7:35:13 PM](#) Haemmerle gives summary. Conducted a 2nd ordinance which didn't fix the omission from the 1st ordinance, so here we are again a 3rd time.

[7:36:16 PM](#) Lobb asks what is “recreation residential facility.” Horowitz replies.

No more public comments.

[7:36:51 PM](#) **Burke moves to adopt Ordinance No. 1232, conduct 1st and only reading by title only, waive the 2nd and 3rd Readings and authorize the Mayor to sign, seconded by Cooley, motion passed unanimously.**

[7:38:15 PM](#) **Mayor conducts 1st and only reading of Ordinance No. 1232, by title only.**

NEW BUSINESS:

NB 101 Consideration of Resolution-__ adopting Voluntary Water Conservation Landscape Guidelines as a guide to water conservation for properties in Hailey

[7:39:13 PM](#) Horowitz starts, Lousen will add her comments also. This is a valley wide effort with municipalities, the county, non-profits and industry representatives to develop water conversation guidelines. These are voluntary guidelines to conserve water with landscaping and drought tolerant plants. The WRLT has been conducting water conservation workshops to educate citizens on drought tolerant plants. The City has the Water Smarty grant program. Kevin Lakey from water district 37 had helped county staff to develop this chart to show how water is used in this county, the City of Hailey is part of that 11,000 acre feet per year section of the graph – one of 4 cities. And agriculture use is largest use by far.

Why are we developing these guidelines? To educate citizens as well as it [7:41:25 PM](#) will help us apply for grants. Horowitz displays a list of folks involved, and guideline categories. Horowitz, sustainable water use is a good idea for our future. Horowitz gave the council a hand out from the Tree Committee, Stephanie Cook developed a memo from tree committee's meeting last Thursday.

[7:42:31 PM](#) Linda Ries Tree committee chair, looked at this last Thursday, not much time to review the list of trees and bushes. Some items will be removed from the suggested trees, i.e. we will be removing Ash trees. And noted, there is no definition of compost. There is nothing that addresses trees in these conservation guidelines, i.e. you could be killing trees if cutting back on watering of plants. Also, you don't put mulch around tree trunks. The Emerald Ash bore is on its way here, so we don't want to encourage any more Ash trees.

[7:45:07 PM](#) Haemmerle asked Ries is she can further comment on this document and give to staff. Ries will collect comments. Dawson suggests May 14th as next meeting date.

[7:46:03 PM](#) Burke thinks this is something we should pursue.

[7:46:17 PM](#) Haemmerle asks if other cities are adopting this? Does Ketchum have odd / even watering? Cooley responds, it is on books, but not enforced right now. What about a tiered rate in Ketchum? Cooley confirmed yes in Ketchum. Lousen replied that Sun Valley does not have tiered rates but they recently went to odd / even watering schedule. Cooley clarifies that Sun Valley only meters their irrigation water. Haemmerle contends, this is a good plan, no one has embraced, "brown is the new green more than this City." More jurisdictions should adopt more conservation standards.

[7:48:11 PM](#) Teevin asks, on page 318, is something omitted? Do you need to add cities to fourth whereas statement? Horowitz agrees, and will add it to the whereas statement.

[7:48:52 PM](#) Lousen speaks to council, this has been an effective means to work with all the planners in valley. The tree committee has had other suggestions, deep watering, and a number of comments that were spot on. Ketchum adopted this in full, crafting to meet your needs is what is expected in Hailey, last date we have April 12th, is it possible to move adoption up in April? Haemmerle wants to accommodate the Tree Committee's desire. They can't meet next until April 9th. [7:51:19 PM](#) Lousen sent this to the water resource board, they are interested in using this throughout the state.

[7:51:37 PM](#) Thea agrees with Haemmerle, wants Ketchum and county to follow suit. We should eventually adopt it in the ordinance. Cooley commented we already have a rate structure, pay for what you use.

[7:53:03 PM](#) **Burke moves to continue discussion to the May 14th meeting, seconded by Cooley, motion passed unanimously.**

NB 102 *Consideration of Ordinance No. ____ - Zoning change to Municipal Code Section § 17.05.010 the City of Hailey Zoning District Map. Proposed changes would rezone Hailey Business Park South Condominiums, Units 1-15 located at 1120 Broadford Road from Technological Industry (TI) to SCI- Sales and Offices (SCI-SO)*

[7:53:26 PM](#) Horowitz announced this is the corresponding ordinance associated with the rezone you adopted in the last meeting.

[7:54:32 PM](#) **Burke moves to approve Ordinance No. 1233, authorize the 1st reading by title motion seconded by Thea. Motion passed with roll call vote. Burke, yes. Teevin, yes. Thea, yes. Cooley, yes.**

[7:54:53 PM](#) **Mayor Haemmerle conducts the 1st Reading of Ordinance No. 1233, by title only.**

OLD BUSINESS:

OB 103 *3rd Reading of Ordinance No.1229, amending various Titles in Chapter 12.20 that address City trees in the public right of way, creating new standards and amending existing language to reflect recommendations made by the Hailey Tree Committee and Summary of Ordinance No. 1229*

[7:55:18 PM](#) **Burke moves to approve Ordinance No. 1229, authorize 3rd reading by title only, adopt the summary of the ordinance and authorize the Mayor to sign, Cooley seconded. Motion passed with roll call vote. Burke, yes. Cooley, yes. Thea, yes. Teevin, yes.**

[7:55:46 PM](#) **Mayor Haemmerle conducts 3rd Reading of Ordinance No. 1229, by title only.**

OB 104 *2nd Reading of Ordinance No. 1230, amending the Parks Section, Title 12.12 of the Hailey Municipal Code, prohibiting use of city parks for commercial sales unless a recreational or community purpose is served*

[7:57:07 PM](#) **Mayor Haemmerle conducts 2nd Reading of Ordinance No. 1230, by title only.**

STAFF REPORTS:

[7:58:01 PM](#) Horowitz, Mayor signed and we sent letter to the legislature regarding the proposed changes to building codes.

No exec session needed tonight.

On Pg. 348, staff reports – Dawson points out that Brian Yeager is purchasing a ditch witch under \$50,000.

[7:59:10 PM](#) **Burke moves to adjourn, seconded by Cooley, motion passed unanimously.**

Fritz X. Haemmerle, Mayor

Mary Cone, City Clerk