

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD APRIL 23, 2018
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, Kaz Thea, Pat Cooley, and Martha Burke. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

[5:30:17 PM](#) Call to order by Mayor Haemmerle.

Open Session for Public Comments:

No public comments

CONSENT AGENDA:

- [CA 145](#) Motion to approve grant application for FEMA SAFER Grant, requesting \$1,255,022 for paid-on-call firefighter recruitment, training, equipment and benefits for Hailey Fire Department and Wood River Fire District personnel. This grant has no match requirement. **ACTION ITEM**
- [CA 146](#) Motion to approve grant application for Magic Valley Public Safety Grant, requesting \$19,340.00 to purchase body worn cameras and the operating system for Police Dept. **ACTION ITEM**
- [CA 147](#) Motion to approve Resolution 2018-034, authorizing the mayor to sign a U.S. Bureau of Reclamation grant agreement modification, raising the Water Smarty maximum rebate cap to \$7,500 for multi-family, commercial, and institutional participants. **ACTION ITEM**
- [CA 148](#) Motion to approve Resolution 2018-035 ratifying the Council President signature on the Security Agreement and Letter of Credit, which were approved on April 2, 2018 **ACTION ITEM**
- [CA 149](#) Motion to approve Resolution 2018-036 authorizing the 2018-2022 Multi Year Operating Plan and Cooperative Fire Protection Agreement with Hailey Fire Dept., USDI, BLM and USDA, and Forest Service **ACTION ITEM**
- [CA 150](#) Motion to adopt Resolution 2018-037, approving a lease agreement for a G50 Mini Excavator from Coastline Equipment for the Hailey Public Works Divisions of Water, Wastewater & Street Departments and authorizing the Mayor to sign **ACTION ITEM**
- [CA 151](#) Motion to adopt Resolution 2018-038, approving and authorizing the Mayor to sign an agreement with Galena Engineering for design of a PRV Station **ACTION ITEM**
- [CA 152](#) Motion to adopt Resolution 2018-039, approving an agreement with Clearwater Landscaping for an electrical and irrigation upgrade project for existing street trees along Main St., and authorizing the Mayor to sign. **ACTION ITEM**
- [CA 153](#) Motion to adopt Resolution 2018-040, approving an agreement for a Crack Fill project with Imperial Asphalt for Hailey roads and authorizing the Mayor to sign **ACTION ITEM**
- [CA 154](#) Motion to adopt Resolution 2018-041, approving an agreement for painting parking lines and curb markings by Imperial Asphalt and authorizing the Mayor to sign **ACTION ITEM**
- [CA 155](#) Motion to approve Resolution 2018-042, and authorize the Mayor to sign the Adopt A Park agreement with Swenke Landscaping for maintenance and mowing the Skate Park during the 2018 park season **ACTION ITEM**..
- [CA 156](#) Motion to approve the New Taxi Business License for Aardvark Transportation, LLC, **ACTION ITEM**
- [CA 157](#) Motion to approve the New Taxi Business License for Sun Valley Coach **ACTION ITEM**
- [CA 158](#) Motion to approve minutes of April 9, 2018 and to suspend reading of them **ACTION ITEM**

[CA 159](#) Motion to approve claims for expenses incurred during the month of March, 2018, and claims for expenses due by contract in April, 2018 **ACTION ITEM**.....

[5:31:01 PM](#) Burke moved to approve all consent agenda items, seconded by Cooley, motion passed unanimously.

MAYOR’S REMARKS:

none

PROCLAMATIONS AND PRESENTATIONS:

PP 160 Presentation by Brian Yeager, Hailey Public Works Director, on Myrtle Street Path Design Workshop scheduled for Thursday, April 24, 2018 at 6:00 p.m. Public input will be heard on the Pathways for People separated shared use path on Myrtle Street from the Wood River Trails Bike Path to Main Street (no documents)

[5:31:26 PM](#) Brian Yeager presents public workshop here at city hall at 6 pm, pathways to people project on Myrtle street design meeting. Design scheduled to be complete by oct 2018, galena engineering is the selected engineer and construction next year. Yeager shows a few slides of the proposed design.

[5:34:03 PM](#) Mayor Haemmerle reminds room that voters approved levy a few years ago to raise funds for bike and pedestrian paths through the city. This Myrtle street project was part of that levy. Fortunately, we received a grant for Myrtle Street project, so we can now apply levy funds to other projects.

[5:35:10 PM](#) Yeager announced that construction on the Croy Street portion of the Pathways for People project will start on May 29th we there will be a public announcement made for it soon.

PUBLIC HEARINGS:

PH 161 Consideration of Resolution 2018-_____ Draft 6 of the Hailey Greenway Master Plan (Continued from April 9, 2018) ACTION ITEMv

[5:36:01 PM](#) Horowitz, this is draft number 6, there has been a very robust public input process for this plan. A handful of changes from the last meeting, have been incorporated into the plan. We have appended the softball field studies and RAZ studies to the plan.

[5:37:20 PM](#) Haemmerle, this plan was initially started as a recreation, connectivity and activity plan, based on the flood event last year, we added scope to included other aspects of river restoration into the plan, and they are not by any means complete concepts and are not mutually exclusive. We’ve received lots of public comment, no more public comments are being taken. Tonight’s action is to deliberate, contemplate and decide.

[5:38:41 PM](#) Teevin, suggests a few amendments, first we should make sure that everything we do does not disrupt the ecosystem. Teevin refers to page 221 of packet, the history section regarding the Wood River Land Trust (WRLT), one goal is the wetland protection of wildlife – WRLT is our biggest partner on this plan. Teevin suggests using composting restrooms, suggests removing concessions completely from the plan, suggests on item #5a of the plan, which is the tennis courts; to add the word “relocate” in front of tennis courts. Teevin wants to see a line removed from page 257 [5:40:56 PM](#) examples for using the softball field for outdoor concerts and the gravel lot used for mobile food trucks. [5:41:22 PM](#) Teevin comments on the softball field, and asked, is enlarging the softball field a conflict of goals? Teevin’s, biggest concern on enlarging the field is the noise affecting the wildlife, species largest in the area next to Silver Creek. [5:42:56 PM](#) Teevin continues, that gravel bed rivers like the Big Wood, during the seasonal surges and floods, use the flood system to move materials like rocks and soil around to create new habitat. If we build a larger ballfield, any habitat built there will be removed again at the beginning of each season. As floods occur, habitat homes will be interrupted. [5:44:17 PM](#) Teevin refers to species diversity and a Boise State University (BSU) soundscape study, how human noise impacts wildlife, which causes decreased fitness to birds. We have over 90 species of birds within a mile of Bow Bridge. Teevin grew up playing softball. Bellevue doesn’t allow alcohol at parks. Teevin offers solutions, move softball to a medium priority, and plan it in a more appropriate spot, continue playing on field as it stands now, without increasing its size and consider relocating it. We have options. We don’t know what fields are being used and when, school fields, BCRD, City, Teevin asks for us to do an inventory of all of our fields and parks. Teevin suggests that we use Keefer Park [5:47:34 PM](#) for softball, make it bigger, or Balmoral Park. Quigley is also an option for a softball field. Teevin wonders if we can find a better place for a better size field that is not competing for resources, not necessarily money. [5:49:14 PM](#) Teevin wants to keep this wildlife corridor.

[5:49:45 PM](#) Burke, historically, this field was given to the city by Lions Club for use as a softball field. Burke doesn’t disagree with any of the ecological concerns if this were the only stretch of river in the area, then she would agree with Teevin. Burke appreciates the number of species that are located in that area and appreciates the use of Heagle Park. It seems to Burke that this community doesn’t have enough free activities. Burke believes team sports are critical to development emotionally and physically, she would hate to take away something so valuable to the city for so many years. Burke, thinks we should consider adopting the plan and then carefully think about any project called out in the plan. She is not sure how to solve all the flood issues in the area. Burke would leave the plan intact as in this draft number 6, and would like to see a field in place this summer.

[5:53:22 PM](#) Cooley, agrees with Burke. Cooley appreciates Teevin’s compassion for the area, field at Keefer was built for T-ball not regulation softball. This is a general plan and Cooley is happy moving forward as is.

[5:54:27 PM](#) Thea is happy to move forward with the plan but also agrees with Teevin’s comments. Thea is not in favor of expanding the ball field. Thea wrote a letter to the school district and asked for a field to use for softball [5:56:28 PM](#) Thea understands this is a guiding document and additional studies must be done to complete any of the projects. Thea doesn’t want to see a softball field expanded. Let’s figure out a better spot for a soft ball field. Food

trucks temporarily are okay with Thea but not full-time concessions. Thea is excited to move forward. Thea wants to move this forward, lots of effort has been put into this document.

[5:59:09 PM](#) Thea asked about the tennis court, netting sounds okay, she is fine with that, but she doesn't want any money spent. Maybe it needs to be a floodplain park. Thea doesn't want too much money put into Lions Park and the tennis courts at Heagle Park.

[6:01:15 PM](#) Haemmerle proposes on items L1 and L6 a comment, on page 258 of packet. For item L1, "reconstruct ball fields in Lions Park..." add a semicolon; or if an opportunity arises to find a better place for a ball field we will consider that." L6 – Heagle Park tennis courts, add a semicolon; "or if an opportunity arises to find a more appropriate place we will reconstruct or relocate the tennis courts."

[6:02:23 PM](#) Teevin would support revised language and be more comfortable. Teevin comments about t-ball and softball. Apparently, Twin Falls has been successful in using one field for both sports, want to keep this in mind as we move forward.

Haemmerle comments on Thea's suggestion to use Quigley's open space for the new softball fields. Haemmerle reminds Thea that the fields were intended for school purposes, that idea would not be an encompassing use, because it would impact the nearby Buckhorn residents.

[6:04:40 PM](#) **Cooley makes motion to approve the Greenway Master Plan with Resolution 2018-043 with amendments suggested by Mayor Haemmerle, seconded by Burke, motion passed with roll call vote. Burke, yes. Teevin, yes. Cooley, yes. Thea, yes.**

PH 162 Consideration of Ordinance No. _____ to amend penalties in areas designated as off-limits to scooters, with potential 1st reading of ordinance. ACTION ITEM

[6:05:49 PM](#) Haemmerle asks Horowitz to bring up a photo and then a video of the skatepark. This photograph was taken last week of the skatepark which displays the problem, it shows a mother, with one child on a bike and another on a scooter in the "old" bowl. This violates 2 aspects of the posted rules of the skatepark, no bikes and no scooters in the bowl. Haemmerle states the problem with the scooter, he explains the skateboarder issue, it is a huge danger, when there is loitering around the center island area; it doesn't work. The parent is supervising and letting her children do whatever they want. Horowitz found a video capturing issues between scooters and skateboarders, a Wall Street Journal video; "Can scooters exist with skateboards?" This topic sparks public debate across the country. The controversy reaches beyond the park, quote from the video. "Ultimately is it the nature of the facility itself, skaters haven or family park,if skaters had their way scooters would be chased away from the park...."

[6:14:14 PM](#) Haemmerle speaks, the City has had the rules posted for a while now, instead of following the rules we get kickback from parents asking why? The initial park was built for skate board parents with private funds. Then, later the rest of the park was built with bond money. We allowed scooters in the new part of the park because the park was funded with public money. What is happening now, is that kids don't follow the rules, and parents don't enforce them, skaters are leaving the park as a result. Scooter kids do what they want to do, which is why we are here today. What to do with this problem?, this is the debate. Haemmerle

will take comments, but before opening to public comment, Haemmerle starts the comment period himself with a letter emailed today April 23rd, from skater Jacob Frehling, which he feels frames the history of the park. [6:17:54 PM](#) Frehling is a skater who believes that skateboarders respect the park and pick up trash. There is no etiquette for turn taking by scooterers. Frehling states that scooterers should raise their own funds to build a park. Frehling asked for lights at the park and time extended to use the park.

Public comments:

[6:21:17 PM](#) Katie Caprara a Bellevue resident speaks to council. She is here today to state that she is firm on rules, and if her kids go in wrong area, they lose their scooters. Caprara feels that maybe there should be selected times for certain age groups. She stays at the park while her kids are there and she can't control other kids. She wanted her kids to be here tonight, so they can experience this as this is a place to change laws. Caprara didn't know private funds built the original park. Maybe education is the answer and tapping into involved parents.

[6:24:28 PM](#) Marie Wolfram, is a Bellevue and Hailey homeowner. Wolfram let's her kids go to the park by themselves, we have an amazing opportunity (skate park facility), public funds are used to maintain the park and it is a draw for this community. Those tax dollars are used to maintain it, it is a park for all. Maybe we can come up with a compromised solution, etiquette in park education.

[6:26:19 PM](#) Haemmerle asks Wolfram, what about the bikes, Wolfram, why are we banning bikes? Patrons are assuming all risks, when you enter the park. Banning is not the answer. What about being positive and have the kids come together and make the rules. Banning the park area is criminalizing her 12 year old son that is trying to find a fun activity to do with his friends, which is what the skateboarder kids when they were 12, except without a handle.

[6:28:01 PM](#) Wilder Curtis spoke, he is a senior at Wood River High School. This park is modeled after Dreamland park a gnarly park, it can pretty much only be skated by skate boarders, generally the little kid scooterers "snake" a skate boarder which disrupts the flow.

[6:29:10 PM](#) Lori Burks has a son who does both skate board and scooter, this is an age issue and being aware of your surrounding, being educated and experienced in your sport. Burks feels that the 5 year olds are usually the ones that are the problem. Maybe "must be 10" is a solution, because she is hearing that the younger kids with scooters are the issue.

[6:30:12 PM](#) Andy Gilbert concerned skate boarder speaks, and agrees that Burkes comments are spot on with the age issue. More importantly, it is an etiquette issue, with younger age kids, when an older skater is trying to educate younger kids, the scooter kids calls mom on phone, mom comes down and comes unglued on skater. All skaters are trying to do is teach the etiquette on how the park works. Gilbert is excited to see so many scooter kids here, and he states that they should listen to feedback, because, they are only trying to help educate younger kids on how to use the park. Conversely, to the skaters, you've got to think about your tone when trying to educate the kids. Gilbert suggests back to the funding of the park, it took a decade for it to become a reality, if scooter community wants to be involved, get organized and

involved, bring some things to the table, Gilbert gives ideas they can do: i.e. “we are going to buy picnic tables, pay for the lights for the park...” [6:31:59 PM](#) In the early days of the Ketchum skatepark, skaters were helping the roller blader’s put on contests, even though they didn’t like the group, they both liked the skate park and worked together. So, to the scooter older kids, educate the younger scooter kids, teach them to share the park. Gilbert doesn’t go to the park anymore, especially if police are there every day. Gilbert ends with, this is a community issue that people need to work together to resolve. Haemmerle asks, Gilbert: Ketchum doesn’t allow scooters, right? Gilbert responds, every now and then there is a scooter but they can ask the scooter to leave when it is an extremely busy time.

[6:33:31 PM](#) Sarah Busdon is a scooter mom, and feels that the problem is park etiquette, and age related. Busdon proposes public education. Her son is an older scooterer, she has gone to park to address bullying to her son. Any youth should be able to address bullying to their parents. She has seen skaters snake another skater, just last week. This is a public park now, things evolve. Ski hills evolved, now there is snowboarding, let’s remove the discrimination and sense of entitlement by some and let’s make it a welcoming and inclusive environment for everyone to use.

[6:36:07 PM](#) Pierce Grathwohl agrees with Andy Gilbert on the solution. We need to work together and be more accepting about each of the sports. Grathwohl explains why it is a hazard to have scooters in the big bowls. Grathwohl has skater friends that have incurred broke bones from collisions with scooter kids.

[6:38:43 PM](#) Haemmerle asks for someone to comment to let him know why scooter kids should be in the big bowl, as he doesn’t understand why they would need to go in there.

[6:38:53 PM](#) Jacob Frehling, speaks, there are fundamental differences in scooters and skate boards. The new section of park is easy for all skill levels, the big bowls, are enticing to little kids. Frehling agrees that it is an age issue, smaller kids are not used to being aware of the world around them. One difference with a skate boarder and scooter is it takes more skill on skate board. Frehling answers Haemmerle’s question; they should not have scooters in the bowl. Frehling then comments on bikes in parks; they should be involved in the design phase in order to be conducive for all activities. This park was designed for skate boarders not bikes or scooters. Scootering happened after the new park was built.

[6:41:52 PM](#) Dannie Emerick provided public comments in packet. Emerick 90% of her comments seem to be null and void, because this is an age issue not just a scooter issue. Her brother is a skater in New York, and there too the skaters and scooters had to sit down together to come up with solutions to their problems. Emerick suggests that we come up with a way to come to a solution. Emerick agrees with Gilbert, having police there every day takes the fun out of it. There is a possible solution, 100’s of parks across the country make this work. Emerick has cleaned the park, no one has asked us to clean up they did it because it needed to be done.

[6:45:18 PM](#) Drake Orr speaks to council. Scooters aren’t only ones that break the concrete in the park. Skaters have metal on their skate boards, scooters are the only ones that break the park.

[6:45:40 PM](#) David Rau is a skater and has looked up to these guys his whole life. The old section is not meant for scooters both in vertical drop and transition, it was designed by Redd a legendary skater boarder. Wrath loves being able to go practice after school. The bowl is not meant for scooters. Wrath doesn't know of any scooter that has enough skill for the bowl.

[6:48:47 PM](#) Shauna Smith speaks to council. She understands this was designed for skaters, but how are the scooters supposed to evolve in their sport without a place to practice. This is the last place they can practice their sport. Generation wise, older kids are scooting, which shows a natural progression to the sport. It sounds like it is a communication and etiquette issue.

[6:50:30 PM](#) Haemmerle asks a question about ability – what should we do, issue licenses? Hard to police this, what would be the objective criteria for the license?

[6:51:15 PM](#) Banks Gilberti, has been a skater since he was 4 years old, it took us 10 years to raise the funds to build the skate park. There is a lot of effort in building these areas. The reason they exist is because of the skaters. Etiquette is a great thing to learn as a kid. Older kids were mean to him as a kid, but now he knows why they were doing it – it was a safety issue – in teaching that etiquette. Avoiding the bullying issue, he doesn't condone bullying. He thinks that the older kids tell the scooters so many times, that they get tired of being polite. [6:55:31 PM](#) Haemmerle asks if confronting the parents of scooter kids has helped? Gilberti responds, that sometime it backfires and they get yelled at by the parents, it boils down to a safety issue.

[6:56:07 PM](#) Tommy Moreland speaks to council about the age limit proposal. Moreland states that young kids who want to scooter wouldn't be able to if there was an age limit.

[6:56:21 PM](#) Carter Busdon speaks to council, he can't agree with what some skaters are saying. Don't yell at them to move, Busdon states. Tell them to pick up the trash nicely. He picks up his trash and other people's trash, he goes to the park every day. He wants to progress in his sport, so he wants entry into the bowls.

[6:57:47 PM](#) Caden Clifford is a scooter rider and agrees with Busdon that the park is for everyone, to help excel in your sport. Clifford understands the age and skill level thing and calling in your drops. He understands that snaking can cause frustration and he understands some comments, but calling the cops on us is pointless, as is yelling at us and calling the kids names.

[6:59:16 PM](#) Haemmerle asks question to Clifford about rules. Clifford responds.

[6:59:38 PM](#) Emmett Ruggeri is willing to do what he needs to do to excel in his sport and is willing to break the rules. We shouldn't be punished as the younger scooters are the problem.

[7:00:51 PM](#) Ruggeri is for etiquette and cooperation and he responds to Mayor's question.

[7:01:24 PM](#) Dennis McLean was born and raised here. We need a solution. We need to help the scooters, come up with a new location for scooters, we have the resources, let's do it.

[7:02:17 PM](#) Haemmerle, comments and is in support of a new park. If funds available we would build a park.

[7:02:53 PM](#) Burks comments again; that the original skate park was built for skate boards as scooters did not exist then.

[7:03:15 PM](#) Jacob Frehling believes this is an age, etiquette and parenting issue. It is parents treating the skatepark like it's Hop Porter Park regardless of what their kids are riding. Frehling suggests that if parents leave their kids unsupervised at the skatepark, bad parenting no matter what. Lights would be a nice solution for the park, Frehling asks to extend the big kid hours.

[7:04:22 PM](#) Andy Gilbert reminds everyone that every spring and fall is like this - tensions are high because everyone is fighting for the same 4 hours of time at the park. Gilbert likes the comments about the lights, and agrees it would be great.

[7:05:14 PM](#) Busdon comments again, if this is a safety issue we should require everyone to wear helmets. And also people should not use vulgarities, when reprimanding scooter riders. And Busdon feels that a \$300 fine is absurd. Education is the bottom line.

[7:05:54 PM](#) Pierce Grathwohl, offers a solution to temporarily kick that kid out of the park for ignoring the rules.

[7:06:29 PM](#) A skater speaks again, rules are rules. He has skated with the best, it is just a matter of time before you gain skill.

[7:07:40 PM](#) Drake Orr speaks again, we can't push ourselves if we don't have the extra room to go and try to get better.

[7:08:00 PM](#) Katie Caprera speaks again and states that older scooterers are teaching a bad example to the younger kids by disregarding the rules. And just like skiing and snowboarding, her son does both because there are ski areas around that only allow skiing, by doing both sports you can for sure participate on any ski mountain. If you want access to the bowl part of the skatepark then learn to skate board, don't just ignore the rules.

Public comments closed.

[7:09:07 PM](#) Haemmerle shares his thoughts, he has been dealing with this problem for 10 years. The problem, the older park was built for skaters, and it is not a great place for scooters. No matter what the City does – “we are going to break the rules” referring to a comment from a kid tonight. The city doesn't want to get so draconian – we set rules, then we get push back. Rules are meant to be followed. When rules are disobeyed, then we ramp it up to enforce rules. It almost feels better to kick out offenders for offenses. [7:12:16 PM](#) It is compelling that older kids teach the younger kids, sometimes you learn from those ways. There has been frustration to adhere to the rules. [7:13:10 PM](#) it is frustrating when people don't respect the law. The more cooperation, the better off everyone will be. Haemmerle wants to continue this to think more on this topic. Whatever we do, rules will be followed, if not, there are consequences.

[7:14:29 PM](#) Teevin, loves public participation, she has been exposed to some new ideas tonight. Teevin, asks, can we have a community workshop to learn more? Creative solutions can come out of the workshop. When people are involved, they will become more ownership of the problem.

[7:16:14 PM](#) it is a good suggestion, Haemmerle comments, we've made one before and the only person that showed up was Lamar Waters. People say they want to be involved, but no one comes, they need follow through.

[7:17:04 PM](#) Burke, learned to surf with a long board, there is etiquette in surfing, you must give the wave to a more experienced surfer, this goes back for Burke a long time, moving up in progression, she appreciates that desire. No one is in the wrong here. There is a skateboard culture, and a scooter culture, slight overlapping of the worlds. Burke shares two thoughts, you that know the flow, why don't we have a map of ways to drop in there and use the big park. If you want kids to understand, then educate them on the flow. You are not hearing each other exactly. We have BMX parks for bikes. Respect each other and have a flow chart. Lights are an expensive answer, we should work towards a scooter park.

[7:22:05 PM](#) Haemmerle comments on Burkes surf example, areas posted to allow surfing, public beach is segregated by levels of abilities.

[7:23:24 PM](#) Cooley has been involved in this park for a long time. The last thing that anyone wanted was to harm the park, bikes harm the park. It is a safety issue – older park built for skateboarders, especially after a time period. The new section is good for scooters, everyone needs a place to go. Parental supervisor is important. Cooley likes the workshop idea, and wonders if the Parks and Lands Board can help facilitate the meeting and help with signage of etiquette. You have to have consequences for accountability.

[7:26:17 PM](#) Haemmerle talks about skaters adhering to rules and relying on that for safety.

[7:26:56 PM](#) Thea supports the workshop, she would like to learn more. Thea appreciates all the comments and for everyone coming tonight and giving the positive suggestions. Our society is regulated, maybe an appropriate time for bigger kids. Thea is impressed by the scootering shown in the video. Workshop to discuss the etiquette, or maybe don't participate. If you continue this passion, bring additional people to the workshop. Let's do some work on this, this is a public facility.

[7:29:33 PM](#) Teevin, asked the public who would be willing to go to a workshop, the majority of people raise their hands.

[7:30:48 PM](#) Haemmerle comments, applauds mom for enforcing rules with their children.

Mayor Haemmerle allows a break for the room to clear. [7:32:24 PM](#)

Reconvene meeting after a short break. [7:37:24 PM](#)

PH 163 *Consideration of proposed Ordinance No. _____, to Title 17, Section 17.04J, Flood Hazard Overlay Zoning District (FH) and potential First Reading of Ordinance 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 (Continued from April 9, 2018) ACTION ITEM*

[7:38:02 PM](#) Rebecca Bundy there was some confusion at last meeting around the standards, as a result, they created a matrix on page 391 of packet. This matrix shows activities in categories, and type of permit required. Bundy reviews the types of permits required, including non-substantial and substantial which are shown in the matrix. And the last column in the matrix, references the applicable code for the standards which may vary depending on the scope of work.

[7:40:28 PM](#) Haemmerle asks a question on the matrix on page 391 of packet, the column titled “No FPDP Required,” could something trigger these items require a permit? Bundy responds, no, the only time this is selected is when the activity does not meet the definition of “development,” Haemmerle responds, okay.

[7:41:40 PM](#) Bundy also moved the definitions forward in the ordinance, so that the standards section is closer to other standards. Administration is in middle of code.

[7:42:20 PM](#) Thea asked for a note at top of matrix, a disclaimer that this is not inclusive list but an example.

Public comments:

No public comments.

[7:43:49 PM](#) Burke thanks Bundy for the matrix.

[7:44:04 PM](#) **Thea moves to adopt Ordinance No. 1234, proceed with first reading by title only and with the addition of a note on page 15 of ordinance prior to the table matrix that it is not an exhaustive list of items, motion seconded by Burke, motion passed with roll call vote. Teevin, yes. Cooley, yes. Burke, yes. Thea, yes.**

[7:45:20 PM](#) **Mayor Haemmerle conducts the first reading of Ordinance No. 1234, by title only.**

PH 164 *Public Hearing on Resolution approving amendment to Capital Improvement Plan and FY 2018 Capital Budget Expenses ACTION ITEM*

[7:45:52 PM](#) Brian Yeager presents this item, and states that this amendment does not change the dollar amount but how the money is spent. Yeager refers to the Proposed Capital Improvement Plan Amendments on page 432 of packet. There is another Capital Improvement Plan (CIP) plan

coming in the future. First project mentioned is the River Street LHTAC grant of \$1.9 million, set to be constructed in 2024, he expects the consultant to design it this year, will incur fees this year. So our plan must be adjusted to account for this spending next year. Another change is the Broadford Road projects, they were not in previous plan, there are remaining funds from that project (annexation), and Yeager wants to amend the CIP plan to account for this revenue and expenses. For the Pathways for People projects, the levy will not fund all of the projects, but we are able to apply Development Impact Fees (DIF) to some of these projects to help leverage the levy funds. [7:49:57 PM](#) On page 433 of packet, shows the original calculations on left column, shows current bids, and 3 categories, of funding, Levy, Grant, and DIF. We are trying to stretch funds. On page 437 of the packet is the master spreadsheet of CIP projects FY18 update as Exhibit A and amended budget listed as exhibit B on page 438. The first project mentioned by Yeager is the East Myrtle Street Connector. [7:53:08 PM](#) Other projects mentioned on this amended plan include the relocation of snow storage, ITD curb ramps on Main Street, and the Balmoral Park improvements.

No public comments.

[7:54:04 PM](#) **Burke moves to approve Resolution 2018-044, approving revised CIP as presented, seconded by Cooley, motion passed with roll call vote, Teevin, yes. Cooley, yes. Burke, yes. Thea, yes.**

NEW BUSINESS:

NB 165 Motion to adopt Resolution 2018-____, authorizing the Mayor to sign a contract with Webb Landscape to repair 2017 flooding damage at Heagle Park, totaling \$28,060.50. ACTION ITEM

[7:55:19 PM](#) Yeager presents this item, list of different improvements on right item b3 – netting around tennis courts. Item b2 – finish in april, item a1, area damage by flooding, addressed by Webb contract in packet tonight. Trying to rehabilitate the park, won't do this immediately, will wait until flooding concerns have passed – early June. Yeager wanted to present the efforts, timeline and costs. Funding for this webb contract, is reimb. From FEMA, \$24,000, must spend money to be reimbursement in 2019.

[7:59:25 PM](#) Haemmerle, this money is not from grant from flooding last year. Trouble is, that they “might” reimburse us. Becky Stokes speaks, FEMA , not sure when , but we listen [8:00:52 PM](#) we have to do the work by aug 26th.

[8:01:46 PM](#) dawson, we've been working with FEMA since last Nov. on this reimbursement. All in all approx. \$150,000.

[8:03:10 PM](#) yeager adds, we have restroom facility, it is largely unfunded at this time, not likely to get.

[8:03:50 PM](#) gary chochinski – speaks. Yeager answers.

[8:05:05 PM](#) Cooley asks a question of money, Stokes clarifies “reimbursement”

[8:06:03 PM](#) Thea asked, what about play structure? Stephanie Cook, responds to the question, there was no formal structural review of the play equipment. There is no reason for concern about the play equipment, as it is new. The structure is solid.

[8:07:17 PM](#) Cooley moves to approve Resolution 2018-045, authorizing contract with Webb Landscape for \$28,060.50 and for Mayor to sign, motion seconded by Thea, with discussion, Mayor suggests that the work not be authorized until the current spring flooding has passed. Cooley, amends his motion to include this suggestion, Burke seconded the amended motion. Motion passed with roll call vote. Burke, yes. Thea, yes. Cooley, yes. Teevin, yes.

STAFF REPORTS:

[8:08:19 PM](#) Yeager, presents that the WW treatment plant wants to get a facilities planning study. The last one was commenced in 2008 and concluded in 2012. DEQ/EPA prefers an update every 5 years on these studies. There is a long lead time for these studies and it is based on growth projections, out of all the studies, this is key to keep current. Implementation is long for these. We want to solicit Requests for Qualifications (RFQ) from qualified engineering consultants. We have money budgeted, \$75,000, expect it may cost more and it may bridge 2 fiscal years. Yeager asked for comments. [8:12:07 PM](#) Haemmerle feels this is important to keep up with DEQ TMDL process. Council comments they are okay to move forward.

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))

[8:12:39 PM](#) Burke moves to go into Executive Session to discuss Real Property Acquisition (IC 74-206(1)(c)), and Pending & Imminently Likely Litigation (IC 74-206(1)(f)), Cooley seconds. Motion passed with roll call vote, Burke, yes. Teevin, yes. Cooley, yes. Thea, yes.

Mayor and council came out of Executive Session.

[8:30:31 PM](#) Burke moves to adjourn meeting, Cooley seconds. Motion passed unanimously.

Fritz X. Haemmerle, Mayor

Mary Cone, City Clerk