

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD SEPTEMBER 9, 2019  
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 Jeff Engelhardt, Pat Cooley, and Martha Burke. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and Deputy Clerk Nancy Arellano.

Kaz Thea is absent tonight.

5:30:07 PM The meeting is called to order by Mayor Fritz Haemmerle.

Open Session for Public Comments:

No public comments.

**CONSENT AGENDA:**

- CA 309 Motion to approve Resolution 2019-82, authorizing the mayor to sign Amendment #1 to the Memorandum of Understanding for the 2018 IWRB funding, thereby providing an extension to the funding timeline **ACTION ITEM** .....
- CA 310 Motion to adopt Resolution 2019-83, authorizing the Mayor’s signature on a grant agreement with the Idaho Water Resource Board in the amount of \$50,000, to construct drainage improvements in the Della View Subdivision. **ACTION ITEM** .....
- CA 311 Motion to adopt Resolution 2019-84, authorizing the Mayor’s signature on a notice of award, and authorizing the Mayor’s signature on the agreement (contingent on receipt of contract security and certificate of insurance), with Buffalo Electric in the amount of \$46,270, to complete electrical upgrades at the River St. well. **ACTION ITEM**.....
- CA 312 Motion to adopt Resolution 2019-85 authorizing the Mayor’s signature on Change Order No. 3, extending the contract time on the Myrtle St. Connector **ACTION ITEM** .....
- CA 313 Motion to authorize Mayor’s signature on IRS form 8283 acknowledging receipt of donation of South Woodside parcel of real property, by Harry Rinker **ACTION ITEM** .....
- CA 314 Motion to approve Resolution 2019-081 authorizing the Mayor’s signature on an amended agreement between the City of Hailey, Jane Drussel (property owner) and Kevin M. Fitzpatrick (artist), for a mural to be painted on the north wall of Jane’s Artifacts. The language of the agreement was amended after its approval by the city council on August 26, 2019, to add additional indemnification language. **ACTION ITEM**.....
- CA 315 Motion to approve the Findings of Fact, Conclusions of Law and Decision of a Final Plat Application by Sweetwater Communities, LLC, represented by Matt Watson, to be located at Parcel B2, Block 4, Sweetwater P.U.D. Townhouses (vacant lot on the corner of Shenandoah Drive and Maple Leaf Drive), to consist of 26 sublots **ACTION ITEM**.....
- CA 316 Motion to approve the Special Event, the event being WRHS Homecoming Parade, to be held on Main Street, from Myrtle Street to Cedar Street, on Friday, September 27, 2019 from 3:30pm to 4:30pm **ACTION ITEM** .....

- [CA 317](#) Motion to approve special event, 2<sup>nd</sup> Annual Hailey Hispanic Heritage Festival USA, to be held at McKercher Park on Saturday September 21<sup>st</sup> from 9 am to 8 pm ACTION ITEM
- [CA 318](#) Motion to approve Alcohol License Renewals ACTION ITEM.....
- [CA 319](#) Motion to approve minutes of Aug. 12, 2019 and to suspend reading of them ACTION ITEM.....
- [CA 320](#) Motion to approve minutes of Aug. 26, 2019 and to suspend reading of them ACTION ITEM.....
- [CA 321](#) Motion to ratify claims for expense during the month of August, 2019 ACTION ITEM.....
- [CA 322](#) Motion to approve claims for expenses incurred during the month of August, 2019, and claims for expenses due by contract in September, 2019 ACTION ITEM.....

**[5:30:34 PM](#) Burke moves to approve all consent agenda items seconded by Cooley, motion passed with a roll call vote. Cooley, yes. Burke, yes. Engelhardt, yes.**

**MAYOR’S REMARKS:**

**[5:31:05 PM](#) Mayor congratulates Martha Burke and wishes the council members good luck in the election.**

**PROCLAMATIONS AND PRESENTATIONS:**

- PP 323 5B Suicide Prevention Alliance Proclamation ACTION ITEM.....*

**[5:31:21 PM](#) Mayor Haemmerle reads the 5B Suicide Prevention Alliance Proclamation recognizing September as suicide prevention month.**

**APPOINTMENTS AND AWARDS:**

- AA 324 Appontment of ad-hoc committee members to advise the Mayor and Council on resiliency plans and projects for the City of Hailey. The committee will be known as Hailey-Climate Action Now (H-CAN) ACTION ITEM.....*

**[5:34:43 PM](#) Cooley motions to adopt the Ad Hoc Resiliency Committee members, Martha Burke, Kaz Thea, Scott Runkle, Rob Lonning, Herbert Romero, and Ericka Linson seconded by Engelhardt. Motion passed with a roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes.**

**PUBLIC HEARINGS:**

- PH 325 Public Hearing on a final Plat application for Carbonate View Subdivision represented by Galena Engineering on behalf of W Squared, LLC for Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey. The property has received preliminary plat approval to be resubdivided into fourteen (14) single family lots. The project is located in the General Residential (GR) Zoning and Floodplain Overlay Districts. \*\*\*THIS ITEM CONTINUED FROM AUGUST 12, 2019, AND TO BE CONTINUED TO SEPTEMBER 23RD 2019 AT THE REQUEST OF THE APPLICANT (no documents)*

**[5:35:55 PM](#) Horowitz confirms continuation to September 23<sup>rd</sup>.**

**Burke motions to continue to the September 23<sup>rd</sup> meeting seconded by Cooley. Motion passed with a roll call vote. Cooley, yes. Burke, yes. Engelhardt, yes.**

PH 326 *Consideration of Ordinance No. \_\_\_\_\_, an Ordinance regarding the Second Amendment of the Development Agreement with FaPo, LLC, regarding the area referred to as the Forest Service Block Lots 4-8 and 13-20 of Block 20, Hailey Townsite) and property located at 401 and 407 S. River Street ACTION ITEM.....*

[5:36:39 PM](#) Horowitz introduces item. The City of Hailey has a development agreement with FaPo Holdings from 2007. The area is generally referred to the forest service block and it includes the historic buildings along Main St. and the newer building on River St. and Pine St. and the Sustainability Center. The management team is looking to create additional parking.

[5:37:50 PM](#) Matt Engel with Engel & Associates speaks. The building was built in 2009. It is 35% occupied. The building is large but the continuous issue is lack of parking. Even with the amount of occupancy, the parking around the building is full. A potential tenant needs more parking than what they have. This began discussion with City of Hailey. It was discovered that there's a development agreement that originally had parking plans for underground parking but was not feasible. FaPo purchased 401 and 407 S. River St as potential future parking. At the moment, not ready to approve the second amendment but will be back for final review. Haemmerle asks where were the parking requirements? [5:42:23 PM](#) Horowitz answers, some of the original parking was between the Sustainability Center and an area behind the Smokey Bone which is being taken up by their smoking equipment. It is no longer available. Engel adds an engineer looked at the area and it didn't meet parking guidelines. Haemmerle asks if 401 and 407 S River St are zoned for parking lots. Horowitz answers they are zoned General Residential but can allow a parking lot through the Design Review process. They are going through the Historic Demolition process and has been noticed and had its first hearing. Horowitz states the middle building cannot be occupied because it is unsafe. [5:45:19 PM](#) Engel clarifies the Four Seasons Spa and Pool building is not included in the original development agreement.

[5:45:50 PM](#) Open session for public hearing.

Tom Crais asks if the parking lot is for long term use. Engel answers it will be long term.

[5:49:13 PM](#) Tony Evans, asks when it will be presented to P&Z. Horowitz answers, next Monday night, September 16<sup>th</sup>.

[5:52:34 PM](#) Cooley asks Engel what the vision for the parking lot looks like. Engel answers they are looking at some landscaping in the surface parking lot with a gated entry. It will be a private parking lot for the residential units. Cooley asks about lighting. Engel answers, they are looking at LED bollards with downward cast lighting and still provide safety. Nothing extreme.

[5:53:59 PM](#) Engelhardt is concerned if the Sustainability building goes away what happens to the parking lot? Engel answers, if that building were to go away, whoever owns it at the time will have to decide what will come of it.

[5:56:35 PM](#) Burke, we need housing. If there's a way to save the houses, she favors that. [5:58:52 PM](#) Engel answers the houses are unsafe.

[5:59:40 PM](#) **Cooley moves to table the proposed Ordinance No. 1249 seconded by Burke. Motion passed with a roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes.**

**\*Note: this ordinance number will not be used for this topic as the subject was tabled.**

*PH 327 Consideration of Ordinance No. \_\_\_\_\_, amending Hailey Municipal Code Section 12.12.040 to include Kiwanis Park as a city-wide park and other minor housekeeping amendments ACTION ITEM*.....

[6:00:38 PM](#) Dawson speaks. This is updating the name from Balmoral Park to Kiwanis Park. It is clarification of the language in the Hailey Municipal Code.

[6:02:11 PM](#) No public comment.

[6:02:21 PM](#) **Burke motions to adopt Ordinance No. 1249, amending Hailey Municipal Code Section 12.12.040 to show Kiwanis Park as a city-wide park (instead of a neighborhood park) and other minor housekeeping amendments seconded by Cooley. Motion passed with a roll call vote. Cooley, yes. Burke, yes. Engelhardt, yes.**

**Mayor Haemmerle conducts the 1<sup>st</sup> reading of Ordinance No. 1250, by title only.**

**NEW BUSINESS:**

*NB 328 Idaho Transportation Department Engineer Steve Hunter will present details of the Highway 75 resurfacing project scheduled for summer of 2021, with a description of public involvement process and future decision points for city government ACTION ITEM (no documents)*

[6:03:58 PM](#) Steve Hunter presents to Council. Haemmerle is thrilled to hear it will be resurfaced. Hunter begins, the project will happen in 2021. The project will be from Fox Acres to Cobblestone Lane along Main Street. Hunter explains the project schedule. Public meetings will be held on October 17, 2019. In November 2019, Hunter will be back to present to Council. In December 2019, the construction staging plan will begin. In the Spring 2021, there will be a public open house and door to door visits. Construction will begin in Summer 2021. [6:09:03 PM](#) Hunter asks council to consider several things. Whether construction will occur at day or night? How many blocks will be allowed at once? How will the community address the parking construction? In what months will the construction happen? Will it happen in May & June or July & August? Haemmerle asks how long construction will take? Hunter answers about two months. Hunter points out parking on Main St will be unavailable. [6:14:16 PM](#) Haemmerle asks for clarification on dividing the work in quarters. Hunter answers that would be the intent. Haemmerle asks how long it takes to pave. Hunter answers it depends on the portion.

Council deliberation.

Haemmerle comments the roads need to be intact for the Hailey 4<sup>th</sup> of July event. Hunter states the weather has to be at least 50 degrees to construct or pave and will not begin before May 1<sup>st</sup>. [6:18:30 PM](#) Engelhardt asks if the project can be broken into two years. Haemmerle answers we wouldn't want that. Haemmerle and Burke state the start date would be after July 4<sup>th</sup>. Council agrees work can extend into September. Dawson, there are full nine weeks between July 4<sup>th</sup> and Labor Day weekend. Hunter states the smaller the pieces the contractor is made to do, the longer it'll take to complete. [6:22:15 PM](#) Gunter asks if it's faster to work day or night? Hunter answers, day. Haemmerle reiterates 4<sup>th</sup> of July is important. Dawson, the full nine weeks is a good timeframe. Burke is correct in that prior to 4<sup>th</sup> of July there is more rain. Engelhardt and Horowitz add there will be less construction and less tourism. Hunter states he will be back in November with comments that they received from the public. Council thanks Hunter.

*NB 329 Update on Area of City Impact issues and topics ACTION ITEM*

*(No documents)*

[6:24:17 PM](#) Haemmerle speaks. The area in red is the area of impact. One area that is not included is the East side of Highway 75 between the City of Hailey and the City of Bellevue. Over the last years, we have sent letters out to Blaine County and the City of Bellevue indicating our willingness to sit down and talk about potential development in that area and have everyone reach an agreement. Haemmerle has had some discussion with Bellevue Mayor about having staff reviewing the area and getting agreements. If it does not get done in the near future, we intend to go to Blaine County. Within the next two weeks, we'll have some sense of whether we go to City of Bellevue or Blaine County.

**OLD BUSINESS:**

*OB 330 3rd Reading of Ordinance No. 1247, appropriating annual expenditures for fiscal year 2020.*

*ACTION ITEM.....*

[6:27:09 PM](#) **Burke motions to approve Ord. No. 1247, appropriating annual expenditure for fiscal year 2020 seconded by Cooley. Cooley, yes. Burke, yes. Engelhardt, yes.**

**Mayor Haemmerle conducts the 3<sup>rd</sup> reading of Ordinance No. 1247 by title only.**

**STAFF REPORTS:**

[6:28:44 PM](#) Dawson, on September 23<sup>rd</sup> from 7 pm to 9 pm we will host a farewell party for Chief Aberbach at the Sawtooth Brewery.

**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))

[6:29:48 PM](#) **Burke moves to go into Executive Session to discuss Real Property Acquisition (IC 74-206(1)(c)), seconded by Cooley, motion passed with roll call vote at 6:30 pm. Cooley, yes. Burke, yes. Engelhardt, yes**

Mayor Haemmerle and council came out of Executive Session and concluded the meeting at [6:57:00 PM](#).

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Fritz X. Haemmerle, Mayor

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Mary Cone, City Clerk