

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

[5:31:19 PM](#) Call to Order by Mayor Haemmerle

Open Session for Public Comments:

[5:31:41 PM](#) Bob MacLeod Hailey resident, “thanks to you all for keeping Hailey great.” The Blaine County Museum will be open next Saturday, and on Sunday we will have a horse drawn carriage ride with Santa there too, inviting all to attend.

CONSENT AGENDA:

- [CA 439](#) Motion to set special meeting of the Hailey City Council for Friday, January 10, 2020 at 5:30 p.m. **ACTION ITEM**
- [CA 440](#) Motion to ratify grant application to the Wood River Women’s Foundation for a Fire Safety Shed for fire prevention materials **ACTION ITEM**
- [CA 441](#) Motion to adopt Resolution 2019-122, authorizing a Memorandum of Understanding between Blaine County and the City of Hailey for snow removal services **ACTION ITEM**
- [CA 442](#) Motion to adopt Resolution 2019-123, authorizing the mayor’s signature on a lease application to place surface water right number 37-906 into the Water Supply Bank **ACTION ITEM**
- [CA 443](#) Motion to adopt Resolution 2019-124, authorizing an agreement with Schindler Elevator Corporation in the amount of \$1,889, to conduct a five-year elevator safety test **ACTION ITEM**
- [CA 444](#) Motion to approve the Mayor’s signature on Rural Public Energy Efficiency Support Grants through the Office of Energy Resources for Hailey City Hall, the Hailey Street Shop, Hailey Wastewater Treatment Plant and the Hailey Fire station **ACTION ITEM**
- [CA 445](#) Motion to approve Resolution 2019-125, authorizing Mayor’s signature on the annual ACH Origination Agreement with Mountain West Bank, for terms and conditions of using their E-Banking services **ACTION ITEM**
- [CA 446](#) Motion to approve Resolution 2019-126, reappointing Don Keirn and Fritz Haemmerle to Friedman Memorial Airport Authority for additional two-year terms through December 31, 2021. **ACTION ITEM**...
- [CA 447](#) Motion to approve Resolution 2019-127, appointing Martha Burke as Hailey’s representative to the Sun Valley Air Services Board **ACTION ITEM**
- [CA 448](#) Motion to approve Resolution 2019-128, reappointing Janet Fugate and Dan Smith to the Hailey Planning & Zoning Commission for additional three-year terms (expire 12/2022) **ACTION ITEM**
- [CA 449](#) Motion to approve Resolution 2019-129, reappointing Martha Burke and Don Keirn for additional five year terms (expire 12/10/24) of the Hailey Urban Renewal Agency **ACTION ITEM**
- [CA 450](#) Motion to approve minutes of November 25, 2019 and to suspend reading of them **ACTION ITEM**
- [CA 451](#) Motion to approve claims for expenses incurred during the month of November, 2019, and claims for expenses due by contract in December, 2019 **ACTION ITEM**

[5:32:38 PM](#) **Cooley moves to approve all consent agenda items as presented, Burke seconds. Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.**

MAYOR'S REMARKS:

[5:33:03 PM](#) It is the busy time of the year, thank you to staff for showing up at the tree lighting ceremony. Reminder to those who will be seated here in the future, sitting at this desk is more than showing up to meetings, the city expects you to show up - to show that you care, absences are definitely noted, attendance is important to Hailey community events.

[5:34:19 PM](#) Mayor Haemmerle, to some of us, this is our last meeting, of the year and decade. Mayor Haemmerle gives thanks, for their service, to Pat Cooley for your many years of service and Jeff Engelhardt for stepping up when needed, it has been a privilege and honor to serve the City of Hailey and with you. Mayor Haemmerle announced this is his last meeting, and last meeting of the year, he has served 12 years of service, as councilman and as Mayor for 2 terms. Mayor Haemmerle will attend the January 10, 2020 meeting to swear in Martha Burke, mayor elect. He cannot think of a better person to serve Hailey as mayor, than Martha Burke. Public debate is good.

PROCLAMATIONS AND PRESENTATIONS:

PP 452 Resiliency Committee Report from Rebecca Bundy, and committee name clarification ACTION ITEM

[5:35:17 PM](#) Mayor Haemmerle turns over floor to hear report from Rebecca Bundy. Bundy, chair of the committee, gives an update from the Resiliency Committee. The news about climate change keeps getting worse and worse. Goals, will bring to Mayor at beginning of the year, Mountain Towns 2030 pledge in Park City, Thea went to this event. There is a regional planning effort ongoing, we have applied for an ICLEI grant valley wide and county wide. We were awarded a grant with student help it will be little work from the municipalities. We've been looking to coordinate code adoption schedules to have more consistency across agencies. Benchmarking, electricity and natural gas review is done. We will be interviewing the Fire Department to see why usage in electricity has declined and gas has increased. We have started Our Town news messages, suggestions on energy savings areas, this article will be in Jan. 2020 newsletter. On consent agenda tonight, council approved an application with state on energy savings opportunities.

[5:40:09 PM](#) Mayor Haemmerle thanks Bundy for her leadership effort and look forward to her leadership in the future.

APPOINTMENTS AND AWARDS:

*AA 453 See Consent Agenda for:
Freidman Memorial Airport Authority Reappointments
Sun Valley Air Service Board Appointment
Planning & Zoning Commission Reappointments
Urban Renewal Agency Reappointments*

PUBLIC HEARINGS:

HAILEY CITY COUNCIL MINUTES
December 9, 2019

PH 454 Consideration of proposed Ordinance No. _____, amending Municipal Code Section 10.40.049, for winter parking restrictions, to create better lines of sight and more snow storage space in the right of ways and to require established parking spaces on residential lots and limiting the duration of R.V. parking in the city's right of way **ACTION ITEM**

[5:40:40 PM](#) Mayor Haemmerle gives a summary, the current law, cannot park in winter months within 8 feet from pavement. In the summer months, we've seen more and more RV's and other vehicles in the right of way. This is an expansion of the current winter restrictions, adding summer restrictions, and no Recreation vehicles within 6 feet of roadway, and summer restrictions, must be at least 4 feet from roadway. Mayor Haemmerle discusses current law, during winter months, cannot park within 8 feet of the roadway edge. In the summer, vehicles are parked within this space all summer long, possibly people are living in these recreation vehicles, which is not allowed in the zoning. We've expanded the winter restrictions throughout the year with this proposed ordinance.

[5:43:13 PM](#) Simms, based on Cooley's comments, have sharpened the language to address his comments. If adopted, this will be effective April 1, 2020. [5:44:16 PM](#) Haemmerle except that the existing restrictions still apply, new restrictions for summer, will go into effect April 1, 2020. We have received public comments, Haemmerle, clarifies, no one will be cited for parking a vehicle in the street while clearing snow from driveway.

Public comments:

[5:45:03 PM](#) Steve Crosser asks an enforcement question, will the police enforce this? Will citizens call in? In his neighborhood, there would be many violations. What will enforcement look like? Will the city send out a letter to the owner? [5:46:22 PM](#) Haemmerle, enforcing the parking laws, is no different than any other violation. We don't enforce each and every violation. We have been giving notices regarding the winter parking restrictions.

[5:47:36 PM](#) Steve Crosser appreciates the HPD, not being heavy handed.

[5:47:58 PM](#) Helen Stone, Hailey resident, thinks the residents need more time to absorb this. Most of us don't have driveways or space to park vehicles, and cannot afford storage, because we are a recreation community, this item should be tabled.

Council deliberation

[5:49:36 PM](#) Haemmerle notices one thing on page 93, the first underlined paragraph, addressing comments to attorney Christopher Simms, there needs to be a tie in to the second paragraph, "those vehicles need to park 6 feet away". Mayor Haemmerle's concern about having vehicles 6 feet off the pavement, Simms suggests that it could be clarified with the following clause added; suggests changing the language from "...24 hours." to "...24 hours and six feet or more from pavement as referenced herein."

[5:50:47 PM](#) Cooley asks Simms to clarify. Section 1 paragraph D, try to make clear the consensus of this council, vehicles in the winter time and trailers, other vehicles moved, Simms repeats his suggestion to add to paragraph 2 of this section 1(D). changing the language from "...24 hours." to "...twenty-four hours and six feet or more from pavement as referenced herein."

[5:52:13 PM](#) Haemmerle asks question, RV can be parked here in winter? No, Simms, no RV or snowmobile can be parked in the right-of-way in winter but yes for the car that you use.

[5:52:57 PM](#) Thea, suggests communicating before we are ticketing a vehicle, asking if it is being used or not used. [5:53:52 PM](#) Simms, envisions a lot of education. [5:54:08 PM](#) Haemmerle adds, Gunter issued 1,700 flyers this summer/fall to remind them about the winter parking restrictions. The right-of-ways last winter, didn't have enough room for snow, Haemmerle added.

[5:55:15 PM](#) Cooley comments, in reading this it seems heavy handed but doesn't think it is, it is just enforcing what we have in place now with expanded time.

[5:55:59 PM](#) Thea adds another comment, the other issue with the year around parking, some neighborhoods have tremendous amount of vehicles on their property. Some areas are eye sores with vehicles everywhere, how does this address the eye sore? [5:57:03 PM](#) Haemmerle, suggests to do this in a stepped phase. [5:57:54 PM](#) Public right-of-way use is not resolution of, not having enough space to park your vehicles. [5:58:25 PM](#) With Accessory Dwelling Units discussions, parking will be a key discussion concern with this topic. [5:59:21 PM](#) Burke comments, unintended consequence is parking in the yard. Haemmerle comments that, the snow plow drivers won't have to worry about hitting vehicles in the right-of-way. Haemmerle, I hope people understand the value of their property, if they are doing that, they are devaluing their property.

[6:00:22 PM](#) Engelhardt, confident that this will be good for parking even with the unintended consequences, he is ready to move forward with this ordinance.

[6:01:31 PM](#) Cooley, asks, what are your thoughts on waiving readings? Burke asks a question.

[6:02:19 PM](#) Thea, it is frustrating,

[6:02:37 PM](#) Cooley moved to approve Ordinance No. 1255 waive 2nd and 3rd readings, conduct reading by title only, Simms asks, with suggested edits made tonight by Simms, Cooley adds, with suggested edits tonight, motion not seconded. Thea, suggests not waiving the readings.

[6:03:44 PM](#) Burke moves to approve Ordinance No. 1255, authorize the 1st Reading of by title only with edited language added tonight. Motion passed with roll call vote, Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

[6:04:53 PM](#) Mayor Haemmerle conducts the 1st Reading of Ord. no. 1255, by title only.

PH 455 *Consideration of Ordinance No. _____, a recommendation by the Planning and Zoning Commission regarding a City-Initiated Text Amendment to the Hailey Municipal Code, Title 16, Chapter 16.03.030: Final Plat Approval, to clarify that required improvements shall be substantially in place prior to Council hearing on the Final Plat, and amendments to Chapter 16.04.110: Development Standards, Parks, Pathways and other Green Spaces, Subsection H: In-Lieu Contributions, to allow Council consideration of in-kind contributions in-lieu of park land dedication* **ACTION ITEM**

[6:05:22 PM](#) Horowitz asked for this change, the Planning and Zoning commission has suggested these changes, summary of the status listen, 2nd part of this, clarification of standards, relative to parks, whether we would add “in-kind” could a developer repair or refurbish a park instead of the money.

Public comments:

No public comments.

[6:08:06 PM](#) Thea asks a question, final plat, when not complete, why are they asking us to approve the final plat if they are not complete with the conditions. [6:09:09 PM](#) Simms, Carbonate View is a good example of this situation. Weather could be a reasonable reason to bond for items not yet complete. Haemmerle, and we did not approve until the items are complete.

[6:10:22 PM](#) Engelhardt, suggest consistency, whether developer, applicant or subdivider, suggests using the same terminology throughout the code.

[6:11:11 PM](#) Haemmerle, making changes over the years, this inconsistency happens.

[6:12:40 PM](#) **Burke moves to approve Ordinance No. 1256, read by title only, seconded by Thea, making terms consistent by the next reading.**

[6:13:18 PM](#) **Mayor Haemmerle conducts 1st Reading of Ord. no. 1256, by title only.**

PH 456 *Consideration of a Resolution 2019- _____, authorizing the Mayor to execute deeds to real property and improvements thereon, as described in a Memorandum of Understanding entered into between the City of Hailey and Blaine County School District on October 16, 2019; described as Lot 1 Block 15 of Northridge VI Subdivision, recorded under instrument number 418334 records of Blaine County, Idaho, and Water Right #37-20831, a 9.5-acre portion of Water Right 37-22019, and Lot 2 of Croy Canyon Ranch Subdivision I, recorded under instrument number 5387769, records of Blaine County Idaho; having made a declaration of value thereof, made an explanation of and expression of intent to exchange said real property in a public meeting held on November 6, 2019* **ACTION ITEM**

[6:14:13 PM](#) Simms, we have been negotiating with the BCSD for years, this is the final procedural step, per statute, Mayor needs authorization to sign final documents. [6:15:08 PM](#) Haemmerle, this is to exchange Northridge well site to BCSD. The CUP for snow storage site out Croy has been approved by Blaine County, adds Yeager. Simms, no deeds will be signed

until Blaine County School District proceeds with the water rights transfer application. [6:16:16 PM](#)

Public comment:

No public comments.

Thea [6:16:39 PM](#) asks Simms a question, the deed for the water right transfer. Simms, there is an application process that is underway now. Thea, can we use this site this year? We have an agreement with them. Burke, is this conditional on the water rights transfer?

[6:18:30 PM](#) Yeager, clarifies a point in the snow storage discussion, we could not construct all of the necessary improvements this year, including some approaches, and don't have all drainage features there, we may put a limited amount of snow out there this year just to test it out.

[6:19:27 PM](#) **Burke moves to approve Resolution 2019-130 authorizing the mayor to execute deed for property exchange for snow storage with Blaine County School District (BCSD), contingent on the water rights transfer application, approval by IDWR, Thea seconds. Motion passed with roll call vote. Thea yes. Cooley, yes. Burke, yes. Engelhardt, yes.**

OLD BUSINESS:

OB 457 3rd Reading of Ordinance No. 1251, FaPo LLC Second Amendment of the Development Agreement with area described as the Forest Service Block Lots 4-8, 13A, 14A and 20A of Block 20 Hailey Townsite ACTION ITEM

[6:20:44 PM](#) **Burke moves to approve 3rd reading of Ordinance No. 1251 by title only and authorize the Mayor to sign, seconded by Cooley, Engelhardt yes. Burke, yes. Cooley, yes. Thea, yes.**

[6:21:10 PM](#) **Haemmerle conducts the 3rd reading of Ordinance No. 1251, by title only.**

STAFF REPORTS:

[6:21:56 PM](#) Yeager, update on snow removal, rather ice removal, crews will be working on it again tonight and tomorrow.

[6:22:39 PM](#) Haemmerle, thanks to the crews. Lights on Northwest Main Street are out, the breaker blew, we are trying to get it repaired soon.

[6:23:32 PM](#) Wood River Fire has hired a chief, their interim chief Ron Bateman has been selected.

[6:24:32 PM](#) Thea, it has come to her attention, that Mountain Rides is applying for a grant for

In conjunction with Sun Valley Ski Education Foundation (SVSEF) to pay for transportation for kids to Rotarun ski program, and Thea was asked if the city of Hailey could write a letter of support.

Dawson, asked Thea to send the letter to her.

[6:26:51 PM](#) Dawson, next council meeting is Jan 10, 2020. No meeting on Dec. 23rd this year.

Burke moves to adjourn meeting, Thea seconds, motion passed unanimously.