

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MARCH 9, 2020
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 Martha Burke. Present were Council members Heidi Husbands, Kaz Thea, Sam Linnet, and Juan Martinez. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, Treasurer Becky Stokes, Lisa Horowitz, Brian Yeager, and City Clerk Mary Cone.

[5:30:36 PM](#) Mayor thanks attendees.

Open Session for Public Comments:

[5:31:07 PM](#) Lili Simpson Quigley Road resident speaks about House Bill 49, and is not interested in being annexed into the city.

CONSENT AGENDA:

CA 112	Motion to ratify a letter from Mayor Burke regarding Senate Local Government and Taxation Committee, House Bill 489, Annexation ACTION ITEM.....	1
CA 113	Motion to adopt Resolution 2020-29, ratifying the Mayor’s signature on a Idaho Department of Water Resources water right contract to transfer water right number 37-906 into the Water Supply Bank for leasing. ACTION ITEM	4
CA 114	Motion to approve Resolution 2020-31, authorizing the Mayor’s signature on an agreement with Errin Bliss of Bliss Architecture for the redesign of the Forest Service Warehouse Building at Roberta McKercher Park, cost not to exceed \$3,000 ACTION ITEM	15
CA 115	Motion to approve Resolution 2020-32, authorizing the Mayor to sign an agreement with SPF Water Engineering for consulting services and water right actions involving water right number 37-22019 in a not to exceed amount of \$1,250. ACTION ITEM	23
CA 116	Motion to approve Resolution 2020-33, authorizing the Mayor to sign an agreement with Utility Services Associates for a water leak detection survey. ACTION ITEM	32
CA 117	Motion to approve Resolution 2020-34, authorizing the Mayor’s signature on a document allowing Winn’s Compost to use biosolids from the Hailey WWTP after the City deposits the solids at the Ohio Gulch transfer station. ACTION ITEM	41
CA 118	Motion to approve alcohol beverage license for Aztlan, LLC DBA La Cabanita Mexican Restaurant ACTION ITEM	45
CA 119	Motion to approve minutes of February 24, 2020 and to suspend reading of them ACTION ITEM	53
CA 120	Motion to approve minutes of March 2, 2020 and to suspend reading of them ACTION ITEM	63
CA 121	Motion to ratify claims for expenses incurred during the month of February, 2020 ACTION ITEM	68
CA 122	Motion to approve claims for expenses incurred during the month of February, 2020, and claims for expenses due by contract in March, 2020 ACTION ITEM	79

[5:31:50 PM](#)

Yeager pulls CA 117 to discuss. Linnet pulls CA 118 to recuse, and Simms advises to pull same.

Thea moved to approve consent agenda items minus CA 117 and CA 118, seconded by Martinez, motion passed with roll call vote. [5:32:41 PM](#) Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.

CA 117 pulled: Winn Compost – more details are needed, will bring this back to council when those details are provided.

CA118 Linnet recuses from this item due to conflict of interest.

Thea moves to approve CA 118, Husband seconds. Motion passed with roll call vote. Husbands, yes. Thea, yes. Martinez, yes. Linnet, recuses.

MAYOR’S REMARKS:

[5:33:40 PM](#) Steve England has been part of HPD for 22 years. He has held every position HPD has to offer. Cannot think of a finer man than Steve to lead HPD moving forward. He has been Asst Chief since 2018. He is the right man at the right time. Burke thanks his family and all of law enforcement for giving him support tonight. Hailey is in good hands.

Mayor gathers all of Hailey’s law enforcement to stand with England. It is my honor and privilege.

Raise your right hand. [5:36:01 PM](#) And Burke administers the Oath of Office to England.

Afterwards the room gave England a standing ovation.

England says thank you, for the overwhelming support from family, HPD, county, prosecutors. I will continue to carry out duties with honor.

PROCLAMATIONS AND PRESENTATIONS:

PP 123 Joint Proclamation – April 1, 2020 Proclaimed as National Census Day within all the cities of Blaine County Mayor reminds us that funding is dependent on census count, and [5:43:57 PM](#) Mayor reads the proclamation declaring that April 1, 2020 is National Census Day.

PP 124 Governor’s Proclamation of March 13, 2020 as Celebrate Idaho Women’s Day, commemorating the 100th anniversary of 19th Amendment to the United States Constitution through which the women’s suffrage movement was given the right to vote Mayor reads the Governor’s proclamation of March 14 as Idaho Women’s Day [5:46:40 PM](#)

[5:49:46 PM](#) Mayor Burke makes a slight adjustment to the agenda order and moves OB 132 next for discussion, Michelle Griffith with ARCH will present.

Motion to accept amended agenda made by Linnet, Thea seconds. Motion passed with roll call vote, Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.

OLD BUSINESS:

OB 132 Further discussion of a request from ARCH to put vacant City-owned property into a long-term term lease for rental and ownership employee/workforce housing to be located on Parcel O, Block 62, Woodside Subdivision #15, which is a one-acre lot east of Woodside Boulevard where it intersects with Countryside Drive ACTION ITEM

Horowitz while Michelle Griffith prepares for her presentation, Horowitz gives an overview to council. This parcel was formerly designated as a location for a future fire station, next to Sweetwater gym on Woodside Blvd – now we have a suggested for use for it as community

workforce housing; packet includes suggestions of 9 units, for rent and for purchase; council would develop criteria for use (for example, give priority to city employees, then emergency services employees, then another group).

Michelle Griffith says she applied and received funding for 6 of the 9 units, 3 owned, 3 rent. 2 for 30% of varying medial income, 2 for 60%, 2 for 80%. City has right to prioritize the categories of renters & owners, and has as owner of the parcel the right of first refusal.

Griffith is looking for approval of 3 own/3 rent. And the categories from council.

Husbands asks about the other 3 units. Griffith responds, they will be financed next year. Thea asks about a timeline [5:55:09 PM](#) Griffith responds, will apply for building permits the middle of April, build when receive permits and the ground is ready.

Linnet asks what is the median income? Household of 4, 100% \$76,000. Thresholds are set by grant? Yes.

Mayor Burke reminds council this is not a public hearing, if you have questions, ask.

Public Comments:

Elizabeth Jeffrey Hailey resident asks about the size? If a 3 Bed, 2.5 bath, a single person could technically qualify. Can have a person with too many BR, but a family of 5 can't have too few. 2 car garage, 1200 sq feet.

Outside won't look identical.

Husbands would there be a waiting list? Griffith responds, yes, if we prioritize, then would move council's categories up to the top of the list.

Mayor Burke points to page 240 in packet for suggestions of priority [5:58:48 PM](#) such as city employees, emergency, schools, and other govt employees.

Martinez – likes 3 owner and 3 rental because it gives neighborhood feel with ownership, a built-in community, how good for a young teacher to have the opportunity to live in a place like this.

[6:00:15 PM](#) Thea asks, about an employer preference from the list, if the employee moves out of the city of Hailey, or, what if they change employment/location? Griffith responds, we can't kick them out, but when vacated, would go back to the priority list to fill unit. Likewise, tenants are income qualified every year, we can't kick them out, as income goes up, rent goes up to match 30%.

Martinez asks about filter for preference for specific person? Griffith once priorities are set, it's first com first serve. Martinez suggests giving higher priority to school district employees.

Linnet asks – does it make Griffith's job harder with broader or narrower list? Griffith, No.

Linnet – appreciates school district needs, construction, and service – the issue spans all industries. He is unsure whether prioritizing is good, when need is across the board.

Mayor Burke says yes, but it is city property and we have to benefit Hailey.

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Linnet – thinks prioritize work inside Hailey, yes. But maybe no distinction among jobs. Doesn't feel good about valuing one job over another.

Griffith adds no short-term rentals are allowed except for active deployed military.

Thea – would prefer that the contractor would be working within the city; but a contractor may have work all over. Griffith says there is big interest by contractors.

Thea – percentage of work in Hailey? Michelle that's harder, because contracting is variable, they go where the work is.

Martinez – grew up in Alaska in a house for teachers, only way they would have been able to live there. Young teachers asking for a couch or a room, struggle to find a place and be responsible leaders. Feels that they would fill up the place.

Griffith said that new teachers at the bottom of the payscale, might qualify.

Husbands asks about rates? Owner gets their own financing, state agency keeps \$40k equity in house, so loan is price is less \$40k. There is a cap on increase on price.

Jacob Greenburg, Blaine County Commissioner speaks, [6:10:12 PM](#) difficult to discern different possibilities, want to create affordable housing; Hailey benefits where they shop, even if they don't work here. Creating affordable housing is the key. Encourage people to move from Ketchum.

Linnet – doesn't want to limit access; college degree to teach, lots of no-college people in need.

Mayor Burke – directs city attorney to work up agreement that council can fill in the priorities - that clearly needs to be sorted out.

Simms responds– yes, will do.

Griffith – if you are happy to spend money on this parcel, council can have a month, to discuss your priorities.

Everyone agrees on parcel, money is good.

Thea makes motion to move forward with agreement on 3 own 3 rent, seconded by Linnet [6:14:45 PM](#) Motion passed with roll call vote. Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.

PUBLIC HEARINGS:

PH 125 Consideration of added language to Resolution 2020-30 Calling Special Election for Tuesday, May 19, 2020, with ballot language that asks voters to consider approving Hailey's Ordinance

No. _____ to extend the term of Hailey's Local Option Tax ordinance through June 30, 2050
ACTION ITEM

Special election on May 19, 2020; Dawson council adopted resolution last time; Linnet asked for more clarification in language for voters. Page 112 of packet, [6:16:00 PM](#) notice and ballot, added language “adopt an extension to its local option tax with Ordinance No. 1257.” Otherwise the same.

No public comments.

Thea moves to approve Resolution 2020-030 the new language inserted into the 1257 Ordinance. Martinez seconds. Motion passed with roll call vote. Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.

Council thanks staff.

PH 126 Public hearing on proposed Ordinance No. ____ amending Hailey Municipal Code 12.14.030 reducing single-use plastics during special events on Hailey City property, presented by W.A.T.E.R. Club ACTION ITEM

[6:18:47 PM](#) Simms opens up, WATER Club does not have anything to add tonight.

[6:19:43 PM](#) Burke summarizes where we are tonight, this Ordinance would prohibit single-use plastics in Hailey city events.

Public Comments:

[6:20:24 PM](#) Will Penrose, Hailey resident asks what's the definition of single-use plastics?

[6:20:44 PM](#) Sofia, WATER Club student and Hailey resident, definition is in Ordinance, it is any plastic intended for single use, and is thrown away after use.

[6:21:47 PM](#) Thea asks, could put as overall goal, zero waste, not sure if appropriate as a whereas statement, but would like to see it broader.

[6:22:50 PM](#) Martinez is impressed with the support by community of this effort. Luke Henry is in support as an event sponsor.

[6:24:03 PM](#) Erika Greenberg, did receive comments from Lara Drakes, the coordinator of Trailing of the Sheep, she wrote support letter but Greenberg did not submit the letter yet to Heather Dawson. Greenberg asks councils, thoughts on the water bar.

[6:25:54 PM](#) Simms, addresses Thea's thoughts on zero waste, and will incorporate in a future Resolution.

[6:26:35 PM](#) Linnet impressed with this group of all women presenting to council, in light of International Women's Day coming up.

[6:26:55 PM](#) **Linnet moves to approve Ordinance No. 1259, amending special events section, Thea seconds, motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

[6:28:23 PM](#) **Mayor Burke conducts 1st Reading of Ordinance No. 1259, by title only.**

PH 127 Consideration of provisions and first Reading of Ordinance No. _____, an ordinance identifying a map that defines and establishes geographic boundaries repealing the existing Blaine County/Hailey Area of City Impact as adopted by Hailey Ordinance 649 (adopted November 14, 1994) and amended by Ordinance 731 (adopted June 23rd, 1999) and replacing it with Map Attachments 1A and 1B. The geographic boundaries shown on Map Attachments 1A and 1B take into account trade areas, geographic factors, and areas that can reasonably be expected to annex into the City in the future ACTION ITEM

[6:31:10 PM](#) Horowitz introduces this item, there are 2 ordinances in tonight's packet. These items were noticed for public hearing for tonight. One change to note, further conversations, word "park" is problematic to the FAA and Chris Pomeroy has suggested a change, it is now referred to as "open space."

Public comments:

[6:33:12 PM](#) Lili Simpson Hailey county resident lives on Quigley Road. References the remnants of a migration corridor along the east side of Hailey by her house and hopes council will be sensitive to this fact. As you look at this area, think of the animals.

[6:36:27 PM](#) Simms suggests, in motion authorize Mayor to read by title only,

[6:37:17 PM](#) **Linnet moves to approve Ordinance No. 1260, authorize Mayor to read by title only. Thea, seconds, motion passed with roll call vote. Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

[6:37:39 PM](#) **Mayor Burke conducts 1st Reading of Ordinance No. 1260, by title only.**

PH 128 Consideration of ordinance provisions and first Reading of Ordinance No. _____, an ordinance providing for plans and ordinances for the Area of City Impact. ACTION ITEM

[6:38:36 PM](#) Horowitz, this proposed ordinance defines what is between the cities Hailey and Bellevue, details regarding permits and how they apply, as well.

[6:39:21 PM](#) Thea, still concerned with the animosity with Bellevue, want to discuss this with them.

[6:39:49 PM](#) Horowitz, the Blaine County Commissioners are working on putting together a meeting with Mayors of both cities.

No Public comments.

[6:40:46 PM](#) **Thea moves to approve Ordinance No. 1261, seconded by Linnet. motion passed with roll call vote. Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

[6:41:05 PM](#) **Mayor Burke conducts 1st Reading of Ordinance No. 1261 by title only.**

***Note: These Ordinances for ACI will be pending process hearings with Blaine County, and will be noticed again in a future meeting and may likely change due to the agreement that Hailey and Blaine County will discuss. In the meantime, these ordinance numbers 1260 and 1261 will be assigned to other Ordinances.*

PH 129 Consideration of first Reading of Ordinance No. _____, an Amendment to Title 18, Chapter 18.06, Section 18.06.026: Street Tree Guidelines and Standards, to replace the existing section with more complete street tree guidelines that encourage tree diversity and promote strong, healthy trees that are not limited by environmental conditions from achieving a long life and mature size. These amendments are the recommendations of the Hailey Tree Committee and Hailey Planning and Zoning Commission. ACTION ITEM

[6:43:09 PM](#) Tree standards, Horowitz is pleased with the work that is coming out of the Tree Committee.

No Public comments.

[6:44:19 PM](#) Thea there is a tremendous amount of detail, a driver to get the right species, how do we make sure the public follows it?

[6:45:10 PM](#) Yeager, multiple responses, expected from questions, this is a very passionate group. During this process, we had to compromise on several topics. Some of the public, will respond by saying that this is a bit more than expected.

[6:47:01 PM](#) Linnet, this did go through P&Z right? public comments? Yeager, yes it did.

[6:47:21 PM](#) Thea, where do you put the water for the tree? Not in this document, needs to be included. Thea asks if we can add a statement. Yeager, suggests that council ask Tree Committee for a suggested watering statement.

Horowitz suggests plan, adopt now ask for an amendment later from Tree Committee.

Husbands, is this for homeowners? Yeager, no this is for Main Street trees in the right of way.

Public comments:

[6:51:15 PM](#) Ryan Santos with Wood River Land Trust, the already adopted water conservation guidelines has a section with irrigation for trees.

[6:52:27 PM](#) Simms, suggests a procedural motion to adopt Ordinance No. 1262 authorize Mayor to read by title only.

[6:52:56 PM](#) **Thea moves to approve Ordinance No. 1262, and authorize mayor to read by title only, Martinez seconds, roll call vote Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

[6:53:44 PM](#) **Mayor Burke conducts 1st Reading of Ordinance No. 1262, by title only.**

[6:55:10 PM](#) Mayor Burke calls a quick recess for a break.

NEW BUSINESS:

NB 130 Consideration of audited Financial Statements for fiscal year ending September 30, 2020, presented by auditor Dennis Brown ACTION ITEM

[7:01:01 PM](#) Dennis Brown presents to council, points to Management discussion and analysis, and 2 financial statements, comments on 2nd one, auditors notes, page 12-14 are the ones that you focus on during the year. Brown points out, council chose to eat into reserves by \$120,000. The city's reserves in general fund are about 40% of operating budget and this is very healthy.

[7:03:31 PM](#) Brown points to the Proprietary funds, Water and Wastewater funds have amassed \$500,000 each, which shows prudence on city's part and is there for replacement of infrastructure when needed and may not require city to borrow funds.

[7:04:30 PM](#) Thea asks for pie charts and graphs with these reports.

[7:05:34 PM](#) Becky Stokes, City Treasurer comments, it is her goal to submit a modified financial statement for council but have not had the opportunity yet.

[7:07:03 PM](#) Burke points to page 166 of packet and asks for motion.

[7:08:22 PM](#) **Linnet makes motion to approve audited financial statements as presented. Seconded by Martinez. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

NB 131 Discussion of ACOE 206 Flood Plain Mitigation Grant between Bullion Bridge and prior Colorado Gulch bridge

[7:11:06 PM](#) Yeager presents item to council, giving suggested financial project sharing with applicant, Blaine County and no guaranteed results of flood mitigation to residents nearby Big Wood River. And that these costs are to pay for the feasibility study, not an end solution for flood mitigation.

[7:16:06 PM](#) Ryan Santos with Wood River Land Trust comments, and their priority is to reconnect floodplain to the Big Wood River. And suggests that the City and Land Trust look for opportunities that would have this as the goal not the current opportunity.

[7:17:29 PM](#) Yeager summarizes that the applicant Blaine County is being asked to apply for this grant by the Army Corps of Engineers, as the funding for this grant may evaporate, so Blaine County is looking to these stakeholders to help fund the feasibility study.

[7:19:00 PM](#) Linnet asks, how is the \$50,000 split between parties? Yeager, that has not yet been discussed between the parties.

Mayor and council comment on the viability of participating this this opportunity and decide it is not right for us.

[7:25:46 PM](#) Dawson summarizes a policy statement that she is hearing through these comments tonight. In our grants program, a 50% match grant depletes our general fund reserve and in order to expend these funds the project must be high on our priority list. Thanks council for reconfirming our policy.

NB 135 Consideration and approval of Resolution 2020-____, authorizing an Energy Sales Agreement with Idaho Power, a five-year agreement by which the energy produced by the City of Hailey from its hydro-electric facility is sold to Idaho Power. ACTION ITEM

[7:27:31 PM](#) Simms summarizes the history of this agreement. In the 1980's, Hailey installed a turbine and then went into an agreement with Idaho Power to sell back energy to them generate from the power plant. All was fine while the turbine was generating power and Hailey was receiving revenue for the power. Then in the last 10 years, when the turbine stopped generating power, Hailey hired a consulting engineer to make upgrades to the turbine and since those were done.

[7:29:17 PM](#) Simms describes the contract. In speaking with Yeager, we've had competing priorities between provided water to city and generating power. Simms suggests accepting with conditions of approval.

[7:39:29 PM](#) Dawson clarifies an amendment that may come later.

[7:40:00 PM](#) Yeager adds, this current contract expires in June and we need to renew prior to that date.

[7:41:20 PM](#) Yeager explains reasons, including our FERC license as reasons to not let the contract lapse.

Thea moves to adopt Resolution 2020-035 approving contract with Idaho Power with 2 conditions, 1, the city attorney's satisfaction on amendments by Idaho Power to the damages section and 2, city engineer's satisfaction of the final energy production table of the agreement, Husbunds seconds. Motion passed with roll call vote. Husbunds, yes. Linnet, yes. Thea, yes. Martinez, yes.

OLD BUSINESS:

OB 132 Further discussion of a request from ARCH to put vacant City-owned property into a long-term lease for rental and ownership employee/workforce housing to be located on Parcel O, Block 62, Woodside Subdivision #15, which is a one-acre lot east of Woodside Boulevard where it intersects with Countryside Drive ACTION ITEM

STAFF REPORTS:

[7:42:04 PM](#) Horowitz updates council on Community Development projects, 145 lots and 65 units approved or going to be approved upcoming. Second, she and Mayor Burke met with a group of county and city wide officials to discuss a joint sustainability coordinator, the city planners present were tasked with writing a job description and problem statement. This was done and emailed to elected officials and Horowitz will email council this information. This will enable better discussions of elected officials in the upcoming budget planning process. Mayor Burke adds, we would continue to retain Rebecca Bundy for Hailey and this would be a position likely hired by Blaine County, where grant writing would be a big part of it.

[7:44:31 PM](#) Dawson reports on Women's suffrage day, ask Bob MacLeod to speak. March 13, 2020 at noon, all interested would march to courthouse steps for small ceremony, describe the significance of the gathering and likely read Proclamation. MacLeod will be taking pictures in Ketchum and hopes others will attend in Hailey. Bell ringing at 12:30. Meet a Library at noon.

[7:47:38 PM](#) Martinez went to Senior Connection for lunch, tasty and cool spot. His baseball team will be doing community service there.

[7:47:57 PM](#) Burke attended school sponsored speaker, Jamie Vollmer and learned many interesting school facts.

[7:49:20 PM](#) **Thea moves to adjourn, Linnet seconds motion passed unanimously.**