

**AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday April 26, 2021 * Hailey City Hall Meeting Room**

ACTION ITEM = a vote may occur but is not required to be taken

ACTION ITEM.....

Please join our meeting from your computer, tablet or smartphone.

Via teleconference: +1 (872) 240-3311, **Access Code:** 543-667-133

Via One-touch: United States <tel:+18722403311,543667133#>,

From your computer, tablet or smartphone:

<https://www.gotomeet.me/CityofHaileyCityCouncil>

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<https://global.gotomeeting.com/install/543667133>

**Late Added item*

5:30 p.m. CALL TO ORDER - Open Session for Public Concerns

CONSENT AGENDA:

[CA 133](#) Motion to approve application to ESCBO for a grant to install solar panels on city hall rooftop **ACTION ITEM**..

[CA 134](#) Motion to approve Resolution 2021-038, authorizing Airport Coronavirus Response Grant Program (ACRGP) Concessions Addendum, granting Friedman Memorial Airport \$19,129.00 to provide relief from rent and minimal annual guarantees (MAG's) to concessioners within the airport terminal. **ACTION ITEM**.....

CA 151* *Motion to approve Resolution 2021-042, authorizing Task Order #5 with HDR Engineering for the Wastewater Facility Planning Study update* **ACTION ITEM.....

[CA 135](#) Consideration of and motion to approve Resolution 2021-039, authorizing the final draft of the Wastewater Facility Planning Study. **ACTION ITEM**.....

[CA 136](#) Motion to authorize partial release of Security Bonds to Quigley Farms, LLC and Quigley Recycled Water Company LLC for infrastructure installation work completed **ACTION ITEM**.....

[CA 137](#) Motion to approve Pay Request #1 for the Hailey Fire Station Project, which includes mobilization and materials costs of \$15,417.69 **ACTION ITEM**.....

[CA 138](#) Motion to approve Resolution 2021-040, authorizing Contract for Services agreement with Hunger Coalition **ACTION ITEM**.....

[CA 139](#) Motion to approve Resolution 2021-041, authorizing First Amendment to Water and Sewer Hook-up Agreement for 830 Broadford Road Property owned by Cathy Daniels **ACTION ITEM**.....

CA 152* *Motion to approve Resolution 2021-043, authorizing agreement with Imperial Asphalt for crack fill project on Hailey roads for not-to-exceed amount of \$25,000* **ACTION ITEM.....

[CA 140](#) Motion to approve the Findings of Fact, Conclusions of Law and Decision regarding the Final Plat Subdivision Application (Phase I) by Marathon Partners, LLC, represented by Galena Engineering, where Tax Lot 6655, Section 9 & 10, T2N, R18E, Hailey, is subdivided into 85 units on 70 lots. **ACTION ITEM**.....

CA 141* *Motion to approve new Alcohol License for Grocery Outlet* **ACTION ITEM.....

[CA 142](#) Motion to approve minutes of April 12, 2021, and to suspend reading of them **ACTION ITEM**.....

CA 143* *Motion to ratify claims for expenses paid in April 2021* **ACTION ITEM.....

[CA 144](#) Motion to approve claims for expenses incurred during the month of March, 2021, and claims for expenses due by contract in April, 2021 **ACTION ITEM**.....

[CA 145](#) Motion to approve unaudited Treasurer's report for the month of March, 2021 **ACTION ITEM**.....

MAYOR'S REMARKS:

MR 000

PROCLAMATIONS & PRESENTATIONS:

- [PP 146](#) Proclamation for May 2021 Mental Health month ACTION ITEM.....
- PP 147 Presentation by Steve Hunter from ITD to give update on the upcoming Main Street resurfacing project (no docs)

PUBLIC HEARING:

- [PH 148](#) Public Hearing on matters pertaining to Rubbish/Recycling/Cardboard/Compostable Materials Hauling, including:
 - Franchise Ordinance No. 1282, which would grant Clear Creek Disposal use of city streets and rights of way for a 10-year term, with first reading of ordinance by title only. ACTION ITEM.....
 - Resolution 2021-___, establishing new fees/fee increases for residential, commercial and construction rubbish/recycling hauling services ACTION ITEM
 - Consideration of Resolution 2021-___, authorizing Rubbish/Recycling Agreements for waste hauling services with Clear Creek Disposal. ACTION ITEM.....

NEW BUSINESS:

- [NB 149](#) Consideration of Health Order 2021-02 which would be an extension to Hailey Emergency Health Order 2021-01, which expires May 9, 2021. The extension would continue to limit group sizes and require face-coverings in public places, both indoors and outdoors, for an additional 90 days or until otherwise rescinded or amended ACTION ITEM.....

OLD BUSINESS:

STAFF REPORTS: Staff Reports Council Reports Mayor's Reports

- [SR 150](#) Update on Skatepark spring safety enforcement

EXECUTIVE SESSION:

Matters & Motions from Executive Session or Workshop

Next Ordinance Number - 1284 Next Resolution Number- 2021-044

AGENDA ITEM SUMMARY

DATE: 04/26/21

DEPARTMENT: PW

DEPT. HEAD SIGNATURE: BY

SUBJECT: Motion to adopt Resolution 2021-____, authorizing Task Order #5 with HDR Engineering to correct the number sequence, renumbering duplicate Task Order #2, dated April 13, 2020 to Task Order #5. **ACTION ITEM**

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

City Council has previously authorized several task orders with HDR Engineering as amendments to the original Facility Planning Study contract while ongoing work continues. Unfortunately, "Task Order #2" was issued twice for two separate purposes, and their cumulative contract total for all task orders is now incorrect. To remedy this, Task Order #5 has been issued. The original Wastewater Facility Plan agreement with HDR is for a fee of \$109,410. Amendment #5 brings the fee to the correct total of \$174,880.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____
Budget Line Item # _____ YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: _____ Phone # _____
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- | | | |
|---|--|--|
| <input type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Benefits Committee |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input type="checkbox"/> Planning | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> Building | <input type="checkbox"/> Police | <input checked="" type="checkbox"/> Wastewater |
| <input type="checkbox"/> Engineer | <input checked="" type="checkbox"/> Public Works | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Fire Dept. | <input type="checkbox"/> P & Z Commission | <input type="checkbox"/> _____ |

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to adopt Resolution 2021-____, authorizing Task Order #5 with HDR Engineering to correct the number sequence, renumbering duplicate Task Order #2, dated April 13, 2020 to Task Order #5.
ACTION ITEM

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

CITY OF HAILEY
RESOLUTION NO. 2021-__

RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING AMENDMENT #5 WITH HDR ENGINEERING, TO CORRECT THE
NUMBER SEQUENCE RENUMBERING DUPLICATE TASK ORDER #2 DATED
APRIL 13, 2020 TO TASK ORDER #5,

WHEREAS, the City of Hailey has an existing agreement with HDR Engineering to provide the engineering services,

WHEREAS, Task Order #2 was issued twice for two separate purposes, and an amendment is needed to correct the duplicate number,

WHEREAS, the City of Hailey and HDR Engineering agree to the terms and conditions of the agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, that the City of Hailey approves the agreement between the City of Hailey and HDR Engineering and that the mayor is authorized to execute the attached documents,

Passed this 26th day of April, 2021.

City of Hailey

Martha Burke, Mayor

ATTEST:

Mary Cone, City Clerk

AMENDMENT TO AGREEMENT TASK ORDERS
FOR
ENGINEERING SERVICES

WHEREAS:

HDR ENGINEERING, INC. ("HDR" or "ENGINEER") entered into an Agreement on March 12, 2019 with CITY OF HAILEY ("HAILEY" or "OWNER") to perform engineering services for Hailey Wastewater Facility Planning Study ("Project") and subsequent projects defined by Task Orders.

HDR issued two Task Order #2 for different work as follows:

Task Order #2 (dated April 13, 2020) for Ohio Gulch Compost Plan: \$12,240.00
Task Order #2 (dated June 10, 2020) for Generator Installation Design Drawings: \$21,100.00

HDR desires to amend the second task order by changing the task order number to #5 eliminate duplication of Task Order #2.

HAILEY is willing to amend the second Task Order No. 2 to the next number in the sequence, Task Order #5, to straighten out the task order numbering.

NOW, THEREFORE, HDR and HAILEY do hereby agree:

The Agreement and the terms and conditions and Task Orders work (and fee) therein shall remain unchanged other than changing the second issued task order with the number 2 to number 5 (highlighted below);

Original Agreement – WW Facility Planning Study (dated March 12, 2019): \$109,410.00
Task Order #1 - Generator Sizing (dated): \$5,000.00
Task Order #2 - Ohio Gulch Compost Plan (dated June 10, 2020): \$12,240.00
Task Order #5 (Generator Installation Design): \$21,100.00
Task Order #3 - Standby Generator Installation SDC (dated April 5, 2021): \$17,550.00
Task Order #4 - PLC Design (dated April 5, 2021): \$9,850.00

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

HDR ENGINEERING, INC.
("HDR" or "ENGINEER")

CITY OF HAILEY, IDAHO
("HAILEY" or "OWNER")

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

END OF AMENDMENT

AGENDA ITEM SUMMARY

DATE: 04/26/2021 **DEPARTMENT:** Public Works - Streets **DEPT. HEAD SIGNATURE:** SKS / BY

-- **SUBJECT:** Motion to adopt Resolution 2021-____, authorizing the Mayor's signature on an agreement with Imperial Asphalt for a Crack Fill project for Hailey roads in an amount not-to-exceed of \$25,000.

ACTION ITEM

- **AUTHORITY:** ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

- **BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

The attached agreement with Imperial Asphalt establishes pricing of \$2,490 per ton to provide Crack Fill services on Hailey streets. The Street Division will oversee the contractor to ensure the dollar amount for this agreement will not exceed \$25,000. This preventative maintenance work is conducted on an annual basis.

FISCAL IMPACT / PROJECT FINANCIA ANALYSIS:

Budget Line Item # _____ Caselle # _____
YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: _____ Phone # _____
Comments: _____

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- | | | |
|---|--|---|
| <input type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Benefits Committee |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input checked="" type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input type="checkbox"/> Planning | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> Building | <input type="checkbox"/> Police | _____ |
| <input type="checkbox"/> Engineer | <input checked="" type="checkbox"/> Public Works | _____ |
| <input type="checkbox"/> Fire Dept. | <input type="checkbox"/> P & Z Commission | _____ |

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to adopt Resolution 2021-____, authorizing the Mayor's signature on an agreement with Imperial Asphalt for a Crack Fill project for Hailey roads in an amount not-to-exceed of \$25,000. **ACTION ITEM**

- **ADMINISTRATIVE COMMENTS/APPROVAL:**

City Administrator _____ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

**CITY OF HAILEY
RESOLUTION NO. 2021-___**

**RESOLUTION OF THE MAYOR AND CITY COUNCIL FOR THE CITY OF HAILEY
AUTHORIZING AN AGREEMENT WITH IMPERIAL ASPHALT, TO PROVIDE
CRACK FILL FOR THE CITY OF HAILEY STREETS IN A NOT TO EXCEED
AMOUNT OF \$25,000.**

WHEREAS, the City of Hailey desires to enter into an Agreement with Imperial Asphalt, to provide Crack Fill for City of Hailey streets in a not to exceed amount of \$25,000.

WHEREAS, the City of Hailey and Imperial Asphalt, have agreed to the terms and conditions of the Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, that the City of Hailey approves the Agreement between the City of Hailey and Imperial Asphalt, and that the Mayor is authorized to execute the attached Agreement,

Passed this 26th day of April, 2021.

City of Hailey

Martha Burke, Mayor

ATTEST:

Mary Cone, City Clerk

Estimate

For:

City of Hailey
115 Main Street South, Suite H
Hailey, ID 83333
208-788-4221
208-788-5965

Service Location

City of Hailey
115 Main Street South, Suite H
Hailey, ID 83333



461 N 80 W
Blackfoot, ID 83221
2087820301
Imperialasphalt.com

Estimate No. 2975 Issued on Wed Apr 21, 2021

| <u>Qty Name</u> | <u>Description</u> | <u>Rate</u> | <u>Amount</u> |
|--|--|-------------|--------------------|
| 12 Crack Seal: Road app including Material | TONS OF CRACK SEAL APPLIED INCLUDING ROUTING OF ALL NEW CRACKS AND CLEANING WEEDS DIRT AND DEBRIS FROM CRACK WITH COMPRESSED AIR. VARIOUS ROADS THROUGHOUT CITY INCLUDING SECTIONS OF, NORTHRIDGE, N 2ND ST, NORTH STAR, GALENA DR AND ST, W CROY ST.. ESTIMATED 10 TO 12 TONS. INVOICE WILL REFLECT ACTUAL TONS APPLIED NOT TO EXCEED 12 TONS WITHOUT PRIOR AUTORIZATION. | \$2,490.00 | \$29,880.00 |
| estimated total | | | \$29,880.00 |

Notes:

Terms & Conditions:

Payment upon Completion by check or cash.

1- Any deviation from the specifications and/or terms shall be by written mutual agreement. Payment for extra work and allowances for omissions shall be fixed in advance in writing by either party. No verbal agreement or understanding shall be binding.

2- All payments received in accordance with the terms of this contract are accepted with the understanding that such payments shall be applied to the payment of material and labor furnished on the work subject to this agreement.

3- Both Parties Agree that the plans and specifications may be changed without impairing the validity of this contract, subject, however, to the condition that the sum allowed either party for such alterations shall have been agreed upon by the parties to the contract and full statement of the same made in writing and signed by them before the work to be affected by the changes is commenced.

4- Both parties agree that Imperial Asphalt is not responsible for breakage of underground pipes, wiring or other improvements which are not visible to workman on the property.

5- The undersign agrees that all defects in material or labor must be brought to the attention of Imperial Asphalt within thirty (30) days of receipt of billing invoice for the work performed or else waives its right to claim any offers for these defects.

6- Unless specified otherwise, the party for whom this work is performed assumes responsibility for traffic control and any barricading necessary, as well as assuring traffic is not permitted on the new surface until the material is set and dry.

7- If payment is not received by Imperial Asphalt according to the terms specified in this agreement, the purchaser of products and services from Imperial

Asphalt shall be liable for costs incurred by Imperial Asphalt including a reasonable attorney's fee if the account is placed with an attorney for collection.

8- The undersigned represents itself to be the record owner of the real property which shall be improved pursuant to this agreement, or authorized agent of the record owner.

9- The undersigned agrees to pay all invoices from Imperial Asphalt within the terms described herein, If payment is not received as set forth herein, the undersigned agrees to pay one and one-half percent (1 1/2%) compounded monthly (18% per-annum) on all outstanding owing to Imperial Asphalt.

10- This bid is based on the current price of labor and material and if not accepted within 15 days from date hereof, the right is reserved to submit a new bid.

11- All agreements contingent upon strikes, accidents, or delays beyond control.

12- This contract shall be governed by the laws of the state of Idaho both as to interpretation and performance and jurisdiction shall be in Bingham County, Idaho.

13- Imperial Asphalt disclaims all warranties expressed or implied including warranty of merchantability, and warranty for fitness for a particular purpose. The only expressed warranties are those written on the contract.

Signature:

THANK YOU for considering Imperial Asphalt LLC for all your asphalt maintenance needs.

If you would like to accept this proposal according to the terms set forth herein and authorize Imperial Asphalt to perform the work as described, please select [accept and approve this estimate now](#).

QUESTIONS? CONTACT US

Imperial Asphalt LLC
461 N 80 W
Blackfoot, ID 83221
P:2087820301 F:2087856080
Imperialasphalt.com
sales@imperialasphalt.com

Mary Cone

From: Ken Lagergren <lagergren@cs.com>
Sent: Saturday, April 24, 2021 10:51 AM
To: Heather Dawson; Martha Burke; Heidi Husbands; Juan Martinez; Kaz Thea; Sam Linnet; Mary Cone; Nancy Arellano
Subject: Clear Creek Garbage rates Comments

Dear Mayor, Council and Staff,

We appreciate that you all have expressed a commitment to help Hailey deal with the challenges of Climate Change. To be consistent with that effort, please structure the new contract of garbage rates to reflect Conservation vs consumption. The rates should definitely incentivize recycling.

To this end, the **garbage rates** should be the **weighted option** where **larger, more consumptive garbage containers, pay an exponentially larger fee** and the lowest rates should be awarded to the smallest containers of garbage.

We applaud the City of Hailey's commitment to recycling and agree with proposed projects to make cardboard and glass recycling more efficient and cost effective.

By the way, the Mountain Express published some rates and figures and percentages in the Wed, Apr 21, 2021 paper that do not calculate mathematically. And the language of the sentences were misleading and confusing. Because of this, please consider Public comments that you may get carefully, and that they may not reflect real world math.

Thank you for taking comments on this important subject,
Ginna and Ken Lagergren
215 E Myrtle, Hailey

Mary Cone

From: Carol Monteverde <camonte14@gmail.com>
Sent: Sunday, April 25, 2021 3:28 PM
To: Mary Cone
Subject: Re: Hailey City Council meeting Monday April 26, 2021

Mary,

I'm not sure if this is the best way to relay my comments regarding the new proposed garbage rates, but here goes.

I do not support the additional services of curbside pickup of cardboard and compost. As a gardener I compost myself, and the few times during the year that there is excess for my uses, a trip to Ohio Gulch is not a hardship by any means. Recycling glass and cardboard is also convenient with the drop off location at the Park & Ride on River Street as well as Ohio Gulch. If these extra services are implemented, would residents be able to opt out? I have a small garbage cart which for me can take up to 3 or 4 weeks to fill.

Living on a fixed income has made me acutely aware of gradual increases in costs of living. The annual monthly increase in social security income has already been offset with increases in monthly liabilities. So, while I support the need for adjustment due to inflation, I do not support the extra services proposed.

Thank you for accepting these comments.
Carol Monteverde
Hailey Resident

On Fri, Apr 23, 2021 at 1:47 PM Mary Cone <mary.cone@haileycityhall.org> wrote:

See attached agenda for Monday's meeting.

Thanks,

Mary Cone