

**AGENDA ITEM SUMMARY**

DATE: 8/6/2012 DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: \_\_\_\_\_

**SUBJECT:**

Easement Agreement (Hiawatha Canal and Woodside Drainage Easements) and Resolution No. 2012-  
52

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

I am attaching a proposed Easement Agreement and Resolution No. 2012-52. This proposed easement is a reciprocal easement which allows Hiawatha Canal Water Users Association to use the Woodside Drainage Easement and which allow Hailey to use the Hiawatha Canal. This easement would provide both entities a legal right to use the various ditches. Under this easement, Hailey could use the canal for emergency drainage which has been needed in the past. I am also attaching a copy of the Woodside Subdivision plats which show the parcels Hiawatha Canal Association can use under this agreement. The description of the Hiawatha Canal is unfortunately unavailable.

Ned

**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)

___ City Attorney	___ Clerk / Finance Director	___ Engineer	___ Building
___ Library	___ Planning	___ Fire Dept.	_____
___ Safety Committee	___ P & Z Commission	___ Police	_____
___ Streets	___ Public Works, Parks	___ Mayor	_____

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Make a motion to approve Easement Agreement and Resolution No. 2012-\_\_\_ and authorize the mayor to sign.

**FOLLOW-UP REMARKS:**

**CITY OF HAILEY  
RESOLUTION NO. 2012-52**

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF HAILEY  
AUTHORIZING THE EXECUTION OF CONTRACT FOR AN EASEMENT  
AGREEMENT WITH HIAWATHA CANAL WATER USERS, TO USE THE  
WOODSIDE DRAINAGE EASEMENT AND WHICH ALLOWS HAILEY TO USE THE  
HIAWATHA CANAL.**

WHEREAS, the City of Hailey desires to enter into an agreement with the Hiawatha Canal Users under which the Hiawatha Canal Association will reciprocate the easement which allows Hiawatha Canal Water Users Association to use the Woodside Drainage Easement.

WHEREAS, the City of Hailey and the Hiawatha Canal users Association have agreed to the terms and conditions of the Agreement for Professional Services, 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 Easement Agreement between the City of Hailey and Hiawatha Canal Association and that the Mayor is authorized to execute the attached Agreement,

Passed this 6th day of August 2012.

City of Hailey

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk

DRAFT  
8/02/12

## EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (this "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the HIAWATHA CANAL WATER USERS ASSOCIATION OF LATERAL OR LATERALS, organized and operating pursuant to provisions of Title 42, Chapter 13 of the Idaho Code ("Canal Company"), and the CITY OF HAILEY, IDAHO, a municipal corporation, ("City").

### RECITALS

A. The Canal Company operates and maintains an irrigation canal system commonly known as the Hiawatha Canal (the "Canal"), a portion of the which traverses along the westerly boundary of the development known as "Woodside", and the City owns certain parcels of real property within Woodside according to the records of the Office of the Blaine County Recorder, Hailey, Idaho, which parcels are subject to public drainage easements also used by the Canal Company as part of its canal system. Those parcels of real property are more particularly described as set forth on attached Exhibit A (the "Real Property").

B. The City and the Canal Company desire to clarify and further define their respective rights and obligations with regard to the Canal and the Real Property for benefit of the City and the Canal Company.

NOW, THEREFORE, for consideration of the mutual covenants set forth herein, the City and the Canal Company hereby mutually covenant and agree as follows:

1. GRANT OF EASEMENTS. The parties hereby grant the reciprocal easements as follows:

A. The City hereby grants and conveys to the Canal Company a perpetual, non-exclusive easement on, over, and across the Real Property for irrigation, drainage and other Canal uses.

B. The Canal Company hereby grants to the City a perpetual, non-exclusive easement to use that portion of the Canal within the municipal boundaries of said city for emergency drainage purposes provided that on each such occasion the City promptly notifies the Canal Company of the specific emergency use which notification may occur within a reasonable time after the emergency arises.

2. MAINTENANCE. The City shall continue to maintain the Real Property as it has done in the past and the Canal Company may clean the Real Property for its use under this Agreement. The Canal Company shall continue to maintain the Canal as it has done in the past and the City may clean the Canal as necessary for its use under this Agreement.

3. INDEMNIFICATION. Each party hereby agrees to indemnify, hold harmless and defend the other party, its officers, directors, employees and agents from any and all injury, damage, claim, cause of action and/or expense for personal injury or damage to property, real or personal, arising out of or relating to it exercising any right under this Agreement or any breach of this Agreement.

4. COVENANTS RUNNING WITH THE LAND. This Agreement shall be a covenant running with the land in perpetuity and shall inure to the benefit of and be binding upon the Canal Company, the City, the Canal, and the Real Property and each and every portion thereof.

5. BREACH. If one party to this Agreement deems the other party to be in breach of this Agreement, the party claiming such a breach ("non-breaching party") shall give the other party ("breaching party") notice of such breach and the breaching party shall have ten (10) days in which to cure the breach or less time if reasonably required in the notice of breach due to an emergency or if due to weather or other condition beyond the control of the breaching party the breach cannot be cured within such time period the breaching party shall have a reasonable time under the circumstances to cure. If within said time the breaching party does not cure the breach, the non-breaching party may then undertake to cure the breach, and the breaching party shall pay the non-breaching party for any and all reasonable expenses which the non-breaching incurs in doing so. The breaching party shall pay such expenses within thirty (30) days of receiving an invoice therefore from the non-breaching party.

6. NOTICES. Except as otherwise expressly provided by law, any and all notices or other communications required or permitted by this Agreement or by law to be served on or given to either party hereto by the other party hereto shall be in writing and shall be deemed duly served and given when personally delivered to the party to whom it is directed, or in lieu of such personal service three (3) days after such notice is deposited in the United States Mail, first-class postage prepaid, addressed to the parties as follows:

Canal Company: Hiawatha Canal Water Users Association  
c/o Dave Cropper  
Real Estate Center  
400 N. Main St. - Ste. 400  
Hailey, Idaho

City: The City of Hailey, Idaho

115 Main Street South, Ste. \_\_  
Hailey, Idaho 83333

or such other address as any party may hereafter in writing to the other designate.

7. GENERAL PROVISIONS.

A. Attorney Fees. In the event of any suit or proceeding by either party herein against the other party in any way arising out of this Agreement or to enforce any right herein granted, the losing party in such suit or proceeding shall pay to the prevailing party the costs and reasonable attorney's fees, including such fees on appeal, incurred by the prevailing party in such action.

B. Governing Law. This Agreement shall be governed in accordance with the laws of the state of Idaho without reference to its provisions regarding conflicts of law.

C. Captions to Paragraphs. The captions to the paragraphs of this Agreement are for convenience only and shall not be deemed to enlarge, diminish, explain or in any manner affect the meaning of such paragraphs.

D. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the successors, and assigns of the parties hereto.

E. Number and Gender. Terms are used herein without regard to the number or gender of the persons constituting such parties. Whenever a singular term is used herein, such term shall be construed to include the plural. Whenever any gender or neuter term is used herein, it shall include the other gender and neuter.

F. Severance and Validity. In the event any provision of this Agreement or any part thereof shall be determined by any court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions hereunder, or part thereof, shall remain fully in force and effect.

G. Entire Agreement/Amendment. This Agreement contains the entire agreement between the parties respecting the matters herein set forth and supersedes all prior agreements that may exist between the parties respecting the matters contained in this Agreement. This Agreement shall not be amended or modified except in writing executed by the parties hereto.

H. Recitals and Attached Exhibits Incorporated. The Exhibits attached hereto are incorporated herein by reference. The Recitals above are hereby incorporated herein by reference.

I. Assignment. This Agreement shall not be assigned by either party without the prior written consent of the other party.

J. Waiver. Failure of any party to exercise its rights upon a breach or default of the other party shall not be constructed as a waiver of the right to insist upon full performance of all of the terms and conditions of this Agreement.

K. Recordation. This Agreement shall be recorded in the records of Blaine County, Idaho by either party. The costs of recordation shall be borne by the party recording this Agreement.

IN WITNESS WHEREOF the parties hereto have executed the foregoing Agreement on the dates set forth above.

Hiawatha Canal Water Users Association of  
Lateral or Laterals

by \_\_\_\_\_  
David L. Cropper, President

City of Hailey, Idaho,  
a municipal corporation,

by \_\_\_\_\_  
Its Mayor

ATTEST:

By: \_\_\_\_\_  
Its City Clerk

## EXHIBIT A

The parcel of real property located in Blaine County, State of Idaho, more particularly described as follows:

1. Parcels "A", "B" and "C", Woodside Subdivision No.1, according to the plat thereof recorded as Instrument No. 150170, the records of Blaine County, Idaho. 1.
2. Parcel "B", Woodside Subdivision No.2, according to the plat thereof recorded as Instrument No. 150390, the records of Blaine County, Idaho.
3. Parcels "B" and "D", Woodside Subdivision No.3, according to the plat thereof recorded as Instrument No. 150391, the records of Blaine County, Idaho.
4. Parcels "B" and "E", Woodside Subdivision No.4, according to the plat thereof recorded as Instrument No. 150392, the records of Blaine County, Idaho.
5. Parcels "B" and "G", Woodside Subdivision No.5, according to the plat thereof recorded as Instrument No. 150393, the records of Blaine County, Idaho.

ACKNOWLEDGEMENTS

STATE OF IDAHO )  
 ) ss.  
County of Blaine )

On this \_\_\_\_ day of \_\_\_\_\_, 2012, before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, and \_\_\_\_\_, known or identified to be the Mayor and City Clerk, respectively, of the City of Hailey, Idaho, the municipal corporation that executed the foregoing instrument and acknowledged to me that such municipal corporation executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at: \_\_\_\_\_  
Commission expires: \_\_\_\_\_

STATE OF IDAHO )  
 ) ss.  
County of Blaine )

On this \_\_\_\_ day of \_\_\_\_\_, 2012, before me, the undersigned, a Notary Public in and for said County and State, personally appeared David L. Cropper, known or identified to me, to be the President of the Hiawatha Canal Water Users Association of Lateral or Laterals, and the person who executed the foregoing instrument on behalf of said association, and acknowledged to me that said association executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at: \_\_\_\_\_  
Commission expires: \_\_\_\_\_





# WOODSIDE SUBDIVISION FINAL PLAT NO. 2

Being a subdivision of a portion of Section 15,  
T2N, R2E, Boise Base 6 Meridian, Blaine County, Idaho  
HAILEY, BLAINE COUNTY, IDAHO

## NO MENCLATURE

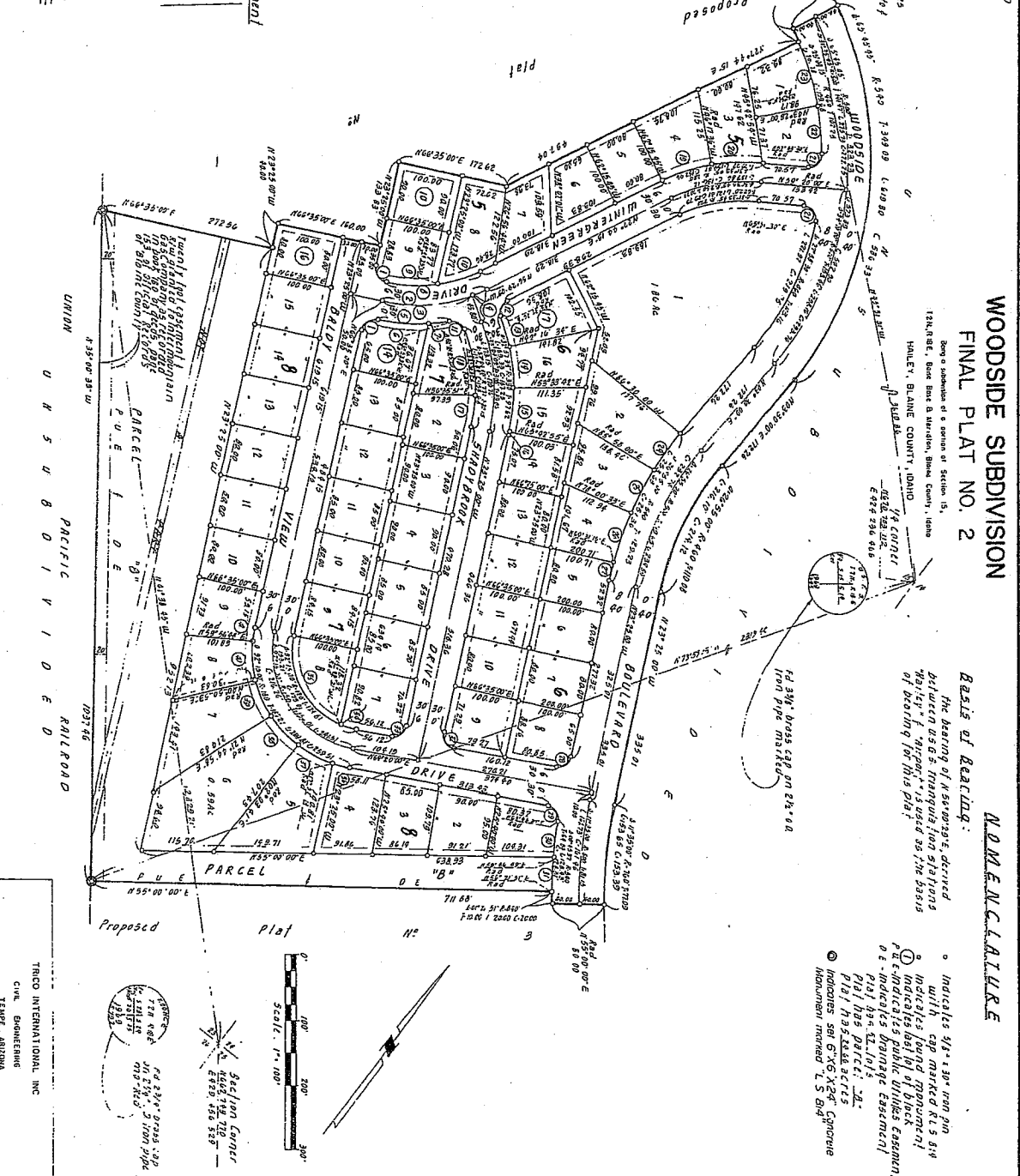
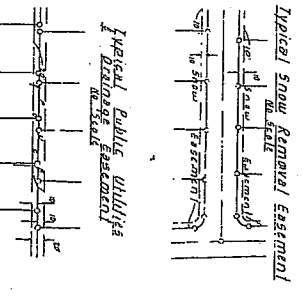
**Basics of Reading:**  
The bearings of a survey are derived  
between each triangulation stations  
with "T" angles used as the basis  
of bearing for this plat.

- Indicates 3/4" x 1/4" iron pin with cap marked R.L.S. 5/4
- Indicates found monument
- ⊙ Indicates lost top of block
- ⊖ Indicates public utilities easement
- ⊕ Indicates drainage easement
- ⊗ Indicates parcel
- ⊘ Indicates set 6" X 6" concrete
- ⊙ Indicates marked L.S. 5/4

1/4" 3/4" brass cap on 2 1/4" dia  
iron pipe marked

Curve	A	R	T	L	CH. I.
1	100.00	100.00	100.00	100.00	100.00
2	100.00	100.00	100.00	100.00	100.00
3	100.00	100.00	100.00	100.00	100.00
4	100.00	100.00	100.00	100.00	100.00
5	100.00	100.00	100.00	100.00	100.00
6	100.00	100.00	100.00	100.00	100.00
7	100.00	100.00	100.00	100.00	100.00
8	100.00	100.00	100.00	100.00	100.00
9	100.00	100.00	100.00	100.00	100.00
10	100.00	100.00	100.00	100.00	100.00
11	100.00	100.00	100.00	100.00	100.00
12	100.00	100.00	100.00	100.00	100.00
13	100.00	100.00	100.00	100.00	100.00
14	100.00	100.00	100.00	100.00	100.00
15	100.00	100.00	100.00	100.00	100.00
16	100.00	100.00	100.00	100.00	100.00
17	100.00	100.00	100.00	100.00	100.00
18	100.00	100.00	100.00	100.00	100.00
19	100.00	100.00	100.00	100.00	100.00
20	100.00	100.00	100.00	100.00	100.00
21	100.00	100.00	100.00	100.00	100.00
22	100.00	100.00	100.00	100.00	100.00
23	100.00	100.00	100.00	100.00	100.00
24	100.00	100.00	100.00	100.00	100.00
25	100.00	100.00	100.00	100.00	100.00
26	100.00	100.00	100.00	100.00	100.00
27	100.00	100.00	100.00	100.00	100.00
28	100.00	100.00	100.00	100.00	100.00
29	100.00	100.00	100.00	100.00	100.00
30	100.00	100.00	100.00	100.00	100.00
31	100.00	100.00	100.00	100.00	100.00
32	100.00	100.00	100.00	100.00	100.00
33	100.00	100.00	100.00	100.00	100.00
34	100.00	100.00	100.00	100.00	100.00
35	100.00	100.00	100.00	100.00	100.00
36	100.00	100.00	100.00	100.00	100.00
37	100.00	100.00	100.00	100.00	100.00
38	100.00	100.00	100.00	100.00	100.00
39	100.00	100.00	100.00	100.00	100.00
40	100.00	100.00	100.00	100.00	100.00
41	100.00	100.00	100.00	100.00	100.00
42	100.00	100.00	100.00	100.00	100.00
43	100.00	100.00	100.00	100.00	100.00
44	100.00	100.00	100.00	100.00	100.00
45	100.00	100.00	100.00	100.00	100.00
46	100.00	100.00	100.00	100.00	100.00
47	100.00	100.00	100.00	100.00	100.00
48	100.00	100.00	100.00	100.00	100.00
49	100.00	100.00	100.00	100.00	100.00
50	100.00	100.00	100.00	100.00	100.00

**Power Easement**  
An easement of 10 ft is granted for electrical power service purposes (to be used for overhead power) to be shown on the street right of way.



Section Corner  
4663.748 710  
4929.458 529

Scale: 1" = 100'

TRICO INTERNATIONAL, INC  
CIVIL ENGINEERING  
TEMPE, ARIZONA



# WOODSIDE SUBDIVISION

## FINAL PLAT NO. 4

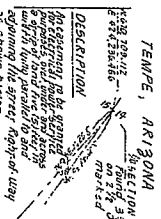
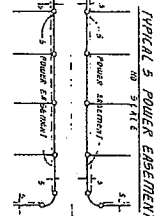
Being a Subdivision of a portion of Section 15, Township 24 North, Range 6 East, Blaine County, Idaho

TRICO INTERNATIONAL INC.

TEMPE, ARIZONA

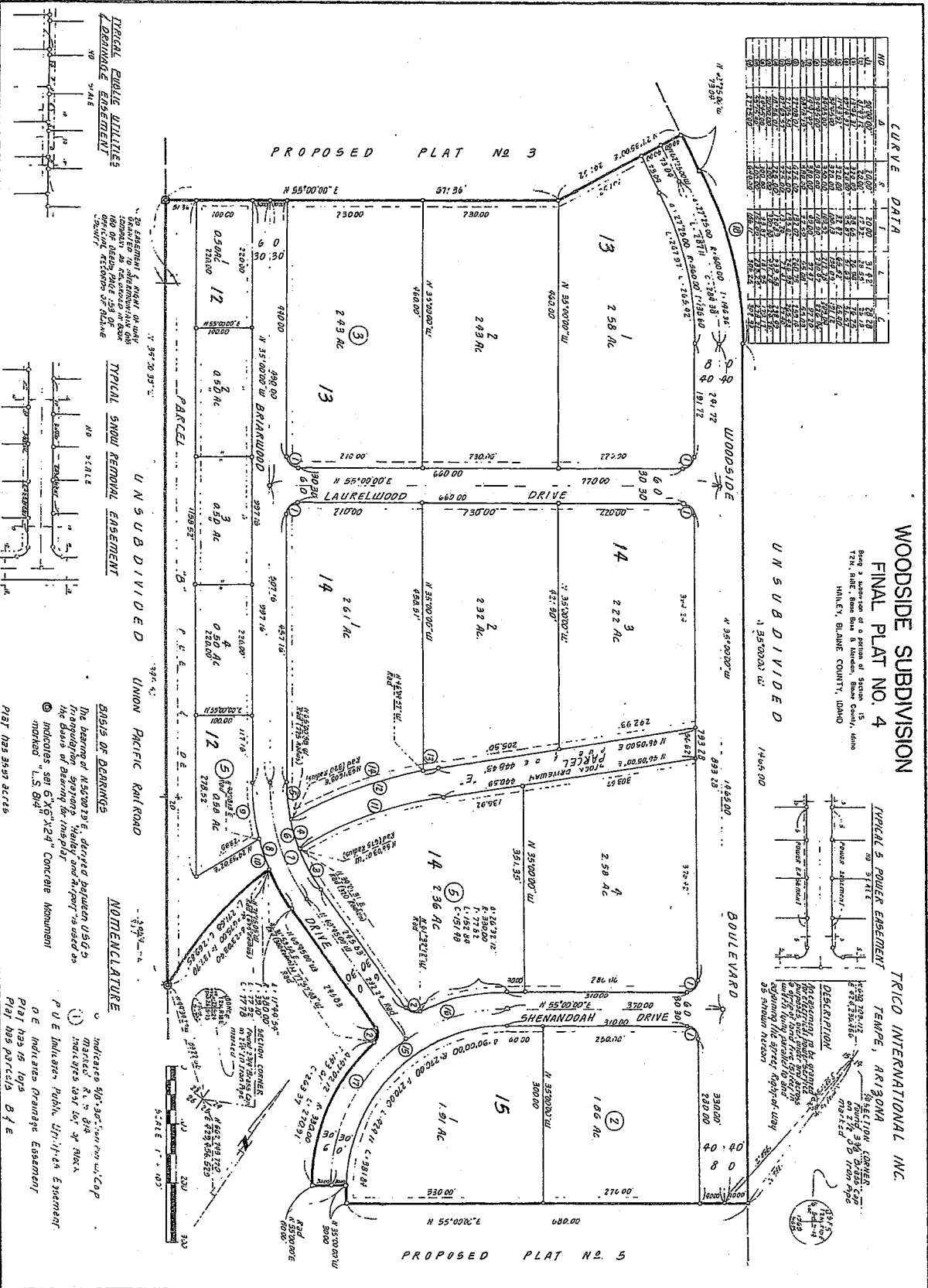
NO.	AREA	ACRES	PERCENT
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2	2.43	0.0000	0.00
3	2.22	0.0000	0.00
4	2.58	0.0000	0.00
5	2.56	0.0000	0.00
6	1.91	0.0000	0.00
7	0.50	0.0000	0.00
8	0.50	0.0000	0.00
9	0.50	0.0000	0.00
10	0.50	0.0000	0.00
11	0.50	0.0000	0.00
12	0.50	0.0000	0.00
13	2.43	0.0000	0.00
14	2.61	0.0000	0.00
15	1.86	0.0000	0.00
16	1.91	0.0000	0.00
17	0.50	0.0000	0.00
18	0.50	0.0000	0.00
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26	0.50	0.0000	0.00
27	0.50	0.0000	0.00
28	0.50	0.0000	0.00
29	0.50	0.0000	0.00
30	0.50	0.0000	0.00
31	0.50	0.0000	0.00
32	0.50	0.0000	0.00
33	0.50	0.0000	0.00
34	0.50	0.0000	0.00
35	0.50	0.0000	0.00
36	0.50	0.0000	0.00
37	0.50	0.0000	0.00
38	0.50	0.0000	0.00
39	0.50	0.0000	0.00
40	0.50	0.0000	0.00
41	0.50	0.0000	0.00
42	0.50	0.0000	0.00
43	0.50	0.0000	0.00
44	0.50	0.0000	0.00
45	0.50	0.0000	0.00
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UNSUBDIVIDED

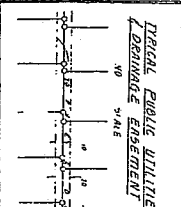


DESCRIPTION: The boundary lines of this plat are shown as being correct and true to the original survey and as shown hereon.

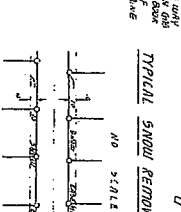
### PROPOSED PLAT NO. 3



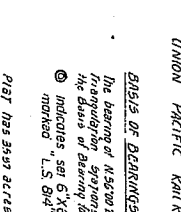
### PROPOSED PLAT NO. 5



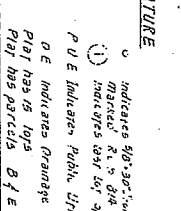
TYPICAL PUBLIC UTILITIES EASEMENT



TYPICAL SNOW REMOVAL EASEMENT



TYPICAL 5' SECTION CORNER



TYPICAL 5' SECTION CORNER

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# WOODSIDE SUBDIVISION

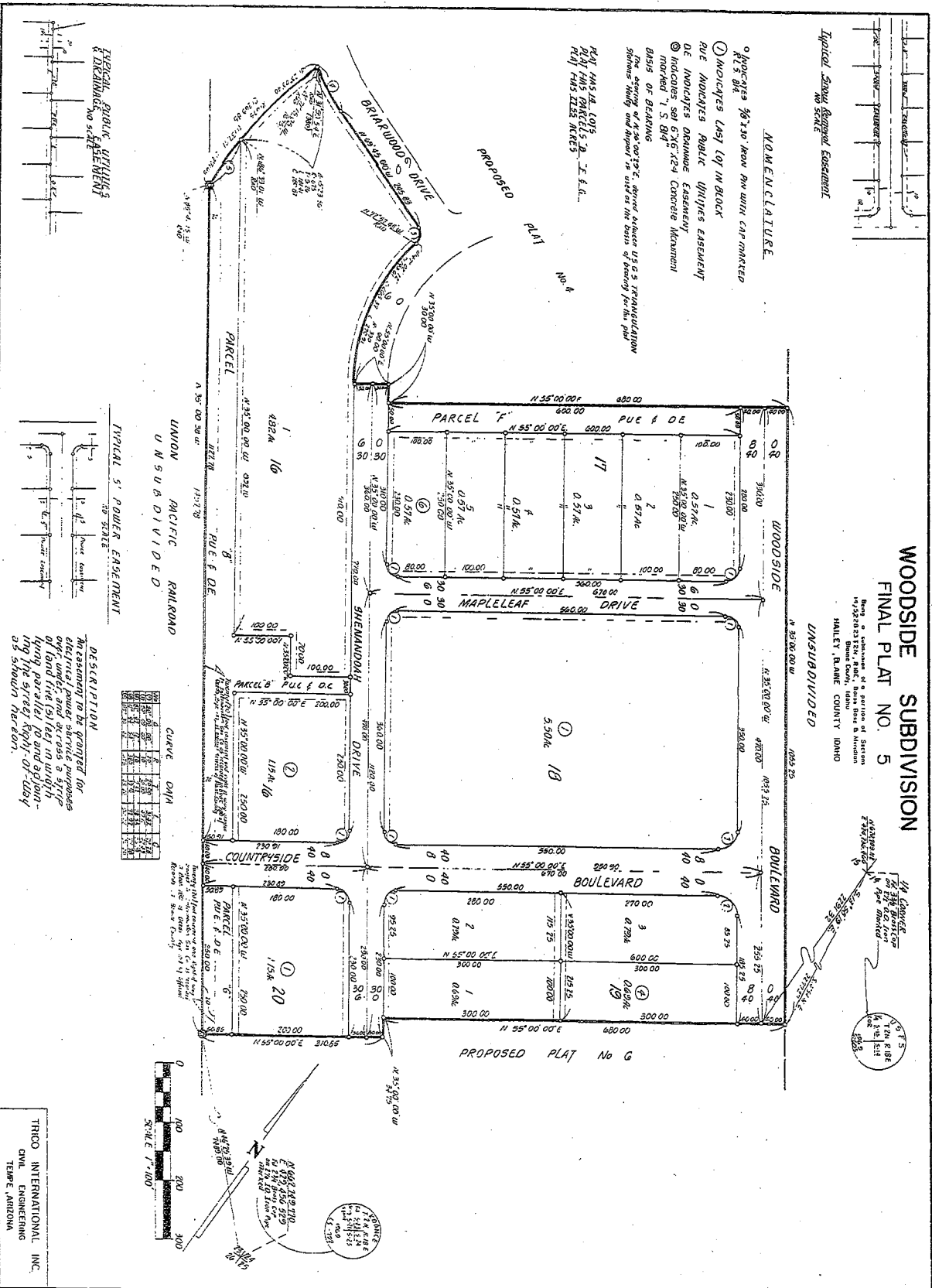
## FINAL PLAT NO. 5

Map of a Subdivision of a portion of Section 14, Township 23 N., Range 12 E., Salt Lake County, Utah  
 HALEY, BLAINE COUNTY IDAHO

UNSUBDIVIDED

### NOMENCLATURE

- ① indicates 30' x 30' heavy iron corner cap marked R13 84
- ② indicates last lot in block
- PUE indicates Public Utilities Easement
- DE indicates Drainage Easement
- ③ indicates 6' x 6' x 24' Concrete Monument
- ④ indicates 1" S. 8/4
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TRICO INTERNATIONAL, INC.  
 CIVIL ENGINEERING  
 TEMPE, ARIZONA



AGENDA ITEM SUMMARY

DATE: 8/6/2012 DEPARTMENT: Legal

DEPT. HEAD SIGNATURE: \_\_\_\_\_

SUBJECT:

Resolution No. 2012- 53 (Amendment to Personnel Handbook)

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code \_\_\_\_\_  
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

I am attaching a proposed resolution which would amend Section II(T) of the Hailey Personnel Handbook. This proposed amendment would prohibit the consumption of beer, wine, alcohol or any controlled substance while using a city vehicle and would prohibit texting while using a city vehicle.

Ned

**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)

___ City Attorney	___ Clerk / Finance Director	___ Engineer	___ Building
___ Library	___ Planning	___ Fire Dept.	_____
___ Safety Committee	___ P & Z Commission	___ Police	_____
___ Streets	___ Public Works, Parks	___ Mayor	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Make a motion to approve Resolution No. 2012-\_\_\_ and authorize the mayor to sign.

FOLLOW-UP REMARKS:

**CITY OF HAILEY**  
**RESOLUTION 2012-53**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AMENDING THE CITY OF HAILEY PERSONNEL HANDBOOK TO CLARIFY THE USE OF CITY VEHICLES.**

WHEREAS, the Hailey City Council seeks to address and clarify policies involving the use of city vehicles;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hailey to amend Section II(T) of the City of Hailey Personnel Handbook by the addition of the underlined language, as follows:

**T. Use of City Vehicles.** Employee use of any City vehicle is intended for City business and requires approval by the employee's supervisor. Operators of a City vehicle must have a valid Idaho Driver's License.

At no time shall an employee operate a City vehicle while under the influence of alcoholic beverages, illegal drugs, or medication that impairs his/her ability to operate a vehicle, nor shall any employee consume any alcoholic beverages, illegal drugs or medication that impairs his/her ability to operate a vehicle eight (8) hours before the employee intends on operating or is scheduled to operate a City vehicle or while operating a City vehicle. Employees are required to observe all traffic laws at all times and to wear a seat belt when their vehicle is in motion. Employees are prohibited from texting while driving a City vehicle. For the purpose of this section, texting means engaging in the review of, or manual operation preparation and transmission of, written communications via handheld wireless devices, but does not include voice-operated or hands free devices that allow the user to review, prepare and transmit a text message without the use of either hand, except to activate, deactivate or initiate a feature or function. An employee must be safely parked before texting. Any traffic-related violations or crimes, fines, court costs, or court assessments incurred while using a City vehicle are an employee's responsibility, except those arising from a condition of the vehicle or a vehicle malfunction not caused by the employee. If an employee is involved in an accident involving a City vehicle, he/she must immediately report the accident to his/her supervisor or the Risk Manager (unless there are extenuating circumstances), notify the local policy and readily exchange information with the other parties. Personal property in a City vehicle is the responsibility of the property owner, not the City.

If a major breakdown occurs on the road requiring repairs that total more than \$250.00, the employee is required to contact his/her supervisor or the Risk Manager before authorizing the repair.



**THIS RESOLUTION** is adopted by the Mayor and Hailey City Council and is in full force and effect upon its adoption this \_\_\_\_\_ day of August, 2012.

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

ATTEST:

\_\_\_\_\_  
Mary Cone, City Clerk



**AGENDA ITEM SUMMARY**

**DATE:** 8/06/12 **DEPARTMENT:** Finance & Records **DEPT. HEAD SIGNATURE:**

**SUBJECT:**

Alcohol Beverage License Renewals

**AUTHORITY:**  ID Code \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code 5.04, 5.08, 5.12  
(IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

Annual renewal of alcohol beverage licenses, which expire each year on July 31.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_

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

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)

____ City Attorney	____ Clerk / Finance Director	____ Engineer	____ Building
____ Library	____ Planning	____ Fire Dept.	____
____ Safety Committee	____ P & Z Commission	____ Police	____
____ Streets	____ Public Works, Parks	____ Mayor	____

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Approve the following alcohol beverage licenses, which have been approved by HPD.

Chapalitas  
Hailey Hotel  
Albertson's  
Valley Gas  
Valley Gas – 2<sup>nd</sup> location  
Sun Valley Brewery  
Shorty's Diner  
Flip & Pour Inc.  
Lemcow Inc.  
Uptown Mini Mart

**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./Agmt./Order Originals: \_\_\_\_\_ \*Additional/Exceptional Originals to: \_\_\_\_\_  
Copies (all info.): \_\_\_\_\_ Copies  
Instrument # \_\_\_\_\_

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Chapalitas Grill  
 200 S. Main Street  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Chapalitas Grill

Acct #: 1470

Business Address: 200 S. Main Street

Business Phone: 208-788-4141

Mailing Address: 200 S. Main Street Hailey ID 83333

Business Email: sergiomarin74@yahoo.com

Business Fax:

Owner Name: Sergio Marin

Owner Phone: 208-994-2116

Owner Address: P.O. Box 4511 Hailey ID 83333

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)

**License Fees:**

check all that apply

Liquor	\$562.50	<input checked="" type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input checked="" type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input checked="" type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Beer	\$200.00	<input type="checkbox"/>	_____

**Total Amount Due:**

400<sup>00</sup>

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**

State License No. 7214 County License No. 14 City License No. \_\_\_\_\_  
 Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval [Signature]

CITY OF HAILEY  
 115 MAIN STREET SOUTH, SUITE H  
 HAILEY, ID 83333  
 PH 788-4221 / FAX 788-2924

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Hailey Hotel, LLC  
 201 Main St. S  
 Hailey ID 83333

Date: 07/24/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Hailey Hotel, LLC

Acct #: 168

Business Address: 201 Main St. S

Business Phone: 788-3140

Mailing Address: 201 Main St. S Hailey ID 83333

Business Email:

Business Fax:

Owner Name: Jerrold Lundquist

Owner Phone: 203-454-4809

Owner Address: 36 Cross Highway #4 West Redding CT 06896

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)

**License Fees:**

check all that apply

Liquor	\$562.50	<input checked="" type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input checked="" type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input checked="" type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Beer	\$ 50.00	<input type="checkbox"/>	_____

**Total Amount Due:**

962.50

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

All Applicants must submit a copy of:

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

Liquor License Applicants must also submit:

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**



State License No. 3289 County License No. 88 City License No. 168  
 Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval [Signature]

**CITY OF HAILEY**  
 115 MAIN STREET SOUTH, SUITE H  
 HAILEY, ID 83333  
 PH 788-4221 / FAX 788-2924

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Albertsons  
 Attn: Dept 70428  
 Box 20  
 Boise ID 83726

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Albertsons  
 Business Address: 911 Main St. N

Acct #: 17  
 Business Phone: 788-6709

Mailing Address: Attn: Dept 70428 Box 20 Boise ID 83726

Business Email: licensegroup@superwalv.com

Business Fax: 788-6719

Owner Name: Inc. New Albertson's

Owner Phone: 208-395-~~6371~~ 5383

Owner Address: Attn: Dept. 70428 Boise ID 83726

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)

**License Fees:**

check all that apply

Liquor	\$562.50	<input type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input checked="" type="checkbox"/>	<u>200.00</u>
Grocery Sale of Beer *	<del>\$200.00</del>	<input checked="" type="checkbox"/>	<u>200.00 50</u>

**Total Amount Due:**

50.00      \$400.250

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**

State License No. 4623      County License No. 82      City License No. 17  
 Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval [Signature]

## ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION

Valley Gas, Inc.  
 Box 4148  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Valley Gas, Inc.

Acct #: 164

Business Address: 209 Main St. S

Business Phone: 788-6292

Mailing Address: Box 4148 Hailey ID 83333

Business Email:

Business Fax: 788-9498

Owner Name: Rene Bine

Owner Phone: 788-6292

Owner Address: Box 4148 Hailey ID 83333

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)

**License Fees:**

check all that apply

Liquor	\$562.50	<input type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input checked="" type="checkbox"/>	_____
Grocery Sale of Beer	<del>\$200.00</del>	<input checked="" type="checkbox"/>	_____

**Total Amount Due:**

~~\$ 400.00~~  
 250.00

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

All Applicants must submit a copy of:

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

Liquor License Applicants must also submit:

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**

State License No. 3732 County License No. 17 City License No. 164  
 Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval [Signature]

**CITY OF HAILEY**  
 115 MAIN STREET SOUTH, SUITE H  
 HAILEY, ID 83333  
 PH 788-4221 / FAX 788-2924

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Valley Gas Inc.  
 Box 4148  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Valley Gas Inc. Acct #: 411  
 Business Address: 817 3rd Ave. S Business Phone: 788-6292  
 Mailing Address: Box 4148 Hailey ID 83333 Business Fax: 788-9498  
 Business Email: Owner Name: Rene Bine Owner Phone: 720-4944  
 Owner Address: Box 4148 Hailey ID 83333

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises) *JAME*

License Fees:		check all that apply	
Liquor	\$562.50	<input type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input checked="" type="checkbox"/>	_____
Grocery Sale of Beer	<del>\$200.00</del>	<input checked="" type="checkbox"/>	_____
<b>Total Amount Due:</b>	<i>50</i>		<i>\$400</i>

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**

State License No. 3719 County License No. 16 City License No. 411  
 Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval *[Signature]*



CITY OF HAILEY  
115 MAIN STREET SOUTH, SUITE H  
HAILEY, ID 83333  
PH 788-4221 / FAX 788-2924

ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION

Sun Valley Brewing Co.  
202 Main St. N  
Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Sun Valley Brewing Co.

Acct #: 350

Business Address: 202 Main St. N

Business Phone: 788-5777

Mailing Address: 202 Main St. N Hailey ID 83333

Business Fax: 788-6319

Business Email:

Owner Name: Derek Gallegos

Owner Phone: 208-720-6126

Owner Address: 409 S 4th Ave Hailey ID 83333

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)

License Fees:

check all that apply

Liquor	\$562.50	<input checked="" type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input checked="" type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input checked="" type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Beer	\$200.00	<input type="checkbox"/>	_____

Total Amount Due:

962.50

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

All Applicants must submit a copy of:

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

Liquor License Applicants must also submit:

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

OFFICIAL USE ONLY



State License No. 2013 County License No. 51 City License No. 350  
Date Approved by Council \_\_\_\_\_  
Chief of Police Approval [Signature]

## ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION

Shorty's Diner  
 PO Box 963  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Shorty's Diner

Acct #: 322

Business Address: 126 Main St. S

Business Phone: 578-1293

Mailing Address: PO Box 963 Hailey ID 83333

Business Fax: 578-1294

Business Email: shorty@shortydiner.com

Owner Name: Jacob Greenberg

Owner Phone: 578-3525

Owner Address: 109 Hopi Dr. Hailey ID 83333

**(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)**

**License Fees:**

check all that apply

Liquor	\$562.50	<input type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input checked="" type="checkbox"/>	<u>9200.00</u>
Grocery Sale of Wine	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Beer	\$200.00	<input type="checkbox"/>	_____

**Total Amount Due:**

\$ 9200.00

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**



State License No. 2296 County License No. 70 City License No. 322

Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval \_\_\_\_\_

**CITY OF HAILEY**  
 115 MAIN STREET SOUTH, SUITE H  
 HAILEY, ID 83333  
 PH 788-4221 / FAX 788-2924

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Flip and Pour Inc.  
 305 Main St. N  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Flip and Pour Inc.

Acct #: 427

Business Address: 305 Main St. N

Business Phone: 788-0009

Mailing Address: 305 Main St. N Hailey ID 83333

Business Email:

Business Fax:

Owner Name: Mike Broman

Owner Phone: 788-3554

Owner Address: 221 Robin Hood Dr. Hailey ID 83333

**(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)**

**License Fees:**

check all that apply

Liquor	\$562.50	<input type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input checked="" type="checkbox"/>	<u>200 -</u>
Beer by the Drink	\$200.00	<input checked="" type="checkbox"/>	<u>200 -</u>
Grocery Sale of Wine	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Beer	\$200.00	<input type="checkbox"/>	_____

**Total Amount Due:**

400 -

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**



State License No. 236

County License No. 76

City License No. 427

Date Approved by Council

Chief of Police Approval [Signature]

**CITY OF HAILEY**  
 115 MAIN STREET SOUTH, SUITE H  
 HAILEY, ID 83333  
 PH 788-4221 / FAX 788-2924

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Lemcow Inc.  
 Box 2230  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 11/01/2011.

Business Name: Lemcow Inc.  
 Business Address: 111 First Ave. N, Suite 1C  
 Mailing Address: Box 2230 Hailey ID 83333  
 Business Email: dlemonc@aol.com

Acct #: 1266  
 Business Phone: 788-0114  
 Business Fax: 788-3139

Owner Name: Dick Lemon  
 Owner Address: Box 2230 Hailey ID 83333

Owner Phone: 208-720-8916

**(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)**

**License Fees:**

Liquor	\$562.50
Wine by the Drink	\$200.00
Beer by the Drink	\$200.00
Grocery Sale of Wine	\$200.00
Grocery Sale of Beer	\$200.00

check all that apply

<input type="checkbox"/>	_____
<input checked="" type="checkbox"/>	<u>200.00</u>
<input checked="" type="checkbox"/>	<u>200.00</u>
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____

**Total Amount Due:**

400.00

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**

State License No. 7222 County License No. 108 City License No. 1266  
 Date Approved by Council \_\_\_\_\_  
 Chief of Police Approval [Signature]

**ALCOHOL BEVERAGE LICENSE RENEWAL APPLICATION**

Uptown Mini Mart  
 Box 790  
 Hailey ID 83333

Date: 07/02/2012

It is time to renew your alcohol beverage business license with the City of Hailey. Please review the information we have on record for your business. Make note of changes or corrections and return the signed application and supplemental information, along with your payment, to City Hall by 09/01/2012.

Business Name: Uptown Mini Mart

Acct #: 407

Business Address: 602 Main St. N

Business Phone: 788-4095

Mailing Address: Box 790 Hailey ID 83333

Business Email:

Business Fax:

Owner Name: Dave Wendland

Owner Phone: 333-0800

Owner Address: Box 790 Hailey ID 83333

*Refund  
150*

(Applicant must attach certified copy of lease showing that owner consents to sale of alcohol on premises)

**License Fees:**

check all that apply

Liquor	\$562.50	<input type="checkbox"/>	_____
Wine by the Drink	\$200.00	<input type="checkbox"/>	_____
Beer by the Drink	\$200.00	<input type="checkbox"/>	_____
Grocery Sale of Wine	\$200.00	<input checked="" type="checkbox"/>	<u>200</u>
Grocery Sale of Beer	\$200.00	<input checked="" type="checkbox"/>	<u>200</u>

**Total Amount Due:**

240

I hereby certify that the above statements are true, complete and correct to the best of my knowledge. I further certify that I have applied for and received the Idaho State Liquor License (copy attached) and the Blaine County Liquor License (copy attached)

**All Applicants must submit a copy of:**

1. A copy of your State of Idaho Alcohol License
2. A copy of your Blaine County License
3. Attach Corporation Questionnaire and Personal Affidavit in Support of Alcohol Business License. (c-attached)

**Liquor License Applicants must also submit:**

1. A detailed statement of the assets and liabilities of the applicant
2. A copy of the articles of incorporation and bylaws of any corporation; the articles of association and bylaws of any association; or the articles of partnership for any partnership.

**OFFICIAL USE ONLY**



State License No. 3506 County License No. 106 City License No. 407

Date Approved by Council \_\_\_\_\_

Chief of Police Approval [Signature]



**AGENDA ITEM SUMMARY**

**DATE:** 07/16/12 **DEPARTMENT:** Clerk's Office **DEPT. HEAD SIGNATURE** M. Cone

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**SUBJECT**

Approval of Minutes from the meeting of the Hailey City Council on July 16, 2012 and to suspend reading of them.

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**AUTHORITY:**  ID Code 67-2344     IAR \_\_\_\_\_     City Ordinance/Code \_\_\_\_\_

Idaho Code requires that a governing body shall provide for the taking of written minutes at all of its meetings, and that all minutes shall be available to the public within a reasonable period of time after the meeting. Minutes should be approved by the council at the next regular meeting and kept by the clerk in a book of minutes, signed by the clerk.

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**BACKGROUND:**

Draft minutes prepared.

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**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS**

Budget Line Item # \_\_\_\_\_ YTD Line Item Balance \$ \_\_\_\_\_

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**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:**

<input type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Clerk	<input type="checkbox"/> Engineer	<input type="checkbox"/> Mayor
<input type="checkbox"/> P & Z Commission	<input type="checkbox"/> Parks & Lands Board	<input type="checkbox"/> Public Works	<input type="checkbox"/> Other

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**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Motion to approve the minutes as presented, and to suspend the reading of them, or remove from consent agenda to make changes and then approve as amended.

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**FOLLOW UP NOTES:**

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**MINUTES OF THE  
HAILEY CITY COUNCIL MEETING  
Monday July 16, 2012 \* Hailey City Hall Meeting Room  
5:30 p.m. Call To Order**

**Present:** Carol Brown, Don Keirn, Fritz Haemmerle, Pat Cooley

**Absent:** Martha Burke

**Staff:** Jeff Gunter, Heather Dawson, Ned Williamson, Micah Austin, Tom Hellen, Becky Stokes, Mariel Platt, Jim Zarubica

**Call to Order**

5:31:51 PM Mayor Haemmerle called the meeting to order.

**Open Session for Public Concerns**

5:32:13 PM Bob McLeod, 417 E. Myrtle, thanked the Chamber of Commerce, the mayor, and City Council for a great 4<sup>th</sup> of July.

**CONSENT AGENDA:**

CA 282 Motion to approve Resolution authorizing the Release Agreement between the City of Hailey and Galen Hanselman for Resolution 2012-45, authorizing repair of damage done in the city right-of-way during flood control activity this spring.

CA 283 Motion to approve Resolution 2012-46, authorizing amended Use Agreement for the Intermountain Professional Rodeo Association Rodeo on September 1 and 2, 2012 authorized by Resolution 2012-05, to allow payment to the City of Hailey by September 15 instead of September 10, 2012 and corrects areas within the agreement designating IMPRA and/or Sawtooth Rangers Riding Club as the responsible party where formerly only one or the other was named.

~~CA 284 Motion to approve Resolution 2012-47 authorizing Use Agreement with Judd Mortensen of Rocky Mountain Bull Bash Productions to host the first Sun Valley Professional Bull Riders Classic at the Hailey Arena on August 11, 2012.~~

CA 285 Motion to approve Alcohol License renewals for Hailey Restaurants.

CA 286 Motion to approve Boxing Smoker special event at Hailey Armory on July 27, 2012 from 7-9 pm.

CA 287 Motion to approve Northern Rockies Arts & Crafts Fair on August 4 from 9-6 and Aug. 5 from 9-5 at Village at Hailey Center 311 S. Main Street.

CA 288 Motion to approve special event Kiwanis Car Show Aug. 4th 8-5 pm at McKercher Park.

~~CA 289 Motion to approve Road Runner 5K Senior Connection special event at Hailey Armory on Sept. 15 from 8-3.~~

CA 290 Motion to approve minutes of June 28, 2012 and to suspend reading of them.

CA 291 Motion to approve minutes of July 2, 2012 and to suspend reading of them.

CA 292 Motion to approve claims for expenses incurred during the month of June, 2012, and claims for expenses due by contract in July, 2012.

CA 293 Motion to approve Treasurer's reports for the month of June, 2012.

5:33:17 PM Heather Dawson pulled CA 284. Pat Cooley pulled CA 289.

HAILEY CITY COUNCIL MINUTES  
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5:33:38 PM Don Keirn moved to approve the Consent Agenda minus CA 284 and CA 289. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

5:33:55 PM Heather Dawson explained her pulling CA 284 by noting that the City and Rocky Mountain Bull Bash Productions had tentatively agreed on changes to the Use Agreement. Ms. Dawson outlined the specific changes and the reasons for them.

5:35:25 PM Carol Brown moved to approve the Use Agreement, Resolution 2012-47, authorizing changes as delineated by Heather Dawson at this meeting. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

5:36:24 PM Pat Cooley explained his pulling of CA 289 by noting a typographical error under the sub-head entitled "Agreement" on page 62 of the packet. He suggested that "2012 Boxing Mixer" be changed to "2012 Road Runner 5K."

5:36:56 PM Pat Cooley moved to approve CA 289 with the corrected text in the Special Event Permit. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

#### **MAYOR'S REMARKS:**

*Introduction of Micah Austin, new Community Development Director.*

5:38:59 PM Mr. Austin thanked Mayor Haemmerle and the Council for this opportunity and explained his goals in this position.

#### **PROCLAMATIONS & PRESENTATIONS:**

5:45:10 PM None.

#### **APPOINTMENTS & AWARDS**

None.

#### **PUBLIC HEARING:**

*PH 294 Council consideration of Budget, adoption of Not-To-Exceed budget for publication in advance of August 20 public hearing.*

5:45:22 PM Mayor Haemmerle noted that the budget in the Council packets had 'placeholders' inserted for items he wanted more time to analyze. These placeholders included the compensation restructure of one staff position, and two possible new positions in water and wastewater roles. The mayor encouraged approval of "not to exceed" language.

5:48:28 PM Mayor Haemmerle opened the meeting to public comment. None was offered. Council discussion noted Staff's "excellent job on a very flat budget."

5:49:56 PM Don Keirn moved to adopt the "not to exceed" budget of \$11,048,101 for FY ending September 30, 2013 and for publication in advance of the August 20, 2012 public hearing. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

*PH 295 Discussion of Water and Wastewater rates – proposed increases in FY 2013 Budget to meet NPDES Permit Requirements.*

5:51:00 PM Mayor Haemmerle removed this item from the agenda because the memo presented to him with new positions were not yet approved.

5:52:04 PM Carol Brown moved to continue PH 295 to August 6, 2012. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

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*PH 296 Wastewater Master Plan Update - consideration of Resolution 2012-48 accepting five-year Wastewater Master Plan.*

5:52:56 PM Tom Hellen explains his memo provided in Council packets and summarized the plan. Council discussion included the importance of developing guiding principles, priorities and planning.

6:05:35 PM Mayor Haemmerle open public comment. None was offered.

6:06:09 PM **Carol Brown moved to accept the Wastewater Master Plan and to approve Resolution 2012-48. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.**

*PH 297 Consideration of proposed Title 13 revision – eliminating the restriction of watering on the 31st of the month If acceptable, make motion to approve 1st reading and waive 2 readings as well as approve summary for publication.*

6:06:50 PM Ned Williamson noted the purpose for waiving readings and other minor changes for the Council to consider.

6:07:55 PM Mayor Haemmerle opened the matter to public comment. None was offered.

6:08:11 PM **Don Keirn moved to approve the proposed ordinance amendment, to read by title only, to waive the three readings, to authorize the mayor to sign, and to authorize the summary for publication. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.** Mayor Haemmerle conducted the reading.

*PH 298 Woodside Boulevard Project*

*- Approval of Second Pay Request for \$401,173.01 for work done prior to June 30, 2012.*

6:09:46 PM Heather Dawson provided an overview and explanation of the process on this first bullet point. Council discussion included the timeline for this pay request, noting that the project is moving more slowly than planned, although the October finish date is still expected to be met. Tom Hellen explained the delays with the utilities on the project. 6:12:47 PM Discussion continued on the details of progress made and how the elevation differences are being reconciled.

6:16:15 PM Mayor Haemmerle opened the meeting to public comment.

Geoffrey Moore, 406 1<sup>st</sup> Avenue and Woodside Boulevard, noted that the irrigation system on his corner has been cut or moved back, and asked when he could put the irrigation back in. Tom Hellen addressed Mr. Moore's question and further agreed to meet with him to provide more details.

6:18:19 PM With no further comment offered, the Mayor brought the meeting back to the Council.

6:18:26 PM **Carol Brown moved to authorize the Second Pay Request for \$401,173.01. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, abstained; Haemmerle yes.**

*- Amendment to Civil Science Engineer Agreement adopted through Resolution 2012-41 – Civil Science requests that Amendment No. 1 be revised to remove not-to-exceed language and request additional payment for services required beyond 8 hours per week for 10 weeks*

6:19:14 PM Mayor Haemmerle clarified that this is not on Civil Science's overall project scope. Ned Williamson explained the changes and reasons behind them. Council discussion included understanding the details and whether good checks and balances are in place.

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6:23:03 PM Mayor Haemmerle opened public comment. None was offered.

6:23:50 PM **Don Keirn moved to approve Amendment No. 1 and Exhibit K. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, abstained; Haemmerle, yes.**

- *Third Inspection Report from Federal Highways Administration – grant compliance.*

6:25:02 PM Heather Dawson provided overview of the satisfactory report.

6:26:26 PM Mayor Haemmerle opened the matter to public comment. None was offered. Council discussion ensued. No action was necessary.

#### **NEW BUSINESS:**

*NB 299 Consideration of First Amendment to Planned Unit Development (PUD) Agreement for Mountain Sage Subdivision II.*

6:26:47 PM Ned Williamson offered a brief overview and then turned to Michelle Griffith of ARCH who further explained details and background.

6:31:21 PM **Carol Brown moved to approve the First Amendment to PUD Agreements as shown in the Council packet, noting the deed restriction is lifted and replaced with a 15-year deed restriction; and to authorize the Mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.**

*NB 300 Elm Street Safe Routes to School Sidewalk Conceptual Design – consideration of alternatives.*

6:32:03 PM Jim Zarubica provided background and details.

6:40:35 PM Property owner, Bonnie Lazzarini, corner of Main and Elm, voiced her opinion that Option 1 was best. She expressed worries about snow removal and parking. Tom Hellen and Heather Dawson offered clarification. Bonnie further asked who is responsible for her sprinklers now located in the right-of-way. Mayor Haemmerle explained there is no real policy, but that the City welcomes working together on the matter.

6:45:40 PM Peggy Miller, Upholstery Shop at Elm and Main, asked about Jim's reference to the property encroachment agreement for construction. Mr. Zarubica assured that agreement would be temporary and Ms. Miller expressed satisfaction with that.

Geoffrey Moore, 406 1<sup>st</sup> Avenue, asked if this matter will come forward into a public hearing.

6:47:15 PM Mayor invited Mr. Moore to speak now. Mr. Moore advocated for Option 2 noting his concerns about safety and traffic.

Ramona Duke, 1021 Foxmoor, agreed with Mr. Moore and strongly advocated for separation of traffic and sidewalks. Mike Penrose, 414 4<sup>th</sup> Avenue South, also voiced concerns. 6:51:40 PM

Council discussion included possibility of a hybrid design utilizing Option 1 and 2 to allow parking and a buffer area. 6:53:12 PM Jim Zarubica summarized what he believed the Council suggested, and noted his direction would be to work with landowners to reach the best balance for safe routes even if it became necessary to sacrifice some parking in favor of good sidewalks.

Council discussion then turned to funding. Tom Hellen explained, and 6:56:27 PM Mr. Zarubica pointed out this is a 2013 FY project, not 2012. Heather Dawson reminded that there are other funds available for this project. 6:58:40 PM

*NB 301 Park Names – History of Archway repainting project at Hop Porter Park and discussion of naming effort for the park area containing the arena, skatepark, interpretive center, and future indoor ice rink facility (no documents).*

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6:59:13 PM Mayor Haemmerle gave a brief history of the arch project, noting that as layers of old paint were removed from the arch, raised lettering was found. The words "1922 Tourist Park" were uncovered. Tracy Anderson was given the task to find an artist who would pay homage to the old 'Tourist Park' reference. Keith Joe Dick was selected. Mayor Haemmerle emphasized that the actual name of Hop Porter Park is not altered, and that there is no current intent to change the name. Carol Brown suggested placement of an interpretive sign at the archway to pay homage to the historical nature of the park.

7:04:38 PM Mayor Haemmerle further noted that the Parks and Lands committee asked if a name should be given to the entire rodeo grounds area, perhaps a historic name. The land was historically referenced as belonging to the Wertheimer family.

*NB 302 Mayor's letter to Blaine County in support of Blaine County Recreation District's Conditional Use Permit application for the use of Lion's Park for cross-country skiing.*

7:08:18 PM Mayor Haemmerle explained that BCRD is working with landowners on the west side of town to see if cross-country skiing trails might be placed there in the absence of access at Quigley Canyon. Lion's Park may also be used as a staging area or for parking. BCRD will appear at the next City Council meeting to propose their plans.

#### **OLD BUSINESS:**

*OB 000*

7:09:58 PM None.

#### **WORKSHOP:**

Staff Reports Council Reports Mayor's Reports

*SR 303 Sustainability Coordinator's report on Blaine County Recycling Committee recommendation to be given to Blaine County Commissioners.*

7:10:12 PM Mariel Platt provided a brief update including the plans to reduce the current 6-bin curbside program to a 3-bin system. The plan will remove glass from curbside recycling and require glass to be taken by citizens to current cardboard recycling locations. 7:12:45 PM Ned Williamson added details regarding possible costs, hauling, safety issues, contamination, and the City's recent franchise agreement with Clear Creek. Ms. Platt noted environmental implications. Council discussion included safety concerns at glass drop-off points. Heather Dawson pointed out the ways in which Boise has dealt with glass recycling. Further Council discussion included frustrations with the inconsistency of glass recycling systems, and how the City might encourage the County to be more consistent. Ms. Platt encouraged City officials to attend the upcoming County meeting. Mayor Haemmerle noted he would send a letter to the County on the issue.

*SR 304 Green Building Demonstration at the Interpretive Center.*

7:23:52 PM Mariel Platt provided a staff report on this topic in Council packets.

*SR 305 Director's report from Hailey Library from month of May 2012.*

*SR 306 List of Special Events in Hailey.*

Don Keirn asked that Airport Appreciation Day be added to the list.

HAILEY CITY COUNCIL MINUTES

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SR 307 *Draft agendas for the next meetings.*

7:24:28 PM Heather Dawson pointed out the August 6 meeting will revisit Complete Streets.

7:25:20 PM Pat Cooley noted that the Thompson Memorial Baseball tournament was a great success and appeared to have good economic impacts.

7:27:19 PM **Carol Brown moved to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)) Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.**

**EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f))  
Matters & Motions from Executive Session or Workshop**

Mayor and council came out of Executive Session at 7:45 pm, no decisions were made.

