

**MINUTES OF THE
HAILEY CITY COUNCIL MEETING
Monday JANUARY 7, 2013 * Hailey City Hall Meeting Room**

Present: Carol Brown, Don Keirn, Fritz Haemmerle, Pat Cooley, Martha Burke
Staff: Jeff Gunter, Heather Dawson, Ned Williamson, Micah Austin, Mariel Platt

5:30 p.m. CALL TO ORDER –

[5:33:26 PM](#) Mayor Haemmerle called the meeting to order, and advised that CA 002, AA 012, and NB 119 are to be pulled from the agenda.

Open Session for Public Concerns

[5:34:02 PM](#) Bob Wiederrick, 1120 Quigley Road, expressed his encouragement in the City's "recent removal of barriers to business in Hailey." He continued by noting his continuing disappointment in the City's annexation and development impact fee structure and asked for a review of "the effectiveness of legal counsel" in these matters. Mr. Wiederrick further advised that it has been five years since he constructed his building in Hailey, and opined that "nothing has been improved near this building as required by code or law" to justify his payments of these fees. He requested a full refund of his fees paid, or a written explanation of why such refund would not be given. In support of his opinions, Mr. Wiederrick provided a news clip from an Arizona newspaper. [5:37:37 PM](#)

CONSENT AGENDA:

- ~~CA 001 Approve 7th Pay Request in the amount **not to exceed** \$301,823.64 for November 2012 work completed, with direction to staff to process a lesser amount if so directed by the mayor and city attorney.~~
- ~~CA 002 Motion to approve final lease with Hailey Chamber of Commerce, as adopted under Resolution 2012-90 on December 17, 2012, subject to revisions of the language by the city attorney.~~
- CA 003 Motion to approve Resolution 2013-01 authorizing Contract with Columbia Electric Supply for support for SCADA System, \$3,208.00 for 1 year, used by the Water and Wastewater departments.
- CA 004 Motion to approve Resolution 2013-02 authorizing Friedman Memorial Airport Grant in the amount of \$468,750 for snow removal equipment.
- CA 005 Motion to approve Resolution 2013-03 authorizing Task Order #5 with HDR Engineering for providing process operations assistance and support for NPDES permit requirements, including a not-to-exceed cost of \$20,000.
- CA 006 Motion to approve application submittal to IDWR shallow well for irrigation of Lions and Hop Porter parks.
- CA 007 Motion to approve Special Event Boxing Smoker at the Hailey Armory, Saturday January 19, 2013 from 7-10 pm.
- ~~CA 008 Motion to approve minutes of December 17, 2012 and to suspend reading of them.~~
- ~~CA 009 Motion to approve claims for expenses incurred during the month of December, 2012, and claims for expenses due by contract in January, 2013.~~
- CA 010 Motion to approve Treasurer's reports including 4th Quarter reports.
- CA 011 Motion to approve FYE 12 Annual Road and Street Financial Report.

[5:37:42 PM](#) Martha Burke asked to pull CA 008; CA 001 was pulled by Pat Cooley; and Mayor Haemmerle pulled CA 001 and CA 009.

[5:38:26 PM](#) **Don Keirn moved to approve the Consent Agenda minus CA 001, CA 002, CA 008, and CA 009. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

[5:39:07 PM](#) Mayor Haemmerle addressed CA 001 by noting that with consideration of the contingency fund and extension, and his assumption that this is the last pay request, the project is under budget by \$108,000. He opined there still remain issues to resolve with Knife River, but overall he expressed satisfaction with the under-budget figures.

[5:40:28 PM](#) **Don Keirn moved to approve CA 001. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, abstained; Burke, yes.**

[5:40:51 PM](#) **Pat Cooley moved to pull CA 002 from the agenda and to continue the matter to the Council's February meeting. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

[5:41:22 PM](#) Martha Burke noted she pulled CA 008 so that she could abstain since she was not present at that meeting.

Carol Brown moved to approve CA 008. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, abstained.

[5:41:49 PM](#) Mayor Haemmerle addressed CA 009 by noting the project is over budget with Civil Science, and still reviewing claims with Knife River.

Martha Burke moved to approve CA 009. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.

MAYOR'S REMARKS:

MR 000

[5:42:44 PM](#) Mayor Haemmerle expressed his sympathy and sorrow over a recent local suicide.

APPOINTMENTS & AWARDS

AA 012 Appointment of Hailey Planning and Zoning Commissioners.

[5:43:18 PM](#) Mayor Haemmerle reminded he previously moved this matter to the next Council meeting.

AA 013 Janet Fugate and Tom Downey reappointment to Parks & Lands Board.

[5:43:28 PM](#) Mayor Haemmerle recommended the reappointment of Janet Fugate, and advised that Tom Downey chose not to continue his post.

Carol Brown moved to approve the reappointment of Janet Fugate with gratitude. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.

AA 014 Reappointment of Linda Packer to Arts Commission (term expired June 2012).

[5:44:09 PM](#) **Carol Brown moved to approve the reappointment of Linda Packer with gratitude. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

AA 015 Appointment to Friedman Memorial Airport Authority Resolution 2013-04 (replaces Martha Burke).

[5:44:50 PM](#) Mayor Haemmerle noted he is willing to serve in this capacity.

HAILEY CITY COUNCIL MINUTES

January 7, 2013

Don Keirn moved to approve Resolution 2013-04 appointing Fritz Haemmerle to the Friedman Memorial Airport Authority. Carol Brown seconded. Council discussion included the importance of having a sitting mayor on the FMAA. **Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

PUBLIC HEARING:

PH 016 Review of Friedman Memorial Airport Authority agenda meeting documents Jan 9, 2013.

[5:47:08 PM](#) Don Keirn explained the key items on the agenda, and noted that Susan McBryant (not present tonight) is willing to serve as Vice-Chair. Mayor Haemmerle voiced his support of Ms. McBryant in that capacity. Carol Brown voiced her preference that this decision be held off until all parties could be present. Rick Baird advised he believed this matter would be held until March meeting of the FMAA. Council consensus was to support Ms. McBryant as Vice-Chair. Mayor Haemmerle invited Rick Baird to comment on the dual path approval from FAA. Discussion continued on the EIS, the site selection process, and directives to the City representatives for the next FMAA meeting. [6:28:48 PM](#)

PH 017 Municipal Code Title 15, Build Better Program, to consider an ordinance making the program, previously voluntary, mandatory for new construction. (Continued from December 17, 2012).

[6:29:19 PM](#) Mariel Platt provided two draft documents, one for new construction only, the other for new construction and remodels/additions. She offered a review of the key points. Council discussion with input from Cedric “Suds” Knehans included what Code allows and the latitude a building inspector may have out in the field, interpretation of requirements, the importance of consistency, general support for this proposal in spite of concerns regarding specific language.

[6:40:51 PM](#) Mayor Haemmerle opened the matter to public comment. None was offered.

[6:41:00 PM](#) Council discussion continued on language that might allow necessary flexibility in enforcement. Consensus was reached that the Mayor will work with staff to get a board in place for appeals from homeowners, and for Council to language that includes remodels and additions.

[6:44:33 PM](#) **Martha Burked moved to continue PH 017 to the February meeting. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

PH 018 Consideration of naming the arena/skatepark/ice facility and Welcome Center, the Werthheimer Park (continued from December 17, 2012).

[6:45:11 PM](#) Mariel Platt explained Tom Hellen’s draft and the feedback that was given. After discussion, consensus was reached to name the entire area Werthheimer Park with no other specific names for individual elements.

[6:49:12 PM](#) Mayor Haemmerle opened the matter to public comment. None was offered.

[6:49:27 PM](#) **Pat Cooley moved to approve a general designation for the whole area as Werthheimer Park. Martha Burke seconded.** Mariel Platt asked if the freestanding sign is still approved. Council agreed to talk about it in the future and consider a potential revision to the sign ordinance. **Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

NEW BUSINESS:

NB 019 Discussion of expenditure for awnings on city hall and/or library (Continued from August 2012).

[6:52:02 PM](#) Mayor Haemmerle previously removed this item from the agenda.

OLD BUSINESS:

OB 020 2nd Reading Ordinance 1119 – Amendments to Municipal Code Title 15, Building Code.

[6:52:12 PM](#) Micah Austin asked to waive the three readings and go directly to the third reading due to waiting business owners who would like to move forward on their project.

[6:53:08 PM](#) **Martha Burke moved to have the second and third readings by title only, and to authorize the mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.** Mayor Haemmerle conducted the 2nd reading.

STAFF REPORTS:

Staff Reports Council Reports Mayor's Reports

SR 000

[6:54:12 PM](#) Micah Austin noted 48 new businesses opened in Hailey in 2012, and expressed optimism.

[6:55:35 PM](#) Mariel Platt reminded of the January 17 open house at the new Welcome Center.

[6:56:21 PM](#) Micah Austin advised of the second meeting of regional pedestrian/bicycle committee, and noted an action plan is on its way.

[6:57:30 PM](#) **Martha Burke moved to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**