

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD JANUARY 13, 2020  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:31 P.M. by Mayor Martha Burke. Present were Council members Kaz Thea, Sam Linnet, and Juan Martinez. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

[5:31:02 PM](#) CALL TO ORDER by Mayor Burke, this is a continuation of Friday's January 10, 2020 meeting.

[5:31:28 PM](#) **Thea amends the agenda OB 028, to change the code section, seconded Linnet, Linnet, yes. Thea, yes. Martinez, yes.**

Open Session for Public Comments:

[5:32:33 PM](#) Burke asks room who is here for parking ordinance, will not have 2<sup>nd</sup> reading of ordinance set on agenda. Yeager will conduct focus groups to gather public input.

[5:34:28 PM](#) Janet Murray 5g network concerns installed in our valley. Wants to email mayor and council the information, asks city to block the installation. Burke asks her to email staff for distribution to mayor and council.

[5:35:39 PM](#) Scott Runkel, congratulations to all new council members. On Wednesday morning after the election, citizens voted new council members into these seats. Runkel was on the climate action committee (it was disbanded by previous Mayor, Haemmerle). Runkel implores a part-time resiliency coordinator (Rebecca Bundy) is not enough. Runkel reads from a letter, excited about the future carbon savings.

[5:38:28 PM](#) Nancy Linscott echos Runkels sentiments, thank you for your service, excited for these changes on council. Linscott urges council to be thoughtful and bold. Consider impacts on Annexation and other actions. Linscott suggests planning to reduce wildlife impacts, look at the ACI for these concerns.

[5:42:11 PM](#) Jacob Greenberg supports statements recently made and just made a position at the county for sustainability. Look forward to working with city towards common goal.

[5:43:13 PM](#) Kurt Mays Hailey resident reads from a letter. Mays is a historian and scientist, has concerns about 5G network, health concerns to humans and animals. We do not need this telecommunications and speed at risk of the health concerns.

[5:45:02 PM](#) Erika Greenberg, WATER club teacher, her students are not here. Her kids are working towards climate action, will present to council in the future.

[5:46:12 PM](#) Gerrel Hymas, has 5G concerns, wants you to be aware of health concerns with the new network. The type of radiation is different according to Hymas. She is asking for a moratorium on telecommunications networks.

[5:50:34 PM](#) Penelope Street involved in Woodside Blvd street project, please consider completing the street project. Trees were promised, have no trees, intense heat in summer without the trees. Myrtle project street trees, where are they?

Public leaves room.

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

[5:54:20 PM](#) Mayor Burke hands out Resiliency comments to date. Horowitz hands out update from Rebecca Bundy. We will reconfiguring the resiliency board, dept. heads will be part of this process, all of these things will have impact on our decisions. Decisions involved will be based on several factors including payback i.e. Return on Investment. Feel free to contact staff or mayor. Mayor Burke will have regular office hours at 4 pm every Monday, these could change in future but for now will be Mondays.

### **APPOINTMENTS AND AWARDS:**

*AA 009 Consideration of Resolution 2020-001, confirming the mayor's nomination for an appointment to vacant City Council Seat No.1 and setting the appointment ACTION ITEM*

[5:57:22 PM](#) Simms asks Mayor Burke to speak. It came to Simms' attention today that council members out of a gesture of good will had a conversation via email regarding appointments and gives caution to all and discloses that that occurred, but that this could constitute a quorum, and can be considered a public meeting, we want to avoid such without proper notice. Mayor Burke comments, that is considered a closed meeting. If emailed by staff or attorney, you may reply to that person but not "reply all."

[5:58:55 PM](#) Mayor asks for council to discuss nomination to fill her council seat, Heidi Husbands.

[5:59:08 PM](#) **Martinez motions to appoint Heidi Husbands as new council member, seconded by Thea. Martinez thanks Husbands for stepping up to serve and for giving kids another voice. Motion passed with roll call vote, Martinez, yes. Thea, yes. Linnet, yes.**

Mayor Burke approaches front of room with Heidi Husbands.

[5:59:49 PM](#) **Mayor Burke administers the Oath of Office to Heidi Husbands. Husbands responds, "I do." Applause from room.**

Husbands takes her seat at the council table.

*AA 010 Election of City Council President ACTION ITEM*

[6:01:07 PM](#) Burke asks if anyone is interested in serving. Thea is interested.

Linnet would be interested but would defer to Thea. **Husbands moves to nominate Thea as Council President. Council vote, Husbands, yes. Linnet, yes. Martinez, yes. Thea, yes.**

AA 011 *Consideration of Resolution 2020-002, confirming the mayor's nomination for an appointment of a Hailey Planning & Zoning Commissioner to the vacant seat left by Sam Linnet, and setting the appointment ACTION ITEM*

**6:04:03 PM Motion to approve Resolution 2020-002, to nominate Dustin Stone as Planning and Zoning Commissioner, made by Linnet, seconded by Thea. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

AA 012 *Consideration of Resolution 2020-003, setting the appointment of a Hailey representative to Mountain Rides Transportation Authority to complete a term through October 2021 ACTION ITEM*

**6:06:10 PM Thea motions approve Resolution 2020-003 to appoint Martinez to the Mountain Rides Board. Husbands seconds, motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

AA 013 *Consideration of Resolution 2020-004, setting the appointments of Hailey's representatives to the Hailey- Wood River Fire District Joint Fire Board for one-year terms ending December 31, 2020 ACTION ITEM*

**6:06:46 PM Linnet wants to do this. Thea motions to approve Resolution 2020-004 appointing Linnet to the JPA Fire Board, Martinez seconds, motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

AA 014 *Consideration of Resolution 2020-005, appointing a city council member to serve a non-voting liaison term to the Hailey Public Library Board of Trustees through December 31, 2020 ACTION ITEM*

**6:07:56 PM Thea nominates Husbands by motion to approve Resolution 2020-005 to Library Board, seconded by Linnet. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

### **PROCLAMATIONS AND PRESENTATIONS:**

PP *Presentation by Tree Committee on the updated Urban Forestry Plan*

Linda Reis **6:08:59 PM** chair of tree committee presents to council. Reis talks about who is now on the Tree Committee, she is very excited, and have one more open spot. Council received the update as a handout to their packet, discusses Tree Committees involvement with construction projects and trees in the right-of-way. **6:12:03 PM** Reis wants to plant more drought tolerant trees. We've never had a complete tree inventory, 2 partial inventories have been done. Reis refers to her handout. Reis refers to recent updates to title 12 and future title 18 updates upcoming in February. Reis stresses value of large City Trees. Will make a call to citizens to really old trees in the City, heritage trees.

**CONSENT AGENDA:**

- [CA 015](#) ~~Motion to approve Resolution 2020-006, approving annual calendar for City Council, and all other Hailey boards and commissions ACTION ITEM.....~~
- [CA 016](#) Motion to approve Resolution 2020-007, reappointing Darin Sales and appointing Penny Thayer (replaces Mark Spencer) to the Hailey Parks & Lands Board for three-year terms (expire December 2022) ACTION ITEM .....
- [CA 017](#) Motion to approve Resolution 2020-008, reappointing David Antila and appointing Jim Rineholt (replaces Dayle Olau) for three year terms (expire 12/2022) and appointing Kate Van Hess to complete the term of a resigning member Tom Ward (expires 12/2021) to the Hailey Tree Committee ACTION ITEM.....
- [CA 018](#) Motion to adopt Resolution 2020-009, authorizing the Mayor’s signature on a grant match commitment of \$47,696.41 towards a grant request of \$482,263.69 to fund the Croy St. to Quigley Rd. shared use path. ACTION ITEM.....
- [CA 019](#) Motion to approve Resolution 2020-010, authorizing the Mayor’s signature on Revocable License Agreements between the City of Hailey and the Old Rialto Hotel, Windermere Real Estate (Harris Building) and the Hailey Masonic Lodge for narrative plaques to be installed on the historical buildings. ACTION ITEM .....
- [CA 020](#) Motion to adopt Resolution 2020-011, authorizing the Mayor’s signature on Change Order #1 with G.J. Verti-line Pumps to extend the substantial and final completion dates, for pump installation at the River St. well. ACTION ITEM.....
- [CA 021](#) Motion to adopt Resolution 2020-012, authorizing the Mayor’s signature on Change Order #1 with Buffalo Electric to extend the substantial and final completion dates, for electrical work at the River St. well. ACTION ITEM.....
- [CA 022](#) Motion to adopt Resolution 2020-013, authorizing Pay Estimate No. 2 in the amount of \$213,526.52, for work completed on the Myrtle St. Connector ACTION ITEM.....
- [CA 023](#) Motion to approve Resolution 2019-014, authorizing lease contract with Fisher’s Technology for Library staff and public printers for \$305.53 per month.....
- [CA 024](#) Motion to approve Treasurer’s report for the month of December 2019 ACTION ITEM.....

[6:15:27 PM](#) CA 015 Dawson pulls item

**Thea moved to approve all consent agenda items minus CA 015, seconded by Linnet, motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

[6:16:24 PM](#) CA 015 – fulfilling requirements in state code and as well as title 2 of our municipal code. Draw to your attention, when the meeting date falls on a federal holiday or city is closed, the meeting falls to Tuesday. Thea comments she is not here during spring break.

[6:18:22 PM](#) **Thea moves to approve Resolution 2020-006 annual calendar, Martinez seconds, Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

**PUBLIC HEARINGS:**

PH 025 *Consideration of proposed Resolution 2019-\_\_\_\_, adopting a recommendation by the Hailey Planning and Zoning Commission for an amendment the Hailey Comprehensive Plan to add a new section, Section 14, Public Airport Facilities, and amendments to other Chapters of the Comprehensive Plan related to airports pursuant to Idaho Code 21-504 through 21-507 Airport Zoning Regulations and Section 67, Chapter 65, Local Land Use Planning Act ACTION ITEM*

[6:20:10 PM](#) Horowitz pulls up a presentation and Chris Pomeroy will present following this introduction. This council had a hearing on this topic on Nov. 12<sup>th</sup> 2019, Pomeroy will take over presentation now.

[6:21:13 PM](#) Pomeroy, Friedman airport manager presents this topic. This was born a few years ago, impact to airports, the state law was effective July 1, 2014. This is a coordinated effort of stakeholders, including various aviation stakeholders, AIC, IAC counties, and Realtors Association. Title 21 chapter 5, airport zoning ACT and LLUPA. Pomeroy gives overview of Title 21 chapter 5 removes ITD authority to zone. Key now, local planning duties 67-6508q must be handle in local municipalities. What the state law did not do is, does not specify a deadline for comp plan revisions. Pomeroy gives a quick overview of the draft chapter of the comprehensive plan. Sections include, purpose, only one airport, replacement airport. Next section tourism and economic impacts. \$305 million revenue, second only behind Boise airport. Land use issues is next section as well as regulatory issues, city is co-owner/sponsor as well as Blaine County. Last section is goals, indicators. [6:30:29 PM](#) Grant assurances, required to follow details of the conditions when we receive those funds. Key federal grant assurances, #20 airspace is protected. #21 Compatible land use, reads this item. [6:32:48 PM](#) State of Idaho has other requirements 21-502 a and b, airport zoning act. Multi-jurisdictional challenges, no federal land use regulatory responsibility but state regulations do apply. Land use decisions to impact airport and community, including quality of life, i.e. noise from planes in nearby subdivisions. [6:35:39 PM](#) Comprehensive plan is the next progression, does council want an overlay area discussed tonight. Pomeroy can discuss with council members regarding this topic. Pomeroy is looking forward with Horowitz and staff and is working with Blaine County staff for their portion.

[6:37:18 PM](#) Thea, as co-sponsor, what does that mean? Pomeroy, means the same thing as owner.

[6:37:55 PM](#) Linnet asks on pg. 143, “to planning and zoning commission,” is this supposed to read “Hailey City Council.” Horowitz, yes it should and this will be changed.

Public Comments:

[6:38:27 PM](#) Bob MacLeod, Hailey resident, this seems well entrenched in law, not a lot of wiggle room in the future.

[6:39:01 PM](#) Tony Evans Idaho Mtn. Express, how does this impact conversations with city of Bellevue over Area of City Impact. [6:40:02 PM](#) Burke comments we’ve been told to do this since 2014. [6:40:23 PM](#) Horowitz, we will be applying proper zoning to those ACI areas. County and Bellevue will fairly certain to these areas as well.

[6:41:11 PM](#) Peter Lobb, welcome new council members. Because of the grant assurances, accepting funds, we are locked into those agreements.

[6:42:43 PM](#) Thea, if this needs to be part of our comprehensive plan then we should do it. Linnet is okay with it.

**6:43:10 PM Linnet moves to approve Resolution 2020-015, approve changes, Husbands seconds. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

*PH 026 Consideration of a Preliminary Plat for InnTrusted Subdivision, represented by Chris Street, MLE Inc., on behalf of Hailey FF, LLC, for a commercial building (Fairfield Inn and Suites Marriott) and residential units, to be located at 711 North Main Street(Lot 1A, Block 1, Sutton Subdivision). The parcel is to be resubdivided into one (1) commercial unit and five (5) condominium units. This project is located in the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM***

**6:44:12 PM** Robyn Davis planner presents, will conference in applicant team member, she calls, David Adams managing partner with Inntrusted, Davis gives background, Marriot Hotel, these are housing units on the Marriot Hotel property on River Street. Davis displays a few pictures of recently approved projects that have been approved. The hotel was approved in 2018, displays the approved renderings of the proposed condos for this project. **6:49:30 PM** Davis discusses the private drive between the Marriot hotel and former King's store. Preliminary plat is to divide property into 5 parcels to sell the condos. Applicant team, Chris Street, with HLE engineering firm, with the Intrust team. Master plan, lot with the hotel, River street condos will be separated. Shared private road, wanted it on its own lot, staff requested that. There is Bus Stop easement, Planning and Zoning Commission increased that to 10' x 20' will show on final plat.

No Public comments.

**6:54:02 PM** Husbands asks what they will list for sale. David comments in the \$400,000 range, 2200 square feet.

**6:54:43 PM** Thea are they (condos) in the original plan? Reply from Chris Street, this was a phased plan.

**6:55:32 PM** Erin Bliss comments, this was in the process. Thea asked a follow up question. There is a Breakfast space and bar in the hotel.

**6:57:25 PM** Husbands is a future project to split these 2 condos in half. Bliss responds, it will be based on market need.

**6:58:17 PM** Thea what is parking for condos, 2 spaces per condo unit. What is the timing of completion? Response want these now, not sure when construction will occur. Bliss, Sept. 2020 is completion timeframe for hotel and condos.

**7:00:08 PM Thea motion to approve preliminary plat as presented, Martinez seconds, and comments. Martinez, yes. Husbands, yes. Thea, yes.**

Linnet comes back to meeting. After recusing for being on Planning and Zoning Commission when they heard this project.

PH 027 *Consideration of a City-initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.09, Parking and Loading Spaces, Section 17.09.020.11, Minimum distance Setbacks, to modify setbacks in nonresidential zoning districts which do not abut residential zoning districts. ACTION ITEM*

[7:02:10 PM](#) Horowitz, text amendment, set backs. Gives an overview of this item. Provision, parking lot, need a 10’ setback, and conflicting instance, 8’ wide landscaping screen. Seems applicable, Planning and Zoning Commission has recommended to remove the conflicting information and rely on the 8’ design review setback.

Public comments:

[7:04:02 PM](#) Tony Evans is confused is this a workshop. Burke, that is not tonight.

[7:04:50 PM](#) Thea, parking areas with 10 or more spots, the reason is to buffer them from residential? Horowitz, 20’ is a lot of space for business. Linnet this came in front of Planning and Zoning Commission, 20’ wide is a lot for business, too much.

[7:06:05 PM](#) **Martinez moves to approve Ordinance No. 1257 authorize Mayor to read by title only, seconded by Thea. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

**\*[7:07:14 PM](#) Mayor Burke conducts the 1<sup>st</sup> Reading of \*Ordinance No. 1257, by title only.**

*\*See note associated with OB 028, as this Ordinance No. 1257 will be corrected and changed to be number 1255.*

**OLD BUSINESS:**

OB 028 *2nd Reading of Ordinance No. 1255, amending Municipal Code Section 10.40.049 10.08.040, for winter parking restrictions, to create better lines of sight and more snow storage space in the right of ways and to require established parking spaces on residential lots and limiting the duration of R.V. parking in the city’s right of way ACTION ITEM.....*

[7:07:53 PM](#) Burke asks Simms question. [7:09:01 PM](#) Simms, up to you whether you want to consider more public comment or table the item.

[7:10:01 PM](#) Thea would like to hear public comments.

Public comments:

[7:10:14 PM](#) Bob Crosby feels focus groups is a great idea and look forward to the workshop.

[7:11:09 PM](#) Dawn Peterson Spruce street resident, appreciates what you are doing. Some people have been here a long time.

[7:12:08 PM](#) Burke we will table this item and then come back with a future suggestion.

Linnet asks if motion is needed.

Simms, no motion is necessary.

Thea asks if council can attend the workshops? Simms, not all council can attend based on quorum.

*\*NOTE: As this item has been tabled, the number assigned to the parking ordinance of 1255 will be used for the setbacks screening ordinance adopted earlier in tonight's meeting.*

*OB 029 2<sup>nd</sup> Reading of Ordinance No. 1256, a recommendation by the Planning and Zoning Commission regarding a City-Initiated Text Amendment to the Hailey Municipal Code, Title 16, Chapter 16.03.030: Final Plat Approval, to clarify that required improvements shall be substantially in place prior to Council hearing on the Final Plat, and amendments to Chapter 16.04.110: Development Standards, Parks, Pathways and other Green Spaces, Subsection H: In-Lieu Contributions, to allow Council consideration of in-kind contributions in-lieu of park land dedication ACTION ITEM*

[7:14:21 PM](#) Mayor Burke conducts 2<sup>nd</sup> reading of Ordinance No. 1256, by title only.

#### **STAFF REPORTS:**

[7:14:59 PM](#) snow removal presentation by Brian Yeager and Kelly Schwarz. Yeager presents a brief overview of Public works employees, 20 employees of the city's 50, 40% of staff. Not all public works employees help with snow removal. Part-time seasonal help with snow removal. Tonight focus on street department and snow removal. Yeager displays snow route map, 54 miles of roadway, 4 routes, 120 lane miles, doing each road twice in both directions. 11 miles of pathways/sidewalks. We can haul 100-200 truckloads of snow for 6" snow storm. In a 10 hour shift with full crew costs about \$20,000. We spend \$10,000 a winter on grader blades alone. The size of each route is based on the time it takes to clean it. Another map showing green and red downtown routes are the most expensive as we must remove all the snow in this area, greatest effort here. [7:22:43 PM](#) Yeager discusses the different methods, plowing peeling slushing and grooming. Last night we plowed. [7:23:35 PM](#) Yeager then discusses peeling, removing ice, takes 1 week to do this in the city. Snow removal can be done in 1 night, 10 hour shift. Peeling we do clean the driveways. Slushing is removing melting snow, use plows for this removal. We do not clean during slushing. [7:26:14 PM](#) Yeager then explains grooming, shaving roads, ice melt, getting roads ready. [7:26:43 PM](#) Kelly Schwarz freezing temperatures do not let us peel.

[7:28:00 PM](#) Yeager, removal timing matters, can't remove snow during the day because of the day time traffic. Have to start plowing between 11 pm and 2 am, if the snow comes while plowing impacts the effectiveness and timing of that removal.

[7:29:34 PM](#) a couple of weeks ago, snow melted and we had a 6-8 hour window of opportunity, narrow window of time. Put the plow trucks around town, racing against the clock.



[7:30:53 PM](#) Obstacles in snow removal storage zones. Peeling pictures showing peeling next to a trailer in the right-of-way. Another picture showing a car buried in snow in the right-of-way. Plows have near misses with vehicles and create narrow travel lanes when obstacles are in the right-of-way. More challenges, complaints about not clearing out a mailbox. And fences in the right-of-way causing snow removal challenges. Yeager reviews a few comments received by citizens. [7:37:20 PM](#) Yeager, Schwarz has tried the snow gates. Schwarz, snow gates works better in county settings where houses are spaced further apart than city houses. Yeager, we do our best to do snow removal in the night. [7:40:40 PM](#) Dawson gave council a copy of the snow removal policy and shows council the snow removal information on our website. [7:41:46 PM](#) Council has opportunity to weigh in on this policy and is adopted every winter. Yeager encourages council to read the snow removal policy. Yeager invites anyone of council to take them out on snow removal tour. Thea did it last year, it was fascinating to see and watch. [7:46:55 PM](#) Yeager, these guys are doing their best.

[7:47:27 PM](#) Schwarz, timing is key to snow removal. We do get a lot of complaints when the snow comes. Primary goal is to have the road be passable.

[7:48:35 PM](#) Burke suggests to do this presentation at the school. Yeager wants to see if he can get a student senior project documentary video of snow removal. Martinez, knows someone a teacher that may be interested.

[7:50:04 PM](#) husbands asks, do you work on Friday? Yeager, yes. Yeager explains. In front of businesses, fire places etc, by that business, are they required to plow the sidewalk. Schwarz, replies. If curb and gutter, city plows. Parking restrictions, husbands asks, what do you do with obstructions in the right-of-way. Schwarz responds, if time, we will have vehicles towed. Schwarz, before this last storm, we towed about 7 vehicles. [7:54:08 PM](#) by the end of February last winter, cars were parked in the middle of the road.

[7:55:01 PM](#) Dawson addresses Husbands, question, what can council do? Everything is administrative except one, legislative functions are not, that is councils' job, adopting ordinances and changing the snow removal policy.

[7:57:43 PM](#) Thea, seeing snow removal first-hand helped her convey/respond to public comments on snow removal.

[7:58:15 PM](#) Dawson, suggests to think through policy direction based on this knowledge.

[8:00:20 PM](#) Horowitz adds, Yeager and Schwarz often discuss these topics during subdivision applications, and subsequently recommend denial if they can't do snow removal in a proposed application.

[8:01:46 PM](#) Schwarz winter maintenance impacts summer maintenance budget.

[8:03:11 PM](#) Martinez, Burke and Linnet are all interested in riding with Yeager in a snow event.

[8:03:53 PM](#) Dawson have a lot of information to roll out to make sure council is knowledgeable on topics.

[8:04:22 PM](#) Horowitz next Planning and Zoning Commission meeting subdivision application is being heard, on property referred to as the Dumke property, if you want to be briefed on it, call Horowitz. Thea, we cannot talk to people about this topic? Horowitz, yes that is correct. [8:05:21 PM](#) Simms, will ask for ex-parte discussions during the public hearing. [8:05:34 PM](#) Burke, in past projects, like Quigley, if cornered, she suggests that they contact the city staff, and then she makes note of that conversation to disclose later.

[8:06:30 PM](#) Dawson, Thursday January 30<sup>th</sup>, council and board training is scheduled, for a 4 pm start.

Wood River Fire Board will be appointing 2 new members, the 2<sup>nd</sup> Wednesday in February. Dawson, Tracy Anderson in her last couple of weeks with the City of Hailey, she has written another grant, she finished strong. The Arts and Historic Preservation Commission has an interested individual so you will see an appointment soon.

[8:08:51 PM](#) Thea, sits on the Sun Valley Economic Development Board, Twin Falls applied for a grant for repaving their highway, we should get on the ball, Thea would like to pursue this for us.

[8:10:18 PM](#) **Thea moves to adjourn, Linnet seconds. Motion passed unanimously.**