

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JANUARY 28, 2019
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:30 P.M. by Mayor Fritz Haemmerle. Present were Council members Jeff Engelhardt, Kaz Thea, and Pat Cooley. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

Martha Burke not in attendance.

[5:29:29 PM](#) call to order by Mayor Haemmerle

Open Session for Public Comments:

No comments.

[5:30:09 PM](#) **Motion to amend agenda adding late item for Executive Session made by Cooley, seconded by Thea, motion passed unanimously.**

CONSENT AGENDA:

- [CA 022](#) Motion to adopt Resolution 2019-006, authorizing a contract for services with Ketchum Computers for IT maintenance in the amount of \$692.71 per month **ACTION ITEM**
- [CA 023](#) Motion to approve Resolution 2019-007, authorizing an agreement with Bear Cloud Software to provide the City of Hailey with software services that identify short term-rental activity within the City of Hailey. **ACTION ITEM**
- [CA 024](#) Motion to approve Resolution 2019-008, authorizing an agreement with Ruscitto Latham Blanton for structural engineering services of \$12,000 under a FEMA Hazards Mitigation Grant Program to provide As-Builts and analyses of the Hailey Fire Station structure. **ACTION ITEM**
- [CA 025](#) Motion to approve alcohol beverage license for Hailey restaurant **ACTION ITEM**
- ~~[CA 026](#) Findings of Fact, Conclusions of Law and Decision regarding the Preliminary Plat Application for Carbonate View Subdivision, represented by Galena Engineering on behalf of W Squared, LLC, where Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey is resubdivided into fourteen (14) single family lots ranging in size from 7,000 square feet to 9,035 square feet. The project is located in the General Residential (GR) Zoning and Floodplain Overlay Districts **ACTION ITEM**~~
- ~~[CA 027](#) Findings of Fact, Conclusions of Law and Decision regarding a Flood Hazard Development Permit Application pursuant to Title 17, Section 17.04J, for Carbonate View Subdivision represented by Galena Engineering on behalf of W Squared, LLC located at West Chestnut Street, address TBD, Hailey (Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey Townsite. Portions of this property are located in the Flood Hazard Overlay District **ACTION ITEM**~~
- [CA 028](#) Motion to approve minutes of January 14, 2019 and to suspend reading of them **ACTION ITEM**
- [CA 029](#) Motion to ratify claims for expenses incurred during the month of January 2019 **ACTION ITEM**
- [CA 030](#) Motion to approve claims for expenses incurred during the month of November, 2018, and claims for expenses due by contract in December, 2018 **ACTION ITEM**
- [CA 031](#) Motion to ratify annual Hailey Road & Street Finance Report **ACTION ITEM**

[5:30:40 PM](#) Simms pulls CA 026 & CA 027 for Engelhardt to recuse from the motion.

[5:31:15 PM](#) Cooley moved to approve all consent agenda items minus CA 026 and CA 027, seconded by Thea, motion passed with roll call vote. Engelhardt, yes. Cooley, yes. Thea, yes.

CA 026 and CA 027 [5:31:57 PM](#) Thea moves to approve, seconded by Cooley, motion passed with roll call vote, Cooley, yes. Thea, yes. Engelhardt recusing.

PROCLAMATIONS AND PRESENTATIONS:

*PP 032 Presentation of Gratitude to Hallie and Selim Starr, Beau Stuart – Graffiti removal
(no documents)*

[5:32:30 PM](#) Mayor Haemmerle will do this item later in meeting.

PUBLIC HEARINGS:

PH 033 Consideration of proposed Ordinance No. _____, an amendment to Title 17, Sections 17.04J.20, Flood Hazard Overlay District (FH) and 17.05.040, District Use Matrix, to amend the building height in the FH to be measured from the Base Flood Elevation (BFE) ACTION ITEM

[5:32:48 PM](#) Proposed ordinance overview presented by Horowitz. Eric Alberti brought up issue to staff that the building height is measured from lowest point up to highest point. If in the flood plain and you raise living area floors 2 feet above base flood elevation, you will have house 2 feet shorter than other houses in the city. The proposed ordinance is the recommended changes suggested by the Planning and Zoning Commission with added footnotes for clarification.

[5:35:54 PM](#) Mayor Haemmerle asked what height is normally allowed in LR, 30 feet? Horowitz, yes correct. And 35 feet in GR? Yes, confirmed Horowitz. And portions of Hailey by the river, will see variations up to 2 feet, so height relief needs to be given.

[5:36:37 PM](#) Rebecca Bundy, usually the property is below base flood elevation in the floodplain. Bundy explains the rationale for allowing 2 foot allowance for building in the floodplain.

[5:37:57 PM](#) Eric Alberti speaks to council. Wants his living area on 2nd and 3rd levels and have his garage on the 1st level. The problem he has is with footnote number 22, it should be measured from the base flood elevation not record elevation.

[5:41:09 PM](#) Haemmerle asks what he wants,

Alberti clarifies, to forget about record grade and go from the base flood elevation.

[5:41:40 PM](#) Bundy responds, 2 different datums being used and the difference between the two is about 2 feet. This might make the 4 foot difference that Alberti is referring to.

[5:42:37 PM](#) Alberti had to move his building to stay out of the lowest point on the property.

[5:43:09 PM](#) Haemmerle

[5:43:13 PM](#) Cooley, what is the function of the swale on the property? Horowitz responds, it is very important, we would not allow building in this area.

[5:43:54 PM](#) Bundy explains the ordinance calls out what to do when building on fill, it requires adequate compensation for same amount of fill being brought in as removed, for a net fill. Alberti has been very responsive to staff to continue letting the swale serve its function.

[5:45:20 PM](#) Simms, this would apply to all properties in the floodplain, not just this one. Basic idea is to give floodplain builders a break in building height.

[5:46:23 PM](#) Alberti, footnote 22 as it is stated, takes the height away.

Public comments:

[5:46:49 PM](#) Dr. Hackel speaks to council, this applies to new construction. What this says to current homeowners, is that they are doomed, floodplain as it exists now, there is no alleviation. And there is no improvement to existing homes unless you move your house.

Staff:

[5:48:35 PM](#) Bundy, this is not requiring more height is it allowing more height. In LR zones, you can build to 30 feet above record grade. This allows for 2 feet additional in LR.

[5:49:50 PM](#) Horowitz explains floodplain in woodside versus by the river.

[5:51:07 PM](#) Cooley asks staff is record grade from the building envelope? Horowitz, responds it is from the building perimeter.

[5:52:05 PM](#) Engelhardt, feels this is a reasonable request, easy to go over the height. He can see where record grade could be very low, but would limit what you want to do. He is concerned that the natural channels are not changed, don't want to cause problems for any neighbors.

[5:54:10 PM](#) Cooley supports commission on this, they have spent more time discussing this item.

[5:54:40 PM](#) Thea asks a question on page 135, regarding utilities, [5:56:03 PM](#) Alberti explains. Horowitz will clean this up, it is confusing.

[5:56:47 PM](#) **Cooley moves to approve Ordinance No. 1243, seconded by Thea, motion passed with roll call vote. Engelhardt, yes. Cooley, yes. Thea, yes.**

[5:58:06 PM](#) **Mayor Haemmerle conducts the first reading of Ordinance No. 1243, by title only.**

PROCLAMATIONS AND PRESENTATIONS:

*PP 032 Presentation of Gratitude to Hallie and Selim Starr, Beau Stuart – Graffiti removal
(no documents)*

[5:59:20 PM](#) Mayor Haemmerle welcomed, Hallie and Selim Starr and Beau Stuart here today, these citizens hiked up carbonate and found graffiti the most hateful symbol in our history. They took time out of their day and painted over the swastika. You are honored and esteemed people and I thank you. It is special to all of us, my dad immigrated to this country in 1929, 6 million Jewish people died during World War 2. People who put this symbol up are vial and despicable people, you are beautiful people for covering this swastika.

Mayor Haemmerle approaches and thanks each person, by shaking hands.

[6:01:52 PM](#) Hallie Starr speaks, she learned from Erin Sweeney a couple of weeks before, that she saw a swastika and had climbed down and painted over it and she shared it on Facebook. Selim and Hallie were hiking up carbonate after that and they noticed that the swastikas were back, and there were more of them. Hallie documented the cleaning up of the swastikas; it is incumbent on all of us to recognize hate and respond to it. We are not exempt from these things. We need to do what we can when we see these symbols of hate.

[6:04:38 PM](#) Haemmerle, we in America we have the freedom to be stupid, thank goodness we have history and people to do the right thing.

Public Hearing:

Ph 034 – skipped

*PH 035 Town Square – schedule of conversation with community regarding Hailey Town Square ACTION
ITEM..... ACTION ITEM*

[6:06:35 PM](#) Horowitz reminds council where we left off, 2 public workshops, and she shows a map in packet of the proposed sites A-K, preferred sites as A, B and G and that we not close our minds to the other sites. The next public workshop will be on Feb 12 (5-6:30) to discuss programmatic uses of the town square. What activities would the public like to see. Will be reporting back to council at later dates. The Feb 12th workshop will be held in the Hailey Library, And another one later in early May, perhaps coupled with design firms at a Business After Hours event.

[6:08:46 PM](#) Thea asks, is this a permanent site? Staff has been thinking it as a permanent site, Horowitz responded.

We will start advertising next week.

Public comments: None.

PH 036 Consideration of revenue enhancements available to the City of Hailey to fund projects desired by the community ACTION ITEM

[6:11:48 PM](#) Haemmerle opens and states that we periodically go through funding options of projects on the City's wish list. Dawson will introduce this and then hand over to Brian Yeager. In October, council wanted to look at this, and the council did not want to discuss this until we had projects that needed funding. 2

[6:12:56 PM](#) 2 projects have since then risen to the top, town square and river street projects. Before discussing funding, Dawson asked Yeager to discuss the projects. First one is the town square project, this is currently unfunded, need to identify place and project and then we can scope out funding for the project. The 2nd project, is the river street project, we have some funding, we are in the conceptual design phase, (4 block section) 2 blocks north and 2 blocks south of river street. This fall we will need to find additional funding to move forward or not move forward with this project. The Hailey URA can help us partially fund this project but we will need more funds to complete project. We could apply for another grant for funding. [6:15:02 PM](#) To score high on the BUILD grant, we need to have some matching funds, also have town square that needs funding. Other items, we are looking for additional equipment for snow removal, right now we are keeping up but are falling a bit behind our Transportation Master Plan goals.

[6:16:41 PM](#) Haemmerle, asked to view the picture showing potential locations of the town square project and states that the BUILD grant has been approved for some amount of money? Yeager replies, yes STP BUILD grant urban project has been approved for \$2.1 million – 2 blocks North and South of Bullion on River Street. The estimate to build and construct the project is \$4.1 million dollars. URA has some funds, realistically maybe \$700,000. And Haemmerle states, we have raised \$800,000 to fund the Pathways for People projects? Yeager, confirms yes, [6:18:33 PM](#) For entire pathways for people we raised \$890,000 based on \$48 per \$100,000 property tax valuation. The Myrtle street project is funded mostly by a grant.

[6:19:41 PM](#) Dawson cannot emphasize enough how grant money is used to leverage tax funds. 37% tax revenue, 17% funding coming from grants. When we look at funding opportunities.

[6:21:30 PM](#) A 2 year temporary levy, doesn't give us permanent funding. Idaho Power franchise garnered lots of discussion last fall... [6:22:26 PM](#) capital levy \$40/\$100,000 valuation, can only be used for capital projects cannot go towards maintenance or operational needs. We need 60% voter approval \$48/\$100,000 to fund ongoing infrastructure needs. No decision needed tonight. Will be going out to public to get their thoughts.

[6:23:55 PM](#) Haemmerle, would like to have a broad discussion, more than just town square.

[6:24:10 PM](#) Thea, 2-year levy only 2 years? Dawson, yes limited to 2 years, passed by 50% plus 1 voters. Would bring in about \$1 million in those 2 years and then stop.

[6:24:58 PM](#) Engelhardt, what other options are there? Dawson, there are franchise fees and local option tax, everything else is based on property taxes. The state and local taxes, amounted to 23% of our revenue.

Public comments: None

[6:28:04 PM](#) Haemmerle will be setting town hall meetings.

*PH 034 Consideration of a recommendation by the Hailey Planning and Zoning Commission of a Category A Annexation request by 2-IT Ranch, LLC, to annex 11785 State Highway 75 (SWNW TL 7137, Sec. 4, T2N, R18E), comprising a total of 12.91 acres, into Hailey City Limits. Recommended zoning of the property is Limited Residential 2 (LR-2) and Recreational Green Belt (RGB). Also, included is a Planned Unit Development request and Preliminary Plat: **TO BE CONTINUED UNTIL FEBRUARY 11, 2019 at the request of the applicant ACTION ITEM** (no documents)*

[6:28:16 PM](#) Simms asks council to make a motion to continue 2 IT ranch application.

[6:28:48 PM](#) Horowitz, heard from applicant last Friday, they want to wait until they receive the results of the water study, and asked to table the discussion until they have more information.

[6:29:24 PM](#) Cooley moves to table application, Thea seconds, motion passed with roll call vote. Engelhardt yes. Cooley, yes. Thea, yes.

NEW BUSINESS:

NB 037 Consideration of audited Financial Statements for fiscal year ending September 30, 2019, presented by auditor Dennis Brown ACTION ITEM

[6:30:00 PM](#) Dennis Brown – with Workman and Company presented. They have finished their audit and have issued an unqualified opinion, the management discussion and analysis on pages 3-9, from city management and discussion of highlights. After that 12 pages of financial, and 20 pages of footnotes. Highlights, general fund, finished year with funds, carryover. Both utility funds finished the year with fund balances.

[6:31:51 PM](#) Thea appreciated the narration, it was very helpful for her as a first-time reader of an audit.

Brown you have a good staff, and your Listen.

STAFF REPORTS:

[6:33:36 PM](#) 2018 HFD presentation by Craig Aberbach, integrate organizational charts, working seamlessly. No significant injuries. Received over \$800,000 in grants in 2018. One of biggest annual activity is fire prevention – interacting with over 600 school age youth. Fire prevention reviews and inspections, we performed 121 plan reviews, 13 sprinkler system reviews, 6 fire alarm reviews and 306 business inspections. We Provided combined training to Hailey and Wood

River Fire personnel. Combined calls total 1447, 90% of calls are in Hailey and Bellevue. 68% of calls in Hailey are medical. NFPA 1720 Standard response times; Hailey has improved times from 2017 to 2018. Wood River also improved their response time, impressive as their area is over 1,000 square miles. Fire Department objectives include protecting property.

Engelhardt asked about training. Aberbach responds.

[6:47:35 PM](#) Brian Yeager discusses the snow report, the first one for this winter. Orange bars tell us where we are to date, how much money has been spent of budgeted amount. When you look at dollar amount, it is the annual wage not snow removal amount.

[6:49:22 PM](#) Thea received a call from Mountain Rides, Ben Varner, asked if there is any way to do snow removal any different by bus stops that don't have shelters. Brian Yeager will call Ben Varner.

[6:51:16 PM](#) Dawson need to schedule a town hall meeting, when you are available. Haemmerle asked for staff to contact council at a later time.

No exec. Session needed tonight.

[6:52:06 PM](#) **Motion to adjourn meeting made by Thea, Cooley seconded motion passed unanimously.**