

**MINUTES OF THE SPECIAL MEETING OF THE
HAILEY CITY COUNCIL
HELD THURSDAY, FEBRUARY 26, 2009
IN THE HAILEY TOWN CENTER MEETING ROOM**

The special meeting of the Hailey City Council was called to order at 5:30 P.M. by Mayor Rick Davis. Present were Council members Don Keirn, Carol Brown, Martha Burke and Fritz Haemmerle. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson and City Clerk Mary Cone.

Prior to meeting the Mayor and Council received several documents for their review including a Staff Report from Planning Director, Beth Robrahn dated 2/26/09, a GIS map showing 34 acres needed for the 68 ½ acre lots for Parcels 5, 6, and 7; A Memorandum from Dave Hennessy dated 2/10/09 regarding the SPF report; Letter from Idaho Department of Fish and Game (IDFG) to Beth Robrahn regarding the Quigley proposal dated 1/29/09; an email of questions on wildlife to IDFG from Carol Brown and IDFG's response; a letter from Harry Rinker to the Mayor and Council dated 1/27/09; and finally a letter from Carol Comtaruk to Mayor and Council dated 2/24/09.

CONSENT AGENDA:

CA 104 Motion to approve annual Road & Street financial report

Brown made a motion to approve annual Road & Street Financial report, seconded by Keirn, motion passed unanimously.

Complements from Brown to Treasurer Becky Stokes for the format of the report – it is clear and easy to read. Keirn and Burke concur with Brown.

MAYOR'S REMARKS:

Mayor Davis gave two remarks, the first from Lieutenant Rob Storm with Idaho State Police thanking all local chiefs involved in the Special Olympics convoy through various towns. Second a letter to Mayor Davis from Chip Fischer Chairman and CEO of Special Olympics thanking him for being a host town for the event.

Chip Fischer – Special Olympics thank you for being a host city.

Chief Jeff Gunter introduced the newest officer Ross Scaggs to Mayor and council.

Mayor Davis welcomed Ross.

PUBLIC HEARING:

PH 105 An application by Quigley Green Owners, LLC for Annexation of approximately 1,109 acres to be developed with a total of approximately 379 residential units and an 18 hole public golf course and Nordic facility. The property is currently located in the County and is

zoned R-5 and A-10. The annexation application requests that the property be zoned as RGB, NB, LR-1, LR-2 and GR upon annexation. The Planning and Zoning Commission having been presented with all information and testimony in favor and in opposition to the proposal, hereby recommends to the City Council approval with conditions of this annexation

Williamson opened the discussion by summarizing the 4 top Planning and Zoning conditions identified in the Staff Report from Beth Robrahn, Planning Director dated February 26, 2009. The intention of this meeting is for the council to discuss the aforementioned conditions. 1) development in Deadmans Gulch shall be prohibited 2) development beyond the irrigation pond shall be prohibited 10) no lot shall be greater than one half acre 24) Quigley Road or a secondary public access shall extend to the north side of the proposed parcels. Williamson added for ease of discussion recommends combining issues 1 & 2. Williamson stated that Jerome Hansen, Magic Valley Regional Supervisor with the Idaho Department of Fish and Game (IDFG) is present tonight to answer any questions. To date we have received three communications from IDFG regarding this application and in them they set forth their recommendations (page 2 of the Staff Report lists 6 of the recommendations).

Williamson went on to discuss Area of City Impact (ACI) and our ordinances referring to annexation. The ACI line that exists today does not include Deadmans Gulch and the area above the pond. This does not mean that the council could not amend the comprehensive plan; they could in fact modify the comprehensive plan to accommodate this potential annexation.

Haemmerle asked Williamson a question about the process amending the comprehensive plan; it would go back to the Planning and Zoning Commission and go through the public hearing process.

Jerome Hansen with the IDFG spoke to council. Hansen thanked the applicant and the consultants representing them for working so diligently with the Fish and Game Department. Hansen had discussions with the applicant regarding Deadmans Gulch and the golf course. Originally, the plan was to leave the area above the pond undeveloped. The applicant has made some changes based on IDFG comments and concerns but as indicated in the recent letter it is still not completely where they would like it to be.

Haemmerle asked Hansen a question about the revisions the applicant made in the area around Deadmans Gulch. It is hard to say if development in Deadmans Gulch would impact the wildlife, but Hansen said certainly more development as you go up the canyon would impact the wildlife more than development in the lower canyon.

Dave Hennessey spoke on behalf of the applicant to the council. The Deadmans Gulch and area above it are crucial to the financial piece of their plan. The revised plan pulls the lots further from the road added Hennessey. Also there is an active weed control plan in the area and as indicated by the plat notes, controlling animals in this area. They have provided an additional emergency access through this area.

Haemmerle asked Hennessey if the maximum size of the lot is .5 acre and no fencing around the property.

Mayor Davis opened the session to public comments.

Linn Kincannon Central Idaho Director, Idaho Conservation League 110 West 5th Street in Ketchum spoke to council. They (Idaho Conservation League) typically does not speak out on public developments but they feel strongly about protecting the wildlife in this area. Kincannon referenced a survey conducted of local residents the primary concern was affordable housing, and the second priority is preserving the wildlife.

Mary Roberson of 1580 Baldyview Drive spoke to council. What is more important open space or money? Roberson does not think this development is worth what we would be losing in the wildlife.

Ben Young of 15 south 3rd Ave. in Hailey spoke to council. Young believes that the developer should be given flexibilities and not restrict them to development in lower canyon areas. Young advocates building appropriately spaced and this will help.

Pat McGinnis of 621 Bonanza Lane spoke to council. McGinnis feels we need a public golf course in Hailey; she is an avid golfer and is not able to play in the one public course because of the expense.

Art West of 201 Spruce Way spoke to council. West is in favor of this development for several reasons, including new jobs. West concurs with McGinnis on the golf comment as he has a son that drives to Twin Falls weekly to play.

John DeLorenzo spoke to council of 100 Mustang Lane in Bellevue. DeLorenzo points to the importance of this area as a wildlife wintering area and the potential of damaging this area with approving this development plan. Going from 54 homes to 52 homes in Deadmans Canyon is not much of a reduction. DeLorenzo reminded council that the Planning and Zoning Commission has recommended not building in Deadmans Gulch area.

Rob Cronin of 521 Deertrail Drive spoke to council about balance and timing. Cronin believes there is a balance with development and preserving wildlife at the same time. Cronin is in support of this project. Cronin pleads to council that this is good for the area and that the development will realistically take up to 20 years. Cronin offers his assistance in any way that he can.

David Doub of 540 Whitetail Drive spoke to council. Dall believes that there will be something done in this area as some point, it will change. Dall believes Hennessey's plan is a good one.

Kathryn Graves of 750 Buckhorn in Deerfield subdivision worries that Doub's points are accurate, someone will develop this area. Graves believes it would be a great thing to have this development with all its amenities.

Peter Lobb spoke to council. Lobb believes that council needs to decide if development above Deadmans Gulch is acceptable or not. Lobb thinks the county would be more restrictive than the

city. Lobb advocates that a golf course would benefit our area. Lobb believes that if this land were developed in the county that the city would benefit more.

Mayor Davis closed the public hearing process. Davis believes that the crux of the problem is development in Deadman Gulch and above the pond.

Burke has the highest regard for this project and believes this is good for the city. Burke believes that we need a draw to the area; a golf course would draw people from the north. There is a fine line between density and good planning, this proposal is good planning. Burke feels that council must look at density and lot size. Burke proposes more density in the mouth of the canyon and offering larger lot sizes maybe 5 acres vs. .5 acres around Deadmans Gulch. Reduce the density a lot so that we end up with areas of land on the outer fringes to provide mitigation to wildlife. This proposal would take an amendment to our comprehensive plan being mindful of wildlife.

Brown asked Burke a clarification question about the large lot sizes and the mouth development in the lower canyon. The density can be adjusted to account for the larger lots up canyon.

Haemmerle asks about condition 2 (development above the pond) – do we develop this area? Burke suggests that we have some development above the pond. Haemmerle has grown up in this area and like it or not, development on this land will happen. Haemmerle asks if this is the best development for the property. Haemmerle feels this would be better developed by the city not the county. Haemmerle disagrees with condition 2 as does Burke. Haemmerle feels that the developer is moving in the right direction. Haemmerle disagrees with condition 1. A half acre is a small disturbance and Haemmerle fears that the county would allow larger lots and be a bigger disturbance.

Brown opened with the big picture regarding this project. Brown is excited about this project because of the Nordic component to our city. Brown has conceptually reached a similar conclusion as Burke with the density and development above the pond. Brown believes there should be development in the mouth of Deadmans Gulch, she disagrees with condition 1. Brown believes that the plat notes should be a must because individuals would take it upon themselves to enforce as if they were IDFG personnel.

Keirn likes this development idea and originally was against development in Deadmans Gulch and above the pond. In listening to Brown and Burke, he is compelled to change his mind and allow for development further up canyon but not above the pond. Keirn would like to see development done in a way that helps protect the wildlife.

Burke believes there is a way to develop mindful of the wildlife preservation.

Haemmerle asked Keirn about his stance on condition 1 and 2. Haemmerle feels that council should state if they agree or disagree with the 4 conditions.

Mayor Davis disagrees with both conditions 1 and 2 and feels there is a way to develop it as suggested in Burkes ideas earlier.

Haemmerle suggested that they discuss condition 3 next.

Burke feels that the lots need to be larger than half acre.

Brown asked what the density should be in parcel 5 and 7 to Haemmerle. Haemmerle would like less density in parcel 5 & 7 and more in the lower canyon.

Hennessey asked to have time to rework some things and not be limited by a number or size suggested by council as they do not want to make the lots too large and unaffordable by most people. Hennessey clarifies that there will be driveways in the half acre lot, which is considered a disturbance to the wildlife. Council understands and is okay with the driveways.

Burke refers to comp plan section 5 page 4, areas to be preserved connected to green ways and open space. Burkes suggests that Quigley be deemed a green way, non-motorized use. Hennessey handed council a map to review.

Mayor Davis asked if there would be snowmobile access available? Hennessey answered that there would be a small area for parking to allow snowmobilers access to the trail which exists today.

Haemmerle agrees with Burke with one question for clarification. Past conversations, council was worried about Deerfield traffic. Haemmerle would like to see access for snowmobiles, ATV's and motorcycles.

Keirn agrees with Haemmerle's statement that Quigley Road be open still to motorcycles, and snowmobiles.

John Gaeddart spoke to council and added that the school emergency access road is always plowed. Brown thanked Gaeddart for his clarification.

Mayor Davis asked Hennessey if he had what he needed to do more work.

Williamson reminded council to discuss the SPF Engineering report.

Mayor Davis asked for a 5 minute recess at 7:10 pm, and at 7:18 Mayor Davis reconvened the meeting.

Brown disclosed that during the recess Larry Newton spoke to her about wildlife. Newton expressed his opinion that wildlife is more important out canyon than in Deadmans Gulch.

Hellen spoke regarding the SPF Engineering report. Dave Hennessey spoke to Hellen at the break and mentioned he is okay with the requirements expressed in the report. Hellen mentioned that council may want to discuss one requirement. SPF suggested that part of one water tank in Quigley be used for fire protection.

Hennessey clarified that item # 2 on the letter; they were not looking for a credit as the letter was interpreted. Hennessey clarified that for normal subdivision expenses, they are not looking for a credit in this area.

SPF's report has items that the city may look at but they are not a requirement for fire safety.

Hellen pointed out that some of the requirements are typical for a subdivision development. Haemmerle would like staff to comment on the 8 conditions of credit that the applicant is asking for. Hellen will put this information together for council to review.

Hennessey mentioned that they will have a wastewater report available next week.

Haemmerle would like to see prudence from the developer that they will have proper financing, especially in this economic climate.

Brown asked the developer to consider a goal to hire local people if possible.

Fiscal Impact study is due mid March 2009. Dawson felt that it would be the end of March.

April 28, Tuesday 5:30 will be the next meeting to review the findings of the report and any issues yet to be discussed.

Haemmerle asked Hennessey to have some report of trail system information, what plan are they working on with BLM and where are they in the approval of this process.

Williamson suggested another meeting to discuss more issues on April 6th (which is the same night as a Planning and Zoning meeting). Discussion for this meeting will be the Trail System, traffic mitigation, IDFG, water and wastewater.

NEW BUSINESS:

NB 106 Discussion regarding dispatch service

On Tuesday Feb. 17th the Blaine County Commissioners met and were presented with another funding option from Hailey. It was adopted that day and Hailey received an email the afternoon of the 17th from Mike McNees Blaine County Administrator, Dawson read this email to council.

Dawson referred to an email response from Mike McNees on how the hotel numbers were obtained. Dawson handed out this information to council.

Brown has spoken with Angenie McCleary to clarify Sun Valley's stance on their recent publication. Ketchum meets on next Monday; Sun Valley meets the 4th Thursday of the month, once a month. Brown added that this model is not her first choice but she can live with it for 1 year. This is a huge difference in what they originally presented.

Burke thinks this is a good start in this economic climate.

Brown was disappointed with the alarmist rhetoric with some of the north valley constituents.

Haemmerle asks how we have these discussions with the county as we have gone down this road before.

Brown would like to write a letter one last time asking about the staffing numbers, asking to start with less dispatchers and adding later.

Burke added that she would like for us to support this offer as we were the ones that asked for another option.

Haemmerle wants to opt in for 1 year based on the number. Burke is opting in for the principle.

Brown moves to accept the proposal from the county as in their Dispatch Summary Spreadsheet dated 2/16/09 as reviewed by council tonight, given the economic times, Brown strongly suggests staffing a lower number and adding up to the 12 staff team in time, seconded by Keirn, motion passed unanimously.

Should this fail, Brown would beg the county to enter into “real” mediation.

Dawson will work on the letter.

Mayor Davis announced the citizen survey results are in, please review them for the March 30th goal setting meeting.

Mayor Davis adjourned the meeting at 8:03 pm.

Martha Burke, Council President

Mary Cone, City Clerk