

**AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday February 27, 2012 * Hailey City Hall Meeting Room
5:30 p.m.**

Present: Carol Brown, Don Keirn, Fritz Haemmerle, Pat Cooley, Martha Burke
Staff: Tom Hellen, Jeff Gunter, Ned Williamson, Heather Dawson

CALL TO ORDER

5:31:30 PM Mayor Haemmerle called the meeting to order.

Open Session for Public Concerns

5:31:42 PM Steve Crosser, 431 Aspen Drive, asked if results of the City's recent citizen survey will be on the City's website. Heather Dawson noted the results should be posted on the website by the end of the week.

5:32:20 PM Tony Evans, Idaho Mountain Express and Spruce Street, noted that the Myrtle Street crosswalk lights are still out. Tom Hellen assured he would address that first thing in the morning.

Airport Issues

5:33:39 PM Mayor Haemmerle delayed this discussion until later in the meeting.

CONSENT AGENDA:

- CA 056 *Motion to call special meeting of the Hailey City Council on Monday March 12, 2012 for the purpose conducting regular business at 5:30 p.m. and conducting 2012 Strategic Planning with boards, commissions, and department representatives at 6:30 p.m. no documents.*
- CA 057 *Motion to ratify letter of support for Blaine County Senior Connection block grant for kitchen improvements.*
- CA 058 *Motion to approve Resolution 2012-06, authorizing extension of planning Grant for Wastewater Master Plan Study.*
- CA 059 *Motion to ratify cancellation of contract with Blue Cross of Idaho effective midnight February 29, 2012, subsequent to Idaho Independent Intergovernmental Authority's certification by the State Department of Insurance and launch of the III-A self-insurance program on March 1, 2012.*
- CA 060 *Motion to approve minutes of February 6, 2012 meeting and to suspend reading of them.*
- CA 061 *Motion to approve minutes of February 9, 2012 special meeting and to suspend reading of them.*
- CA 062 *Motion to approve claims for expenses incurred during the month of January, 2012, and claims for expenses due by contract in February, 2012.*
- CA 063 *Motion to approve Treasurer's Reports for Month of January, 2012.*

5:33:51 PM Carol Brown asked to pull CA 060 and CA 061.

5:34:11 PM Pat Cooley moved to approve the Consent Agenda minus CA 060 and 061.

Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.

5:34:26 PM Carol Brown noted she was not in attendance at those meetings and asked the minutes be corrected. **Don Keirn moved to approve CA 060 and CA 061 with corrections.**

Martha Burke seconded. Roll call vote: Brown, abstain; Keirn, yes; Cooley, yes; Burke, yes.

MAYOR'S REMARKS

[5:35:07 PM](#)

Mayor Haemmerle noted that discussions on the Quigley project will be rescheduled to April 30 and during May when further reports will be in.

PROCLAMATIONS & PRESENTATIONS:

PP 064 Hailey Fire Department 20-Year Service Award presented to Scott Miley.

[5:36:05 PM](#) Mayor Haemmerle noted that Mr. Miley will receive two awards. The first award commemorates 20 years of service on the fire department, and the second award was for being voted by his peers as the outstanding firefighter of the year.

PP 065 Presentation of annual financial statements for fiscal year ending September 30, 2011, by auditor Dennis Brown.

[5:38:14 PM](#) Heather Dawson informed that Mr. Brown had a death in the family, and asked the Council to move this item to the next meeting.

APPOINTMENTS & AWARDS

AA 066 Appointment of Jay Cone to Hailey P&Z Commission (replaces Mark Johnstone).

[5:39:04 PM](#) Mayor Haemmerle administered the oath of office. Ned Williamson noted for the record that the Hailey City Clerk is related to Mr. Cone by marriage and that his appointment to P&Z had no legal impediment.

[5:40:31 PM](#) **Carol Brown moved to approve the appointment. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.**

PUBLIC HEARING:

PH 067 Airport discussion – Finalization of Hailey's Guiding Principles for Airport Master Plan - Discussion of February 9, 2012 FMAA Meeting and subsequent developments.

[5:41:47 PM](#) Mayor Haemmerle provided an overview of the topic. Ned Williamson circulated copies of the draft document to Council. Council discussion included the various language changes made, and further suggestions for the final document. Mr. Williamson explained his process in creating the draft language to combine Council's and Rick Baird's suggestions. Further discussion included stronger language against northern approaches for landing. Martha Burke pointed out that there is pilot discretion in landings and take-offs, so the City cannot prevent northern approaches, but she noted that the Council can be clear in what the City does or does not support. The Council further stressed that safety and quality of life should be protected as a very high priority. Mr. Williamson clarified language suggestions with the Council.

[5:55:51 PM](#) Mayor Haemmerle opened the meeting to public comment.

[5:55:58 PM](#) Tom Bowman, Blaine County Commissioner spoke to council and suggested further language to address future health, safety, and welfare concerns be included in the document.

[5:57:18 PM](#) With no further public comment offered, Mayor Haemmerle brought the meeting back to the Council. Discussion ensued on Bowman's points. Council developed additional

language to address these points. Martha Burke informed that she cannot in good faith support the document as it now reads. Her exception was with Principle number 7.

Pat Cooley moved to approve the Guiding Principles numbers 1-6 and 8. Don Keirn seconded. Roll call vote; Brown, yes; Keirn, yes; Cooley, yes; Burke yes.

[6:05:12 PM](#) Carol Brown moved to approve Guiding Principle number 7 as amended. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, no.

[6:06:30 PM](#) Ms. Burke further explained her objection to Principle 7. Ned Williamson suggested finding a way to incorporate Ms. Burke's position into a final resolution.

[6:08:37 PM](#) Mayor Haemmerle then asked for a report from the Council's FMAA members regarding their last meeting. Don Keirn noted he would rather report when he had his notes in front of him. Martha Burke then explained her view of that meeting, pointing out that no decisions regarding ALP or EIS were made, simply that the FMAA will inquire of the FAA about how that process may occur.

[6:16:30 PM](#) Mayor Haemmerle asked if any other actions were taken or plans made, and whether there was further discussion on regional jets landing at Friedman. He specifically asked when those landings might be expected.

[6:19:36 PM](#) Mayor Haemmerle asked Rick Baird to clarify actions and plans from the last FMAA meeting. Mr. Baird felt the discussion related to the FAA was accurate, and added they were asked to continue discussions about what is important to this community, i.e. a replacement airport in the future being the optimal solution, that air service is important to this valley and that it may require improvements of existing site in the short term. Mr. Baird assured that the FMAA will get information from the FAA and report back to the Council.

[6:23:07 PM](#) Mr. Haemmerle asked for clarification of the process relating to ALP. Mr. Baird noted the FAA is evaluating their continued investment in this process.

[6:26:40 PM](#) Mayor Haemmerle pointed out that he wants the public perception to be clear. Mr. Baird reminded that the FAA position has been posted on their website for public review.

[6:29:55 PM](#) Don Keirn inquired about the "relatively sudden interest in reliability" as it has always been a challenge here. Mr. Baird provided his perspective.

[6:33:11 PM](#) Mayor Haemmerle inquired about flaws in the discussions regarding reliability and deficiencies. Martha Burke offered her perspective.

[6:36:04 PM](#) Mr. Baird explained more about regional jets (RJs), that they "fly in all the time in theory" and noted that a general aviation jet can be the same size as a regional jet, but that regional jets are commonly commercial in nature.

[6:39:39 PM](#) Mayor Haemmerle asked again if the RJs had already arrived at Friedman. Mr. Baird said they had flown into the valley and some had landed during the previous week.

[6:40:40 PM](#) Martha Burke asked what it means that commercial RJ traffic was here in the past. Mr. Baird explained that the FAA chooses to enforce their regulations first on commercial flights, then on general aviation.

[6:42:47 PM](#) Mayor Haemmerle opened the meeting to public comment. None was offered.

PH 068 Woodside Boulevard Project –

- Update from engineer on bid opening and bid evaluation

- Update on negotiations with Civil Science for Construction, Engineering & Inspection services for the project

- Authorize letter to US DOT identifying apparent low bidder and city's intent to award the bid to apparent low bidder.

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[6:43:24 PM](#) Tom Hellen explained City staff is still evaluating bids and that they are not asking for Council action at this meeting. The purpose was simply to explain the process.

[6:45:13 PM](#) Ned Williamson noted that negotiations continue with Civil Science, and he believed the discussions would wrap up this week.

[6:47:54 PM](#) Tom Hellen spoke on a letter from the DOT, and explained the process and inclusion of federal highways.

[6:48:42 PM](#) Mayor Haemmerle opened the meeting to public comment.

[6:48:49 PM](#) Beau Burks, 106 Zinc Spur, owner of Burks Excavation and Sawtooth Construction, described his perception of “uneven grounds in the bid process.” Mr. Burks explained his version of the bidding history, that he wanted to obtain the same opportunity to use the same pit that Knife River was using, and that his companies were not allowed the opportunity to access that pit, hence the wide variance in pricing as a result. Mr. Burks’ opinion was that the current bids should be rejected, and the City should put the project back out to bid.

[6:56:17 PM](#) Ned Williamson noted that the City is not in a position to make a decision about this, and that it should be evaluated based on state law. He further urged the Council’s caution, agreeing that the playing field should be level, but that the Council should not comment in this meeting.

[6:57:37 PM](#) Mayor Haemmerle assured Mr. Burks that the City will look into this.

[6:58:11 PM](#) Peter Lobb, of 403 E. Carbonate, expressed hope that the City will look at Mr. Burks’ point carefully in order to save the City money. Mayor Haemmerle assured that the City will do what it can under the law.

[6:58:46 PM](#) Tony Evans, Idaho Mountain Express, pointed out that the newspaper has reported on substantial prior problems with Knife River and expressed hope the Council will consider those problems in making this determination. Mr. Haemmerle noted the City must take the lowest responsive bid as a matter of state law.

[7:00:23 PM](#) With no further comment offered, the public hearing segment was closed.

PH 069 Consideration of Municipal Code Amendment to eliminate the Community Oversight Committee for the development of marijuana legislation.

[7:00:40 PM](#) Carol Brown recused herself.

[7:01:05 PM](#) Ned Williamson provided background of this amendment.

[7:01:48 PM](#) Mayor Haemmerle opened the matter to public comment. None was offered.

[7:02:08 PM](#) **Martha Burke moved to adopt Ordinance 1102 and to conduct the first reading by title only. Don Keirn seconded. Roll call vote: Keirn, yes; Cooley, yes; Burke, yes.**

Mayor Haemmerle conducted the 1st reading of Ordinance 1102 by title only.

NEW BUSINESS:

NB 070 Hailey Urban Renewal Agency Board request for Local Option Tax contribution – excess funds from 2011.

[7:03:32 PM](#) Heather Dawson explained the \$24,000 excess and explained that the URA would like to use those funds to hire a consultant. Jason Miller, Chair of the URA, explained the reasoning and purpose, and requested the funds to hire needed expertise.

[7:05:52 PM](#) Carol Brown asked for clarification of how the excess LOT funds are allowed to be used.

[7:06:36 PM](#) Don Keirn explained what Jerome and Twin Falls have done regarding URA areas and their budgets, noting they have enjoyed great results.

[7:08:42 PM](#) Heather Dawson noted they are only asking if the Council is willing to consider this request. Consensus was reached that Council is willing to consider and that the actual cost is closer to \$5,000. Mayor Haemmerle directed staff to move ahead.

NB 071 Discussion of Capital Improvement Fund Levy:

-Description of Levy and its limitation under the law for capital improvements only

-Maximum levy amount of \$40 per \$100,000 of property valuation would bring approximately \$400,000 per year into the city's Capital fund

-Process of putting levy before Hailey voters in either a May or Nov election.

[7:10:08 PM](#) Mayor Haemmerle explained the background for this discussion, and noted that the City currently has no permanent plan to add money to the capital improvement fund.

[7:12:23 PM](#) Heather Dawson explained that the City can legally increase the levy permanently or on a temporary basis. She further noted that if the Council hoped to put this on a ballot in May, ballot language must be given to the County Clerk by March 30. She reminded that this meeting should address only questions and preliminary discussion.

[7:15:04 PM](#) Council discussion included the need for a permanent renewing capital fund source, unreliability of impact fee/development collections, the privilege of citizenship to take care of its town, and permanent versus short-term levies. Consensus was reached that this funding is necessary, but that timing is a worry given the economy. Further consensus was reached to move forward with public education on the matter and then consider timing.

[7:23:13 PM](#) Heather Dawson suggested discussion regarding a levy should be held in conjunction with the responses received in the recent citizen survey. Mayor Haemmerle directed that this matter should be discussed in a public hearing.

OLD BUSINESS:

OB 072 2nd Reading Ordinance 1097, amending Zoning Ordinance Section 6A.

[7:25:02 PM](#) **Mayor Haemmerle conducted the 2nd reading by title only.**

OB 073 2nd Reading Ordinance 1098, amending Zoning Ordinance Section 8.2.

[7:26:42 PM](#) **Mayor Haemmerle conducted the 2nd reading by title only.**

OB 074 2nd Reading Ordinance 1099, amending Zoning Ordinance Section 2.2.

[7:27:24 PM](#) **Mayor Haemmerle conducted the 2nd reading by title only.**

OB 075 2nd Reading Ordinance 1100, amending Municipal Code 12.12.to prohibit smoking and drinking in Hailey's Skatepark and Jimmy's Garden park.

[7:27:55 PM](#) **Mayor Haemmerle conducted the 2nd reading by title only.**

OB 076 2nd Reading Ordinance 1101, amending Municipal Code 2.20.020 to repeal run-off elections for city council seats.

[7:28:40 PM](#) **Mayor Haemmerle conducted the 2nd reading by title only.**

Heather Dawson pointed out that the Planning & Zoning Commission meeting begins at 7:30, and asked if the Council might consider going into executive session now and move the workshop items on the agenda to the next meeting. Carol Brown noted she cannot attend the next meeting. Don Keirn reminded that he will not be there either.

7:30:11 PM Carol Brown moved to go into executive session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)). Martha Burke seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes; Burke, yes.

Mayor and council came out of executive session and the meeting was adjourned at 7:37 pm.