

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD FEBRUARY 28, 2022
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 Martha Burke. Present were Council members Kaz Thea, Juan Martinez, Heidi Husbands, and Sam Linnet. Staff attending included City Attorney Christopher P. Simms, and City Administrator Heather Dawson.

5:29:37 PM Call to Order

EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 74-206(1)(f))

5:30:08 PM Martinez moved to enter into executive session: Pending & Imminently Likely Litigation under (IC 74-206(1)(f)) Linnet seconded. Motion passed with roll call vote: Husbands-yes, Linnet-yes, Thea-yes, Martinez-yes.

5:53:32 PM RECONVENE PUBLIC MEETING

5:53:56 PM OPEN SESSION FOR PUBLIC CONCERNS: No Comment.

CONSENT AGENDA:

CA 061	Motion to approve Resolution No. 2022-018, authorizing the Mayor to sign a security agreement with ARCH, in the amount of \$196,826.30 related to incomplete landscape and playground equipment at the Blaine Manor Family Building as requested by ARCH Community Housing Trust for weather-related circumstances. ACTION ITEM.....	1
CA 062	Motion to accept bids from Xylem Water Solutions USA in the amount of \$216,957.00 for the WWTP UV Equipment Procurement project and motion to adopt Resolution 2022-019, authorizing the mayor to sign the Notice of Award and project related documents. ACTION ITEM.....	52
CA 063	Motion to accept the donation and authorize the mayor to sign the Donation Agreement for Parcel A, Haven Armstrong Subdivision, a public right-of-way dedication consisting of approximately 3,719 square feet of land located at 910 North Main Street (Hailey Fr SESW Tl 7589 Sec 4 2N 18E). ACTION ITEM.....	192
CA 064	Motion to approve new Alcohol License for RoadBars, LLC. ACTION ITEM.....	198
CA 065	Motion to approve minutes of February 14, 2022 and to suspend reading of them ACTION ITEM.....	206
CA 066	Motion to ratify claims for expenses paid in February, 2022 ACTION ITEM.....	217
CA 067	Motion to approve claims for expenses incurred during the month of January 2022, and claims for expenses due by contract in February, 2022 ACTION ITEM.....	223
CA 068	Motion to approve unaudited Treasurer’s report for the month of January 2022 ACTION ITEM.....	249
CA 069	Motion to approve Road and Street report for 2021 ACTION ITEM.....	261

6:00:25 PM Martinez motioned to approve all consent agenda items, Husbands seconded. Motion passed with roll call vote: Husbands-yes, Linnet-yes, Thea-yes, Martinez-yes.

MAYOR’S REMARKS:

MR 060 Dog Waste in Hailey in Parks, Trails and sidewalks (no documents)

Mayor states it is the responsibility of every pet owner to pick up after their own animals. Mayor states will have further discussion coming up, that this is just a brief update.

[5:56:19 PM](#) Mayor stated all aware CDC is changing guidelines and actions taking place around the city. Mayor explained have spent last two years relaying on pour medical team. Mayor is proposing to hold position until Wednesday when Mayors meeting with medical group takes place and will have a new dashboard on Thursday. It is the Mayors hope by end of next week will have good news and reconsider the mask mandate. Mayor has asked Simms to prepare for that and will bring it back to Council. Mayor confirmed will continue to follow procedure and protocols that have followed for last two years.

[5:58:55 PM](#) Martinez thanked Mayor for her leadership.

[5:59:31 PM](#) Husbands supports Mayor decisions, but that thinks need to make sure and need little more time to seal the deal.

[6:00:04 PM](#) No comments from Thea and Linnet.

PROCLAMATIONS AND PRESENTATIONS:

PP 070 Presentation by Harry Griffith of Sun Valley Economic Development giving an overview of the Federal Infrastructure Bill and the American Rescue Plan Act (ARPA) ACTION ITEM

Griffith thanked Council and staff for efforts regarding housing.

[6:01:51 PM](#) Griffith provided PowerPoint presentation explaining CARES Act, ARPA and BBB and his thoughts on how to use those funds within the city. A copy of the presentation is on file with the Clerk's office. [6:11:30 PM](#) Thea asked if the reporting is robust that has to be provided. Griffith explains that it varies, that it depends on type of approach and project. [6:13:16 PM](#) Griffith continued on with his presentation picking up at the BBB explanation. Griffith stresses that this is something that we should keep an eye on, that it is a historic moment. Griffith commits to the council that he will remain on top of this as it progresses forward. [6:18:30 PM](#) Thea states this is exciting if could make something happen between Idaho Power for green energy plans. Griffith notes that it is not clear to clubbing together with multiple cities will give more or provide higher chance. [6:20:12 PM](#) Mayor is wondering if Yeager has ability to access some of these funds for water use issue. [6:21:55 PM](#) Martinez thanked Griffith for his presentation, asking if he thought it would be beneficial to reach out to certain businesses on the list to see if they need letters or something else. Griffith confirmed he has already reached out to them.

PUBLIC HEARINGS:

PH 071 Consideration of a Text Amendment submitted by Ian and Sarah Sundby and Ordinance No. _____, an ordinance amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.04: Establishment, Purposes and Uses within Zoning Districts, Section 17.04M.060: Townsite Overlay Bulk Requirements, to allow for a maximum lot coverage of forty percent (40%) where at least seventy-five percent (75%) of required parking spaces are enclosed within a structure for lots 4,500 square feet and smaller in size, and located within the General Residential (GR),

Limited Residential (LR-1) and Limited Residential (LR-2) Zoning Districts. For those lots that are 4,500 square feet and larger, and located within the GR of LR-1 Zoning Districts, maximum lot coverage will remain as noted therein. ACTION ITEM

[6:23:50 PM](#) Horowitz introduced project and turned floor over to Ian Sundby. [6:24:52 PM](#) Sundby thanked council and staff for their time. Sundby summarized code requirements currently and explained that there are 29 lots within GR LR 1 or 2 and only 4 of these lots are currently vacant. Sundby explained the amendment is to allow homeowners proportionate homes to their lots.

[6:27:55 PM](#) Mayor opened public comment.

[6:28:20 PM](#) Mayor closed public comment.

[6:28:28 PM](#) Martinez loves that Sundby is bringing this forward and believes has been well thought out.

[6:29:55 PM](#) Thea and Husbands agree. Husbands states Sundby has done is homework.

[6:30:19 PM](#) Linnet agrees with what has been said. [6:31:36 PM](#) Horowitz explained she thinks lot coverage is the primary way you control scale.

[6:32:21 PM](#) Thea believes setbacks have to do with snow storage, space, shading of neighbors.

[6:32:54 PM](#) Linnet adds that all should think about and maybe reassess their assumption on what they want the zoning to look like. Thea would support that and even have a workshop. Thea thinks that is a great idea. Linnet stated Sundby's are the not the first people he has heard with issue of small lot. [6:34:35 PM](#) Horowitz stated all of these are on staff lists.

[6:34:59 PM](#) Mayor thinks we are moving in the right direction, looking at the issue and attempting to appeal to various homeowners. Mayor agrees with workshop idea.

[6:36:14 PM](#) **Martinez moved to approve Ordinance No. 1298. Thea seconded. Motion passed with roll call vote: Husbands-yes, Linnet-yes, Thea-yes, Martinez-yes.**

[6:37:59 PM](#) **Mayor conducts 1st reading of ordinance No. 1298, by title only.**

PH 072 Consideration of City-initiated Text Amendment to the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities, to amend this standard to encourage electric utilities and make natural gas optional ACTION ITEM

[6:39:07 PM](#) Nied introduced projecting, summarizing changes proposed. Nied explained this change is in support of green energy goals with the City of Hailey.

[6:40:08 PM](#) Mayor opened public comment.

[6:40:26 PM](#) Elizabeth Jeffrey, she is just thrilled this is in front of council and has nothing more to say. Just thrilled

[6:41:00 PM](#) Mayor closed public comment.

[6:40:57 PM](#) **Thea motioned to approve Ordinance No. 1299. Martinez seconded. Motion passed with roll call vote: Husbands-yes, Linnet-yes, Thea-yes, Martinez-yes.**

[6:42:20 PM](#) **Mayor conducts 1st reading of ordinance number 1299, by title only.**

*PH 073 Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 15: Buildings and Construction, Chapter 15.20: Green Building Standards, to add a new section, Section 15.20.012, entitled Solar Requirements, mandating new residential developments of single-family homes, townhomes, and substantial remodels be Solar Ready by installing metal clad cable or conduit for future solar electricity generation and consumption capabilities. **THIS ITEM IS TO BE CONTINUED TO MARCH 14, 2022. ACTION ITEM***

*PH 074 Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 15, to add a new chapter, Chapter 15.20: Green Building Standards, and within that chapter to add a new section, Section 15.20.010 entitled Electric Vehicle Requirements, mandating new residential developments of single-family homes, townhomes, and substantial remodels be Electric Vehicle Capable infrastructure to allow for the future charging of electric vehicles, including definitions. **THIS ITEM IS TO BE CONTINUED TO MARCH 14, 2022. ACTION ITEM***

[6:43:34 PM](#) **Martinez motioned to continue PH 73 and PH 74 on record to March 14, 2022. Thea seconded. Motion passed with roll call vote: Husbands-yes, Linnet-yes, Thea-yes, Martinez-yes.**

PH 075 Consideration of a Hailey Town Center West Discussion and Presentations by Lyon Landscape Architects and Bliss Architecture ACTION ITEM

[6:44:51 PM](#) Marty Lyons introduced himself and project team. Marty Lyons provided photos of existing site of proposed town square. Marty provided two plans showing outside area and how it can be changed the existing space to a pedestrian friendly area with shade trees and place to act as a town square. Marty Lyons went into detail summarizing changes within his proposed plans.

[7:01:03 PM](#) Errin Bliss, introduced himself and thanked council members. Bliss explained bottom left plan is the existing floor plan. Bliss explained proposed floor plan, with intent to make it much functional, flexible space for a variety of different uses. [7:07:37 PM](#) Mayor asked about reasoning for the vestibule. Bliss explained part of the reason behind the vestibule is to create a bluffer to block light (such as during presentations) and also allow for people to walk in without disrupting meetings taking place. Mayor also believes it will serve as a buffer for cold air from entrances and work space.

[7:09:33 PM](#) Thea would love to see a variety of bench seating in different materials, locations, sizes, heights surrounding the building. Thea would like to have a place to build a stage, whether it's in the short or long-term plan would love to see some kind of stage. Thea likes the idea of using Scottish

Links instead of Kentucky Blue Grass. Thea would like to see variety of hardscape and green space. Thea would love to see a kitchen inside the building. Horowitz explained kitchen was on the list but it changed the costs dramatically which is why it was parked under long term. Horowitz stated staff was seeing outside kitchen as being heated.

[7:13:48 PM](#) Martinez loved the power of brick coming between the buildings. He really appreciates the design. Martinez likes the idea of community gardens. Martinez is concerned about the maintenance of the kitchen. Martinez loves that has made this more of a programming space for the library. Martinez sees stage in flex meeting space. Martinez complimented project team.

[7:16:24 PM](#) Marty Lyons referenced past designs and how overlaying those designs and when compare hardscape with greenspace it blends together very nicely. Marty Lyons believes this space can serve the community for many years and his concern is that it slows down momentum of what it can be. Marty Lyons explained he did not want to show the amenities, because he really wanted a response on the floor plans without getting hung up on the other details. Marty Lyons stated the amenities can be added on once have decided on floor plan. Marty Lyons loves Thea's comment on addressing seating options.

[7:19:24 PM](#) Husbands would like to visually see where everything is at, stage seating, drinking fountains. Husbands also wishes for an indoor kitchen could happen. Marty Lyons stated one discussion taking place is if should have design in a stage or have vendors bring in their own as they have been doing.

[7:21:07 PM](#) Linnet appreciates all the work completed; asking if there is any way to create a roof top patio. Bliss stated that idea has been thrown out there before, but believes a report was done indicating that without additional structural support it was not an option. Bliss shares Linnet's concerns about the roof design and would love to do something more but budget is a concern. Linnet is really excited about this idea.

[7:23:30 PM](#) Mayor stated if have other thoughts to let Horowitz know. Mayor stated what asked was for overall concept and that is before them. Husbands understanding from two weeks ago saw visuals of outdoor space. Horowitz explained David Anttila had given some, ideas but was very clear he was not a designer. Husbands wants to know how the building is heated. Bliss stated it is gas forced air. Husbands asked if the windows need replaced. Horowitz stated she is going into the next agenda idea – the budget. Thea also suggested a fire pit. Mayor stated the city has a portable one.

[7:26:12 PM](#) Mayor opened public comment.

[7:26:29 PM](#) Luke Snell, owner of Luke's Pharmacy north of the project, a couple concerns he has – little disappointed that there is not an option for keeping alley way open. Thinks perhaps overshooting what needs to be offered here at the detriment of businesses and the public in general. Traffic count wise, very busy alley in city, thinks to shut off traffic there is a mistake. He really questions the big semis moving the way proposed by Marty Lyons. Would hope that it would not affect the parking. His suggestion is to not over shoot it.

[7:28:59 PM](#) Jim Parris, asks what the building will be used for in the winter and when no meetings or gatherings are happening.

Mayor closed public comment.

[7:34:07 PM](#) Thea can see Papoose Club using this space for their meetings. Mayor thinks the uses may follow what's being used at the Senior Connection, that we are limited with that kind of space within this community. Marty Lyons, imagines when these are done going to see pattern of use but will see pattern change as community sees how this space can be used. Thea recommended bike racks. Horowitz asked if ready to move into the budget.

NEW BUSINESS:

NB 076 Consideration of budget related to interim design for the Hailey Town Center building and property ACTION ITEM

[7:37:54 PM](#) Bliss explained preliminary cost estimate based off the floor plan he presented, noting big ticket items are cabinets, countertops, overhead door, new painting, staining exterior of building, new lighting, etc. A copy of cost estimate is on file with the Clerk's office.

[7:40:04 PM](#) Marty Lyons stated budget has been an evolving conversation, explaining how so. Marty Lyons stated their cost estimate is based off option number 2 presented. Marty Lyons explained how the estimate breaks down. Marty Lyon noted items not included – cost of tapping into existing water service, cost of potable water, irrigation point of connection, and electricity.

[7:46:55 PM](#) Martinez asked for comment from Lyn Drewien. Drewien stated she has been involved in all the meetings.

NB 077 Introduction of Diane Cordes' report on American Rescue Plan Act Funding opportunities and limitations ACTION ITEM

[7:49:06 PM](#) Heather Dawson stated she will be presenting this tonight and where she wants to start ... this is the preview of what's to come. [7:51:17 PM](#) Dawson explains within the report, she hits all the details and details are about the needs of City of Hailey. Dawson listed restrictions on use of monies. [7:53:44 PM](#) Dawson stated next part of the report goes into the impacts of Covid on the city of Hailey, Dawson goes on to summarize various impacts within Hailey.

[7:57:18 PM](#) Dawson stated last part of the report is a summary/conclusion, that if the city continues to do well and stay in its lane the private sector will continue to address the housing. Dawson stated the final rule made last month, it created a standard deduction for the lost revenue and staff found they could use the standard rule and claim the entire amount. Dawson asked for questions from council and public.

[8:00:46 PM](#) Husbands thought chip seal, in 2021 did not do it as Yeager focused on getting curb and gutter done on River Street. Yeager clarified did not do chip seal on River Street, that staff has been attempting to plan the chip seal with the improvements on River Street. Yeager clarified had URA funds for Chip Seal, was not part of the CIP Budget.

[8:02:45 PM](#) Martinez asked if allowed to use ARPA money to purchase property. Dawson stated no.

[8:03:03 PM](#) Linnet asked if would be able to work with ARCH or BCHA to provide funds for them to provide affordable housing. Dawson confirmed. Linnet thinks should talk to both organizations. Council agrees. Linnet thinks it would be important to take care of the one-time issues. Linnet wants to ensure not incurring an ongoing liability.

[8:05:23 PM](#) Thea, what would be really cool would be to reach out to other partners and leverage money and being able to accomplish more.

[8:05:55 PM](#) Husbands asked where the drinking fountains are located. Mayor stated it falls under access to clean drinking water. Yeager clarified asking if can have water fountains at all the parks. Husbands confirmed she would like at all the parks.

[8:08:35 PM](#) Dawson stated has not looked at that as an eligible use of the funds, that can go back and look at it. Dawson stated the next item is the draft ARPA budget that is associated with a lot of the questions they are asking. That the plan is a draft, rudimentary plan. Dawson explained the approach taken with the plan, we felt that taking care of street infrastructure with chip sealing, buying snow removal equipment and to make sure people have transportation infrastructure, that we would be serving the general community broadly, including the underserved citizens.

[8:11:23 PM](#) Dawson asked Linnet what percentage of this money he sees going towards ARCH and BCHA. Linnet is unsure yet, it would be dependent on the projects they have going on but potentially a significant amount. [8:12:45 PM](#) Linnet suggests reaching out to ARCH and BCHA that have money that could be potentially used for affordable housing. Mayor asked if could work with Spur as well. Horowitz confirmed. [8:13:20 PM](#) Mayor asked how set in motion that either own or have control over properties that can use for employee housing, that go forward with return of investments. Yeager stated since cannot purchase property, could use funds towards Capital Plan then use funds from Capital Plan elsewhere.

[8:14:45 PM](#) Mayor opened public comment.

[8:14:53 PM](#) Justin Blacksmith, comments on ARPA funds, joined late but sounds like Sam is on the same page, in supporting housing. Things on the budget could be covered with grants or savings but does not think makes intent with bill, if look at non-profits, to serve the community. Echoes what Sam is saying, focus on housing before deferred maintenance.

[8:16:36 PM](#) Mayor closed public comment.

NB 078 Introduction of ARPA Budget for FY 2022 through 2024, the ARPA spending period ACTION ITEM

[8:17:00 PM](#) **Martinez motioned to adjourn. Thea seconded. Motion passed with roll call vote: Husbands-yes, Linnet-yes, Thea-yes, Martinez-yes.**