

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MARCH 3, 2014
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 Carol Brown, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

[5:30:18 PM](#) Call to order

[5:30:36 PM](#) Burke moves to amend agenda with the late added item for Executive Session, motion seconded by Cooley, motion passed unanimously.

Open Session for Public Comments:

[5:31:13 PM](#) Peter Lobb, Hailey resident has a suggestion and comment, there is a discussion going on right now in the legislature within the LGBT community wanting protection in state statutes, cities can pass their own legislation regarding this, economic argument for it too. Pocatello already has adopted this same ordinance. The more cities that adopt this may influence the state legislature. Lobb implores to the council to consider this at some point.

Mayor Haemmerle comments on Lobb’s request. We should not try to duplicate our Constitutional rights.

[5:36:47 PM](#) Jane Drussel speaks to council, asks if there is anything that can be re-considered to adopt an electronic message sign. Drussel is willing to help in any way she can.

Haemmerle responds that the Planning and Zoning Commission is re-writing the ordinance to consider it at some point in the future. Discussion ensued, Drussell will contact Micah Austin for time of next Planning and Zoning Commission meeting. Burke is in favor of the zoning district and the one electronic display sign.

CONSENT AGENDA:

CA 048	Motion to ratify mayor’s letter of continued funding support to Mountain Rides Transportation Authority, which documents future match components for new MRTA grant applications, subject to budget approval.....	1
CA 049	Motion to approve Resolution 2014-10, ratifying amendment to TIGER II grant agreement which extends the term of the grant, amends the city contacts, and amends the budget to allow more CE&I expenses and less construction expenses under the grant paid portion of the project.....	3
CA 050	Motion to authorize waiver of construction noise ordinance limits to Friedman Memorial Airport for runway safety area improvements, which waiver would allow construction activities until 9:00 p.m. seven days per week during the period from April 28 through July 2, 2014.....	11
CA 051	Motion to approve Resolution 2014-11, authorizing agreement with Imperial Asphalt for crack fill services at the same price as 2013, \$2,480 per ton and estimates approximately 7 tons for this work on Fox Acres, Woodside and Countryside, \$17,360 total estimate	15

CA 052	Motion to approve Resolution 2014-12, authorizing a \$15,000 contract with Lantis Fireworks for 4 th of July fireworks display.....	21
CA 053	Motion to approve Resolution 2014-13, to authorize Hailey's 2003 Volvo Grader as surplus property, and authorize a 5-year lease of a new grader through Western States Equipment Company for \$18,058 annually, following trade-in of Hailey's 2003 Volvo Grader for \$70,000.....	31
CA 054	Motion to approve Resolution 2014-14, authorizing a \$31,461.80 contract with Pipeline Inspection Services, Inc for sealing the Woodside Well chlorine tank.....	49
CA 055	Motion to approve new fare schedule presented by A1 Sun Valley Taxi Company.....	65
CA 056	Motion to approve special event, Kiwanis Club of Hailey Car Show to be held at Roberta McKercher Park (Saturday, August 2 nd , 2014 from 8:00 a.m. to 5:00 p.m.).....	69
CA 057	Motion to approve special event, Hailey's Antique Market to be held at Roberta McKercher Park (Friday July 4 th thru Sunday July 6 th from 9:00 a.m. to 6:00 p.m.).....	75
CA 058	Motion to approve special event, Hailey's Antique Market to be held at Roberta McKercher Park (Friday August 29 th , Saturday August 30 th , Sunday August 31 st from 9:00 a.m. to 6:00 p.m.).....	81
CA 059	Motion to approve special event, Hailey's Main Street Antique Show being held on North Main Street (Friday July 4 th thru Sunday July 6 th from 9:00 a.m. to 7:00 p.m.).....	87
CA 060	Motion to approve special event, Hailey's Main Street Antique Show to be held on North Main Street (Friday August 29 th , Saturday August 30 th , Sunday August 31 st from 9:00 a.m. to 7:00 p.m.).....	93
CA 061	Motion to approve special event, Girls on the Run Community 5K & Healthy Living Expo beginning and finishing at Heagle Park (Saturday, May 17, 2014 from 9:30 a.m. to 12:00 p.m.).....	99
CA 062	Motion to approve special event, Northern Rockies Music Festival to be held at Hop Porter Park (August 1-2, 2014 - Friday from 5:00 p.m. to 10:00 p.m. & Saturday from 1:00 p.m. to 10:00 p.m.).....	105
CA 063	Motion to approve minutes of February 3, 2014 and to suspend reading of them.....	111
CA 064	Motion to ratify claims for expenses incurred during the month of February, 2014, and claims for expenses due by contract in March, 2014, claims paid week of February 17 th , 2014.....	117
CA 065	Motion to approve claims for expenses incurred during the month of February, 2014, and claims for expenses due by contract in March, 2014.....	155
CA 066	Motion to approve Treasurer's reports from January 2014.....	179

[5:41:29 PM](#) CA 49, and CA 53 pulled by Ned Williamson
CA 63 Burke pulled this item to abstain
CA 50, pulled by Haemmerle

[5:41:59 PM](#) Burke moved to approve all consent agenda items minus CA 49, CA 50, CA 53 and CA 63, seconded by Brown, motion passed unanimously.

CA 63 - [5:42:25 PM](#) **Brown moved to approve minutes, Keirn seconded, motion passed, with Burke abstaining.**

[5:42:45 PM](#) CA 49, Williamson clarifies a statement, on the Agenda Item Summary, page 3 of the council packet, in middle section (Fiscal Impact/Project Financial Analysis), second sentence last phrase "once they are determined." Williamson states that Hailey is not paying unless we voluntarily agree to it or ordered to pay it. Williamson will clear it up and return to council at next meeting.

[5:46:21 PM](#) CA 53, Williamson stated that the lease is not attached to the council packet documents, very close to finalizing the review of the lease, he suggests approving the resolution with the lease subject to attorney review.

[5:47:04 PM](#) **Burke moves to approve Resolution 2014-13 for the grader lease with Caterpillar Financial Services Corporation, 5 year lease at \$18,058.66 cost per year, subject to lease review by city attorney, if necessary further consideration by council, seconded by Cooley, passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

[5:47:55 PM](#) CA 50, Haemmerle pulled this item to bring attention to this request for a waiver of our noise ordinance to authorize construction at the Friedman Memorial Airport between April 28 and July 2, 2014. Haemmerle states the need for this work to be completed in a timely fashion. [5:48:43 PM](#) **Burke moved to approve CA50 noise waiver for construction at the airport, seconded by Cooley, passed unanimously.**

MAYOR'S REMARKS:

[5:49:34 PM](#) Haemmerle bids farewell to Tom Hellen our Public Works Director and City Engineer, he is moving to Colorado for bigger and better opportunities. Haemmerle presents a gift to Tom Hellen.

PROCLAMATIONS AND PRESENTATIONS:

PP 067 Hailey Chamber of Commerce Quarterly presentation

[5:52:28 PM](#) Pat ,Bowton Chamber office manager and events coordinator gave an update to council, report is in tonight's packet. The report included a summary of events sponsored by the Chamber, including Halloween Hoopla and Hometown Holiday Square. There are 286 chamber members now.

Haemmerle points out the necessary fund raising need for fireworks show. The city usually pays \$20,000 for the show and this year only \$15,000, the City, Chamber and the Community need to help keep the show going by donating.

PP 068 Mountain Rides update

[5:59:03 PM](#) Mountain Rides, Jason Miller speaks to council. Miller is reporting higher airport traffic for Mountain Rides. The valley route has been growing, averaging 15,000 rides/month. Overall ridership has been declining over the past few years.

Bikeshare is moving into Boise now. The same company that providing the Valley with bikes is providing bikes to the Boise program.

Dawson asks what is the safety audit? Miller responds that it is an ICRMP assessment, and suggestion of training and policies, and inspection program.

Haemmerle asks what funds may be required to offset any impact to Hailey's routes. Miller responds that he will know this information by mid-May.

APPOINTMENTS AND AWARDS:

AA 069 *Appointments to Hailey Art & Historic Preservation Commission with Resolution 2014-15(vacant seats left by Tammy Eaton and Mark Kashino)*

[6:04:49 PM](#) Arts Historic Preservation Commission appts.

[6:05:14 PM](#) **Burke moves to appoint April Macleod and Errin Bliss to the Arts and Historic Preservation Commission with Resolution 2014-15, seconded by Cooley, motion passed unanimously.**

AA 070 *Appointments to Hailey Art & Historic Preservation Commission with Resolution 2014-15(vacant seats left by Tammy Eaton and Mark Kashino)*

[6:06:25 PM](#) **Cooley nominates Robin Crotty to the Parks and Lands Board, Keirn seconds, motion passed unanimously.**

PUBLIC HEARINGS:

PH 071 *Airport discussion (next FMAA meeting is March 11, 2014) –documents in packet were provided during the February 2014 FMAA meeting*

[6:08:35 PM](#)

No public comments.

Haemmerle notes that the potential sites for selection are “clean” – meaning there is no political complications with any site. Haemmerle feels that we (Hailey) are comfortable with moving forward with the master plan document.

Haemmerle announces that Susan McBryant has resigned from her Hailey FMAA seat. Haemmerle let council know to be prepared for replacing this vacancy in the next meeting.

PH 072 *Biosolids Treatment Project*

- *Update on Project Status*
- *Communications Protocol through Staff Transition*
- *Resolution 2014-16, authorizing contract with financial advisor Eric Heringer of Seattle Security Northwest*
- *Resolution 2014-17, authorizing contract for bond counsel with Mike Stoddard of Hawley Troxel*

[6:11:50 PM](#) Tom Hellen opened this item, Hailey is having a baby, due date March 15. Mike Zeltner with HDR reviewed a presentation. Plan is to deliver project manual and cost estimate for the March 17th council meeting. Zeltner showed a 3-Dimensional image of what the shop might look like. Zeltner gave a construction cost summary, right now ranges from \$3.8 million to \$5 million. Construction costs have been increasing upwards of 7-8% compared to a year ago – Seattle was the area looked at for this estimate. Project cost summary, probable project cost

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right now is around, \$4.8 to \$6.5 million. Williamson asks how the engineering costs were calculated, Zeltner answered. [6:20:32 PM](#). Contractor pre-qualification, 67.28.3 prequalify contractors. Zeltner reviewed a preliminary schedule based on several scenarios.

[6:24:58 PM](#) Haemmerle asks if there is an open back structure, Zeltner comments that the tanks are covered, can't walk in it but you can open the covers. Haemmerle asked how long a facility like this will last, Zeltner answered, the building 50 years or so and the equipment, 15-20 years properly maintained.

[6:30:02 PM](#) Burke asks about the increasing construction costs, the estimates Zeltner is providing would be good for construction through mid 2015.

Public comments:

[6:31:12 PM](#) Peter Lobb asks hypothetically, a design flaw, what happens, does this work in the same way? Zeltner comments that HDR carries E&O insurance. Williamson states that if a design flaw, it would be responsibility of HDR. Equipment is warranty by seller.

Lobb continues, how do you reduce risk?

[6:34:05 PM](#) Tony Evans asks if city will go to bond before construction? Response, Brown states we must go to bond before construction begins.

No Council Discussion;

Haemmerle asks if council needs to act on the Resolutions in the packet. Dawson affirms yes, [6:36:10 PM](#) that the Resolutions will approve contracts which will allow these consultants to work on our bond ballot and financial aspects.

[6:36:30 PM](#) No public comments

[6:37:18 PM](#) Motion to approve Resolution 2014-16 authorizing agreement with Financial advisor and Resolution 2014-17 authorizing contract with bond counsel made by Keirn, seconded by Burke, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.

PH 073 Proposed Ordinance amending how Wastewater base rates are set for new occupants of Townhomes/Condos where irrigation is on the homeowner's association meter, and for individuals moving from one metered service to another within the Hailey City Limits

Tom Hellen gives a summary of the situations which led to the proposed ordinance today.

No public comments.

After a short discussion council decides to make a motion.

[6:41:55 PM](#) Keirn moves to adopt Ordinance No. 1145, conduct 1st reading, seconded by Burke, Brown appreciates the staff work and it feels fair to the citizens. Motion passed unanimously.

Mayor Haemmerle conducts the 1st Reading of Ordinance No. 1145, by title only.

PH 074 Fee Amendments and New Fees

- *Proposed Ordinance No. _____ amending development fees for permanent signs, portable signs, and*
- *developments within the floodplain that have no substantial impact*
- *Proposed Resolution 2014-18, setting new fee for color copies at the Hailey Public Library*

[6:44:32 PM](#) Micah Austin presented to council. Austin stated that the amendments reflect actual reimbursement of staff time. Austin explained the changed fees, portable sign renewals reduced from \$50 to \$20, flood plain fees for non-substantial impact.

No Public comments;

[6:47:47 PM](#) Council comments appreciates fees being reduced.

[6:48:03 PM](#) Burke moves to adopt Ordinance No. 1146, read by title only, seconded by Cooley, motion passed Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.

Mayor Haemmerle conducted the 1st reading of Ordinance No. 1146, by title only.

[6:49:05 PM](#) LeAnn Gelskey presents rationale and reasons for this new service and fees.

[6:51:26 PM](#) Keirn moves to adopt Resolution 2014-18 adopting color copying fees at the Library, seconded by Burke. Motion passed unanimously.

PH 075 2nd Reading of Ordinance No. 1144 – Noise Ordinance

[6:52:03 PM](#) No public comments.

Dawson points out the comments in the council packet from Ginna Lagergren. Keirn responds that the purpose is to reduce noise levels at residences not public places.

Mayor Haemmerle conducts [6:54:27 PM](#) the 2nd reading of Ordinance No. 1144 by title only.

PH 076 Proposed Ordinance No. _____ to revise sections of Title 15 of the Hailey Municipal Code, the Building Ordinance, by amending chapter 15.08 and subsections within to include a re-roof fee, fireplace fee, Build Better Program modifications, definitions, and specifics for building requirements

PH 076 – building ord.

[6:55:37 PM](#) Micah Austin gave the background of this change to the Build Better Program, voluntary to mandatory. We had a 50% fee reduction, now 10% fee reduction. Re-roof fee, flat fee. Adding a fire place installation fee, \$75. Requiring building permits for buildings larger than 200 sq. feet.

No public comments.

[6:58:30 PM](#) **Burke moves to approve Ordinance No. 1147, Build Better Code Amendments, authorize Mayor to conduct 1st reading by title only, motion seconded by Keirn. Motion passed unanimously.**

[6:59:24 PM](#) **Mayor Haemmerle conducts 1st Reading of Ordinance No. 1147, by title only.**

NEW BUSINESS:

NB 077 Consideration of Backflow Prevention Program

[7:01:32 PM](#) Pat Cooley met with Heather Dawson and Tom Hellen. An outside source was found, but the services the outside party would provide, is something that the city already is doing and can do. Also, a \$12.95 additional charge to the user is not palatable. Cooley believes that the City can handle this. Brown, asked who would be doing this. Cooley answered the Utility Billing clerk. Cooley then suggested public outreach to educate the public regarding the state mandate.

[7:06:39 PM](#) Dawson added that the Our Town news article on backflow prevention was mailed with this month's water bill and noted an approximate fee of \$65 for the backflow inspection.

STAFF REPORTS:

[7:08:13 PM](#) Micah Austin stated that the Planning and Zoning Commission has had 2 public hearings and will have a 3rd next week on the school CUP process. Brown asked if Syringa Mountain School has found a building. Austin answered yes, Deane Johnson's former building.

[7:09:48 PM](#) Dawson announced the upcoming Conjunctive Management. Seminar being sponsored by the Wood River Land Trust. Dawson and Kelly Schwarz will attend it on Friday March 7th at the Community Campus 8:30-4 pm.

[7:10:14 PM](#) Jeff Gunter announced that the Hailey Police Department received a \$4,700 Seagraves grant which will pay for ballistic vests.

[7:10:27 PM](#) Brown will be at the Conjunctive Management. Seminar on Friday.

[7:10:42 PM](#) Keirn and Haemmerle will be out on March 17th. Possible meeting earlier in the week.

[7:13:41 PM](#) Burke had a really good experience with the city of Hailey. Frost free leak, happy for the flexibility and helpfulness of the water department.

[7:15:03 PM](#) Haemmerle congratulates Kelly Schwarz on the nice looking city streets.

EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f)), and Personnel (IC 67-2345(1)(a/b))

[7:15:26 PM](#) **Keirn moved to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)), and Personnel (IC 67-2345(1)(a/b)), Burke seconds, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

Mayor Haemmerle and council came out of Executive Session and concluded the meeting at 7:25 P.M.