

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD MARCH 8, 2010  
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 Rick Davis. Present were Council members Carol Brown, Don Keirn, and Fritz Haemmerle. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

Bob Wiederrick of 1120 Quigley Road spoke to council. Wiederrick feels that the business license ordinance is being unfairly upheld in Hailey. Wiederrick named several businesses which he stated never had business licenses. Mayor Davis asked to have a copy of the list. Wiederrick stated that he would get a copy of his list to the Mayor.

Haemmerle asked for a report of the analysis submitted to council when it is available.

Bob McLeod – 417 East Myrtle – school sign by Rodeo Grounds does not have Bowe Bergdahl’s name on it any longer. Why not? Does this mean we are not supporting him? Mayor Davis replied, absolutely not. We are just using the sign for many different functions that we have around the city. The yellow ribbons are still up around the city in support of Bowe. Krista Gehrke Hailey Chamber of Commerce board, asked if council wants to put more yellow ribbons up for Bowe Bergdahl along Main Street. Mayor Davis will get with the Parks & Lands Board and then let Gherke know.

**CONSENT AGENDA:**

CA 078	Motion to approve transfer of alcohol beverage license for 3 Jax Inc. dba McClain’s Pizzeria from Salsardo, Inc (license from former Main Street Bistro Restaurant).....	1
CA 079	Motion to approve Resolution 2010-04 and authorize the Mayor to sign ITD Grant application for SUN 2010 (3-16-0016-034 for Friedman Memorial Airport - \$20,000 grant .....	9
CA 080	Motion to ratify Mayor’s signature on support letter to Idaho Dept. of Commerce on behalf of ICDBG grant application by Blaine County Senior Center to upgrade ADA accessibility to building and parking lot.....	17
<del>CA 081</del>	<del>Motion to approve and authorize the Mayor to sign Security Agreement for Frosty Acres PUD .....</del>	<del>19</del>
CA 082	Motion to approve Special Event Hailey Chamber of Commerce Staycation/Scavenger Hunt Downtown Hailey on 1 <sup>st</sup> Ave. N between Bullion & Carbonate 3/15-3/19 (street closure on 3/19) 3-8 pm .....	23
CA 083	Motion to approve Special Event Sun Valley Center for the Arts Concert June 25, 2010 5-9pm .....	35
<del>CA 084</del>	<del>Motion to approve Special Event The Advocates Carbonate Hill Climb April 24, 2010 8am-4pm .....</del>	<del>47</del>
CA 085	Motion to ratify mayor’s signature of second application requesting \$1,500 from the Idaho Commission on the Arts for funding for Hailey Entryway Marker (formerly applied for as Welcome to Hailey sign).....	61
<del>CA 086</del>	<del>Motion to approve minutes of February 22, 2010 and to suspend reading of them.....</del>	<del>71</del>
CA 087	Motion to approve claims for expenses incurred during the month of February 2010 .....	81
<del>CA 088</del>	<del>Motion to approve Treasurer’s report and LOT .....</del>	<del>99</del>

Brown pulled items CA 088 & CA 084 for clarification.

Haemmerle pulled item CA 081 to disclose a conflict of interest and CA 086 to revise the minutes.

**Keirn moved to approve all other consent agenda items minus CA 081, CA 084, CA 086 and CA 088, seconded by Haemmerle, motion passed unanimously.**

CA 084 - Brown wanted to clarify that the City is sanctioning the part of the Carbonate Hill Climb which takes place on city property only.

**Motion to approve CA 084 by Brown, seconded by Keirn, motion passed unanimously.**

CA 081 – Haemmerle disclosed a conflict of interest on this item.

**Brown moved to approve CA 081, seconded by Keirn, motion passed.**

CA 086 – Haemmerle stated that the paragraph (page 77 of packet) should read “Haemmerle got a call from a concerned neighbor about a neighbor operating a business....”

**Keirn moved to approve the minutes as amended, seconded by Brown, motion passed unanimously.**

CA 088 – Brown appreciates the new format for the LOT report from the Treasurer. Brown also commented that we may not be spending a whole lot more depending on the receipts coming in over the rest of the fiscal year.

**Brown moves to approve LOT and treasurer’s report, seconded by Keirn, motion passed unanimously.**

**MAYOR’S REMARKS:**

Mayor Davis presented Heather Dawson with a 20 year plaque and thanked her for the many years of service to the City.

*MR 089 Challenge from Mayor Davis to Hailey residents to respond to the Census 2010 form*

Mayor Davis asked the community to participate in the Census 2010. Hailey’s participation rate from the 2000 Census was 64% with the national average at 72%. Mayor Davis hopes that Hailey’s participation rate will be around 82%.

**PUBLIC HEARINGS:**

*PH 092 An application by Hartland Development Company, LLC for annexation of Lot 1, Block 1, Stevens Family Ranch, LLC Subdivision (70 Broadford Road). The property comprises approximately 21.81 acres and lies generally west of Airport West Subdivision and south of Della View/Broadford Estates Subdivision. The property is now largely undeveloped within Blaine County and zoned Residential - 1 acre lots (R-1) and Flood Plain (FP). A future residential subdivision of up to 94 units and General Residential (GR) zoning is proposed. The Planning and Zoning Commission recommends denial of this application (continued from January 25 and February 22, 2010)*

Haemmerle asked the Mayor if he wanted to change the order of the agenda. After a short discussion the Mayor announced that the Colorado Gulch application will be continued tonight to the March 22<sup>nd</sup> meeting because of some late arriving information received that the Council needs time to review.

Robrahn clarified that the new information was from Jim Laski, attorney for the applicant. The information is analysis of the Hailey Comprehensive Plan performed by Laski. Robrahn will post this information on the Planning and Zoning website.

Carol Brown will be out of town for the March 22<sup>nd</sup> meeting but will call in by phone to be a part of this discussion.

**Keirn moves to continue Colorado Gulch to March 10, 2010 and depending on the availability of all council members, seconded by Brown, motion passed unanimously.**

Mayor Davis resumed to the agenda outline for Presentations.

### **PROCLAMATIONS AND PRESENTATIONS:**

*PP 090 Presentation from The Land Water and Wildlife Advisory Board (20 minutes)*

Presentation was given by Ben Sinnamon, member of the Levy Advisory Board (LAB). Jeff Adams from Blaine County was also present to answer questions from council. Other members of the LAB present tonight are Tom Page co-chairman and Wendy Pabich. The LAB is asking for help, not money from Hailey in implementing the Land Water and Wildlife Levy approved by voters in 2008. Sinnamon discussed the board, its purpose, and plan to implement the program. The LAB meets twice a month since September and has formed 3 sub-committees; technical, policy and workshop/communications committee. The County does not have any plan to buy land only work conservation partners to manage areas. Over the next couple of months (March 31 Hailey and April 2<sup>nd</sup> in Ketchum) workshops will be held to ask for participation from the community on what the county should do with this money raised by the levy.

Brown asked a question. The easements would reside with the partners such as Nature Conservancy, and Wood River Land Trust, not with the county. Sinnamon confirmed yes. Tom Page then explained the eligibility process. Haemmerle asked if they specified

their goals before taking this to voters in 2008. Sinnamon spoke to the history of this process and explained that the levy language needed to be broad enough to be able to apply the funds where needed most. The levy language chosen reflected the priorities of the conservation goals but broad enough to spend the money in the wisest way possible. Jeff Adams pointed to the resolution adopted which was passed before this was taken to voters and was more specific.

Bill Hughes of 241 Eureka Drive offers his support to this group. Hughes thanks this group and its partners for their work done.

Sinnamon also encouraged the public to visit the website for more information, and minutes from meetings [www.blainecountylab.wordpress.com](http://www.blainecountylab.wordpress.com).

*PP 091 Presentation from Mountain Rides Transportation on the proposed circular bus route (15-20 minutes)*

Jason Miller with Mountain Rides spoke to council regarding the commuter bus for Hailey. They will be back in front of council on March 22 to discuss the focus group results. Jim Finch Mountain Rides Operations Manager and Erikka Gulbranson Marketing/Outreach Coordinator are also present tonight to talk about this new service. This is a fixed route but flexible enough to pick up riders at additional locations when given notice.

Jim Finch spoke to council. Finch explained where the bus would begin pick ups and some of the stops along the way.

Erikka Gulbranson spoke to public comments. Tomorrow from 11-1 they will be at Atkinson's talking to the public handing out maps and getting feedback for the next council meeting. Other places the public can get information regarding the new commuter bus schedule is at Albertson's, and Community Campus (room 903). They will also be going to the Senior Center to talk about this plan.

### **PUBLIC HEARINGS:**

*PH 093 A city initiated text amendment to Article 8.2, Signs, of the Hailey Zoning Ordinance No. 532. The amendments would reorganize procedures and standards, clarify standards for all types of signs permitted, create a new section to address signage for multi-tenant buildings, amend the sign area allowed for portable signs, and limit the number of portable signs permitted per business and permitted within the public right-of-way. The Planning and Zoning Commission recommended approval of the amendments (continued from February 22, 2010 meeting)*

Mariel Platt discussed the amendments and changes from comments in the last council meeting. Platt gave alternatives to council which had not been discussed. One idea is to not allow balloons on portable signs. Another option is to eliminate portable signs not

HAILEY CITY COUNCIL MINUTES  
March 8, 2010

directly in front or in close proximity to the business. Or adopt a way finding system, examples in tonight's packet. One sign for multiple businesses to use is another idea Platt suggested that council consider.

Krista Gehrke with the Hailey Chamber of Commerce understands why portable signs are used but likes to walk and ride her bike on the sidewalks. Gehrke feels there is a balance between the number of signs displayed and a way to help people find businesses.

Keith Joe Dick – 180 2<sup>nd</sup> Street, Ketchum owns a sign business and feels there is no easy answer to this problem (of having a business off of Main Street). Dick likes the idea of portable signs but thinks it will look messy if allowed to continue. Dick understands the rationale around limiting corner signs to 2 will be an eventual problem. Dick offered maybe a permanent kiosk is the answer.

Bob McLeod representing the Blaine County Museum – they have a permit for their “open” sign. A tree blocks their Main Street sign and this portable open sign helps people know that there is a business in that spot.

Brown likes the pedestrian friendly signs to help people navigate their way around and find businesses.

Keirn asked Gehrke to get some business owners together to gather feedback on these issues discussed tonight. Gehrke is happy to pull a group together to help collect thoughts and comments from the public.

Haemmerle is okay with eliminating balloons since staff feels this is a safety hazard. Haemmerle likes the idea of a sign in close proximity to the business unless all the businesses got together and came up with another solution.

Robrahn thanks council for their ideas on the way finding signs they've discussed tonight.

Platt recapped council's discussion – no balloons on portable signs, staff needs to figure out how to limit signs on corners without causing heartburn with businesses.

*PH 094 Tanglewood Condominiums Preliminary Plat – request to extend deadline to submit Final Plat*

Brown is more comfortable with a one year extension rather than 2 years (which is consistent with other extensions council has granted in the past year or so). Keirn is okay with 1 year.

**Haemmerle makes a motion for a 1 year extension, seconded by Brown, motion passed unanimously.**

## **OLD BUSINESS:**

### *OB 095 Discussion of MOU for Development of Replacement Airport and Redevelopment of Friedman Memorial Airport*

Williamson has spoken with Tim Graves and will speak again with him soon. He hopes to have something for the next council meeting.

Haemmerle hopes that the county has the same emphasis on this MOU than Hailey does. Next meeting between Graves and Williamson is on Wednesday March 10, 2010.

Robrahn gave council an update regarding the RFQ process of the airport redevelopment. Robrahn met with the county and the airport authority. The FMAA feels they should get the funding for this and asked Rick Baird to look into this process. Robrahn thought that it would be a 1-2 month process for Rick Baird before the RFQ could be sent out.

### *OB 100 2nd Reading of Ordinance 1053 by title only - extending garbage franchise with Clear Creek Disposal for an additional two years*

Mayor Davis opened the floor to public comment even though it is the second reading of the franchise ordinance.

Dave Patterson representing Sweet's Portable Waste Services in Shoshone - 403 South Rail Street West. Patterson has problems when he attempts to put garbage containers in Hailey - he gets threats that he will get arrested if he proceeds with placing the construction containers in Hailey. Patterson adds that Hailey is the only city that does not allow competition on trash receptacles. Patterson wants to bid on garbage and recycle when the franchise has expired. Patterson sent an employee to the City to speak to Dawson 6 months ago in anticipation of this expiration and is disappointed that the City is not opening this up to bids now.

Brown asked to be reminded about the 2 year extension decision. Williamson gave council a summary on the process that led to this extension decision. And then Williamson cited a Supreme Court ruling stating that cities are allowed to have exclusive franchises for rubbish.

Patterson wants the option to bid for the construction dumpsters in Hailey.

Based on Patterson's comments, council discussed the potential for a 1 year extension instead of a 2 year extension for Clear Creek. Brown is not happy with this situation but is willing to move on with the 2 year extension.

Mayor Davis will conduct all ordinance readings at the end of the meeting.

Mayor Davis changed the agenda order to discuss New Business item 101 next.

HAILEY CITY COUNCIL MINUTES  
March 8, 2010

## **NEW BUSINESS:**

### *NB 101 Discussion and consideration of First Amendment to Annexation Agreement – Woodside Elementary School*

Williamson gave an overview to council regarding this item.

**Haemmerle makes a motion to approve the 1<sup>st</sup> Amendment To Annexation Agreement – Woodside Elementary School, seconded by Keirn, motion passed unanimously.**

### *NB 102 Discussion of selection team's recommendation for Fire and EMS Consultant's Proposals, and decision regarding city council's ranking of consultants*

Dawson gave council an overview on the process to date. Staff independently reviewed the proposals and all came up with the same two as their preferred proposals. Wood River Rural is looking at these same proposals tomorrow. Bellevue will look at these soon. Blaine County has not decided to be a part of this yet. Dawson thinks a late April or May meeting will be in order.

## **STAFF REPORTS:**

Brown announced that a HERS demonstration will be at her home 9:30 am Wednesday morning. Brown will be traveling and will miss the 3/22 meeting but will call in for that meeting.

Keirn missed a meeting this morning that Bob Youngman hosted regarding the formation of the Sun Valley Resort Marketing Committee. Linda Haavik did attend the meeting and is present tonight. Youngman spoke about the study that they have had done and what they would like to put together to have funded answered Haavik. They were thinking about having Youngman speak to the Sustain Blaine group at some point in the future. Fly Sun Valley Alliance meeting they straightened out the by-laws to state that the elected officials cannot vote. Horizon Airlines flights are up compared to last year. Skywest will try to keep the Embrarer plane in the air for a longer period of time so that it bridges the gap for the transition to the new relocated airport.

Haemmerle attended a meeting with the Director IDWR who indicated that Conjunctive Management will be in the Wood River Valley by the year 2014. Haemmerle suggested that we need to have a good mitigation plan for municipal water rights to prepare for this future.

Dawson announced another grant awarded to Hailey \$237,000 to retrofit the Wastewater treatment plant with solar panels and other energy efficient measures. To date the grant tally for Hailey is almost \$700,000.

Brown has library board meeting this week.

**OLD BUSINESS:**

*OB 096 2nd Reading of Ordinance 1049 by title only - amending Hailey's Zoning Ordinance, Ordinance No. 532, and the Official Zoning Map incorporated therein, by changing the zoning district designation of the Hailey Zoning Map, Blocks 128 and 133, Hailey Townsite from Limited Business (LB) to Business (B).*

**Mayor Davis conducted the 2<sup>nd</sup> reading of ordinance 1049 by title only.**

*OB 097 2nd Reading of Ordinance 1050 by title only - amending Title 14 Annexation procedures*

**Mayor Davis conducted the 2<sup>nd</sup> reading of ordinance 1050 by title only.**

*OB 098 2nd Reading of Ordinance 1051 by title only - amending Title 5 business license ordinance*

**Mayor Davis conducted the 2<sup>nd</sup> reading of ordinance 1051 by title only.**

*OB 099 2nd Reading of Ordinance 1052 by title only - amending Hailey's Zoning Ordinance, Ordinance No. 532, and the Official Zoning Map incorporated therein, by changing the zoning district designation of the Hailey Zoning Map, Lots 4-10, Block 69, Hailey Townsite from General Residential (GR) to Limited Business (LB)*

**Mayor Davis conducted the 2<sup>nd</sup> reading of ordinance 1052 by title only.**

*OB 101 2nd Reading of Ordinance 1053 by title only - extending garbage franchise with Clear Creek Disposal for an additional two years*

**Mayor Davis conducted the 2<sup>nd</sup> reading of ordinance 1053 by title only.**

With no further business Mayor Davis adjourned the meeting at 7:36 P.M.

---

Rick Davis, Mayor

---

Mary Cone, City Clerk

HAILEY CITY COUNCIL MINUTES  
March 8, 2010