

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD APRIL 10, 2020
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at _____ P.M. by Mayor Martha Burke. Present were Council members Heidi Husbands, Kaz Thea, Sam Linnet, and Juan Martinez. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

[2:00:02 PM](#) Call to order by Mayor Burke

Open Session for Public Comments:

[2:00:51 PM](#) Kris Josey, thank you to all involved in re-working the guidelines, they are workable, arborists, landscapers. Burke asks, her to hold thoughts until that discussion.

Mayor wants to discuss Public Hearing item first.

MAYOR'S REMARKS:

MR 165 Discussion of City's media and communication plan ACTION ITEM.

PUBLIC HEARINGS:

PH 166 discussion of Public Health Emergency Order No. 2020-01 which expires April 12, 2020 with consideration of an order extending beyond April 12th ACTION ITEM

[2:02:32 PM](#) Horowitz, Simms will walk through the options. This morning received comments. Clean and marked up versions are in packet. Horowitz, reviewed changes in items. All mayors#10, unenforceable. #13, like stricter language on lunch, not leaving site.

[2:13:04 PM](#) Simms reviews options, to get this into manageable options, not a full scope but educated guesses. There are 3 basic choices, extension as we are now with choices on time and scope. 2nd item, extension and open up construction with, and then 3rd let this order sunset on Sunday at midnight, no idea what Governor is going to do. Now have 4th item, transportation travel component. Both options that he's drafted have slight amendments from Jim Laski and Chris Pomeroy, clarifying that we do not have or intend to have jurisdiction over the airport.

[2:16:13 PM](#) Dawson, staff is not recommending the sunset option, because governor won't do anything until next Wednesday.

Burke asks for public comments which options:

[2:17:35 PM](#) Kris Josey likes the changes works for landscaping and arborists, will all jurisdictions adopt same standards? Want them to all be on board and have same time frames.

[2:19:07 PM](#) teri Johnson sawtooth plumbing, agrees with Josey, would like all jurisdictions to be the same too.

Council deliberation

[2:20:07 PM](#) Thea starts with discussing the consistency issue. We should be consistent across all jurisdictions, modifying 10,13,16, is okay with less restrictive on these items. Thea is okay with this because of the intro paragraph, because we need the managers/supervisors take ownership of this process and be helpful in reporting non-compliant businesses with the protocol.

[2:22:41 PM](#) Martinez, in favor of adopting the guidelines for being infractions, looks like what we are looking for. The intent is to keep the spread down, accomplished that with these standards. There are many businesses that have already adopted these standards. Has confidence that contractors will abide by these standards with infractions.

[2:25:04 PM](#) Linnet wants to clarify this discussion. 2nd is the timing of these guidelines or not adopting these guidelines. Need to select options and then the time of the guidelines if adopted.

Burke, yes this is what we need to decide. What do we do, open up, hold public hearing.

[2:26:43 PM](#) Martinez, wants to see work resume on Monday April 13th.
Thea need to answer guidelines presented as changed.

[2:27:55 PM](#) Linnet happy with guidelines as amended and being consistent with other jurisdictions.
Martinez, ok.
Husbands ok with these too.

[2:28:55 PM](#) Thea what about the penalty? Police should decide whether or not to proceed with stop work order. Doesn't want more stringent but want stop work order if non-compliant.

[2:29:57 PM](#) Burke, if guidelines adopted by all cities, then mayors were okay with different penalties decided at the city level as manpower allows as we move forward.

[2:30:49 PM](#) Dawson, Mayor's of other cities, believed penalties could be wildly different and would not confuse the order details.

[2:31:39 PM](#) Simms, use of word guidelines, not regulation, is hearing that everyone wants penalties, can read into record so clear what council is voting on.

Burke, these will be guidelines not regulations.
Guidelines no teeth.

[2:33:55 PM](#) Horowitz, other cities are calling regulations wanted penalties.

Husbands wants regulations.

Thea wants penalty, wants to hear from Simms, but would prefer to have a stop work order. But is also okay with fee and the stop work order. Husbands, agrees with Thea. But believes non-compliance would be stop work order, so we can stop the spread.

[2:36:45 PM](#) Martinez, this is where he is confused. Guidelines we can issue a stop work order and it is the penalty. If we call guidelines, allows some things to play out in courts.

[2:38:07 PM](#) Horowitz all enforcement has two steps, want to comply and possibly misunderstood instructions, gives us benefit of doubt per situation.

[2:38:54 PM](#) Linnet we are not precluded to stop work order. Violation can be ticketed. But egregious violations could issue stop work order.

[2:39:47 PM](#) Steve England, agrees with this concept. Martinez, Husbands and Thea are good with it too.

[2:40:52 PM](#) Simms, amended section 9 language, option, he reads proposed language "...shall be guilty of an infraction punishable by a fine of \$300 if charged with violating local enhanced provisions and a misdemeanor with charged of violation of requirements of the Department of Health and Welfare Order." We would still retain stop work order authority.

[2:41:58 PM](#) **Linnet approves guidelines language as cited by Attorney Christopher Simms, Thea seconds, motion passed with roll call vote. Linnet, yes. Martinez, ye. Thea, yes. Husbands, yes.**

[2:42:55 PM](#) Burke now we have a timing issue.

[2:43:16 PM](#) Thea, if we look at option 2, some businesses non-essential, don't want to get confused with other businesses. Section 6 needs to be clear.

[2:44:51 PM](#) Dawson lets council know received verbal public comments, want to allow bicycle repair shops, wanted to let you know.

[2:45:32 PM](#) Linnet, starts with terrible decision to make, it was terrible last time too. The reason we first had this conversation about trades, felt like there was a loophole in essential services, did not believe construction made clear connection to health and welfare essential business. the point of doing all of this is that we quickly and effectively reduce spread of disease and reduce harm to our community. Local leaders and comments from professionals, we don't have enough data to see that we can open this up yet. Medical experts don't think this warrant lessening what we are doing. We have a really high occurrence, highest in country. Before we loosen restriction want to see decline. Lack of information, despite mental health and lack of income. If we lessen, we will peak again and then tighten down a second time. This is changing rapidly.

If we get significant information we can meet. If we loosen, and peak again, there may be public fatigue, and then lack of good faith judgement from them. At least 5 day extension.

[2:51:22 PM](#) Husbands, agrees with Linnet, sees both sides. Benefit to both, one more week would not hurt to see where we are going. She sees mental and economic sides, but quicker we flatten curve, then can reopen many businesses that are hurting. Want companies to prepare for another week, let them get supplies, then be ready to start with guidelines.

[2:53:30 PM](#) Thea, whatever we decide comes with risk, both options. 5 deaths out of 500 confirmed cases. There are probably 7,000 of us that have had this infection. As policy and decision makers, need to look at 3 tier approach, economic, health, physical and mental approaches. We need to reopen businesses, like the guidelines. At this point, want to open when balanced with physical and mental aspects. Vast majority have been mild to moderate in our valley, willing to take this risk. Want to open up with guidelines. Want supervisors to play fair and look out for your people and if see illnesses, report them. We don't have good enough testing for the asymptomatic people. Want all jurisdictions to be the same with guidelines and timeframe. Take is slow but start.

[2:59:00 PM](#) Martinez we all care about this place. Great leadership understands when we have great players involved, we have great contractors. You cannot quantify human life. These leaders we are intrusting with these guidelines care about keeping us safe. They can be trusted. Microscope will be on this community, and feel they can successfully carry this out. Want to see them all succeed.

[3:02:56 PM](#) Burke steps in to state her concerns and thoughts. Hailey is the majority of the workforce, Sun Valley does not have large part of their community on their job sites. Our neighbors are going be affected by going back to work. Second thought, people are beginning to get workers comp. payments, all employees are being paid right now. If you have an employee is unhealthy right now, if they go back to work because not eligible to collect unemployment, then put in hard place. Don't want to open and then restrict again. We are sweeping everyone in the same bucket. At this point, does not want to see open up yet. Don't have enough scientific knowledge yet, has been back and forth all day, and after listening to comments today. First and foremost, clear to me that we are not on same page.

[3:07:09 PM](#) Linnet, does trust contractors, don't believe our current actions, subjective intent, everyone is doing the best that they can. There is too much that we don't know.

[3:09:14 PM](#) Martinez lots of people don't believe that we can accomplish this.

[3:09:58 PM](#) Thea, this does add risk, but it is in their best interests to practice good stewardship. It will look bad on company's if people get sick.

[3:11:12 PM](#) Burke, don't want everyone to repeat comments. None of us has been here before. Her goal is to stamp out the unknown. Then address other needs in community. Want the science to tell me that we can return to the new normal without setback. Not prepared to take next step.

[3:12:54 PM](#) Thea, can we put off vote until other communities' vote?

[3:13:57 PM](#) Linnet not comfortable voting, we need to make vote what is best for Hailey, agree with Mayor. We are leaders, first decision. Martinez, agrees with Linnet, we cannot wait, we are leaders. Appreciates a conservative approach.

[3:15:30 PM](#) Burke our positions are clear and don't know, cannot imagine that we are all going to be on the same page on Monday. Call for a motion, halt construction for 1 more week.

[3:16:31 PM](#) Martinez is good for 1 more week on hold.

[3:16:46 PM](#) Linnet clarifies, option 1 in packet, Burke yes.

[3:17:06 PM](#) Linnet motions to approve Order option 1, seconded by Martinez, conservative approach is fine. Motion passed with roll call vote. Linnet, yes. Husbands, yes. Thea, no. Martinez, yes. Burke adds, we have an option to gather more information in the coming week to make a better decision. Thanks all for this difficult decision.

[3:19:08 PM](#) Thea asks practical question, if Hailey stands alone, how will this work, will be challenging at best.

[3:19:41 PM](#) Dawson, Ketchum planning on Saturday. Sun Valley's meeting is scheduled for Thursday. This is a timing issue but will be better informed after these meetings are held.

[3:20:08 PM](#) Simms, the mayors have been informed to act unilaterally. This is amendable.

New Business: item, Mayor Burke is feeling tapped out.

MAYOR'S REMARKS:

MR 165 Discussion of City's media and communication plan ACTION ITEM.

[3:21:13 PM](#) Dawson open this time. Prepared our current plan, stepped it up in late March. We have been piggybacking off other systems in place. i.e. police posts get traction when we share their posts. 3 biggest weaknesses, eblast systems is weakest. Propose asking the Chamber to have them share these items. 2nd weakness, broader discussion, don't want to just stop this newsletter. 3rd weakness, website, want to modernize it and know this collecting bids.

[3:24:03 PM](#) Linnet, do we currently have during an emergency, daily messages to departments, everyone is seeing one uniform message? Burke in theory, yes with fires and flood, yes. Carol Brown during flood, fires, PIO. There are 4 communities and a county, it is harder to have one voice. Linnet, understand that, thinking about Hailey. Wants to know there is a procedure for message to go through all types of methods. 7 or 8 communications per day? Yes, Linnet confirms. Linnet, thinks maybe a paragraph sent every day to all media.

[3:27:07 PM](#) Burke, what content would you want to see.

[3:27:26 PM](#) Martinez, chief story teller for the city, could use this, in narrative way, some way to see when looking back, diary form.

[3:28:10 PM](#) Thea, agrees with Martinez, need to get our message out daily. Very easy to do, one voice, using the information.

[3:29:38 PM](#) Burke suggests using Dawson's background. Contacting a social media company and get bids. Want to see something in place for the year. This might be helpful to look at this number.

[3:31:06 PM](#) Thea we need quotes for website redo. McKenna would be used for different purpose, now and then hire someone else later.

[3:32:18 PM](#) Martinez wants to hire McKenna too.

[3:32:40 PM](#) Linnet agrees with Martinez and Thea on website.

[3:33:46 PM](#) Burke wants to explore options. Want to know what's out there. Will bring to council for their review. Want to collect information and present to council, facts.

[3:35:05 PM](#) Thea wants to move quickly, have already lost 1 month on communication.

[3:35:45 PM](#) Simms, injects point of procedure, don't necessarily need to keep discussing.

Burke will move forward with haste.

[3:37:06 PM](#) **Linnet, motion to adjourn, Martinez seconds, motion passed unanimously.**