

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD APRIL 26, 2021
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 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.

[5:30:26 PM](#) Mayor Burke calls meeting to order and asks for motion to amend agenda with late items.

[5:31:04 PM](#) **Motion to amend agenda adding items CA 151, CA 152, CA 141 and CA 143 by Martinez, seconded by Thea. motion passed Thea, yes. Husbands, yes. Linnet, yes. Martinez, yes.**

Open session for public comments:

[5:31:59 PM](#) Craig Wolfram on Walnut Street talks about sheds, the ordinance has a maximum of 120 sq ft. 128 sq ft seems more appropriate and explains why, no waste in plywood sheets, can use the entire sheet. Burke will have staff look at this comment.

[5:34:07 PM](#) Lili Simpson Quigley lane resident, CA 140, pulls item for comments. Christopher Simms plans on pulling this item for discussion.

CONSENT AGENDA:

- [CA 133](#) Motion to approve application to ESCBO for a grant to install solar panels on city hall rooftop **ACTION ITEM**..
- [CA 134](#) Motion to approve Resolution 2021-038, authorizing Airport Coronavirus Response Grant Program (ACRGP) Concessions Addendum, granting Friedman Memorial Airport \$19,129.00 to provide relief from rent and minimal annual guarantees (MAG's) to concessioners within the airport terminal. **ACTION ITEM** ..
- [*CA 151](#) *Motion to approve Resolution 2021-042, authorizing Task Order #5 with HDR Engineering for the Wastewater Facility Planning Study update* **ACTION ITEM**.....
- [CA 135](#) Consideration of and motion to approve Resolution 2021-039, authorizing the final draft of the Wastewater Facility Planning Study. **ACTION ITEM** ..
- [CA 136](#) ~~Motion to authorize partial release of Security Bonds to Quigley Farms, LLC and Quigley Recycled Water Company LLC for infrastructure installation work completed~~ **ACTION ITEM** ..
- [CA 137](#) Motion to approve Pay Request #1 for the Hailey Fire Station Project, which includes mobilization and materials costs of \$15,417.69 **ACTION ITEM** ..
- [CA 138](#) Motion to approve Resolution 2021-040, authorizing Contract for Services agreement with Hunger Coalition **ACTION ITEM** ..
- [CA 139](#) Motion to approve Resolution 2021-041, authorizing First Amendment to Water and Sewer Hook-up Agreement for 830 Broadford Road Property owned by Cathy Daniels **ACTION ITEM**.....
- [*CA 152](#) *Motion to approve Resolution 2021-043, authorizing agreement with Imperial Asphalt for crack fill project on Hailey roads for not-to-exceed amount of \$25,000* **ACTION ITEM**.....

- ~~[CA 140](#) Motion to approve the Findings of Fact, Conclusions of Law and Decision regarding the Final Plat Subdivision Application (Phase I) by Marathon Partners, LLC, represented by Galena Engineering, where Tax Lot 6655, Section 9 & 10, T2N, R18E, Hailey, is subdivided into 85 units on 70 lots. ACTION ITEM.....~~
- ~~[*CA 141](#) Motion to approve new Alcohol License for Grocery Outlet ACTION ITEM.....~~
- [CA 142](#) Motion to approve minutes of April 12, 2021, and to suspend reading of them ACTION ITEM
- ~~[*CA 143](#) Motion to ratify claims for expenses paid in April 2021 ACTION ITEM.....~~
- [CA 144](#) Motion to approve claims for expenses incurred during the month of March, 2021, and claims for expenses due by contract in April, 2021 ACTION ITEM
- [CA 145](#) Motion to approve unaudited Treasurer's report for the month of March, 2021 ACTION ITEM

[5:35:22 PM](#) CA 136, pulled by Horowitz CA 140 pulled by Simms.

[5:35:45 PM](#) **Martinez moved to approve all consent agenda items minus CA 136 and CA 140, seconded by Linnet, motion passed with roll call vote. Husbands, yes. Linnet, yes. Martinez, yes. Thea, yes.**

[5:36:06 PM](#) CA 140, Horowitz, FFCLD on Sunbeam subdivision. [5:37:45 PM](#) #9 item from Fish and Game letter, sloped areas, reads from the letter, Craig White? This letter had specific dates and the Resolution adopted by 4 agencies does not have dates. Dumke is willing to do a separate agreement, will defer to F&G on how to handle this matter.

[5:39:40 PM](#) Burke, burden not on subdivision, but up to City of Hailey. Simms, comments, some concerns with burdening land owner, actually a BLM property, guidelines cooperate with federal authorities. Adding dates to this plat would not be appropriate and not like how we've handled other such matters.

[5:41:17 PM](#) Thea comments, it is BLM public land, they work close with Fish and Game. Doesn't think we need a date but need Fish and Game to speak up for when to shut this down every season.

[5:43:07 PM](#) **Motion to approve by Linnet, seconded by Martinez, motion passed with roll call vote. Husbands, yes.** Lili Simpson comments, [5:44:29 PM](#) both county code and LLUPA code, as a condition for approval Fish and Game is required to comment. They gave specific dates on the Old Cutters subdivision. There is a difference between comments on subdivision than on the area which cover administrative guidelines. Dec 15- april 1. [5:46:12 PM](#) Horowitz, looked at Old Cutters documents, cannot find dates. F&G would like to have consistency. [5:47:16 PM](#) Lili Simpson comments again, Mayor Burke asks council what they want to do. [5:48:49 PM](#) **Thea, yes; she wants to be in discussions with Fish and Game. Linnet, yes. Martinez, yes.**

CA 136 [5:49:48 PM](#) Yeager has slightly updated numbers on this item. [5:50:10 PM](#) have updated since the packet was published, partial release amount \$365,296.61. Yeager presents his computer, zooms into the spreadsheet to show the amount of partial bond release.

[5:51:47 PM](#) Linnet asks question of Yeager. Do we have an update on when the water system will be up and running? Yeager comments, that section trying to get operational by end of summer. Trying to get a purple pipe in a large radius, trying to get a waiver from DEQ, if they

sign off on a white pipe wrapped then can move forward. Would like to see this sooner rather than later, to get off using the city water system.

[5:53:57 PM](#) Linnet makes motion to approve CA 136, with corrections noted by Yeager, Martinez seconds. Motion passed with roll call vote, Thea, yes. Martinez, yes. Linnet, yes. Husbands, yes.

PROCLAMATIONS AND PRESENTATIONS:

PP 146 Proclamation for May 2021 Mental Health month ACTION ITEM

[5:55:11 PM](#) May 2021 is Mental Wellness Month. Mayor Burke reads the Proclamation.

PP 147 Presentation by Steve Hunter from ITD to give update on the upcoming Main Street resurfacing project (no docs)

[6:00:08 PM](#) Steve Hunter with Idaho Transportation Department, have presented a few times to council. Knife River Construction was the awarded the job. 2 components, ADA ramps and Main Street resurfacing project. ADA ramps work will be done during the day, will take about 1 week per ramp. Redoing 1 ramp per intersection to lessen the impact to pedestrians. And then sometime in May/June, will lower the manhole covers and valves. Have to lower everything, puts a hole in the road, Knife River will be required to maintain these holes. The [6:02:51 PM](#) roadway construction will be done at night. There will be a physical and virtual open house mid to end of May. Construction on roadway is right after 4th of July, July 12th. We have to remove 2 layers and then put them back, 2-4 inches, divide the city into segments, 4 blocks per segment. Mill the pavement, will compact the base, 3rd segment, remove pavement, 1st segment is being paved. Once done with all of them, then will pave the final layer. Then striping will be done in town. There will be a few changes to the lanes, narrower lanes in 4 blocks, 12 ft versus 14 feet. And some of the crosswalks will be continental crosswalk. [6:06:08 PM](#) A few things required to maintain, minimize collateral damage, [6:06:34 PM](#) secure private property, don't want items to vibrate off their shelves. Requires 24 hour advance notice prior to construction. Require to keep dust down. Must tow cars if in the way. Night construction 6:30 pm to 6:30 am times. No construction July 2 – July 11. [6:08:04 PM](#) open house [6:08:41 PM](#) We put all the documents prior to covid 19, not required to do virtual meetings, not sure what that will do. Not sure if everything will be open yet. Here for any questions.

[6:09:39 PM](#) Husbands asks, road construction how long will it last? Aug 31 is last day of construction, must be out of there by Sept. 1st.

[6:10:23 PM](#) Thea, how many meetings are required? Hunter replies, a minimum of 4, can require them to have more, up to engineer's discretion. Thea, how wide are the crosswalks?, it is standard crosswalk, thinks it is 6 feet. Cannot put in non-standard, wider crosswalks.

[6:11:54 PM](#) Yeager nothing to add. Spent time with ITD and Mountain Rides, haven't resolved all issues. Addresses wide sidewalks, people tend to ignore too much information.

[6:12:53 PM](#) Yeager, all cross walks, haven't finished yet, will put them back like they are today. Yeager and Hunter are discussing those options.

[6:13:40 PM](#) Husbands, flashing light crosswalks, some lights are out. Yeager, lights in the roadway? Yeager, those lights will be removed. Lights on side of road will remain. Linnet not a huge fan of removing these lights. Thea, agrees with Linnet. Yeager, not sure of the decision of the removal of these lights. Linnet, that decision did not include us, (council). Yeager will need to research the reason why decision to remove them. Hunter comments, [6:16:19 PM](#) it is part of the contract to remove those from the pavement. Yeager will report back. [6:16:49 PM](#) Linnet, we want them. [6:17:00 PM](#) lights do not meet the federal highway standards. Yeager will try to see how we can keep the lights in the ground. [6:17:38 PM](#) Husbands, how about putting a stop light there? [6:17:51 PM](#) Thea would like to see which ADA corners will be continental, with a map. Would like to be better informed about this project. Yeager will report back to council.

PUBLIC HEARINGS:

PH 148 Public Hearing on matters pertaining to Rubbish/Recycling/Cardboard/Compostable Materials Hauling, including:

- *Franchise Ordinance No. 1282, which would grant Clear Creek Disposal use of city streets and rights of way for a 10-year term, with first reading of ordinance by title only. ACTION ITEM...*
- *Resolution 2021-____, establishing new fees/fee increases for residential, commercial and construction rubbish/recycling hauling services ACTION ITEM.....*
- *Consideration of Resolution 2021-____, authorizing Rubbish/Recycling Agreements for waste hauling services with Clear Creek Disposal. ACTION ITEM.....*

[6:18:59 PM](#) Dawson opens this discussion, rolled out items for public hearing tonight. Will take another year to discuss with community. We will continue same services, have prepared rate resolution. And have prepared an agreement between City and Clear Creek.

Suggests to start with rates, residential and commercial rates, start with residential. Simms and Robertson attorneys can comment, then council question, commercial rates discussion and then public hearing comments.

[6:23:25 PM](#) Simms, important background piece, Winn has been operating on leased property ends at the end of this year, bottom line why we could not go into a long-term agreement with composting. We are going to go back to cardboard and composting soon.

[6:24:56 PM](#) Thea, we can add this later once Winn has a renewed lease? Simms, absolutely, will revisit this topic monthly / quarterly and will decide within the next year.

[6:25:56 PM](#) Mike Goitiandia goes over the rates, residential services in the packet, presentation, similar to one council has seen in the past. After April 12th meeting, asked to revisit rates, met with staff on 15, 19th and 21st, have results in rate structures presented in this packet. [6:28:12 PM](#) curbside services for garbage and recycling, drop-off services, compactor for cardboard and roll-off glass compactor, Christmas tree and yard waste drop-off. [6:29:20 PM](#) seen this rate slide in

last meeting. Next slide, equal price per gallon in all 3 sizes, \$11.52, \$24.97 and \$34.88. new option slide: weighted option, \$11.52, \$26.52 and \$39.90, keeping small user at low rate and highest increase for largest user. This ratio [6:31:40 PM](#) shows increase from current rates. Summary, all proposed scenarios slide. Each scenario, if we are successful in moving large cart user to small carts, then rates will need to increase.

[6:33:29 PM](#) Husbands has a question, first slide, spring/fall, once each season? Goitiandia, once in spring in fall? [6:34:11 PM](#) Horowitz, in packet, current agreement shows 2 pick-ups.

[6:34:37 PM](#) Linnet, table on pg. 356, we could also consider some option between the 2, as long as you get your bottom line? Goitiandia, happy to consider any option. We need to keep in mind, if too many people move down, will need more revenue. [6:36:11 PM](#) Linnet, thinking about lowering large cart rate and increasing slightly the other carts.

[6:37:05 PM](#) Thea this means, small cart rate would need increasing. [6:37:23 PM](#) Linnet, only thinking about middle and large cart rate proposals.

[6:37:59 PM](#) Part 2, commercial, powerpoint Goitiandia, these services vary greatly. Current rates have been in place since 2012. Large increases in expenses. Construction costs have increased by 20%, commercial rates have increased by 12%. [6:41:39 PM](#) discusses 3 scenarios, and is happy to answer questions.

[6:42:58 PM](#) Dawson asks Goitiandia to walk through some of these rates. [6:45:57 PM](#)

Public comments:

[6:48:19 PM](#) asks for details,

[6:48:43 PM](#) Jane Drussel home in Hailey and business on Main Street, not in favor of adding any extra fees. I understand that Mike Goitiandia has to cover costs, increase in prices, in her neighborhood approximately 75% of carts are large. Almost doubles her cart price. What are people going to do with their trash, put in commercial dumpsters, they need to get rid of their trash. [6:50:59 PM](#) question about her commercial rates, concerned about the rates in this economy. I understand needs to increase rates - this is a significant increase.

[6:51:45 PM](#) Steve Crosser, Hailey resident, been using the small cart forever, never filled it up. Also lives in China Gardens. Happy with the proposed rates on the small cart. I hope Clear Creek can make it for the \$11.52 / month.

Council deliberation:

[6:54:09 PM](#) Linnet, at this time, we are only deliberating about new services at this time, right? Burke, correct. If we decide to take on additional services, it will be later. Focusing on the packet pg. 356, table 1, business as usual, proposed fee [6:56:05 PM](#) leaning towards 2 or 3, in policy direction incentivize recycling. Option 4, in between option 2 and 3, may be able to find a happy medium.

[6:57:15 PM](#) Thea, have a couple of questions of Goitiandia. When we renegotiate hours of service? Roll-off dumpster for glass and cardboard compactor, who works this. May cause a lot of noise for nearby neighbors. [6:58:56 PM](#) Goitiandia, right now at 3rd Ave. south and River street no hours of operation, not proposing a change of this. Servicing the dumpsters may cause some noise in mornings and evenings in Hailey. Try to get to it early in the morning to reduce the amount of items put on the ground. Requires 2/times per day pick up. Cardboard compactor, [7:01:10 PM](#) doesn't make much noise at all. It would be picked up, dumped and then returned to the site within the hour, no crashing and banging like it is now. The roll off glass dumpster, same thing, picked up, dumped off site and then dropped off, and it is not as noisy as it is now.

[7:02:49 PM](#) Thea, thanks, thinks this is from servicing and glad this noise will be reduced, very helpful. About pricing, leaning towards option 3 or option 4 to reduce med large prices a little more. Is there a total number for your bottom line? Goitiandia, there is a total we need to get to, 2 variables in the equation, we know what we have, page 6 of his presentation, users and size of carts. When you change pricing, you don't know who will move to another size cart. [7:06:30 PM](#) Goitiandia, this is round 4 of price changes proposed, trying to get this right, trying to reward people for recycling. [7:07:30 PM](#) Thea, lean towards 3 and 4 in this scenario, it is time to act.

[7:07:51 PM](#) Husbands, why is cart different for residential from business? Goitiandia, they are priced correctly, frequency moves up the price. In this pricing model, there is a charge for recycling.

[7:09:31 PM](#) Martinez asks question for staff? Is it illegal to dump trash in recycle bins. Simms, yes it is? Thanks to staff and Goitiandia for these conversations. Proud of this public process. Thanks Goitiandia for how we grow together, it is a partnership providing quality service. Martinez goal, reduce trash incentivize recycling. Eager to see where we will go with Winn in the future. There needs to be a price incentive. There are a lot of us not comfortable with the amount of trash we are putting into the system. Excited for what's to come with new partnership.

[7:12:36 PM](#) Burke, we recognize fact that large number of people, will downsize. Depending on the number of these people, we may have some garbage issues. More than anything, want to force families into small cart when they need a medium. We encourage our community. She will be moving to a smaller cart, doesn't put her cart out every week right now.

[7:15:15 PM](#) Linnet, in thinking about this, wanted to see if we could waive fee for picking up dropping off of the cart for the first year? Goitiandia, under current pricing, exchanging carts would incur a fee, would consider a timeframe of waiving this fee. Thea, proposes 6 months. Goitiandia, would be okay with this. Waived if downsizing.

[7:17:38 PM](#) pg. 356, table 1, proposed Linnet, suggests .36, .38, .40 for less of dramatic progression, small cart, \$11.52 also suggests waiving the exchange fee to smaller cart for 6 months.

[7:20:15 PM](#) Dawson, it is not instant math because of the franchise fee calculation. Want to address Husbands question. On table 1, heading, garbage, recycle, requested base increase total,

in that column, you'll see prices that resonate across all rates. Costs for residential users for drop off site.

[7:21:54 PM](#) Goitiandia is agreeable to the proposed rates by Linnet. Dawson, will put in the rate sheet. Dawson suggests how to make motion. Bring back next time for final approval. Thea likes this idea, not too exorbitant for large users.

[7:23:46 PM](#) Simms, suggests move through motions as listed in AIS.

[7:24:20 PM](#) Linnet moves to approve Resolution 2021-44 solid waste rates, .36 , .38. .40 , and a provision waiving cart delivery exchange fees for a period of 6 months for those going to a smaller cart size, seconded by Thea. Dawson asks Linnet to amend motion to include commercial rate sheet as exhibit. Linnet, amends motion to include commercial rate sheet as presented as an exhibit to Resolution, seconded by Thea. Motion passed with roll call vote; Thea, yes. Linnet, yes. Husbands, yes. Martinez yes.

[7:26:51 PM](#) Linnet makes motion to approve 1278 waive 1st Reading and conduct the 2nd Reading by title only, Martinez seconds. Horowitz pointed out that agenda states Ordinance No. is 1282, Dawson confirms 1282 is correct. Linnet amends his motion, Thea, seconds. Motion passed with roll call vote. Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.

[7:28:20 PM](#) Mayor Burke conducts 2nd Reading of Ordinance No. 1282, by title only.

[7:29:37 PM](#) Linnet makes motion to approve Resolution 2021-045, franchise agreement for commercial and residential with Clear Creek Disposal, seconded by Thea. Motion passed with roll call vote; Thea, yes. Husbands, yes. Linnet, yes. Martinez, yes.

[7:30:31 PM](#) Mike Goitiandia thanks everyone, wasn't so hard was it? And laughs.

NEW BUSINESS:

*NB 149 Consideration of Health Order 2021-02 which would be an extension to Hailey Emergency Health Order 2021-01, which expires May 9, 2021. The extension would continue to limit group sizes and require face-coverings in public places, both indoors and outdoors, for an additional 90 days or until otherwise rescinded or amended **ACTION ITEM***

[7:30:55 PM](#) Mayor Burke opens this item, we are looking to extend our existing mask order timeframe, our existing order expires on May 9, 2021.

[7:31:49 PM](#) Simms, we have been wrestling with these issues for over 1 year now. Mayor has been attending the weekly meetings. Mayor Burke, need to prepare for how we change for special events, but this is later down the road.

[7:32:57 PM](#) Linnet comments, from the meetings with health officials, we can be optimistic and some return of normalcy. We had a high vaccination rate in the county, we are waiting for our cases to drop in our county. Hope we will make improvements in these numbers soon.

[7:34:19 PM](#) Thea wants to have a little discussion. Vaccination rates around 67%, encourage people to get vaccinations. Try to convince those that are on the fence, show them that there is reason to get it. Thea would be ready for reducing outside requirement for mask and increasing gathering numbers outside, want to have discussion. Want to discuss on May 24th meeting, whatever we decide tonight.

[7:36:37 PM](#) Burke, Ketchum kept their covid regulations in place, we are following suit, with health official's advice, don't want to make a mistake too early.

[7:37:23 PM](#) Linnet, likes the idea of discussing at a future meeting. We have not hit the herd immunity threshold yet.

[7:38:21 PM](#) Husbands, agrees with Linnet. There are still covid cases. There is light at the end of the tunnel, keep order in place right now. Burke, likes the idea of discussing regularly.

[7:39:15 PM](#) Martinez, 90 days, August, graduation, new administration. More into play than following along with Ketchum. [7:40:11 PM](#) how do we move out of the position of protecting the public from each other? We have to stay on top of this. 90 days is alarming to Martinez.

[7:41:55 PM](#) Burke this is our mask order.

[7:43:05 PM](#) Linnet responds to Martinez concerns, will discuss in next meeting or late May meeting.

[7:44:12 PM](#) Simms, the 90-day period Martinez is referencing, is the maximum timeframe, the Mayor can retract it at any time with council approval. Having frequent discussions on this is important.

[7:45:36 PM](#) Thea, we could change this when we want to, right? Simms, absolutely.

[7:46:47 PM](#) Martinez, am I out of line to suggest another date, other than 90 days? Linnet, would rather us make changes to the order than to let a sunset clause determine that.

[7:48:49 PM](#) Thea, is there a chance to change any of the wording? Simms, anyone can make a motion with a different sunset date if you so choose. The effect is not different practically. Martinez [7:50:49 PM](#) okay with the 90 days as explained by Linnet.

[7:51:04 PM](#) Linnet, this emergency order, if we loosen restrictions in May, we need another order to make those changes. Correct, replies Simms. Linnet is okay with this order as is now.

[7:52:01 PM](#) Burke, this is our tool.

[7:52:24 PM](#) **Motion to approve Emergency Health Order 2021-02 by Linnet, effective date 4/27/21, seconded by Husbands. Motion passed with roll call vote; Husbands, yes. Thea, yes. Linnet, yes. Martinez, yes.**

STAFF REPORTS:

[7:53:48 PM](#) Dawson, have a public member, Justin McCarthy to discuss skatepark. McCarthy has concerns over last few years, non-skateboarders, should be the main use of the park. Part of the result, scooters are causing damage to the bowl and flat areas. Bikes and scooters are chipping away the concrete. There has been a lot of trash left at the park, lot of food waste, has become a big issue, he cleans up, but seems to be no end. 7 pm only skateboarders, not enforced. Asking for support from city. Want law enforcement to ask people to clean up and enforce rules.

[7:58:19 PM](#) Mayor Burke, has asked staff to replace cameras at the skatepark, have an eye on our park, livestreaming video of the park. Have put together a parent's group, largely responsible for maintaining respect for the park. We are lacking that respect right now. Parents are dropping off kids and then leaving. We need increased police presence. Trash is an issue as well as closed time at 7 pm for scooters. Mayor Burke has been there off and on, Mike McKenna and Sarah Benson are looking out and picking up trash.

[8:01:19 PM](#) McCarthy – Dreamland did the construction. Burke, users are there, recognize park was not built for scooters, back to basics, parents group, livestreaming. New scooter park.

[8:02:56 PM](#) Yeager, has spoken with Steve England, can send officers out there at any opportunity he can as their schedules permit. Reached out to Justin, to coordinate repairs.

[8:04:33 PM](#) Luke, a skateboarder, we don't want kids getting slammed, tired of dodging kids on scooters. This is an extreme sport, not a playground.

[8:05:58 PM](#) Thea, it appears we need to raise money and get a scooter park. We tried, it didn't happen. [8:06:33 PM](#) Yeager, reiterate scooters are not allowed without a sticker in the bowl, and scooters are not allowed at park past 7 pm.

[8:07:40 PM](#) Skyler speaks, younger kids, 14 and younger having the most issues with right now.

[8:08:56 PM](#) Mayor Burke asks for attendees to email Brian Yeager.

[8:11:28 PM](#) Mayor Burke asks for more staff reports?

[8:11:53 PM](#) Dawson, we have a request for next meeting May 10th, to start at 4:45, Tree Committee would like to give council a tour of the Arboretum.

[8:13:09 PM](#) **Thea moves to adjourn, Husbands seconds, motion passed unanimously.**