

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD MAY 5, 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 Council President Don Keirn. Present were Council members Carol Brown, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Administrator Heather Dawson, and City Clerk Mary Cone.

Fritz Haemmerle not present tonight. City Attorney Ned Williamson not present tonight.

[5:29:39 PM](#) call to order by Don Keirn.

Open Session for Public Comments:

[5:30:17 PM](#) Bob MacLeod thanked the city (Kaz Thea with Mountain Rides, brought them a few weeks ago when she presented the Bike Share program to the City Council) for the new street crossing flags on Main Street.

CONSENT AGENDA:

[5:30:46 PM](#) Heather Dawson pulls CA 171 for discussion.

[5:31:01 PM](#) **Burke moved to approve all consent agenda items minus CA 171, seconded by Cooley, motion passed unanimously.**

[5:31:20 PM](#) CA 171 – pointed out details of this item and special request by applicant to waive fees. Dawson explains this items background. Two choices for motions.

[5:32:43 PM](#) Brown asks a clarifying question.

[5:33:22 PM](#) **Brown moves to approve event with allowing the fee waiver of this event, seconded by?**

PROCLAMATIONS AND PRESENTATIONS:

PP 175 Presentation by Harry Griffith of Sun Valley Economic Development Corporation of latest economic data

[5:34:11 PM](#) Harry Griffith Sun Valley Economic Development Corporation presents to council. Griffith presents economic statistics findings he has gathered in Wood River Valley in the recent past. Economy in the valley is improving according to his research. Griffith's research is from 2006 to 2014. Griffith reviews categories including, sole proprietors, reported employer wages and reported employment. Griffith then spoke about converting our economy into a GDP Proxy Framework. Griffith then stated that a lot of our economy is related to tourism.

[5:42:45 PM](#) Cooley asked a question about the wages category. Griffith responds to this question.

NB 179 – next topic for discussion, Don Keirn moves this item

NEW BUSINESS:

NB 179 Discussion of application for Special Event and Arena Reservation made by Jordan World Circus for two circus shows at the Hailey Arena on Saturday, June 6, 2015

[5:44:42 PM](#) Keirn opens this item. And allocates 30 minutes to this topic for public comments.

Public comments:

[5:45:16 PM](#) Gene Abraham-wants everyone to have time to speak.

[5:46:07 PM](#) Lil Laski speaks to council. Laski reads from an article from Jane Goodall as her comments on the Elephant student project. Goodall's letter is dated May 3rd, 2015.

[5:47:58 PM](#) Harrison Blamires Hailey resident speaks to council. Blamires reads a letter, he implores that the city not allow the Circus to come to Hailey. Blamires states that you (implying council) have the opportunity to make a difference, do not allow the Circus to come to Hailey, Idaho.

[5:51:53 PM](#) Evanthea Drougas, reads a quote from Nobel Peace Prize winner Albert Schweitzer regarding treatment of Circus animals. Drougas explains that Circus life is damaging to animals, as their average life is shortened than if they lived in the wild. Drougas asks that the Council vote for an amendment to not allow the circus in Hailey.

[5:54:43 PM](#) Warren Loving speaks to council. Loving reads a statement about laws prohibiting animal abuse and mental health of animals. Loving asks why Hailey is supporting this style of abuse by allowing the Circus to come to Hailey. It is up to us to defend those who are being abused (animals).

[5:56:32 PM](#) Sam Laski speaks to council. Laski speaks of Tigers and the process of transferring Tigers in cages while on tour for Circuses. Tigers never get out of the cages – except for the show. The cages are small and give the Tigers only enough room to pace back and forth inside. Please pass the amendment to prevent abuse to animals.

[5:58:21 PM](#) Gabriele Delgado Hailey Idaho speaks to council. Delgado implores that the City should not allow the Circus to come to town. Delgado gives examples of some incidents, including a Circus trainer who was trampled by an Elephant. Circus animals are dangerous to people.

[6:01:59 PM](#) Matt Rosell – from Campaign Animal Defenders International in Los Angeles California, speaks to council. Rosell's organization researches issues of Circus animals. Rosell

presents a video on Jordan World Circus animal cruelty. Rosell implores that these animals are a real concern for public safety. Rosell asks the council to not ask the students to initiate a petition, it is too costly in his opinion.

[6:07:41 PM](#) Brown asks about the OSHA complaint that Rosell spoke about. Rosell answers, it is unresolved. Because of the transient nature of Circus's, they've not had luck with their complaint.

[6:09:15 PM](#) Jennifer Carol Bellevue resident, speaks to council. Carol shows a video from the Carson & Barnes organization elephants that were performing in a Jordan World Circus.

[6:13:16 PM](#) Melissa York speaks to council. York speaks about the health of Jordan World Circus animals. York asks council to listen to the students speaking tonight.

[6:14:23 PM](#) Jim Laski speaks to council. Laski speaks on behalf of Hailey Ice. Laski implores that the council is punting by asking the kids to do a petition.

[6:16:10 PM](#) Brown asks a question of Jim Laski. Laski did observe the bull hooks and stun guns during the Circus last year in Hailey while he and a group of individuals protested the event at Werthheimer Park.

[6:18:02 PM](#) Julian Perry of Hailey speaks to council. Perry does not go to Circus's because of the cruelty to animals.

[6:19:20 PM](#) Alexander Delas Abrahams – an activist speaks to council. Abrahams speaks about a newborn elephant born to a Circus Elephant, was separated from its Mother at 8 months old. It was being trained, fell off a stool, broke its hip and euthanized. Abrahams asks why this is allowed. Abrahams reports that there is a connection between animal cruelty and human cruelty. Abrahams quotes Chief Seattle.

[6:26:22 PM](#) Ashley McClary spoke to council.

[6:27:13 PM](#) Heather Dawson enters into the record a letter from Maya Burrell dated May 3, 2015 and received today. Dawson reads a paragraph from this letter, regarding the Jordan Circus attendance last year. It was down last year from the previous year suggesting that the protesting impacted the attendance numbers.

[6:28:11 PM](#) Brown received an email from Anne Christiansen asking that the council not allow the Circus to come to Hailey. Amy Christiansen is present at the meeting and wishes to speak to council.

[6:28:34 PM](#) Amy Christiansen speaks to council. Christiansen implores that this is our opportunity to lead. Christiansen wants to be on the forefront of this topic.

[6:30:09 PM](#) Brown asks for a discussion from council if folks are not able to attend the next meeting regarding this topic.

Person on phone representing Jordan World Circus comments. [6:32:10 PM](#)

[6:33:07 PM](#) Brown comments about the permit pending from the Circus. Brown has concerns about the construction site and about the general health of animals. The city code currently calls for humane treatment, would like council to discuss this topic.

[6:35:06 PM](#) Burke has been following Sea World issues and Circus issues. Burke's daughter bought a retired racehorse that has shown some of the captivity signs – cribbing, and swaying. Burke remembers the process last year about the petition. Burke would like to hear some guidance from our City Attorney.

[6:38:31 PM](#) Cooley responds to a comment heard tonight regarding Rodeos. Cooley is not interested in discussing “wild” rodeos with the Circus discussion.

[6:40:23 PM](#) Keirn is also concerned about the construction going on at the Ice Rink and having the Circus.

[6:41:28 PM](#) Heather Dawson talks about the process for the Circus application. Section 12.14.080, standards, Dawson reads this section out loud. Brown asks pg. 129 of packet be considered as a standard, 6.04.090

PUBLIC HEARINGS:

PH 176 Airport Discussion

[6:48:12 PM](#) Keirn opens this topic discussion. Chapter C of the Airport Master Plan will be discussed tomorrow night. Mead and Hunt changes will be delivered 3 weeks before the May 18th meeting. Cooley is out for the June 2nd meeting, so Hailey needs to be fully represented before voting on Chapter C. Knife River is really moving fast on the construction project, announced Keirn.

Burke, we will be discussing capacity analysis? [6:53:13 PM](#)

PH 177 Hailey Infrastructure Report – Idaho Power Franchise Agreement

Dan Olmstead with Idaho Power to speak about the Franchise agreement with Hailey. June 2010 is the last agreement. Halfway through the 10 year agreement. Discussion about increasing the 1% fee. Dawson asked Olmstead if Idaho Power would be interested in opening this agreement and increasing the fee (up to a max. of 3%). 2 ways to do this, between Idaho Power and City through an agreement or put it to voters. Olmstead suggests that the council discuss a recommendation to reopen our current agreement.

[6:57:59 PM](#) Horowitz asks if Olmstead if he ran the numbers. Olmstead responds.

[6:58:24 PM](#) Peter Lobb speaks to council. Lobb announces that this is paid by consumers, not Idaho Power. Lobb recommends that voters decide on this issue – whether or not to increase this percentage fee.

[6:59:33 PM](#) An unnamed citizen comments and asks a question about the general franchise agreement. Olmstead answers her.

PH 178 Consideration of Resolution 2015-____ amending the Park Reservation Fee, Arena Use Fee, and Water Fill Spout Fees (continued from April 20, 2015)

[7:03:01 PM](#) Platt gives a history of this item. Platt explains the change since, including the per diem park use fee of \$300, increase of \$100 for park use.

Platt then discusses the fill spout fees which are proposed tonight. Platt attempted to keep the % increase for weekly and annual permits similar.

[7:11:10 PM](#) Council discusses a solution of a cardlock system at the fill tower station. Platt suggests that it could cost about \$20,000 or more to install.

[7:11:40 PM](#) Cooley is in favor of this new rates.

[7:13:12 PM](#) Brown agrees with Cooley, in favoring option number 2.

Platt then discusses arena fees. Platt researched a few other arenas, Caldwell arena charges \$1,000 per day and cleaning is up to the applicant.

The changes Platt has incorporated since the council's last discussion include, 50% discount for non-profits and no charge for youth events. Also, to allow 1st time events \$750, price break to encourage new events to come to the arena.

[7:19:03 PM](#) Brown appreciates staff time and discussions around marketing it.

Keirn concurs with Brown.

[7:19:56 PM](#) Bob MacLeod Hailey resident asks a question about the fill spout fee? Wants a permit to water his lawn.

[7:20:37 PM](#) Tony Evans with the Idaho Mountain Express asks a question about marketing the arena.

[7:21:10 PM](#) Cooley asks a question about arena fees, pg. 122, asks Platt about advertising in the arena. Platt answers.

[7:26:12 PM](#) **Burke moves to adopt Resolution 2015-40 to set the schedule Arena fees effective Jan. 1, 2016 and option 2 for the fill spout fees as discussed tonight, where the**

other fees will be effective upon signing of the Resolution, seconded by Brown. Motion passed unanimously.

NEW BUSINESS Continued:

NB 180 Discussion of off-site vendor options

[7:27:19 PM](#) Lisa Horowitz introduces this item. Many cities and communities are discussing this topic. Right now, the City of Hailey allows outdoor use with a Business License. Horowitz gives examples of this including BBQ sales in front of King's, Ice Cream sales at My House Furnishings. Horowitz has 5 talking points for council to discuss, including downtown area where multiple food vendors would be allowed and have a permit process and option 4, offer more broadly, limiting hours of operation.

[7:34:13 PM](#) Burke remembers this discussion awhile ago, but would be interested in discussing this again.

Brown would like to see “messy vitality” would be a good choice.

[7:35:24 PM](#) Keirn experienced this in Boise, we need to be careful. Keirn likes option 3 & 5.

Horowitz suggests a public process is very important.

NB 181 State legislative update on several topics including fireworks, initiative and referendums and curfew violations which take effect on July 1, 2015

[7:38:36 PM](#) Dawson talks about this item and the background. A proposed ordinance will be in front of council in a future meeting.

OLD BUSINESS:

OB 182 3rd Reading of Social Hosting, Runaway and Beyond Control Ordinance No. 1172 and Ordinance Summary

[7:40:29 PM](#) **Burke moves to approve Ordinance No. 1172 and the associated summary, seconded by Brown. Motion passed unanimously.**

[7:41:10 PM](#) **Keirn conducts the 3rd Reading of Ordinance No. 1172 by title only.**

OB 183 2nd Reading of Ordinance No. 1173 - vacating portions of 6th Avenue and Carbonate Street– Mary Mizer property

[7:42:16 PM](#) **Keirn conducts the 2nd Reading of Ordinance No. 1173 by title only.**

OB 184 2nd Reading of Ordinance No. 1174 - Non-Discrimination Ordinance, which establishes protections against discrimination based on gender identity or sexual orientation within the City of Hailey

7:43:25 PM Brown conducts the 2nd Reading of Ordinance No. 1174 by title only.

OB 185 2nd Reading of Ordinance No. 1175 – Floodplain Ordinance Amendments

7:44:20 PM Keirn conducts the 2nd Reading of Ordinance No. 1175 by title only.

STAFF REPORTS:

7:46:31 PM Craig Aberbach, Hailey’s contract with Wood River Fire and Rescue began May 1, 2015 as Assistant Fire Chief for them.

7:47:07 PM Arborfest is Saturday May 9th, 2015 at Hop Porter Park from 11 am to 3 pm.

EXECUTIVE SESSION: Real Property Acquisition (IC 67-2345(1)(c)),

7:47:51 PM Brown moves to go into Executive Session to discuss Real Property Acquisition (IC 67-2345(1)(c)), seconded by Burke, motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.

At 8:00 pm a motion to adjourn the meeting was made by Brown seconded by Burke, Motion passed unanimously.