

**MINUTES OF THE SPECIAL MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, MAY 26, 2009
IN THE HAILEY TOWN CENTER MEETING ROOM**

The special meeting of the Hailey City Council was called to order at 5:30 P.M. by Mayor Rick Davis. Present were Council members Don Keirn, Carol Brown, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson and City Clerk Mary Cone.

CONSENT AGENDA:

CA 230	Motion to ratify Mayor’s signature on letter of support for Energy Efficiency and Conservation Block Grant for FY 2010.....	1
CA 231	Motion to accept recommendation of the Hailey Tree Committee to accept the donation of approximately 40 healthy Spruce trees, potted and approximately 2-3 feet tall, from an anonymous donor for use by the City of Hailey at the discretion of the tree committee and city council	3
CA 232	Motion to declare a split rail fence located on the River Street property as surplus property, and donate the materials to the Ketchum Community Garden with deconstruction and hauling at their expense	5
CA 233	Motion to authorize the Mayor to sign an application with LHTAC for pavement and sign management software	7
CA 234	Motion to authorize mayor to sign Idaho State Treasurer Local Government Investment Pool Agency Contact Change form, to establish the City Treasurer as Hailey’s primary contact with the Idaho State Investment Pool, and the City Administrator as the secondary contact.....	9
CA 235	Motion to authorize City Treasurer to deposit into a certificate of deposit the FDIC insured amount of \$250,000 for one year in Zion’s bank and for five years in Bank of the West.....	10
CA 236	Motion to approve minutes of Hailey City Council meeting of May 12, 2009, and to suspend reading of them	13
CA 237	Motion to approve minutes of Hailey City Council meeting of May 19, 2009, and to suspend reading of them	21

Tom Hellen pulled consent agenda item 232 for clarification.
Mayor Davis pulled consent agenda item 237 for correction.

CA 232 Tom Hellen clarified that the fence will be 300 feet not 100 referenced in tonight’s packet. 200 feet will be used as

Brown moved to approve the donation of approximately 200 feet of a 300 foot split rail fence to Ketchum Community Garden, seconded by Keirn, motion passed unanimously.

Mayor Davis, page 30 in packet, 3rd paragraph, “a golf course takes 8% of the water than it does to water alfalfa”.

Brown moved to approve the minutes from May 19, 2009 as amended, seconded by Keirn, motion passed unanimously.

Brown moved to approve all other consent agenda items minus 232 & 237, seconded by Keirn, motion passed unanimously.

OLD BUSINESS:

OB 238 Motion to conduct 2nd Reading of Ordinance 1028 – vacation (abandonment) of a portion of the alleyway, located between Lots 8-12 & 20-24, of Block 125, Hailey Townsite, within the General Residential (GR) and Townsite Overlay zoning districts.

Mayor Davis conducted the 2nd Reading of Ordinance 1028 by title only.

OB 239 Motion to conduct 2nd Reading of Ordinance 1029 - Amendment to Hailey Municipal Code Section 2.36.020, Establishment of the Haily Tree Committee, to increase membership from five voting members to seven voting members

Mayor Davis conducted the 2nd Reading of Ordinance 1029 by title only.

OB 240 Motion to conduct 2nd Reading of Ordinance 1030 – Proposed Amendment to Municipal Code Chapter 12.12 regarding Park Reservation and Use Policies.

Mayor Davis conducted the 2nd Reading of Ordinance 1030 by title only.

PUBLIC HEARINGS:

PH241 An application by Quigley Green Owners, LLC for Annexation of approximately 1,109 acres proposed to be developed with a total of approximately 379 residential units and an 18 hole public golf course and Nordic facility. The property is currently located in the County and is zoned R-5 and A-10. The annexation application requests that the property be zoned as RGB, NB, LR-1, LR-2 and GR upon annexation. The Planning and Zoning Commission recommends to the City Council approval of this annexation with conditions

Mayor Davis opened this section by stating that an overview of the last week's Public Hearing would be given tonight.

Williamson addressed some comments made in last week's meeting at the school regarding workshops. Williamson believes that Hailey is acting within the law by having working group meetings with one or two council members present. In the meetings being referenced tonight (discussion on the Quigley Golf Course and Wastewater) Williamson stated that there was only one council member present.

Williamson gave an overview of the Quigley Golf Course discussion with the applicant last Friday. Attendees at this meeting included: Ned Williamson, Beth Robrahn, Don Keirn, Heather Dawson, Tim Hamilton and Jim Keating from the BCRD, and Evan

Robertson for the applicant. Williamson showed a Powerpoint presentation which outlined the Golf Course discussion while he spoke.

Williamson reviewed Wastewater discussions with the applicant. Attendees at this meeting included: Ned Williamson, Beth Robrahn, Evan Robertson, Dave Hennessy, and Heather Dawson. Williamson pointed to a Quigley map to show council which areas were considered. Williamson gave an overview of the issues raised at the Wastewater meeting with the applicant including the location of a reclaimed water line.

Jim Keating spoke to council. Keating feels that Williamson's overview is a fair representation of the discussions and thanked the developer and the city for the opportunity to discuss the potential golf course.

Evan Robertson representing the applicant spoke to council. Robertson feels that in these discussions progress has been made to a potential wastewater solution.

Williamson gave a legal analysis of the Area of City Impact (ACI). Williamson summarized his comments on ACI, which he submitted via a memo to council in tonight's packet. Category A annexation is voluntary which is what this application would be. The City of Hailey entered into an ACI agreement in 1994 with Blaine County. One provision in the ACI ordinance Section 3.1 was amended by Hailey (not Blaine County) in 1999 which aligns the City's code with state code regarding voluntary annexation and allows Hailey to voluntarily annex property outside of the ACI. Williamson finds no conflict with the state law and the 1999 version. Williamson covered two options available to resolve the conflict.

Becki Keefer spoke to council to clarify the process and rationale of selecting the 2001 ACI boundary on the Comprehensive Plan land use map; the visible ridgelines closest to the city and a distance of 1.5 miles were used to propose the ACI boundary.

Mayor Davis reminded council in last week's Public Hearing to submit their issues to Planning Director Robrahn.

Brown has previously turned in her list of issues to Planning Director Robrahn. Burke has had discussions with Robrahn and referenced Haemmerle's document of issues. Burke believes that all council members seem to be on same level as Haemmerle.

Keirn identified his top concerns including development above the pond, and water issues.

Mayor Davis is glad to be discussing procedure but he is sure Haemmerle would like to be a part of these discussions.

Haemmerle may not be well enough to attend the Thursday 5/28/09 meeting.

Robrahn indicated that the first two weeks in June are the only time when the applicant and council are available to meet.

Council discussed meeting on June 9th & June 11th to discuss Quigley. June 8th is a regular council meeting.

Public comments:

Martin Flannes of 126 South Main spoke to council. Flannes sent an email to Mayor and council and wondered if they have already made up their mind on this application. Flannes asked Mayor and council to have more transparency into the discussions regarding the Golf Course and Wastewater with this application.

Pete Kramer of 1061 Baldyview Drive spoke to council and asked if there was a non-partisan feasibility study conducted for this project. Kramer is concerned that some people believe that this project is all but formally accepted by the council and that it is a foregone conclusion that the annexation will happen.

Mayor Davis believes that no council member has made up his / her mind regarding this application.

Vanessa Crossgrove Fry agrees with Flannes in regards to transparency and wants to see more information available on the website before the council meetings.

A concern citizen wondered why the local newspaper has not done a series of articles on the Quigley application.

Hennessey commented that they as the developer want to have a fiscal report that is a good representation of its feasibility and this project is not a done deal in their eyes.

Robrahn addressed general public concerns regarding the availability of information discussed tonight. Any public comments received prior to creating the council packet are included in the packet. Any comments received after the packet has been created, are copied and handed out to council at the meeting. Usually the packet is posted on the website the same day the packet is distributed to the Council. The Council received their packets at 7:00 pm on Friday May 22 and the information was posted in the late afternoon today due to Monday being a holiday and issues with the computer server.

There will not be a meeting on Thursday 5/28/09.

Brown moved to continue this hearing to June 9th and June 11th at 5:30 pm, seconded by Keirn, motion passed unanimously.

Mayor Davis adjourned the meeting at 6:50 pm.

Rick Davis, Mayor

Mary Cone, City Clerk