MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JUNE 5, 2017
IN THE HAILEY TOWN CENTER MEETING ROOM

The Meeting of the Hailey City Council was called to order at 5:31 P.M. by Mayor Fritz Haemmerle. Present were Council members Colleen Teevin, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

5:31:51 PM call to order by Mayor Haemmerle

5:32:05 PM Burke moves to amend the agenda adding items CA 201 and PH 213 seconded by Cooley, motion passed unanimously.

Open Session for Public Comments:

No comments

CONSENT AGENDA:

CA 186 Motion to change the next regular meeting from June 19th to Tuesday June 20th, 2017 (no documents)
CA 187 Motion to approve Resolution 2017-049, entering the Canvassed election results from May 16, 2017 into our minutes
CA 188 Motion to approve Resolution 2017-050, authorizing the mayor to sign an Interagency Fire Agreement with BLM and US Forest Service
CA 189 Motion to approve Idaho Department of Lands Grant application for wildland Personal Protective Equipment (PPE), if awarded this grant we would receive $11,925 and have a 10% match of $1,325 required
CA 190 Motion to ratify application for FY 2018 Idaho Emergency Medical Services (EMS) Account III Grant
CA 191 Motion to approve Resolution 2017-059 grant from Idaho Commission for Libraries Summer STEM program award of $500
CA 192 Motion to approve Resolution 2017-060 grant from Idaho STEM Action Center for Discover Drones award and authorize Library Director to sign agreement
CA 193 Motion to approve Resolution 2017-051, authorizing the mayor to sign an agreement with Northridge Homeowners Association which allows a city parcel to be irrigated at the city’s expense with the Northridge HOA’s previously installed irrigation system
CA 194 Motion to accept low bid of $99,819 by Conrad Brothers of Idaho for the Street Shop Salt Storage Shed Project, and motion to approve Notice of Award to Conrad Brothers of Idaho
CA 195 Motion to approve Resolution 2017-052, authorizing the mayor to sign a purchase order for a new end dump trailer for $47,935, with construction of the trailer per specifications within the purchase order
CA 196 Motion to adopt Resolution 2017-053, approving an agreement for a traffic markings project with Idaho Traffic Safety Inc. for Hailey roads costing $15,519.11 and authorizing the Mayor to sign
CA 197 Motion to adopt Resolution 2017-054, approving an agreement for a Crack Fill project with Imperial Asphalt for Hailey roads at a cost of $2,280 per ton and authorizing the Mayor to sign
CA 198 Motion to adopt Resolution 2017-055, approving an agreement for a painting parking lines and curb markings project with Imperial Asphalt for Hailey roads at an estimated cost of $5,146 and authorizing the Mayor to sign
CA 199 Motion to adopt Resolution 2017-056, approving an agreement for a seal coat and crack fill project with Imperial Asphalt for Hailey Wastewater Treatment Plant at a cost of $9,816.20 and authorizing the Mayor to sign
CA 200 Motion to approve Special Event Permit for 5B Father’s Day Bash on June 17, 2017, to be held on Carbonate Street, between Main Street and 1st Avenue, and on 1st Avenue, between Carbonate Street and Bullion Street
Motion to approve Special Event Permit for Team Mazda Subaru from June 16, 2017 to June 19, 2017, to be held at McKercher Park

Motion to approve a new alcohol license for Black Owl Coffee, contingent on receiving State and County Licenses and Police Chief approval.

Motion to declare Surplus Property with Resolution 2017-057, authorizing proper disposal or sale or destruction as authorized by our Records Retention Resolution (in the Street, Fire and Wastewater departments).

Motion to approve minutes of April 17, 2017 and to suspend reading of them.

Motion to approve minutes of May 11, 2017 and to suspend reading of them.

Motion to approve minutes of May 15, 2017 and to suspend reading of them.

Motion to declare Surplus Property with Resolution 2017-057, authorizing proper disposal or sale or destruction as authorized by our Records Retention Resolution (in the Street, Fire and Wastewater departments).

Motion to approve minutes of May 11, 2017 and to suspend reading of them.

Motion to approve minutes of May 15, 2017 and to suspend reading of them.

Motion to ratify claims for expenses paid in May 2017.

Motion to approve claims for expenses incurred during the month of May, 2017, and claims for expenses due by contract in June, 2017.

Williamson pulls item CA 205.
Cooley CA 193, CA 194 and CA 195 for discussion
Mayor pulls CA 201

Burke moved to approve all consent agenda items minus CA 193 – CA 195, CA 201 and CA 205, seconded by Keirn, motion passed unanimously.

CA 193 Cooley, agreement with Northridge homeowners, well is leased to school district, thinks school district should pay for revegetation. Williamson replies. Not sure what the arrangement is on the re-seeding it. Williamson explains this item and the purpose of watering and the agreement. Cooley asked if we are still responsible for irrigating this?

5:37:35 PM Haemmerle responds. Williamson focused on the Northridge re-seeding situation.
Dawson comments, we can pull and explore comments from council.

5:39:08 PM CA 194 & CA 195 no contracts in packet. Cooley comments no other bids in packet.
Dawson responds.

5:40:21 PM Haemmerle asked to put these on next agenda with other bids received.

5:40:48 PM CA 201, Car sales special event Haemmerle opens this item for discussion. Mayor Haemmerle does not like this type of event, using our park as a pop up business, and then leave.

Haemmerle does not think we can do anything about this event, but he would like to see our special events ordinance revised to address this type of issue, it does not protect our local businesses.

Teevin comments, antique fares are different but agrees that we should examine this too?

Haemmerle feels that the antique shows are different.

Haemmerle asks staff if they will look into it? Burke agrees with Haemmerle.
5:45:55 PM Keirn moves to approve CA 201, seconded by Burke, motion passed unanimously.

CA 205 - 5:46:21 PM Williamson announced that the minutes were revised and handed out in the meeting to include a summary of the discussion leading up to Hennessey’s statement that he will construct the improvements instead of giving the money to the city to do them. These changes are at the end of the Quigley discussion, page 159 of packet just before NB 162.

5:47:09 PM Burke moves to approve revised minutes as presented, seconded by Cooley, motion passed.

MAYOR’S REMARKS:

No comments.

PROCLAMATIONS AND PRESENTATIONS:

None of these items were discussed in tonight’s meeting.

APPOINTMENTS AND AWARDS:

AA 212 Motion to approve Resolution 2017-058 appointing 2 council members to the Joint Board of the Fire JPA

5:49:38 PM Keirn moves to appoint Martha Burke and Pat Cooley to this board with terms expiring December 31, 2017, seconded by Teevin, motion passed unanimously.

PUBLIC HEARINGS:

PH 213 Airport Issues

5:50:27 PM Airport issues Chris Pomeroy presents to council. TO Engineers will be presenting on the bids received. Re-negotiation of bids 5:51:36 PM involves reconfiguration and change of scope? listen to this. Discussion ensued between Mayor Haemmerle and Pomeroy regarding the low bidder.

5:53:49 PM Pomeroy remarked about the New Business items, budget has been very challenging due to the AIP 43 grant, will discuss some options for flexibility for balancing. 5:54:57 PM Pomeroy AIP 43, construction of new air carrier apron to the west, impacted the access road, and the parking lot project. Estimates came back at $1.8 million for each project, engineer’s estimates were half of those bids. Trying to figure out how to make the low bidder options. 5:56:52 PM Burke, neither of these are FAA eligible projects. Pomeroy confirmed yes, that is correct. $1 million dollars received every year from FAA, and the airport’s match must equal 6.25% annually. With the bids coming in so high, we don’t have enough funds available to do these projects. 5:59:55 PM Keirn comments everyone wants to leave in the morning, the result – it jams up in the terminal.
6:01:20 PM  Pomeroy mindset industry executions, trump doesn’t support privatization? Air traffic control system, private? Doesn’t mean a lot to us, we are contracted with FAA for air traffic control, we will be okay as long as funding continues. 6:03:45 PM Burke would like to hear from the FAA on this issue.

No public comments.

PH 214  Consideration of a Text Amendment Application by Economical Housing Solutions, LLC, to Title 17, Section 17.04G.050, Bulk Requirements, to Title 17, Section 17.05.040 District Use Matrix, Multi-Family Residential Density, and to Title 17, Section 17.09.040 On Site Parking Space Requirements. Proposed changes would create a housing district titled, Small Residential Overlay District, and would allow for a greater number of residential units in the Business Zone District, while retaining current bulk requirements and providing required parking (Continued from 3/06/17, 4/17/2017 and continued from 5/15/17)

6:05:33 PM  Horowitz handed out a letter that did not copy well in the packet. There have been 3 meetings, this is the 4th meeting on this topic. Changes to size and parking. Horowitz recaps the Planning and Zoning Commission meeting discussions, addressing community housing problem in this area. 1) Build apartments without design review, Planning and Zoning Commission did not feel this was right for Hailey 2) donated land is used 3) partner with housing non-profits – already been done – i.e. River St. Apartments 4) stream lined application process, feel we are efficient already 5) BCHA - building permit fees 6) reduce or eliminate parking requirements 7) allow ADU accessory dwelling units, looked at this but citizens did not like this, Planning and Zoning Commission would like to review this in fall but not in Townsite overlay. 7) density bonuses in PUD, not best tool. 8) multi-family zoning, this project/idea fits with this item 9) creating live/work zones, maybe revisit in the future 10) allow smaller units or tiny houses 11) reduce lot size 12) inclusionary housing has been struck down in Idaho 13) employee linkage, jobs and housing at same time, may not be legal 14) establish tax or incentives, needs to be allowed at state level 15) create dedicated funding source 16) increase required percentage 17) BCHA affordable housing overlay zone, may want to look at it in the future 18) unified development ordinances, code re-write 19) local housing fund.

6:15:30 PM  These priorities were identified with the Planning and Zoning Commission, and creating the overlay district rose to the top priority.

Harry Griffith not available tonight.

6:16:23 PM  Haemmerle points to page 206, spreadsheet, small units in Ketchum and Sun Valley, some discussion about what size apartments should be.

6:17:55 PM  6:17:56 PM  Jim Warjone spoke with manager of the apartments, 1 bedrooms units at 700 sq ft.

6:18:27 PM  Jim Laski presents for Warjone, speaks to size issue. Every dwelling unit should be no smaller than 120 sq ft. After the last meeting, they incorporated 4 different size units, small

HAILEY CITY COUNCIL MINUTES
June 5, 2017
units not smaller than 200 sq ft? Number limitation, 25 units per project is workable from their perspective. Will incorporate snow removal in the parking plan. Another change, storage for bikes skis or other items, size yet to be determined as long as in the CUP process, we can have a designated spot for bikes. No issues with bathrooms or provisions. The size of this overlay was reduce based on recommendation from Planning and Zoning Commission. They want to proposed rental housing which is allowed by ordinance already. Extended stay hotels are currently allowed and that would only require 1 parking space per unit, but would have to renew every 30 days. That is the alternative. We are trying to make something that fits within the ordinance. Warjone is passionate about this project and here to answer any questions.

6:23:59 PM Haemmerle asked about the sizes. Warjone replies, disabled units on bottom floor, end units would be larger than middle units. They’ve done some experimenting with sizes.

6:25:21 PM What size units are you considering, Haemmerle asked. Warjone replies. 200 sq ft on bottom end and 300 at the top end, still have math to be done to figure out. Warjone wonders what the market will take. Most apartments in Hailey are done by PUD because they don’t conform to the Zoning Ordinance. Some communities are building parking garages, i.e. Telluride, CO is doing this remarks Warjone.

6:29:21 PM Haemmerle asks a question. Warjone replies, Aspen, CO or Jackson, WY are having workshops to deal with this same topic (housing shortage). Warjone has been researching this issue for years.

6:30:42 PM Cooley talks about the size and wonders what it would look like. Warjone replies, this is a zoning request.

6:32:16 PM Keirn asks a question, if smallest unit is XXX Sq. Ft., Laski replies, that would not be consistent with the current zoning.

6:33:22 PM Cooley commented the most number of units could be 23, where is the storage? Warjone replies, expect onsite units which were lockable and some storage off hallway for some units. We would find storage in the design part of the project, Warjone replied. Back and forth on this discussion of storage between Warjone and Cooley. 6:38:15 PM Haemmerle reads from the ordinance, storage requirement for units smaller than 500 sq ft. Warjone responds.

6:39:50 PM Horowitz comments about the storage and CUP process, it will have to be addressed at that time. Further discussion about process and storage.

6:42:03 PM Teevin asks 2 questions. Is there a limit to people in units? Horowitz answered, not required by Planning and Zoning Commission. The onsite management, Jeff Englehardt, Planning and Zoning Commission member responds, they did not require manager onsite at Planning and Zoning Commission level. Haemmerle pg. 206, onsite management through CUP process. 6:44:44 PM Teevin asks, would change in zoning enable leasing units, price point right? Warjone replies, there are no comps in the area to compare this to but he did speak with Power Engineers, about $800 / unit with utilities included. Laski replies, if no one replies to this

HAILEY CITY COUNCIL MINUTES
June 5, 2017
size, market will dictate size. Teevin is concerned if you combine the units, then the parking will be more than what is needed.

Public comments:

6:49:34 PM Gary Poole comments on the storage discussion. You have to get smarter to address storage needs. Combining furniture uses makes small units more efficient, edelweiss units. Poole has looked a job openings in local paper, many jobs are not being filled. At least this is a step in the right direction.

6:53:10 PM Doug Brown with Sun Valley Economic Development spoke to council. We have become a clearing house of ideas in the valley. There is no one else out there trying to build something affordable, besides Jim Warjone. People are sharing homes for affordability reasons. There is no place to rent at any price point. If it doesn’t work, it is Jim Warjone’s problem.

6:55:43 PM Haemmerle brings up the alternatives to this idea. Asks a question to Horowitz. Horowitz and Williamson reply.

6:57:42 PM Walt Denekas comments that Sun Valley Economic Development predicts that these apartments will be leased before finished. His sons would be all over this option. This is something that is necessary for this valley, get this thing moving.

6:59:07 PM Ben Varner resident on Calumet Way comments to council. Varner comments on the square footage of these units. Varner recaps sq ft of the units from the 2 past meetings, why are we still discussing this? Varner, we are still in the gutter with this topic, below 200 sq ft. Proposed ordinance still puts people in a shoebox. Let Planning and Zoning Commission figure this out? Lots of decisions left for the Conditional Use Permit (CUP) process, is this a good idea? Creates impression that can be flexible on requirements. Varner’s concerned and a committee should be formed to help with this, it seems rushed, and may create a 40-year problem. Let’s take the time to get this right. Whatever we do here will have ramifications later.

7:03:12 PM John Walker on Calumet Way, speaks to council. What is worst case scenario? Walker, this is a great opportunity, and a thoughtful one. There are multiple places where the snow gets moved around a lot, cars moved around to help snow removal. You have an opportunity to try something new. Walker is unable to find employees for his business either. Don’t like the fear based response to change. This man is looking to invest in our valley long term, not like a pop up car sale and skip town.

7:06:53 PM Len Harlig county resident comments, he doesn’t see his comments incorporated in the changes. Harlig is concerned about the CUP process. There is an opportunity to argue and dispute in the CUP process. If parameters are laid out upfront, public knows the requirement. If not, you could be setting up yourselves for lawsuits and arguments in the decision-making process. Flexibility causes disagreements with applicant and the decision-making body. There are problems with ordinance that you might want to reconsider. If you don’t specify above 200 sq ft, you could have all units at 201 sq ft. This overlay would be applicable to other projects too.

HAILEY CITY COUNCIL MINUTES
June 5, 2017
Walt Denekas speaks again. No one who raised the concerns about size would be potential tenants. This is a negotiation process, we have a good Planning and Zoning Commission, and will be responsible, and trust them to negotiate these details. We need to move and move fast.

Haemmerle asks Jeff Englehardt a question about rental properties. Englehardt replies, they have one unit for rent right now. Looking at $400 - $500 per bedroom in Woodside.

Jeff Englehardt is in favor of this project, this model has been used in numerous cities. Warjone is pioneering this in Hailey and feels a need. This would allow new people to come into the valley and transition to another place in the valley. This is so new, scary for some folks.

Laski responds to public comments. To build an apt. now, must get a PUD. This overlay is their suggestion for the density that is called out in the comp plan. Hailey allows 168 sq ft already. Planning and Zoning Commission will look at the details, there is a list of subjective things in there, trust your Planning and Zoning Commission to move through this process.

Council deliberation.

Burke, we are all assuming that there is a plan. This is a fluid project dictated by too many parameters. Our issue here, does this concept have merit in our community? Do we think small rental units have merit in this community? One guy rents a house or apt, gets roommates to afford to live there. Not everyone wants a roommate, they want their privacy. The fluidity of this notion, is being floated, he may not be able to do this, he may walk away. The question for us is, is this a reasonable concept? Extended stay hotels are our other option, already allowed by our ordinance. The size does not matter to us, we won’t live there. This is an adventure, if we don’t do this we will never know if this works. The other option is trailer parks. This issue will not go away. We are standing in the way, until we give the zoning we will not know.

Cooley comments that 30% of compact cars parking size is an unreasonable expectation here. Cooley likes 20% compact parking. Storage shall be provided, is broad, could happen, may need more specifics here. Can we stipulate 1 person per unit? Cooley would like to see this limitation. Pets would be a concern too. Let’s move on this item.

Haemmerle onsite management part of the ordinance? Cooley is fine with the CUP process dictating the onsite management.

Keirn is concerned with, “there shall be no limits to the number of units,”. Potential Parking size limited to 20-25% compact car size parking spaces. We have more chances for creativity and for lawsuits. As written, Keirn cannot support this.

Teevin is concerned with the no limits on the number of units language as does Keirn. Would removing that language be a hindrance to Warjone? Haemmerle responds.
7:34:14 PM Horowitz comments also. Williamson weighs in, feels we need a maximum. Cooley comments, would like to remove the “open ended” language – would like to see a maximum number of units labeled.

7:36:18 PM Teevin’s second comment, is it appropriate to have a sunset clause to test this idea? Is this appropriate? Williamson comments, it is legal. One ramification though, if sunset clause happens during construction, then you have a non-conforming building. Horowitz suggests they could report back to council within a specific timeframe set by council.

7:38:38 PM Haemmerle, we are at a massive crossroads in the valley, housing busts and booms are cyclical in this valley. We need to do something in this valley to attract people, including millennials. We have had 220 sq ft units in the valley in the 1970’s, that have been useful. 120 sq ft needs to be changed, that is too small. Haemmerle agrees with Burke, we need to move forward in this town for this experiment. Haemmerle would like to see a number placed so all units are not 201 sq ft. If not this, then what if you shoot this down? What is your solution?

7:43:32 PM Cooley suggests setting a size right now. Haemmerle there are units in Ketchum are 220 sq ft right now. Keirn doesn’t want to see 4 blocks of high density.

7:45:44 PM Burke, you are forgetting that an investor must make the numbers work. We are dictating failure for any project.

7:47:05 PM Haemmerle restates Keirn’s concern.

Laski responds, Design Review still applies.

7:48:33 PM Teevin asks, if each unit is 125 sq ft, how many units can fit in the space.

Deliberation ensued regarding size. Cooley proposes to set some parameters before calling for the question.

Burke would like to hear what Horowitz and Williamson changed in the ordinance, asked Mayor Haemmerle.

7:53:32 PM Williamson the Comprehensive Plan addresses high density, council could extend the area broader. Williamson thinks this ordinance is based on the Comprehensive Plan, which aims to reduce concentration in a smaller area. Would like guidance on sizes, have an example of sizes possibly. Could create a CUP section tailored to these types of units. Want to get council feedback before moving forward.

7:55:58 PM Horowitz, smaller area feels like spot zoning. Planning and Zoning Commission shrunk the Overlay area in half.

7:56:54 PM Williamson do you want to set a maximum number of units per acre? Williamson thinks we should take one more try out of this.
Burke attempted to make point, fluid nature.

Deliberation continues.

Haemmerle asks if Warjone wants to continue to. Warjone comments, setting limits, removes opportunity. Warjone and Haemmerle deliberate. Warjone cannot provide housing if you (city) set the limits.

Burke, asks should we vote?

Teevin size is not an issue with her.

More deliberations.

Cooley makes a motion to continue this item to July 31, 2017 a special meeting, seconded by Keirn, motion passed unanimously.

NEW BUSINESS:

NB 215  Consideration of Ordinance ___, reducing Building Permit and Floodplain Development Permit fees in flood- damaged areas

Williamson asks to continue this item to the next meeting.

Burke moves to continue this to the next meeting, Cooley seconds, motion passed unanimously.

NB 216  Consideration of amendment to the Ehrenberg annexation agreement

Williamson covers this item. In 2007 this property was annexed, the City and Ehrenberg agreed to an annexation fee of $68,000 and extend a sidewalk on property. The City now has a request to amend the annexation agreement to a reduce fee of $6,659. Ehrenberg wants to make 12 installment payments for this amount. Some time ago Ehrenberg asked to remove the sidewalk request agreed to initially. Now, Ehrenberg has agreed to not pursue the sidewalk removal. Williamson has no problem amending the annexation agreement and to the reduced fee at this time. Williamson suggests to specify the exact dollar amount, revise the dollar amount paid monthly to $554.92.

Motion to approve Resolution 2017-061 the Amendment to the Ehrenberg Annexation Agreement made by Keirn, correcting to $554.92 per month payments, seconded by Cooley, motion passed with roll call vote. Keirn, yes. Burke, yes. Cooley, yes. Teevin, yes.

NB 217  Discussion of City of Ketchum and Ketchum Fire District’s Notice of Withdrawal from Blaine County Communications Dispatch contract

HAILEY CITY COUNCIL MINUTES
June 5, 2017
HAILEY CITY COUNCIL MINUTES
June 5, 2017

8:25:57 PM Ketchum has issued a letter proposing that they will withdraw from dispatch. They have a concern about service at Smiley Creek, not sure why, because that is not their jurisdiction. Haemmerle called Larry Schoen, and Blaine County will attempt to find out what is concerning Ketchum and attempt to work with them.

OLD BUSINESS:

OB 218 3rd Reading of Ordinance No. 1212, amending the term of the 1% LOT for air service for an additional five (5) year term, beginning January 1, 2019

8:28:52 PM Cooley moves to approve Ordinance No. 1212 authorize the Mayor to sign, seconded by Keirn, motion passed unanimously.

8:29:43 PM Mayor Haemmerle conducted the 3rd Reading of Ordinance 1212, by title only.

OB 219 3rd Reading of Ordinance No. 1217 which amends certain sections of Hailey Municipal Code Title 13.04 regarding water and wastewater systems

8:30:48 PM Keirn moves to approve and authorize the Mayor to sign, Cooley seconds motion passed unanimously.

8:31:06 PM Mayor Haemmerle conducted the 3rd Reading of Ordinance No. 1217, by title only.

STAFF REPORTS:

8:32:01 PM Craig Aberbach gives update on the river flooding, there are 22 homes without power. Everyday taking a picture of same fire hydrant, when river is down, sometimes neighborhood water level is higher. We’ve been getting Arial photos from the county, showing waters flowing around homes. Arial vs projected, the slide shows blue is projected, orange is what actual water level was that day. Predictions have been off, homeowners are getting frustrated. There are many unknowns and variables. How do you prepare for the unknown?

8:35:58 PM Haemmerle comments to the incident command team, thanks for your efforts to date. Aberbach, residents are having a hard time. Wish we could do more for the neighbors, Aberbach replied.

8:38:09 PM Dawson announced that Joan Davies is receiving an award from the Idaho Historical Society tonight in Boise, it is their highest honor given. The Episcopal Church is on the national registry. Library making the outdoor space for the summer at the west side of city hall. Mayor Haemmerle asks about the name of the Baptist church, is it right? Dawson commented yes it is.

8:41:58 PM Keirn moves to adjourn meeting with no further business, seconded by Cooley, motion passed unanimously.