

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JUNE 15, 2015
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:36 P.M. by Mayor Fritz Haemmerle. Present were Council members Carol Brown, Don Keirn, Pat Cooley, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

Call to order [5:36:59 PM](#) by Mayor Haemmerle.

Open Session for Public Comments:

[5:37:14 PM](#) Peter Lobb – comment on Circus, report on Channel 11 news regarding the circus, it did not look great on Hailey. Lobb feels council made good decision at time. Going forward, now is the time to pass an ordinance to ban exotic animals, because 1) people who want this ordinance are passionate people on the right side of history 2) if this festers, next year, the Rodeo could be at risk 3) is it ethical for “us” to abuse animals for our entertainment? Lobb thinks the smart way to go is to do the ordinance very soon, gain the moral high ground and save the rodeo.

CONSENT AGENDA:

CA 232	Motion to Ratify Mayor’s signature on New Mobility West grant application deadline for submittal is June 15, 2015. Application is for a Main Street/Highway 75 study.....	1
CA 233	Motion to approve fireworks stand permits.....	13
CA 234	Motion to approve special event being Hailey Antique Market to be held at Roberta McKercher Park on Friday-Sunday, July 3 rd - 5 th from 9:00 am to 6:00 pm	17
CA 235	Motion to approve special event being Draper Preserve River Festival to be held at Lions Park & Draper Preserve on Saturday, July 4 th from 2:00 pm to 5:00 pm.....	25
CA 236	Motion to approve special event being 4 th of July Parade & Kid’s Carnival to be held on Main Street & the Farmer’s Market on Saturday, July 4 th from 11:00 am to 4:00 pm.....	31
CA 237	Motion to approve special event being Sheeptown Drag Race to be held on Main Street between Myrtle & Spruce Streets on Thursday, June 25 th from 5:00 pm to 10:30 pm	50
CA 238	Motion to approve special event being Paint the Town 5K, to start at the WRHS parking lot and continue through the surrounding neighborhoods Saturday July 4 th , 2015 from 8:00 am to 10:00 am	58
CA 239	Motion to approve new taxi fare schedule presented by Sun Valley Limo/Airport Cab Company	65
CA 240	Motion to approve minutes of June 1, 2015 and to suspend reading of them	68
CA 241	Motion to approve claims for expenses incurred during the month of May 2015, and claims for expenses due by contract in June, 2015	77
CA 242	Motion to approve treasurer’s reports for May 2015.....	107

[5:40:50 PM](#) Cooley pulls CA 240 to abstain.

[5:41:03 PM](#) **Burke moves to approve all consent agenda items minus CA 240, seconded by Keirn, motion passed unanimously.**

CA 240 - Brown moves to approve CA 240, seconded by Burke, motion passed with Cooley abstaining.

PROCLAMATIONS AND PRESENTATIONS:

PP 243 Nuclear waste presentation from Snake River Alliance – Kelsey Nunez and Beatrice Brailsford

[5:42:09 PM](#) Haemmerle introduced this topic.

[5:42:20 PM](#) Kelsey Nunez let the Mayor know that Beatrice stepped away from the meeting for a few minutes and asked that he give her a few minutes for this presentation to begin.

PUBLIC HEARINGS:

PH 244 Airport discussion – continuation of discussion from June 1st meeting

[5:42:41 PM](#) Mayor Haemmerle recapped the last discussion on this topic. FMAA board agreed that removing reference to alternative 7 was appropriate.

Mayor and council discuss generally the airport needs.

No public comments.

No further council comments.

PH 245 Consideration of Ordinance No. 1178 – curfew and fireworks (revised from 1st Reading on June 1st) and approval of summary of Ordinance No. 1178

[5:46:58 PM](#) Williamson explains that the previous ordinance was incorrect. Williamson suggested waiving 2 readings to allow to be in effect before July 1 to be in concurrence with state laws.

No public comments.

[5:48:52 PM](#) **Burke moves to adopt Ordinance No. 1178, waive two readings, authorize the Mayor to sign, approve summary, read by title only. Seconded by Keirn. Motion passed unanimously.**

[5:49:54 PM](#) **Mayor Haemmerle conducts 1st and only reading of Ordinance no. 1178 by title only.**

PROCLAMATIONS AND PRESENTATIONS:

PP 243 Nuclear waste presentation from Snake River Alliance – Kelsey Nunez and Beatrice Brailsford

[5:50:50 PM](#) Mayor Haemmerle hands over floor to Beatrice Brailsford.

[5:51:44 PM](#) Beatrice Brailsford presents to council. Brailsford is with the Snake River Alliance (SRA). SRA helped to solidify the 1995 agreement. Brailsford feels that the agreement has worked fairly well. The most helpful part of this agreement is in not allowing commercial spent fuel into the state. One of the key impediments to solving the nuclear waste problem is the governments' lack of commitment to fulfilling the promise of the 1995 agreement. In 2011, the state agreed to let in commercial waste for testing. In January 2014, the Attorney General (AG) and the Governor agreed to 2 shipments of 25 pounds of fuel to come into the state.

[5:57:26 PM](#) Haemmerle asks a question about the 1995 agreement and 2011 agreement with regards to Commercial fuel and if it was allowed? Brailsford responds. [5:58:20 PM](#)

Haemmerle wonders if commercial fuel is a problem if the total amount is not increasing in size. Brailsford recounts her memory of the 1995 referendum, she remembers pride in the fact that we were not allowing commercial fuel into the state.

[6:00:22 PM](#) Brailsford talks about the proposed 2nd shipment of 25 spent nuclear rods from a commercial power plant. The entire shipment of 25 nuclear rods are sister rods and are coming from the North Anna Power plant in Virginia. Brailsford talks about spent fuel and details about when they are removed from service now versus a long time ago. One of Brailsford's concerns with the spent fuel (Hyperna), nuclear rods are now allowed to remain in the reactor for longer, creating a more powerful spent rod and the potential for the cladding to be less flexible and more prone to cracking. We are being told that former governors are taking heat for not allowing commercial fuel. Brailsford announces that 20 tons of sister rods would come into our state within 10-15 years. Idaho National Lab (INL) consistently states that they are the only qualified place to do this commercial fuel testing. We've brought in 27 tons of fuel to date. Now we only have 28 tons left to bring in for the total amount allowed by the 1995 agreement.

[6:05:37 PM](#) Haemmerle asks Brailsford how she knows about this additional 20 tons of spent commercial fuel that is planned to come into the state.

Brailsford plays a recording from the Sept. 26, 2013, meeting of the Idaho Leadership in Nuclear Energy Commission (LINE). John Grossenbacher is speaking, he is the director of the Idaho National Laboratory and President of Battelle Energy Alliance.

Grossenbacher makes the connection between the 25 rods and the 20 tons of additional commercial spent fuel. Grossenbacher states that this is not a near term issue/discussion maybe 5 years away. To bring this in, it would be required to get approval from state and authorities. The recording Brailsford is playing tonight can be found on the Idaho Public Television website and the Snake River Alliance website. Brailsford plays another conversation from the same meeting. [6:10:35 PM](#) Grossenbacher talks about the state and people needing to authorize this fuel to come in. There is no process to facilitate bringing in this additional 20 tons of commercial fuel.

Haemmerle asked for Brailsford to email this audio of the Idaho Leadership meeting to he and the council.

[6:13:05 PM](#) Brown asks a question to Brailsford regarding leverage with existing agreements and compliance with the documents to timelines. Brown mentioned that the Attorney General (AG) claimed the only leverage was in agreeing to the 2011 commercial fuel shipments in order to clean up liquid waste currently here and a risk to our state. Haemmerle adds a question onto Brown's question. We are not adding more tonnage amount. We never heard anyone claim that addition fuel beyond the original 55 tons allowed by the 1995 agreement would be allowed added Haemmerle. Brailsford agreed.

One of the problem with the Integrated Waste Treatment facility was that it was supposed to be up and running in 2011. And it is still not running today. Department of Energy (DOE) has already required the cleanup of the liquid waste, Brailsford states that this is already required by the agreements we have. Brailsford doesn't understand why we agreed to allow commercial fuel into the state.

[6:16:32 PM](#) Haemmerle asked the AG when he presented to council on May 18, 2015, and asked what happened in the oversight of this 1995 agreement. AG responded that there was a dedicated person in charge of overseeing this agreement, and her position was eliminated due to politics. No one will give us any information on this topic. Haemmerle asked for an overview of this situation from Brailsford.

[6:18:12 PM](#) Brailsford thinks the safety of Idaho should not be in the responsibility of one person. In 1974 the Governor's Blue Ribbon commission declined to support commercial fuel in the state. In the early 1990's there was a lot of public support of keeping commercial fuel out, and the result was the 1995 agreement. Idaho has an INL oversight program. Brailsford states that the state still has its responsibility in oversight.

[6:21:59 PM](#) Haemmerle recaps discussions.

[6:22:19 PM](#) Burke wonders if the AG's office knows about the 20 tons of additional fuel.

[6:23:28 PM](#) Burke recounts the justification of the 2011 agreement. [6:23:52 PM](#) Haemmerle remembers the AG stating that total amount is not increasing.

[6:25:30 PM](#) Williamson asks if there have been any lawsuits regarding this federal law on clean up. [6:26:15 PM](#) Brailsford responds. Original deadline for treating liquid waste was 2012. The problem with RIPRA or the 1995 settlement agreement, is DOE is required to remove liquid from the tanks no matter what. Brailsford cites the documents and agreements that require the cleanup of the liquid waste.

[6:27:58 PM](#) Haemmerle comments about allowing additional waste to come in to force treatment of the liquid waste already in our state.

[6:29:17 PM](#) Williamson asks if the state knows about the recorded meeting? Brailsford responds that the Director of Idaho Commerce is the Chair of the LINE committee.

[6:32:15 PM](#) Margaret McDonald Stewart, a former SNA board member speaks to council. Stewart announces that these shipments would be entering the state via roads and bridges and no accountability or notification is required to be given to local authorities.

[6:33:22 PM](#) Gerhart Morrison has a question. Morrison wonders why would they want to do this, he answers his own question - money. Brailsford comments, that this commercial fuel would not bring in additional jobs.

[6:35:42 PM](#) Haemmerle comments that it is in no one's best interest to ship in additional waste. Morrison speaks again, what is the trade off? Brailsford, answers, trade off is additional fuel – meaning the additional 20 tons.

Haemmerle recaps for Morrison the discussion from the AG's office. Morrison comments again.

[6:39:45 PM](#) Keirn asks what is the deadline? Brown answers, until 2019. And a possible award term until 2024.

[6:40:29 PM](#) Brailsford feels that Hailey City does have a role in providing its comments to the state regarding this issue.

[6:41:14 PM](#) Morrison comments that we are 65 air miles from INL's facility. We need to take a stand and tell these people to use their "lever" authorized in the 1995 agreement to ensure clean up and removal of waste takes place.

[6:42:28 PM](#) Kelsey Nunez speaks to council, should talk about the entire project at the same time.

[6:43:33 PM](#) Stewart comments again. Kaz Thea asks a question, Brailsford answers.

[6:44:37 PM](#) Brown asks a question.

[6:45:04 PM](#) Ginna Lagergren Hailey resident speaks to council. Lagergren is a supporter of SRA and applauds council to continue with this conversation and speak up for Hailey. Lagergren thinks people should keep their own waste, don't ship it out of their state.

[6:47:43 PM](#) Kaz Thea comments, it is bad enough to have this high hazard waste but traveling on our highways – too dangerous to allow in. Thea announces, moving the waste around is risky in itself.

[6:49:02 PM](#) Brailsford, this spring DOE and state renegotiated the dates and have assessed fines for not meeting the deadlines. In that negotiation, if DOE fails, there are implications.

[6:50:25 PM](#) Mayor may adopt a Resolution on this topic at a future date.

Martha Burke dismisses herself from the meeting.

OLD BUSINESS:

OB 246 Discussion of Health Insurance JPA – consideration of Hailey’s withdrawal from the III-A and consideration of Resolution 2015-____ providing notice to withdraw from III-A

[6:52:05 PM](#) III-A discussion. Haemmerle clarifies that we have not yet gotten out of III-A as the Idaho Mountain Express article mistakenly states.

Pending medical coverage quotes from Insurance Companies, Haemmerle suggests a special meeting on June 29th.

Cooley announces that he will recuse himself from these discussions.

[6:53:48 PM](#) **Keirn moves to have a special meeting on June 29th, Brown seconded. Motion passed with Keirn and Brown voting. Cooley abstains.**

OB 247 3rd Reading of Ordinance No. 1176 and summary – energy codes update

[6:54:43 PM](#) **Keirn moves to approve Ordinance No. 1176, authorize the 3rd reading, approve summary and authorize the mayor to sign, seconded by Brown. Motion passed unanimously.**

[6:56:01 PM](#) **Mayor Haemmerle conducts the 3rd Reading of Ordinance No. 1176 by title only.**

OB 248 3rd Reading of Ordinance No. 1177 and summary – Cross Connection ordinance

[6:57:18 PM](#) **Brown moves to conduct 3rd reading, authorize summary, authorize the Mayor to sign, seconded by Keirn. Motion passed.**

[6:58:11 PM](#) **Mayor Haemmerle conducts the 3rd Reading of Ordinance No. 1177 by title only.**

OB 249 2nd Reading of Ordinance No. 1179 – Initiatives and Referendums

[6:58:36 PM](#) Brown asked if a reading should be waived tonight so that the ordinance would be in effect by July 1st, 2015? Williamson confirmed yes.

[6:59:21 PM](#) **Brown moves to conduct 2nd reading, waive the 3rd reading and adopt ordinance, authorize 3rd reading and authorize mayor to sign. Seconded by Keirn, motion approved.**

[7:00:01 PM](#) **Mayor Haemmerle conducts the 2nd and final Reading of Ordinance No. 1179 by title only.**

OB 250 2nd Reading of Ordinance No. 1180 – Park Reservations amendments

[7:00:51 PM](#) Mayor Haemmerle conducts the 2nd Reading of Ordinance No. 1180 by title only.

STAFF REPORTS:

[7:02:02 PM](#) Craig Aberbach announces a successful chili cook off last weekend. And, last Saturday Hailey sponsored a valley wildland fire training exercise. In the last 10 days we've had a house fire, swift water rescue at the River, a Wildland fire, a technical rescue and a fire in draper preserve. Aberbach also announced Hailey is hosting the Chamber BAH this Thursday 5-7 pm at Croy and Main Streets, in the street which will be closed for the event.

[7:03:49 PM](#) Lisa Horowitz announced that the "Welcome to Hailey" sign unveiling will be at the site at noon on June 18, 2015.

[7:05:06 PM](#) Cooley announces, Arena concession stands retrofits are done.

[7:05:17 PM](#) Keirn announced that the Airport ribbon cutting 5-5:30 July 2nd at airport. (The official grand opening of the remodeled airport)

[7:05:41 PM](#) Haemmerle announces issues at skatepark last weekend, someone riding a bmx bike. Will have someone monitor, yet to be determined.

No Executive Session needed tonight.

[7:06:40 PM](#) Brown moves to adjourn meeting, seconded by Keirn. Motion passed with roll call vote. Cooley, yes. Keirn, yes. Brown, yes.