

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JUNE 22, 2020
IN THE HAILEY TOWN CENTER MEETING ROOM
AND VIRTUALLY THROUGH GOTOMEETING**

The Meeting of the Hailey City Council was called to order at _____ 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.

[5:30:23 PM](#) call to order by Mayor Burke

Public Comments:

[5:31:10 PM](#) Scott Runkel – Northridge resident encourages Hailey to close some streets in Hailey for foot traffic and dining. This is the time to do this, vote of support of this effort.

[5:32:52 PM](#) Horowitz asks Runkel to save those comments for later in the meeting please.

[5:33:08 PM](#) **Martinez motions to amend agenda adding item CA 257, seconded by Thea, motion passed with roll call vote, Martinez, first. Thea, yes.**

CONSENT AGENDA:

- [CA 255](#) Motion to adopt Resolution 2020-073, ratifying Mayor’s signatures on Idaho Office of Emergency Management STATEMENTS OF DOCUMENTATION relating to Della 2017 Flood reimbursements for the flood expenses (26), Roadway and Shoulder work (33) and Heagle Park reconstruction (47). **ACTION ITEM**
- [CA 256](#) Motion to approve Resolution 2020-074 with Blaine County’s Abstract and canvass results of the May 19, 2020 Election **ACTION ITEM**.....
- [*CA 257](#) *Motion to authorize application for grant and expenditure of funds obtained from grant through the Local Emergency Planning Commission (LEPC) for at least \$7,500 for police in-car radios, which grant will be supplemented from an approximately 50% match within an unspent line item in the police department budget. **ACTION ITEM***
- [*CA 258](#) *Motion to approve Resolution 2020-075 authorizing Mayor to sign a grant agreement with Idaho Office of Drug Policy for “Partnership for Success Law Enforcement Grant”, for \$19,945.23 of funding requiring no city match. **ACTION ITEM***
- [*CA 259](#) *Motion to approve Resolution 2020-076 ratifying the Mayor’s electronic signature on grant agreement AIP 051 an Environmental Study (EA- Approach Protection) **ACTION ITEM***
- [CA 260](#) Motion to adopt Resolution 2020-077, ratifying the Mayor’s signature on a Generator Interconnection Agreement with Idaho Power Company. **ACTION ITEM**
- [CA 261](#) Motion to approve Resolution 2020-078, authorizing the Mayor’s signature on a Contribution Agreement for HDR’s Biosolids Composting Study at Ohio Gulch Transfer Station. **ACTION ITEM**.....
- [CA 262](#) Motion to approve Resolution 2020-079, authorizing the Mayor’s signature on an agreement with Idaho Asphalt Supply, Inc., to supply chip seal oil at the rate of \$475 per ton, and fuel surcharges, for the 2020 chip seal projects. **ACTION ITEM**
- [CA 263](#) Motion to approve Resolution 2020-080, authorizing an agreement with Asphalt Systems, Inc. in an estimated amount of \$48,676.40, for purchase and application of a “fog coat” following the 2020 chip seal work. **ACTION ITEM**

- [CA 264](#) ~~Motion to approve a special event permit for the Sawtooth Brewery to hold the Sawtooth Freedom Celebration at Hop Porter Park on July 4, 2020 ACTION ITEM~~.....
- [CA 265](#) Motion to approve minutes of March 23, 2020 and to suspend reading of them ACTION ITEM
- [CA 266](#) Motion to approve minutes of March 24, 2020 and to suspend reading of them ACTION ITEM
- [CA 267](#) Motion to approve minutes of March 26, 2020 and to suspend reading of them ACTION ITEM
- [CA 268](#) Motion to approve minutes of April 6, 2020 and to suspend reading of them ACTION ITEM
- [CA 269](#) Motion to approve minutes of April 9, 2020 and to suspend reading of them ACTION ITEM
- [CA 270](#) Motion to approve minutes of April 10, 2020 and to suspend reading of them ACTION ITEM
- [CA 271](#) Motion to ratify claims paid in June 2020 ACTION ITEM
- [CA 272](#) Motion to approve claims for expenses incurred during the month of May, 2020 and claims for expenses due by contract in June, 2020 ACTION ITEM
- [CA 273](#) Motion to approve Treasurer’s Reports for the month of May, 2020 ACTION ITEM.....

[5:34:05 PM](#) Husbands, pulls CA 264 for discussion. Did not see recycling.

Linnet pulls CA 258

[5:35:24 PM](#) **Motion to adopt Consent Agenda items minus CA 258 and CA 264., Martinez seconds, motion passed with roll call vote, Thea first. Linnet, yes. Husbands, yes. Martinez, yes.**

[5:36:34 PM](#) CA 258 Linnet what enforcement programs should we promote. non-matching grant, have misgivings supporting a program, additional policing, pulling staff away from needed services. Want to hear from Chief England and council members.

[5:39:04 PM](#) Steve England speaks to this grant, and question from Linnet. We do have a problem with underage consumption in our community. This grant helps supplement officers salaries, overtime pay to officers, does not remove officers from other duties. If meth and marijuana are found, will address, but more focused on under-age drinking issues. [5:42:35 PM](#) First offenses have a program in Blaine County, won’t go on their record. Hope this will help curb underage drinking. [5:43:15 PM](#) Linnet asked can explain compliance check, England responds, compliance checks are when police go into stores, check Id’s on a cluster of kids. Shoulder tap, which is, under age person gets older person to buy alcohol. Linnet, responds, does not like the compliance checks, should not be tricking stores to trap them. England agrees, that should not happen.

CA 258 [5:45:55 PM](#) Thea, how often to you receive these grants? England responds, this is an annual grant starts July 2020, it is an annual grant, our first time with this grant, see where it goes. Can only get this once every 3 years. We have other grants, through ITD, reimbursement of overtime. [5:47:30 PM](#) Thea, not taking officers away from regular duties, what does that mean? England, this does not take away from other calls for service. England, if we do get it going forward will get a life lock breathalyzer with the grant, party patrols, added piece of equipment with this grant.

[5:49:30 PM](#) Martinez, trend in enforcement in drug policies, need reform there. Most of council would prefer a preventative approach.

[5:51:04 PM](#) **Martinez motion to approve CA 258, Husbands seconds. Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.**

CA 264 - [5:51:42 PM](#) Event with Sawtooth Brewery. Yeager has Parks division manager on phone. Amendment with single use plastics. Kevin Jones is on phone, event sponsor, in Kevin's absence, would like to make motion contingent on single-use plastics or table.

[5:53:59 PM](#) Simms, time is of the essence, knows the owners, responsible, approve contingent on the resiliency plan.

[5:54:33 PM](#) Husbands is okay with this idea suggested by Simms, and willing to move forward with that in process. Thea suggests moving forward too, Kevin will.

[5:55:22 PM](#) **Thea moves to approve CA 264, contingent on resiliency plan on single-use plastic and composting, Husbands seconds, Linnet asks question to staff, how does this fit in with other events? Dawson responds, [5:57:35 PM](#) plan that council reviewed, restricted reservation of parks through phase 2, stage 4, review special event applications through private parties, council can use discretion, not approve. Linnet, thanks Dawson, want to be consistent and transparent, and okay if complies with state order. **Motion passed with roll call vote, Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.****

MAYOR'S REMARKS:

[5:59:57 PM](#) Mayor Burke has had requests from community members to go back to classic meeting style at city hall. The challenge is that we have staff in the meeting room and with limited public availability, 10 people total with social distancing. The gotomeeting allows more public to attend the discussion safely, don't want to leave anyone out of our discussions. [6:02:03 PM](#) Linnet, some public members have talked to him about this, this is not inherently less inclusive. Mayor Burke, attendance seems to be better with virtual meetings, it does allow us to hear from the community which is the goal. [6:03:36 PM](#) Thea, more people from the public attends virtually. How are other entities doing this? Horowitz, Ketchum does this, people waiting outside until they can speak. [6:05:23 PM](#) Thea, would like to be in the same room with Mayor and council but thinks we are doing the right thing. [6:05:43 PM](#) Burke we are not insensitive to the challenges, want us all to be safe.

PROCLAMATIONS AND PRESENTATIONS:

PP 274 *Presentation and Resolution 2020-_____ endorsing stronger Hailey Police Department Policies ACTION ITEM*.....

[6:06:09 PM](#) Burke opens this item, endorsing policy, on the same page with HPD, supports our community values, HPD has been doing these all along. [6:07:54 PM](#) England, adds Linnet had a good conversation about national news and issues. Based on that and other conversations, we came up with this Resolution, works well in informing our Community of this policy. [6:09:34 PM](#) Linnet appreciates our Police Chief, his view, not individual police actions but policy, want

to keep this conversation happening. One unique characteristic, largest population is Hispanic, not black, largely affected by this fact.

[6:11:15 PM](#) Dawson, page 264 of packet, recommend simplify first item, “ban chokeholds”

[6:12:07 PM](#) Simms suggests, confirm that chokeholds have been and will continue to be banned.

[6:12:48 PM](#) Burke, continue to prohibit the use of chokeholds. England, that is fine with him. Never used tear gas and is comfortable removing from policy.

[6:14:05 PM](#) **Linnet motions to approve Resolution 2020-081 with this new policy, Thea seconds, Husbands, yes. Linnet, yes. Martinez, yes. Thea, yes. Mayor Burke reads Resolution 2020-081.**

[6:20:32 PM](#) Martinez what are consequences for the policeman if they use chokehold or tear gas. England respond, don’t train chokehold in our department, disciplinary action would be ensued. Martinez, just to be clear, England probably would be dismissed.

[6:22:40 PM](#) Burke a 2 hour meeting limit goal, may be a challenge, but we will continue and do all we can.

PUBLIC HEARINGS:

PH 275 Public hearing on an amendment to Idaho Power Electric Utility Franchise Ordinance which extends the term of the franchise for 10 months, until May 1, 2021 with potential adoption and 3rd reading of proposed Ordinance No. 1261, ACTION ITEM

[6:23:23 PM](#) Dawson speaks to this item, introduced over 30 days ago, extend for 10 months to work with Idaho Power on a new franchise agreement terms.

Public comments:

[6:24:31 PM](#) Blanca Romero Shadybrook, asks about verbal warnings on Police force. Burke allows England to respond to question. Bullet, verbal warning, explains, policy does not actually say this right now. What this means is officer would give verbal warning if possible, can’t do if drive up on an active shootings situation. [6:27:08 PM](#) Linnet other folks may want to talk but this was not noticed.

Burke is okay with taking comments or questions on this topic since we have not started the public hearing on the Idaho Power franchise item.

Other public comments on Resolution; resident on 235 Galena Street, acknowledge thanks for opportunity to speak. Excited about what comes next, space on future plans. [6:29:29 PM](#) England responds, we are continuing to have conversations with community leaders. Other engagements, try to get message out on social media, providing coffee and pastries, July 1st at police station, bring together and have dialogue with community.

[6:31:28 PM](#) Thea, what she has seen and heard, happening in Boise, appreciate that HPD will invite public to meet with Police Chief. Boise, is being asked by public how their policy

compares to other entities policies. Thea was one of the organizers to the public event in our Valley. This dialogue is very important to our community, helpful, should discuss offering during city council meetings.

[6:34:06 PM](#) Burke, policies are in place, have been certified a few years ago. We don't want to micro-manage our police department. This is showing that HPD is honoring our community's thoughts. Suggesting that we don't want to interfere with policies in place.

[6:35:40 PM](#) Horowitz, have 5 public members here in council chambers waiting patiently.

Discussion goes back to item PH 275:

[6:36:04 PM](#) Simms asks for public comments for this item.

[6:36:48 PM](#) no public comments.

Martinez moves to approve Ordinance No. 1261 authorize Mayor to read by title only. Thea seconds motion. Motion passed with roll call vote. Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.

[6:37:22 PM](#) Mayor Burke conducts 3rd reading of Ordinance No. 1261, by title only.

PH 276 Report to City Council on Rubbish Franchise discussions with Clear Creek Disposal and introduction of Ordinance No. _____, extending Rubbish Franchise Agreement through May 11, 2021 ACTION ITEM

[6:38:20 PM](#) Dawson gives an overview of this item, covid came along, and we found that by teaming up with City of Ketchum, we could help the franchisee with economies of scale, Ketchum's franchise agreement expires in May 2020. This is an introduction of the ordinance. Published on aug 10th

[6:40:15 PM](#) Evan Robertson and Mike Goitiandia are in the chambers.

[6:40:39 PM](#) Evan Robertson, attorney, representing Clear Creek. There certainly are economies of scale and interested in working with the committee, feel that we are making progress, happy and pleased that the city has come around and willing to work with them, scope of services, new ideas for environmentally sensitive manners will be handled by clear creek, any questions?

Public comments: There are no public comments.

[6:43:23 PM](#) Husbands, want to negotiate better prices, recycling concepts, are you working on this as well? Would like to see 2 spring clean ups in spring and fall. In Spring, found out that if trash can lid does not close, get charged \$4.25 each time this happens. Wants to know if other citizens know this. Would Dawson work with them on this type of item. Dawson responds, we feel that some changes would be in the future. One of the things we've talked about is additional spring cleaning day or even some curbside picks up could be in the future agreement.

[6:47:10 PM](#) **Martinez moves to approve Ord. No. 1263, authorize Mayor to conduct reading by title only, Thea seconds, motion passed with roll call vote, Husbands, yes. Thea, yes. Linnet, yes. Martinez, yes.**

[6:48:22 PM](#) **Mayor Burke conducts 1st Reading of Ord. No. 1263, by title only.**

PH 277 Motion to approve Resolution 2020-_____ regarding an application for a Federal (USDA, NRCS) grant opportunity for local governments to host a Community Compost and Food Waste Reduction (CCWFR) pilot project ACTION ITEM

[6:49:38 PM](#) Horowitz let's council know the next Resolution number is 2020-082.

[6:49:58 PM](#) Rebecca Bundy, new grant, can request \$45- \$90,000, 45% match, will help contribute to the match to improve recycling, hoping to do, curbside compost collection for the community, and ways to reduce food waste. Distribute food through the Hunger Coalition.

[6:51:52 PM](#) Thea, is this just food waste or include yard waste as well? Bundy, this grant is food waste, but doesn't mean we can't also roll out yard waste compost at the same time. Money from the grant can only go towards specific things.

Public comments:

[6:53:16 PM](#) no public comments.

Council discussion.

Thea, this is very supportive of this grant.

[6:54:07 PM](#) Horowitz explains, technically, we don't need the resolution, apologize.

[6:54:43 PM](#) **Thea moves to authorize staff to submit the grant application, seconded by Martinez. Motion passed with roll call vote. Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.**

PH 278 Discussion and consideration of Resolution 2020-____, of Amendment and Extension of Contract with Wood River Fire District for Fire Prevention Services ACTION ITEM

[6:55:30 PM](#) Dawson gives an overview of this item. Baledge and his staff do plan reviews and inspections in the County. Contract estimated that we would do 100 of these, but we expect only to get around 65 this year. So, right thing to do is lower amount of current year contract and extending contract a full year, expiring in 2021. Baledge, we looked at time of inspections, include mileage and time, fuel, we've worked hard to come up with what is fair in this contract. It takes less time to do the inspections and prevention, takes a long time to develop skills and knowledge. Wood River wants to continue working with us, but contract is too high.

Public comments [6:59:13 PM](#) Horowitz, Chief Bateman is present in room but has no comments.

6:59:54 PM Thea moves to adopt Resolution 2020-082, Linnet seconds, Dawson amends, Thea amends, Thea, yes. Linnet, yes. Martinez, yes. Husbands, yes.

PH 279 Discussion of Interim Town Square location pros and cons ACTION ITEM

7:02:03 PM Horowitz gives a background of this item. About 6 weeks ago, Mayor asked staff to explore several sites for a pop-up town square this summer. Public prefers to not have a street closure for this pop up square. Dawson, suggests, may be able to use the area behind city hall for a pop up square. Library has concerns over losing any parking spaces. Another spot, Croy Street, not favored by businesses, B2 spot, putting along the sidewalk, already over 10 tables in the sidewalk, no driving need for more seating in this area. The Sun Valley Brewery, not optimal, space is hot. Bullion Square, not sure if City roll at Johnny's private property. Zou 75, impractical to serve in the street. E spot, allow Sawtooth Brewery to use parking spaces.

7:06:40 PM Mike McKenna, picking one location is the way to go. Concur with Horowitz's overview of public feedback. Dawson, so intriguing how important parking is to all of our businesses. Now hear different story from our Library.

7:07:57 PM Linnet is there any research data on town squares and parking. He has read data that contradicts our parking design. Want to make decision based on information. Would like to see data on this topic. 7:09:29 PM McKenna Idaho Travel Council brought in a speaker that confirms what Linnet is asking. McKenna can keep looking for information. Linnet, maybe business owners should let us know. Martinez asked if we looked at the area by the Blaine County Courthouse. Horowitz, we did not explore that area, businesses thought people would not get food and walk a couple of blocks away to eat. 7:12:20 PM Burke money is what held us back with that site. We cannot go to the public to ask for money to purchase the land and then ask for money to develop for public use. 7:14:12 PM Linnet, what about pop up location, east of 1st Ave. closing street. Horowitz, McKenna's comment, need businesses nearby to the pop-up site.

public comments

7:15:38 PM Scott Shane, Wood River Mattress, speaks to council. Not against a pop up square in this area. At 1st and Bullion business, depends on drive up customers, have day care, need drive in and drive out. Not engineered to be walk up. No one does business by bike or foot, depend on this drive up and drive out. 2 dozen businesses rely on the business parking. Town square would be better in other places. We are just trying to make a living, already have hard times with Covid-19. Shane asks for leniency from city.

7:20:04 PM Tim Seegmiller, in Meriwether building, rely on customers to bring in their computers for repair, risk losing customers if there is no parking. Parking is essential for our business.

Husbands asks a question. Horowitz, explains, several seating areas, pallet furniture, maybe can seat about 15 people.

[7:23:10 PM](#) Lisa Hamilton Pilates studio in the Meriwether building, parking spaces are critical to her business. Not realistic to ask people to walk to her business, knows there is an insurance agent, restaurants and other businesses, what is your goal with closing the street?

[7:24:37 PM](#) Jeff Conover, with Rapid Results business in Old Town Mercantile, have elderly clients, would be difficult for his clients, take into consideration, vacant spots in his building and Meriwether building, parking will be more of a challenge when full.

[7:26:00 PM](#) Scott Runkel, supports the idea of a car free street, likes the idea of the short term option town square. Need to be open to the idea of change. Supports the idea and glad council is looking at this.

[7:27:21 PM](#) Cece Osborn, Mountain Rides, happy to offer walking/driving counts for numbers. Pop up town squares can create safer areas for all users. There can be benefits to reclaiming public space.

[7:29:04 PM](#) Mike McKenna from Chamber of Commerce, keep in mind that these do not work for all businesses, works for restaurants, but don't work for computer support, exercise, focus on locating around restaurants.

[7:30:12 PM](#) Kerry Hogan, Divine Wine owner, just left a building that had parking problems. Parking is important to their business. Outdoor seating needs, have increased by her restaurant, can't afford to have customers go other places.

[7:32:12 PM](#) Linnet, appreciates comments on 1st Ave. but want to hear thoughts on location A, courthouse across the street, location F and G also. Last thing, Simms legal status on, are we entitled to redesign parking, city council can decide what to do with the spaces, Simms, responds, there is no legal issue.

[7:34:05 PM](#) Thea, want to vet a pop up square, maybe create a space and see what businesses will come. Community benefits from spaces for people, challenging to pick the space for a pop up square. Maybe our town is too small to have an area like Boise's 8th street square. We may be surprised of the benefits. Even if we close part of the street, there still will be parking available.

[7:38:04 PM](#) Burke concerns from focus groups, 2 options, one we could afford and one option we could not. Over 8 months work went into that effort, to find a good town square location. Can schedule a new discussion and go back to the community, but mayor will not participate in a town square in a location that businesses do not support and would sue the city over a proposed site. Don't want to go backwards. Cannot do that to these business owners again.

Burke suggests to continue date certain budget hearing.

[7:41:20 PM](#) Dawson, can hold budget on July 6 or June 30th Tues.

[7:41:52 PM](#) Linnet, wants to continue pop up square spot and then long term spot. Burke suggests moving budget to the June 30th Tues, at 4:30.

[7:42:54 PM](#) Burke back to pop up square opportunity and Covid social distancing.

[7:43:17 PM](#) Husbands, likes site H, at this point, don't think we should take parking from businesses. Site H, offers good access and nearby businesses.

[7:44:35 PM](#) Thea, thinks H is good for an event but not for a town square, should be central to community, can be very successful for an event. Husbands, thinks for social distancing, would be good. Thea, H has been rented for the summer.

[7:45:45 PM](#) Linnet wants to look at 1st Ave across from county courthouse, extension of veteran's park. Want to be adamant that it is not "taking away" parking from businesses, it is the city's parking.

[7:46:51 PM](#) Martinez, street and alley is a good spot by City Hall. Useful area for this purpose. We should look at the courthouse area again as well.

[7:48:34 PM](#) Thea looking at E by Sawtooth Brewery, can we provide anything in this spot, many people gather here. Agrees with Sam, want to look at A, something on 1st Ave, near B. we need data and community participation and data.

[7:49:57 PM](#) Linnet B1 and B2, without losing parking, should not have negative parking impacts.

[7:50:31 PM](#) Burke, looks like we are looking at A, and spot by the Barkin Basement, more seating, maybe ask county if they could put tables on south end of lawn by garden. Burke likes idea to extend many spots for options for nearby restaurants, instead of focusing on just one spot. Horowitz, do you want staff to work on a few spots. Linnet is okay, Thea is okay as is Martinez.

PH 280 will be discussed in June 30th special meeting.

OLD BUSINESS:

OB 281 Waive 2nd reading conduct, 3rd Reading of Ordinance No. 1257, an ordinance extending the term of Hailey's Local Option Tax through June 30, 2050 to be effective beginning July 1, 2020 AND Summary of Ordinance No. 1257 ACTION ITEM

[7:53:41 PM](#) **Linnet motions to adopt Ordinance No. 1257, waive 2 readings, conduct 3rd reading authorize Mayor to sign and read by title only. Thea seconds. Motion passed with roll call vote. Linnet yes. Thea, yes. Martinez, yes. Husbands, yes.**

[7:54:15 PM](#) **Mayor Burke conducts 3rd Reading of Ordinance No.1257, by title only.**

PUBLIC HEARING:

PH 280 Introduction of City of Hailey FY 2021 General Governmental Funds Budgets ACTION ITEM

[7:56:27 PM](#) **Thea motions to continue budget hearing on June 30th, Tuesday at 4:30, Martinez, seconded. Linnet, yes, Martinez. Yes. Thea, yes. Husbands, yes.**

Meeting adjourned.