

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD JUNE 28, 2010
IN THE HAILEY TOWN CENTER MEETING ROOM**

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

Tony Evans with Idaho Mountain Express asked a question regarding Democrat Gulch. Williamson has been told that there is a foreclosure [5:30:45 PM](#) on the property which could very well effect the sewer service agreement (and possibly nullify it).

[5:31:06 PM](#) Tony Evans asked a question about the Quigley Canyon application – where does it stand? Williamson replied that he spoke with Dave Hennessey recently. Williamson suggested that Evans contact Hennessey to ask him about the status of his application.

CONSENT AGENDA:

| | | |
|-------------------|--|----------------|
| CA 246 | Motion to call special meeting for the purpose of annual strategic planning and 2010/2011 budget workshop relative to the strategic plan | (no documents) |
| CA 247 | Motion to approve and authorize the Mayor to sign Agreement for Development of the Replacement Airport and Redevelopment of Friedman Memorial Airport..... | 1 |
| CA 248 | Motion to approve Resolution 2010-09 designating bus loading zones in the city | 11 |
| CA 249 | Motion to ratify Mayor’s signature on Mountain Rides letter of support to ITD (for application for 5311(f), 5316, and 5317 funding) | 15 |
| CA 250 | Motion to ratify Public Works Director’s signature on an agreement with Western States Geothermal for consulting services on the preparation of a grant application for EPA’s Climate Showcase Communities RFP..... | 17 |
| CA 251 | Motion to ratify the Mayor’s signature on a proposal for fog sealing city owned bike paths using a piggyback bid to the Recreation District | 21 |
| CA 252 | Motion to approve the purchase agreement for plant materials for the EW Fox Xeriscape Demonstration Garden with Teton Trees, LLC and authorize the Mayor to sign..... | 29 |
| CA 253 | Motion to award the Safe Routes to School contract for the Woodside bike path connection to Valley Paving subject to final review by ITD..... | 33 |
| CA 254 | Motion to approve Summary of Ordinance No. 1059 | 43 |
| CA 255 | Motion to approve and authorize the Mayor to sign Relay for Life Special Event on 7/9/10 at WRHS track..... | 45 |
| CA 256 | Motion to approve and authorize the Mayor to sign BCRD 4 th of July Criterium (Bike Race) Special Event | 53 |
| CA 257 | Motion to approve minutes of June 14, 2010 and to suspend reading of them..... | 63 |
| CA 258 | Motion to approve claims for expenses incurred during the month of May 2010..... | 73 |

Brown pulled CA 250
Mayor Davis pulled CA 257

CA 250 – Brown asked two questions to Tom Hellen. \$13,080 is the amount, yes confirmed Hellen. Do we expect any additional expenses? Hellen answered; no we do not expect additional expenses.

Brown moved to approve all consent agenda items except 257, seconded by Keirn, motion passed unanimously.

CA 257 – Mayor Davis met with Derek Voss and Tom Bowman regarding the Airport Advisory Committee [5:34:59 PM](#) page 72 in packet. Clarify that it is the Airport Advisory Committee.

Keirn moved to approve CA 257 as amended, seconded by Burke, motion passed unanimously.

MAYOR'S REMARKS:

MR 259 April MacLeod Library Board President steps down after many years of public service

Mayor Davis introduced Susan Carlson to the council.

[5:35:36 PM](#) Susan Carlson new Library Board Director spoke to council. Carlson announced that there is a reception tonight benefiting Ada Bell at The Inn at Ellsworth Estate, she has been diagnosed with cancer and has been a long time library employee. The Hailey Library Board is looking for 1 board member interested in being involved with the library board. The board meets once a month. Susan Carlson then introduced LeAnn Gelskey the new Library Director. Nancy Gurney and LeAnn Gelskey have switched positions. Gurney is now Assistant Director of the Library.

[5:40:03 PM](#) Carlson acknowledged April MacLeod and her leadership as President of the Library Board over the past years. Carlson announced several improvements to the library since MacLeod has been the President. Carlson closed with naming MacLeod as the Library's guiding light; she has been great for us. MacLeod is staying on with the library board.

MR 260 Standing with Bowe Since June 30, 2009

Mayor Davis announced a celebration in honor of Bowe Bergdahl on Wednesday at noon at Zaney's (June 30th) – it will be the anniversary of his 2009 capture.

PROCLAMATIONS AND PRESENTATIONS:

PP 261 Proclamation "A Month of Art" in Hailey, Idaho

Brown moves to approve Month of Art in Hailey, seconded by Keirn, motion passed unanimously.

Mayor Davis read the Proclamation. [5:46:23 PM](#)

[5:47:26 PM](#) Mark Johnstone invited everyone to the events. A day of chalk on the East side of Main street. An article was placed in the Horizon Air magazine for July with the list of all of the art events upcoming.

3 finalists are on display in the library for the Rodeo Grounds Art project.

PP 262 Senior Connection Presentation

Kim with Senior Connection called at 3 pm today to cancel the presentation.

APPOINTMENTS AND AWARDS:

AA 263 Tree Committee Appointments

Brown knows both interested individuals.

Brown moves to approve both Jeff's to the Tree Committee, Burke seconded, motion passed unanimously.

PUBLIC HEARINGS:

PH 264 Consideration of Ordinance No. 1061, Summary of Ordinance No. 1061, Resolution 2010-08 – Notice of Bond Sale documents

Dawson explained to council the purpose of the documents and the next steps [5:52:23 PM](#) which council needs to make. Dawson explained the items which can be expensed (certain time and expenses) prior to the bond sale.

Brown asked why the readings are waived. Dawson answered.

Keirn asked what Seattle Northwest Securities fee is. Dawson answered approximately \$20,000 to the bond attorney and approximately \$20,000 to Seattle Northwest Securities.

Brown and Keirn are good with these documents.

Haemmerle moves to adopt Ordinance No. 1061 waive the 3 readings, read by title only and authorize the Mayor to sign, seconded by Burke, [5:57:36 PM](#), motion passed unanimously.

Mayor Davis read Ordinance No. 1061 by title only.

Burke moves to approve summary of Ordinance No. 1061, seconded by Brown, motion passed unanimously.

[5:59:52 PM](#) Burke moves to approve 2010-08, seconded by Haemmerle, motion passed unanimously.

PH 265 Consideration of Idaho Power Franchise Ordinance No. 1057 and consideration of master plan for Idaho Power street lights

Williamson gave the background of this topic to council. The present franchise agreement expires July 1, 2010 hence not much time [6:01:30 PM](#) to discuss this topic. Williamson explained that in the last meeting council chose 1% fee for 10 years. This ordinance has been published; according to the law changes to the agreement can be made after publishing if they are favorable to the city. Williamson believes that if the 1% is increased to 3% and a 20 year term instead of 10 year term then this is favorable to the city. On page 141 [6:03:03 PM](#) in council's packet, Williamson added a new section number 19 regarding night sky compliance for phasing of lights over 4 years (master plan). Idaho Power is represented tonight by Dan Olmstead and Rick Kidneigh.

[6:06:50 PM](#) Tony Evans with the Idaho Mountain Express asked a question about the street lights. Williamson just spoke with Idaho Power, Tom Hellen Public Works Director and Mariel Plat Hailey Planner about the proposed lighting section. [6:07:43 PM](#) Tom Hellen explained the difference in poles throughout the city. The light poles on Main Street are owned by Hailey and those are charged a metered rate by Idaho Power. The poles throughout the neighborhoods are owned by Idaho Power and are charged a tariff. We are in the process of testing different types of light bulbs on Main Street for the Hailey owned lights. Evans asked if this agreement locks us into something with regards to a tariff which could change in a couple of years? Williamson replied that the lighting master plan addresses 3 scenarios of preferred actions to take.

[6:09:44 PM](#) Dan Olmstead with Idaho Power adds that the contract language allows for some flexibility with retrofits to the lighting. Idaho Power has received many calls from cities to look into new technology; such as LED bulbs, and lower energy use bulbs and they are more than willing to help out in any way they can.

[6:11:16 PM](#) Rick Kidneigh with Idaho Power spoke to council. LED lights are the wave of the future. Idaho Power supports any steps to move in this direction added Kidneigh.

[6:12:23 PM](#) Peter Lobb disagrees that this is a benefit to the City to increase the franchise fee to 3%. Lobb urges council to keep the agreement at 1% for 10 years.

[6:13:10 PM](#) Dawson explains that this not a tax like property taxes. Dawson explains her answer.

[6:14:44 PM](#) Burke supported the 3% fee originally and still does. This spreads the financial repercussions throughout the community. Burke would prefer the 3% and 20 year term.

[6:15:50 PM](#) Keirn looks at this as a cost benefit and he believes it would be worth it.

[6:16:14 PM](#) Haemmerle does not feel this is the time or place to raise fees. The economy has gotten worse since last year. Haemmerle agrees with Lobb, now is not the time. Haemmerle believes it should be 1% and 10 years.

[6:17:46 PM](#) Brown asked if the franchise fee could be used to retro fit lights. Brown is okay with 3%.

[6:18:56 PM](#) Mayor Davis is sympathetic to citizens that are barely hanging on in today's economy. Mayor Davis supports the 1% and 10 year franchise agreement.

[6:20:21 PM](#) Burke feels it would be irresponsible of us to not increase this now.

[6:22:20 PM](#) Brown asked if we could wait 2 years to start charging the 3%.

[6:24:46 PM](#) Dan Olmstead added there have been cases where cities have "re-opened" agreements for consideration in the "middle" of a contract period. They have consented in the past to re-open cases for discussion on occasion.

[6:26:27 PM](#) Dawson asked why the 20 year term is important to Idaho Power. Olmstead explained the non-compete clause in the agreement, it gives Idaho Power a longer time to receive an income stream from the City.

[6:29:47 PM](#) Haemmerle feels that changes in technology is a reason to not go to a longer agreement than 10 years.

Haemmerle makes motion to adopt Ordinance No. 1057, 1% 10 year term, waive the 3 readings read by title only and authorize the Mayor to sign,, seconded by Brown, Brown asked what happens to the funds do they go to the general fund? Yes, they go to the general fund answered, motion passed unanimously.

Mayor Davis conducted the reading by title only of Ordinance No. 1057.

Haemmerle makes a motion to reconsider the previous motion, seconded by Burke, motion carries. Haemmerle opposes to reconsider.

Haemmerle withdraws his motion to reconsider.

Haemmerle moves to adopt Ordinance No. 1057, 1% 10 year term, waive the 3 readings read by title only and authorize the Mayor to sign, seconded by Brown, motion passed unanimously.

Mayor Davis conducted the reading of Ordinance No. 1057 by title only.

PH 266 Downtown Strategy presentation

[6:42:54 PM](#) Downtown strategy presented by Beth Robrahn.

This strategy is a plan for economic development which builds on vitality. Having a downtown strategy allows the city to apply for grant monies. Robrahn explains that this current strategy builds on past efforts – 1990's Main Street Improvement and in 2000 Gem Community Plan. The process included a 7 member advisory committee. This committee conducted research, collected data and was a "sounding board" for ideas. The first annual State of Downtown presentation was June 11, 2010.

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[6:56:06 PM](#) Haemmerle asked what is a good way to incentivize development in the downtown core. Robrahn named several ways to do this, looking at the permit process. Dawson added that Boise has a fast track process where all department heads must be present at the review of applications. Robrahn added that to minimize the “barriers” to building in downtown would work as an incentive to building in the core.

[7:07:09 PM](#) Larry Schoen spoke to council. Schoen loves downtown Hailey and would like to see it be successful. Robrahn explained that a detailed market analysis needs to be performed to determine the ratio of retail/residential which our city can support successfully.

[7:10:47 PM](#) Robrahn covered the vision, goals and guiding principles for the downtown strategy.

[7:13:34 PM](#) Tony Evans brought up a comment by Jim Hill at the State of Downtown presentation regarding businesses: Albertson’s, Post Office, and Power Engineers. Hill showed frustration that these businesses were allowed to build too far from the downtown core – a mistake by City of Hailey. Robrahn added that there needs to be a strategy to attract these types of businesses to the core.

[7:19:48 PM](#) Robrahn discussed the Complete Streets plan, and the importance of making, decisions with all users (bikers, pedestrians and motorists) considerations in mind. It is important to think of them as a whole – all of them make up the “fabric” of our community and we should not separate certain activities from each other we should integrate them together as best possible.

[7:23:41 PM](#) Larry Schoen comments on the Guiding Principles in Robrahn’s presentation. Schoen feels that height needs to be increased and parking needs to be dealt with.

[7:27:24 PM](#) Jay Cone comments that the height is limiting the stories of the buildings and parking requirements create the form and size of the business. This is a double edge sword because parking spaces tend to dictate the size of the building.

[7:29:25 PM](#) Peter Lobb feels the big question council needs to address is height before the developers come to town wanting to build something higher than the restrictions. Lobb feels we need to target more than just white middle class citizens. Lobb feels that that Mayor Bieter (Boise City Mayor) has both good ideas and bad ideas.

[7:35:30 PM](#) Robrahn discussed ideas for “Event Streets” closing certain streets to promote walk ability and civic gatherings. Robrahn proposed having a wayfinding (signs on posts throughout town) system to point out hiking trails, river access and businesses.

[7:42:17 PM](#) Robrahn discussed and displayed a complete street parking plan for River Street. Robrahn asked if we could change part of downtown to accommodate wider sidewalks from Croy to Carbonate if we added 40 parking spaces on River Street.

Robrahn handed out the action items to council and asked them to rank them in priority. [7:48:45 PM](#) Robrahn will add these goals to the Planning Departments Strategic Plan as a commitment to follow through and report on the progress of the downtown strategy. Robrahn asked council to rank these items, give her time to compile and then will bring back to council in the next couple of meetings. Council is instructed to return the form to Robrahn by the end of this week with their priorities.

[7:52:48 PM](#) Schoen asked when they would adopt this strategy. Robrahn answered in either July meeting depending on when council wants to make a decision.

[7:53:52 PM](#) Jay Cone added to Keirn's comments. Cone suggests to "rubber band" some areas – incorporating some businesses to bring things back together into downtown. Robrahn added that integrating and incorporating are equally important which is what this strategy talks about.

OLD BUSINESS:

OB 267 3rd Reading of Ordinance No. 1058 and authorize the Mayor to sign - to rezone Lots 1-3, Block 69, Hailey Townsite

Burke makes motion, seconded by Keirn, motion passed unanimously.

Mayor Davis conducted the 3rd Reading by title only Ordinance No. 1058. [7:55:50 PM](#)

OB 268 3rd Reading of Ordinance No.1059 and authorize the Mayor to sign – amendments to zoning ordinance article 2, definitions

Burke moves to approve, seconded by Keirn, motion passed unanimously.

[7:56:33 PM](#) Mayor Davis conducted the 3rd Reading of Ordinance No. 1059.

OB 269 3rd Reading of Ordinance No. 1060 and authorize the Mayor to sign – amendments to subdivision ordinance section 4.2.1 and 4.2.4

[7:56:51 PM](#) Haemmerle makes motion ord 1060, seconded by Burke, motion passed unanimously.

Mayor Davis conducted the 3rd Reading by title only of Ordinance No. 1060.

OB 270 2nd Reading of Ordinance No 1062 – A city initiated text amendment to the Hailey Zoning Ordinance No. 532, Article 6A, Design Review, to remove redundancy and clarify standards and guidelines, to allow Public Utility Facilities or Public Uses to install chain link fences, and to allow sidewalks to be constructed in an alternative location

[7:57:44 PM](#) mayor davis conducted the 2nd reading of Ordinance No. 1062 by title only.

OB 271 2nd Reading of Ordinance 1063 - A city initiated text amendment to the Hailey Zoning Ordinance No. 532, Article 8.1 Fences. Amendments include, but are not limited to, allowing fences 8 feet in

heights for Public Uses and Public Utility Facilities and chain link with a Conditional Use Permit for Public Uses and Public Utility Facilities

7:58:19 PM Mayor Davis conducted the 2nd Reading of Ordinance No. 1063 by title only.

OB 272 2nd Reading of Ordinance 1064 - A city initiated text amendment to the Hailey Subdivision Ordinance No, 821, Section 4.0 to delete any standard of evaluation or criteria for review relating to the Hailey Comprehensive Plan.

7:59:07 PM Mayor Davis conducted the 2nd Reading of Ordinance No. 1064 by title only.

NEW BUSINESS:

NB 273 Discussion regarding Hailey Ice lease agreement

Williamson explained that this is essentially the same lease as was viewed by council prior to the bond election. One suggested change is to have a 5 member board instead of a 9 member board. Jim Laski could not make it to tonight's meeting. If there are substantive changes, Williamson suggested waiting to make a decision on this agreement.

Haemmerle is concerned about the fee structure; he wants to make sure that it remains affordable and available to everyone. Council is generally okay with the lease. Haemmerle would like to make sure that fees are not increased to make it an elitist club in the future. Williamson will talk to Laski and work through the concerns which council expresses tonight.

STAFF REPORTS:

Tom Hellen Public Works Director handed out a memo to council, an update on the Rodeo Grounds project. On July 12th a construction manager recommendation should be in front of council. **8:06:58 PM** Sept. 1st is the target date for construction on Rodeo Grounds structures.

Beth Robrahn gave council an update on the airport master planning process. Robrahn has been talking with Rick Baird regarding the new airport site. **8:08:57 PM** Robrahn received the response from Scott Cary (the project manager for the airport relocation project) she will meet with Dawson, Williamson, Burke and Susan McBryant about the pros and cons of the idea of doing an RFQ.

Dawson **8:10:09 PM** had a good meeting today with Dave Butterfield on partnering with Hailey on a new grant. Dave Butterfield has offered to capture the last rodeo event for a small fee (\$350-\$500) to use in the interpretive building.

8:12:11 PM Jeff Gunter will email council a document regarding a recent police chief meeting which he attended where one topic of discussion was dispatch. Gunter believes the conversation may lead somewhere so he wants the council to be aware of the situation.

[8:12:44 PM](#) Carol Brown has a Library Board meeting on Wednesday. Brown will meet with Jim Zarubuca, and Chuck Turner, to discuss emergency services continuity in power outages.

[8:14:47 PM](#) Mayor Davis met with John McGowen, Heather Dawson, Jim Spinelli, Beth Robrahn and Don Keirn last week to strategize on drawing new businesses to the Wood River Valley. This group will meet next in 30 days. Mayor Davis has received a thank you letter from Kinder Vision to the Hailey Police Department. Mayor Davis read the Best of the Valley awards. Included in this award was Gunter for best staffer gold, best staffer silver was Heather Dawson, best place for a children's birthday party – Hop Porter Park, best public park was Hop Porter Park gold and lastly best event was 4th of July parade in Hailey.

[8:16:48 PM](#) Haemmerle thanked Tom Hellen and Jeff Gunter for painting stripes at intersections of the bike path and city street roads to alert cars and path users to use caution when crossing these areas.

[8:18:05 PM](#) Burke met with South Valley Merchants Alliance on June 17th and gave a 10 minute update to them on the relocation airport.

With no further business Mayor Davis concluded the meeting at 8:22 P.M.