

**MINUTES OF THE SPECIAL MEETING OF THE  
HAILEY CITY COUNCIL  
HELD OCTOBER 10, 2019  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:30 P.M. by Council President Martha Burke. Present were Council members Jeff Engelhardt, Kaz Thea, Pat Cooley, and Martha Burke. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and Deputy Clerk Nancy Arellano.

Mayor Fritz Haemmerle is not in attendance.

[5:30:24 PM](#) Call to order by Martha Burke.

Open Session for Public Comments:

Bob MacLeod gives kudos to City of Hailey and the Arts and Historic Preservation Commission for the plaques, the art structure, and the mural. He thanks the Arts and Historic Preservation Commission.

Ron Bateman the interim Fire Chief for Wood River Fire District introduces himself. There will be a meet and greet on November 20<sup>th</sup>.

Seth Martin from Wood River Fire speaks and thanks staff for their hard work on the contract for services in the amended version tonight.

**CONSENT AGENDA:**

- [CA 355](#) Motion to ratify the attached 2019 Community Rating System Annual Recertification signed by Mayor Haemmerle on September 30, 2019 **ACTION ITEM**.....
- [CA 356](#) Motion to approve Resolution No. 2019-097, authorizing the Mayor to sign an MOU with BCSD, agreeing, upon satisfaction of certain conditions, to exchange real property. **ACTION ITEM**.....
- [CA 357](#) Motion to ratify the amended contract for services with Wood River Fire District by which City of Hailey will provide fire protection services to WRFD for an annual amount of \$36120, to be paid on a monthly basis during the term of the contract. **ACTION ITEM**.....
- [CA 358](#) Motion to approve Resolution 2019-098, authorizing a contract for services with the Chamber for visitor services and events promotion during FY 2019-2020, in an amount of \$70,250 for the Chamber and \$10,000 for Hailey Ice **ACTION ITEM**.....
- [CA 359](#) Motion to approve Resolution 2019-099, authorizing a Lease Agreement with the Chamber for use of the Welcome Center for visitor services **ACTION ITEM**.....
- [CA 360](#) Motion to adopt Resolution 2019-100, authorizing Pay Estimate No. 1 in the amount of \$331,811.45, for work completed on the Myrtle St. Connector **ACTION ITEM** .....
- [CA 361](#) Motion to adopt Resolution 2019-101, authorizing the mayor’s signature on Change Order No. 4, comprised of additional minor work for an increase of \$4,351.57, and extending the contract time on the Myrtle St. Connector **ACTION ITEM**.....

- [CA 362](#) Motion to adopt Resolution 2019-102, authorizing Pay Estimate No. 1 in the amount of \$42,681, for work completed on the Della View Drainage Improvements project **ACTION ITEM**.....
- [CA 363](#) Motion to adopt Resolution 2019-103, authorizing the mayor’s signature on a Memorandum of Understanding with Flood Control District No. 9, by which Hailey will receive up to \$50,000 from the district for work completed on the 2019-funded Della View Drainage Improvements project **ACTION ITEM**.....
- [CA 364](#) Motion to annul original Notice of Award to Buffalo Electric in the amount of \$46,270, and motion to reject all bids, and motion to adopt Resolution 2019-104, approving a direct award and authorizing the Mayor’s signature on an agreement with Buffalo Electric in the amount of \$46,270, to complete electrical upgrades at the River St. well. **ACTION ITEM**.....
- [CA 365](#) Motion to approve the Special Event, Halloween Hoopla, to be held on Main Street, from Myrtle Street to Pine Street (Thursday, October 31, 2019, from 3:30pm to 5:30pm) **ACTION ITEM**.....
- [CA 366](#) Motion to approve minutes of September 23, 2019 and to suspend reading of them **ACTION ITEM**...
- [CA 367](#) Motion to ratify claims for expenses incurred during the month of September, 2019 **ACTION ITEM**.....
- [CA 368](#) Motion to approve claims for expenses incurred during the month of September, 2019, and claims for expenses due by contract in October, 2019 **ACTION ITEM**.....

**[5:32:56 PM](#) Thea moves to approve all consent agenda items seconded by Cooley. Motion passed with a roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.**

**PUBLIC HEARING:**

*PH 369 Consideration of Ordinance No. 2019-\_\_\_\_\_ proposing a Second Amendment of the Development Agreement with FaPo, LLC, regarding the area referred to as the Forest Service Block Lots 4-8 and 13-20 of Block 20, Hailey Townsite) and property located at 401 and 407 S. River Street. (to be continued to a future meeting)*

**[5:33:14 PM](#)** Burke speaks, the Public Hearing is going to be continued to October 16<sup>th</sup>.

Open session for public comment.

**[5:33:49 PM](#)** Jeremy Lange with Engel & Associates representing FaPo Holdings speaks. Lange gives a brief overview. They are proposing an amendment to the development agreement to address a number of issues: parking for the building and the preservation of the historic buildings. They are proposing an avenue to protect the buildings from demolition in hopes of moving them to another permanent location.

**[5:34:55 PM](#)** Harry Weekes with the Sage School speaks. They are working with FaPo Holdings to see if the Sage School can preserve the buildings using them as a campus or part of the campus. They are looking at doing their due diligence of the buildings which includes storage costs, moving expenses, environmental assessments, and fitting them into the campus plan. They are looking at how to continue keeping it accessible to the public.

**[5:36:44 PM](#) Thea motions to continue PH 369 to the October 16<sup>th</sup> meeting seconded by Engelhardt. Motion passed by roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.**

*PH 370 Consideration of name change recommended by the Hailey Parks and Lands Board for Keefer Park Ballfield ACTION ITEM* .....

[5:37:41 PM](#) Yeager presents item on behalf of Stephanie Cook. This is a proposal to name the ballfield at Keefer Park. It currently does not have a name. On June 26<sup>th</sup>, Becki and Steve Keefer attended the Parks and Lands Board meeting and proposed to name the ballfield, “Lars Hovey Ballfield” in recognition of his hard work. Yeager reads Cook’s prepared letter talking about Hovey’s dedication.

[5:39:45 PM](#) Becki Keefer speaks. Hovey has been a positive influence in the youth community for many decades. Keefer speaks on Hovey stepping in while the ballfield had limited funds. Hovey gathered his teams and players to pull weeds and gather grass seed. Hovey reached out to Uhrig Fencing. The fence was donated by Uhrig Fencing. This was a community effort. Keefer thanks Hovey in helping make the ballfield what it is today. There is discussion in the Parks and Lands Board to put a plaque next Spring.

[5:42:17 PM](#) Steve Keefer agrees with Becki Keefer. It is appropriate to name the field in recognition of Hovey’s perseverance, passion for baseball and dedication to the community.

[5:43:01 PM](#) Mike McKenna speaks. McKenna is a member of the Wood River Baseball Softball Association. They use the field. McKenna offers to help in any way they can.

[5:43:57 PM](#) **Cooley motions to adopt Resolution 2019-105 authorizing the name change of Keefer Park Ballfield to Lars Hovey Ballfield seconded by Thea. Motion passed by roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.**

[5:44:31 PM](#) **Burke reads the resolution.**

**NEW BUSINESS:**

*NB 371 Approval of a letter to Blaine County regarding a four-lot short plat subdivision in the Hailey Area of City Impact located at 106 and 110 McKenzie Lane totaling 4.63 acres. ACTION ITEM*

[5:46:40 PM](#) Burke speaks, at this time we have the opportunity to review and approve the letter to Blaine County regarding four-plat short plat.

[5:47:01 PM](#) Horowitz introduces the item. She describes the area near Northridge subdivision and the area in front of the highway is in the area of impact but not in city limits. The area of city impact agreement we have with Blaine County allows us to provide comment to subdivisions in the county. Yeager and Horowitz thought the most practical is if the plat were to show an easement coming through the barn buildings that will allow a for future road connection. We have the ability to connect to 2<sup>nd</sup> Ave and the dead end of Cranbrook. She and Yeager can see a road system in the future if and when the properties are developed and annexed. They have prepared a draft letter. Matt the project engineer, conference call with the owner with Blaine County staff there, they weren’t opposed because they understood that sometime in the future their property would have more value if it were annexed into the city or redeveloped. [5:49:15 PM](#) Horowitz refers to an email received today from the Engineer of the project, Sam Stahlnecker at Galena Engineering. Horowitz, Stahlnecker

asks that we change some of the notations in the letter pointing to the fourth paragraph. Staff thought this was fine.

**5:50:55 PM** Thea motions to approve Mayor Haemmerle’s signature on the attached letter to Blaine County with suggested changes by Stahlnecker to paragraph 4, motion seconded by Cooley. Motion passed by a roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

*NB 372 Consideration of contract documents, a notice of award, and agreement to construct War Eagle Dr. drainage improvements, and motion to adopt Resolution 2019-097, authorizing the Mayor’s signature on the notice of award and agreement (contingent on receipt of contract security and certificate of insurance) ACTION ITEM .....*

**5:52:17 PM** Yeager speaks. Council adopted an MOU with the Flood Control District with matching funds for drainage improvements along War Eagle Drive. The City was awarded \$50,000 from the Idaho Water Resource Board. The project was bid out. There were four bidders on the project. Bids ranged from \$40,000 to \$81,000. The low bidder was Skyline Excavation bidding at \$40,567.07.

**5:55:31 PM** Thea asks if they have worked with Skyline Excavation before. Yeager answers Skyline did all the other work there as well.

Open session for public comment.

**5:56:20 PM** Martha Bibb asks why there is such disparity in the bids. Yeager answers, all contractors were bidding the exact specifications and contract documents. This is a relatively small project in cost; any unknowns that may be encountered during construction can cause large fluctuation in the bids. Yeager provides an example with tree roots embedded in utility lines. Skyline has familiarity.

**5:58:05 PM** Cooley motions the consideration of contract documents, a notice of award, and agreement to construct War Eagle Dr. drainage improvements, and motions to adopt Resolution 2019-106, authorizing the Mayor’s signature on the notice of award and agreement contingent on receipt of contract security and certificate of insurance seconded by Engelhardt. Cooley adds to motion the notice of award to Skyline Excavation and not to exceed price of \$40,567.07. Motion passed with a roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

*NB 373 Consideration of ordinance amending chapter 10.40.040 HC adding prohibition against use of mobile electronic device while riding a bicycle ACTION ITEM .....*

**6:00:32 PM** Attorney Simms speaks. Mayor Haemmerle is very interested in this. It’s a safety issue.

**6:01:19 PM** Thea asks if it can be a hands-free device. Simms answers the way it is drafted is shall not hold in hand. A Bluetooth would be permissible.

**6:02:20 PM** Bob MacLeod speaks. He spent time as a bike path ambassador. He’d see more people texting, head down and not looking at what they are doing.

[6:03:28 PM](#) Martha Bibb asks, are bicycles licensed in this city like in other cities? Simms answers, we have jurisdiction to regulate the use of bicycles.

Engelhardt asks if there is a penalty. Simms answers haven't set a particular penalty for this.

Council deliberation.

[6:04:29 PM](#) Burke shares she recently had seen someone on a bike in the middle of Bullion St. no hands, texting. Burke had concern for the person.

[6:04:56 PM](#) Thea has been on a bike while talking on the phone. It does not feel great and it is risky.

[6:05:22 PM](#) Engelhardt speaks on an incident he saw today on River Street. Engelhardt thinks the amendment is fine.

[6:06:11 PM](#) Burke asks how the Bluetooth count in the discussion. Discussion of voice texting.

[6:06:51 PM](#) Seth Martin suggests to add skateboards and scooters.

#### **OLD BUSINESS:**

*OB 374 Waiving of Second Reading and conduct of Third reading of proposed Ordinance No. 1250, Amending Hailey Municipal Code Chapter 17.05.040, District Use Matrix to include Personal Services as a Conditional Use in the SCI – Sales and Office Zoning District ACTION ITEM .....*

[6:07:54 PM](#) **Thea motions to waive the second reading and conduct the third reading of Ordinance No. 1250 and authorize the Mayor to sign, seconded by Engelhardt. Engelhardt, yes. Cooley, yes. Thea, yes. Burke, yes.**

[6:10:12 PM](#) **Burke reads 3<sup>rd</sup> reading and final reading of Ordinance No. 1250, by title only.**

**STAFF REPORTS:** Staff Reports                      Council Reports                      Mayor's Reports

[6:11:07 PM](#) Dawson goes over the meeting schedule for the next few meetings. Dawson is looking to schedule special meetings. Dawson suggests scheduling a meeting on Tuesday, November 12<sup>th</sup> the day after the Veteran's Day holiday. There is a conflict with some council members schedule for the October 21<sup>st</sup> meeting. Thea states she is unable to attend November 25<sup>th</sup> meeting. Council is able to attend the November 12<sup>th</sup> meeting.

Burke reminds all that the Idaho Transportation Dept (ITD) will hold a public meeting on Oct. 17<sup>th</sup>

**EXECUTIVE SESSION:** Pending & Imminently Likely Litigation (IC 74-206(1) (f)),

[6:17:17 PM](#) Cooley moves to go into Executive Session to discuss Pending & Imminently Likely Litigation (IC 74-206(1) (f)) seconded by Thea, motion passed with roll call vote at [6:17:43 PM](#) pm Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

Burke and council came out of Executive Session at [6:23:59 PM](#).

[6:24:31 PM](#) Cooley motions to direct City Attorney Simms to bring forth rectifying a water meter issue at 1021 Queen of the Hills seconded by Thea. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

[6:25:07 PM](#) With no further business to conduct, the meeting is adjourned.

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Fritz X. Haemmerle, Mayor

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Mary Cone, City Clerk