

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD OCTOBER 26, 2020
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 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.

[5:31:29 PM](#) Mayor asked for motion Thea moves, Linnet seconds. Husbands, yes. Thea, yes. Linnet, yes.

Martinez not yet present.

[5:32:19 PM](#) call to order by Mayor

OPEN SESSION:

[5:32:45 PM](#) no comments

CONSENT AGENDA:

- [CA 436](#) Motion to authorize the Mayor to sign the FEMA Reimbursement Documents and Obligation Notice Letter for DR-4333-ID related to Donated Resources Della Flood 2017 for a draw down of \$6,553.49 **ACTION ITEM** .1
- [CA 437](#) Motion to approve the National Women’s Suffrage Centennial Historical Marker, to be located at the Blaine County Historical Museum on Lot 11, Block 45, Hailey Townsite (218 North Main Street). **ACTION ITEM** 17
- [CA 438](#) Motion to approve Resolution 2020-111, authorizing a renewed lease through September 30, 2030 for Syringa Mountain School’s use of city property adjacent to the school for gardening and outdoor programs (continued from September 28, 2020) **ACTION ITEM** 22
- [CA 439](#) Motion to approve Resolution 2020-114, authorizing the Mayor to sign Special Use Agreement with Blaine County for wireless communication data link for internet and phone services through Syringa **ACTION ITEM**
- [CA 440](#) Motion to approve Resolution 2020-115, authorizing the Mayor’s signature on an Emergency Access Easement Agreement by and between Pioneer, LLC, and the City of Hailey, which ensures access through Lots 1A, 1B, and 1C, Block 4, Airport West Subdivision Phase II and Lots 1DD and 1EE, Block 4, Airport West Subdivision Phase II, is retained for emergency purposes. **ACTION ITEM**..... 41
- [CA 441](#) Motion to adopt Resolution 2020-116, authorizing the Mayor to approve revisions to the Transportation Master Plan. **ACTION ITEM**47
- [CA 442](#) Motion to select Winn’s Compost for further advancement of the pilot composting plan in conjunction with the City engineering consultant (HDR.) **ACTION ITEM**..... 58
- [CA 443](#) Motion to approve West Meadow Water Main Project Contractor’s Pay Request No. 1 in the amount of \$121,863.96, for work completed through October 20, 2020 **ACTION ITEM** 63
- [CA 444](#) Motion to approve the Findings of Fact, Conclusions of Law and Decision for a Preliminary Plat Application by Jesse and Taryn German, represented by Galena Engineering, where Lot 38, Little Indio Subdivision (415 W Bullion) is subdivided into two lots, Lot 1, 12,704 square feet and Lot 2, 11,335 square feet, within General Residential (GR) Zoning District and the Special Flood Hazard Area. **ACTION ITEM**67
- [CA 445](#) Motion to approve the Findings of Fact, Conclusions of Law and Decision for an extension to the timeline for the Preliminary Plat Application for the Sunbeam Subdivision, pursuant Section 16.03.020 (D) of the Hailey

	Municipal Code, by Marathon Partners for Phase I of a 54.38-acre property. The parcel is currently described as FR NENE TL 6655 Section 9 & 10, 2N, 18E. ACTION ITEM.....	72
CA 446	Motion to approve Alcohol License Renewals ACTION ITEM	83
CA 447	Motion to approve minutes of October 7, 2020 and to suspend reading of them ACTION ITEM.....	98
CA 448	Motion to approve minutes of October 13, 2020 and to suspend reading of them ACTION ITEM.....	106
CA 449	Motion to ratify claims for expenses incurred during the month of September, 2020 ACTION ITEM	117
CA 450	Motion to approve claims for expenses incurred during the month of September, 2020, and claims for expenses due by contract in October, 2020 ACTION ITEM	120
CA 451	Motion to approve preliminary, unaudited Treasurer’s report for September, 2020 ACTION ITEM	145

[5:33:20 PM](#) Martinez moved to approve all consent agenda items minus, seconded by Thea, motion passed with roll call vote. Husbands, yes. Thea, yes. Linnet, yes. Martinez, yes.

MAYOR’S REMARKS:

[5:34:03 PM](#) Mayor Burke, this has probably been the hardest week of our community, take a moment, in silence, for those people we have recently lost.

PUBLIC HEARINGS:

PH 452 Consideration of an Ordinance No. ____, an Ordinance amending the Zoning and Subdivision Fees, to establish new fees and increase some fees more than 5% and ready by title only. ACTION ITEM

[5:35:09 PM](#) Horowitz opens with this item, these fees have not been raised since 2007, largely remained unchanged, most since then. There are no departments that are run solely on these fees, they offset some costs. [5:36:35 PM](#) We compared our fees with those of other cities and our goal is to be between Bellevue and Ketchum, want a balance, Ketchum is in a different bracket. Horowitz shows the fees, in most cases, modest fees for sign permit and fence permit. Robyn Davis is on call for any comments. [5:37:50 PM](#) pre-application meeting is crossed out, this has not ever been charged, doesn’t feel proper, so we are deleting this from the list.

Public comments:

[5:38:50 PM](#) no comments

Council deliberation

[5:39:09 PM](#) Martinez felt these changes were very fair, comfortable with this. [5:39:32 PM](#) Thea agrees, likes the comparison with other cities, seems reasonable and fair.

[5:39:52 PM](#) Linnet, reviewed these, concerned with impacting smaller projects versus larger ones. Wanted to make sure it wouldn’t impact small jobs, doesn’t seem to be.

[5:41:00 PM](#) Martinez, moves to approve Ordinance No. 1268 and read by title only, seconded by Thea. Motion passed with roll call vote. Husbands, yes. Thea, yes. Martinez, yes. Linnet, yes.

5:41:56 PM Mayor Burke conducts 1st Reading of Ordinance No. 1268, by title only.

PH 453 Consideration of an Ordinance No. ____, an Ordinance amending Table 1-A: City of Hailey Building Permit and Plan Check Fees, to establish new fees and increase some fees more than 5% and read by title only. ACTION ITEM

5:43:49 PM Horowitz, short slide show of these fees, table 1-A, most cities use this table, began in 1920's uniform building code, decided to keep the table, looked at how we would position ourself again between Bellevue and Ketchum fees. The issue of most challenge, developer can use \$120/per square foot, opt out in Hailey. 5:47:02 PM Our fees have been mostly the same since 2004. Important to keep small building projects affordable, under \$2,000. Middle range approximately a 25% increase. Added a planning review fee, measure setbacks, building height, larger projects. Amended table, comparison to other jurisdictions fees.

5:49:21 PM Robyn Davis, adds one item, additional inspections above 10, has been removed.

5:50:10 PM Thea has a question, how come not a P&Z plan review fee. Horowitz responds, the Commission does not review permits.

5:50:54 PM public comments, there are none.

Council deliberation.

5:51:27 PM Thea, appreciates the comparison with other cities, probably time that we update these fees.

5:52:07 PM Linnet, reiterates, feels good about these increases.

5:52:28 PM Husbands, increase 20%? Horowitz responds, last time updated in 2004.

5:53:01 PM **Martinez, moves to approve Ordinance No. 1269, read by title only, Thea, seconds. Thea, yes. Husbands, yes. Martinez, yes. Linnet, yes.**

5:53:57 PM Mayor Burke conducts 1st Reading of Ordinance No. 1269, by title only.

*PH 454 Consideration of possible amendments to Hailey's Public Emergency Health Order 2020-07
ACTION ITEM*

5:54:48 PM The consideration tonight is to 64-foot square foot area within our current order 2020-07, Mayor Burke welcomes other staff comments.

5:55:59 PM Dawson speaks first, when considering current order 2020-07, spoke with many businesses, found that maximum group size of 10 was confusing as to whether it applies to them or not, the 1 person per 64 square feet. Pre-COVID, this room (shows a picture of a Hailey Business) fit, in stage 2, late May/early June, owner removed center tables, 6 feet between tables,

8 people on far side of room, 30 people at all tables. Restaurants wanted to comment on this order.

[5:59:52 PM](#) Simms, this body adopted the Harvard matrix, this document has the 64 square foot area. Business community vocalized their concerns, exemption in paragraph 2, page 183 of your packet, that being said, we are also hearing from the Governor's office that we are going into stage 3. With that, will answer any questions.

[6:01:49 PM](#) Mayor opens for public comments on the 64 square foot discussion.

Public comments:

[6:03:03 PM](#) Phil Rainey, Hailey resident and business owner on River Street, Hyperbarics. Rainey is concerned about masks, he has a condition that does not allow him to wear masks. One of his patients doesn't tolerate a mask or shield, and has been denied business in the valley. Many patients he treats, are similar in this case. People with documented letter from physician, mandate that was sent to businesses, no exceptions.

[6:07:26 PM](#) Simms is happy to discuss this with Mr. Rainey after the meeting.

[6:08:35 PM](#) Nicole Lichtenberg, feels good about the mask order, and

[6:09:10 PM](#) Martha Bibb, support the council's reliance on medical experts, hopefully people realize that if we don't do these measures, our businesses will close.

[6:11:01 PM](#) Mayor Burke looking for members of community, on the line that feel we are not doing it the right way.

[6:12:00 PM](#) Tamara Christensen, interesting 64 square feet, a lot of small businesses, it is very limiting for their customers. Why not 36 square feet? [6:13:08 PM](#) Harvard global matrix gives this measurement, Mayor Burke responds.

[6:14:38 PM](#) Mike McKenna with Chamber, has attended a couple of business owner meetings. 64 square foot, it is hard to do this, not fair for everyone. Business owners sentiment was that the City should treat them as adults, if they get sick, they will be forced to close. Who determines what is essential? Businesses don't want to police, it puts them in a tough place. Have heard these points repeatedly, wishes the business community would speak up.

[6:16:48 PM](#) page 193, letter to Hailey business owners Alliance, Mayor asks if someone from this group would like to speak, no response.

[6:18:09 PM](#) Dawson, the Friday business meeting she attended, it is imperative that the business community speak directly to the council.

[6:19:32 PM](#) Martinez, these are challenging times, would like to see some exemption for public transportation., to section E. Would like to discuss, connectedness to each other. There are establishments that provide connectedness, more important as we go further, thinking of churches,

bars and restaurants, to stay connected with people. Would love to hear connectedness discuss and how to reconcile.

[6:23:02 PM](#) Linnet, shares Mayor Burke and Dawson's frustration in hearing from concerned businesses. Asks McKenna to implore to businesses the importance, and more outreach and participation. Linnet asks, 64 square feet / person allows 5 people. Not suggesting, but want to hear [6:25:04 PM](#) public health district definition, your body takes up 2 square feet, so really you have 6 feet all around that 2 feet. Appreciates Martinez comments about the community. Being empathetic towards our community and business owners, none of the decisions we've made over the past 7 months have been made without consulting professionals, each other, and staff. The reason we've been considering these orders, maintain safety, need everyone to be as healthy as possible. Our job is a tough one, find acceptable solution for community and keep businesses open. Health officials are pleading with us to take more drastic measures as our hospital is at capacity. [6:30:16 PM](#) Real impacts are to cancer patients, delaying treatment because they don't want to go into the hospitals with compromised immune systems. Linnet understands some restaurant owners, suggests having 12 feet between tables, some people cannot wear masks. Would love to hear more solutions from the business community. Would like people to recognize that this is tough, trying to keep the economy open and everyone safe. Please come to us with your suggestions. We are all tired of this, stronger we will be in the future.

[6:33:06 PM](#) Husbands, unfortunate that the businesses did not show up, should be able to come talk to us. We cannot ignore the science on the spread. We need the businesses to present their ideas, until we hear from them, stay the course of what we've adopted.

[6:34:38 PM](#) Dawson asks a question, to Husbands.

[6:35:35 PM](#) Simms, with a few minor changes, can amend it, but cannot interpret other than how it is written.

[6:36:23 PM](#) Husbands, per governor's order, people must be seated.

[6:36:52 PM](#) Thea voices her frustration that businesses are not coming to us to speak, willing to consider each pod that comes in per table, point is restaurants and bars are where the numbers are spreading, among other places. Thea asks to go back to exemptions, 12 feet between pods (groups of people)

[6:39:39 PM](#) Linnet, it is an idea, have not explored if practical in some businesses. We need input from businesses.

[6:42:08 PM](#) Martinez, as elected officials, we are here to make the best decisions for the community. We need to understand where the humanity has gone. Recognizes that people use these areas to come together with friends.

[6:44:26 PM](#) Mayor Burke suggests we stay where we are for the next week or two, we will see where we are. Martinez, stay where we are.

Linnet is not ready to change this order yet. [6:46:08 PM](#) Linnet did a little research, Washington has statewide mask order, enforcement or policing of the public, not how it should be characterized, should be sign on business, if not wearing a mask, politely ask them to wear a mask. It is important that the businesses have people wear masks so that businesses can stay open. Last thing we want to do is close businesses again. Please reach out to us.

[6:48:29 PM](#) Thea, simple ask, respectfully done, we are all in this together, takes us all to make the difference.

[6:49:11 PM](#) Mayor Burke, we have given businesses the power to say, city is requiring mask, can do curbside. Some members of community don't believe that masks help. The goal right now is to protect as many people as possible. It is baffling when we don't have the same basis of understanding. It is a heartbreaking week.

PH 457 *Consideration of an amendment to Title 18, Mobility Design to amend Hawker Lane, a private road located within Airport West, to make the eastern half of Hawker Lane one-way from west to east, eliminating the westbound access from Airport Circle to Aviation Drive through Hawker Lane. The eastbound access from Aviation Drive to Airport Circle and north and southbound access along Piper Crossing from Hawker Lane to Jetstar Lane will remain the same. **TO BE CONTINUED TO NOVEMBER 9, 2020** ACTION ITEM no docs*

[6:53:10 PM](#) Mayor Burke asks for a motion to continue this item to the Nov. 9th meeting.

[6:53:35 PM](#) Martinez moves to continue this item to November 9th, seconded by Linnet, Husbands, yes. Thea, yes. Martinez, yes. Linnet, yes.

NEW BUSINESS:

NB 455 *Winn Compost Presentation and Workshop on changes to Rubbish Hauling program through Hailey's discussions with Clear Creek Disposal and City of Ketchum re: amendments to franchise agreements ACTION ITEM*

[6:54:20 PM](#) Winn speaks, since 2013, has processed and sold 2,000 tons of material. And have gone through 680 yards of food waste. Landscape compost and food waste compost. ½ soil ½ compost, gardeners like, have done 1,500 yards, [6:56:35 PM](#) 3,000 yards of material Typical pick-up truck holds 1 yard. 3 people run the business. 3 loaders, one runs all day long. Delivery and one processing the incoming waste. A few changes to know, looking at changing for next year, already thinking about this increase. Right now, processing 550 cubic yards in any week, capacity to 4-5000 cubic yards per week. Grinder and screen. Questions on food waste? This fall in negotiation with cities, Ketchum, Bellevue, Hailey on taking sewer sludge from cities processing.

[6:59:37 PM](#) Thea is very excited about this idea. Would like to know, daily or weekly to his capacity. Winn responds, per day. [7:00:42 PM](#) in 2019, 1400, 2018 786 cubic yards. As Mike Goitendia is picking up the waste. On any day right now we deal with 550 cubic yards per day, can handle much more. Goitendia's truck handles 40 yards of material, comes in Tuesday and

Fridays, has about 4 yards of material, can handle as much as 15 yards of material, one scoop of Winn's loader can hold 8 yards of material.

[7:03:25 PM](#) Linnet asks same question, can he handle it? Winn responds, yes he can handle it. Food waste mixed with 3 parts carbon. Food waste is his highest seller, not sure what will do in the spring, he doesn't have the food waste right now.

[7:05:34 PM](#) Horowitz announced, Rebecca Bundy is on call for later comments and presentation.

[7:05:51 PM](#) Winn, can commingle green waste, limbs, leaves, not inconvenient for him, can combine with food waste.

Mayor asked Bundy to present. [7:07:08 PM](#) staff has been meeting with Clear Creek every month, also Wood River Womens Foundation grant correlates with this grant. In next meeting, November, hope to submit cost/benefit analysis, and impact on rate payers, proceeding with ideas, nail down the data to make decisions. So that in February can look at a proposed ordinance. May 12, 2021 effective agreement. [7:09:22 PM](#) Original ideas have to do with outreach, having convert to natural gas or electric trucks, infrastructure is not here yet. Preferred options, food / yard waste collection/composting. Questions we are asking, curbside pickup? Food or yard waste? Composting capacity/demand? Cost per household? Next discussing, single stream pickup, effectiveness vs. multi-stream? Positive effect for multi-family? Positive effect for public collection, cost per household? Bundy mentions retirement of recycling centers, contamination and dumping issues, noise and visual nuisance. Bear proof containers, cost / benefit? Necessary in all neighborhoods? Voluntary vs. mandatory?

[7:14:36 PM](#) Mayor Burke, we used to do single stream at curbside. Bundy, the county decided at one point that they could get more money by sorting their recycling. County is interested in revisiting this discussion. There is 11%, double that amount going to landfill, because it is contaminated recycling.

[7:16:38 PM](#) Thea, why is single stream more expensive? Bundy, responds, because you must sort it. Goitendia is looking at shipping and then sorting, to a dirty murf, facility, the cost of them processing, you have to pay them to take it.

[7:18:21 PM](#) Bundy we are waiting for data from Goitendia, concrete charts, benefits and cost.

[7:19:03 PM](#) Martinez, appreciation for the timeline, blast out to the community on this item. Shout out to Winn, partnerships in line, share same excitement, feel public will want to be involved.

OLD BUSINESS:

OB 456 3rd Reading of Ordinance No. 1267, amending Hailey Municipal Code Chapter 8, Health and Safety, adding a new section 8.06 which limits engine idling within the City of Hailey AND consideration of Summary of Ord. No. 1267 ACTION ITEM

[7:20:28 PM](#) Thea moves to approve Ordinance No. 1267 authorize Mayor to conduct 3rd Reading by title only, sign and approve summary, Martinez, seconds. Motion passed with roll call vote. Thea, yes. Husbands, yes. Martinez, yes. Linnet, yes.

[7:23:05 PM](#) Mayor Burke conducts 3rd Reading by title only of Ordinance No. 1267.

STAFF REPORTS:

[7:23:48 PM](#) Dawson, do you need a special meeting? Next meeting November 9th and then November 23rd. Asks if most of you are available on Monday November 30th. Wanted to know if you wanted a special meeting to discuss electricity?

Thea agrees, Linnet agrees.

[7:26:15 PM](#) Horowitz, update on forest service building move, waiting for Airport West Design review approval later this week. Waiting on a lead-based paint review, which may change our plans. [7:27:19 PM](#) Yeager, if lead-based paint, then might be significant. Our efforts of relocation are getting more expensive.

[7:28:12 PM](#) Yeager mentions that we are doing grand opening snow storage site, November 9th before council meeting, maybe 4 – 4:30.

[7:29:15 PM](#) Linnet still wants to ride with Yeager during snow removal.

[7:29:52 PM](#) Martinez makes motion to adjourn, Thea seconds, motion passed unanimously.