

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD NOVEMBER 4, 2013
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 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, Tom Hellen, Craig Aberbach (Hailey Fire Chief), Jeff Gunter, and City Clerk Mary Cone.

5:29:50 PM call to order

5:30:26 PM **Burke moves to amend agenda with the late addition item PH 439, Airport Discussion, and to move PH433 To New Business 433, seconded by Keirn, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

CONSENT AGENDA:

CA 411	Motion to approve Resolution 2013-77, authorizing contract for services with Hailey Chamber of Commerce for marketing and promoting business activity within the City of Hailey with \$61,000 of local option tax funding	1
CA 412	Motion to approve Resolution 2013-78, approving five (5) contracts with Sluder Construction, Inc. for assistance with snow removal activities for the 2013/2014 snow season	11
CA 413	Motion to approve Resolution 2013-79, authorizing a 4 year Municipal Lease Purchase Agreement for 3 police cars with Ascente Financial for \$84,862.79	45
CA 414	Motion to approve Resolution 2013-80, authorizing a 5 year lease with Pitney Bowes for a new postage meter machine for same price as current lease, quarterly amount of \$345.03	63
CA 415	Motion to approve Resolution 2013-81, authorizing the 2013 Community Video Tour Agreement with CGI Communication, Inc.....	67
CA 416	Motion to ratify Council President's signature on Idaho Power Easements for power to irrigation pumps at Lions and Heagle Parks (previously approved with easement maps during 10/07 meeting with Resolution 2013-75) ..	71
CA 417	Motion to approve special event Sun Valley Ski Education Foundation Ski Swap to be held on November 8-9 th , 2013 from 9:00am-7:00pm at the Hailey Armory	81
CA 418	Motion to approve special event Hailey Turkey Trot 5K to be held on November 28 th , 2013 from 10:00am-12:00pm on Carbonate, Main Street and designated route	85
CA 419	Motion to approve special event Hailey Holiday Antique Market to be held on December 27 th -29 th , 2013 from 9:00am-7:00pm at the Hailey Armory	89
CA 420	Motion to approve minutes of October 7, 2013 and to suspend reading of them.....	93
CA 421	Motion to approve minutes of October 9, 2013 and to suspend reading of them.....	103
CA 422	Motion to approve minutes of October 15, 2013 and to suspend reading of them.....	105
CA 423	Motion to approve claims for expenses incurred during the month of September 2013	109
CA 424	Motion to approve claims for expenses incurred during the month of October, 2013, and claims for expenses due by contract in November, 2013	141

Items CA 411 & CA 413 pulled by Williamson.

5:31:54 PM **Burke moved to approve all consent agenda items minus CA 411 & CA 413, seconded by Keirn, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

CA 411 - Williamson asked to continue this item to the next meeting, November 18th.

Brown moves to continue CA 411 to the next meeting, seconded by Keirn, motion passes with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.

[5:33:17 PM](#) CA 413 - Williamson, is okay with the lease agreement but is not okay with the opinion letter, Williamson suggests that council move to approve based on attorney's suggested changes, and satisfactory understanding on the opinion letter, **Motion made by Brown, seconded by Burke, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

Mayor Haemmerle moves item PH 439 [5:34:47 PM](#) up on the agenda

PUBLIC HEARINGS:

PH 439 Airport update

Site selection master planning process

[5:35:09 PM](#) Rick Baird present from the Airport

Mayor Haemmerle introduces a summary of the situation as he understands it. Baird responds to the Mayor's statement. [5:36:25 PM](#), 3 part answer. There is an opportunity to update the master plan process goals, states Baird. This master plan will have short term goals, midterm goals and long term goals. Baird would like a document that is used on a routine basis, not one that sits on a shelf after creating/adopting it. [5:40:34 PM](#) Haemmerle would like to see trigger points in this master plan regarding the future site selection process. Mayor Haemmerle likes this process because it dictates how much expansion can be done before a new site is the goal. Baird comments that there are real triggers which the Federal Aviation Administration (FAA) could implement as he discussed with the Mayor earlier today. [5:43:47 PM](#).

[5:44:41 PM](#) Susan McBryant comments for the record. Technically we will not be able to use our small airport going forward and there are only a few spots eligible for a relocated airport. McBryant hopes that we could limit this within our county to address the challenges within our county, puts us in a more ready position in the future.

[5:46:49 PM](#) no public comments

Council comments: [5:47:02 PM](#) good to have site selection in the master plan and trigger points, Haemmerle speaks to council. Haemmerle agrees with McBryant comments.

[5:48:10 PM](#) Burke asks a question, with a shrinking FAA budget, is there any way that the criteria will change (lessen requirements).

[5:49:10 PM](#) Baird responds to Burkes question. Purpose and need could change in the future. Burke asks who gets to establish this purpose and need? Baird responds. Burke refers to the St. George airport situation, regarding the decision to move, property identified increased sales price of land and then budget changed.

[5:52:58 PM](#) Carol Brown encourages Friedman Memorial Airport Authority (FMAA) members to set your criteria regarding the potential sites and why those sites meet your criteria, the Authority (FMAA) has a big job in front of you. Brown supports the technical and non-political approach that is being discussed tonight.

[5:54:25 PM](#) Mayor Haemmerle likes the idea of seeing what information is still good. Sooner the better in collecting this data and keeping it.

MAYOR'S REMARKS:

[5:56:50 PM](#) Mayor Haemmerle introduced the new fire chief, Craig Aberbach. And added that over 1 month, we had no fire chief, and Mike Baledge and Robbin Warner kept the lights on and in order at the Hailey Fire Department. [5:57:46 PM](#) Craig Aberbach introduces himself, thanks Mayor and Council, and recognizes Mike Baledge and Robbin Warner's work during the transition time.

[5:58:36 PM](#) Mayor Haemmerle believes that a Fire Dept. in the City is critical and he was reminded of this during the Beaver Creek Fire.

Mayor Haemmerle presents Certificates of Recognition to Mike Baledge and Robbin Warner.

PROCLAMATIONS AND PRESENTATIONS:

PP 425 Hailey Community Climate Challenge update

[6:00:18 PM](#) Mariel Platt gives an update of the Hailey Community Climate Challenge. After each quarterly report to the Environmental Protection Agency (EPA), an outcome is that Platt provides Highlights to council of the report accomplishments, tonight's included, 9 solar projects, bikeshare program, 278.70 miles traveled on these bikes to date, Welcome Center energy reductions, building performing better than expected, and to date have had 66 energy audits and retrofits in Hailey.

PP 426 Proclamation declaring November as Pancreatic Cancer Awareness Month

[6:05:25 PM](#) Mayor Haemmerle read the Proclamation.

APPOINTMENTS AND AWARDS:

AA 427 Library Board Appointments (expiring term of Jennifer Schwarz and recent vacancy by Ramona Duke)

[6:09:41 PM](#) Brown speaks that Carol Shanahan has previously served on this board and Ron Hayes would be a great volunteer.

[6:10:29 PM](#) Brown moves to appoint Carol Shanahan to a 5 year term through September 2018 and Ron Hayes to fill Jennifer Schwartz's remaining term through September 2014, seconded by Keirn, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.

PUBLIC HEARINGS Continued:

PH 428 Update from HDR Engineering on the Wastewater Plant Biosolids Project Engineering and Pilot Testing

[6:12:14 PM](#) Tom Hellen introduced HDR Engineering representatives - Haley Falconer, Mike Zeltner, and Tom Dupois and citizens on the Citizens Advisory Committee Bob MacLeod & Jim Spinelli. Brown asks a question regarding solid waste class A versus Class B. Mayor Haemmerle explains why HDR is including both classes in tonight's presentation.

[6:15:32 PM](#) Haley Faulkner speaks to council, gives an overview of the process with the Citizens Advisory Committee. Faulkner reviews the Pilot Testing objectives, which includes, 4 different manufacturers, manufacturer installation review, polymer testing and they coordinated with the Citizens' Advisory Committee. Conclusions of the testing included - all 4 manufacturers can meet the minimum 18% solids. Faulkner reviewed the next steps.

Hellen explains the purpose of the Citizens Advisory Committee.[6:24:08 PM](#) Bob MacLeod gives an overview of his involvement and the basis of asking HDR to give information on Class A sludge.

[6:25:25 PM](#) Jim Spinelli adds more comment on the Class A option. Spinelli believes it will be a future requirement by the Department of Environmental Quality (DEQ) and we should do it now.

Faulkner continues with her presentation, she covers the 3 basic requirements of the two options, Class A and Class B biosolids. Faulkner hands floor over to Tom Hellen, Hellen asks council to consider Class A versus Class B. [6:31:43 PM](#) Haemmerle asks Tom Dupois with HDR if DEQ with require Class A as a mandatory requirement in the future. Dupois does not know of any mandate to Class A biosolids. Burley is the only city in Idaho doing Class A, to Dupois' knowledge. Faulkner addresses a question posed by Mayor Haemmerle about constant monitoring of the class A biosolids to ensure that it stays a Class A material until the time that it is given away.[6:37:01 PM](#) Cooley asks about operation costs and odor issues. Faulkner states that the sludge odor is a risk with class b versus class a.

[6:37:54 PM](#) Burke asks about if ever mandatory then technology might be more advanced and less expensive? Dupois agrees that would be typical to expect this advanced technology if ever mandatory.

Faulkner continues to give a background on the Class A process. [6:40:19 PM](#) then moves into the benefits and challenges comparing Class A to Class B process.

[6:44:30 PM](#) Hellen added that there is a spreadsheet given to council for tonight's meeting.

Public comments:

[6:45:02 PM](#) Mark Johnstone of 641 S. River, asks that given our population, what is the projected water usage for Class A versus Class B processing? Answer by Mike Zeltner, nominal water usage in both processes.

[6:46:42 PM](#) Chad Sidwell of 109 Hiawatha, asks what is the expected life span of the equipment? Faulkner answers, typically 15 to 20 years.

Council discussion:

[6:47:43 PM](#) Mayor Haemmerle strongly believes in the Class B process and wants the best chance to pass this with voters. If we were to select Class A, it would add over \$1 million to the cost and then we would not see a return on the investment.

[6:49:51 PM](#) Brown agrees with Haemmerle and believes that Class B is the way to go. We know what Class B option is and there are no guarantees with Class A return on investment.

[6:51:03 PM](#) Keirn thinks the ongoing operating costs are also a concern on Class A.

[6:51:51 PM](#) Burke feels comfortable that we could get to class a in the future with costs but we are doing what we need to now by going with Class B.

Class B with an option to upgrade later, Mayor and Council are in agreement. Williamson asked HDR to put a Q&A on the website on why the council does not want to pursue Class A.

Mayor thanked HDR for the update. Short break ensued to let people leave.

PH 429 Public Hearing on Water and Wastewater proposed ordinance to set the procedures for determining Water and Wastewater Department fees – Second Reading of Ordinance 1139

PH 430 Public Hearing on proposed Resolution 2013-__ setting base water rates, metered water rates, and connection and other water fees according to new policies set out in Ordinance 1139, above

PH 431 Public Hearing on proposed Resolution 2013-__ setting Wastewater rates, and connection and other Wastewater fees according to new policies set out in Ordinance 1139, above

[6:57:18 PM](#) Regarding the resolutions and Ordinance tonight, Mayor Haemmerle announced that the Ordinance will have its 2nd reading tonight but the resolutions associated with items PH 430 & PH431 will be considered in the November 18th council meeting with the 3rd Reading of

Ordinance No. 1139. Mayor Haemmerle opened the floor for public comments regarding these items. There were no public comments.

Mayor Haemmerle conducts the 2nd Reading of [6:58:37 PM](#) Ordinance No. 1139, by title only.

PH 432 Public Hearing and timeline on proposed Cross Connection Ordinance (Continued from 8/26/13 meeting)

[6:59:42 PM](#) Item continued from the August 26th meeting.

[7:01:03 PM](#) Bob MacLeod, asked for clarification, the public would have the option to select a company who is qualified to inspect? Yes.

[7:01:35 PM](#) Chad Sidwell of 109 Hiawatha, is glad that this is opened up to the free market.

[7:01:48 PM](#) Brian Ross 411 Eastridge Dr., agrees with Sidwell, important to educate the reason for the inspections and potential risks if not done.

[7:02:49 PM](#) **Motion to approve Cross Connection Ordinance No. 1140 by Cooley and authorize the Mayor to read by title only, seconded by Burke, motion passed with roll call vote. Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.**

[7:03:45 PM](#) **Mayor Haemmerle conducts the 1st Reading of Ordinance No. 1140, by title only.**

PH 433 Public Hearing and consideration of adopting the Hailey Green Economic Development Plan by Resolution 2013-82

PH 434 Public Hearing and consideration of a sculpture partially donated by Sturtos Hailey and with a proposed location adjacent to their business at 1 W. Carbonate St

[7:04:48 PM](#) Micah Austin presents the question posed to council tonight. This art has been in Ketchum and in Hailey. Sturtos has offered \$4,000 towards the purchase of this art (\$9,500 price tag). The arts commission has offered an opinion, that they do not think that public funds should be used to purchase this art because it poses an advertisement for a business. Austin shows that the bikes present location is just outside of the vision requirements and would suggest that it be placed exactly where it is to not obstruct view. [7:09:24 PM](#) Hellen makes a few comments, which are in the packet.

No Public comments.

[7:10:40 PM](#) Brown asks who would own it? Austin answered, it would be City of Hailey's art. Jeff Davis is here tonight (owner of Sturtos). [7:12:21 PM](#) Bob Wiederrick speaks to council on a way to raise the funds to pay for the art he created.

[7:13:01 PM](#) Mayor Haemmerle having a donation contingent on the location is not proper. This is a form of advertising, we have 2 other bike shops in town. The Arts Commission was correct in the conclusion that no city funds be used for this. Haemmerle would rather just buy the art and place wherever we want.

[7:14:25 PM](#) Burke thinks Haemmerle's point is clear. Burke believes however, that if we can support our bike friendly community, then we should do it. Burke wants to accept it.

[7:16:31 PM](#) Keirn comments, why does the City need to be a part of this solution.

[7:17:12 PM](#) Brown loves the bike. Brown believes that the Arts Commission's suggestion was proper.

[7:19:05 PM](#) Mayor Haemmerle states, if this a donation, then the City should have a say to put it wherever we want to. A bad precedent to set, give a donation with strings.

[7:20:39 PM](#) Jeff Davis, of Sturtos in Hailey, spoke to council. Is there a way to permanently place the bike and get a permit. Williamson answered yes, encroachment permit is possible. Davis likes the position of the bike.

[7:27:13 PM](#) **Brown makes a motion, to approve a bike sculpture, purchased by private funds, seconded by Burke, discussion ensued, public art means you put it where the City of Hailey wants it, then Brown tables motion until further information is presented, seconded by Burke. Motion to table passed unanimously. Burke, yes. Cooley, yes. Keirn, yes. Brown, yes.**

NEW BUSINESS:

NB 435 Discussion of the status of the 15 minute parking ordinance adopted in October 2012 (Ord. 1111) and whether any amendments or policy changes are necessary

Brown believes that the 2 spaces per block should be separated.

[7:31:31 PM](#) Austin states that it has been 1 year since the city implemented this ordinance. Owner of Red Door Design House requests 2 more parking spaces per block. Austin reads an excerpt from public comments. Austin will work on separating the 2 per block, council does not want 4 per block.

[7:34:48 PM](#) NB 433 (moved from PH 433), 1st time for council review. Austin gives council a background on this item. This is a goal from the EPA grant and has been on Austin's list of things to do since he started working at the City of Hailey. Austin reads the vision statement for the Green Economic Development Plan.

[7:38:43 PM](#) Keirn suggests one minor change, priority 5, incentives, property tax abatement, slippery slope in Idaho, the state legislature does this for a few businesses (Micron Technologies and one other large company). In any event, he would like this removed. Also, in the same

sentence Brown needs to know what TIF is. TIF is Tax Incremental Finance, Austin will define this acronym in the sentence.

[7:40:36 PM](#) Haemmerle asks what this plan does for us and why is it not in our comprehensive plan. Austin responds to this question. Austin explains this plans purpose to the Mayor and council, a framework for our use.

[7:44:01 PM](#) Brown asks, energy independent (self-reliant) is not a component, should it be? The city has done significant work – LEAP grant, Energy Assurance Plan. Austin explains why those components were not included, because it is used as an economic development tool.

[7:47:04 PM](#) Haemmerle doesn't want to dissuade future development and feels that recent businesses that have moved into Hailey don't meet these requirements.

OLD BUSINESS:

OB 436 Approval of Summary of Ordinance No 1136 and 3rd Reading of Ordinance No. 1136 - City of Hailey initiated text amendment, amending Hailey's Zoning Ordinance, Ordinance No. 532, by amending Section 3.6 to require reconsideration for alleged failure to identify compliance or noncompliance with express approval standards or explain compliance or noncompliance with decision criteria, as required by the recent amendments to Idaho Code §67-6522

[7:50:17 PM](#) Mayor Haemmerle asks for a motion from council.

[7:50:28 PM](#) **Burke moves to approve summary and 3rd reading by title, seconded by Brown and authorize the Mayor to sign, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

Mayor Haemmerle conducted the 3rd Reading of ord. 1136, by title only

OB 437 Approval of Summary of Ordinance 1137 and 3rd Reading of Ordinance No. 1137 - City of Hailey initiated text amendment, amending Hailey's Subdivision Ordinance, Ordinance No. 821, by amending section 2.6 to require reconsideration for alleged failure to identify compliance or noncompliance with express approval standards or explain compliance or noncompliance with decision criteria, as required by the recent amendments to Idaho Code §67-6522

[7:52:04 PM](#) **Keirn moved to approve the 3rd Reading and summary of Ordinance No. 1137 and authorize the Mayor to sign, seconded Brown, motion passed with roll call vote. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**

Mayor Haemmerle conducted the 3rd Reading of Ordinance No. 1137, by title only.

STAFF REPORTS:

no staff reports

[7:54:42 PM](#) **Brown moves to conclude the meeting, motion seconded by Burke, motion passed with roll call vote at 7:54 pm. Brown, yes. Keirn, yes. Cooley, yes. Burke, yes.**