The Meeting of the Hailey City Council was called to order at 5:00 P.M. by Mayor Martha Burke. Present were Council members Kaz Thea, Juan Martinez, Heidi Husbands, and Sam Linnet. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

4:59:48 PM Call to order by Mayor Burke

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

5:00:15 PM Motion to go into executive session for Pending & Imminently Likely Litigation (IC 74-206(1)(f)) made by Linnet, Martinez seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Martinez, yes. Thea, yes.

Mayor and council go into executive session.

Call to order: Mayor and council reconvene from Executive Session 5:28:41 PM

Open session for public concerns:

5:29:09 PM Erin Howland mic issues.

CONSENT AGENDA:

CA 376 Motion to approve Resolution 2021-109, authorizing Hailey Public Library’s grant agreement with Idaho State Historical Society for Community Enhancement Grant. ACTION ITEM

CA 377 Motion to approve Resolution 2021-110, authorizing Coronavirus Response/Relief Supplemental Appropriation issued through the office of Drug Policy, awarded the Library, $22,008 for programming. ACTION ITEM

CA 378 Motion to approve Resolution 2021-111, authorizing a contract with Ketchum Computers for IT services. ACTION ITEM

CA 379 Motion to adopt Resolution 2021-112, authorizing the mayor to sign a Notice of Change in Water Right Ownership, in which Marathon Partners conveyed a portion of water right 37-21112 to the City of Hailey. ACTION ITEM

CA 380 Motion to adopt Resolution 2021-113, authorizing Task Orders #7 and #8 with HDR Engineering, in the amounts of $31,750 and $44,970 respectively, for preparation of procurement documents for Woodside WRF Ultraviolet (UV) Equipment Installation Design, and Headworks Preliminary Engineering Report (PER) ACTION ITEM

CA 381 Motion to approve Resolution 2021-114, authorizing the PUD Development Agreement, and authorize the mayor’s signature, and a PUD application by CK Property Group, LLC, represented by Galena Engineering, for twelve (12), three story single-family townhomes to be located at 410 North River Street (Lots 14-17, Block 56, Hailey Townsite). This PUD was approved at the October 25, 2021 City Council meeting. ACTION ITEM

CA 382 Motion to approve the Findings of Fact, Conclusions of Law and Decision of a Planned Unit Development (PUD) Application by CK Property Group, LLC, represented by Galena Engineering, for twelve (12), three-
story single-family townhomes to be located at 410 North River Street (Lots 14-17, Block 56, Hailey Townsite). ACTION ITEM

CA 383 Motion to approve the Findings of Fact, Conclusions of Law and Decision of a Final Plat Application by Tanner Investments, LLC, wherein Lots 1-7, Block 86, Woodside No. 25 are reconfigured creating lots six lots ranging in size from 17,426 square feet to 17,556 square feet. ACTION ITEM

CA 384 Motion to approve minutes of October 25, 2021 and to suspend reading of them ACTION ITEM

CA 385 Motion to approve claims for expenses incurred during the month of October, 2021, and claims for expenses due by contract in November, 2021 ACTION ITEM

5:31:30 PM Horowitz pulls CA 381 & CA 382. Thea pulls CA 380, has a question.

5:32:05 PM Martinez moved to approve all consent agenda items minus CA 380- CA 382, seconded by Linnet, motion passed with roll call vote. Husbands, yes. Linnet, yes. Martinez, yes. Thea, yes.

5:32:30 PM CA 380 Thea is not sure about the totals, 5:32:53 PM Yeager responds, extensive list, can double check the numbers. HDR has completed several task orders for us, those add up to the $200k, pg. 40 of packet $266,270 total of all changes so far. Thea was confused.

5:35:02 PM Thea moves to approve CA 380, Martinez seconds. Motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.

5:35:18 PM CA 381, Horowitz pulled in case council has questions and CA 382, 5:36:42 PM solar system electrical wiring will be included.

5:37:36 PM Simms asks for a motion to reconsider approving CA 383, Martinez moves to reconsider, Thea seconds the motion. Motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.

Horowitz asks that CA 383 be consider at the same time as PH 388.

5:38:39 PM CA 381 & CA 382 Motion to approve by Martinez, Linnet seconds. Motion passed with roll call vote; Martinez, yes. Linnet, yes. Husbands, yes.

Public comments: Erin Howland with 5:39:22 PM climate coalition speaks, Trailing of the Sheep recycling was a success. This year, dumpster was ¼ full this year, usually overflowing. Compost was full, recycling bins, helped others recycle materials. 5:41:07 PM Mayor Burke thanks to all involved for their efforts.

APPOINTMENTS AND AWARDS:

AA 386 Consideration of Library Board Appointment Tommy Green, and adoption of Resolution 2021-115 setting appointments and terms of Hailey Public Library Board of Trustees to 5-year terms ACTION ITEM

5:41:36 PM Mayor Burke, Tommy Green appointment, any questions?

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Thea moves to adopt Resolution 2021-115 with library appointments, seconded by Martinez. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.

PUBLIC HEARINGS:

PH 387 Consideration of approval of the Urban Renewal Plan for the Airport Way District Urban Renewal Project of the Urban Renewal Agency of the City of Hailey, Idaho, which Plan includes a revenue allocation financing provision, and first reading of Ordinance No.2021-___, approving the Urban Renewal Plan for the Airport Way District Urban Renewal Project, which Plan includes a revenue allocation provision; authorizing the City Clerk to transmit the Ordinance and other required information to County and State Officials and other affected taxing entities; providing severability, codification, publication by summary and establishing an effective date

ACTION ITEM

Horowitz will introduce then hand over to Phil Kushlan. Feel this will be an extremely beneficial project. Megan Conrad is also on the call, counsel. Kushlan’s role was to prepare the economic feasibility analysis, a required step in the URA designation process and anticipate projected income over the next 20 years; about 4.7 million dollars. If not on list can’t amend at a later date. Compared income and expenditures and determined that the URA district and area is economically feasible. Questions?

Public hearing:

Jessica Miller 206 Broadford Highlands, own a business on Comet Lane, worked in area for over 15 years. Watched tourists almost get run over many times. Points to right hand turn of airport way as the dangerous area.

Council deliberation:

Thea pg. 232, bike ped, this can’t change once passed? Burke we can shuffle around but cannot add. Kushlan, lists the full array of projects intend to enlist, but no obligation to do them all.

Husbands, URA determines the priority of projects? Horowitz, in collaboration with City Council. Kushlan, the board of agency works with Council.

Thea asks about the URA board? Kushlan responds. Burke, we already have a URA.

Husbands who is on the URA? Burke responds. Kushlan, allows one elected official. Meghan Conrad you may have more guidelines, but you cannot have a majority members as council.

Horowitz, approve summary in next meeting, pg 144.
Martinez moves to approve Ordinance No. 1295, creating a URA airport way, Thea seconds. Motion passed with roll call vote; Husband, yes. Linnet, yes. Thea, yes. Martinez, yes.

Mayor Burke conducts the 1st Reading of Ordinance No. 1295 by title only.

Consideration of Final Plat Application by Tanner Investments, LLC, represented by Galena Engineering, wherein Lots 1-7, Block 86, Woodside No. 25 are reconfigured creating lots six lots ranging in size from 17,426 square feet to 17,556 square feet, and motion to approve the Resolution 2021-____, authorizing the mayor’s signature on the Security Agreement related to the Final Plat of Lots 1-7, Block 86, Woodside No. 25 ACTION ITEM

Horowitz and CA 383, Findings of Fact also during this discussion. Samantha Stahlnecker is present.

Stahlnecker north half of driveway has been paved, ready for final plat to provide housing for people to live in.

Public hearing: no comments

Council deliberation:

Thea, the 2 that are partially complete, would be great to get going for housing. Thinks they look great.

Simms has reviewed the security agreement, letter of credit, they are in good order.

Thea moves to approve final plat and Security Agreement with resolution 2021-116, approving 6 lots, conditions 1 and 2 are met, subject to security agreement, Martinez seconds. Motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husband, yes. Thea asks, when completed? Stahlnecker, first one maybe end of this month.

CA 383 – Martinez moves to approve Finding of Fact Conclusions of Law and Decision for lots 1-7, Block 86, Woodside No. 25 are reconfigured creating lots six lots ranging in size from 17,426 square feet to 17,556 square feet, seconded by Thea. Motion passed with roll call vote; Husband, yes. Linnet, yes. Thea, yes. Martinez, yes.

Consideration of the extension of the Security Agreement for Quigley Farms Phase 1, Blocks 2,3 and 4 by Quigley Farm and Conservation Community ACTION ITEM

Horowitz, about 1 year ago, we adopted security agreement, since then Hennessey has had his challenges with supply chain availability, Hennessey or Yeager.

Dave Hennessey speaks, pavement is done, landscaping and sidewalks will be done in the spring. Few other pieces working with Yeager to get completed. Letter of credits, will modify and extend them for another year.

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Simms, conditional approval of the extension of the letters of credit.

6:09:40 PM Burke asks about extension date, typo in the extension year, 2022, from 2021.

Public hearing: 6:10:31 PM no comments

Council deliberation:

6:11:15 PM Martinez moves to approve Resolution 2021-117 extending the security agreement to 2022 conditional on extended letter of credits, Husbands seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Martinez, yes. Thea, yes.

PH 390  Consideration of Final Plat Subdivision at 235 West Maple Street. The applicant Amatopia, LLC is represented by Galena Engineering for property at HAILEY FR SWSE SEC 9 & FR NWNE SEC 16 TL 7816 2N 18E to be subdivided into five (5) lots, ranging in size from 6,090 square feet to 8,035 square feet. A private road, Parcel A, will service the proposed lots, and Parcels B and C will be dedicated as open space to benefit the subdivision. A portion of this parcel is located within the Townsite Overlay (TO) and all of this parcel is located within General Residential (GR) Zoning District ACTION ITEM

6:12:21 PM Horowitz, under construction with 1 house, handful of minor changes, and a larger item with Fire chief regarding a road. 6:13:16 PM Mike Baledge speaks, the Fire dept. had concerns with the dirt road, and later agreed to compacted gravel, help to shed water and different trap around the drywell. Not able to pave this winter, will be paved in the spring.

6:14:19 PM Stahlnecker speaks, modifications to city ordinances, building height in residential height limits, made changes after that ordinance change. Resulted in lot changes, discussions about road, developer wanted to save as much landscaping as possible. Will proceed with road mix as fire chief requested. Will be happy to answer questions you may have.

6:16:15 PM Thea, who plows road? Stahlnecker, the HOA will be responsible for plowing the private road. In the meantime, property owners will plow.

Public hearing: 6:17:01 PM no comments

6:17:22 PM council deliberation

Thea how large are the houses? Susan Skoval about 2,000 sq ft. Stahlnecker, remaining 3 lots may be sold undeveloped. 6:18:31 PM Mike Baledge, single dead-end street, limited to 5 houses. 5 structures, would have to look into if ADU’s would be allowed.

6:19:25 PM Burke asks Simms, for 2 motions
6:20:24 PM Linnet moves to approve final plat with addition of condition 7 second I, 1-11 conditions, constructed before recording plat, Martinez seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.


NEW BUSINESS:

6:23:12 PM MOU BLM, Horowitz opened this item Kurtz is planning on joining the call but is not on yet. Burke suggests, come back to this item? Council is okay. Will discuss NB 392 next.

NB 392 Assessment of Hailey Health Order 2021-07 which mandates face-coverings within the City of Hailey through November 11, 2021, with discussion of whether a new Health Order 2021-08 should be authorized for another 30 days, with the same provisions that face coverings be worn in indoor public spaces and in outdoor public places when distancing can’t be maintained, and whether other provisions should be added. ACTION ITEM

6:25:02 PM Simms council adopted a renewal to the mask mandate, and asked to revisit it 30 days later. Can keep in place if you desire.

6:26:52 PM Burke, the numbers are going down. The St. Luke’s system has a back log, 9,000 surgeries back logged right now. St. Luke’s is still asking communities to help prevent uptick of Covid. Public comments received from Justin Mason, vaccine rates are high, supports letting the mask order expire. Burke suggests that surrounding communities have 40% vaccination rate, and many of them come to the valley to work. What about those that come here and share covid and go home. Burke has concerns about putting off surgeries.

6:30:20 PM Linnet missed last meeting, was in ER with young son. Finally, after a rough fall, numbers are looking better this week from last week. From a policy perspective, have acted in unison with other jurisdictions. How do we address long-term Covid? This conversation is just beginning. We are just coming into our flu season. Based on last year’s data, should expect to see a spike with winter. Vaccinated residents are not the only ones in our community. Public health crisis transcends jurisdictional boundaries. ICU bed availability is not much better.

6:33:50 PM Martinez, thanks Mayor Burke and Linnet for attending those meetings. Last year as a ticket checker in Sun Valley, last year, felt safe with a mask on.

6:34:45 PM Thea have a lot of thoughts on this, will share them. Had a discussion with an ER doctor today, would you still recommend wearing a mask? This person said, maybe it is time to “strongly recommend” instead of required. Thea doesn’t think we are hard-core enforcing mask order. What does a mandate do versus “highly recommend?” Do we as govt. officials still want to mandate masks? 6:38:25 PM Linnet responds to Thea’s question, feels more people wear masks with the mandate, but no empirical evidence of that fact. Linnet, next steps, when does

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this become endemic, no clear policy direction right now. Mask requirement is temporary and minor inconvenience, significant benefit. Feels benefit outweighs inconvenience.

6:41:16 PM Husbands, goes back and forth with this, it is difficult for police to enforce. School district masks are beneficial for keeping kids in school.

Continued discussion among council regarding the mask order.

6:43:27 PM Thea, feels there is mask fatigue, her biggest concern is grocery stores and banks. Many businesses are offering curbside or delivery service. 6:44:26 PM Martinez, feels like it gives businesses ability to continue operating.

Linnet suggests continue what we’ve been doing and then figure out a long-term plan.

Public comments:

6:48:52 PM Phil Rainey, 721 Hailey Drive, last time, didn’t hear, you are taking advice from health care providers, what study have they shown you, that say masks stop the virus. Observational studies are not scientific. Other issue, consider reason, must be 100% compliant to be effective, people are not compliant enough to get good numbers. All masks should be handled as bio-hazard material.

6:53:02 PM Dennis Harper, 2061 Berry Creek Drive, wish this was based on logic. Half people in Albertson’s are wearing masks. Wish council would make decision on logic not emotions.

6:54:18 PM Simms, current order has 90-day timeframe, no action required until Jan. 10th.

Burke wants to revisit this in 30 days.

NB 391 Consideration of a Memorandum of Understanding between the Bureau of Land Management, Idaho Department of Fish and Game, Blaine County, Blaine County Recreation District, Wood River Land Trust, City of Bellevue and the City of Hailey regarding roles and responsibilities for implementing seasonal restrictions regarding wintering wildlife when needed ACTION ITEM

6:55:56 PM Horowitz, John Kurtz with BLM will speak on this item. Kurtz, recreational decisions last year with regard to wildlife issues. Enter additional restrictions when conditions warrant them. Since jurisdictional landscaping doesn’t allow, coordinate with municipalities, MOU allows for signage on City property, this outlines who does what in restriction situations.

6:59:29 PM vegetation is the first topic, big topic in the near future.

6:59:49 PM Thea on page 390, date, take issue with, Jan 1 – April dates, would like to see closure in December. Winter is high stress time for animals.

7:01:14 PM Horowitz, date is just a reference. Kurtz, we don’t have a way to make that date earlier as BLM. If city wanted to change the date on their property, then they can, but BLM cannot change the beginning date, cannot end before end of March. 7:02:36 PM Thea how does
city change the date? Horowitz replied, that would be another document. We could meet with Fish and Game?

Public comments:

7:03:50 PM Lili Simpson Quigley Lane resident, comments to council. What is important about these closures, is the location of the trails. This is not a final document? Simpson has a map, wood river access, hands maps to council, shows wildlife migration corridors, area mapped for proposed signs behind Old Cutters. In 2016, Fish and Game in 2016 suggested that 7:06:42 PM trails should be closed. City posted a sign Dec. 1 – Apr 30th, sign was removed. Mayor Burke asks if Simpson is in favor of the MOU? Simpson responds, yes likes the MOU, wants Council to think about the location of the trails and the dates.

Burke asks Simms to dig around, where our authority rests. Simms responds, 7:09:19 PM decision makers have brought us to the table with this MOU, we have an ability to lean on Kurtz’s good graces, ask about a different date? Burke feels it might be a trigger, maybe snowfall. 7:11:03 PM Burke feels a date feels arbitrary, maybe continue to discuss.

7:12:19 PM Linnet, have to go through Federal rule process, agrees substantively, don’t think we have any say in changing this date. Kurtz, agrees with Linnet, they go out to public view, feedback, at the end of the day, decision was Jan 1st, we would have to go back and do public process again. If city wishes to close city land at a different date we could, just not on BLM land.7:15:55 PM Linnet, joint roles and responsibilities, monthly check-ins, wildlife patterns, agreement on signs, education, media, notification to public, this is an invitation to the table. Continued discussion about dates for closures of trails, BLM dates versus other jurisdictions.

7:19:24 PM Horowitz will council consider this for adoption tonight, Bellevue adopted it tonight.

7:20:09 PM Linnet moves to approve Resolution 2021-119 authorizing MOU with BLM and other agencies regarding winter trails roles and responsibilities, seconded by Martinez. Motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.

STAFF REPORTS:

7:21:18 PM Yeager speaks, Mike Goitendia is also on the call. In an effort to get the new compactor in use, we propose placing it at the current cardboard location on River Street, park-n-ride. Reached out to Idaho Power to get Power run to this site, if possible, need a street cut through the gravel, would need the street cut in the spring. Want council to discuss this. It would reduce impact to adjoining residential neighbors. Yeager, compactor opening is 3 foot wide. And then Yeager 7:23:54 PM shows pictures of the actual dumpster, questions?

7:24:16 PM Husbands, is this a temporary sight? Yeager, yes temporary until we find a long-term site. 7:25:04 PM Dawson, at last meeting, mentioned, Ketchum is having challenges with a site with their dumpster plans in the LI zone due to residences being allowed in that zoning area. 7:26:15 PM Dawson also added, we will have electrical vehicle charging station.

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Thea, go for it, Husbands agrees too. Yeager, pending ability to get power to site.

7:27:54 PM Dawson, handed out a draft agenda for Nov. 22nd, do we have a quorum? Thea will be out of town. Linnet can call in. Martinez is out of town coaching. Thea will be able to call in to that meeting.

7:29:55 PM Martinez makes a motion to adjourn, Thea seconds. Motion passed unanimously.