The Meeting of the Hailey City Council was called to order at 5:30 P.M. by Mayor Fritz Haemmerle. 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 City Clerk Mary Cone.

5:30:34 PM Call to order by Mayor Haemmerle

5:30:56 PM Motion to accept amended agenda items CA 409, CA 410 and PH 420 made by Burke, Cooley, seconds. Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

Open Session for Public Comments:

No public comments

CONSENT AGENDA:

CA 400 Motion to approve Resolution 2019-115, accepting canvassed results from Blaine County Commissioner’s canvass of the November 5, 2019 General Election ACTION ITEM

CA 401 Motion to ratify letter of support for The Senior Connection’s transportation grant application. ACTION ITEM

CA 402 Motion to approve Resolution 2019-116, authorizing contract for services with The Senior Connection for door-to-door transportation services for Hailey seniors through a City contribution of Local Option Tax in the amount of $4,000 ACTION ITEM

CA 403 Motion to approve health insurance contract with Regence Blue Shield of Idaho for major medical benefits for city employees ACTION ITEM

CA 404 Motion to approve health insurance contract with Delta Dental of Idaho for dental and oral health benefits for city employees ACTION ITEM

CA 405 Motion to approve health insurance contract with VSP Vision Insurance for vision and eye health benefits for city employees ACTION ITEM

CA 406 Motion to approve Resolution 2019-109, authorizing an independent contractor agreement with Brittany Skelton for contract planning services in the Community Development Department for an amount not to exceed $6,000 and authorize the Mayor to sign the agreement. ACTION ITEM

CA 407 Motion to approve Resolution 2019-117, authorizing an independent contractor agreement with Wood River GIS Services for Geographic Information Services (GIS) mapping services; contract amount hourly rate of $50 ACTION ITEM

CA 408 Motion to approve the Special Event, Hailey’s Turkey Trot 5K Run & Walk, with a start/finish located on Carbonate Street, to be held on November 28, 2019 from 9:00am to 12:00pm ACTION ITEM

*CA 409 Motion to approve Summary of Ord. 1252- vehicles for hire ACTION ITEM

*CA 410 Motion to approve Summary of Ord. 1253- Planning and Zoning Commission terms ACTION ITEM

CA 411 Motion to approve minutes of October 10, 2019 and to suspend reading of them ACTION ITEM

CA 412 Motion to approve minutes of October 16, 2019 and to suspend reading of them ACTION ITEM

CA 413 Motion to ratify claims for expenses incurred during the month of September, 2019 ACTION ITEM

CA 414 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
5:31:51 PM Pull items CA 403, CA 404 and CA 406.

Burke moved to approve all consent agenda items minus CA 403, CA 404 and CA 406, seconded by Cooley, Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

5:32:23 PM Haemmerle assigns numbers to CA 403, Resolution number is 2019-118. And for CA 404, Resolution number is 2019-119, 5:33:00 PM Cooley moves to approve both items as amended with the Resolution number 2019-118 for CA 403 and Resolution 2019-119 for CA 404, Burke seconds, Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

CA 406 5:33:31 PM Mayor Haemmerle introduces this item. Mayor Haemmerle stated that this contract is for Brittany Skelton to work on Accessory Dwelling Units (ADU) in Hailey, he pulled this from the last meeting because he wanted to talk to her about our parking issue before addressing ADUs. This may need more conversation. Regarding the parking issues, Chris Simms has provided additional language which will be recital D, “the city recognizes that parking challenges are presented by existing conditions both in the rights-of-way and on private property that may be aggravated by increases in housing density that is the likely outcome of the work and duties undertaken by the contractor” 5:34:36 PM , with this additional language in the scope of work, Mayor Haemmerle is satisfied with this contract.

5:35:15 PM Thea moves to approve contract with Brittany Skelton, with amendments suggested by Simms, Burke seconded, Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

MAYOR’S REMARKS:

5:35:46 PM Mayor Haemmerle announces with the recent election, Martha Burke Mayor elect, will leave a vacancy of her council seat #1.

5:36:20 PM Sam Linnet council man elect, leaving a Planning & Zoning Commission vacancy.

PUBLIC HEARINGS:

PH 416 Public Hearing on a final Plat application for Carbonate View Subdivision represented by Galena Engineering on behalf of W Squared, LLC for Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey. The property has received preliminary plat approval to be resubdivided into fourteen (14) single family lots, ranging in size from 7,000 square feet to 9,047 square feet. The project is located in the General Residential (GR) Zoning and Floodplain Overlay Districts (continued from September 23, 2019). ACTION ITEM

5:37:17 PM Mayor Haemmerle opened this item and it was continued from the Sept. 23rd meeting 5:37:26 PM Horowitz we continued this discussion on the Carbonate View Final Plat as
a few items were not quite complete at the last meeting. Horowitz handed over to applicant to speak.

5:38:13 PM Gordon Flade representing applicant, has completed project as designed with intent to meet all of the scope of the project as put forth by Galena Engineering. One item was left out and two items with slight modifications. One was the sign bollard, 5:39:08 PM exception with the signs on the south side, per meeting with city engineer, moved signs to opposite side and would be obscured by emergency vehicles if not moved. They measured the bike path signs height, and raised them 6 inches higher. In winter, they need to be shoveled out. 5:41:05 PM They increased sign size to a 10” x 12” sign. The bicycle stencil is shorter than the one the city has on 2nd Ave, Flade bought the closest size to that template. Flade, one thing that is missing, a stencil reading, “no motor vehicles,” the have a template which is only 6 inches tall, he can get the 12-inch stencils from Twin Falls but ask that council decide on which way they want to go. 5:43:51 PM Flade, we did not take this project lightly, we did the best job we could. The subbase of the path is 2 inches deeper than required, it surpasses the city standards, contracted with the best excavator in the valley, done so at an extra expense, want to get final approval and plat recorded.

5:45:16 PM Haemmerle, it is a nice-looking path

Public comments:

5:45:25 PM Joel Graff, robinhood resident speaks, the west side has leaning trees. The east side of the path has garbage and cut trees in it. A car or hood, metal and garbage in there among the trees.

5:46:30 PM Flade responds, the hood was moved by his engineer, Mogan Lyons, the landscape architect labeled the trees, they have been removed. Flade walked with Yeager, all trees have been cleaned up.

5:47:23 PM Horowitz personally walked, and Flade was under strict direction by the neighbors to not disturb the area outside of the path and right-of-way.

5:48:06 PM Martin Flannes speaks, he submitted public comments on open space and signage, commends developer on job well done. In September, Flannes suggested a process where the property to the land trust would happen in a chain to make sure the land gets exchanged. 5:49:36 PM Flannes also suggested bollards, staff rejected these, signage on pavement, “no motor vehicles” sign needs to be large to be read by the person driving vehicles. The bicycle symbol is 1/3 too small, seems like an excuse to not do what was on the plans. The bollard will be covered in the snow, but duplicate the “no motor vehicles” sign and post it below the fire lane sign on the post.

5:52:08 PM Haemmerle asked Flannes when you see it to scale does it change your mind at all? Flannes replies, the symbols look small to him
5:52:30 PM Steve Bashista, agrees with Flannes, they are too small, does not meet the specifications. Bashista, thought the vines should have been removed from among the trees. 5:53:29 PM Haemmerle, asks staff about the vines. Horowitz, responds the landscape architect looked at the vines and stated that he thought at first they should be removed and then on second look, decided that removal would be an extensive change to keep within the spirit of the no disturbance areas at least for 1 year.

5:54:07 PM Flade looked at everything, and as a contractor, you’ll get a boiler plate drawing, sometimes things don’t work as designed. The bicycle symbol is just slightly smaller than the drawings.

5:55:06 PM Horowitz comments on lettering and wants to make sure that the neighbors understand, there is a little discrepancy, the word vehicle would be 6 feet across, and the word motor would be 9 feet across 5:55:56 PM Horowitz continues, staff concurs the stencils should be in thermoplastic letterings and it is smaller than expected, Deed. 5:56:20 PM Simms have not seen the deed.

5:56:33 PM Flade responds, the attorney for the land trust wanted to prepare the deed, they wanted to do the deed, The Land Trust was finally ready today at 4:30. Flade adds, it seems that every attorney has had his requirements and their take on it. Flade responds also, the paint is thermoplastic paint, in spray cans, same as state uses, ITD.

5:57:42 PM Thea starts deliberation, thinks that the no motor vehicle should be as called out in the plans, sign needs to be visible when there is snow. Deed must be in place and the plat noted.

5:58:54 PM Cooley, feels the lettering should be as called out in the plans, plat note should be added. Can you put a duplicate sign?

5:59:43 PM Burke comments, she would like the no motorize vehicle sign under the fire lane sign. Feels that the scale is the right size for the size of the path. Burke is concerned that it will not be what we expected.

Engelhardt concurs, go with the specs.

6:00:42 PM Haemmerle, these are bigger than what we see on Blaine County trails, if too big and obnoxious, then don’t come back here to complain. 6:01:24 PM Small things, once done, they are done, and if you don’t like them, don’t complain. Mayor Haemmerle feels the bicycle is to scale. The deed is important, ask them to come back and have it by the Nov. 25th meeting.

Haemmerle asks, are there any other issues? Horowitz notes, there is a 6:02:35 PM suggested plat note K. Plat note number 10 shall be added, the deed for parcel A shall be submitted to the Blaine County Recorder concurrently with the plat. Simms, this satisfies only part of the problem.

6:03:07 PM Haemmerle congratulates developer on doing a decent job.

HAILEY CITY COUNCIL MINUTES
November 12, 2019
6:03:24 PM Thea, thinks the developer stuck to the neighbors wishes to keeping it natural. Haemmerle agrees with Thea, developer made a huge effort to keep it natural and fought to make this happen, suggests to move to Nov. 25th meeting.

6:04:20 PM Burke move to continue item to Nov. 25th, for final plat and have deed in hand, seconded by Thea, motion passed with roll call vote. Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

PH 417 City Council decisions on Idaho Transportation Department’s bid terms for repaving State Highway 75 where it is also Hailey Main Street, in a manner to reduce impacts to businesses while still allowing the project to be efficient. ACTION ITEM

6:05:36 PM This item will be on November 25th meeting agenda.

PH 418 Consideration of proposed Ordinance No 1254, amending Hailey Municipal Code Chapter 10.40.040 by adding prohibition against use of mobile electronic device while riding a bicycle ACTION ITEM

6:06:11 PM Haemmerle asked counsel to draft this per his request. Haemmerle has watched all summer long, people riding bikes while on their phone, our code says both hands needs to be on the handle bars. Haemmerle feels this is necessary, especially, now that we have ebikes.

6:07:49 PM Chris Simms adds, had good consensus, it is a fairly mechanical addition. With that, policy making public comments before deliberating.

Public comments, none.

Burke is good to go. Cooley okay too.

6:09:07 PM Cooley moves to approve Ordinance No. 1254, waive 2 readings, conduct 1 reading, read by title only, authorize Mayor to sign, seconded by Thea. Motion passed with roll call vote, Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

6:10:14 PM Mayor Haemmerle conducts the 3rd and only reading of Ordinance No. 1254, by title only.

PH 419 Consideration of proposed Resolution 2019—__, adopting an amendment the Hailey Comprehensive Plan to add a new section, Section 14, Public Airport Facilities, and amendments to other Chapters of the Comprehensive Plan related to airports pursuant to Idaho Code 21-504 through 21-507 Airport Zoning Regulations and Section 67, Chapter 65, Local Land Use Planning Act ACTION ITEM

6:11:15 PM Horowitz, Chris Pomeroy is present to discuss the statutory requirements on this topic, and he has a presentation.
Chris Pomeroy, airport manager, has given this presentation 4 times since September, thank you for the opportunity for presenting tonight. Land use compatibility was his specialty as a consultant prior to becoming the FMAA director. Statewide airport land use legislation and what it means, he has been working for a couple of months writing this update, a coordinated effort, 2012-2014, with aviation stakeholders, aviation consultants, also worked with AIC, IAC and IA Commerce. SB 1265, title 21, chapter 5 airport zoning act changed. Removes ITD’s authority to zone. Identifies airport facilities must be part of planning duties 67-6508q. Our airport is ranked number 2 in revenue behind the Boise airport. Ensure avoidance of aviation hazards, the law does not require zoning, and does not specify a deadline for comp plan revisions. Many communities don’t know about this change even though it was adopted 5 years ago. Overview of changes, include section on tourism. Tourism and economic impacts, common land use issues, encroachment of incompatible development. Safety and quality of life.

Last week the FMAA board authority, discussed this, certain strings attached to getting grants, currently 17 ranked assurances. Grant assurances 21. Compatible land use, Pomeroy, reads the blue font. The state also has a requirement, that hazards are contrary to public interest. Aviation hazard endangers the lives and property. Multi-jurisdictional challenges include, land use decisions impact airport and community. Airspace is the least controversial as it is defined by federal law, shows diagrams and explains air space restrictions. Land use tends to be more controversial. Shows an example airport, Mountain Home, white and red zones. Pomeroy then shows purple, proposed zones around our airport, 95% traffic comes from the south. The SW area was added for visual conditions, and extended corridor to south is for instrument approaches. Pomeroy, per FAA definitions, we don’t have a noise problem, 65 day/night average, yellow contour, incompatible land uses. When you establish the land use zones, define the uses in the zones and you define what is allowed and not allowed, common sense. ITD land use guidelines are helpful.

Haemmerle, do we specify the type of aircraft? Pomeroy, it is state law. FAA requires certain standards, if that, then accept certain aircraft. Say we don’t want the C-3 jets here, is this a conflict? Pomeroy, 2 different elements to work on. because of 1990 airport act. Scope and type of aircraft operations. Haemmerle, can we state what aircraft we want? Pomeroy, you can make that statement, this is more of a planning standpoint. Haemmerle, if we meet certain standards, FAA can dictate what aircraft fly in airport.

Haemmerle are you satisfied with these? Pomeroy, LLUPA, sets the stage for potential zoning. Then displays slide, item 21, compatible land use, look at 14.6 and 14.7 from planning standpoint. Staff question, lighter green area, ACI, Horowitz this is dashed on ACI map. 14.4.2.1, should not be last, it should be first. Haemmerle, purpose of city of Hailey, one day that this airport needs to be relocated. Pg. 161 of packet, proposed moving that section up to the front. We have an airport master plan that calls this out, it should not buried at the end.

Jeff Engelhardt, most important area is the ACI. He would support the dual path.

Public comments, none.
Haemmerle would like to see another draft of this in the next meeting.

Cooley this will help in the ACI discussion.

6:46:05 PM is there a list of incompatible development? Pomeroy responds to the question. In critical zones, development is not permitted. There are various resources. If you look at 14.4 and 14.5, speaks to what Thea is commenting on.

6:47:52 PM Haemmerle, do you consider Chanterelle Subdivision high density? Pomeroy yes, thinks it is high density. Haemmerle agrees with Thea, need a little more information for this. Light industrial are more compatible uses next to airports. Bring another draft to council.

Staff will re-notice this item for a January meeting.

PH 420 Reconsideration of motion from last meeting and proposed 1st Reading of Ordinance No. 1251 by title only, adopting the Second Amendment of the Development Agreement with FaPo, LLC, regarding the area referred to as the Forest Service Block Lots 4-8,13A, 114A and 20A of Block 20, Hailey Townsite) and property located at 401 and 407 S. River Street ACTION ITEM............

6:50:54 PM Simms opens, this Ordinance was adopted, but we failed to read the ordinance, also learned that the applicant had concerns about the language proposed “other party” wants a write-off to non-profit. Applicant asked that we remove that language.

6:52:45 PM Jeremy Lange with Engel and Associates, buildings could be deeded to the city, non-profit or “other party.” If all parties agree to an earlier date, language was added.

Public comments, none.

6:54:13 PM Burke moves to reconsider motion to adopt Ordinance No. 1251, Cooley seconds, Engelhardt asks for discussion. Haemmerle, tax credit is not realized if not gifted to city or non-profit. But the city can take the gift and then give to another party so that the applicant can have a tax write off. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

6:56:29 PM discussion of the language, 6:57:09 PM Engelhardt likes to have more options. Haemmerle.

6:58:19 PM Burke, what happens if they don’t get the tax write off? Then there is no motivation to preserve structures. We are saying, we want these buildings, think we are on the same page.

6:59:55 PM Cooley, thinks we all have the same goal in mind. Lange, adds.

7:00:45 PM Matt Engel, item 6, city can give the buildings to anyone they wish.. Engelhardt, we are hitting our goal, Engel, yes.
Cooley why the added language, Engel, we want the tax benefit. Haemmerle, gives us the opportunity to decide whether or not we want to give it to that other party. Thea, then we could evaluate it at that point. Engel, then the notice and timeframes kick in.

Thea is good with this language.

Now need a new motion.

Thea moves to adopt Ordinance No. 1251, authorize Mayor to read by title only, seconded by Burke, motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

Haemmerle conducts 1st Reading of Ordinance No. 1251 by title only.

discussion of title just read, Engel states that it is missing lots 4-8. Horowitz hands Mayor Haemmerle the correct title and he reads for the record.

Haemmerle rereads 1st reading of Ordinance No. 1251, by title only.

**NEW BUSINESS:**

**NB 421 Consideration of partnering with ARCH on a housing project on Parcel O, Block 62, Woodside Subdivision #15 ACTION ITEM ..........................................................**

Horowitz, in 2008, plat was amended to no longer have an open space designation, it was also separated from the ditch, and thought to be a good spot at one time for a new fire station. Horowitz hands over to Griffith.

Michele Griffith with ARCH speaks to council, since 2009, they have delivered over 60 units and leveraged over $600,000 in private funds with federal housing dollars. The city has partnered with ARCH. Griffith displays a local housing burden comparison, percentages of renters, extremely burdened over half are paying over 30% of their income. For owners, burden goes to 21.4%. households qualify must earn 80% or less of (AMI) Area Median Income. ARCH has secured a grant, if they can remove the land cost and pay for the improvements only, they would be able to use the grant funds. Griffith would like to identify a property by Nov. 30th, or they must give the money back. ARCH thinks this will be viewed as a success, so we plan on applying for more funds next year.

Burke it looks like the same size, Haemmerle, how many can you fit there? Griffith, believes 8 houses, slightly under 1 acre., parcel to north a bit larger. Can possibly get 9 parcels, Griffith states. Identify parcel, and then take a few years to build out all of the houses.

Haemmerle asks Griffith, since this is a City owned property, what is in it for the City of Hailey? Griffith responds, good aspect of this program is that it allows us to identify targeted audience and have the City be the first right of refusal, i.e. City of Hailey employees first priority, the City could prioritize who gets to live there, ownership and rental. There would
need to be more ownership than rental adds Griffith. Homeowners don’t own land only the improvements.

7:24:08 PM Burke would like to see part rental and part owner areas feels it is the best combination.

7:24:48 PM Cooley, would enable moving from rental to ownership too.

7:25:20 PM Haemmerle, can you incubate renters to convert to ownership. Griffith, there is a lot of interest in financial counseling, and incentive to take the counseling is to waive late fees.

7:26:35 PM Haemmerle, Griffith, have enough money to do 1 more house. Cooley asks, what do you need.

7:28:21 PM Burke is ready to move on this. Cooley, public hearing? Simms, comments no public comment necessary.

Suggest for Public Hearing on Nov. 25th.

7:29:11 PM Griffith gave an update on 3920 Woodside, the houses are complete, waiting on Hailey parks to do the park improvements, waiting for next steps.

7:30:07 PM Cooley moves to continue item to Nov. 25th seconded by Burke. Motion passed with roll call vote. Engelhardt, yes. Burke, yes. Cooley, yes. Thea, yes.

Thea announced that she will not be here on November 25th.

NB 422 Introduction of proposed ordinance amendment to Municipal Code Section 10.40.049, for winter parking restrictions, to create better lines of sight and more snow storage space in the right of ways ACTION ITEM

7:31:37 PM Mayor Haemmerle opens this item, this may take several meetings to discuss and determine best course of action. The last several months we have been identifying various parking issues throughout the city. Mayor displays pictures of parked cars in public rights of way. Another issue, people using all parts of area for parking, issue with Accessory Dwelling Units (ADU). As well as issues with utilizing the entire yard to park vehicles.

7:36:59 PM Simms, there is a growing movement for higher density housing, one tool is ADU. We need to deal with the parking issue, this is the first try, does not address private property issues just discussed. Tried to make a 6-foot rule a uniformity throughout the city and extend to year-round. This is a starting point for discussion, ends Simms. Haemmerle how do you want to proceed.

7:39:52 PM Thea, why not without curb and gutter? Simms, vast areas in city but no curb and gutter. Haemmerle, 2 issues, aesthetic issue and physical issue, enabling Kelly Schwarz to plow the streets in the winter.

HAILEY CITY COUNCIL MINUTES
November 12, 2019
Horowitz, some neighborhoods, as in Northstar Meadows, would be exempt because there is not enough room to be compliant.

Thea, what about ensuring compliance? Simms, this issue has been raised. Haemmerle, Horowitz and Gunter have been writing a job description for a code enforcement officer.

Cooley, as a city in certain areas, we have forced this to occur. There are people that have a single or double driveway, not sure what the answer is, this is an unintended consequence. Haemmerle, for ADU’s we need to think this through. For plowing, we need to resolve this.

Haemmerle, the bigger issue is with campers in the summertime that have electrical cords going to them, with people living in them. Haemmerle, and we need to discuss the Northstar issue.

Engelhardt, his leases call out only 2 vehicles are allowed at the property.

Haemmerle, if people lease property can the city ask them to reduce vehicles, Simms will research.

**STAFF REPORTS:**

Baledge, we responded to a Bellevue fire yesterday

Thea would like to see us bring our code up to current code, to address ebikes., Haemmerle, we don’t have jurisdiction over the Wood River Trail. Horowitz adds, BCRD, Jim Keating would like to address this in front of city council at a future date.

With no further business, Burke moves to adjourn, Cooley seconds, motion passed unanimously.