

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD NOVEMBER 22, 2010
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 Rick Davis. Present were Council members Carol Brown, Fritz Haemmerle, and Martha Burke. Staff present included City Attorney Ned Williamson, and City Clerk Mary Cone.

APPOINTMENT & AWARDS:

AA 536 POST award Police Chief Jeff Gunter

[5:31:50 PM](#) POST Award to Chief Gunter given by Idaho POST Director William Flink and POST Council Chairman Dan Weaver (also Blackfoot Police Chief).

OPEN SESSION:

Lance Buterbaugh of 5 East Bullion is concerned with the sidewalks not be shoveled (referring to the snow) today as well as several times last year.

AIRPORT ISSUES:

[5:37:05 PM](#) Susan McBryant spoke to council regarding the airport. Last Thursday general aviation held a meeting – 4 people on the panel, the information that came forward was that general aviation contributes to the airport. Another comment was that general aviation contributes many dollars to the Hailey economy – not able to be quantified. This is the first effort to keep general aviation at the airport when the commercial airport is relocated. McBryant wanted council to know about this meeting.

A postcard was mailed to everyone in Hailey – regarding the relocation of the airport. The link to the airport site for more information is: www.flysvra.com.

RODEO GROUNDS:

[5:42:55 PM](#) Nick Latham with RLB spoke to council. Last concrete was poured on Nov. 4th – this marks the majority of the structural concrete. Hauled off approx. 200 yards of excess material. The Hailey Ice project has been put on hold for the rest of the year. Rodeo Grounds, the soil was subpar which meant the soil had to be removed, replaced and compacted for stability. Still have the Rodeo fencing to bid as well as **???**. They received the building permit for the foundation on the Rodeo Grounds last Friday. Kreizenbeck has decided to stop work this week due to the cold weather and resume next week. The bids so far seem to be in line with the November 2009 bid estimates, which is good news. Latham added that the asphalt will be bid out at the first of the year.

EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 67-2345(1)(f))

5:48:54 PM Haemmerle makes motion to go into Executive Session for Pending & Imminently Likely Litigation (IC 67-2345(1)(f)), Burke seconded, motion passed with roll call vote at 5:50 pm. Brown, yes. Haemmerle, yes. Burke, yes. Mayor Davis recused himself from the Executive Session.

Council returned from Executive Session at 6:16 pm. Mayor Davis also returned to the meeting.

CONSENT AGENDA:

CA 520 Motion to approve award of contracts to the low bidders for Roofing, Doors/Frames/Hardware, Coiling Doors, Windows/Glass, Painting, Specialties, Plumbing, HVAC, and Electrical for the Rodeo Grounds project (Phase II bids) – authorize mayor to sign Notice of Award and Notice to Proceed as approved by City Attorney..... 1

CA 521 ~~Motion to approve award of contracts to the low bidders for sitework and sitework concrete for the Rodeo Grounds project as shown on bid tabulation sheet and authorize mayor to sign Notice of Award and Notice to Proceed as approved by City Attorney (Phase III bids)..... 13~~

CA 522 Motion to approve TIGER II Term Sheet Agreement Woodside Blvd. project with Federal Highway Administration (FHWA) and authorize the mayor to sign..... 15

CA 523 ~~Motion to authorize J U B Engineers to proceed with the work necessary to complete the Categorical Exclusion Environmental Document for the Woodside Blvd. TIGER II Project at a not to exceed contract addition of \$30,200.71 and authorize the mayor to sign additional contract documents 21~~

CA 524 Motion to approve contract award to S. Erwin Excavation for Safe Routes to school project for \$26,958.70 and authorize mayor to sign 27

CA 525 Motion to ratify mayor’s signature on contract with Mountain Steel for \$43,185 for structural steel, and steel decking. Council approved the amount in the 10/18 meeting with other Phase I contracts for Rodeo Grounds..... 41

CA 526 Motion to ratify mayor’s signature on contract with Extreme Excavation for \$25,000 for excavation, backfill and compaction for concrete foundations and slabs, furnish and place aggregate material, backfill interior foundation areas, provide/install vapor barrier and survey work. Council approved the amount in the 10/18 meeting with other Phase I contracts for Rodeo Grounds..... 57

CA 527 Motion to ratify mayor’s signature on contract with Petra, Inc. for \$110,000 for concrete material. Council approved the amount in the 10/18 meeting with other Phase I contracts for Rodeo Grounds 73

CA 528 Motion to approve River Street sidewalk design contract with Harmony Engineering 89

CA 529 Motion to approve grant application letter to the Janice Seagraves Foundation for the Hailey Rodeo Park Interpretive Center - \$42,600 95

CA 530 Motion to approve Tree Committee by-laws..... 103

CA 531 Motion to approve Summary of Ordinance No. 1075 109

CA 532 Motion to approve contract with Xpress Bill Pay our Electronic bill payee provider and authorize the mayor to sign (document describes the process for electronic funds transfers and check conversions items processed)..... 113

CA 533 Motion to approve minutes of November 8, 2010 and to suspend reading of them 121

CA 534 Motion to approve claims for expenses incurred during the month of October 2010..... 127

CA 535 Motion to approve Treasurer’s report with LOT report, and Capital Projects report – Rodeo Grounds..... 147

6:15:33 PM Hellen removed CA 521

Williamson pulled CA 523

Haemmerle moved to approve all consent agenda items minus CA 521 and CA 523, seconded by Burke, motion passed unanimously.

CA 521 – Hellen [6:16:19 PM](#) handed out documents that show the bidders on Phase III with one page showing the low bidders, Burks Excavation for the sitework (\$141,884) and Allen Construction for the site concrete (\$56,208).

Burke moves to approve the low bidders for the Rodeo Grounds Phase III contracts as discussed tonight, seconded by Haemmerle, motion passed.

CA 523 – Williamson would like to look at the contract before the Mayor signs.

Brown moves to approve once city attorney reviews, seconded by Haemmerle, motion passed.

MAYOR'S REMARKS:

We've been through the audit and are waiting on final budget numbers but it looks like we'll be \$50,000 ahead for the fiscal year. Mayor Davis thanks all Department Managers for being so conscientious.

APPOINTMENTS AND AWARDS:

AA 537 Mountain Rides Board Appointment (1)

Brown moves to approve appointment of Susan McBryant to the Mountain Rides Board of Directors to serve the remaining 2 years of a 3 year service previously held by Heather Dawson, seconded by Burke, motion passed.

PUBLIC HEARINGS:

PH 552 An application by ARCH Community Housing Trust for a Planned Unit Development (PUD) Agreement of 24 new residential units, located on AM Lot 2, Block 1, Sutton Subdivision (731 River St. N.) within the Business (B) zoning district. The Planning and Zoning Commission recommended approval on July 19, 2010 (continued from September 13, 2010, October 11, 2010, and October 25, 2010, continued from Nov. 8)

Mayor Davis recuses himself from this conversation.

[6:20:06 PM](#) Haemmerle presents as council president. Mariel Platt gives council an overview of the request. Listen to overview.

[6:21:21 PM](#) Williamson let council know that this property is currently involved in a lawsuit with Sweetwater. Discussions are continuing with Sweetwater - ARCH would need a lease to move forward with their development plans on this property. The city is not in a position to

lease the property until the Sweetwater lawsuit is resolved. Williamson suggests to continue this Public Hearing pending the outcome of the lawsuit.

Haemmerle restates what he has heard Williamson state. Brown and Burke would like to go ahead and hear the application but deliberate at a later time.

[6:25:28 PM](#) Michelle Griffith with ARCH spoke to council. Griffith is thankful for continuing to move forward as she believes this is a good project for the City. This project must be financially viable.

Kristen Anderson with Anderson Architecture spoke to council [6:27:35 PM](#). The code allows for this property to have 12 units, Anderson and ARCH believes that 24 units is the minimum number of units to make this project viable. 36 parking spaces are required, they are proposing 24 spaces. This is for 100% senior housing.

Pete Anderson with Anderson Architecture [6:32:59 PM](#) presented to council some renderings of the proposed building which included the proposed rooms, parking and accessible parking spaces. Next Pete Anderson presented the landscaping plan to council.

Greg Urrutia with New Beginnings Housing spoke to council. New Beginnings is looking to partner with ARCH to develop and then help operate the property. Urrutia thanked the council for the city's partnership with ARCH. Urrutia clarified that all of the units can be adapted for handicapped access.

[6:42:37 PM](#) Brown asked if the doorways are wide enough. Greg confirmed yes, they are 36" wide.

Public comment:

[6:43:48 PM](#) Kathy Grotto with BCHA is here in support of this project. Grotto quoted Section 10.4.1 – regarding additional units in the PUD. Downtown Revitalization Strategy encourages higher density and more residential units in this area added Grotto.

[6:45:36 PM](#) Brown is not comfortable deliberating with the pending lawsuit.

Brown moves to continue this meeting to November 29th at 5:30 a special council meeting, seconded by Burke, Haemmerle adds that if the city does not have property interest we will not be able to move forward, motion passed unanimously.

Mayor Davis rejoined the meeting.

PH 538 An application by FaPo Holding of ID, LLC for final plat approval of Hailey Townsite, Block 20, Lot 14A and 20A (314 River St. South). The plat creates 2 lots. The parcel is within the Business (B) and Townsite Overlay districts

[6:50:03 PM](#) Platt presented this application to council. The conditions of approval are included – not all of them have been met.

There were no Public comments.

Brown is okay with this application.

[6:51:54 PM](#) Haemmerle makes a motion to approve the final plat for a lot line adjustment, creating Lots 14A and 20A, Block 20, Hailey Townsite, located at 314 South River Street, subject to conditions A-G, finding that the final plat meets the standards of the Hailey Subdivision Ordinance, seconded by Burke, motion passed unanimously.

PH 539 Proposed Tree Ordinance revisions – to address encroachment fees, replacement costs and procedures for Public Trees

[6:52:38 PM](#) Hellen presented the change to council. Hellen explains the situation – where if a diseased tree is offered to be removed by a resident, we propose to waive the encroachment fee. Also, if a healthy tree is taken down, the city should collect a dollar amount (assessment was done by an arborist during the tree inventory process) and relocate a tree to another spot. Hellen also pointed out the application in the packet.

No public comments.

[6:56:15 PM](#) Burke asked if the Tree Committee considered getting a picture of the proposed tree to be removed. Becki Keefer addressed Burke's comment. Keefer explained because we have a tree inventory, they have been given an associated dollar amount.

[6:58:47 PM](#) Brown moves to approve Ordinance No. 1076 and authorize the mayor to conduct the first reading by title only, seconded by Burke, motion passed unanimously.

Mayor Davis conducted the first reading of Ordinance No. 1076 by title only.

OLD BUSINESS:

OB 540 3rd Reading of Ordinance 1074 and authorize the mayor to sign – adopting 2009 IECC code and Build Better Program

Brown moves to approve 3rd Reading and authorize the mayor to sign, seconded by Burke, motion passed.

Mayor Davis conducted the 3rd Reading of Ord. 1074 by title only.

NEW BUSINESS:

NB 541 Consideration of Blaine County Housing Authority (BCHA) contract

[7:01:56 PM](#) Robrahn presented on behalf of Dawson. Dawson has exchanged emails with Kathy Grotto and they have agreed on the following change. In the section of the agenda item summary, the correction would read “in approximately twice per month increments exceeding no more than an average of 8 hours.”

Brown is fine with this change. Burke is okay with this proposal as is Haemmerle.

Brown moves to approve the BCHA contract noting the amendment made during tonight’s discussion, seconded by Burke, motion passed unanimously.

NB 542 Consideration of Hailey Chamber of Commerce Contract and final report

[7:05:05 PM](#) Heather LaMonica Deckard of 309 Main St. S with Hailey Chamber of Commerce presented to council. Deckard reviewed the services provided by the Chamber including the number of walk in visitors helped throughout the year. Deckard named a few events sponsored by the Chamber including the 4th of July Parade and the Music in the Streets. Deckard discussed the Chamber’s strategy on marketing locally and regionally for promotional events. The Chamber has helped promote the opening of 12 businesses within Hailey this year.

Deckard pointed council to the specific information requested which is included in tonight’s packet.

[7:12:50 PM](#) Robrahn spoke with Dawson earlier – staff will work on measurable goals that the Chamber can report on throughout the year.

Brown is okay with the contract and likes the idea of measurable goals.

Haemmerle moves to approve the Chamber of Commerce contract, seconded by Burke, motion passed unanimously.

NB 543 Parks and Lands Board policy recommendations regarding multi-use arena event policies

[7:15:37 PM](#) Hellen gave an overview to council. The Parks and Lands board does not want to require a special event application for use of the rodeo park. Hellen asked council to consider – do we let people use the arena at will like the previous arena? The bleachers would be cleaned by the event organizer but the bathrooms would be cleaned by city staff.

[7:19:00 PM](#) Haemmerle wasn’t aware that part of this deal was a long term contract with the Sawtooth Rangers. Keefer responded to Haemmerle’s comment. The Sawtooth Rangers want a lease with the city. Janet Fugate Parks and Lands Board Chair also spoke to council. There will be additional income to the city by making this lease with the Sawtooth Rangers added Fugate. Fugate added that the recommendation is that no other professional rodeo is held at the arena.

[7:31:52 PM](#) Williamson suggested structuring some goals and objectives for the Sawtooth Rangers to potentially follow.

Haemmerle feels that the citizens have rescued the Rodeo so the city has an obligation to use the facility. Burke would like to see a business plan from the Sawtooth Rangers.

Brown would be okay with a 5 year term, with measurable goals, but is concerned with the “no other professional rodeos.”

Brown suggests that Fugate set up one on one meetings with each council member to get his/her concerns.

NB 544 Discussion regarding Joint Powers Agreement with City of Ketchum for medical benefits group

[7:42:57 PM](#) Williamson gave council an overview. He asked in the last meeting for more time to review this document. Williamson views this document as very significant. Williamson had a problem with the 1 year penalty upon withdrawal – worst case scenario could be \$360,000. Williamson viewed this withdrawal penalty as a negative for Hailey. Gary Marks and the consultant agreed that a separate agreement could be used to give Hailey the ability to opt out. The other issue Williamson raised was with the selection of the consultant. The board will be in place and will select the consultant in the long term.

[7:56:46 PM](#) Burke would support this agreement in general principal if Williamson were able to get through the penalty concerns.

Council wants the benefits committee to understand the recent change discussed by Williamson tonight. The next benefits committee meeting is 11/29. Council asked to have this put on the 11/29 agenda to discuss further.

NB 545 Consideration of Settlement Agreement (Sweetwater vs. City of Hailey)

This item was not discussed due to negotiations still in progress.

STAFF REPORTS:

[8:02:04 PM](#) Hellen spoke about snow removal. Snow removal will begin at a minimum snow fall of 3”. On Woodside Blvd. meeting was held with various business and citizen stakeholders on what they would like to see with this project. Hellen has received positive comments regarding the proposed roundabout in Woodside. Citizen meetings for Woodside residents will begin in January 2011. Change order authorization, Hellen is asking for authorization from council to approve change orders up to \$15,000. Last Wednesday bids were put out for design/build for the skate park. We (City) are applying for a grant that would pay for up to \$100,000 for the skate park. Hellen added that they are moving forward with public art on the Rodeo Grounds. Hellen is suggesting that the skate park also consider an art component. Hellen pointed out a relief map done by Tom Tietge.

[8:10:33 PM](#) Williamson anticipates that council and the Blaine County Commissioners will be reviewing a Joint Powers Agreement for the airport for the special meeting to be held on Dec. 6th.

[8:11:14 PM](#) Police Chief Jeff Gunter pointed out to council the staff report he put in tonight's packet.

[8:11:35 PM](#) Brown, next Monday press release for winter preparedness and suggested language for a proclamation.

[8:12:39 PM](#) Burke will miss a few meetings coming up – December 6th for sure. Burke feels that moving Springfest to downtown (based on Tom Bowman's letter to move the event) would be too congestive.

With no further business Mayor Davis concluded the meeting at 8:18 P.M.