

**MINUTES OF THE MEETING OF THE  
HAILEY CITY COUNCIL  
HELD NOVEMBER 22, 2021  
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:04 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.

[5:04:22 PM](#) Call to order by Mayor Burke

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

[5:04:54 PM](#) Husbands motions to go into Executive Session for Pending & Imminently Likely Litigation under (IC 74-206(1)(f)), Martinez seconds. Motion passed with roll call vote; Husbands, yes. Thea, yes. Martinez, yes. Linnet, not yet on call.

Mayor and council go into Executive Session.

[5:31:49 PM](#) Mayor and Council come out of Executive Session and reconvene meeting.

Juan Martinez is no longer in attendance.

**Open session for public comments:**

[5:32:38 PM](#) Ron Bateman reads the letter which he emailed to Mayor Burke today. Bateman, serves notice to terminate contract for services with Hailey at the end of the year, and they will hire a person to do inspections. Thanks for the service from Chief Baledge and Christian Irvin for filling in for the past several years.

**CONSENT AGENDA:**

- [CA 395](#) Motion to ratify letter of support for Blaine County grant application for a single-stream recycling feasibility study **ACTION ITEM** .....
- ~~[CA 396](#) Motion to approve Resolution 2021-119, authorizing contract with Hailey Chamber of Commerce for visitor and event promotion services for the City of Hailey **ACTION ITEM** .....~~
- [CA 397](#) Motion to approve goods procurement bidding of the Woodside Ultraviolet (UV) Disinfection Equipment. **ACTION ITEM** .....
- [CA 398](#) Motion to authorize the mayor to sign a Certificate of Completion for Sunbeam Subdivision **ACTION ITEM** .....
- ~~[CA 399](#) Motion to approve Resolution 2021-120, authorizing the mayor's signature on a contract with Idaho Power for installation of power supply to Hailey Park & Ride Lot, for electrical service. **ACTION ITEM** .....~~
- [CA 400](#) Motion to approve Resolution 2021-121, Canvass results from November 2, 2021 Election **ACTION ITEM** .....
- [CA 401](#) Motion to approve Annual Ebanking review with Mountain West Bank **ACTION ITEM** .....
- [CA 402](#) Motion to approve the Findings of Fact, Conclusions of Law and Decision of a Final Plat Application for Amatopia Subdivision, represented by Galena Engineering, where Tax Lot 7816, Section 9 & 16 TL 7816 2N 18E (235 West Maple Street) is subdivided into five (5) lots. This parcel is located within the General

- Residential (GR) Zoning District and within a portion of Townsite Overlay (TO) Zone District. ACTION ITEM .....
- [CA 403](#) Motion to approve minutes of November 8, 2021 and to suspend reading of them ACTION ITEM .....
- [CA 404](#) Motion to approve claims for expenses incurred during the month of November 2021, and claims for expenses due by contract in December, 2021 ACTION ITEM .....
- [CA 405](#) Motion to approve unaudited Treasurer’s report for the month of October 2021 ACTION ITEM .....

[5:34:49 PM](#) Husbands CA 396, pulls chamber budget for questions. Would like to see more details in the annual report.

[5:35:36 PM](#) Thea pulls CA 399, for a question.

[5:36:15 PM](#) **Thea moves to approve all Consent Agenda items minus CA 396 and CA 399, Husbands seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.**

CA 396 [5:36:54 PM](#) Husbands, looking for more information in monthly report, trying to make sure we getting our bang for the buck.

[5:37:33 PM](#) Dawson responds, the monthly reports are distributed in conjunction with the city treasurer’s reports. McKenna will soon give an annual report to council. [5:38:47 PM](#) Husbands comments, we have a new building and rodeo grounds, down the line, wondering if we don’t need an event coordinator.

[5:39:21 PM](#) **Husbands moves to approve CA 396, Thea seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.**

CA 399 [5:39:46 PM](#) Thea, power supply and solar? Yeager, has not explored this yet, suspects the solar option is more expensive, in the interest of time, prefer to get going with this type of service.

[5:41:28 PM](#) **Thea moves to approve CA 399, Husbands seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.**

**APPOINTMENTS & AWARDS:**

AA 406 *Appointment of Mountain Ride board member to a 3-year term Resolution 2021-\_\_\_\_, (replaces Juan Martinez) ACTION ITEM*

[5:42:02 PM](#) Mayor Burke speaks, Martinez would still like to participate as ex-officio, he feels our Mayor should be on this board since other cities are represented by their mayors, Burke agrees to do this.

[5:43:15 PM](#) Husbands asks when are meetings? Response, they are at Ketchum city hall, long meetings during mid-day.

[5:44:30 PM](#) Linnet moves to approve Resolution 2021-122, Husbands seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.

### **PUBLIC HEARINGS:**

*PH 407 Consideration of an amendment to a Planned Unit Development (PUD) Agreement between ARCH Community Housing Trust and City of Hailey approved by City Council on May 11, 2020 for a PUD to construct two multi-family housing buildings with 97 parking spaces. Three (3) car-ports were proposed to cover twenty-two (22) parking spaces for the senior parking. The applicant is requesting to eliminate the three carport structures, leaving all parking uncovered. ACTION ITEM*

[5:45:35 PM](#) Simms, this is a LUPA application, ask for exparte communications from Mayor and council on this item.

[5:46:48 PM](#) Thea spoke with Fosbury about the car port, and whether the County was going to participate in funding of the car port. And spoke with Carol Swift, who would be interested in helping to provide funding for the car port. Also, discussed the car port with Esta, learned car port was not going to be completed. Thea, can be impartial.

[5:48:22 PM](#) Horowitz outlined the history of this item during the pandemic, shown on drawings and approved as shown. ARCH has come into severe cost issues, reason for request.

[5:49:17 PM](#) Michele Griffith with ARCH, thanks for your support during a difficult time. Weren't sure if we could have these public meetings at all in the beginning, then have run into supply chain issues. Will try to do the carports with private funding. 30 people are anxious to move into these units, want council to consider this. [5:51:12 PM](#) spoke with property manager yesterday, no one has been told that there are car ports with the apts. hope council will amend PUD application as mentioned.

Husbands, [5:52:11 PM](#) asks Griffith, how much have you gone over project costs, for senior apts. Griffith, for the senior apts., \$495,979 over budget. Where do you get the money if you are over budget? [5:52:58 PM](#) Griffith responds, part of it was value engineered in the beginning, \$253,138 remaining amount comes from contingency. To bridge the gap, ARCH board has already put money into the project. Lumber was the biggest chunk, paint and concrete we also over budget. Concrete, had to add additives. [5:54:52 PM](#) cost to put in later, Griffith responds cost to put in later. \$180,000.

Public comments:

[5:55:30 PM](#) Barb Espedal, of 731 N. River, for her and other people, for 2 ½ years, 2 people have been okayed to go to Blaine Manor. Have to stay with daughter until she moves into her apartment, sold her house in Oregon. Hope it goes well.

[5:57:15 PM](#) Dick Fosbury, 130 W. Glendale Road in county, and county commissioner. Thea and he discussed paying for the car ports for ARCH. There were some assumptions that the

county could pay for a large portion with ARPA funds, not sure if we can do that. Affordable housing is an eligible expense with ARPA funds. County is committed to getting people into housing as soon as possible. To develop and deliver on a project like this is huge. Fosbury has read through the packet, unsafe condition, he argues this, as typical for our area. Seniors in area understand what to expect, not unusual. What is remarkable is providing largest housing project in decades, asks council to approve the PUD change request. Want to help fund car ports and install solar. Nate Hart wants to help also, with Power Engineers.

Council Deliberation:

[6:02:57 PM](#) Linnet, appreciates ARCH's position with costs, thinks a unique situation, housing is more important than car ports right now. Not sure if we can earmark construction in the future if possible but we need housing.

Husbands concurs with Linnet. A bit disappointed for safety, hope to continue seeking funds for seeing them constructed with solar.

[6:04:53 PM](#) Thea, agrees that we should move forward, without the carports, since housing is most critical, want to continue seeking funding in future with solar.

[6:06:26 PM](#) **Husbands moves to approve Resolution 2021-123 amending the PUD, Thea seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.**

[6:07:44 PM](#) Griffith is disappointed also, don't mind continue working with ways to fund. Ribbon cutting is on Dec. 15<sup>th</sup> at 11 am, can view a unit. Move in date on Dec. 14th.

[6:09:14 PM](#) Simms adds, the Senior Connection also provides rides for seniors. Mayor Burke speaks, is also disappointed. More discussion about other apts, will be completed by Feb 1<sup>st</sup>. Thea asked a question. Griffith responded, haven't concentrated on family units. Many people do not qualify, data is 5 years old.

*PH 408 Consideration of a Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 12 sublots consisting of seven (7) live-work units, four (4), ten-unit condominium buildings, and a clubhouse, for a total of 57 residential units. This project is located along Shenandoah Drive, in Section 15, T.2 N., R.18 E., B.M., City of Hailey, Blaine County, Idaho, within the Limited Business (LB) Zoning District. **ACTION ITEM***

[6:13:37 PM](#) Horowitz gives an overview of this item, slight typo, 5 buildings, not 4 buildings. Matt Watson, project manager is on call, will take over from here, will be presenter. [6:14:50 PM](#) Watson, giving a refresher on project. Blocks in red outline are remaining projects. Surrounding existing 71 units that exist. Block numbers, 4 existing residents, b2, duplex units, block on countryside and Shenandoah, block 1, not part of the purchase. Tonight block 2, splitting block 2 in half, 2 buildings 2 plex and 4 plex. Showing existing trail, blue, proposed trails in red. Previously approved on block 2, want to revise that. Plan on top approved plan, proposed plan

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below, with more amenities, some planned in phase 2. [6:18:42 PM](#) Watson shows preliminary plat, new block has 271 parking units, 2 trail connections, playground in phase 2, live work units, begin construction on these. Added features to side elevations. [6:20:28 PM](#) .

[6:20:44 PM](#) Linnet asks, how many units now? In this block, 116 units before, now have 137 in this block. Watson responds. Linnet parking spaces? Watson providing what is typically provided with units, 1 car garage. Units on Hopper way, surface parking.

Public comments: [6:22:35 PM](#) no public comments

Council deliberation:

[6:22:50 PM](#) Thea, 3 of top concerns, efficiently as possible with solar rough ins, affordability. Knows car manufacturers are going towards electric vehicles in future. We are trying to reduce carbon footprints, zero emissions goal. Want comments on these. Watson responds, [6:24:37 PM](#) going through design review process, abide by standards, building materials and windows, as far a future, possibly look at solar within the parapet wall, charging station for vehicles, could provide in the future.

[6:25:59 PM](#) Husbands, can we have these for affordable housing. Watson, responds to Husbands, cannot commit to that tonight. May have options tonight, can offer some to Blaine County residents instead of homeowners. [6:27:06 PM](#) Linnet asks, do your CC&Rs limit short-term rentals? Simms responds, generally speaking cannot restrict (city cannot limit short-term rentals), but HOAs can limit that. [6:28:14 PM](#) Watson, can set long-term leases, minimum of 6-month lease.

[6:28:33 PM](#) Linnet do we have authority to ask this? Horowitz, responds, looks at phases, middle block 4 was built, then sat, new ownership group came in. started talking with team, blocks 3 & 5, could they bring densities up, and discuss changing trends in Sweetwater, 50% 2<sup>nd</sup> homeowners can development team do something to limit 2<sup>nd</sup> homeowners in future, although we cannot formally ask this. This belongs in zoning code, need to change code. Understand council's concerns. [6:31:18 PM](#) Simms, state statute does allow some short-term regulation in cities, HOAs can be an effective tool to address this. Suggest we continue to work with developer on their concerns. Linnet, suggest wait to approve, no not suggesting that responds Simms. The PUD agreement under discussion, made over a decade ago. [6:33:24 PM](#) Horowitz has not seen anywhere in our code that we can ask for these.

Continued discussion about standards.

[6:34:39 PM](#) Linnet adds, our standards in PUD agreement, developers, no fault of their own, no limitation on voluntary changes, developer and city can agree to make changes.

[6:37:18 PM](#) Watson addresses not opposed to have discussion, but project is done, trying to get units available for housing, don't want to delay project. Would like to get approval on preliminary plat and continue moving along.

[6:39:43 PM](#) Burke asked Watson when he could meet with Horowitz. Virtually is fastest, next week.

[6:40:15 PM](#) Horowitz, forgot design review had not happened yet, maybe rough in solar and charging, could come up with a conditional approval for rough in solar/EV charging can move forward tonight.

[6:41:10 PM](#) Simms procedurally HOA rules, make that decision at council. Linnet suggests having staff work with developer, important to council. Watson, if there is nothing in place, PUD already in place, why can't we get approval tonight. Linnet wants to continue this item for this long-term project. [6:43:45 PM](#) Horowitz may have time on Dec 13<sup>th</sup> agenda for this item. Watson asked about the permit status, not impacted on timeline. Pulling permits this month for live work units.

More discussion about solar and charging stations.

[6:45:56 PM](#) **Motion to continue item to Dec. 13<sup>th</sup> made by Linnet, Thea seconded. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.**

Burke comments, appreciates all of your input.

### **NEW BUSINESS:**

*NB 409 Report on staff work to identify criteria and recommendations for an ARPA funds strategic planning process for projects and programs in the amount of \$1.8 million in the years from 2022 to 2026 ACTION ITEM*

[6:46:50 PM](#) Dawson gives an overview prioritizing and working on as a team, on how to spend this \$1.8 million in 2022. Want council's thoughts on changing or adding anything to the list. Next time we discuss this, list of projects, will apply criteria to prioritize the projects. [6:49:36 PM](#) Husbands, all dept heads involved, Diane Cordis is putting together the report for us. [6:50:38 PM](#) Thea, brings up Tanner project, could we put funding towards? Burke, no from Simms. Simms, can give funds to a non-profit.

[6:51:41 PM](#) Dawson, next time you see the report, you'll see the ARPA rules and guidelines. If no, move on to the next item.

More discussion about this process and use of these funds. Staff will make proposals, council will discuss and prioritize based on criteria and wise investments. [6:54:29 PM](#) Yeager adds, we provided a list of items in the beginning of this project. Yeager summarizes input from council that we are seeking. [6:56:38 PM](#) Dawson, there is no hurry on this, just wanted to start talking about this. Linnet, [6:56:59 PM](#) one thing that comes to mind, prioritizing things that have high return on investment.

### **OLD BUSINESS:**

*OB 410 2nd and or 3rd reading of Ordinance No.1295, establishing the Urban Renewal Plan for the Airport Way District Urban Renewal Project, which Plan includes a revenue allocation provision and adoption of summary of Ordinance No. 1295. ACTION ITEM*

[6:59:13 PM](#) Mayor Burke asks council to make motion and waive 3<sup>rd</sup> reading of ord. no. 1295

[6:59:43 PM](#) **Linnet moves to approve Ordinance No. 1295, waive a reading, approve summary, and authorize mayor to sign and read by title only, Husbands seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes.**

[7:00:28 PM](#) **Mayor Burke conducts 2<sup>nd</sup> and final reading of Ordinance No. 1295 by title only.**

*OB 411 Matters & Motions from Executive Session, if any. ACTION ITEM there are none.*

### **STAFF REPORTS:**

[7:01:41 PM](#) Horowitz we are helping with Drussel and Chamber with tree lighting on dec 3<sup>rd</sup>. 4:30 start time, look for festive decorations by the end of next week.

[7:02:31 PM](#) Husbands, asks about resort cities staff report. Dawson responds to this comment, hire a lobbyist that would be funded by all cities and county, Ketchum is coordinating.

[7:04:38 PM](#) Dawson, town center property, expect robust dialogue, in next 4-12 months to identify short and long-term uses. List of events which have been held in the building since we acquired the building. [7:06:53 PM](#) Husbands, we are talking to a consultant about this property, what about use of rodeo grounds, underutilized property. Mayor Burke, these are 2 divergent conversations. Husbands, maybe we need an event planner. Burke responds, the Chamber is that event planner. Thea, can we purchase tables and chairs for this facility? Husbands, Friends of Hailey Library purchased chairs for this facility.

[7:10:50 PM](#) **Motion to adjourn made by Thea seconded by Linnet, motion passed unanimously.**