

**MINUTES OF THE  
HAILEY CITY COUNCIL MEETING**

**Monday December 17, 2012 \* Hailey City Hall Meeting Room**

**Present:** Carol Brown, Don Keirn, Fritz Haemmerle, Pat Cooley

**Absent:** Martha Burke

**Staff:** Micah Austin, Heather Dawson, Ned Williamson, Tom Hellen, Mariel Platt, and Police Officer Derek Stewart.

*\*Indicates a late addition item, council must make a motion at beginning of meeting to accept amended agenda.*

**5:30 p.m. CALL TO ORDER -**

**5:37:07 PM** Mayor Haemmerle called the meeting to order. He asked to change the order of the agenda somewhat to address the tragic recent event in Newtown, Connecticut. The mayor called the elementary school shootings there “an act of evil” and noted “we all suffer greatly when these events happen.” He encouraged citizens to “love our fellow humans more” and to show sympathy and empathy. Mayor Haemmerle further pointed out that teachers not only teach, but protect children. He declared that “the City of Hailey stands with Newtown, wishes them well, and hopes they can see sunshine again someday.”

**Open Session for Public Concerns**

**5:40:52 PM** None was offered.

**CONSENT AGENDA:**

~~CA 520 Motion to approve Resolution 2012-90 authorizing lease with the Hailey Chamber of Commerce for use of space within the Welcome Center/Interpretive Center.~~

CA.521 Motion to approve Resolution 2012-91, authorizing renewal of Independent Contractor Agreement with Deb Gelet to perform professional services for the City of Hailey, specifically to take minutes for City Council and Planning and Zoning Commission meetings at an agreed upon contracted hourly rate of \$20 per hour.

**\*CA 522 Motion to approve submittal of Drinking Water Planning Grant Letter of Intent to Idaho Department of Environmental Quality.**

CA 523 Motion to approve taxi license renewal for Woodriver Taxi, conditional on the receipt of Certificate of Insurance prior to December 31, 2012.

CA 524 Motion to approve purchase of Toolcat 5600 F-Series and attachments from Barry Rental, Inc. for \$48,927.90.

CA 525 Motion to authorize the Mayor to sign the 2012 Tree City USA Application for Certification.

CA 526 Motion to approve minutes of November 30, 2012 and to suspend reading of them.

CA 527 Motion to approve minutes of December 3, 2012 and to suspend reading of them.

CA 528 Motion to approve claims for expenses incurred during the month of December, 2012, and claims for expenses due by contract in January, 2013.

**\*CA 529 Motion to approve Treasurer’s reports for the month of November, 2012.**

**5:41:08 PM** Ned Williamson asked to pull CA 520.

**5:41:27 PM** Carol Brown moved to add CA 522 and CA 529 to the agenda. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

**5:42:05 PM** Pat Cooley moved to approve the Consent Agenda minus CA 520. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.

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5:42:34 PM Ned Williamson asked to address CA 520 later in this meeting. Mayor Haemmerle agreed.

### **MAYOR'S REMARKS:**

MR 530 *WRHS Boys Soccer Team*

5:42:56 PM Mayor Haemmerle welcomed members of the team and congratulated them on a successful, hard-fought season ending with third place in the state championship. He further noted their hard work and sacrifice, and expressed hope they will return to Hailey in their adult lives.

### **PROCLAMATIONS & PRESENTATIONS:**

PP 531 *Proclamation presented by Amelia Fugate.*

5:48:56 PM Miss Fugate explained her high school senior project goal of establishing Fabulous Female Friday on January 4, 2013. She noted the lack of holidays celebrating women and the continuing struggle for equal pay. Miss Fugate proposed recognizing the contributions of women by declaring Fabulous Female Friday a City holiday. The Council asked her about her goals, her research, and her progress to date on her efforts. **Don Keirn moved to approve recognition of Fabulous Female Friday on January 4, 2013, to have the proclamation read, and to authorize the Mayor to sign. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.** Mayor Haemmerle asked Ms. Fugate to read the proclamation aloud, and he agreed to sign it.

### **APPOINTMENTS & AWARDS**

AA 532 *FMAA appointment for expired term of Susan McBryant.*

5:59:35 PM Mayor Haemmerle spoke in favor of Ms. McBryant's re-appointment. **Carol Brown expressed her gratitude for Ms. McBryant's service and moved to approve her reappointment for a two-year term beginning in August 2012. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.** 6:01:27 PM

### **PUBLIC HEARING:**

PH 533 *Review of December 7<sup>th</sup> FMAA meeting and comments of city FMAA officials.*

6:01:52 PM Mayor Haemmerle announced that Martha Burke submitted a letter of resignation from the FMAA, effective immediately. Council discussion included the value of her service, the many hours spent in that service, and high commendations for her work. Further discussion continued on the process of selecting a replacement. Ned Williamson explained that the Mayor should nominate and the Council then appoints.

6:06:07 PM **Pat Cooley moved to accept Ms. Burke's resignation from the FMAA and to thank her generously for her time of service. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley yes.** Council discussion continued on the magnitude of the loss and their great regret.

6:07:33 PM Susan McBryant reported the FMAA was able to explain clearly to the FAA the differing opinions amongst representatives, and the value of recognizing those differences. Mayor Haemmerle expressed his unhappiness with the way in which the meeting was covered in the media, and the differences in how Blaine County and the City have been treated. 6:10:27 PM

PH 534 *Consideration of naming the arena/skatepark/ice facility and Welcome Center, the Wertheimer Park (continued from November 19, 2012).*

6:10:47 PM Mayor Haemmerle provided background and asked if the public had been well enough notified and informed in order to comment on it. Tom Hellen advised it had been included in the Our Town newsletter and he received some email response.

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[6:12:35 PM](#) Mayor Haemmerle opened the matter to public comment.

[6:12:42 PM](#) Geoff Moore, 406 1<sup>st</sup> Avenue South, opined that the Werthheimer name “is good as any,” for the overall location, but asked the Council to consider specifically naming the skate park to honor TC Andrews. He further noted that TC’s death “brought together his peers” in many ways and that his father, Andy, worked very hard to make the skate park a reality. [6:15:39 PM](#) Mayor Haemmerle advised he thought this was a very good idea, but would like the opportunity to speak with Andy first.

[6:16:36 PM](#) With no further comment offered, the matter was closed to public comment.

[6:16:43 PM](#) Discussion included whether the area should be broadly named or each smaller component be given a more specific name. Consensus was favorable to refer to the area as a “sport and event park.”

[6:19:07 PM](#) **Carol Brown moved to adopt the Werthheimer name for the whole area, and for the Mayor to work with staff for the exact naming details. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.**

*PH 535 Consideration of amendments to Municipal Code Title 15 – Building Code, to reduce fees for window upgrades and energy remodels, to remove the security deposit fee for final building inspections, to identify the building permit validity period as 180 days.*

[6:20:38 PM](#) Carol Brown recused herself as she is in process of obtaining her own window permit.

[6:21:05 PM](#) Micah Austin provided an overview and explanation of the amendments.

[6:23:58 PM](#) Mayor Haemmerle opened the matter to public comment. None was offered.

[6:24:09 PM](#) Mr. Austin pointed out that the changes were made to resolve inconsistencies and inaccuracies in the Code. Discussion included the goal of making it all simpler for users. Pat Cooley expressed doubt that the City should be doing permits and inspections for windows that are not structural. Bill Dyer, Blaine County Building Department, was present to explain that heat loss is a consideration, the life safety issue of safety glazing, and weatherization.

[6:28:47 PM](#) **Don Keirn moved to approve the proposed amendments to Chapter 15.08, adopting Ordinance 1119, and to authorize the mayor to conduct the first reading by title only. Pat Cooley seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.** Mayor Haemmerle agreed with the Council’s vote and conducted the first reading.

[6:30:59 PM](#) Carol Brown then returned to the meeting.

*PH 536 Review of Municipal Code Title 15, Voluntary Build Better Program for Mandatory Consideration to increase energy efficiency and sustainable building practices.*

[6:31:07 PM](#) Mayor Haemmerle provided a summary of the matter. Mariel Platt provided further explanation and background, pointing out the reasoning behind making the program mandatory.

[6:53:18 PM](#) Council discussion included any possible cost increases.

[6:54:20 PM](#) The Mayor opened the matter to public comment. Thad Farnham, Northridge, advised he just finished a residential construction project using this program and was enthusiastic about it, noting the “few and optional additional costs were worthwhile.” He further believed the program may foster healthy competition in the housing industry. Mayor Haemmerle asked if this program would discourage building in Hailey. Mr. Farnham opined that it was not hard to comply and that the lessons learned are worthwhile.

[6:59:46 PM](#) Pat Cooley asked if Mr. Farnham’s project was built on speculation. Mr. Farnham advised that it was, even with these additional costs.

[7:01:37 PM](#) Heather Dawson asked Mr. Farnham if he thought construction clients were aware of the options available. He believed they likely would be.

[7:03:15 PM](#) Bill Dyer, Blaine County Building Department, spoke in support of the program.

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[7:04:52 PM](#) Jay Cone, 650 El Dorado Lane, noted that most of the comments offered related to new construction. He voiced his concerns that additions and remodels may present more of a problem in that the program may feel more onerous than it is. He further noted that climbing costs may be a problem.

[7:06:53 PM](#) Mariel Platt explained the fee costs more fully. Jay Cone notes the IECC was intended to have above-code requirements and cautioned that this will require the City to review requirements more often.

[7:10:51 PM](#) Bill Dyer, Blaine County Building Department, added that the 2012 energy building code may be amended, but would not be as stringent as the IECC.

[7:11:43 PM](#) With no further comment offered, the Mayor closed the matter to public comment. Mayor Haemmerle noted this will require serious monitoring to be sure compliance remains possible as requirements increase, but possibly access to building materials may not. Discussion included the value of the problem, concerns about costs, whether it should be applied to new construction but not remodels, and compliance as other codes raise requirements.

[7:20:31 PM](#) Heather Dawson reminded that updates to code cannot happen without Council approval. Council discussion continued on the possibility of creating incentives for remodels and additions to comply. Mayor Haemmerle voiced his hope to review this again in six months when it will be possible to know the new codes and to see if incentives for additions and remodels might be found.

[7:25:15 PM](#) **Carol Brown moved to continue PH 536 to the January 7, 2013 meeting and to have staff supply revisions that apply to new construction only. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.**

*CA 520 Motion to approve Resolution 2012-90 authorizing lease with the Hailey Chamber of Commerce for use of space within the Welcome Center/Interpretive Center.*

[7:27:36 PM](#) This item was moved to this position on the agenda by Ned Williamson's request. Heather Dawson provided background and terms of the lease. Mayor Haemmerle noted the Chamber is currently renting space from the County for free rent, and that the City used to give the Chamber annual funding, so the provision of a \$1.00 annual lease was made. Discussion included the importance of the Chamber to the City, uses of shared spaces, exhibit space oversight, and meeting room uses. Recommendations for language revisions were provided by Mr. Williamson. [7:31:44 PM](#) Council asked when revised language could be reviewed. Mr. Williamson advised he would draft that in the morning for Council distribution. **Carol Brown moved to approve the lease subject to Ned Williamson's review and circulation of the revised lease to Council members. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Cooley, yes.**

[7:36:30 PM](#) The Mayor excused Pat Cooley from the meeting as Mr. Cooley was recovering from recent shoulder surgery.

*PH 537 Woodside Boulevard Project – Consideration of approval for Substantial Completion as of October 20, 2012 and revised Pay Request #6.*

[7:36:58 PM](#) Ned Williamson provided an overview and directed Council's attention to the punch list and density (core sample test results). Mr. Williamson asked that the density issue be added to the punch list so that Knife River could be paid and still be held accountable for resolution of the density issue.

**Carol Brown moved to approve substantial completion as of October 20, 2012 for the Woodside Boulevard Project, addressing pavement density issues as a punch list item. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes.**

Discussion continued on a possible delay claim. Ned Williamson advised he will follow up.

[7:41:26 PM](#) Heather Dawson reminded of the modified pay request #6. **Carol Brown moved to approve the modified pay request from Knife River. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes.**

#### **NEW BUSINESS:**

*NB 538 Discussion of Hailey's status with III-A.*

[7:42:38 PM](#) Mayor Haemmerle provided an overview and explanation of the matter, and reviewed what will happen at next III-A meeting scheduled for January 9, 2013. He noted there are many matters still to be considered.

#### **OLD BUSINESS:**

*OB 539 2<sup>nd</sup> reading of Ordinance 1118 – Municipal Code amending Chapter 10.08 establishing municipal parking tickets and consideration of Ordinance No. 1118 Summary.*

[7:45:25 PM](#) Carol Brown asked that the record clarify the readings had been waived originally by Council due to urgency in this matter.

[7:47:04 PM](#) **Carol Brown moved to waive the second reading and to proceed with the third reading, to read by title only, and to authorize the Mayor to sign. Don Keirn seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes.** The Mayor conducted the reading.

[7:48:41 PM](#) **Don Keirn moved to approve the Ordinance Summary. Carol Brown seconded. Roll call vote: Brown, yes; Keirn, yes; Haemmerle, yes.**

#### **WORKSHOP:**

Staff Reports      Council Reports      Mayor's Reports

[7:49:30 PM](#) Heather Dawson noted the new calendar shows only one City Council meeting in January and February, and that seemed adequate for the business at hand.

[7:50:05 PM](#) Micah Austin advised that there were six events held on Holiday Square since the last meeting, and feedback was very positive.

[7:54:15 PM](#) Tom Hellen spoke briefly on the biosolids letter included in Council packets.

[7:55:02 PM](#) Micah reported there are only two members left on the Historic Preservation Commission—Joan Davies and Frank Rowland.

[7:55:50 PM](#) **Mayor Haemmerle adjourned the meeting.**