

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, FEBRUARY 25, 2008
IN THE HAILEY TOWN CENTER MEETING ROOM**

The regular meeting of the Hailey City Council was called to order at 5:30 p.m. by Mayor Rick Davis. Present were Council members Martha Burke, Carol Brown, Don Keirn and Fritz Haemmerle. Staff present included City Attorney Ned Williamson and City Administrator, Clerk Heather Dawson.

Mayor Davis opened the meeting for public concern and there was none.

CONSENT AGENDA

- CA 58 Motion to approve 3rd reading of Ordinance 1001, Zoning Ordinance amendments, read by title only, and authorize the mayor to sign the ordinance into law.
- CA 59 Motion to approve 3rd reading of Ordinance 1002, Subdivision Ordinance amendments, read by title only, and authorize the mayor to sign the ordinance into law.
- CA 60 Motion to adopt the Findings of Fact, Conclusions of Law, and Decision for Final Plat of the Tannerwall Townhomes, as drafted.
- CA 61 Motion to adopt the Findings of Fact, Conclusions of Law, and Decision for Final Plat Woodside Elementary PUD, as drafted.
- CA62 Motion to adopt the Findings of Fact, Conclusions of Law, and Decision for Final Plat Hailey Meadows Condominiums, as drafted.
- CA 63 Motion to approve Mayor to sign the Idaho Power custom Efficiency Program Agreements for the lighting retrofit projects at City Hall, Street Shot and Wastewater Plant.
- CA 64 Motion to authorize purchase of Equipment for Countryside Traffic Signal.
- CA 65 Motion to approve special event permit. Sun Valley Ctr. for the arts req. use of Hop Porter Park on 7/19/08 (2nd special event scheduled in park for July)
- CA 66 Motion to approve minutes of February 11, 2008 City Council Meeting.
- CA 67 Motion to approve Claims for payment of checks issued in February 2008

Heather Dawson, City Administrator pulled CA 66 for editing. Mayor Davis pulled CA 63 and CA 64, **Burke moved to approve the consent agenda minus the 3 pulled items. Keirn seconded; the motion carried unanimously.**

Davis asked that CA 64 be placed under old business, to be discussed in conjunction with the Sweetwater matter. Davis asked that there be a short presentation by staff for CA 63. Tom Hellen, City Engineer presented and explained that there would be a great savings from Idaho power and has been put together by the cities HELP group. Davis noted that staff continues to be a leader in the Valley and thanked staff for their continued efforts. **Burke moved to adopt CA 63. Brown seconded; motion carried unanimously.**

Ned Williamson, City Attorney advised council that the Application for final plat approval of Quigley View Condominiums, currently Lots 1, 2, and 3, Del Norte Apartment (6th Avenue) had been requested to be continued

PROCLAMATIONS & PRESENTATIONS

Idaho Housing & Finance Associations' presentation of general programs

Gerald Hunter, President and Executive Director of Idaho Housing & Financing presented. Hunter explained that the Idaho Housing & Finance Association is involved in a wide variety of housing activities such as homeless and moderate income, workforce housing and in between phases. Hunter referred to the blue packet of information that was given to council. He talked about strategies & tools for developers.

1. Project Financing and alternatives for developers or communities and for profit supporters. Hunter has been working with Ketchum. Brown asked if short term and long term financing was available. Hunter explained that they act as a lending institute. They sometimes sell loans off and sometimes they work as an agent for a bank and at times they hold them in their own portfolios. Davis asked about the Public/Private scenario and how that would be handled? Hunter said they could work with this but would need to work thru the details. They could provide tax exempt financing.
2. Home Equity Partnership provides options for communities that do not have anybody to handle local deed restrictions.
3. Public property transfers & donations. They receive extra surplus properties for donations. They can use this property to turn into workforce housing. Brown asked who would manage these properties. He explained that when it's sold the property profit gets returned to community housing. Private Land Donations are a great benefit as we go forward. The foundation was created by virtue of donation and can be taken as charitable donation.
4. Employer assistance and charitable donations. The key here is the tools that allow them to go in and counsel employees and help employers facilitate donations.
5. Buyer financing assistance programs. This program shows the various lending products they offer such as closing cost assistance program and home buyer education classes.
6. Project development. They can assist in the development if needed.

When community housing is bought and later sold, the original loan amount is paid back to the organization. Those funds now become a new amount of money that is recycled back into the fund. They rely heavily on the private sector to handle this. IFHA puts lean in place to make sure the donations and funds are there and can be recycled and reused. There is a Deed Restriction option available but the option outlined above is more preferred.

Davis said that we are not unique in the affordability issue with buyers. Davis asked if there are other programs available. Hunter talked about Home Block Fund monies from HUD. (Affordable federal resources) and then reiterated his program above.

Brown asked how they interact with the local agencies. Hunter said they are one more player at the table. Davis asked if they were available for consulting. Hunter said he would be happy to help council look at this. Davis asked if there is an outreach program to make people aware that there are funds available. Hunter feels they have a good outreach program and all the other agencies know about them.

Davis thanked him for his time and asked him to leave a card.

PUBLIC HEARINGS

An application by Real Estate of Sun Valley, LLC for final plat approval of 21 Comet Condominiums, currently Lot 21, Block 5, Airport West Subdivision Phase II (21 Comet Lane)

Bruce Smith, from Alpine Enterprises presented the final plat. He has meet with the Hearing Examiner and has met all conditions. Rick Davis, Mayor opened the meeting up to the public – no comments. **Brown moved to approve the application by Real Estate of Sun Valley, LLC for final plat approval of 21 Comet Condominiums attaching conditions a-e as shown. Keirn seconded; Motion carried unanimously.**

An application by Sky King LLC for final plat approval of Sky King Condominiums, currently Lot 7M, Block 4 Airport West Phase II (1999 Electra Way)

Brian Yeager, Galena Engineering presented. The applicant would like to split one of the units into a 4-plex. Yeager asked for direction as to how to proceed. He asked if this would have to be a replatted. Beth Robrahn, Planner would like this continued to the next meeting so she can do some research. Rick Davis, Mayor would like Robrahn and Williamson to work this out. **Brown moved to continue the application by Sky King LLC for final plat approval of Sky King Condominiums continued to the March 10, 2008 Council Meeting. Keirn seconded; Motion carried unanimously.** Williamson will be looking at an ordinance amendment to be clear if somebody could lease or just own. Davis would like this researched and brought back to council.

Proposed amendment to the Subdivision Ordinance #821, adding bicycle rack standards to City Standards Exhibit A, Section 5, Improvements Required

Robrahn presented, explaining that she brought this to council at the end of November. Robrahn explained that these are guidelines for bicycle racks in new developments. The P & Z Commissioners had a hearing and recommended to council for approval. Rick Davis, Mayor asked for comments however there were none.

Davis asked if the guidelines address snow removal. Robrahn explained that #10 is the only thing that addressed weather and on page 98 #5 it talks about placement of bicycle racks. They could include not impeding snow removal. Fritz Haemmerle asked what purpose does a covering over the bike racks serve. Haemmerle would like it stricken. Robrahn explained that this is a guideline. **Brown moved to approve ordinance number 1003 adopting Hailey City Standards, modifying item #5 to also include placement of the rack shall not impede snow removal and added that the Mayor should read by title only. Brown amended motion to say generally not to impede snow removal. Keirn seconded; Motion carried unanimously.**

Rick Davis asked Robrahn to notice all business that there is now a bicycle standard and to include the standards in the newsletter.

OLD BUSINESS

Sweetwater Alternative Deed Restriction

Davis recused himself

Martha Burke, Council President ran this portion of the meeting.

Williamson explained that the Sweetwater Alternative Deed Restriction was continued from the last meeting.

Council talked with applicant's attorney at last meeting. Council wanted to discuss employment criteria and flip clause. Williamson is not prepared to move forward today. He would like to discuss these points at the next meeting. Williamson will continue to work with Attorney Jim Laski and work out the details to be presented at the next council meeting. **Keirn moved to continue the Sweetwater Alternative Deed Restriction to the next meeting. Brown seconded.** Haemmerle thinks were at loggerhead. Williamson disagrees. Jim Laski on behalf of Sweetwater asked for direction from council. He would like to have the deed restriction approved. He does not know if there will be a decision on the deed. If were not going to agree on a deed he would like council to propose a deed. Laski said that by putting it off for two weeks we do not gain any ground. Brown is counting on our attorney talking to Laski. Haemmerle would like a deed at the next meeting that they can review and move forward with. Williamson thinks there will be 2 versions in front of them. Brown would like Williamson to review some of the minutes from 2 years ago. Williamson has already reviewed them. **Motion carried unanimously.**

NEW BUSINESS

Davis had moved CA 64 from consent. City Attorney, Ned Williamson advised Davis to recuse himself. Burke handled this portion of the meeting. Heather Dawson, City Administrator explained that the traffic light needs to be ordered in order for us to get it installed in a timely manner. We will be spending \$67,000 that has been held from Balmoral. We had 5 years to use that money to install the traffic light. Our time is running out. Sweetwater has also agreed to pay; however, Sweetwater's comments relative to the project not continuing due to a dispute over the alternative deed and current market conditions may put the traffic light project at risk. Brown felt that Sweetwater has a contractual obligation relative to the traffic light, specifically to pay for 100 % of the traffic light improvement unless the Balmoral money is able to be used. **Keirn moved to approve CA 64, authorizing the purchase of Equipment for Countryside Traffic Signal. Brown seconded. The motion carried unanimously.**

Rick Davis, Mayor read the third readings of Ordinance 1001 and 1002, as directed in the consent agenda motions CA58 and CA59.

Introduction of housekeeping amendments to Municipal Code Title 5 – Business Licenses

Heather Dawson, City Clerk presented the Municipal Code Title 5 Ordinance amendment as a housekeeping item that is intended to bring the ordinance current. The state changed the liquor license calendar. We are now renewing in August instead of January. The wine regulations that mirrored municipal code now mirror the state. In the day care license section there is one substantial change. Daycare is required to renew every 2 years. Businesses are every year. This now allows the 2 year requirement for business license to coincide. They have also added specificity of training. SVMA alliance and Chamber both received copies and they had no comments. Dawson advised that this will come back next time as a public hearing.

Hailey Ice, Inc. withdrawal of C.U.P application for Lion's Park

Becki Keefer, Parks Project Coordinator explained that Hailey Ice and The City of Hailey were joint applicants. Since one of the joint applicants have chosen to withdraw it leaves them dangling. She is asking Council to pull the application. Rick Davis, Mayor is asking we withdraw by motion. **Keirn moved to withdraw C.U.P application from the County. Burke seconded; Motion carried unanimously.**

Amendments to Title 15 of the Municipal Code to offer incentives for constructing Energy Star Certified Homes

Elizabeth Jeffery's presented a power point that explained the waste with residential buildings. She went on to talk about Energy Star Certification and how it would meet the buyers needs. Realtors did a study and learned that 75% of the people would like Star Energy. There were graphs and charts that outlined their findings.

Council asked what the difference is between Leed and Star. Leed is a point system. To get a Leed Certified home it starts with Energy Star. We don't want to go out on a limb. We want it to be a voluntary program. Dave Ferguson, Building Official went over the criteria and what they would be looking at to be Star Certified. A Certified Inspector will work with contractors until they get a perfect building envelope. Ferguson's ordinance change is from the HELP committee's recommendation since there is nobody out

there giving good incentive to builders. The committee is offering expedited plan review. Possibly deferring some of the building permit related fees to the time of receiving their final Certificate of Occupancy. This is the 1st step in 3 readings. Ferguson offered to go back to drawing board if need be. Heather Dawson, City Administrator gave credit to Becky Stokes, City Treasurer for the data presented. Ferguson clarified that right now it is voluntary but eventually they would like this to become the way it is. Ferguson explained that there are many inspectors throughout the state. The inspectors come in during the framing construction/insulation process. They come back again at the final inspection to do tests. Ferguson said it will decrease the work in the office. There is some concern over putting his name on a document that we did not approve. A document will be given to the building department certifying the inspections. It could fall short. That is a chance. There is a separate cost for the inspections that range from \$500 - \$1000. The risk is in the financial realm. Ferguson advised that a final inspection fee was put in place a few years ago. Ferguson said that he is getting some flax about moving to quickly for other building departments in the area. Burke brought up the problem that some CCR's are not energy friendly. Ferguson thought Planning & Zoning could start to get involved. There are currently public programs that would help inform builders & buyers. Those programs are there mainly for the builders. Energy Star certifies what is behind the walls. Brown is fine with this ordinance. Would like to hear back in a year about how this program is working. Jolyon Sowrey is the first Leed Certified Architect in the Valley spoke and he is very impressed with the presentation. Sowrey thinks we should make Energy Star mandatory. He commends council for considering. Davis asked that this be put together and brought back for public hearing.

Set Goal Setting Meeting Date and Time

Rick Davis, Mayor advised that the Goal Setting meeting will be facilitated by the City Administrator. It was decided that the meeting would be held on April 7, 2008 at 5:00pm, venue to be announced. They would be discussing a 10 year long term and a 1 year short term plan, and prioritizing capital improvement projects. Dawson said that she would first be meeting with departments and recommending boards.

STAFF REPORTS

New phone contract savings \$711.00 per month prior to long distance charges

Heather Dawson, City Administrator advised council that Robin Crotty, Administrative Assistant researched phone companies and worked with department heads to eliminate phone lines to save the city \$711 a month in phone service charges. Dawson announced that we would be going forward with the changes as outlined and would bring the matter forward for council ratification on the next consent agenda. Rick Davis, Mayor commended staff for helping to meet his goals.

Friends of the Hailey Public Library Recruitment Brochure

Carol Brown explained that the Friends of the Hailey Public Library are a non profit support group. They have two annual fund raising times which are the Garden Tour and Book Sale. They are looking into reinvigorating the board with new members. Brown told staff to send all applicants to the front desk at the Library for details.

Police Department report on E911 cost breakouts for cities

Chief Gunter announced that he and Chief Chapman have been attending the E911 meetings. Mayor Davis would like council to hear a presentation from E911. Davis is not optimistic that we can come up with the type of funds in our budget that they are asking for.

STAFF REPORTS

Tom Hellen, City Engineer will be attending the Idaho Power meeting on March 12, 2008 at the Community Campus. He will include a summary in the next meeting packet. Tomorrow Hellen will be meeting with the

advisory board to keep us in the loop. He is going to listen, not to offer anything.

Heather Dawson, City Administrator said that Rich McIntyre would like to be on a March agenda. Dawson said city staff met with Frank Halverson to discuss how to make City Hall more customer friendly. Halverson has offered Design Flow Charts. City staff will be meeting with him again in 10 days.

Mayor Davis thanked HPD for their for written staff report.

Carol Brown is the staff liaison to the HELP Committee. She said that Focus the Nation kicked off a challenge for 5 families and 5 businesses. There is a heating challenge workshop March 4, 2008 in the Hailey Library.

Brown is also the staff liaison to the Arts Commission. The commission meets at a time she cannot attend so she has asked Martha Burke to step in. Burke will get back to her.

Mayor Davis advised that Rob Lonning from the HHPC (Hailey Historic Preservation Commission) would like us to consider putting the Rodeo Grounds on Historic Sites listing. Davis would like us to consider.

Haemmerle said that he met with Nick Purdy on behalf of Mr. Rinker. Purdy asked if Hailey would want to lease Hailey Water Right that flows into Hiawatha Canal to the Peregrine ranch for recharge to benefit ground water resources as well as ours. Haemmerle said that our council may want to consider. Mayor Davis also met with Mr. Purdy who said he would hire Mr. Brockway to outline what exactly this will do. Haemmerle thinks we should be able to hire our own Hydrologist so were comfortable with any decisions. Brown thinks we may want to hire a water attorney. Haemmerle would like them to come before council. Brown agreed. Williamson thinks Jim Speck should be involved immediately.

Haemmerle also commented that he was in contact with someone who had concerns about uses at the rodeo grounds. Haemmerle thinks we should encourage events at the rodeo grounds. Williamson said there is a sub lease on this property and is unsure how it reads. Haemmerle was told other groups were being discouraged from using the grounds for events. Ferguson, Building Official has concerns about unsafe bleachers. Each year there are inspections done by the HFD and the Building Department. He feels it is a liability of the city and thinks council should keep this in mind.

Martha Burke will flying to St. George Utah to meet with Sky West regarding upcoming service.

There being no further business, the meeting was adjourned at 7:45pm.