

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, DECEMBER 10, 2007
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 Susan McBryant. Present were Council members Rick Davis, Don Keirn, and Carol Brown and Martha Burke. Staff present included City Attorney Ned Williamson and Clerk Heather Dawson.

OPEN SESSION

Peter Lobb, residing at 301 E. Carbonate St. in Hailey asked to speak regarding Spring Canyon Ranch. Mayor McBryant said she will make that decision when the time comes under new business.

CONSENT AGENDA

Mayor McBryant pulled CA 403 from the consent agenda. The minutes need to be corrected and resubmitted at the next meeting. **Brown moved to adopt the rest of the consent agenda as submitted. Burke seconded; the motion carried unanimously.**

- CA 397 Motion to approve Canvass of December 4, 2007 Run-Off Election Results (as printed below
- CA 398 Motion to approve Cutters Water Deliver System Maintenance, Cost Sharing, \$ Easement Agreement
- CA 399 Motion to authorize signature of EMS Training Grant agreement in the amount of \$821
- CA 400 Motion to approve taxi license renewals for 2008, including Sun Valley Chauffer
- CA 401 Motion to approve of surplus property disposal by donating repairable office items to Deseret Industries and disposing of the remainder at the landfill
- CA 402 Motion to approve findings of fact/conclusions of law for BCSD High School preliminary plat
- CA 403 Motion to approve minutes of November 26, 2007, and to suspend reading of them
- CA 404 Motion to approve claims for expenses incurred during the previous month

MAYORS REMARKS

Mayor McBryant opened her remarks by telling the attendees that we are not unique in the world. You are not able to travel in the world without dialogue about the environment. She would like to suggest looking at the future. The health of the planet has become a concern. She will continue to support the climate committee and hopes we will continue to move forward. Mayor McBryant went on to say that Our Community Housing issue is not unique. All areas have affordable housing issues. In other cities that are dealing with this they do not do it at the expense of the density or the ability to develop inclusionary units. Mayor McBryant is concerned that we have real issues with water and issues with infrastructure for the roads and employment. She doesn't feel we got it just right and she hopes after she's gone the talks will continue

2007 CITY OF HAILEY RUN-OFF ELECTION RESULTS

The results of the Hailey General City Election are as follows:

Number of Registered Voters prior to the Election	3550
Number of New Election Day Registrations	10
Total Number of Ballots Cast	724
Number of Ballots Cast Absentee.....	119
Number of Absentee Ballots Requested	122
Number of Spoiled Ballots.....	10

Number of votes for Council Seat No 4.

Fritz X. Haemmerle	466
Stefanie Marvel.....	258

PRESENTATION

Hailey Parks Foundation presentation to Woodside Central Park

Steve Keefer, President of the Hailey Parks Foundation and Janet Fugate, Vice President were the presenters. Steve Keefer outlined the development of the Hailey Parks Committee. There are great new parks and trails on line and coming on line. One million dollars has been raised for parks in Hailey. The committee is here tonight to make a donation from the Hailey Park Foundation to Woodside Central Park. Keefer went on to thank each of the council and Mayor and is truly appreciative of their support. Keefer presented a \$10,000 check to Mayor McBryant and Mayor Elect Rick Davis to donate to the park. All donations were private contributions. Mayor McBryant thanked the Foundation and let the public know that if there is anybody who would like to volunteer to be a member of Hailey Parks they should see either Steve Keefer or Janet Fugate.

APPOINTMENTS & AWARDS

Appointment of P&Z Commissioner.

Mayor McBryant was very pleased with the applications for commissioners. Nancy Linscott, and Elizabeth Zellers will be stepping down at the end of the year. She announced that she was delighted they served. Mayor McBryant is electing to appoint Geoffrey Moore to the Commission. Moore has a keen interest in city government and she can't think of a better candidate to serve. **Brown moved to appoint Geoffrey Moore to the Planning and Zoning Commission. Burke seconded; motion carried unanimously.**

PUBLIC HEARINGS

Traffic Master Plan -Final presentation & adoption

Tom Hellen, City Engineer presented the Traffic Master Plan. The first draft was presented November 3, 2005 and an open house was held May of 2006. There was a 3rd open house conducted January 17, 2007. The final presentation was August 27, 2007. Hellen used a power point to outline his presentation and went on to explain a number of the slides in detail. He explained the general background of the plan and showed a number of maps, project costs and funding sources. Hellen went over the Traffic Forecasts and explained the slide that showed the control types and delays. Hellen discussed the stop sign guidelines and wanted everyone to know it is on the City Website. Collector streets are picked where they function as that. They are not picked randomly. Hellen talked about Woodside Blvd. and it being a major undertaking to redo that street but it needs to be done. River Street, Bullion and Airport Way from the airport west to the light are other streets that will need to be redone. They also need drainage. Hellen explained that the round dots on the maps are being considered for roundabouts. Hellen would like to see a roundabout on Woodside Blvd. Other streets that are good candidates for roundabouts would be Cedar, Queen of the Hills and Silver Star. Hopefully ITD will find some money to help us with traffic lights on the highway. If we can't put in bike lanes we need better signage making drivers aware of bikers. The total cost of the Transportation Master Plan is \$24,677,000. Hellen explained that the funding will come from ITD. ITD will receive the funds through the federal government and they will pass it on to the City of Hailey. The City of Hailey has tried for grants and has not received any. We have received funds from Idaho Safe routes to school and were trying for another one. We should see one on Elm St. and River St. by the next school year. Local money is where most of this money will probably have to come from. There was a slide outlining options. Hellen outlined the equipment that was purchased with LOT and then went over Implementation. The adoption of Master Transportation Plan is the starting point. The question was asked regarding the maintenance plan. Is there any end point where we don't spend that much annually? Martha Burke asked how it is determined as to what gets done first. Hellen advised that there is a program that the street department used to create the list and that list will be adjusted each year. Burke went on to ask when calls are received with requests for work on certain streets can we give citizens any idea when that work will be completed. She would like to be able to give citizens a time frame and let the citizens know that their concerns are being heard. Mayor McBryant said that until we know what is going on with the funding we cannot make a list of timeframes. The item was noticed as a public hearing and Mayor McBryant then opened the meeting to the public. John Gaeddeart residing at, 1 Quigley Road spoke in support of the plan. Gaeddeart said that Transpo does good work. Hellen explained that the current plan is labeled as a draft plan and there is room to change and make corrections. Peter Lobb spoke and supports the plan; however, he felt the reality is that it's almost like a wish list. It all depends on funding. Ken Logerren, residing at 215 E. Myrtle spoke. He explained that he thought it was a good plan with some exceptions. Widening streets may cause motorists to get the perception that the road is very wide and may encourage speeding on the street. By having separate bike path and widening the street and separating pedestrian areas are great, however, possibly a 2nd street from

Myrtle down to the middle school would work. He went on to say there could be a better solution than the 32' wide street. Since the stop signs went in on 2nd the speeding on the street has tremendously slowed down. If it is converted to a round about he would like to see a raised intersection. Also the water supply to the City of Hailey is off to the side of the road. If a bike path and pedestrian walking area is put in, there would need to be hand rails or a retaining wall put in to protect citizens. At this time the Mayor reeled in the public comments segment by saying that each of these components will be addressed at a later time. Gina Logergren residing at 215 E. Myrtle spoke and wanted to hear that if this plan is adopted the specifics that are presented as proposals are all flexible. The configuration of the street layout could vary. Each phase would need a plan and shown to the public and then put in the budget. Rick Davis, wouldn't want to take an experts vision or plan and take it apart. Gina Logergren asked if there can be a discussion in the future as to what the roads will look like. Mayor advised to talk with Rick Davis at a later time. Geoffrey Moore of 1250 Woodside blvd. spoke. He likes the plan and has questions on Woodside Blvd. Could more turnabouts down Woodside Blvd. help defer the speed on the street? Don Keirn said that these guys are experts on this topic and have done the research. Carol Brown said that this is a 20 year plan and things will change but she does plan to vote to accept the plan. Mayor closed public hearing. **Brown moved to adopt the Transportation Master Plan by resolution with minor changes that are to be explained at the December 20, 2007 council meeting. Burke seconded; motion carried unanimously.**

An application by Mary Ann Mix for Final plat of a lot line adjustment to a fraction of Lots 7-11, all of Lot 12 and 50'x120' of vacated Pine Street, Block 105, Hailey Townsite. Brian Yeager from Galena Engineering presented. This was noticed as a public hearing and Mayor McBryant opened this up for public comment. There were no comments. McBryant opened it up to staff. Diane Shay, City Planner explained that there were some errors on the documents council received. There were two conditions that were carried over from P& Z. A- E carried over and condition G. Pg. 9 of staff report. Consider a-E and G from pg. 2 and the addition of condition E. on pg. 9. There was a condition that talks about final plat being recorded in 1 year. Brown asked to continue to the 20th for clarification. Mayor asked if Brian Yeager if he was aware of the changes Shay explained and he is. **Brown moved to continue this application to the December 20th council meeting for clarification. Burke seconded; motion carried unanimously.**

Municipal Code Amendment to adopt the 2006 International Building Code (Ord 997) and to approve summary of ordinance. Ned Williamson, City Attorney, explained that every 3 years we adopt the new IBC code. There was formatting issues and now it is in proper formatting and ready to be approved. Williamson recommended waiving the 3 readings of the ordinance. Carol Brown questioned Dave Ferguson, Building Official regarding changes that were made to the ordinance in regards to the 180 days for fee payment. Ferguson explained that the fees could be reimbursed if no work had been done and if plans have been withdrawn or canceled before plan review and request for a refund is made within 180 days of the fee payment. This refund was 80 % and is now 100%. There is new language prohibiting excavation prior to receiving the building permit. There was no public comment.

Brown moved to approve Ordinance 997, to waive the three readings and to read by title only. Burke seconded; motion carried unanimously.

Municipal Code Amendment to adopt the 2006 International Fire Code (Ord 998) and to approve summary of ordinance.

Ned Williamson, City Attorney, explained the 2006 fire code and urban wildlife code. Williamson recommended waiving the 3 readings of the ordinance. **Brown moved to approve Ordinance 998, to waive the three readings and to read by title only. Burke seconded; motion carried unanimously.**

Municipal Code amendment to establish Hailey Arts Commission as a permanent Commission (through ordinance) and to establish a 1/25 percent for public art financial requirement on city facilities (Ord 999)

Ned Williamson, City Attorney reminded council that this ordinance was considered at the last council meeting. Since the last meeting Williamson added some language to the ordinance that establishes the Hailey Art Commission by ordinance. It was previously created by resolution but we are now creating a permanent funding mechanism. Rick Davis had a question on applicability. It would need to go before a vote. Mayor asked for public comment. Peter Lobb, a citizen spoke to say that some people would object to funding public art but he was not one of them. He thinks it is a very good idea. Art brings money to the community. Brown said that the Hailey Arts Commission consists of 5 members. Suggests that there be some flexibility, however, there should not be less than 5 or more than 7 members. Brown suggested that 2 members of arts commission can reside in the ACI or work fulltime in an art related business or own an art related business. Burke would support this and thinks this should be revisited to find out what kind of applicants come forward. Mayor McBryant came back to applicability. Most of the funds are State & Federal funds and the reality is that the majority of the structures will be city or county. She reiterated that this is for city projects only. **Brown moved to approve Ordinance 999 making those 2 minor changes. Keirn seconded; motion unanimously.** Mayor McBryant read first reading by title only. Brown pointed out that we are the first entities in the valley to do this.

Contract for Services with Hailey Chamber of Commerce to utilize Local Option Tax funds

Ned Williamson, City Attorney drafted a proposed contract for services. The Chamber proposed that they would do 6 or 7 different services. Williamson did some pro-ration starting December 1 – September 30 of next year. Each month there would be a bill to the City from the Chamber (not to exceed the \$50,000 figure). There would be monthly reports that would go to the City Treasurer. Mike Beck, President Chamber of Commerce would like term reporting. Rick Davis is excited to receive an increase in LOT funds and is happy to spend money to make money. **Brown moved to put this item on the December 20th consent agenda. Keirn seconded; the motion carried unanimously.**

A recommendation from the Planning and Zoning Commission to amend the Hailey Comprehensive Plan to add a new section title Environment

Diane Shay, City Planner explained that the P & Z Commission started working on a new component. It is called an Energy Component. It evolved and is talking about regional planning. The environment concept is just about this city and requires zero scaping. This is something the P& Z Commissioners are very proud of. Having language in the comp. plan allows us to require much more energy efficient buildings if we want to. Martha Burke was delighted that this will be part of the comp plan and was wondering on pg. 115 about the water policy. Would we consider adding a potentially limited resource? Is there anyplace we can look at the use of gray water for irrigation etc.? This is where we should start addressing that. There was a short conservation concerning natural resources. Burke would like to see recycling addressed. She thought we could say we were lead certified since we have Rocky Mountain Hardware as an example. Mayor McBryant thinks there will be more things that come to mind on the 20th. Rick Davis was having concerns under policy page 17, support and reward environmentally sound buildings. It says to offer financial credits on building fees and DIF. He does not think we are prepared to do that. Don Keirn thinks we may be stepping out of the realm of the comp plan. Mayor McBryant thinks this can be changed by changing the language and not being so specific. The newsletter that was sent out last week says this will be discussed in the meeting on the 20th of December. Keirn questioned page 114. We don't have any way to measure what were emitting or what was emitted in 1990. That may need to be fiddled with. **Mayor McBryant moved to continue the discussion to the January 6th meeting. Davis seconded. Brown amended motion to continue to the 20th of December. Keirn seconded; motion carried unanimously.**

NEW BUSINESS

Draft agreement for Sewer hookup and Spring Canyon Ranch

Barry Lubovisky, Attorney for Spring Canyon Ranch, spoke on behalf of Spring Canyon Ranch LLC. Lubovisky outlined the last meeting and advised that 3 Croy Canyon Ranch Foundation Board members were present as requested. Lubovisky explained that even if the Croy Canyon Ranch Elder Care Facility does not succeed, the city will have provided city services to 116 homes in the Spring Canyon Ranch development. You're going to end up with an addition of the bridge, a separated bike path, access to BLM lands and Democrat Gulch will be vastly improved. There are positive recreation things that come into play. If there are any expansion costs it is built in so that the citizens of Hailey will not be responsible. That will be taken care of by the fees which will be required by the agreement. If you look at the overall picture it is a good situation for everyone involved.

Don Keirn asked if the board agreed with the fund raising that Lubovisky spoke of. Jean Caselle said that they did and they are determined to not to let it fail. We need to find a place for Blaine Manor. Mike Chatterton from the Blaine County School District said that at some point in time the school will ask for a new elementary school at that site and by already having a sewer system there would be a good thing for the school district. Rick Baird, Blaine Manor Trustee talked about the Hospital Fund Raising Campaign. This community is great at taking care of them selves. Baird said that we have to succeed or we won't be able to be assured that the people who have taken care of this community are

taken care of. Mary Ann Mix, President Board of Trustee felt it was absolutely imperative that we have this.

Mayor McBryant allowed public comment at this time. Peter Lobb, resident of 403 E. Carbonate voiced his concerns. One of his arguments is that the City of Hailey water might be contaminated. If this project had their own sewer system under the rules of the county the possibility of contaminating the ground water is almost impossible. Lobb said he did some research and learned that the water that the city processes in our system and puts back into the river is not that clean. It may start to cause environmental harm. Nobody seems to know how much affluent we're losing in our own system. Putting more waste water into the system isn't necessarily a good idea. He also questioned who is getting what on this. The Bridge is not the city's, it's the county's. All that the city is getting is \$3,500 and an added 10% in maintenance costs. Who's going to pay that, the homeowner? If the developer had to pay for it themselves it would be very expensive. This agreement saves Croy Canyon money and time. The City is getting a waste water line out of Quigley and the City will have to maintain. He doesn't think the City is getting much out of this deal. Lobb explained that these are two separate issues. If the Council doesn't pass this it's going to look like they don't support Croy Canyon Ranch. He thinks we should stop the connection at the bridge. He feels it is a bad idea to take the city sewer outside the city limit. Geoffrey Moore spoke saying the \$3500 does not cut it. Croy Canyon is buying themselves into our city services and they are giving a pittance. Carol Brown fully supports Croy Canyon but understands the 2 separate issues. There are environmentally good reasons not to do it but also good reasons to do it. Martha Burke thinks we should possibly wait for a better offer. There is a new council member coming on board and is against this. Don Keirn has been a proponent to extending services but for a price. Keirn thinks we need more money. Luboviski explained that in June he was directed to talk with Ned Williamson, City Attorney. He thought we had worked it out but now he needs to know if he needs to change the application and would like to submit by end of month. Mayor McBryant appointed Don Keirn, Heather Dawson, Ned Williamson and herself to meet and discuss this in detail. **Brown moved to continue this conversation to the December 20th meeting. Burke seconded; motion carried unanimously.**

Resolution for DEQ State Revolving Fund Loan final documents for water storage tank project.

City Finance Director Heather Dawson said that the city is trying to close out its loan with Idaho Department of Environmental Quality for the state revolving fund loan agreement under which the water storage tank was built. Items such as completion and acceptance by DEQ of the Operations and Maintenance Manual are still pending. Hailey has contracted with Bond Attorney Michael Moore, who drafted a resolution which the council should adopt so that when all the other elements are finalized, closing can occur on the bond. DEQ has also asked for a final pay request, even though Hailey had drawn down all but 10% of the allowed amount. That pay request was distributed to the council for review and acceptance.

Davis moved to approve the pay request for the final \$240,000 of DEQ funds, and to authorize Resolution 2007-17 allowing close out of State Revolving Fund Loan.

Keirn seconded; a roll call vote showed Carol Brown, Don Keirn, Martha Burke, and Rick Davis in favor of the motion.

Resolution in support of Friedman Memorial Airport relocation to site 10

FAA was here last Tuesday for the agency meeting. Rick Baird, Airport Manager and FAA conducted public scoping meeting and agency scoping meeting. Friedman Memorial Airport authority was not invited. During that meeting all agencies were asked to provide comments to the FAA by the 15th of January. Stake holder conference will take place in January. This is an opportunity for other agencies to comment on the process. Rick Davis asked if they are asking us to be specific to name a site. Rick Baird responded no. Mayor McBryant explained that first and foremost we want to keep the airport in the county and we understand that it is important to the resort community. Baird explained that this gives the council the opportunity to comment on the area that will be approved. Martha Burke explained that this is not a new documents but the end product of the feasibility study. This is the document that has gone forward to the FAA with site 10 as the recommendation. Mayor explained that we have not made a comment as a City. Davis is concerned that the EIS Study is still out there. Carol Brown explained that EIS will give a factual basis and we will get to comment. Brown is comfortable taking this to the FAA. **Burke moved to approve Resolution 2007-16 in support of Friedman Memorial Airport relocation to site 10. Brown seconded; motion carried unanimously.**

OLD BUSINESS

2nd Reading of Ordinance 1000, amending municipal code, initiative elections section.

Mayor McBryant read ordinance 1000 by title only.

3rd reading of ord. 995 – Ehrenberg Annexation Ordinance Amendment

Mayor McBryant read ordinance 995 by title only. **Davis moved to approve ordinance 995 as read. Burke seconded; motion carried unanimously.**

STAFF REPORTS

Council Reports

Don Keirn reported that he is attending a SEIDO executive board meeting on Thursday.

Don Keirn also announced that he has found out through Fly Sun Valley that Resort travel is starting to be affected.

Rick Davis explained that he met with Heather Dawson, City Clerk/Treasurer and after reviewing the budget the maximum amount he felt comfortable offering a City Administrator would be \$98,350 . This is approximately \$20,000 below what the two cities to the north of us have offered. Davis has some ideas to set forth in an executive session.

EXECUTIVE SESSION

At 8:25pm Mayor McBryant, Ned Williamson, Rick Davis, Carol Brown, Don Keirn and Martha Burke went into executive session pending litigation and personnel matters 67-2345, following a motion, second, and roll call vote.

8:50pm Carol Brown came out of executive session

9:25pm Executive session ended and meeting closed.

Susan McBryant, Mayor

Heather Dawson, City Clerk