

**MINUTES OF THE MEETING
OF THE HAILEY CITY COUNCIL
HELD MONDAY DECEMBER 22, 2008
IN HAILEY CITY HALL 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 Don Keirn, Carol Brown and Fritz Haemmerle. Staff present included City Administrator Heather Dawson and City Clerk Mary Cone.

OPEN SESSION:

CONSENT AGENDA:

- ~~CA 459 Motion to approve state airport grant (Idaho Transportation Department), adopt resolution and authorize the Mayor to sign this grant allows for 50% funding \$25,000 to the Friedman Airport~~
CA 460 Motion to approve security agreement with Old Cutter's development
CA 461 Motion to approve SPF Water Engineers proposal for Miscellaneous Water Rights Services – to assist with the city's water rights and future water needs – upper limit budget of \$10,000
CA 462 Motion to approve addendum to Dig Line, Inc. Contract for Services effective 1/1/2009 – monthly fee increased from \$56.00 in 2008 to \$58.30 for 2009
~~CA 463 Motion to approve City Council meeting minutes of December 4, 2008, and December 8, 2008 and to suspend reading of them~~
CA 464 Motion to approve claims for expenses incurred during the month of November 2008
CA 465 Motion to approve claims for expenses incurred during the month of December 2008

Mayor Davis pulled Consent Agenda item 459 and 463

CA 459 – Mayor Davis asked for an explanation as to what this project was at the airport. City Clerk Mary Cone pointed Mayor and council to their packets and the email from Lisa Emerick which answered the Mayor's question.

Martha made a motion to approve CA 459, seconded by Keirn, motion passed unanimously.

CA 463 on page 32, the first sentence should read, ...”if they lose the curb cut” and the second paragraph on same page should read Chad Hamilton not Chet, stated Mayor Davis.

Keirn made motion to approve CA 463 as amended, seconded by Burke, motion carries with Haemmerle abstaining as he was not present at part of the December 8th meeting.

Motion to approve all other CA items by Don, seconded by Burke, motion passed unanimously.

MAYORS REMARKS:

**CITY COUNCIL MINUTES
December 22, 2008**

Mayor Davis recognized Chief Jeff Gunter who has received a POST Management Certification from the State of Idaho. Gunter added that it requires over 100 hours of executive training to receive the certification.

Mayor Davis announced that several local businesses would like to make in-kind donations towards the Hailey Art mural; Atkinson's Market would like to give \$300 worth of refreshments, for the open house and dedication ceremony, Hailey Paint for \$300 worth of paint, and Sun Valley Transfer and Storage \$600 in services to transport the completed artwork to City Hall. Davis commented that it is great to see these local businesses contribute to the community. It is what makes Hailey a great place to live, concluded Davis.

PUBLIC HEARINGS:

PH 466 -A city initiated text amendment to add Article 9A, Drive-through Facilities to Article IX, Parking and Loading Spaces, to the Zoning Ordinance. The Planning & Zoning Commission recommended approval of this amendment on November 3, 2008 (continued from December 8, 2008 City Council Meeting)

Robrahn opened and let Mayor and council know that she incorporated comments from the last meeting in tonight's document. Robrahn stated that the first discussion she would like to have is the topic of eliminating curb cuts on Main Street. Robrahn played a video from Idaho Transportation Department. Traffic Conflicts are defined as 2 vehicles competing for the same space. Multiple traffic conflicts cause delays and congestion.

Another note from the staff report, some sites may be too small to allow for a drive-through facility, added Robrahn. The changes now allow access on a side street; corner lots can have ingress on side street and egress on alley.

Burke asked for clarification on item c, how does this work? Robrahn explained how this would work to the council.

Brown regarding 9A.3.2, a is, no new curb cuts, what is 9A.3.2. g stating? Should it state with existing "access" instead of "curb cuts". Yes, replied Robrahn. And 9A.3.2 b, property is "redeveloped", existing building goes away and replaced. What about vacant lot with existing curb cut, would that eliminate the curb cut?

Haemmerle asked Robrahn if there are any drive-throughs in the central business district? Yes Robrahn replied, and named a few businesses as examples, Snow Bunny, Mountain West Bank, Wells Fargo. Haemmerle wants to know why we need to regulate when ITD already limits the issuance of curb cuts.

Paul Kenny lives on Buttercup Road spoke to council. Kenny is involved in two different projects on Main Street right now. Kenny wonders if this proposed amendment would make it more difficult for developers and business to stay in town? Kenny wonders if we

are resolving conflicts or providing for a healthy community. Kenny worries that it is too restrictive and asks council to reconsider.

Vanessa Fry Cosgrove with Citizens for Smart Growth spoke to council. Cosgrove believes that this amendment would encourage development and pedestrian traffic.

Peter Candy of 118 Cold Springs Loop asks council to review the site next to Chapala's, he does not feel that this site would allow for a commercial business to conduct business.

Jay Cone 651 El Dorado Lane – appreciates the effort that staff has made to this proposed amendment but feels there is more that needs to be changed.

Mayor Davis has the concern with maneuverability within the alleyways and this is making it prohibitive for businesses to comply.

Keirn feels that we should keep the curb cuts.

Brown states that pedestrian friendly areas have proven to increase business sales.

Brown, pg. 75, regarding screening; she would like to have a screen for safer pedestrian areas. Brown would like to see this section revised.

Burke believes that we are on the right track. We need to understand that every decision we make impacts someone. Burke does not want to limit development by being too restrictive but believes you must have enough property to develop it. The horseshoe drive-through is a logistical issue (where ingress and egress is through the alley).

Haemmerle regarding section 9A.3.1; he feels this discourages drive-throughs, we should revise this section. Regarding section 9.A.3.2, Haemmerle believes that ITD should regulate new curb cuts, and the city should not regulate this. Haemmerle does not agree with eliminating existing curb cuts. Haemmerle agrees with Davis and Keirn, our alleyways are not made for two way traffic. Haemmerle agrees with Brown regarding the need for barriers and visibility. Haemmerle is not sure where this is going but believes it needs more work.

Brown and Keirn think that a remodel should not remove the curb cut unless the tenant directs.

Robrahn will re-notice this to another meeting date, sometime in February. There are enough changes that warrant more time to focus on making changes to this section.

OLD BUSINESS:

OB 467 Motion to conduct 3rd Reading of Ordinance 1020 AND authorize the Mayor to sign - A city initiated text amendment to Article 4.6 of Hailey Zoning Ordinance No.532. to

clarify the purpose of the Transitional District, add multi-family residential as a permitted use and delete multi-family residential as a conditional use

OB 1020 – Burke move to approve ordinance and authorize the mayor to sign and conduct the 3rd reading, seconded by Keirn, motion passed unanimously.

OB 468 Motion to conduct 3rd Reading of Ordinance 1021 AND authorize the Mayor to sign - A city initiated text amendment application for amendment to Article 3.8.5 of Hailey Zoning Ordinance No. 532. to add community housing, Energy Star and LEED certified projects to the applications eligible for fast track status

3rd reading of 1021 – Burke move to approve ordinance, read and authorize the mayor to sign, seconded by Haemmerle, motion passed unanimously.

OB 469 Motion to conduct 3rd Reading of Ordinance 1022 AND authorize the Mayor to sign - A city initiated text amendment to Article 4.11, of Hailey Subdivision Ordinance No. 821 to delete the conversion of rental units to condominiums or townhouses from subsection 4.11.2

3rd reading of 1022- Brown move to approve ordinance, read and authorize mayor to sign, seconded by Burke, motion passed unanimously.

OB 470 Motion to conduct 2nd Reading of Ordinance 1023 - A city initiated text amendment to Article 14.6 of Hailey Zoning Ordinance No.532. to add criteria for rezones to Business, Limited Business and Transitional Districts

2nd reading 1023 – Mayor Davis read ordinance 1023 by title only

OB 471 Motion to conduct 2nd Reading of Ordinance 1024 - A city initiated text amendment to Article 2, Definitions of Hailey Zoning Ordinance No. 532 to add definitions of Community Housing Unit, ENERGY STAR, Leadership in Energy and Environmental Design (LEED) Green Building Rating System, curb cut, and drive-through facilities

2nd reading 1024 – Mayor Davis read ordinance 1024 by title only

OB 472 Motion to conduct 2nd Reading of Ordinance 1025 - A city initiated text amendment to Article 8.2, Signs of Hailey Zoning Ordinance No. 532 to establish hours during which portable signs can be displayed and allowing for the immediate removal by the City of signs that pose a public safety hazard

2nd reading 1025 – Mayor Davis read ordinance 1025 by title only

NEW BUSINESS:

NB 473 Discussion with Harry Rinker regarding the Peregrine Ranch Sewer Services Agreement

Mayor Davis asked Tom Hellen to recap the memo he drafted to council. There is a meeting set up for January with DEQ to discuss this topic. In summary, at some point growth in the city will prohibit the current facility from providing enough water capacity for the community. It could be up to 7 years before this time comes.

Haemmerle excused himself from this discussion.

EPA issues the permits not the Department of Environmental Quality (DEQ), we applied in 2006 and have not heard back from them, Hellen added.

Harry Rinker spoke to council. Rinker asked council to extend the sewer services agreement for 5 years, 1 to 2 years is not enough time to do what needs to be done before development can begin on his property.

Keirn would like to hear what comes out of the January 2009 meeting before making any decision. Brown is in agreement with Keirn. Burke believes it would be premature to make a decision today.

Rinker wanted the council to know that they are not obligated to extend this agreement as it has expired. Rinker wanted to know if the council would be ready to make a decision after the Jan. 13th, 2009 meeting.

Brian Ballard wanted the city to know that whatever the decision on the sewer agreement, they will move forward with the Toe of the Hill Trail Easement to the city.

NB 474 Sustain Blaine Presentation on economic business development project

Vanessa Cossgrove Fry and Mike McNees gave a Sustain Blaine presentation. Sustain Blaine has identified the need for 3 separate task force groups to gather information on the ideas brought up in the November strategy meeting. Fry thanked council for the \$3,000 donation that they made for 2009. The City of Sun Valley was initially skeptical of Sustain Blaine, but now they have contributed and are involved in the meetings. Target is April / May 2009 rollout of the ideas from these focus groups.

Mayor Davis asked how they would implement the ideas from these focus groups. Fry gave a hypothetical example to council and stressed that it depends on the expertise needed as to how the solution could be implemented. The task forces would bring their ideas to the community.

Haemmerle asked if they are considering that this community is a “resort area.” Fry replied that they are not. The North County is more of a resort community than the South area. McNees explained that we are a system, not a resort community.

Fry announced that on January 7, 9-11 am Old County Courthouse, is the next meeting for Sustain Blaine.

**CITY COUNCIL MINUTES
December 22, 2008**

Brown asked if we could mention something in the Hailey Newsletter.

WORKSHOP:

Hellen handed out to council an updated snow removal policy. 15 cars were towed last night because they were in the way of snow removal trucks. Hellen asked council to review the policy and provide feedback, comments. Hellen pointed out in the snow removal policy the section stating that he would be able to shut down roads in emergency snow situations. Of course Hellen would work with the Police Department.

Brown asked to have another Public Hearing to discuss category 1 and category 2 of the snow removal policy. Haemmerle is on board with announcing this as a public hearing.

Mayor Davis has received many complements on the snow removal this week.

Brown asked that Heather Dawson and Hellen meet with Brad Mitchell regarding snow removal.

Hellen has been hearing concerns in South Woodside, by the sewer plant – that area businesses are not holding up to their agreement in keeping the city right of way clear. Hellen called John Cotter to find out how many more signatures he needs before completing the agreement and when he will be returning it to the city. As a result of some of the complaints, Hellen has been taking pictures of the area.

Robrahn has handed out the Quigley applicant binder that the Planning and Zoning Commission used during the Design Review process. The application has changed since this book was created. The Mayor and council would like to see a hard copy of the documents for the series of meetings in January. The first meeting for Quigley, the applicant will focus on the conditions that they do not agree with. The third meeting will be reserved for public comment. Robrahn plans to have a 2 hour meeting time set aside for the Quigley meetings.

Dawson is working on a survey for citizens for city services. The first draft will be modified and resent tomorrow for council and staff review.

Chief Gunter presented to council the Hailey Police Department Policy and Procedure Manual. The manual has been rewritten to follow ICRMP, Lexipol and Calea standards. ICRMP financed the printing of the manual because of these standards they adopted.

Brown has heard a nice buzz around Hailey's CIP projects, hats off to Hailey for moving forward with this. Gunter has set up time with an officer to allow Brown to observe, and meet with his police force at the end of the month. Angenie McCleary wants to meet with Brown tomorrow at Fresshies so if anyone has any ideas regarding dispatch solutions, let her know.

**CITY COUNCIL MINUTES
December 22, 2008**

Mayor Davis complements both Brown and Haemmerle in leading the City in this dispatch issue.

The ISO came to rate our city for fire protection and we will remain as a class 4, Mayor Davis stated.

Also the Blaine Leadership council met, they decided what the new governance would look like for the new airport. Mayor Davis asked for a representative to go to the Blue Ribbon committee, first meeting is January 21st. Council asked Burke to represent the City of Hailey. Burke agreed.

Burke went to Boise with Tom Bowman to meet with Butch Otter to brief the Governor on the EIS process and the location of the 3 finalist sites determined by the FAA's consultant team. Burke also noted that the cost of runway de-icing agent has increased substantially.

Mayor Davis asked council about extending the 2 hour parking in other areas of town. Brown is not open to expanding this 2 hour parking limit. Haemmerle is also against adding more areas for 2 hour parking.

Mayor Davis adjourned the meeting at 7:57 pm.

Rick Davis, Mayor

Mary Cone, City Clerk