

**MINUTES OF THE REGULAR MEETING OF THE  
HAILEY CITY COUNCIL  
HELD MONDAY, JANUARY 24, 2005  
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, Martha Burke, Don Keirn and Carol Brown. Staff present included City Attorney Ned Williamson and City Clerk Heather Dawson.

**EXECUTIVE SESSION**

Burke moved and Brown seconded that the council go into executive session at 5:32 p.m. to discuss pending litigation, land acquisition, and personnel issues. A roll call vote showed all in favor. Following a motion, second, and roll call vote to adjourn, the council adjourned executive session at 6:10 p.m.

**OPENING REMARKS**

Mayor McBryant read a letter regarding a successful NPDES Permit inspection of the Woodside Wastewater Treatment Plant, commending the city and staff for its success.

**CONSENT AGENDA**

Brown pulled CA40, Findings of Fact and **moved to approve the other consent agenda items:**

- CA 32 Motion to approve Independent Contractor Agreements with Municipal Support Services of Idaho to develop, design, and enter data information into the Hailey Fire Department's Personal Data System (PDA) to completion as outlined in the Fire Safety Grant Project, and for temporary administrative support services for the Hailey Fire Department during the departmental development period .
- CA 33 Motion to approve extension of Independent Contractor Agreement with Municipal Support Services of Idaho, for Street and Public Works Department Policies.
- CA 34 Motion to approve minutes of January 6, 2005, and to suspend reading of them.
- CA 35 Motion to approve Treasurer's Revenue/Expense Report for Month of December, 2004.
- CA 36 Motion to approve Resolution 2005-01 authorizing ITD Grant Application for additional ADA Parking, Bike Racks, and Bus Shelters.
- CA 37 Motion to approve Resolution 2005-02 authorizing ITD Grant Application for additional Street lights.
- CA 38 Motion to approve Resolution 2005-03 authorizing ITD Grant Application for lighted cross-walks.

CA 39 Motion to approve Findings of Fact, Conclusions of Law and Decision for preliminary plat approval of a re-plat of Lot 1, Block 4, Airport West Subdivision.

~~CA 40 Motion to approve Findings of Fact, Conclusions of Law and Decision for approval of annexation for Woodside Elementary School.~~

CA40 – Brown said on page 125 of the council packet, the park issues should specifically be addressed there within the Findings of Fact. City Planner Diane Shay said Gaeddert had requested 1000 linear feet of sidewalk be put in, but she wasn't confident in that number until further research is done. Brown wanted to hold onto the approval until staff is able to conduct its research. Keirn moved to continue this matter until February 14, 2005. Davis seconded. Brown said this matter could be negotiated in the annexation agreement. The motion then carried unanimously.

**OB 41 – 2<sup>nd</sup> READING OF ORDINANCE 894, INTERNATIONAL FIRE CODE** and approval of Summary for Publication.

Amendments to the proposed ordinance had been made by the city attorney. **Brown moved to waive the 3<sup>rd</sup> reading, conduct the 2<sup>nd</sup> reading by title only, and approve the summary for publication.** Keirn seconded; the motion carried unanimously. Mayor McBryant read the 2<sup>nd</sup> and final reading of the ordinance by title only.

**OB 42 – 2<sup>nd</sup> READING OF ORDINANCE 895 – PARKING REQUIREMENTS FOR SCHOOLS** Mayor McBryant read the second reading by title only.

**PH 43 – COMPREHENSIVE PLAN – GROWTH MANAGEMENT SECTION**

Planning Director Kathy Grotto outlined where the changes pursuant to the January 6, 2005 discussion had been written into the draft Comprehensive Plan Section. She summarized that adoption of this section may be the final trigger to schedule annexation hearings. McBryant said she continued to be uncomfortable with the language pertaining to Transfer of Development Rights. She did not think Hailey should work in concert with supporting the growth of the County. Keirn too said he had wanted references to TDR's to be removed.

Mayor McBryant opened the matter for public hearing. Terry Hogue said on 12.1, last sentence references a balanced mix of housing, and should instead say a city-wide balanced mix of housing, to keep the concept flexible for small developments.

Davis said we do mean the city as a whole, since it is a city comprehensive plan. He said he could go either way on the TDR issue. McBryant said this has been discussed at length in many jurisdictions, but we should address this matter through negotiating our Area of City Impact. She said we should continue to be interested in the development of the concept, but only as we begin to know what that concept means to other jurisdictions. The council agreed that ending the sentence prior to referencing TDR's would be appropriate, with Burke dissenting, saying the matter needs to be noted in some

document as a useful tool. Grotto said by not listing that tool, we are not excluding it, we are just not listing that particular tool. Brown complimented Grotto on capturing the spirit of the various council comments in this document.

Grotto said she meant to replace Section 12.1 Policy 3d with e, but had forgotten to strike d. **Davis moved that the council adopt Resolution 2005-04, adopting the comprehensive plan growth management section with the changes of the above discussion.** Keirn seconded; the motion carried unanimously.

#### **PH 44 – EDGEWOOD TOWNHOMES FINAL PLAT**

Scott Allen, representing Bothwell Construction, presented the townhome final plat. He said the plat is in conformance with everything the city has asked for.

Shay said the commission had asked for an easement across subplot 2 for utility maintenance on subplot 1. She said that has been done.

Mayor McBryant opened the matter for public hearing. There was none.

Brown moved to approve the final plat townhomes subdivision, conditionally approve with items A-F, with findings that it is in conformance with the Hailey Comprehensive plan, does not create the need for additional services, and conforms with the Hailey Subdivision Ordinance. Davis seconded; the motion carried unanimously.

#### **PH 45 – MOUNTAIN SAGE II and NORTH MOUNTAIN SAGE TOWNHOMES PRELIMINARY PLAT and PUD**

Gary Slette, representing Homestead Investments, presented the applications. The conditions presented by city staff are acceptable to his client. He offered concrete sidewalks instead of asphalt, and the application meets all of the elements of the ordinance.

McBryant asked if the 3 bedroom townhomes will have 2 or 1 baths. Slette assured the council the units would have at least 2 baths.

Grotto said driveways have been widened to 20 feet to create more maneuvering space behind the garages. A water main line that created a T, which connected to the same developer to the south, will help satisfy the public works department, which wants to see a looped water main. So two water service lines extend to the north, and the water line connects to the looped southern line. Plat notes referencing Parcel A are only on the Townhome plat, but need to be referenced on the subdivision plat as well. There is adequate snow storage area, although it is not delineated on the plat as a snow storage easement. We do have a draft PUD agreement, with a single phase, and the community housing unit would be available for sale before issuance of the last building permit on the property.

Brown asked how large the conifer in Condition E is that will be relocated. Grotto explained that an existing tree isn't being moved, the commission had suggested a different planting location of a proposed tree.

Mayor McBryant opened the public hearing. There was none. Burke moved that the PUD and preliminary plat be approved, with conditions and findings of the staff report. Davis seconded; the motion carried unanimously.

#### **PH 46 – TOWNSITE OVERLAY BULK REQUIREMENTS AMENDMENT**

Grotto introduced elements amending the townsite overlay bulk requirements. Davis asked about a change to limit lot coverage to 40%. Grotto explained that 40% coverage really fills up a lot.

Mayor McBryant opened the public hearing. There was none. **Davis moved to go forward with the first reading of Ordinance 896, finding it is in conformance with the comprehensive plan, is in general conformance with the subdivision ordinance, and will not create the need for excessive services.** Burke seconded; the motion carried unanimously.

#### **PH 46 - PARKS AND LANDS BOARD BYLAWS AMENDMENTS**

Grotto said the current bylaws are structured to be amended by the same process as is required in the zoning ordinance, which is a LLUPA regulation. The amendments were written to streamline the Board's operation, eliminates a term limit, decreases the number of board members, and simplify the appointment of a new board member. It also eliminates excess language regarding conflicts of interest and simply references Idaho Code, deletes language regarding site review, deletes requirements for amending the bylaws according to LLUPA standards. Davis asked why residency reduction from 2 years to 1 is suggested. Becki Keefer said the board felt a longer residency requirement was not necessary; it is easier to find a volunteer if residency requirements are less stringent. The board remains only a recommending body. Brown asked how we are adopting this, so that the rules we are inflicting upon ourselves are not onerous.

Mayor McBryant opened the matter for public hearing. There was none. McBryant didn't know what triggered this rewrite, but thought it was appropriate. She would like to offer a few additional changes that follow the stream of thought that these have, but hadn't yet met with the board regarding her proposed changes. She would like to have the opportunity to do this in one fell swoop rather than two, first working with the board chair to go over the changes suggested, then bring this back with all the changes that are going to be enacted in the draft. Keirn moved to continue the matter until February 14, 2005.

#### **NB 48 – IDAHO PARKS AND LANDS BOARD GRANT APPLICATIONS**

Ray Hyde presented the grant applications, thanking finance department staff member Tracy Anderson and Parks Board Chair Becki Keefer for a well put-together grant application. Hyde said he reviewed the budgetary numbers. Hailey does have money in the budget of phase 1, and have in-lieu contracts for phase 2. He has reviewed the maintenance costs, and those costs will be reflected in future budgets. McBryant asked what is the procedure once signed and submitted. Tracy Anderson said the city can present the project in person for the Woodside Central Park grant. The trail grant does not have the opportunity to be presented in person, because it is reviewed by committee. The grant decisions are made in early April, and grant funding, if awarded, is available in June.

**Keirn moved to approve the two grant applications, with a commitment for matching funds, and funding for maintenance of the park to be put in future budgets.** Burke seconded; the motion carried unanimously.

## **WORKSHOP**

Burke invited all to the airport site selection meeting tomorrow evening.

Brown distributed a letter forwarded to her from county commissioner Bowman, saying she is going to visit with him about the philosophy in the letter to see if it is a position, which would undermine Hailey's efforts, or a philosophy, in which case Hailey's efforts regarding Area of City Impact are still intact.

Brown said she was contacted by Gene Delago who was searching common interests between Hailey and Bellevue. If she does the show, her opinions will only be her own, but may be misconstrued as Hailey's viewpoint.

Burke said she had been solicited to talk about Peregrine Ranch, which isn't even before us. She said Delago was searching for stories.

Keirn said he will attend the first meeting of the transportation committee on Thursday.

Davis said the first draft of the historical ordinance is distributed for later consideration.

Davis also said the Library and Building departments will need attention in the next year's budget. They are doing a lot of work.

Davis said Rocky Mountain Hardware is building a new facility in Shoshone, which would take a lot of jobs away from us. He was looking for some relief to entice them to stay. If an existing business wants to build a bigger business, perhaps we need to be flexible how the fees would be paid, and amortize them out over five years. We would not giving away the farm by doing so. Keirn said in Boise sewer connection fees, which are higher than a cat's back, are prorated. McBryant was interested in pursuing a sliding scale formula related to the number of jobs created. Keirn mentioned county Industrial Revenue Bonds. Brown was interested in what Davis was discussing in the interest of

retention of business in Hailey. McBryant assigned Keirn and Davis to talk to their contacts regarding this matter.

McBryant said she has been working on a mission statement for Gem Community, which will be in next packet. The intent is to clearly define assignments, apply for grants, and be an asset to economic development. The Chamber of Commerce will know activities and goals of the committee. She asked the council for feedback, and when the mission statement is adopted, she will make Gem Community appointments.

Davis was in favor of scheduling annexation requests, and no longer lead people on as we have been doing, but make a decision on these applications.

There being no further business, the mayor adjourned at 7:45 p.m.

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Susan McBryant, Mayor

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Heather Dawson, City Clerk