

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY CITY COUNCIL
HELD MONDAY, AUGUST 8, 2005
IN THE HAILEY TOWN CENTER MEETING ROOM**

The regular meeting of the Hailey City Council was called to order at 5:35 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.

OPEN SESSION FOR PUBLIC CONCERNS

.Bob Wilkins said the street sign situation in Hailey needs improvement, and suggested Hailey put that as one of its priorities.

PRESENTATIONS

Roads Scholars – IT2 center was present to congratulate Josh Eller, Trevor Rands, and Gary Brockman.

CONSENT AGENDA

Davis pulled 249, 252, 254, 257, and 258. Remainder approved.

- CA 247 Alcohol Beverage License renewals for 2005/2006
- CA 248 Motion to approve new cell phone contract for water and wastewater depts
- CA 249 Motion to approve Decision for Bulotti appeal
- CA 250 Motion to approve Findings of Fact and Conclusions of Law for preliminary plat approval of Bruce Allen's Parkview Business Center
- CA 251 Motion to approve minutes of July 8, 2005 and to suspend reading of them
- CA 252 Motion to approve minutes of July 11, 2005 and to suspend reading of them
- CA 253 Motion to approve minutes of July 18, 2005 and to suspend reading of them
- CA 254 Motion to approve minutes of July 25, 2005 and to suspend reading of them
- CA 255 Motion to approve credit card expenses and utilities incurred in the month of June, 2005
- CA 256 Motion to approve Treasurer's Cash Report for the month of July, 2005
- CA 257 His Holiness the Dalai Lama Visits Sun Valley – Special Events Permit Application
- CA 258 Wicked Spud Restaurant Outdoor Entertainment – Special Events Permit Application

249 – Ned made two small grammatical changes. Keirn moved to approve, Burke seconded; the motion carried with Brown and Davis abstaining.

Minutes July 11- Davis recused himself because he was absent. Burke moved and Keirn seconded that the minutes be approved.

July 25- McBryant added" she also thanked the Friedamn Mem Airport for their attendance, and struck the remainder of the sentence. Page 6, rewrite under moratorium discussion, which states that the meeting she had with Thorson and Bowman was to understand the purpose of their respective workforce housing goals. Brown moved to approve with changes noted by mayor. Keirn seconded; the motion carried unanimously.

Dalai Lama permit application. Page 99 comments from staff – building department – structures covered under building and fire code, and will required McBryant was concerned that staff's permits might contravene issuing the special events permit. Fire lanes checked frequently. Who? Hyde said event staff would be required to Davis said police department is having some issues with the parking areas. Williamson said there will be a meeting on Thursday to talk about the new parking location. McBryant said the application is a great application, we want to find a way to make it work, but if we don't have this dialogue there may be problems. Williamson wanted to make changes to the indemnification agreement. He added that we should have an agreement that should also include the signature of the mayor. Renee said new documents have been prepared showing the parking area. Countyside 20 acre parking area has been added, changed from the Bellevue location. A more solidified transportation plan has been devised after working with law enforcement and the unified command group. Craig Holland said the law enforcement group is digesting the new plans, but have previously approved the Buttercup parking area. Davis asked if permission from the new owners. Dawson noted consent to sublease rodeo grounds should be part of the motion. Renee said doubled the requested insurance. Davis moved to continue this matter to Thursday, August 11, 2005 at 5:00 p.m. Keirn seconded; the motion carried unanimously. The motion carried unanimously.

Wicked Spud Special Events Permit. McBryant asked if the application is for an on going event, excerpt from the Code on noise. She noted that noise Steve Hogan said the events are planned for Saturday and Wednesdays, and Friday afternoons. In his mind a special event is an event such as the Dalai Lama event. He said specificity is difficult, but 2 to 3 times per week would be likely. Burke felt it is important for the community. What she is wondering is when it becomes other venues and every night. Mike Broman said they would like the music events to be available to them on Wednesdays and Fridays. Brown was favorable toward a two-night per week amplified sound event. Davis said the Mint will probably do the same. He was concerned about doing this after school starts. Burke said the level of amplification could be part of our future approvals. Brown moved to approve the application for 2 events per week, with the caveat that they monitor amplification.

OB 259 – Third Reading Ord 911

Davis said it was Saturday a woman attacked by a dog in a park that isn't on a leash. Brown said our ordinance currently requires dogs to be on a leash in our parks. Davis said we're after the bad guys. Why increase it to make it more difficult – because our animal control officer requested it, and it makes it easier to prosecute. McBryant asked if there is a question when a dog has attacked a person that it has attacked a person. Burke

said the dog/owner behavior is erratic, and the intent may be right, but the process doesn't seem to be working right.

Gary Stivers was unaware of a dog attack at the Folk Festival, and although no dogs are allowed, next year would have a dog patrol and have the dogs removed. Becki Keefer said this is all about making the job of the animal control officer easier. Ray Hyde said he has witnessed too many people who have voice control but suddenly lose it. Kathleen Turner asked if the dog-parks are moving forward, if so she would support the leash ordinance. Davis moved that the council adopt ordinance 911, read by title only, authorize the mayor to sign. Burke seconded; the motion carried with 2 in favor and 2 opposed. Mayor voted in favor of the ordinance; it therefore carried. Mayor read.

OB 260 – 2nd reading of housekeeping amendments to the subdivision ordinance.

PH 261 Frosty Acres Subdivision

Cody McCannon of Galena Engineer represented Jim Bradley on a final plat application for Frosty Acres Subdivision. He said a formal submittal to DEQ of approving the final plat has not occurred yet. Grotto said this area ponds up in the spring, and the city engineer would like to see soil studies prior to installation of the infrastructure. She wanted a condition relative to that. Mayor opened the public hearing. Kathy Lind of 2520 Winterhaven was concerned about the ponding. She said there is water in the crawl space, we're still a temporary occupancy after a year. Drew Etiford of the Housing Authority said happy to have the increase in affordable housing stock at Frosty Acres. Davis moved approve with added condition, H, soil studies approved by city staff prior to installation of infrastructure.

Ph 262 – MORATORIUM AMENDMENT

Grotto said it came to her attention that there are 2 community housing units constructed which need to go through the townhouse subdivision process before they can be sold. This is a proposed amendment that provides exceptions to community housing units that have already been approved. Davis asked how many projects that need to be condominiumized do not have community housing elements. Grotto said there are a few, one or two residential and one or two commercial. Davis felt all the townhousing of already approved projects should come back, because they won't be affected by what we're doing with community housing amendments. Grotto asked if the council wants to exempt projects that have already received design review. Drew from the housing authority appreciated expedited of the community housing units. Brown said by virtue of prior approval, these are not yet approved. Grotto said replace deed restricted community housing, replaced with residential, repeated in C and D. The council liked that language suggestion. Williamson said change the recitals, also. Brown moved continue this amendment to Thursday, Aug 11.

WATER AND WASTEWATER FEE INCREASES

Hyde said a 4% increase in monthly water user rates, with the addition of adding bond payment fees a year in advance, move water fees up to \$19.00. Wastewater fees recommended to be increased one more year, 7% increase in user fees. Recommend increases in connection fees through the matrix. Mayor opened the matter for public comment. None. Davis asked about circuit breaker freeze is still in place. Dawson said it is. Keirn moved adopt Resolution 2005-13, authorize mayor to sign.

ORDINANCE INCREASING MAYOR AND COUNCIL SALARIES

Mayor told the council they are worth every dollar of the small increase that is being contemplated within this budget. Opened and closed public hearing. Ordinance 918, mayor read by title only the first reading following a motion by Brown and second by Burke and unanimous vote.

BUDGET PUBLIC HEARING

Keirn noted that Development Impact Fees may bring in more revenue than the Local Option tax. Davis commended the mayor on putting together an easily read budget. Davis asked if a full time mayor has been funded. Mayor McBryant said the time is not right yet for that, but as Hailey becomes more specific. Mayor opened the public hearing Davis moved adopt 919, procede with first reading by title only.

ENCROACHMENT ORDINANCE

Hyde said proposing a change to the encroachment ordinance. The other major issue outside of those found during the water meter project is mailbox. McBryant asked why would we allow an obstruction that is a problem. Hyde said addressing home delivery, but do it in a manner that still allows snow removal. Mayor opened public hearing. Becki Keefer said parks and lands board has been working to get its arms around a tree ordinance. She was confused by a flier sent out on Encroachments by city hall that says trees are not allowed in the street right of way. Burke was concerned about the limitations on street trees. McBryant said the argument is that it impedes our ability to maintain . Burke said wide streets. Brown said the make-up of the streets is a factor. She wanted an understanding of how some landscaping amenities are allowed and others aren't. Davis said the post office mandates that their workers don't get out of the car to reach the mailboxes. If not to their standards, the post office won't deliver. Stowell said the postal vehicle has to pull out of the lane of traffic, and that is the 8 foot requirement. Hyde said as the trees grow older, it becomes a budgetary issue for him. Brown said trees are part of the character of old Hailey. McBryant said if there is a connection between width of road and what's allowed may be an idea to be explored. Hyde offered a solution toward taking 10 feet on each side of the 100 foot right of way for street trees. Williamson wanted to talk about some of the other troublesome encroachments that we get. We have some inconsistencies with the ordinance when we talk about different landscape heights. Burke asked if the city has ever taken trees down in the right of way. Brown said there is a tree ordinance in committee that would address street trees. The ordinance was sent back to staff for more work.

WORKSHOP

Brown distributed notes from the regional transit meeting. Examples of joint powers agreements and other authorities. Said she could not attend the August 17 meeting, and Keirn had an e 911 meeting that day. She said on her calendar is a joint meeting with Blaine County. McBryant said she has no agenda for such a meeting; she has been very focused on the town hall meeting. Brown said she had met with the two consultants from Clarion, and felt no compelling need to rush to another meeting. Asked Heather to notify county that no meeting, other issues, if compelling reasons, we're happy to. Keirn said chapman won't be able to attend, and had suggested that Hjelm do so. Davis said Hailey Chamber forwarded an invoice for the police department. McBryant said she would take that to staff meeting tomorrow. Davis said the mayor has a copy of the certified local grant application.

Davis said there should have been term limits for the historical preservation committee. Mayor said the matter should be on consent agenda.

Open session – Gary Stivers thanked Allan Stowell to come look at trees during the folk festival during a wind storm.

Keirn moved, burke seconded that the council go into executive session to discuss land acquisition, pending litigation, and personnel issues. A roll call vote showed all in favor. The council went into executive session at 7:50 p.m.