

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD FEBRUARY 13, 2023
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:30 P.M. by Mayor Martha Burke. Present were Council members Kaz Thea, Heidi Husbands, and Sam Linnet. Staff present included City Attorney Christopher P. Simms, City Administrator Lisa Horowitz, and City Clerk Mary Cone.

Juan Martinez not in attendance.

CALL TO ORDER: [5:30:05 PM](#) by Mayor Burke

Open Session comments:

[5:30:37 PM](#) Scott Runkel, Hailey resident, and with the climate action coalition. Had a meeting last week at Town Center West, many members attended, Emily Williams spoke regarding sustainability plans within the county/city. It was great to have attendees from all age groups. Waterway conservation, replace all irrigation systems in city, finding ways to be mobile – not in your car. Reduce waste, collaborate business/residents.

[5:35:03 PM](#) Ben Young, hailey resident and landscape architect. Wrote a letter, a lot of snow and wildlife, active feeding (of wildlife) is a detriment to quality of life. Feels that with the growth of Hailey, more people are feeding the wildlife, feels that this should not be legal.

[5:37:34 PM](#) Mayor Burke will work with staff.

CONSENT AGENDA:

- [CA 044](#) Motion to approve Resolution 2023-016, authorizing Mayor’s signature on Idaho Commission for Libraries Out-of-School programming grant agreement in the amount of \$3,000 **ACTION ITEM**.....
- ~~[CA 045](#) Motion to approve Resolution 2023-017, authorizing Mayor’s signature on BLM Coop agreement **ACTION ITEM**~~
- [CA 046](#) Motion to approve Resolution 2023-018, authorizing Mayor’s signature on Card Connect application for credit card processing to use with our online park reservation software **ACTION ITEM**.....
- [CA 047](#) Motion to approve Resolution 2023-019, ratifying Mayor’s signature on FY22 Representation letter to Auditors for annual audit **ACTION ITEM**.....
- ~~[CA 048](#) Motion to adopt Resolution 2023-020, selecting Civil Science for Construction Engineering and Inspection from the ITD Term Agreement list of the Croy to Quigley Path and authorizing the mayor’s signature on the attached contract. **ACTION ITEM**~~
- [CA 049](#) Motion to approve Resolution 2023-021, authorizing the mayor’s signature on a partial release (#2) for the Security Agreement related to the Final Plat of Lots 1A, 2A, 3A, 4A, 5A and 6A, Block 86, Woodside Subdivision #25. **ACTION ITEM**
- [CA 050](#) Motion to approve Resolution 2023-022, authorizing the mayor’s signature on the Security Agreement related to the Final Plat of Lots 1A, 2A, 3A, 4A, 5A, and 6A, Block 86, Woodside Subdivision #25. **ACTION ITEM**
- [CA 051](#) Motion to approve Resolution 2023-023, authorizing the mayor to signature on a Mural License Agreement between the City of Hailey and The Sage School for a mural to be painted on the exterior walls of the two (2) restroom buildings at Keefer Park. **ACTION ITEM**.....

- [CA 052](#) Motion to approve minutes of January 23, 2023 and to suspend reading of them ACTION ITEM
- [CA 053](#) Motion to ratify claims for expenses incurred paid in January, 2023 ACTION ITEM.....
- [CA 054](#) Motion to approve claims for expenses incurred during the month of January 2023, and claims for expenses due by contract in February, 2023 ACTION ITEM
- [CA 055](#) Motion to approve unaudited Treasurer’s Report for the month of January 2023 ACTION ITEM

[5:38:37 PM](#) Baledge pulls CA 045, Thea pulls CA 048

[5:39:06 PM](#) **Linnet moved to approve all consent agenda items minus CA 045 and CA 048, seconded by Husbands, motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.**

[5:39:22 PM](#) Baledge asks for motion to have him sign agreement.

CA 048 - [5:40:52 PM](#) Yeager responds to Thea’s question.

[5:41:46 PM](#) **Thea ca 045 and ca 048 moves to approve, Linnet seconds. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.**

PROCLAMATIONS AND PRESENTATIONS:

PP 057 Presentation of annual financial statements for Fiscal Year Ending September 30, 2022 by Brady Workman, auditor, followed by city council acceptance of audited financial statements. ACTION ITEM

[5:42:58 PM](#) Dennis Brown presenting report for Brady Workman. Funds are continuing to grow in reserves, happy to answer any questions.

Thea appreciates concept of keeping some funds - holding reserve funds because we only get paid 2 times a year for property taxes.

[5:48:45 PM](#) Horowitz will be recommending 35% of funds holding, instead of 25%, this year.

[5:50:13 PM](#) **Thea moves to accept audit as presented, Linnet seconds. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.**

PP 056 Presentation by Hailey Tree Committee members on Urban and Community Forestry Program funding (no docs)

Will discuss this in next meeting.

APPOINTMENTS AND AWARDS:

AA 058 Motion to approve Resolution 2023-024, reappointing Michele Johnson, Joan Davies, and Gwen Mesce to the Hailey Arts and Historic Preservation Commission for a three-year term, expiring December 31, 2025. ACTION ITEM

[5:51:33 PM](#) AHPC - [5:52:09 PM](#) Thea moves to approve appointment Resolution 2023-02, seconded by Husbands. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.

AA 059 Motion to approve Resolution 2023-025, reappointing Martha Burke to the Sun Valley Air Service Board one-year term, expiring December 31, 2023. ACTION ITEM

[5:52:47 PM](#) [5:53:05 PM](#) Linnet moves to approve resolution 2023-025, seconded by Thea. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.

AA 060 Motion to appoint Kathy Bell to complete the term of Mike McKenna who is resigning from Hailey Tree Committee, with approval of Resolution 2023-026 setting appointments and terms ACTION ITEM

[5:54:04 PM](#) Thea moves to approve Resolution 2023-026 appointing Kathy Bell to the Hailey Tree Committee, Husbands seconds. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.

PUBLIC HEARINGS:

PH 061 Continuation of Planned Unit Development Application by Kathleen Miller QTIP Trust and Sophie Nunberg Trust represented by Lee Young of CSHQA, for a 1,213 square foot addition to Albertsons and a new 0.42-acre public recycling area for the City. This project is located at 911 North Main Street (Sub Lots 2 and 3, Block 1, North Hailey Plaza) within the Business (B) and Townsite Overlay (TO) Zoning Districts. The following waiver is requested:

1. Waiver to the maximum floor area permitted within the Business (B) Zoning District for an additional 3% of square footage, totaling to 37,127 square feet of individual retail/wholesale trade ACTION ITEM
(Will be continued to Feb. 27th)

[5:54:41 PM](#) Robyn Davis asked to continue to next meeting.

[5:55:02 PM](#) Linnet moves to continue to Feb 27, 2023, Thea seconds. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.

PH 062 Consideration of proposed Ordinance No. _____, a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.08: Supplementary Regulations, Article D: Accessory Dwelling Units, to allow for Tiny Homes on Wheels within all residential zoning districts. ACTION ITEM

[5:55:27 PM](#) CeCe Osborn presents, tiny homes similar to ADUs, definitions and standards are in this ordinance. Discussions in P&Z about recreational vehicle, prefer to consider it like an ADU. Robin Butler is on the call to answer any questions, with NOAH, similar standards as an ADU.

[5:59:50 PM](#) Linnet asks about water and sewer? Osborn responds, working out details, would be required to connect to water / ww and electricity. Propane could be utilized, Davis responded.

Permit required for larger propane tanks. [6:01:43 PM](#) Baledge, have refillable propane tanks, 50 gallons or smaller. If larger, must be permitted according to code.

[6:02:22 PM](#) Public Comments.

[6:02:38 PM](#) Chris Werth, Aspen Drive resident, confused about tiny homes, metered separately?

[6:03:21 PM](#) Davis, we are looking to see what this process would look like, still discussing. Yeager adds, monthly user fee, connecting behind meter, would be attributed to the house meter. If another meter connection, that would be different.

[6:05:01 PM](#) Chris Werth has another question. Burke asks if he could reach out to Robyn Davis or CeCe with this question.

Council deliberation.

[6:06:37 PM](#) Thea asked what the administrative process would be for these? Davis responds, staff and chair of P&Z would review applications/items and 300 foot adjourners would also be notified. If met criteria, findings of fact would be issued. Linnet, same as ADU process? Davis confirms, yes. Husbands asks, parking requirements too, Davis confirmed yes. Davis, tiny home needs to be long-term 31 days or more.

Linnet appreciates all the thought that went into this proposed ordinance. [6:10:17 PM](#) thinks this is a great first step, in providing more housing.

[6:12:10 PM](#) **Thea moves to adopt ord no. 1320, conduct 1st reading by title only, seconded by Husbands. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.**

[6:13:34 PM](#) **Mayor and council take turns in conducting the 1st Reading of Ordinance No. 1320, by title only.**

PH 063 Consideration of proposed Ordinance No. _____, a City-Initiated Text Amendment to amend the Standard Drawing for Driveways in Title 18, Chapter 18.14, Section 18.14.012.K: Driveway Approach, to include a maximum width for standard driveway **ACTION ITEM**

[6:17:28 PM](#) Davis presents this item, gives an overview of this, did not have a maximum, hope to keep driveway widths to maximum of 20 feet. Yeager, starting seeing 3 car garages along the property, trying to prevent 60 foot driveways to encroach on the street/right of way. [6:19:21 PM](#) discusses snow removal, trying to not put mailboxes and other encroachments past snow removal path. Continued discussion regarding general encroachment permits. [6:21:49 PM](#)

Public comments: [6:21:58 PM](#) there are none.

Council deliberation

6:22:37 PM Linnet moves to approve ordinance no. 1321, seconded by Husbands. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.

6:23:45 PM Burke asks Thea to do the reading. Thea conducts 1st Reading of Ordinance No. 1321 by title only.

*PH 064 Consideration of Resolution 2023-____, calling for a Special Election on Tuesday, **May 16**, 2023 with ballot language considering approving Hailey Ordinance No. 1319, to modify Hailey's "1% for Air" Local Option Tax to split the tax, with 0.5% of the tax dedicated to maintaining and increasing commercial air service and related marketing and 0.5% of the tax dedicated to housing for Hailey citizens and workers who are housing-burdened **ACTION ITEM***

6:24:48 PM Horowitz and Simms give an overview. At last meeting, council asked staff to bring forward a draft ballot. 1% for air has been in place, agencies that receive funds from this channel feel they can proceed with ½ of the income if this change is adopted by voters. Hailey collects 1% on hotels/short-term rentals and car rentals. Our LOT is in place until 2050. **6:30:03 PM** more discussion about LOT generally. Linnet, only an upside to benefit housing, no downside to this. In order to pass, needs 60% voter approval.

Linnet asks for a minor change in word arrangement on ballot question.

6:35:19 PM public comments,

Chris Wirth 521 aspen, don't support the airport, should be separate on ballot.

6:36:51 PM Linnet makes a motion to approve Resolution 2023-027, calling for a special election on Tuesday May 16, 2023 for purposes of submitting a question to voters to modify the 1% for air Local Option Tax, to split the tax with .5% of the tax dedicated to maintaining and increasing commercial air service and related marketing and .5% of the tax dedicated for housing for Hailey citizens and workers who are housing burdened with specific ballot language something close to, "shall City of Hailey Idaho adopt Ordinance No. 1319, to apply ½ of 1% percent of the 1% for air Local Option Tax for the purpose of developing Community Housing for families living and working in Hailey?" Thea seconds. Motion passed with roll call vote, Husbands, yes. Linnet, yes. Thea, yes.

Page 256 2nd motion for ordinance.

6:39:01 PM Thea moves to approve ordinance no. 1319, 1% for air split between housing and air, read by title only, seconded by Linnet. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.

6:39:50 PM Mayor Burke conducts 1st Reading of Ordinance no. 1319, by title only.

PH 065 Consideration of Ordinance No. _____, calling for a Special Municipal Election on Tuesday, May 16, 2023 with ballot language that asks voters to consider approving the issuance of up to \$6 million negotiable wastewater revenue bonds to finance the design, acquisition and construction

of improvements to the Hailey Wastewater Treatment System and Facilities, known as the Hailey Aging Infrastructure Wastewater Headworks Project **ACTION ITEM**

[6:41:23 PM](#) Hawley Troxell, bond counsel, Mike Stoddard & Brendan are on the call. Stoddard, points out, have represented Hailey on several bonds. Will meet with financial advisor Eric Heringer, to determine whether it will be 20 or 30 year bond. Horowitz, will bring him in to a special meeting, to pull all together to discuss for about 30 minutes. Yeager, still work in progress, council can pick a selection. The ordinance right now has some yet to be filled in spots for financing. Linnet asks user connection not property owner? Yeager, user connection. Linnet, asks about a tiered rate charge. Yeager, don't really have a way to do this. [6:48:30 PM](#) Stoddard, may have the legal ability to do that, practical questions, defer to, discuss in workshop. Idaho constitution, 2 bond issues, property taxes 2/3 vote, this ½ vote, paid by revenue. How you collect user fees, up to you. Yeager can bring a sliding scale to workshop for council to discuss. [6:51:27 PM](#) Stoddard, the longer your time, pay more interest

Public comments:

[6:53:59 PM](#) Kris Wirth, would like to see some funds pay DIF. Yeager, WW bonds are enterprise funds, DIF cannot be used in this case.

[6:56:42 PM](#) **Thea moves to approve ordinance no. 1322, seconded by Husbands. Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.**

[6:57:55 PM](#) **Mayor Burke conducts 1st Reading of Ordinance No. 1322, by title only.**

Horowitz asks if council can look at calendars for special meeting. Horowitz, will get back with Heringer for more dates.

OLD BUSINESS:

OB 066 2nd and/or 3rd Reading Ordinance No. 1318, Title 17 SolSmart Recommendations and Summary of Ordinance No. 1318 ACTION ITEM

Ordinance in packet, have amendments as council directed and approved in last meeting, Simms suggests to conduct 2nd Reading.

[7:03:29 PM](#) **Mayor Burke conducts 2nd Reading of Ordinance No. 1318 by title only.**

STAFF REPORTS:

[7:04:56 PM](#) Mike Baledge presents report to Mayor and council, standard of cover assessment. This report covers their primary duties, prevention, school programs/education, business licensing, plan review for building permits, code enforcement, community involvement and fire. Emergency response, 63% ems calls the rest non-emergency calls. NFPA is an organization that sets standards for Fire and EMS departments, they are guidelines, not a code, not a law. [7:14:16 PM](#) further discussion about calls generally. [7:16:08 PM](#) 235 non-emergency calls, average response time is 5 mins, in Hailey. 11 of the 235 calls were fire related, structure fires. Of these 11 calls, 2 actual

fires, 2 electrical shorts, 5 cooking incidents, and 2 were false alarms. [7:23:29 PM](#) every fire truck call, leaves the station, \$800. We have modified the standards and rely on mutual aid agreements to help respond to calls, NFPA only recognizes Hailey response numbers even though there are other agencies that have responded. [7:29:53 PM](#) further discussion about duties. What is the plan for the future, Baledge states. We are experiencing growth, will the growth impact the fire department, yet to be determined. Will apply for the SAFER grant again, it opens Wednesday this week. Train on Tuesday nights. Current consolidation effort is being discussed, a valley wide fire department. 9 million is spent on fire services annually. [7:32:54 PM](#)

[7:36:15 PM](#) Husbands asks about Ambulance service. Baledge responds. More discussion about Ambulance calls and funding.

[7:38:48 PM](#) Yeager, R. Davis needs a council member to help select a consultant for comp plan work. Linnet is going to meet with Davis on this task.

[7:41:02 PM](#) Thea wildlife smart communities, staff on Yew plant identification, a few hours, classroom time, Feb 28th.

EXECUTIVE SESSION: Real Property Acquisition (IC 74-206(1)(c))

[7:42:23 PM](#) **Linnet moves to go into Executive Session to discuss Real Property Acquisition (IC 74-206(1)(c)), seconded by Thea, Motion passed with roll call vote. Husbands, yes. Linnet, yes. Thea, yes.**

7:51 pm. Mayor and council came out of Executive Session.

[7:51:19 PM](#) Motion to adjourn by Linnet, Thea seconded motion passed unanimously.