

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD SEPTEMBER 25, 2023
IN THE HAILEY TOWN CENTER MEETING ROOM**

The Meeting of the Hailey City Council was called to order at 5:31 P.M. by Mayor Martha Burke. Present were Council members Kaz Thea, Juan Martinez, Heidi Husbands, and Sam Linnet. Staff present included City Attorney Christopher P. Simms, City Administrator Lisa Horowitz, and City Clerk Mary Cone.

CALL TO ORDER:

[5:31:41 PM](#) by Mayor Burke

Open session for public concerns: [5:32:12 PM](#) none.

CONSENT AGENDA:

- [CA 279](#) Motion to ratify the mayor’s signature on IRS Form 8283 related to the donation of land at 910 N Main Street, which is a portion of the Cobblestone Way Right of Way **ACTION ITEM**
- [CA 280](#) Motion to approve Resolution 2023-111, declaring Street surplus property and authorized disposal of equipment **ACTION ITEM**
- [CA 281](#) Motion to approve Resolution 2023-112 a resolution authorizing a management agreement with ARCH Community Housing Trust for rental management of a Tiny Home on Wheels **ACTION ITEM**
- [CA 282](#) Motion to approve Resolution 2023-113, authorizing contract for services with Mountain Rides **ACTION ITEM**.....
- [CA 283](#) Motion to accept bid from B & G Dirtworks in the amount of \$328,477, for the River and Spruce Street South East Corner Improvements Project, and motion to adopt Resolution 2023-114, authorizing the mayor to sign the Notice of Award and project related documents. **ACTION ITEM**
- [CA 284](#) Consideration of Resolution 2023-115, authorizing the Mayor to sign a Grant of License and Alley Maintenance Agreement allowing adjacent property owners to pave and maintain a portion of alley in Hailey Townsite. **ACTION ITEM**
- [CA 285](#) Motion to approve the Findings of Fact, Conclusions of Law, and Decision for a Preliminary Plat Application by Pilling Family Trust wherein two (2) cottage lots in Sunbeam Subdivision Phase I (SUNBEAM SUBDIVISION PHASE 1 LOT 41 BLK 3, SUNBEAM SUBDIVISION PHASE 1 LOT 49 BLK 3) are subdivided into ten (10) sublots for single-family cottage units. **ACTION ITEM**
- [CA 286](#) Motion to approve minutes of September 11, 2023 and to suspend reading of them **ACTION ITEM**
- [CA 287](#) Motion to approve claims for expenses incurred during the month of August 2023, and claims for expenses due by contract in September, 2023 **ACTION ITEM**.....
- [CA 288](#) Motion to approve unaudited Treasurer’s report for the month of August 2023 **ACTION ITEM**

[5:32:22 PM](#) Simms pulls CA 284 to consider at a later date.

[5:32:40 PM](#) Martinez moved to approve all consent agenda items minus CA 284, seconded by Linnet, motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.

MAYOR’S REMARKS:

[5:32:53 PM](#) Mayor Burke Yom Kippur is today, day of atonement, ask for sins to be forgiven. Make amends so that our prayers can be answered.

PUBLIC HEARINGS:

PH 289 *Consideration of a Proposed Ordinance No. _____, City-initiated Annexation Application to annex a 55-foot-wide section of Quigley Gulch Road, along the southern boundary of the Marvin Gardens No. 1 Subdivision, and adjacent to Quigley Road to complete the portion of Quigley Gulch Road that is owned and maintained by the City of Hailey. A copy of the Annexation Plan can be found at www.haileycityhall.org/community-development/ **ACTION ITEM***

[5:34:19 PM](#) Robyn Davis opens this item and gives a summary. We have an MOU with Blaine County to maintain this road. This needs to be annexed as we want to do some improvements to the right of way, a pathway.

Public comments: [5:36:31 PM](#) none

[5:36:41 PM](#) Thea asks how wide is the road? Total width of road? Yeager will get an answer.

[5:38:07 PM](#) Yeager, 55 feet wide with an 80 foot right of way. Yeager believes the asphalt currently is 28 feet wide.

[5:41:01 PM](#) **Linnet moves to approve Ordinance No. 1333, annexing north side of Quigley Road read by title only, Martinez seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

[5:41:45 PM](#) **Mayor Burke conducts the 1st Reading of Ordinance No. 1333, by title only.**

PH 290 *Consideration of a Preliminary Plat Subdivision Application by ARCH Community Housing Trust, Inc., to subdivide Lot 64, Blok 5, Sunbeam Subdivision Phase I, into eight (8) sublots, each sublot ranging between 3,935 square feet and 6,998 square feet in size. This project is located off of Gray's Starlight Drive in the Sunbeam Subdivision and is within the Limited Residential (LR-2) Zoning District. This project is to be known as Sunny Townhomes **ACTION ITEM***

[5:42:44 PM](#) Robyn Davis, opened this item and introduced Michelle Griffith.

[5:43:23 PM](#) Michelle Griffith with ARCH, this is a subdivision application, required by city code, not changing density of this parcel. This has been a journey to get here. It was financed through \$900,000 ARPA funds and \$300,000 in funds raised. The HOA asked to reduce the size of 2 units to 2 bedroom units, and reduced fence as asked. [5:45:15 PM](#) proposed landscaping approved by HOA and P&Z Commission.

[5:45:48 PM](#) Husbands, they are all rental units? Up to 140% AMI, workforce in the middle income area. Aiming for folks that don't qualify in other units.

Public comments:

[5:47:53 PM](#) Sarah Dawson are all 8 units ARCH. Do you have elevations?

[5:48:48 PM](#) Robyn Davis, elevations were presented.

[5:49:08 PM](#) Griffith responds, all ARCH units, rent is based on income, up to 140% AMI, not to exceed a maximum amount.

[5:49:47 PM](#) Thea asks, natural gas, maybe all electric. Griffith responds, have a development all electric and residents do not like it. More discussion about heat pumps and such.

[5:52:10 PM](#) Martinez, do you have a contractor? Griffith, this was bid a long time ago.

[5:53:21 PM](#) **Thea moves to approve preliminary plat ARCH Sunbeam Street subdivision conditions A-M will be met, Linnet seconds. Motion passed with roll call vote; Husbands, yes. Linnet, yes. Thea, yes. Martinez, yes.**

PH 291 Consideration of a Proposed Ordinance No. _____, an ordinance increasing water and wastewater late fees from \$2.00 to \$4.00 and an interest at a rate of 12%, dispensing the first and second reading conducting a third reading in full, read by title only and publication thereof. ACTION ITEM

[5:54:37 PM](#) Simms, related to recent updates just adopted by Resolution.

Public comments: [5:55:25 PM](#) none.

[5:55:32 PM](#) **Martinez moves to approve Ordinance No. 1334, waive 2 readings, read by title only, seconded by Thea. Motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

[5:56:03 PM](#) **Burke conducts 1st and only reading of Ordinance No. 1334, by title only.**

OLD BUSINESS:

OB 292 Motion to adopt the Myrtle Street pathway design concept and if the grant is awarded to accept the grant and direct staff to advance final design drawings. ACTION ITEM

[5:57:02 PM](#) Myrtle Street pathway, handoff to Yeager and Mark Sundell with GGLO. We have had 2 neighborhood workshops to get input on this proposed path. Public comment received since the last meeting has been handed out to council.

[5:59:03 PM](#) Yeager, award timeframe October 27th? Myrtle street separation, 10 feet, 4 feet is the buffer, only sliding south 6 feet? Staff and Mayor, met with neighbors and asked GGLO to give a presentation to you tonight.

Mark Sindell with GGLO, presents to council. [6:01:21 PM](#) define some goals include, replace deteriorating roadway, improve safety, and preserve neighborhood character. 100-foot right of way on Myrtle, 10-foot multi use path, expand landscape buffer to 10 feet to add trees and pollinator plants. Swamp White oak and some plants, including sage, rabbit brush and sunflowers.

Thea, can you explain about the water scheme? We don't want another irrigation problem. Request from a neighbor to not have rabbit brush. Yeager, don't want to put in sprinkler heads like Woodside Blvd. Each area would be independent and have a box. Envision increased irrigation for initial plantings. Would be seasonal watering. Part of the project would be bringing in better soil, if we receive grant, and council approves project.

[6:10:46 PM](#) Sindell, we are on our way to plant hardy plants and trees. Don't have to use Rabbit Brush, can select another plant.

[6:12:10 PM](#) Linnet asks, can we do 11-foot travel lanes? Yeager, yes, want to keep width of pavement 12 feet because tires would damage the edge of asphalt. Linnet, can we go to 8-foot landscape buffer? Yeager responds, bare minimum is what has been drawn up, value diminishes.

[6:17:46 PM](#) more discussion about width of proposed components and travel lanes.

[6:25:01 PM](#) Husbands biggest concern is maintenance. We can't even maintain current tree wells that we have now, difficulty with snow removal in winter anyway. Don't know how to make these a priority. Would like to see this, but how to we make sure that it is maintained correctly and safety for pedestrians. Yeager, we've hit a tipping point in Hailey. [6:28:30 PM](#) number 1 priority is the streets, pathways, usually get to them in a couple of days. Really a question of mother nature. [6:31:34 PM](#) more discussion of snow removal/maintenance.

[6:33:33 PM](#) Mayor Burke brings up the impact to the neighbors, struggling, how locked in are we? Yeager we can make changes.

[6:38:44 PM](#) Thea, how long would construction take? Yeager, 2 months or more depending on if shut down during 4th of July.

Public comments:

[6:41:18 PM](#) Elizabeth Massey, thinking about in 10 years and tree roots, when you plow where does the snow go, on the trees?

[6:42:57 PM](#) Sindell responds to the comment regarding roots, can handle being wet and don't tend to heave sidewalks.

[6:43:51 PM](#) Yeager, snow plows to the right into the buffer strip. Snow will continue to be a challenge in Wood River Valley.

[6:45:07 PM](#) Martinez, trees have sold me on this project. Not sure if the roundabout is saving us speed. Yeager adds, we did the quickest job to get the grant application in on time.

[6:48:12 PM](#) Linnet, how will the process work? Yeager responds.

[6:52:29 PM](#) **Linnet motion to approve design, and at least one more title 18 notice hearing, Thea seconds. Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

*OB 293 Discussion of the proposed Quigley Road Bike Path Project and directing staff for final design.
ACTION ITEM*

[6:53:16 PM](#) Yeager opens with this item, Sunbeam detached bike path, snow storage strip platted North on Sunbeam, to the east have trailhead that goes up to Sun Peak, missing segment from Sunbeam to Quigley. Put out to bid, have not awarded the bid yet. Yeager, discussion about attached pathway, had public hearing in the last council meeting. Met with several neighbors and they would like the path combined to road.

[6:57:00 PM](#) Yeager, snow removal would be more difficult than Myrtle.

[6:58:01 PM](#) Linnet, share Husbands concerns about maintenance. Do we want to stick with conservative attached, easy to maintain?

Public comments:

[7:01:22 PM](#) Jim Phillips Quigley Road resident, thanks council for setting up the site visit after the last meeting. Phillips understands that separated paths look better, maintenance in winter is a concern if path cannot be used year-round. True that Sunbeam has a separated path, it is an anomaly, they have an extra 8 feet of snow storage easement. Proposed path slope goes to property line, this is his concern, wants an attached path.

[7:07:27 PM](#) Elizabeth Massey Quigley road resident, safe infrastructure, if attached to road, easy to plow it. More visibility would help, if path attached to road, would give more visibility.

[7:09:35 PM](#) Yeager, it is 3 to 7 feet from property line, variable width.

[7:10:48 PM](#) Linnet uses Quigley often, now doesn't feel safe. If we can maintain Sunbeam and this path at the same time, would like to see this prioritized. Linnet uses Croy daily, would love to have this separated, this comes down to priority. Linnet in favor of a separated path.

Thea asks, travel way, Yeager feels like it may be 28 feet. A connected pathway would make it bigger, without obstacles, cars would tend to go faster. Separated path would make the road feel smaller. Linnet asks, can we reduce the street width? [7:15:25 PM](#) Yeager, crown would be off center, could cause issues, depends on the crown.

[7:16:19 PM](#) Martinez, we would have drag races on this road if we had a connected path, which concerns him.

[7:20:56 PM](#) Husbands asks Yeager to repeat earlier discussion. If not much of a crown, we could cut off part of the existing road. It is a cost option, \$250,000 to do this pathway.

Martinez would like to see what other options we might have. [7:23:25 PM](#) Thea agrees. Linnet, leaning towards detached, likes the proposal of cutting the road.

Horowitz, we will bring this back and re-notice to the neighbors, in about 1 month. [7:25:24 PM](#) Yeager reiterates what he has heard tonight.

[7:26:00 PM](#) 5 minute recess.

[7:29:40 PM](#) Mayor Burke reconvenes meeting.

OB 294 Motion to adopt Resolution 2023-116, ratifying the Mayor's signature on an IDWR diversion application, and update on Water Right 37-22019. ACTION ITEM

[7:29:51 PM](#) IDWR, Yeager explains, asking for a ratification on Mayor's signature. Previously, submitted transfer of water right, part of ground water mitigation, costing \$40,000 per year, need relief from fees, also, for 8.87 cfs, aggregate is 16 cfs. If we do this we increase our municipal water right by 50%. Wanted to make sure you knew about this, fully informed, want to take all our points of diversion, will continue to work on water right, 37-22019, wanted to get some relief on this cost. Good strategic move, Yeager adds, changing to one-point of diversion, anywhere in the city.

[7:35:18 PM](#) **Linnet moves to approve Resolution 2023-116 authorizing water right transfer application; Martinez seconded. Motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

STAFF REPORTS:

[7:36:18 PM](#) ARCH flyer, begin this public project.

OB 295 Matters & Motions from Executive Session, if any. ACTION ITEM

EXECUTIVE SESSION:

[7:37:13 PM](#) **Linnet moves to go into Executive Session to discuss Real Property Acquisition (IC 74-206(1)(c)), seconded by Martinez, motion passed with roll call vote; Martinez, yes. Thea, yes. Linnet, yes. Husbands, yes.**

[7:47:26 PM](#) **Mayor and council return from executive session.**

Motion to adjourn made by Linnet, Martinez seconds. Motion passed unanimously.