

**MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD NOVEMBER 12, 2024
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, Juan Martinez, Heidi Husbands, and Dustin Stone. Staff present included City Attorney Christopher P. Simms, City Administrator Lisa Horowitz, and City Clerk Mary Cone.

Dustin Stone is attending remotely.

CALL TO ORDER:

[5:30:04 PM](#) call to order by Mayor Burke.

Open session: [5:30:31 PM](#) there are none.

CONSENT AGENDA:

- [CA 294](#) Motion to ratify the Mayor’s signature on a letter extending the OEMR grant project completion date for the City Hall Rooftop Solar Project. **ACTION ITEM**.....
- [CA 295](#) Motion to adopt Resolution 2024-100, ratifying the mayor’s signature on a water right contract to place surface water right number 37-906 into the Water Supply Bank. **ACTION ITEM**.....
- [CA 296](#) Motion to authorize the mayor’s signature on a Certificate of Completion Letter for the final release of the Security Agreement with Larry G. Green and Ellgee Squared, LLC for the improvements adjacent to 920 N Main St. **ACTION ITEM**.....
- [CA 297](#) Motion to approve Resolution 2024-101, authorizing the Mayor’s signature on the Subordination/Regulatory Agreements for the LIDO Apartment Home project located at 940 Winterhaven Drive. **ACTION ITEM**.....
- ~~[CA 298](#) Motion to ratify the Mayor’s signature on Task Order #4, Jacobs Engineering, in the amount of \$4,849 to facilitate a countywide staff discussion regarding consistent regulations for ebikes and micromobility travel (cost will be shared amongst Hailey, Ketchum and BCRD) **ACTION ITEM**.....~~
- [CA 299](#) Motion to approve Resolution 2024-102, authorizing Workman & Company Letter of Engagement for FY24 Audit **ACTION ITEM**.....
- [CA 300](#) Motion to approve annual plan contracts: Regence, Delta and VSP with updated benefits and costs, effective January 1, 2025 and allow Mayor to sign. **ACTION ITEM**.....
- [CA 301](#) Motion to approve the Findings of Fact, Conclusions of Law, and Decision for the Preliminary Plat Subdivision Application for Sunbeam Subdivision (Phase II), submitted by Marathon Partners, LLC, and represented by Opal Engineering and BYLA, wherein Sunbeam Subdivision Phase I, Parcels B and C, are subdivided into 62 lots (42 lots and 20 sublots), as well as Parcel B1, which includes the remaining park dedication of 3.34 acres as contemplated in the approved Planned Unit Development Agreement. **ACTION ITEM**.....
- [CA 302](#) Motion to approve minutes of October 28, 2024 and to suspend reading of them **ACTION ITEM**.....
- [CA 303](#) Motion to approve claims for expenses incurred during the month of October 2024, and claims for expenses due by contract in November, 2024 **ACTION ITEM**.....

[5:30:50 PM](#) Thea pulls CA 298

[5:31:03 PM](#) Martinez moved to approve all consent agenda items minus CA 298, seconded by Husbands. Motion passed with roll call vote; Husbands, yes. Thea, yes. Martinez, yes. Stone, yes.

[5:31:52 PM](#) CA 298, Horowitz explained this item, roads pathways, bike path, anything paved. Very productive first session, Jacobs will draft a document for council review to see if they should go further.

[5:32:54 PM](#) Thea moves to approve CA 298, Martinez seconds. Motion passed with roll call vote; Husbands, yes. Stone, yes. Thea, yes. Martinez, yes.

PROCLAMATIONS AND PRESENTATIONS:

PP 304 Presentation by Phil Kushlan, fiscal consultant, on Municipal Finance Options

[5:33:52 PM](#) Phil Kushlan, cities how to generate money.

[5:34:23 PM](#) Horowitz introduces Kushlan, have worked with us on our Urban Renewal Agency.

Kushlan presents to council. There are many funding options, it depends on the situations in each city. There are not many where you have total control, a few you can do independently. Some options require partnerships with the city. Idaho is a Dillon rule state 1856, cities have no independent power, power comes from the state. Oregon is a home rule state. Property tax is the most revenue, most flexibility and least understood. Special serial levy, lower threshold of approval, 50% plus 1, in place for a 2-year timeframe. Ammon just approved a 2 year levy 1.2 million for streets. Local Option Tax, cities under population of 10,000, lots of options to take to voters. User fees, water/sewer, library fees, no state oversight, must set fees to offset costs incurred to providing that service. It is a good idea to do a cost of service study occasionally.

[5:48:26 PM](#) Franchise fees, development requirements, reserve funds and impact fees. [5:50:54 PM](#) In twin falls, remodeled city hall with cash. [5:53:24 PM](#) more discussion regarding reserve funds. Last option discussed, is impact fees charged to development. Debt is the next topic, Bonds. [5:56:22 PM](#) Idaho constitution, any taxing entity cannot enter into obligation more than 1 year without going to voters. Revenue Bonds are popular, and special assessment bonds are not as favorable because they impact local areas, Local Improvement and Business Improvement District. Lease purchase, used for capital equipment, graders/loaders. [6:05:52 PM](#) Autonomous sources include, special authorities/districts, Urban Renewal Agencies, Community Infrastructure District (CID) and private providers. CID, infrastructure utilities, like electricity. [6:15:43 PM](#) Kushlan looked at some specifics for Hailey, looked at revenue generation, .00129, is Hailey's. state code allows to raise this by taking to voters with 60% majority. Discussion about this generally, don't have to go to .04 proposal, can ask for something less, since .04 and .09 are significant increases to property owners. As property values go up, the rate goes down, which is what is affecting Hailey in the last few years. [6:26:09 PM](#) Kushlan looked at our LOT revenue of .5%, on all categories, increased at .5%.

PUBLIC HEARINGS:

PH 305 Consideration of Ordinance No. _____, authorizing the approval of a Restated Development Agreement, which would remove Lot 1, Block 1, Saddle River Subdivision from the recorded Saddle River Subdivision Development Agreement, would further release the Phasing Agreement for all lots within the Saddle River Subdivision, and would reprioritize all in-lieu parking spaces associated with the lots within the subdivision. ACTION ITEM

[6:34:13 PM](#) Davis introduces this item, URA is slated to purchase this property, parcel behind the movie Theater. Provisions include an easement agreement, this is being removed, phasing agreements are no longer applicable. Parcel on screen, is in restated agreement, in-lieu parking spaces, new agreement allows flexibility to identify where these fees would be applied.

[6:37:12 PM](#) Simms, reason for this agreement, replacing original agreements with this one restated agreement. [6:37:57 PM](#) Horowitz, spreading impact of parking in lieu, across business district.

[6:39:01 PM](#) Mayor Burke was a part of the discussions on the URA board, want to honor the fact that people don't have a place to park on River Street.

[6:40:35 PM](#) Husbands asks how much, \$1.2 million for the property, 33 spaces. Will vehicles be charged to park here? Horowitz, thinking about \$100 per month to utilize this lot. Who will manage this? Horowitz, Data Ticket will be managing this through Kenny our community service officer, not sure about weekend enforcement. Thea, how to manage, first come, first served? Horowitz, confirms yes. The URA district sunsets in 9 years, property would become property of city once it sunsets, .33 acres. [6:44:19 PM](#) Martinez, this is a good idea, decent exchange.

[6:45:15 PM](#) Burke wants to make sure that it is not used as storage for boat, trailers, etc. spaces will be numbered and assigned.

[6:48:07 PM](#) Husbands comments on parking and development.

[6:49:27 PM](#) Stone, adds comments about housing versus parking. 28 in lieu spots that will come into our business district? Davis, that is correct, provision 1.c. hailey would need to approve the allocation of those spaces? City staff? Simms, would see that as LLUPA, either P&Z if entitlement or Council decision if new building. Don't know if this guarantees the distribution? Simms, city has to agree to that also. Stone, do we really have a leg to stand on to say no? Simms responds, this was staff idea. Stone likes the idea.

Public comments: [6:55:01 PM](#) there are none.

Council deliberation.

[6:55:39 PM](#) Martinez, benefit to city, parking near the downtown core, may shop in retail area close by. Stone asks Martinez to weigh in on his concerns about the distribution of in lieu parking spots. Martinez responds, feels parking is needed. Davis comments.

[7:00:38 PM](#) Simms, drafted a lease effective seasonally, Williams Trust, will have in front of you in next meeting.

Thea feels we can move forward with this now, does not see a down-side.

[7:02:21 PM](#) Husbands asks, who enforces the movie Theater parking lot? Horowitz, private property owner enforces parking there.

[7:04:42 PM](#) **Thea moves to approve Ord. no 1341, approving restated development agreement, Martinez seconds. Motion passed with roll call vote; Martinez, yes. Thea, yes. Stone, yes. Husbands, no.**

Motion to recess made by Martinez, Husbands seconds motion passed unanimously.

Mayor Burke departs meeting.

Reconvene meeting. [7:07:30 PM](#)

PH 306 Consideration of Ordinance No. _____, a City-Initiated Text Amendment amending Hailey's Municipal Code, Title 17: Zoning Regulations, 17.04: Establishment, Purposes and Uses within Zoning Districts, Article M: Townsite Overlay (TO) District, and Chapter 17.05: Official Zoning Map and District Use Matrix, to modify the lot coverage parameters for Public Administration and Government Offices, and Public Service, Public Use, and Public Use Facilities, as well as to refine the permitted and conditional provisions for these uses. ACTION ITEM

Thea, next PH item

[7:07:46 PM](#) Davis explains this item, looking for council's input. Inadvertently removed this adding it back, next public offices, change use to conditional or permitted, should align what is permitted and conditional, want to add it to this category. Last, modify lot coverage, public use 40% use, sliding scale only Townsite Overlay, old Hailey. Known 40% lot coverage for public buildings.

Martinez, sounds like a housekeeping item.

Public comments: [7:10:56 PM](#) there are none.

Stone, sounds like a clerical change. Thinks this is a good idea. Does council want to increase the percentage? [7:13:37 PM](#)

Husbands would not increase more than 40% at this time.

[7:14:05 PM](#) **Martinez moves to approve Ordinance No. 1342, read by title only, Husbands seconds. Motion passed with roll call vote; Husbands, yes/ Stone, yes. Thea, yes. Martinez, yes.**

[7:16:01 PM](#) **Thea conducts 1st Reading of Ordinance No. 1342, by title only.**

PH 307 Consideration of Ordinance No. _____, a City-Initiated Text Amendment amending Hailey's Municipal Code, Title 17: Zoning Regulations, Chapter 17.02: Definitions, Section 17.02.020: Meaning of Terms and Words to include the definition of registered design professional, as well as amendments to Chapter 17.06 Design Review, Section 17.06.050: Application; Item B.3., to require design plans to be stamped by an Idaho registered design professional rather than an Idaho licensed architect. ACTION ITEM

[7:17:28 PM](#) Davis gives an overview, this aligns our code with the State code. State code specifies when Architect or Engineer is required.

Public comments: [7:19:13 PM](#) there are none.

Husbands had some questions earlier, but got that clarified.

[7:20:00 PM](#) **Martinez moves to adopt Ordinance No. 1343 and authorize reading by title only, Husbands seconds. Motion passed with roll call vote; Martinez, yes. Husbands, yes. Stone, yes. Thea, yes.**

[7:21:17 PM](#) **Thea conducts 1st Reading of Ordinance No. 1343, by title only.**

STAFF REPORTS:

[7:22:37 PM](#) England speaks, looking at some potential employees for 2 open positions. Thea asked about community service officer, how is he working out? England, yes he is still learning, doing well.

Horowitz, we are cancelling second November and December meetings. [7:26:04 PM](#) Urban Land institute meeting in Boise, one presenter, called out our Tiny Home on Wheels, someone called Lisa to let her know about this complement.

[7:26:44 PM](#) **Martinez moves to adjourn, Husbands seconds, motion passed.**[7:27:03 PM](#)