



City Council

Regular Meeting

~ Minutes ~

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

Robin Crotty
208-726-3841

Monday, September 17, 2018

5:30 pm

Ketchum City Hall

Present: Mayor Neil Bradshaw
Council President Michael David
Councilor Jim Slanetz
Councilor Courtney Hamilton
Councilor Amanda Breen

Also Present: Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Matt Johnson
Director of Finance and Internal Services Grant Gager
Associate Planner Abby Rivin

1. CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Neil Bradshaw called the meeting to order at 5:30 p.m.

2. ROLL CALL

3. COMMUNICATIONS FROM THE PUBLIC on matters not on the agenda (Comments will be kept to 3 minutes)

Mayor Neil Bradshaw opened the meeting for public comment. There was none.

4. COMMUNICATIONS FROM MAYOR AND COUNCILORS

Mayor Neil Bradshaw pulled consent item (7a) Blaine County Housing Authority contract from the agenda advising that they would like more time to review the contract.

Councilor Jim Slanetz advised that he has heard the KIC sign is bothering neighbors. Mayor Neil Bradshaw advised that it is conforming, however, he will ask them to turn the sign off at midnight.

Council President Michael David attended the SVED presentation and it had a lot of good information. He pointed out how important housing is in the Valley and the future of Ketchum depends on it.

Councilor Courtney Hamilton attended the race consultant event and applauded the organization for bringing those conferences into our community. She also talked about all the grants that other cities get and would like Ketchum to pursue more grant opportunities for our community. Courtney Hamilton questioned the inconsistency in the contracts in today's packet. She would like to see a more uniform contract for next year.

Mayor Neil Bradshaw invited the public to the Joint meeting with Ketchum and Sun Valley City Councils at the Limelight tomorrow at 5:30 pm regarding public safety.

- 5. **CONSENT AGENDA: Note: (ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately.

Councilor Courtney Hamilton pulled items 5d and 5e.

- a. **Approval of Minutes: Regular Meeting September 4, 2018**
- b. **Authorization and approval of the payroll register**
- c. **Authorization and approval of the disbursement of funds from the City’s treasury for the payment of bills in the total sum of \$723,236.09 as presented by the Treasurer.**
- d. **Monthly Financial State of the City – Director of Finance and Internal Services Grant Gager**

Councilor Courtney Hamilton observed that that some departments will go over budget on certain line items by the end of this fiscal year and questioned how that is handled.

Director of Finance & Internal Services Grant Gager explained that the City budgets at the fund level. He explained why two departments have gone over and explained that other departments are under budget and how that will offset the overage.

Motion to approve consent item d

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

- e. **Recommendation to sign Engagement Letter with Workman & Company – Director of Finance and Internal Services Grant Gager**

Councilor Courtney Hamilton questioned if there is a reason we don't use local auditors? Director of Finance & Internal Services Grant Gager explained that the city does go out for a competitive RFP every 5 years. Currently the City has decided to keep this company for the institutional knowledge, however, In the future we will be going out for an RFP. Councilor Amanda Breen advised that institutional knowledge is not always a benefit.

Motion to approve consent item e.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Amanda Breen, Councilor
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

- f. **Recommendation to sign Agreement 20247 with Simplifile**

Motion to approve a,b,c,f on the consent calendar

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Amanda Breen, Councilor
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

6. PUBLIC HEARINGS AND DISCUSSIONS (Public comment and input taken on the following items)

a. ACTION: Recommendation to approve Encroachment Agreement 20246 for the Goose Island streambank stabilization

Mayor Neil Bradshaw opened the meeting for public comment.

Kerry York with Trout Unlimited talked about stream alteration permits tracking and what that is showing regarding the health of the Bigwood River. She talked about all they advocate for and are concerned about. She advised that with this application they were concerned about large woody debris. Kerry York appreciates the applicant and the staff and the changes in the application, however, would advocate for more woody structures in the bank stabilization if it is possible.

Ryan Santo with WRLT appreciates the opportunity to comment on these types of applications. He talked about the benefits of public comment and advised that the Big wood River is a valued resource in the valley.

Mayor Neil Bradshaw advised this has been an exhaustive process. It's an art as well as a science trying to balance the river and praised all that have been involved.

Councilor Courtney Hamilton questioned if this has anything to do with the way in which the property was built. Associate Planner Abby Rivin explained that it is the natural erosion. Courtney Hamilton questioned if they are stabilizing both sides and why. Abby Rivin explained that stabilizing both sides was specific to this particular site.

Councilor Jim Slanetz questioned the public access. Is it a 20-year flood plain. Mayor Neil Bradshaw explained that the river is public. The normal high-water mark becomes public land. Jim Slanetz questioned the setback for irrigation as well as the woody debris structures. Mayor Bradshaw explained that the woody structure adds to the stability and the riparian set back is 25 feet. Mayor Bradshaw talked about the ideal work and advised that there is some grand fathered situation in which we cannot touch.

Representative for the owner of the property Brian Morrison responded to the irrigation question saying it is temporary for the repair of the riparian. He is unsure how long plants will take for regrowth in the riparian but as soon as they take hold the irrigation will go away.

Motion to approve Encroachment Agreement #20246 for 1040 Hideaway Lane, also known as Goose Island.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

b. ACTION: First Reading of Ordinance 1191 to address long term rentals in the avalanche overlay zone

Mayor Neil Bradshaw opened the meeting for public comment

Janet Kellam, avalanche professional, has assisted the city in avalanche situations. The City has had a lot of close calls but have been very lucky. She talked about disasters that have occurred in other cities. Avalanches are real and are a great concern. She is not in support of short-term rentals in the avalanche zone and has suggestions for the long-term rentals. It all has to do with education and information and is happy to help.

Mayor Neil Bradshaw voiced his concerns about housing in the avalanche zone for short term rentals but also understands we have a housing shortage.

Councilor Amanda Breen asked Attorney Matt Johnson how other cities in Idaho have handled these types of issues in the avalanche zone. Matt Johnson advised that McCall has adopted short term regulations. Amanda Breen advised that we need to make sure that short term rentals are different from long term rentals. There was further discussion on the education of short-term rentals.

Councilor Courtney Hamilton asked if we should add in terminology regarding the dangers of living in an avalanche zone. Associate Planner Abby Rivin talked about the current zone and the requirements. Summer rentals as opposed the winter rentals was discussed.

Council President Michael David asked if more explanation and direction to staff is needed. Attorney Matt Johnson will work with Director of Planning & Building John Gaeddert and his staff to incorporate the comments.

Janet Kellam said that Ketchum is the only community that identifies in the red and blue areas. Every other community does not allow buildings in the red zone. If an avalanche occurs in those areas in other communities, they are eligible for a FEMA buy out.

Motion for first reading of Ordinance #1191 of the Ketchum Municipal Code as set forth herein.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David
SECONDER:	Amanda Breen
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

Councilor Amanda Breen read the title aloud.

c. ACTION: Recommendation to authorize reimbursement for cost of public infrastructure improvements for the Argyros Theater

Mayor Neil Bradshaw praised the Argyros Theater and talked about all they have spent on public infrastructure. He is asking council for approval of reimbursing them for some of the public infrastructure improvements.

Mayor Neil Bradshaw asked for public comment. There was none.

Mayor Neil Bradshaw talked about all the improvements and asked Council for their input. Councilor Jim Slanetz advised he is for this however, he is afraid of setting a precedent. Mayor Bradshaw advised that this is all going to infrastructure and not going back to the nonprofit.

Councilor Courtney Hamilton advised that she thinks the KURA should fund this. Councilor Jim Slanetz advised that as a nonprofit they do not create a tax reimbursement and that is how the KURA is funded. It was clarified that the only funds we get from the theater are coming from the LOT, not property tax. Legally the KURA could contribute, however, it is a policy of the KURA not to contribute to something that does not get an incremental tax base reimbursement. Courtney Hamilton asked where the funding

will come from in the 2019 budget. City Administrator Suzanne Frick explained the funding distribution. There was a discussion regarding sidewalk construction in general for next year.

Motion to authorize preparation of a reimbursement agreement between the City and Argyros Theater for an amount of \$182,000.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

d. ACTION: Recommendation to approve Agreements 20077 and 20078 with Airbnb for LOT collection

Mayor Neil Bradshaw opened the meeting for public comment. There was none.

Mayor Neil Bradshaw advised that we cannot disclose the amount of back tax payment. He is pleased that we have made headway with the collection. Councilor Jim Slanetz is pleased that we have a starting number and it brings people into compliance. Councilor Amanda Breen agrees and is appreciative of the efforts brought forward. Director of Finance & Internal Services Grant Gager advised that we are not aware of any other marketplaces operating out of compliance at this time. Councilor Courtney Hamilton questioned if these funds can be put towards housing. Grant Gager advised that it cannot at this time. Grant Gager clarified that the new law went into effect on January 1, 2018 and those are the funds we are collecting, and the money is budgeted.

Motion to approve Contracts 20077 and 20078 with Airbnb, Inc. and authorize the Mayor to sign the agreements.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amanda Breen, Councilor
SECONDER:	Jim Slanetz, Councilor
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

7. STAFF AND COUNCIL COMMUNICATIONS (council deliberation, public comment not taken)

a. ACTION: Recommendation to approve Contract 20248 with Blaine County Housing Authority

7a has been moved to the next agenda.

Mayor Neil Bradshaw wanted to address standardizing contracts. He recommends that if we are not getting the reporting we want from these organizations then we should change it for next year. Mayor Bradshaw is open to ways in which we could do this better and is sure the organizations are as well. He would like to move forward with the contracts for this year. Councilor Courtney Hamilton agrees but currently she thinks there are some organizations that have more stringent requirements than others. She does not think that is fair. Council President Michael David agrees that more consistency would be beneficial.

b. ACTION: Recommendation to approve Contract 20249 with Sun Valley Economic Development (SVED)

Councilor Amanda Breen is recused.

Mayor Neil Bradshaw asked for thoughts, comments or a motion. Councilor Jim Slanetz advised that SVED also has a contract for services from the KURA.

Councilor Courtney Hamilton asked about quarterly reporting. City Administrator Suzanne Frick explained that there will be periodic check-ins with SVED and his reporting will be sent in electronically.

Motion to authorize the Mayor to sign Contract #20249 with Sun Valley Economic Development.

RESULT:	ADOPTED [3 TO 0]
MOVER:	Michael David, Council President
SECONDER:	Courtney Hamilton, Councilor
AYES:	Michael David, Jim Slanetz, Courtney Hamilton
RECUSED:	Amanda Breen

c. ACTION: Recommendation to approve Contract 20250 with Sun Valley Marketing (Visit Sun Valley)

Mayor Neil Bradshaw advised that Executive Director Scott Fortner present for questions. The ask is for \$440,000, same as last year. They also get 1% for Air funds from that LOT.

Councilor Courtney Hamilton questioned the proposed marketing campaign for the next season. She has not seen one in the past. Executive Director Scott Fortner advised that there are 2 community presentations and he has presented in the past to the council. The requirements in the contract may need to come out. How to communicate going forward was discussed.

City Administrator Suzanne Frick suggested modifying the last bullet to say present to the community rather than the council

Motion to authorize the Mayor to sign Contract #20250 with the Sun Valley Marketing Alliance with an update to the final bullet on attachment A as discussed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Amanda Breen, Councilor
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

d. ACTION: Recommendation to approve Contract 20251 with Ketchum Community Development Corporation (KCDC)

Mayor Neil Bradshaw talked about the success and his support of the KIC and the next generation. He explained the outline of this contract and asked council for questions. Councilor Amanda Breen is pleased with the language in the contract and feels she will now get what she needs to be able to approve the value of the contract. Councilor Jim Slanetz questioned their involvement in Community Housing and how we will be paying them. Mayor Bradshaw advised that those funds will come from the In-Lieu housing funds. City Administrator Suzanne Frick advised that this may come back to council if the Northwood Housing Development is approved. Councilor Courtney Hamilton questioned the payment terms. Attorney Matt Johnson advised that they get paid when they bill us. Courtney Hamilton also questioned the Sustainability Committee scope of work and if they only manage the contract. Mayor Bradshaw advised that these funds are for this scope, but he is not opposed to the scope changing and the funding being increased. Councilor Courtney Hamilton does not see any reporting requirement for the KSAC. City Administrator Suzanne Frick explained the invoicing procedure.

Motion to authorize the mayor to sign Contract #20251 with the Ketchum Community Development Corporation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

e. ACTION: Recommendation to approve Contract 20252 with Mountain Rides Transit Authority

Council President Michael David is recused.

Councilor Amanda Breen questioned the Scope of Work / Measurements and typos to be corrected. Councilor Courtney Hamilton also pointed out a typo on page 2 February 20, 2018 and should be 2019. Courtney Hamilton talked about all the increased deliverables. Mayor Neil Bradshaw explained that these deliverables are Valley wide. The Mayor would like to see in the future, regular increases be capped at 3%. The only way to go above that cap would be to add additional services.

Councilor Courtney Hamilton talked about possible future transportation costs and the need to contribute more in the future. The council had a discussion regarding collecting tax from online sales.

Motion to authorize the Mayor to sign Contract #20252 with the Mountain Rides Transportation Authority.

RESULT:	ADOPTED [3 TO 0]
MOVER:	Amanda Breen, Councilor
SECONDER:	Courtney Hamilton, Councilor
AYES:	Jim Slanetz, Amanda Breen, Courtney Hamilton
RECUSED:	Michael David

f. ACTION: Recommendation to approve Contract 20253 with Frederick Allington

Councilor Amanda Breen is recused.

Councilor Jim Slanetz questioned the need of this contract. There was a discussion regarding going out for bid. Attorney Rick Allington does the prosecuting for the county. City Administrator Suzanne Frick advised that there is a revenue stream associated with this expense and also noted that there is a 6-month clause on this contract due to the possibility of the combining of the public safety departments.

Motion to authorize the Mayor to sign Contract #20253 with Frederick Allington.

RESULT:	ADOPTED [3 TO 0]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Courtney Hamilton
RECUSED:	Amanda Breen

8. EXECUTIVE SESSION

- a. Discussion pursuant to 74-206 (1) (d)
- b. Discussion pursuant to 74-206 (1) (f)
- c. Discussion pursuant to 74-206 (1) (j)

Motion to go into executive session at 7:02 pm

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jim Slanetz, Councilor
SECONDER: Amanda Breen, Councilor
AYES: Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

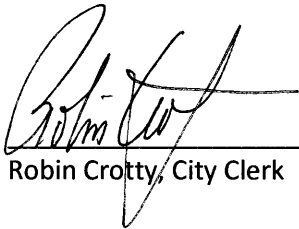
Motion to come out of executive session at 7:29 pm

RESULT: ADOPTED [UNANIMOUS]
MOVER: Courtney Hamilton, Councilor
SECONDER: Jim Slanetz, Councilor
AYES: Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton

9. **ADJOURNMENT**

Motion to adjourn at 7:30 pm

RESULT: ADOPTED [UNANIMOUS]
MOVER: Courtney Hamilton, Councilor
SECONDER: Jim Slanetz, Councilor
AYES: Michael David, Jim Slanetz, Amanda Breen, Courtney Hamilton



Robin Crotty, City Clerk

Neil Bradshaw, Mayor