



City Council

Regular Meeting

~ Minutes ~

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

Robin Crotty
208-726-3841

Monday, June 4, 2018

5:30 PM

Ketchum City Hall

Present: Mayor Neil Bradshaw
Council President Michael David
Councilor Jim Slanetz – present by phone
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
Director of Planning & Building John Gaeddert

1. CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Neil Bradshaw called the meeting to order at 5:40 pm

2. ROLL CALL

3. COMMUNICATIONS FROM MAYOR AND COUNCILORS

Councilor Amanda Breen thanked Police Chief Dave Kassner for the bike safety program.

Councilor Courtney Hamilton talked about the success of the Fair on the Square.

Mayor Neil Bradshaw advised council that an alternate route for the bike criterion has been found and all parties are pleased. He pointed out the new art "For the Love of Dogs" now hanging in the council chambers. Mayor Bradshaw talked about the success of the Fair on the Square and advised the boards will be on display in City Hall on Tuesday 6/5/18.

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

Jack Rutherford gave his support of the Ketchum Innovation Center and all the programs they have to offer.

Cornwell Galpin, Associate of Christina's Restaurant is speaking on behalf of Christina and safety regarding the use of the alley. He talked about what Christina does for the community and is asking the city to cut her some slack regarding parking. He referred to Christina as being harassed over the use of the alley.

Gary Lipton commented on the parking saying , there is a parking lot 3 blocks away that could be used.

Public comment closed.

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.

Mayor Neil Bradshaw asked for approval of the consent agenda. Councilors asked to pull items a,c,d,e.

- b. **Authorization and approval of the payroll register**
- f. **Authorization to enter into Contract #20198 with the Environmental Resource Center to promote, organize, manage and coordinate materials recycling at city**
- g. **Amendment to Sun Valley Performing Arts Center (Argyros Theater) Right-of-Way Agreement #20195**

Motion to approve consent items b,f,g

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

- a. **Approval of Minutes: Regular Meeting May 21, 2018**

Councilor Amanda Breen made a correction to page 3-6g. She was recused on that vote. Councilor Courtney Hamilton corrected wording under the fire station discussion to say fire station, not training station.

Motion to approve 6a with changes noted.

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

- c. **Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$279,978.39 as presented by the Treasurer.**

Councilor Jim Slanetz questioned the payment to the Blaine County Treasurer. Director of Finance & Internal Services Grant Gager explained saying the payment is for property taxes for the 491 Sun Valley Rd. building.

Motion to approve consent item 5c

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

- d. **Recommendation to approve renewals of Beer & Wine & Liquor Licenses**

Courtney Hamilton questioned the Sawtooth Club's application. Director of Finance & Internal Services Grant Gager explained that the vending of wine is included with the state liquor license.

Motion to approve consent agenda item d.

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

- e. **Authorization to enter into Contract #20197 with Will Caldwell Productions to produce the Ketchum Summer Concert Series; Ketch'em Alive and Jazz in the Park.**

Motion to approve consent item 5e

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
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 Resolution 18-016 Naming of the Recreation Building at Atkinson Park the Terry Tracy Recreation Center**

Mayor Neil Bradshaw talked about Terry Tracy and her service to the City and all that she accomplished.

Ed Simon talked about the time he served with Terry Tracy and praised her for her accomplishments. He thanked Mayor and Council for the dedication.

Jan Wiegel talked about Terry Tracy's legacy and about what she would like to display at the park in honor of Terry Tracy.

Councilor's all agreed with the public comment and are pleased with this dedication. Councilor Courtney Hamilton advised that she was a little kid when Terry Tracy was running the park and remembers her from a little kid perspective. Mayor Neil Bradshaw talked about his appreciation of Terry Tracy and her appreciation of children and our community. Council President Michael David talked about her participation as a council person and all she accomplished.

Motion to adopt Resolution 18-016 designating the Terry Tracy Recreation Center at Atkinson Park.

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

- b. **Presentation by the Blaine County Bike and Pedestrian Working Group on E-Bikes**

Mayor Neil Bradshaw opened the meeting for public comment.

Dana Christiansen voiced support of e-bikes on the bike path as well as her support of the way in which this is being handled in the county.

Jim Keating, Blaine County Recreation District, representing the e-bike subcommittee advised that he is here to address questions of council. He is asking Ketchum to work with the committee to form consistencies throughout the county.

Councilor Courtney Hamilton questioned why the chart in the packet is measuring e-bike sales from the EU. Jim Keating explained the EU was the first driver of e-bikes and is using this just as a predictor. Courtney Hamilton asked about a handicapped person using the trail on a handicapped scooter. Jim Keating explained that currently it is up to the jurisdiction the bike path is located in and is up to interpretation. Courtney Hamilton asked if any negative comments were submitted regarding e-bikes. Council President Michael David explained that there was no written negative comment, however, there were some spoken negative comments to do with safety.

Mayor Neil Bradshaw voiced his support of e-bikes. He complimented the Blaine County Recreation District for their role and asked Council for their support. Councilor's Amanda Breen and Jim Slanetz talked about their support of the program and about the education of the different classes.

c. ACTION: Trail Creek Fund, LLC Proposed Development Agreement Amendment #20196

Mayor Neil Bradshaw talked about establishing an end game and about the hole in the ground. Everyone wants to see this project completed and he would like to find a solution.

Mayor Neil Bradshaw opened the meeting for public comment.

Ed Simon distributed a handout to the council. He complimented staff for their report but advised that it is too late. He talked about the 5th amended agreement and extension. He gave the history of previous projects and why time limits were put in place and the benefits of time limits. Ed Simon went over the timeline and how this agreement will affect the neighbors and gave the history of the last 10 years.

Robert Adolph advised that he is one of the 20 properties, plus condominium owners who are affected by this project. He talked about the written comments that have been submitted and the conversations he has had with Director of Planning & Building John Gaeddert. He talked about finality for the neighbors and about the planning staff's approach and advised that he agrees with those goals. He urges council to encourage proof of financing be in the same form from an accredited institution. Mr. Adolph voiced concern about the deed of trust.

Robert DeGennero understands the fatigue over this project. He pointed out if Jack Bariteau fails and somebody else develops the property, he is concerned what the end result would look like.

Tom Benson applauds council for the new agreement, however, questions the 16-month time frame. He talked about the difficulty of financing this project and the last agreement that was entered into.

Bob Crosby, Sun Valley Board of Realtors is a long supporter of projects that benefit the community and urged council to support this project.

Jeff Bower, 601 Bench St., Boise on behalf of Miss Gregory, talked about his written public comment and the disturbance at Miss Gregory's property and how it affects her. He proposed two additional conditions of approval that are currently not in the proposed extension. The first one being, 25' of riparian area and a conservation easement. The second condition should restrict all uses on the project site to only those uses in support of the hotel project. Council should not allow this area to be a staging area for other projects.

Mayor Neil Bradshaw talked about why he is supporting this extension. Without it we have no end game. If we don't do something it will sit as a hole. He talked about the public benefit of burying the electricity line and advised that we are getting a public good of \$700,000. Mayor Neil Bradshaw explained the bond in place that will deal with the restoration of the site.

Council President Michael David talked about where those points hit in the timeline. Councilor Amanda Breen questioned how September of 2019 was chosen. Director of Planning & Building John Gaeddert explained the date was asked for by the applicant and there are 3 or 4 dates that are possible trigger

points. The dates were discussed in detail. Councilor Courtney Hamilton asked if all people who requested noticing were noticed. Mayor Neil Bradshaw advised that all parties have been noticed. Councilor Amanda Breen questioned the Gregory property and the conservation easement. John Gaeddert advised that to fully do the easement, the property would need to be acquired.

Councilor Courtney Hamilton talked about beautifying the construction area. Mayor Neil Bradshaw advised that the applicant will improve the visuals of the site however, it is not a condition of approval in the application. Mayor Bradshaw also does not want to make the riparian part of the agreement. He is trying to keep things simple and straight forward

Councilor Amanda Breen asked for an explanation of the tightening of the forced majeure language. Attorney Matt Johnson advised that the primary driver was the previous circumstance that arose with this applicant where there was a forced majeure claim based on economic conditions. Matt Johnson explained that forced majeure should be based on a true act of God Emergency type of circumstance.

Councilor Courtney Hamilton asked if we are setting a precedent that other future developers could use to set us up for liability. Attorney Matt Johnson advised that development agreements are on a case by case basis. There is no legal precedent from the political side. Mayor Neil Bradshaw advised that this council will all be here next year and the reason this got a little more complicated was because there is a new Mayor and 2 new Council members. Council President Michael David spoke as one of the councilors that approved the last agreement. He explained if they stick with the last decision, then the city will be stuck with a hole in the ground. He voiced his support of this proposal.

Councilor Amanda Breen respects the last council's decision. She advised that when she first read about the extension she had hesitation, however, with the clear dates the city has rights. She is pleased with the bond being posted and the power lines are an important public benefit. She talked about the KURA's involvement, and explained, until the project is completed, the KURA is not on the line for any kind of payment. She advised that if this isn't approved we will have a large hole in the ground for a long time.

Councilor Jim Slanetz confirmed that he agrees with Councilor's Breen and David's comments. He also agrees that this area should not be allowed to be used as a staging area for other construction projects and he would like that added to this agreement. He voiced his support of the agreement.

Councilor Courtney Hamilton is in general agreement because without approval we could be looking at this hole for a long time. She talked about the benefits of the bond and the power lines and is looking for finality.

Councilor Amanda Breen respects the neighbor's standpoint and would like to make this impact less for the them. She agrees that the area cannot be used for staging for other projects.

Mayor Bradshaw talked about the difficulty of this project. He advised that he understands, is aware and supports the comment of the riparian and the concerns regarding a staging area however, he does not want those conditions included in this agreement.

Motion to authorize Mayor Bradshaw to sign a Fifth Development Agreement Amendment (referenced as First Amendment to Amended and Restated Development Agreement) between the City of Ketchum and Trail Creek Fund, LLC as generally set forth in Attachment D upon the review and final approval of the City Attorney.

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

d. ACTION: First Reading of Ordinance 1184 - Short Term Rental Amendment

Mayor Neil Bradshaw called for a break.

Mayor Neil Bradshaw called the meeting back to order at 6:45 p.m.

Mayor Neil Bradshaw asked for public comment there was none.

Councilor Courtney Hamilton questioned the Light Industrial Area. Director of Planning & Building John Gaeddert talked about references of Short Term Occupancy and about the need for a policy discussion.

Mayor Neil Bradshaw advised that the City is trying to get in line with the State Code. He talked about managing short term rentals and would like to bring us in line with the rest of Idaho. Council President Michael David talked about other community's limiting short-term rentals due to health & safety issues. Councilor Courtney Hamilton questioned why the Fire Dept clearance language was stricken. Director of Planning & Building John Gaeddert explained that it was a redundant line that was addressed elsewhere in the code

Councilor Amanda Breen will continue to work with our local representatives.

Motion to proceed with the 1st reading of Ordinance 1184 and to read by title only.

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

Attorney Matt Johnson read the title out loud.

e. Council discussion and questions related to the following funding requests:

- i. Ketchum Arts Commission
- ii. Visit Sun Valley
- iii. Mountain Rides
- iv. Blaine County Housing Authority
- v. Ketchum Community Development Corporation
- vi. Sun Valley Economic Development
- vii. Men's Second Chance Living

Mayor Neil Bradshaw opened the meeting for public comment.

Gabe Cherian resident of Sun Valley talked about his past involvement in the community and the different commissions he has been involved with. He talked about his personal accomplishments and when he met Kathryn Guylay. Mr. Cherian voiced his support of KIC and asked council to prime the bubble.

Narda Pitkethly talked about the 70 free workshops that have been put on by KIC and all that she has gotten from them. She is now employing 2 local people and will hopefully be able to employ more. She thanked KIC for their support.

Emmi Buck, an entrepreneur talked about the value of KIC and expressed that if we lost these programs this would be a huge detriment to the community. They provide a sense of community and she is in support.

Gary Lipton advised that he resigned his position on the KIC board due to health reasons. He suggested that council ask for a bank statement and get more information. Gary Lipton talked about the KURA's contribution to KCDC that filters down to KIC and suggested more research be done.

Brian Shay, resident, backs up Gary Lipton's comments. He understood that KIC does not want to be a landlord but is now understanding that a similar platform is in place. He thinks this needs to be looked at.

Courtney Gilbert, Chair of the Ketchum Arts Commission advised that the Arts Commission is an all-volunteer board and talked about what they are asking for and asked Council for questions.

Dave Maderas, resident, runs a company called Air Proxima, advised he is a supporter of KIC and talked about the importance of the programming and networking. He feels KIC is a great investment in Ketchum's future.

Jane Riley works in Ketchum and has attended the workshops and believes they are invaluable. She voiced concern about a public statement that KIC made stating not wanting to be in the real estate business because the private sector is filling that niche. She questions the additional requested funds.

Wally Morgus, Executive Director of Mountain Rides advised that the Joint Powers agreement makes the City and Mountain Rides one in the same. He talked about all that Mountain Rides contributes to the community and what they have to offer including the Ketchum circulator and handicapped accessibility.

Kathryn Guylay Executive Director of KIC talked about all the letters of support and read a statement a loud. She talked about the funding there was years ago as opposed to now and advised that they are receiving much less now than in the past. She stated that the continued lack of support is unsustainable.

Olin Glenne, resident/business owner and Chair for Visit Sun Valley advised that as a business owner this is an important element of our community and he asked for the council's support.

Public comment closed.

Mayor Neil Bradshaw addressed each organization individually.

Arts Commission

Councilor Courtney Hamilton asked what the previous ask was. Courtney Gilbert advised it was for \$43,000 but was awarded \$32,000. Courtney Gilbert talked about projects on the horizon. Mayor Neil Bradshaw talked about reducing the amount awarded and having the commission come back to council on a case by case basis. He would like a better handle on what projects are being funded. Courtney Gilbert talked about donations received and the hydrant project was explained.

Visit Sun Valley

Mayor Neil Bradshaw thanked Scott Fortner and advised that this is a great organization, but we still have to balance the importance. Councilor Amanda Breen complimented the data tracking they are doing. She believes were getting a good return on investment. Council President Michael David talked about tourism being the main driver of the economy. He advised that we are not on level playing field as other areas. He suggested to keep doing what they are doing for the community, but we need to figure out how to split up the pie differently. Councilor Courtney Hamilton talked about targeting the younger

audience. Our return visitors seem to be older. She asked if they are working on driving that force. Scott Fortner talked about who they are working with to help drive business. Courtney Hamilton asked if they work with the City on knowing what events are going on. Mayor Neil Bradshaw advised that Visit Sun Valley has all major calendars for all of Blaine County not just Ketchum. Courtney Hamilton complimented the publication of slack specials. Council President Michael David asked about the dynamic that we have direct flights from and how that relates to marketing to the whole world. He referenced cities that don't have direct flights. Scott Fortner talked about the data they use (cyber graphics) and how they align and how they use that data with future markets. There was a discussion on how they collect the data and advised that all that data is only held for 30 days. Councilor Jim Slanetz talked about the regional market. He talked about not only having people attend events, but how we should try to keep the people in the valley to use all the restaurants and stores etc. Mayor Bradshaw talked about collaboration and finding the right balance.

Mountain Rides

Council President Michael David advised he is an employee of Mountain Rides and has recused himself from this discussion.

Councilor Amanda Breen asked what they are doing to get more funding from Hailey. Executive Director Wally Morgus advised that he has asked but has yet to meet with the powers to be. Mayor Neil Bradshaw pointed out that the largest supporter is being asked for the most money. He suggested that a straight dollar amount be asked for rather than a percentage. Councilor Courtney Hamilton asked if the Sun Valley Company contributes and Wally Morgus confirmed that they do.

Blaine County Housing Authority

No questions from the council

KCDC

Councilor Amanda Breen questioned the \$40,000 for the tax credit application and how this will not be used until next year's budget. Charles Friedman, Chair of the KDCD advised that they use their own funds this year and the ask will refund what they spend. There was a discussion on how the application works. Councilor Amanda Breen advised that council should think about this because the City is already contributing the land, why should they also contribute \$40,000? Mayor Bradshaw explained the formula for funding and advised that this funding could come from in-Lieu housing to support the tax credit applications. What the \$40,000 would be spent on was discussed. Council President Michael David sees KCDC as the development arm of the city so that the city itself is not in the development business. Mayor Neil Bradshaw advised it's all an open book and regulated. The Mayor is very supportive and is excited to see how this application progresses. The timing of when this will come out of the budget was discussed. Mayor Bradshaw talked about working with ARCH or any other organization and outlined the benefits of working with the KCDC. Councilor Jim Slanetz asked if the KCDC receives funds from the Northwood project on an ongoing basis and if so where do those funds go? Mayor Bradshaw clarified that they do receive funds and they have been distributed to the Ketchum Innovation Center and the KCDC but the distribution of funds is being revisited.

Mayor Neil Bradshaw asked to move onto KIC related discussions. The Mayor would like to invest in the future and would like to see the City support this mission. It's about the next generation for housing and businesses and creating diversity. Council President Michael David talked about the comments regarding the landlord business aspect.

Executive Director Kathryn Guylay advised that they are in the membership model, they are not landlords any longer. This is a community resource center. They do not see themselves as competing with anyone else in town. Councilor Amanda Breen clarified that somebody could rent a desk. Kathryn Guylay advised that they should think of KIC as a Community amenity and advised that the rate

structure is being looked at. Mayor Neil Bradshaw clarified that when we give funding we give it for programming. How the entities manage their business outside of that is up to them. The Mayor talked about the public comments that have been heard and what we are getting from the programming. Council President Michael David voiced his support and talked about the accomplishments of KCDC and KIC. Councilor Courtney Hamilton said the community aspect is key. Kathryn Guylay talked about the vote of confidence from the community and said what KIC is providing is essential. Mayor Bradshaw talked about other sources of funding outside the City and KIC's new location.

SVED

Councilor Amanda Breen recused herself from this discussion.

Mayor Neil Bradshaw thanked Executive Director Harry Griffith for all he does for the collection of data and assisting with economic value to our community. He is appreciative of everything he brings to the community. Councilor Courtney Hamilton talked about KIC, SVED and Visit Sun Valley and their rolls in economic development. She would like all these organization to represent a united front in Ketchum. Developing a website to bring them all together is one idea. Mayor Neil Bradshaw advised that the Chamber is also part of that group. Council President Michael David fully supports collaboration.

Men's Second Chance Living

Mayor Neil Bradshaw is in support, however, if they find a location in Hailey, we cannot support them. This may be problematic in funding, but more research will need to be looked at. Council President Michael David advised that our community needs this, however, he feels conflicted, we just don't have enough pieces of the pie to divide out.

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

a. ACTION: Recommendation to approve updated City Purchasing Procedures

Director of Finance & Internal Services Grant Gager advised he is looking for a motion to approve the City of Ketchum's Purchasing Procedures to align with the state. Councilor Courtney Hamilton asked for clarification on the three-bid process. Grant Gager explained the process and how the city has been handling the bid process up to this point.

Motion to update city purchasing procedures.

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

b. Direction to staff on sidewalk repair priorities for construction this year

Councilor Amanda Breen talked about the need for sidewalk repair. Council President Michael David said this is a big issue for him. He noticed the higher priority things were curbs that were in horrible shape. He talked about there being no ADA access on these sidewalks. Mayor Bradshaw agreed ADA is very important and said if we were going to prioritize we should go with walking safety over visibility. Specific sidewalks were discussed. City Administrator Suzanne Frick advised that the list was put together by the Street Dept. She advised that if we don't attack this sooner rather than later it will cost more to fix later. Mayor Bradshaw was pleased that we have focused on the downtown area. Councilor Courtney Hamilton asked about the areas that need sidewalks in general and questioned focusing on that rather than curbs. Councilor Jim Slanetz advised that the KURA is looking at that as well. Mayor Neil Bradshaw talked about using the transportation study that has been done in the past to assist with the decisions.

c. ACTION: Recommendation to Approve Professional Services Agreement 20180 with C&R Electric for the Ketchum Street and Facilities Department LED Upgrades

City Administrator Suzanne Frick recommended approval of Professional Services Agreement 20180 for the LED upgrades. Councilor Courtney Hamilton questioned what led to this project. Suzanne Frick advised this came out of the Ketchum Energy advisory committee.

Motion to enter into contract 20180 with C&R Electric in the amount of \$11,984 with a city held contingency of \$3,016 for a project approval of \$15,000

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

8. EXECUTIVE SESSION

a. Discussion pursuant to 74-206 1(j)

Motion to go into executive session pursuant to 74-206 1(j) at 8:20 p.m.

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

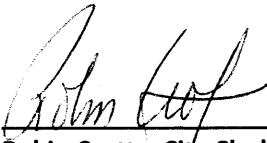
Motion to come out of Executive Session at 8:32 p.m.

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

10. ADJOURNMENT

Motion to adjourn at 8.33 p.m.

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



Robin Crotty, City Clerk



Neil Bradshaw, Mayor