



City Council

Regular Meeting

~ Minutes ~

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

Robin Crotty
208-726-3841

Monday, December 4, 2017

12:00 AM

Ketchum City Hall

Present: Mayor Nina Jonas
Council President Jim Slanetz
Councilor Baird Gourlay
Councilor Michael David

Absent: Councilor Anne Corrock

Also Present: Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Mathew Johnson
Director, Finance & Internal Services Grant Gager
Water Superintendent Mick Mummert
Director of Parks & Recreation Jen Smith

1. CALL TO ORDER: By Mayor Jonas

Mayor Nina Jonas called the meeting to order at 5:30 pm. She advised the public that Councilor Anne Corrock is not present due to an illness in the family. Mayor Jonas also sent her condolences to the family of Terry Tracy, a retired employee who passed.

2. ROLL CALL

3. APPROVE COUNCIL MEETING AGENDA POSTING: RECEIVE AND APPROVE THE REPORT OF THE CITY CLERK OF THE POSTING OF THIS MEETING'S AGENDA NOTICE.

4. COMMUNICATIONS FROM MAYOR AND COUNCILORS

Councilor Baird Gourlay sent his condolences and said that Terry Tracy will be missed.

Holiday Tree Lighting is on Wednesday at 4:30 p.m. in Town Square

5. COMMUNICATIONS FROM THE PUBLIC

Jima Rice advised that she has concerns about 3 contracts on today's agenda. She would like to see more information from these organizations online so that the public could have input and asked for a delay in the approval of the contracts. Jimma Rice would like to see the budgets for fiscal year 17 and 18 as well as the performance objectives for the KCDC, SV Marketing Alliance, SVED. She would also like to know more information on SVED and the \$10,000 contribution and had questions in regard to the KCDC contract.

Gary Hoffman, Ketchum Resident, urged outgoing officials to wind up old business and talked about campaign funding and the Idaho Legislature. He gave suggestions to the council about supporting currently proposed legislation and sending a letter of support. He talked about dangerous intersections on 10th and Warm Springs as well as Lewis and Warm Springs. He gave a visual of the intersections and talked about traffic flow and the placement of a stop sign.

Karen Dickens, owner of Primavera Plants and flowers. talked about an email she sent regarding parking charges and suggested validating parking. She urged council to withdraw their previous direction and advised that she is speaking for 10 other merchants.

Gary Hoffman is in support of paid parking in the core and gave rate comparisons to other cities.

Mayor Nina Jonas advised that 4 years ago they decided not to support the campaign funding.

Director of Finance and Internal Services Grant Gager talked about the current parking equipment and the capabilities it has. He talked about the research that has been done and what has been recommended by other cities. Grant Gager advised that the equipment the city has can meet the needs of our community.

Council President Jim Slanetz said he is hearing that the paid parking is problematic at this time and agrees this needs to be reviewed. This will be on a future agenda with the Mayor Elect Bradshaw. Councilor Baird Gourlay advised that this has been being worked on for a long time. He said they knew this would be an issue and he thanked the public for coming forward with suggested solutions and urged the public to continue to do so. He advised that giving free parking to employees would not help the situation. Councilor Michael David advised that parking is not an issue in December, but it will be in high season. He agreed that we need to come up with a managed parking plan and he looks forward to this discussion.

6. CONSENT AGENDA: Note: 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.

- a. Approval of Minutes: Regular Meeting November 20, 2017
- b. Authorization and approval of the disbursement of funds from the City’s treasury for the payment of bills in the total sum of \$271, 081.32, as presented by the Treasurer.
- c. Authorization and approval of the payroll register
- d. Recommendation to approve Resolution 17-013 2018 Ketchum City Council Meeting Dates
- e. Recommendation to renew contract with Western Building Maintenance for cleaning services – Director of Finance & Internal Services Grant Gager

Mayor Nina Jonas asked for approval of the consent agenda

Motion to approve items 6b - 6e.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

Motion to approve minutes from November.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Councilor
SECONDER:	Jim Slanetz, Council President
ABSTAIN:	Baird Gourlay, Councilor
AYES:	Michael David, Jim Slanetz
ABSENT:	Anne Corrock

7. DISCUSSIONS (Managed deliberation amongst council, staff and public)

a. Recommendation to accept the Audited FY 16-17 Financial Statements – Auditor Dennis Brown

Auditor Dennis Brown, CPA presented and issued a clean opinion and advised that the audit was seamless, and they had no problems accessing any records. He talked about the increase in revenue and reduction in expenses as well as the individual funds and the status of each. He advised it is all very positive.

Council President Jim Slanetz questioned the transportation fund as well as the Water Revenue Bonds. Auditor Dennis brown clarified. Director of Finance and Internal Services Grant Gager thanked Dennis Brown and his staff for his time.

Motion to accept the Audited FY16-17 Financial Statements.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Councilor
SECONDER:	Jim Slanetz, Council President
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

b. Update on Galena Lofts City Participation—City Attorney Matthew Johnson

Attorney Matthew Johnson followed up on Galena Lofts presentation from the last Council meeting. He explained affordable housing in Idaho and what Galena Loft is asking for and the use of FAR fees. He talked about constitutional law and recommended this be a 3-way agreement with Galena lofts, the Housing Authority and the City of Ketchum. Mathew Johnson advised that we could move forward but will want to tread carefully. The next step would be to bring the Housing Authority into the conversation.

Councilor Michael David talked about previous cases and questioned if the City could give money to BCHA and they could manage as they see fit. Attorney Matthew Johnson advised that it is possible and gave a scenario as to how the city would be involved. Mayor Nina Jonas thinks it is better for the city to own the asset. Councilor President Jim Slanetz agrees with Mayor Jonas. Councilor Michael David talked about in-lieu funds and about creating the housing in Ketchum. Who owns the housing is not important to him. Councilor Baird Gourlay agrees with Michael David. He said it would need to be decided if it's rental or ownership property. Deed restricted property was discussed.

Mayor Nina Jonas asked for comments from the public.

Jima Rice supported Ketchum owning the asset.

Attorney Mathew Johnson will be meeting with Susan Scovell and Rebecca Bundy to advise them what he advised Council. Councilor Michael David referred to Resolution 900 and the parameters of the resolution. An evaluation process will need to be put together before Susan Scovell and Rebecca Bundy can move forward.

c. Recommendation to approve Contract #20138 with Banyan Technology.

Waste Water Superintendent Mick Mummert requested approval of contract #20138 with Banyan Technology for a SCADA system to automate the plant. The Expenses are shared with the Sun Valley Water Sewer District. This will be on the professional service line item. He talked about all that the contract would cover and is asking for approval of contract #20138.

Motion to authorize the City Administrator to approve Contract #20138, a Comprehensive Service Agreement with Banyan Technology, Inc. for \$9,527.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Slanetz, Council President
SECONDER:	Baird Gourlay, Councilor
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

d. Recommendation to approve Contract # 20114 for Police Services with Blaine County

City Administrator Suzanne Frick presented and advised that the proposed contract reflects changes that were asked for by the County. The one area that is still outstanding relates to the savings at the end of the fiscal year and what should be done with that savings. The contract before council does not reflect that one change and staff is asking for direction from Council.

Council President Jim Slanetz questioned the \$100,000 and what it is. Director of Finance and Internal Services Grant Gager explained that those funds are in reserve with the County and held there and has been explained by the county as an operational reserve. Currently the \$100,000 is not recognized in the proposed contract. Mayor Nina Jonas questioned what happens if there is a savings at the end of the contract. City Administrator Suzanne Frick explained that currently the funds are just held until a future time when the county wishes to release the funds back.

Commissioner Angenie McCleary advised that the \$100,000 is its own line item in the county budget and held there in the event it is needed. She talked about the county's budgeting process and advised that they do not account for every expense in the budgeting season. Mayor Nina Jonas questioned the county not fulfilling the staffing requirements and what happened to the funds that were allocated. Angenie McCleary explained that if that becomes an issue they would get it covered. Mayor Jonas asked if the city will be refunded for the shortage of an officer and CSO position this past year. Angenie McCleary stated that she stands by saying the service was provided.

Will Fruehling Chief Deputy addressed the CSO position in question. He talked about the city hiring their own CSO and that he is unaware of the shortage of an officer. Mayor Nina Jonas addressed the coverage and lack of service and talked about the insurance. Will Fruehling talked about the savings that have been returned. Mayor Jonas would like those refunds of savings reflected in the contract. Commissioner Angenie McCleary stated that the county does not want to include this language in the contract this year.

Councilor Michael David advised that we did get the service that was provided. Nina Jonas reiterated that she was informed that the city was short an officer. Michael David does not believe we need to have the refund in writing. Mayor Nina Jonas advised that if there is an overage we have to pay and that is in writing. Commissioner Angenie McCleary advised that she is concerned that we believe there is a

problem with the service. Mayor Jonas made the point that the County has to provide Police Services with or without a contract. Council President Jim Slanetz is in agreement with Mayor Nina Jonas and believes it should be memorialized in the contract.

Councilor Baird Gourlay talked about the savings that we have by entering into this contract and is unsure about making the county having to add this verbiage into the contract. Commissioner Angenie McCleary talked about the original contract and it's understanding was discussed. She advised that when the 3 commissioners met it was very clear that they would not put this into the contract. She advised that they would look at the level of detail in next year's contract. Councilor Baird Gourlay advised that he does not need to have this written in the contract. It can be looked at in the next contract.

Commissioner Angenie McCleary advised that the Sheriff 's department filled in when there was a shortage of an officer. Mayor Nina Jonas disagreed. Will Fruehling addressed the CSO positions and what the County believed was happening when the City took over the CSO position. He said the level of service provided was excellent.

Mayor Nina Jonas asked for public comment.

Jima Rice talked about not having a really clear contract and the problems that occur. She talked about the importance of a contract and what contract obligations mean. Jima Rice agrees with Nina Jonas that the details should be put in the contract.

Councilor Michael David talked about the CSO position and how it happened. He does not think we should terminate a contract in the middle of the year and would like to approve this contract and look to the future. He would like to make a motion and move forward.

Mayor Nina Jonas voiced concern about the fund and what it is used for. Council President Jim Slanetz agrees it needs to be memorialized. Councilors Gourlay and David agree that we need to move forward and look at it next year.

Attorney Matthew Johnson talked about concerns and advised adding an adjustment clause. It does not have to be put in every contract. Councilor Baird Gourlay asked Attorney Matthew Johnson about Breach of Contract. Matthew Johnson explained how a deficiency would work and how the city would move forward with a claim. He explained that we can either have it written into the contract or file a breach.

Motion to authorize the City Administrator to approve the contract with Blaine County for law enforcement services.

Councilor Jim Slanetz questioned the \$100,000. Mayor Nina Jonas explained that it's the County's money. There is no language as to what the money is used for. Attorney Matt Johnson explained there is nothing in the contract that addresses the \$100,000. Council President Jim Slanetz would like it in the contract prior to signing. Councilor Baird Gourlay seconded the motion with a comment saying it is December and it needs to be looked at in the future during budget time. Mayor Nina Jonas advised that she brought it up over the last number of months.

RESULT:	ADOPTED [2 TO 1]
MOVER:	Michael David, Councilor
SECONDER:	Baird Gourlay, Councilor
AYES:	Michael David, Baird Gourlay
NAYS:	Jim Slanetz
ABSENT:	Anne Corrock

e. **Recommendation to approve Contract # 20128 with Ketchum Community Development Corporation**

Executive Director Kathryn Guylay talked about her taking over the Ketchum Innovation Center and the collaboration among the entities.

Council President Jim Slanetz questioned the operational costs and advised that he has concerns. Kathryn Guylay advised that she is also concerned and will address in January. Mayor Nina Jonas thanked Kathryn Guylay for her presentation and opened the meeting for public comment

Jima Rice is pleased with Kathryn Guylay's takeover of KIC. She has not seen a report from KIC for the last year and would like to memorialize what KIC has done to date to appreciate what is being done going forward.

Mayor Nina Jonas would like the last bullet under the scope of work removed from the contract. She asked about updates on the website and would like to get past information. Kathryn Guylay advised that she could provide that.

Councilor Baird Gourlay advised that Jima Rice go to the minutes to see the past reports from KIC. Council determined that the last KIC presentation from Jon Duval was in August during the budget season.

Motion to approve to enter into a contract for services with Ketchum Community Development Corporation with the removal of the bullet to management and operate the KIC.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

f. **Recommendation to approve Contract # 20121 for Sun Valley Marketing Alliance**

Executive Director Scott Fortner thanked council for their support and talked about leveraging money from the entities they receive funds from. They are asking to come to council to present more informative presentations more frequently and talked about their successes. Mayor Nina Jonas thanked him for his work and all he has done. She asked how he will be maintaining his relationship with the businesses. Scott Fortner outlined SVMA's plan. Councilor Baird Gourlay asked what the future looks like. Scott Fortner talked about upcoming holidays and how the snow effects the numbers.

Councilor Michael David questioned the strategic plan for cultivating younger visitors. Executive Director Scott Fortner talked about the organizations plan for the future.

Mayor Nina Jonas asked for comments from the public.

Jima Rice would like the reports to be included in the packet in the future. She voiced concerns about the way in which the contracts are written and gave suggestions. She suggested that the council should

write contracts that could stand up in a court of law. City Attorney Matthew Johnson advised that the contracts can stand up in a court of law.

Mayor Nina Jonas asked Executive Director Scott Fortner if he is comfortable with the scope. Scott Fortner talked about how they will measure their performance.

Councilor Baird Gourlay advised that marketing is very difficult to measure. Scott Fortner advised how they measure their performance. Councilor Michael David is good with the measurements and the scope of work.

Mayor Nina Jonas advised that 5 years ago these measurements were not in place, however, a lot has been put in place. She suggested the future Council and Mayor continue to work on strengthening the contracts. Councilor Michael David talked about what they are approving tonight.

Motion to enter into a contract for services with Sun Valley Marketing Alliance.

Councilor Baird Gourlay made a correction to the dates in the staff report.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

g. Recommendation to approve Contract # 20129 with Sun Valley Economic Development – Executive Director Harry Griffith

Executive Director Harry Griffith gave the SVED 3rd quarter report. He talked about the performance assessment and outlined the projects that were still alive in September. He talked about promotional strategies that have been completed and about Business Consultations and project development as well as the organizational development. Harry Griffith talked about the terms of his contract and advised that the deliverables have not changed and advised Mayor and Council that the strategic retreat is this Wednesday.

Council President Jim Slanetz recognized SVED for advocating for sales tax for online sales. Amazon is the only one that is doing it. He requested Harry Griffith continue to advocate for this from the other retailers.

Jima Rice praised Harry Griffith for all he has done for Economic Development in our town and community. She advised that she does not know how Ketchum deals with contracts outside the budget process.

Attorney Matthew Johnson advised a budget is just that. Contracts are brought forward at a later date and needs are assessed as the contract is created. Mayor Nina Jonas talked about the dialog and the information the city gets from the quarterly, monthly and annual reports and how the city operates and the creation of the contract. City Administrator Suzanne Frick explained the budget process in Ketchum and how the contract is created.

Mayor Nina Jonas questioned Harry Griffith about recruiting. Harry Griffith outlined a plan for collaboration.

Motion to approve the City Administrator to approve the contract with Sun Valley Economic Development.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Councilor
SECONDER:	Jim Slanetz, Council President
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

h. Recommendation to approve Contract # 20130 with Mountain Rides

Executive Director Jason Miller Executive Director of Mountain Rides advised that things are moving forward. Mayor Nina Jonas thanked Mountain Rides for all they have done. She asked if Mountain Rides could do more for events. Jason Miller talked about the process for requests for events and is happy to be involved.

Councilor Michael David disclosed he is an employee of Mountain Rides, however, he feels he can make a decision without bias. City Attorney Matthew Johnson advised Michael David to recuse himself from the discussion. Michael David recused himself based on the Counsel's recommendation.

Mayor Nina Jonas asked for public Comment. There was none.

Motion for approval to enter into a contract for services with Mountain Rides Transportation Authority.

RESULT:	ADOPTED [2 TO 0]
MOVER:	Jim Slanetz, Council President
SECONDER:	Baird Gourlay, Councilor
AYES:	Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock
RECUSED:	Michael David

i. Recommendation to approve Contract #20143 with Blaine County Housing Authority

Executive Director Nathan Harvill advised that he is making the BCHA available to the city for the Galena Lofts project.

Nathan Harvill advised that this contract is the same as last year. Mayor Nina Jonas questioned the HOA's and BCHA working with them on collection of dues. Nathan Harvill talked about their current involvement and about community housing guidelines. Mayor Nina Jonas suggested he work closely with the planning department on these covenants. Councilor Michael David talked about the HOA's that are working and the ones that are not. Nathan Harvill talked about their involvement in that process. Mayor Nina Jonas questioned if BCHA is interested in working on long term rental units as they are in Breckenridge. Nathan Harvill talked about what models they are looking at and about workforce housing in Ketchum.

Mayor Nina Jonas asked for public comment. There was none.

Motion for approval to enter into a contract for services with Blaine County Housing Authority.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

- j. **Recommendation to approve Contract #20137 with James Bourret, Contract #20140 Zach Thurmond, Contract #20141 Marc Longley for Art in City Hall**

Jen Smith Director of Parks & Recreation presented and showed the art for City Hall in a power point and talked about each artist. Art will be displayed this Thursday.

Motion to approve artist loan agreements for James Bourret, Marc Longley and Zach Thurmond

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Jim Slanetz, Council President
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

- k. **Recommendation to approve Purchase Order #20144 for a snow plow purchase for Facilities Maintenance.**

Director of Finance and Internal Services Grant Gager presented and advised why the City is in need of an additional Snow Plow.

Motion to approve and authorize the City Administrator to sign Purchase Order #20144 for the purchase of a Snow Plow.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Councilor
SECONDER:	Jim Slanetz, Council President
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock

- l. **Discussion and Direction to Staff on deadline for 6th and Leadville RFP**

City Administrator Suzanne Frick advised the deadline being extended due to tax credit questions. Councilor Michael David asked if this will keep happening. Suzanne Frick explained the tax reform bill and where it is. Ideally this will be resolved by the end of month. She asked council for a date to extend this discussion to. It was decided to be the end of January.


8. EXECUTIVE SESSION:

- a. Property Discussions Pursuant to Idaho Code §74-206 1(c)
No Executive Session

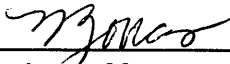
9. ADJOURNMENT

Motion to adjourn at 8:10 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Baird Gourlay, Councilor
SECONDER:	Michael David, Councilor President
AYES:	Michael David, Baird Gourlay, Jim Slanetz
ABSENT:	Anne Corrock



Robin Crotty, Interim City Clerk



Nina Jonas, Mayor