



City Council

Regular Meeting

~ Minutes ~

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

Robin Crotty
208-726-3841

Monday, October 2, 2017

5:30 PM

Ketchum City Hall

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

Also Present:
Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Matt Johnson
Director, Finance & Internal Services Grant Gager
Director of Planning & Building Micah Austin
Director of Parks & Recreation Jen Smith
Street Superintendent Brian Christiansen

1. CALL TO ORDER: By Mayor Jonas

Mayor Nina Jonas called the meeting to order at 5:30 p.m.

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.

Interim City Clerk Robin Crotty advised that the agenda was posted and has met all posting requirements.

4. COMMUNICATIONS FROM MAYOR AND COUNCILORS

Councilor Michael David talked about his support for bike and walk to work day as well as the needed maintenance at the Gateway Building and the property on the corner of Leadville and 2nd. City Administrator Suzanne Frick advised that Director of Planning & Building Micah Austin has reached out to the owners of the sites and to owners of vacant lots however we do not have an ordinance to support any enforcement.

Council President Jim Slanetz advised that the Skate park project is ahead of schedule

Mayor Nina Jonas talked about a draft letter being written regarding the pot holes on Main Street.

Councilor Baird Gourlay advised that Kurt Nelson would like to sit on the advisory board for the move of City Hall to Forest Service Park. Baird Gourlay questioned if we should extend the RFP that is due the first part of November. He talked about comments he has heard about the RFP and thought maybe we should wait until after the election for the deadline. City Administrator Suzanne Frick advised that we have not had any response to the RFP at this time. Baird Gourlay suggested having it on the agenda on the second week of November so it can be discussed.

a. Proclamation – Child Health Day

Mayor Nina Jonas read a Child Health Day Proclamation aloud.

Mayor Nina Jonas read a proclamation for Mick Mummert and Jeff Vert regarding the Council's appreciation of the energy goals that have been accomplished. Waste Water Supervisor Mick Mummert gave his appreciation of his departments efforts.

Mayor Nina Jonas read a proclamation for Adam Elias for his service on the Ketchum Arts Commission.

5. COMMUNICATIONS FROM THE PUBLIC

Nathan Harvill introduced himself as the new Director of the Blaine County Housing Authority and talked about what his efforts will be focused on.

Gary Lipton, Owner of Lipton Arts, and tax payer talked about governments having a fiscal responsibility of tax-payers dollars. He talked about a letter he has received regarding Argyros and his disappointment that the City of Ketchum was not recognized as a contributor. He gave his opinion of council's support of the project.

6. CONSENT AGENDA:

- a. **Approval of Minutes: Regular Meeting September 18, 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 \$565,383.50 as presented by the Treasurer.**
- c. **Authorization and approval of the payroll register**
- d. **Recommendation to approve Alcohol License for Hotel Ketchum**
- e. **Recommendation to approve Contract #'s 20097, 20099, 20105-20109 snow hauling contracts
Contract #**

Councilor Anne Corrock questioned if all contracts were reviewed by City Attorney Matt Johnson. Street Superintendent Brian Christiansen advised they had.

- f. **Recommendation to approve Contract # 20098 a Lease Agreement with Dell**
- g. **Recommendation to decline Terrorism Coverage thru ICRMP with the renewal of the policy**
- h. **Recommendation to approve Contract # 20094 Artist Consignment Agreement with Molly Snee**

Council President Jim Slanetz questioned what the contract is for. Director of Parks & Recreation Jen Smith explained the art work and advised the work will be completed this year and its location.

Motion to approve consent agenda in full.

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

7. COMMUNICATIONS FROM STAFF

a. Recommendation to approve Contract # 20100 for construction of emergency sewer repairs at Aspen Drive and Contract # 20101, Encroachment Agreement for Aspen Drive sewer repairs

Water Supervisor Pat Cooley explained the 2 bids that were received and explained what work will be done this year and again next year. Currently the project is in the hands of the IDWR. Army Corp of Engineers has signed off.

Water Supervisor Pat Cooley explained that 101 Georgina Dr. is where we thought we would be able to access the River however the owner has changed her mind. In turn we will invoke our utility easement between 100 and 101 Georgina. We will be building a road to get to the river. There will be additional cost due to the change of plan so staff is asking for a 20% contingency and allow Administrator Suzanne Frick to sign the contract.

Council President Jim Slanetz questioned the work that is being done now and what will be done next year. Water Supervisor Pat Cooley explained that we will be putting the sewer line in a structurally safe spot to weather any storm this season. Councilor Baird Gourlay pointed out that a portion of one of the homes is on the easement. Pat Cooley talked about a verbal agreement he has from the property owner with a plan to access her grass as long as we replace the grass after construction. Councilor Anne Corrock questioned what we have to put back on the easement at the conclusion of the project. City Administrator Suzanne Frick explained that the re-scaping has not been decided at this time.

Director of Finance & Internal Services Grant Gager talked about FEMA funding and advised that currently we do not know what or if we will be receiving any reimbursement from the Spring flooding.

Motion to authorize the City Administrator to award the contract for emergency repair of the Aspen Drive Warm Springs sewer line crossing to Canyon Excavation company for \$85,650 plus a contingency fee of 20% of the cost for access issue and unforeseen circumstance for a total amount of \$102,780, contingent on permit approval by IDWR.

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

b. Recommendation to approve Contract # 20102 with CLPE and Contract # 20103 with Agnew Beck for Planning services

Director of Planning & Building Micah Austin is looking for 2 motions. He explained the two contracts that will fill the gaps in his department until all positions are filled. The contracts may be in place for 3 to 4 months but possibly longer. He explained where the funding will be coming from.

Councilor Anne Corrock questioned John Gaeddert's involvement and if it is a conflict. Director of Planning & Building Micah Austin explained that he would not be working on any projects that he would be consulting on. Anne Corrock questioned if this will give Micah Austin the assistance he is needing. Micah Austin explained how he will be dividing the projects out between John Gaeddert and Agnew Beck. City Administrator Suzanne Frick explained that there is a provision in the contract regarding a

conflict and advised how they will move forward with John Gaeddert's involvement. Hiring locally was discussed. City Attorney Matt Johnson advised that if a conflict arises Micah Austin will be overseeing. This is on a task order basis.

Motion to approve contract #20102, the independent contractor agreement with CLPE, represented by John Gaeddert.

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

Motion to approve contract #20103 independent contractor agreement with Agnew Beck represented by Ellen Campfield.

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

c. Presentation of analysis of solar panel production at Atkinson Park and Recommendation to approve the MOU Contract # 20104

City of Ketchum Energy Fellow Adam Baljevich went over the scope of the solar panel production. He reviewed all the proposals and went over the RFP statement of purpose. Adam Baljevich presented the RFP criteria that the review committee considered. He went over Atkinson's Park Feasibility as well as ground mount versus roof mount and presented the pros and cons of both. He talked about the weather analysis with roof concerns.

Adam Baljevich talked about a tool called National Renewable Energy Laboratory (NREL's) and about system losses due to snow, soiling, shading and wiring in general. He presented the numbers on the Ore Wagon Museum and gave the KEC allocation updates. Adam Baljevich talked about the temperature swing and about Operating & Maintenance costs. He went over the utility rate and miscellaneous system losses. He went over in detail the utility rates from the Idaho Power bills and how they affect the proposals as well as the kilowatt hour reimbursement rate and discount rates. Adam Baljevich talked about Ketchum Energy Company's (KEC) Equipment and their warranty's as well their financial analysis and the percentage he thinks we can get.

Adam Baljevich gave examples of social cost of energy sources. KEC had his favorite ground mount however he preferred a roof mount system because it pays off better. He advised that an outright purchase would be risky but suggested a partnership like the Ore Wagon Museum.

Council President Jim Slanetz questioned Director of Parks and Recreation Jen Smith on the difficulty level of clearing the roof. Jen Smith explained that it would depend on the angle of the roof mount and advised that we would only contract to remove snow when there will be damage or injury.

Chair Baird Gourlay asked what the pay back is if the solar panel is covered in snow all winter. Adam Baljevich explained that he factored in a 25 % loss and it still came out ahead of the ground mount

Josh Solly with the KEC advised that they did bids on both and talked about power difference between the two.

Director of Parks & Recreation Jen Smith presented the MOU that was approved on July 3rd and advised that the solar panel will live on Blaine County School District property. She has presented to the board of trustees and they agreed that they would allow the solar panel with an MOU from both parties. She talked about City Attorney Matt Johnson's suggestions and is recommending council approve the MOU.

Councilor Anne Corrock clarified that we approved the ground mount in a previous meeting.

Motion to approve MOU #20104 between Blaine County School District and the City of Ketchum for installation of a solar array on school district property.

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

d. Recommendation to approve letter to Idaho Public Utilities Commission on rate structure for solar installations

Adam Baljevich explained that Idaho Power would like to make a new rate bracket for metering. He presented what he found in his research as to the benefit for net metered customers and not a big enough penalty for the not net metered customer. He talked about the need and about smart inverters and what he believes Idaho Power should cover. He did a social analysis and talked about what the public benefit is. Adam Baljevich is asking council for direction on what they want included in the letter he is preparing to Idaho Power. Councilor Baird Gourlay suggested solutions be included in the letter. Council will approve letter prior to it being sent.

8. PUBLIC HEARING

a. First Reading of Ordinance #1158 to amend the Land Use Ordinance, Title 17, Chapter 17.125, Off Street Parking and Loading

Director of Planning & Building Micah Austin presented the first reading of Ordinance 1158. It's a business friendly and economic development friendly Ordinance. He talked about the goals that it accomplishes and about Ketchum's authority. Micah Austin went over the objectives as well as the code amendment evolution and talked about the public outreach and public involvement that the City has gone thru during this creation and showed a slide that outlined all the cities that were researched during this process. He went over the best practices that made it into the ordinance in detail and explained to Council where they are all included in the Ordinance. He believes that this Ordinance can benefit other cities in the future. The ordinance has been tested by all projects that have come across the table in the last few months.

Director of Planning & Building Micah Austin talked about the Leadville Residential project and how this ordinance relates to it. The 4th Street Mixed Use Project was talked about and how the new ordinance will affect this project was explained. Micah Austin talked about the last 12 months and how this ordinance evolved as well as what it encompasses and all the positives and what it achieves. How this will affect the diversity of housing as well as the commercial use and the policy and comprehensive goals were presented.

Director of Planning & Building Micah Austin reviewed the Ordinance and what is being changed line by line in detail and asked Mayor and Council for questions.

Council President Jim Slanetz questioned the demand analysis and advised that he believes this is a gray area. Director of Planning & Building Micah Austin talked about what the parking demand analysis must include and explained what will be required and what they look at. Jim Slanetz questioned the formula

in the light industrial area. Micah Austin explained that this formula has not changed from the current code.

Councilor Anne Corrock questioned the in-lieu fees being taken out due to us not having a Nexus. City Administrator Suzanne Frick talked about the parking structures currently being discussed are for short term parking. What we're talking about today is long term and overnight parking.

Councilor Michael David asked Director of Planning & Building Micah Austin to go over the 2 spaces for over 700 sq. feet. Micah Austin talked about Planning & Building's support for the diversity of units. A hypothetical situation was discussed. Michael David does not like to have another parking spot that may not be necessary. He would prefer a maximum sq. footage be addressed. Michael David questioned Attorney Matt Johnson and the lack of Nexus. City Attorney Matt Johnson explained that the concern was related to the fee and how it relates to the City. Matt Johnson will meet with Micah Austin and bring more information to a future meeting. Michael David complimented all that have been involved.

Councilor Baird Gourlay questioned interior measurements for net. Director of Planning & Building Micah Austin advised it is not common currently but it is easy to do. They talked about all that it includes.

Councilor Anne Corrock questioned the change in legislation and if Director of Planning & Building Micah Austin could guarantee that it would bring in full time residents. Micah Austin explained that this is an assumption, he could not guarantee it. He asked if an analysis has been done on who is living in downtown units. Micah Austin explained that an analysis has not been completed.

Mayor Nina Jonas opened the meeting up for public comment.

Bob Crosby said there is no support from development in the room tonight. He is speaking on behalf of the realtor's board. He said the Love/Schack analysis was never tested financially. He talked about 6 bullet points he sent to council at 4:30 p.m. today that he would like them to consider. He talked about what is available today in Ketchum and what the asking price is. Councilor Baird Gourlay asked Bob Crosby for a suggestion on how to fix this. Bob Crosby suggested one stall per unit regardless of the size. He said that cash in lieu is an absolute necessity and would like the City to develop the nexus. He questioned why we want to build more parking spaces than we need?

Amanda Breen gave appreciation of the ordinance and focused on the 750 sq. foot units. She does not think using parking to engineer a market place for workplace housing is a good idea. She advised that this is the wrong way to go about it and that this is a parking policy not a housing policy.

Dick Fenton advised that the problem is the 1500 threshold. He talked about the necessity of creating more parking spaces. He agrees with Amanda Breen and thinks Love/Schack's analysis needs to be tested. He appreciates all the efforts but he does not think were there on the 1500 threshold and said this could have adverse reactions.

John Gaeddert advised that he is doing the 4th street development and said this ordinance does help them out. One of his goals tonight is to find out if council is moving forward with this ordinance and what that means to the development he is working on.

Director of Planning & Building Micah Austin talked about the hypothetical and about basing public policy on fear. He said the opponents have not tested this, Building and Planning has. Parking went before housing because parking effects every development unit. He commented about using housing to incentivize parking and the need to use every section of the code to incentivize housing.

Councilor Anne Corrock questioned the FAR on the projects Micah Austin cited. Director of Planning & Building Micah Austin explained that they are over the threshold for providing community housing. He does not have exact figures with him this evening. Anne Corrock questioned how a parking space is monitored when it a property changes ownership. City Administrator Suzanne Frick explained that the agreements stay with the property. Anne Corrock questioned if we have statistics on the use of shared

cars. Micah Austin explained that we do not have those types of statistics at this time. Councilor Baird Gourlay questioned how this keeps somebody from building 2 - 4500 sq. foot units on top since there will be 4 parking places. Micah Austin said they could do this, however it also gives the incentives to build a diversity of housing. Hypothetical development continued to be discussed.

Council President Jim Slanetz questioned if having no parking ordinance is possibly the way to go. He agreed that we will discover things with this ordinance. He thinks this may be a stepping stone toward moving to a no parking ordinance. It's more progressive as far as development goes than what we currently have. He is in support of smaller units and is in support of 3 readings and hearing more public comment.

Councilor Baird Gourlay does not see all the incentives but he does see some. He talked about possibly bumping up the number of the limit from 1500 to 2000. Mayor Nina Jonas does not want to pick a new number at this time. Micah Austin gave the reasons for support of the 1500 number. Baird Gourlay voiced his concerns about the LI. He thinks this will cause problems for some. Micah Austin said those requirements were added back into the ordinance at the council's request last December. Micah Austin talked about the relief valve and why the tool is there. City Administrator Suzanne Frick talked about unique uses and the reason for the relief valves. Councilor Anne Corrock questioned if this is possibly an opportunity for shared parking. Baird Gourlay is concerned about hypothetical development opportunity's. He is suggesting stronger direction language. Councilor Anne Corrock agrees. Baird Gourlay advised that he is not prepared to vote tonight but would like the conversation to continue.

Director of Planning & Building Micah Austin encouraged Council to adopt the ordinance and set a review date for a year out and review at that time.

Councilor Baird Gourlay advised that he is concerned about parking demand management and would also like staff to find a nexus and asked for a time- frame on a nexus from our Attorney. Attorney Matt Johnson said he needs to have a conversation with the City Administrator before moving forward. Baird Gourlay asked about a timeframe on moving this ordinance forward. Director of Planning & Building Micah Austin explained that if we have an ordinance by January the 4th street project can go forward.

Councilor Anne Corrock expressed concern about how the ordinance is written. Director of Planning & Building Micah Austin explained that the basic format has not changed however, if he needed to change the format he could. Anne Corrock prefers the simplistic approach and suggested it be oriented around the size of building.

Council President Jim Slanetz would like to get rid of the entire parking ordinance for a one-year trial period. Councilor Anne Corrock voiced her concerns about the FAR. Councilor Michael David talked about reducing the minimum requirements for parking and would like a cap on light industrial. He agrees that a review of the ordinance will be needed at a later date.

Motion to continue to November 6th. Amend Motion to continue to October 16th.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Baird Gourlay, Councilor
AYES:	Anne Corrock, Baird Gourlay, Jim Slanetz
NAYS:	Michael David

8:18 Mayor Nina Jonas called for a 5-minute break.

- b. Third Reading of Ordinance #1177 – Floodplain Management Overlay Zoning District, to permanently adopt the interim Procedures adopted via Emergency Ordinance #1172.**

Director of Planning & Building Micah Austin asked for a motion to proceed with the Third Reading of Ordinance #1177

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

Motion to adopt Ordinance 1177 amending Title 17, Ketchum Municipal Code, to amend Chapter 17.88, Floodplain Management Overlay Zoning District, to permanently adopt the interim procedures for emergency riparian alteration and emergency city actions City Council adopted via Emergency Ordinance #1172 in April 2017; the regulations adopted by Emergency Ordinance #1172 otherwise expire in October of 2017.

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

9. DISCUSSIONS

a. Discussion regarding proposed Property Tax Exemption

Director of Finance & Internal Services Grant Gager talked about Property Tax Exemption. He advised that in a few weeks the County Commissioners will be deciding if they want to enact an ordinance that will affect the property tax exemptions. Grant Gager talked about the legislative language and how it affects Ketchum and what the exemption period consists of. The language is permissive. It's potentially a total property tax exemption. They will be looking at the size of investment, the type of investment, and the location of the investment or investor.

Councilor Baird Gourlay questioned new and existing projects. Attorney Matt Johnson explained there has been a lot of push backs from bigger industries. Housing, changing unit size and deed restrictions were discussed.

Shawn Phillips Ketchum Resident voiced his support. There is a need for rentals and a need to look at the zoning code moving forward. Mayor Nina Jonas asked what he thinks we should ask the County Commissioners for. Shawn Phillips said density equals sq. footage for ground space. Tying it to the actual number of units per lot.

Shannon Flavin does not think it should be put to only deed restricted property's. Trying to manipulate the size of units is not a good idea. The pros and cons of bigger units was discussed. Eliminating the URA district and how that effects the KURA was discussed.

Director of Finance & Internal Services Grant Gager showed a chart of the impacts of Property Tax Exemptions. It's a larger hit to the KURA than the City by 4 to 1. He advised that the County will begin holding public hearing later this month.

Mayor Nina Jonas asked how the council would like to progress to the next conversation. Councilor Anne Corrock suggested looking at land that could be affected. Councilor Baird Gourlay suggested that we get a letter out at the next meeting. City Administrator Suzanne Frick clarified that we are only looking at the LI and Residential District since we don't want to look at the KURA area. Baird Gourlay suggested focus on leaving the KURA out of it.

Mayor Nina Jonas would like this brought back to the October 16, 2017 meeting.

10. EXECUTIVE SESSION

- a. Discussion of Labor Negotiations--74-206(1) j

Motion to go into Executive Session at 9:53 p.m.

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

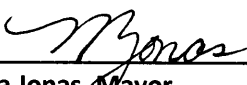
Motion to come out of Executive Session at 11:02

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


11. ADJOURNMENT

Motion to adjourn at 11:03 p.m.

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



 Nina Jonas, Mayor



 Robin Crotty, Interim City Clerk