



City Council

Regular Meeting

~ Minutes ~

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

Monday, May 2, 2016

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 Jill Holinka
Director of Planning & Building Micah Austin
Director of Public Works/City Engineer, Robyn Mattison
Finance Director Sandy Cady
Fire Chief, Mike Elle

1. CALL TO ORDER

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

2. COMMUNICATIONS FROM MAYOR AND COUNCILORS

a. New Art in City Hall, Encaustic Art

Mayor Nina Jonas introduced the new art that has been displayed in Ketchum City Hall Council Chambers. She gave a brief overview of each of the artist's work that is being displayed.

b. Proclamation to Michael Doty for Years of Service on the Planning & Zoning Commission

Mayor Nina Jonas presented a proclamation to Mike Doty for his years of service on the Planning & Zoning Commission.

c. Liaisons updates for Air Service Board, Blaine County Housing Authority, Mountain Rides, Sun Valley Economic Development and/or Fly Sun Valley Alliance

Mayor Nina Jonas read a Mental Health Awareness Month Proclamation.

Councilor Baird Gourlay commented on the traffic on River Street and the difficulty of trying to turn the corner by the Limelight Hotel. He also suggested a 4 way stop on the corner of 2nd and Washington.

Councilor Michael David will work with the Police Chief Dave Kassner regarding the traffic issues mentioned above. Michael David praised the volunteers that spend their time working for the City.

Councilor Anne Corrock updated council and public on the Mountain Rides new bus schedule. (Blue Route)

3. COMMUNICATIONS FROM THE PUBLIC

a. Communications from the public. For items not on the agenda.

Mayor asked for public comment. There was none.

b. Wood River Bridge Art Presentation - Ketchum Art Commission Advisory Member Claudia McCain

Claudia McCain presented the history of the Wood River Bridge Art Project and all that were involved and how they each contributed to this project. Claudia McCain showed a slide presentation showing how the work will look and the history behind each piece of art that has been chosen. She talked about what the art will be made of and how it will hold up in the weather of the Wood River Valley. Claudia showed the budget and thanked the Idaho Transportation Commission and committee members and the individuals who had contributed so much time to this project.

4. CONSENT CALENDAR

a. Approval of Minutes: Regular Meeting April 18, 2016

b. Approval of Current Bills and Payroll Summary

c. Cooperative Road Maintenance Memorandum of Understanding Blaine County and the City of Ketchum

Council President Jim Slanetz questioned the charges for the all employee Staff meeting. It was explained that the staff meeting was held at Whiskey Jacques and the charges were for breakfast and lunch.

Councilor Anne Corrock corrected the minutes from April 18 minutes in regards to the dates of the CAST meeting in January 2017.

Motion to approve the consent calendar

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

5. COMMUNICATIONS FROM STAFF

a. PUBLIC HEARING: Request from Trail Creek Fund LLC, represented by Jack Bariteau, to amend Resolution 15-018 "Fee Schedule" to allow for deferred or scheduled payments of fees required for submitting a building permit application - Planning and Building Director Micah Austin

Micah Austin Director of Planning & Zoning presented saying he will be looking for two decisions from Council this evening. He talked about the current fee resolution and how it came to be and when. Micah explained that current fees and impact fees are collected up front and explained the previous way of collecting and the problems and challenges they had. He talked about the current process and the efficiency of it and explained that all the applications are now complete up front and this has improved efficiency immensely.

Mr. Barriteau is requesting a fee schedule change that staff cannot approve administratively. Mr. Barriteau is requesting that 25 % of application and fees be paid when submitting the application and 75% balance paid when building permit is issued. Micah Austin Director of Planning & Building explained the Limelight Hotel issuance and the process in which the city followed at that time.

Micah Austin Director of Planning & Zoning asked council to address Resolution 15-018 and if it should be amended going forward for all applicants coming to the City and then to address Mr. Barriteau's request.

Councilor Anne Corrock asked for clarification of what a complete building permit application is. Micah Austin explained the definition of complete application. City Attorney Jill Holinka explained the city's ability not to accept the permit if it's not complete. Annie Corrock questioned accepting fees in pieces. Mayor Nina Jonas questioned the date of issuance. Micah Austin clarified that the date of issuance is the date the permit is picked up.

Mayor Nina Jonas opened the meeting for Public Comment.

Applicant Jack Barriteu talked about the request and explained the situation he is in with the lender. He talked about the burden on any applicant with this current process and explained that he is not looking for a waiver of fees.

Harry Griffith Sun Valley Economic Development made a comment on the tactical level. He voiced his support in reducing the burden on developers and talked about other communities and when their building permits are due.

Dick Fenton said the lender issue is a valid concern and suggested changing the resolution and offered a suggestion as to how to do that. He is in support of Mr. Barriteau.

Walt Denekes, Former CFO of Marketron and President of Sawtooth Forensics talked about the business climate of Ketchum and Ketchum being the leader from Bellevue to N. Ketchum. He urged council to do what they have to so this project can be completed. He also supports a change in the current resolution.

Doug Brown, Sun Valley Economic Development, spoke in support of Jack Barriteau and his past development in Ketchum.

Nat Praline resident and business owner of Ketchum urged council to support Mr. Barriteu's request.

Brad Cleveland spoke in support of Jack Barriteau and talked about a variable in regards to a staircase that is required for an emergency exit. He voiced concerns and talked about working with the City thru this access issue.

Gary Lipton Business Owner in Ketchum and Detroit. Gary Lipton said rules need to be followed. He does not like the comparison to the Limelight Hotel. Gary Lipton advised council that he would like to see this project happen however he questioned if the council has seen an intent letter or a commitment letter regarding his financing.

Ed Simon representing Vicki Graves and Beverly Stapleton said that he is in support of Mr. Lipton's comments. Mr. Simon talked about the reasons for this resolution and his support of the resolution and he urged council to deny the request because of the delay and lack of fairness to all concerned.

Eric Seder Ketchum Resident and Business Owner and is involved in economic development in the community, encouraged council to send the right signal to future permit applicant holders. He suggested to separate out projects subject to a development agreement as Mr. Fenton suggested.

Mickey Garcia citizen said for too many years Ketchum has been anti-development. Council should be open to development and be reasonable.

Gary Lipton said not to stop the project but highly recommended getting an intent letter and a commitment letter and have the applicant apply for a performance bond.

Micah Austin Director of Planning & Zoning addressed the issue of the easement for the staircase. Micah Austin talked about page 15 of the Findings of Fact and shared easement that states that Mr. Cleveland and his neighbor will have access to their property. This does not require a change of plans.

Mayor Nina Jonas questioned if we have the authority to request a letter of interest and intent. City Attorney Jill Holinka explained that we typically do not and that there is nothing in the development

agreement regarding this. Micah Austin talked about the development agreement, applicable fees and the timeline.

Mayor Nina Jonas questioned how to create a timeline with leverage. City Attorney Jill Holinka talked about adding a timeline to the fee resolution and explained there is more weight to the timeline in a development agreement.

Councilor Michael David questioned the dates of the resolution and the restated development agreement. Micah Austin outlined all the dates in question.

Council President Jim Slanetz agreed in changing lag time but also asked what other regional communities do. Micah Austin Director of Planning & Building presented his research.

Councilor Baird Gourlay said he would like to know what best practices are in other resort towns and suggested collecting somewhere between 25% to 65% at building permit application time and the balance to be paid at issuance of building permit.

Councilor Anne Corrock talked about the history of this project and voiced her concern regarding the delays that have occurred on this project.

Mayor Nina Jonas explained that changing the resolution is for all applicants and voiced concerns about permits sitting on the counter. Councilor Michael David asked for City Attorney Jill Holinka's opinion on changing the policy for development agreements. Jill Holinka gave suggestions of a couple of different ways this could be approached. A brainstorming session was done by Mayor, Council and City Administrator Suzanne Fick as to how to proceed with changing the resolution so it works fairly across the board. Councilor Anne Corrock voiced her concerns that the procedure has been working and now were looking at changing it. Councilor Baird Gourlay explained that he has had comments from the public since the procedure has changed. Micah Austin Director of Planning & Building said that the building department has been very successful over the past year. Council President Jim Slanetz voiced his support of the percentages.

Mayor Nina Jonas explained this is a two motion decision.

Motion to amend resolution 15-018 Resolution of the City of Ketchum Idaho establishing a fee schedule and charges for all city department and establishing policy for collecting fees.

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

Mayor Nina Jonas explained that the 2nd motion would be how to amend the resolution. City Attorney Jill Holinka explained the process. The council discussed how to proceed with the resolution change. Councilor Michael David voiced concerns over their decision last August. Councilor Anne Corrock asked about standard practice of lenders

Two elements of change were discussed. Attorney Jill Holinka asked Council to be clear on what part of the resolution they are amending. There was more discussion among council and staff as to which projects this change would pertain to.

City Administrator Suzanne Frick summarized Council's direction as all projects will have to submit their permit and plan check fees at the time the application is submitted and then staff can issue a building

permit. All other outstanding fees will need to be paid within 5 working days. A penalty clause will be discussed at a later date after more research and noticing of a new fee is completed.

Motion to give staff direction as stated by City Administrator Suzanne Frick above.

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

Mayor Nina Jonas called for a special meeting on Thursday May 6, 2016 at 9:00 a.m.

- b. PUBLIC HEARING: Second reading of Ordinance No. 1151 amending Title 17, Ketchum Municipal Code, Section 17.08.020 and Chapter 17.124, according to a text amendment application submitted by THE SPOT LLC - Director Planning & Building Micah Austin**

Micah Austin Director of Planning & Building explained the one change that has been added and read the change aloud.

Mayor Nina Jonas asked for council questions. There was none.

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

Motion to approve second reading of Ordinance 1151 for amendments to Title 17, Zoning Regulations, Section 17.08.020, Definitions by adding a new definition "Event" and amending the definition "Studio, Commercial" to allow for occasional events; and amending Chapter 17.124, Development Standards to add a new section 17.124.150, Commercial Studio Events."

Mayor Nina Jonas read by Title only.

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

- c. Elevation 6000 Final Plat Phase Three - Director Planning and Building Micah Austin**

Micah Austin Director of Planning & Building explained that the final plats for phases 1 and 2 have been approved and this is the final plat for phase 3 before completing this project.

Motion to approve the Elevation 6000 Townhome: Phase 3, Townhouse Subdivision Final Plat with conditions 1-9.

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

- d. Percent for Art Discussion - Director Public Works Robyn L. Mattison**

Robyn L. Mattison Public Works Director/City Engineer explained that this is a follow-up conversation. There are 3 elements that needed to be clarified - what is eligible, how we will do budgeting and how funds will be used. Robyn Mattison explained staff suggestions in regards to these 3 elements.

Mayor opened the meeting to public comment.

Trina Peters President of Ketchum Arts Commission questioned the market value of the individual projects. Second question was in regards to budgeting dollars. She recommends one annual budget allocation, then the % for Art.

Claudia McCain expressed that funds should not be tied to a particular project.

Mayor Nina Jonas closed public comment.

Administrator Suzanne Frick talked about the value of a project and the budgeting approach. She explained that these conversations will be had as part of the budgeting process.

Councilor Baird Gourlay would like to talk about Trina Peters ideas at the budget meetings. Surplus vs. Straight budget.

e. Harriman Square Update - Director Parks & Recreation Jen Smith

Jen Smith Director Parks & Recreation presented a staff report and the suggestions she gathered from staff along with their recommendations to be able to move forward. Jen Smith gave history of the timeline on this project and explained that she doesn't know what happened to this project.

Dick Fenton voiced his support of this project. Mayor Nina Jonas asked if there was staging that could be done. Dick Fenton supported Robyn Mattison's suggestion of starting with the engineering and then they will have a better idea of how to proceed.

Mayor closed public comment.

Councilor Baird Gourlay would like to move forward if there is money in the budget.

Mayor Nina Jonas questioned the cost of a Civil Engineer. Dick Fenton threw out a \$5,000 number.

Administrator Suzanne Frick said we could use contingency funds to pay for this.

Council President Jim Slanetz was in support of having the engineering done by the City. Councilor Michael David and Anne Corrock were in support. Mayor Nina Jonas gave direction in not to exceed \$5,000.

Motion to proceed with not to exceed \$5,000 to come up with real costs for the Harriman Sq. Project.

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

f. Idaho Commission for the Arts, QuickFunds Grant recommendation for LED dance performance - Director Parks & Recreation Jen Smith

Jen Smith Director of Parks & Recreation requested to apply for LED quick funds grant and explained how the grant works and where the match would come from.

Mayor Nina Jonas asked for Public comment.

Claudia McCain - encouraged council to support this grant application.

Motion to approve submission to the Idaho Council for the Arts for Quickfunds grant for \$1,500.00 for the Lauren Edson Dance performance art event on July 15,2016.

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

g. PUBLIC HEARING: Recommendation to Adopt Ordinance 1156, Amending the FY15-16 Annual Appropriations Ordinance – Director Finance Sandy Cady

Sandy Cady Finance Director explained Ordinance 1156 and opening the budget.

Mayor opened the meeting to public comment. There was none.

Motion to waive the three readings of Ordinance of 1156 and read by title only.

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

Motion to adopt Ordinance 1156 an Ordinance of the City of Ketchum, Idaho Amending Ordinance Number 1139, The Annual Appropriation Ordinance for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016. Appropriating additional monies to be received by the City of Ketchum, Idaho; and providing an effective date.

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

h. Contract for City Copier - Director Finance Sandy Cady

Finance Director Sandy Cady explained that there have been some amendments to the contracts to be more specific and passed out the amendments for review. Fisher is still looking at the issues.

City Attorney Jill Holinka explained the changes she is requesting. The new contract should come back to the City tomorrow.

Councilor Baird Gourlay questioned the location of the printers/copiers for the Fire Dept. Fire Chief, Mike Elle explained where those will be located.

City Attorney Jill Holinka explained that there will be a deletion of a paragraph 3 of the original terms and conditions and changing the wording that says City of Ketchum Planning & Zoning to just City of Ketchum.

Finance Director Sandy Cady explained the do not exceed clause of \$1,050 per month.

Motion to approve the Agreement with Fisher's Technology for leasing copiers and printers not to exceed \$1,050 and with additional amendments as stated by the City Attorney.

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

i. City Policy for Contracting and Purchasing - City Administrator Suzanne Frick

City Administrator Suzanne Frick gave the history of contracting and purchasing in the City of Ketchum. She explained state code. She explained that the City would always try to use local under \$1,000 and go to bid over a purchase of \$5,000.

Councilor Anne Corrock questioned purchases from Amazon. City Administrator Suzanne Frick explained the current process and the process that the staff will be going thru, going forward.

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

Motion to approve the 2016 City of Ketchum Purchasing Procedures

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

6. CLOSING COMMUNICATIONS FROM MAYOR AND COUNCIL

Councilor Anne Corrock talked about Mountain Rides and possibly getting an electric bus in the future. She thought it might be a good idea to partner with the Energy Advisory Committee. There was a conversation regarding electric charging stations.

7. EXECUTIVE SESSION to discuss:

- a. Litigation pursuant to Idaho Code §74-206 1(f)
- b. Discussion pursuant to Idaho Code §74-206 1(j)
- c. Discussion pursuant to Idaho Code §74-206 1(c)

Motion to move into Executive Session at 8:35 p.m.

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

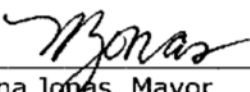
Motion to come out of Executive Session at 9:20 p.m.

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

8. ADJOURNMENT

Motion to adjourn at 9:21 p.m.

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



Nina Jones, Mayor



Robin Crotty, Interim City Clerk