



City Council

Regular Meeting

~ Minutes ~

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

Monday, November 17, 2014

5:30 PM

Ketchum City Hall

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

Absent: Mayor Nina Jonas

Also Present: Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Stephanie Bonney
Ketchum Interim Director of Planning and Building Linda Haavik
Ketchum Senior Planner Rebecca Bundy
Ketchum Public Works Director and City Engineer Robyn Mattison

1. CALL TO ORDER

Council President Michael David called the meeting to order at 5:31 p.m.

COMMUNICATIONS FROM MAYOR AND COUNCILORS.

a. Communications from Mayor & Council

Councilor Anne Corrock updated the council on her Ouray, Colorado trip to the Colorado Association of Ski Towns meeting.

Councilor Jim Slanetz updated the council on the Blaine County Food Assessment Meeting.

b. Communications from Council Liaisons: Baird Gourlay – Sun Valley Economic Development.

Councilor Baird Gourlay updated the council on the Sun Valley Economic Development. Last week they had a meeting with Sun Valley Ski Education Foundation, YMCA, and the KURA, to look at the possibility of expanding the YMCA with an air barn, possibly a basketball court, and a human performance lab.

Councilor Baird Gourlay updated the council on Fly Sun Valley Alliance.

c. Appointments & Proclamations:

Appointment of Council Member to the Joint Board of the City of Ketchum and Blaine County Recreation District Joint Powers Authority.

Robyn Mattison, Public Works Director/City Engineer, said there is a joint powers agreement with the City of Ketchum and the Blaine County Recreation District for the bike path through Ketchum. They would like to get the joint board to amend the agreement. The members of the joint board are the City Administrator of Ketchum, a City Councilor, the BCRD Executive Director, and a BCRD board member. Robyn recommended Councilor Jim Slanetz be appointed to the Joint Board. The Council designated Councilor Jim Slanetz as the representative on the board.

3. COMMUNICATIONS FROM THE PUBLIC.

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

Alex Sundali commented on the idling ordinance and idling cars in Ketchum.

Council President Michael David suggested the traffic authority discuss enforcement of the idling ordinance.

Councilor Anne Corrock suggested educational materials be provided that include this ordinance as well as other ordinances that are also difficult to enforce.

Gary Hoffman commended Ketchum on the walkability and the public art displays in Ketchum. He also likes the right-hand turn only on 4th Street onto Main Street.

4. PUBLIC HEARINGS.

a. Ketchum Cemetery District Right-of-Way Vacation Request – Rebecca Bundy, Senior Planner.

Rebecca Bundy, Senior Planner, explained the proposed right-of-way vacation request. The application is from the Ketchum Cemetery District for a number of alley and street right-of-way vacations. The Planning and Zoning commission recommended approval to the City Council. The applicant's original proposal was for vacation of a large portion of Tenth Street, vacation of the alley behind Block 24, vacation of Walnut Avenue. After going through Planning and Zoning it now includes a small portion of Tenth Street, a small portion of the alley on the uphill portion of the cemetery, Tenth Street to the west side of the cemetery and a small portion of Walnut Avenue. The cemetery is proposing to create a five foot wide easement on the south side of cemetery connecting Highway 75 with Walnut Avenue in exchange for the vacations. The easement would allow dogs on a leash and would generally be for pedestrians. The cemetery is planning on creating a trail from Walnut Avenue to the trail above the cemetery. The City and the Cemetery Board would mutually determine where that trail would go. The cemetery is planning on granting the city a ten foot sewer easement to access the line as needed. The masterplan referred to in the lease is not formalized, and it should be updated, recorded and provided to the city prior to any changes to the lease.. The conditions are that the final plan be submitted, the public access easements allow dogs, there is no fence between the easement and the cemetery, the easement includes a utility easement along the western boundary for the existing sewer line, and the applicant will provide the required quit claim deeds for approval by the City Attorney as part of the final plat process.

Garth McClure, Benchmark Associates, the cemetery district is a taxing district, and includes property owners north of East Fork all the way to north of Ketchum. This is a cleanup of the portion of the cemetery that is still in the City's right-of-ways. They have included a five foot public trail easement on the south side, a ten foot sewer easement on the west side of the property. They have reserved an easement that will fall within lots 3-4 when that location has been determined by working with the City. The applicant is happy with the proposed conditions.

Council President Michael David opened and closed the public hearing.

Motion to approve the Ketchum Cemetery District Right-of-Way vacation request and direct staff to prepare an ordinance to formalize the request for approval along with Ketchum's release of the property on Lot 8 Block 94.

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

b. Wick Strasse Street Right-of-Way Vacation Petition – Rebecca Bundy, Senior Planner.

Rebecca Bundy, Senior Planner, presented the request to the Council. The Planning Commission recommended approval to the City Council. Wick Strasse is the old Bavarian Village. It is total of seven lots and a well lot. Mr Hangii owns Lots 3,4,6,7, and 8, Glenn Hamilton Trust owns Lot 5. If this vacation is granted, they will create a twenty-six foot wide private street, with a turn around at the end, portions of the right of way would be granted to the adjacent property, which results in an increase in possible density for those lots. Lot 2 is not a part of the application, Lot 1 is a well lot that the applicant is proposing to make part of Lot 4, The applicant will be addressing if this piece of property and the water rights associated with it belong to the other 7 properties, or if it is Mr. Hangii's Water Right. The Wicke Strasse Street has never been maintained by the City of Ketchum, the street department would prefer to not maintain it. There are other private roads in the City of Ketchum, it would be created according to street specifications and meet the requirements of the Fire Chief. The Zoning District is General Residential High Density so a lot of development could possibly go on these lots if they were developed to the maximum potential. The vacation would require a new plan with amended lot lines, draft CC&R's require that utilities and street should be installed prior to issuance of a building permit, the City is named as a third party beneficiary to that agreement. In addition the water rights on the property may be transferable to the City of Ketchum. The City Attorney advised that the council should be make some decisions on if they would like to pursue that, the applicant is willing to grant those water rights if it is legal to do so. Staff does not have a recommendation, Rebecca provided options to the council, the request could be continued, denied, a lease option for the property, or approved with possible conditions that all of the contiguous lots to Wicke Strasse would be required to access off of Wicke Strasse so there are no additional curb cuts off Bird Drive. Utilities would be required to be reviewed by the Public Works Director, and the applicant would pursue granting the water right to the City. Suzanne Frick, City Administrator, suggested the Council carefully consider the vacation and said there should be a public benefit to doing so. That is why staff presented the possibility of leasing the property, or releasing the water right.

Councilor Anne Corrock clarified that a vacation is done on the basis of the City having no need of the land anymore versus there should be a public benefit to do so. The City Attorney said the language in the statute is that it be expedient for the public good.

Council President Michael David commented that this was applied at another time and denied. Councilor Baird Gourlay expanded the previous request and denial, there was no perceived benefit to the public at that time.

Garth McClure, Benchmark Associates, representing the applicants, Wicke Strasse owners would like to clean it up and create a nice driveway that would serve up to four lots that would be aesthetically pleasing. Currently the property has utilities that surround it, including a water main and sewer main, there is power and gas, and telephone and electric, and a fire hydrant. There are eight existing lots, however Lot 1 was intended to be a well site, but the well was never installed there, there is no reason to have that lot. Garth showed the plan showing the end result if the vacation occurs. There would be a 26 foot wide private driveway easement where a new road and cul de sac would serve as the driveway to Lots 5, 6, 7 and 8. The application does include transferring the water rights that exist on the property to the City of Ketchum.

Ed Lawson, Attorney for the applicant, commented that it serves in the public interest to grant the vacation. The property owners have been paying property taxes on the street. The applicant is prepared to convey any water rights assigned to this property, there are .71 CFS of water. There are some concerns about the utilities, they are not aware of any issues, but they have committed to provide an infrastructure plan to identify utilities that are there or needed before getting a building permit. The City is a third party beneficiary of those provisions.

Council President Michael David opened the meeting to public comment, and closed the public comment.

Robyn Mattison, Public Works Director/City Engineer, said if it is possible it should be transferred into the City's name. It would not be the smallest water right.

Linda Haavik, Interim Director of Building and Planning, did not see any benefit of keeping it as a city street, as long as there was access, but Council should consider what it does to the other lots as far as density.

Councilor Anne Corrock clarified that the lots could be reconfigured in the future. Stephanie Bonney said that those changes would need to be approved by the City prior to any development.

Council President Michael David asked if it is reconfigured does the no more curb cuts on Bird Drive go along with it. Linda Haavik suggested it should be a condition of the vacation and noted on the plat.

Robyn Mattison clarified that it is possible to transfer it to a municipal right, and to transfer it to another well.

Ed Lawson said one of the conditions of that well, was that a well needed to be installed within a certain number of months. But since there is a well there, it should not be much of an issue.

Garth McClure commented that there is a well on the site. There were no water service lines, and the owners have been using the water from the well for irrigating the property.

Stephanie Bonney said the water right has been verified by IDWR.

Motion to approve the Wick Strasse Street Right-of-way Vacation Petition, subject to conditions 1 – 3, and to direct staff to prepare an ordinance to formalize the vacation request approval.

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

5. COMMUNICATIONS FROM STAFF.

- a. Recommendation to Prepare Letter Supporting Snow Riders International Efforts Urging EPA to Adopt a Clean Power Plan – Suzanne Frick, City Administrator.

Motion to support the preparation of the attached letter to the EPA,

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

6. CONSENT CALENDAR

Motion to approve the consent calendar.

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

- a. Approval of minutes: November 3, 2014.
- b. Recommendation to approve current bills and payroll summary.
- c. Approval of 2014-15 Liquor, Beer and Wine Licenses.
- d. Jensen Security Agreement for Sidewalk Improvements on First Street.
- e. Kith and Kin Security Agreement for Striping of an ADA Compliant Parking Space.

7. EXECUTIVE SESSION to discuss:

- a. Personnel pursuant to Idaho Code §§67-2345 1(a) and (b).

Motion to go into executive session pursuant to Idaho Code §§67-2345 1(a) and (b).

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

8. ADJOURNMENT.

Council President Michael David motioned to adjourn at 7:33 p.m. Councilor Baird Gourlay seconded , the motion passed unanimously



Michael David
Council President

ATTEST:



Sandra E. Cady, CMC
City Clerk