



CITY OF KETCHUM, IDAHO SPECIAL CITY COUNCIL MEETING
Monday, January 11, 2021, 4:00 PM
480 East Avenue, North, Ketchum, Idaho

Minutes

In recognition of the Coronavirus (COVID-19), members of the public may observe the meeting live on the City's website at ketchumidaho.org/meetings.

If you would like to comment on a PUBLIC HEARING item, please submit your comment to participate@ketchumidaho.org by noon the day of the meeting. Comments will be provided to the Mayor and Council.

If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.

**Dial-in: +1 253 215 8782
Meeting ID: 994 7723 0382**

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Bradshaw called the meeting to order at 4:00pm.

- ROLL CALL

PRESENT

Mayor Neil Bradshaw
Council President Courtney Hamilton (Teleconference)
Councilor Amanda Breen (Teleconference)
Councilor Michael David (Teleconference)
Councilor Jim Slanetz (Teleconference)

ALSO PRESENT

City Attorney Matt Johnson (Teleconference)
City Administrator Jade Riley
Planning & Building Director Suzanne Frick
Public Affairs & Administrative Services Manager Lisa Enourato
Logan Simpson Consultant Jennifer Gardner (Teleconference)
Logan Simpson Consultant Bruce Meighen (Teleconference)
Logan Simpson Consultant Jennifer Levstik (Teleconference)

- COMMUNICATIONS FROM MAYOR AND COUNCILORS

None

- PUBLIC HEARING

1. ACTION ITEM - Recommendation to conduct public hearing and second reading on Interim Ordinance 1216 that appoints members of the Historic Preservation Commission; establishes a list of historic and architecturally significant structures in the Community Core District (CC); establishes review standards for demolition or alteration of historic structures; establishes minimum maintenance requirements for historic structures; provides remedies for dangerous buildings; provides enforcement standards; and provides for an effective period for the interim ordinance - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and then turned it over to Logan Simpson Consultant Jennifer Gardner for a presentation addressing feedback from the last meeting.

Mayor Bradshaw then opened the item up for public comment.

Hillary Anderson, owner of multiple properties on the proposed list, phoned in to voice her opposition to including the Sun Club on the list of historically significant buildings.

Travis Killmer, President of the AIA Idaho Mountain Section, phoned in to express his opposition to the proposed Interim Ordinance.

Mayor Bradshaw closed public comment.

The Mayor provided background on the project, stating that the list of historically significant properties was initially 82 and that it was reduced to 26 on the recommendation of experts in the field. He issued a reminder that the Interim Ordinance would put a process in place for the Historic Preservation Commission (HPC) and that additional items can be addressed in the future permanent Ordinance.

Councilor Breen thanked staff and the Logan Simpson consultants for their work on the Interim Ordinance. She commented was happy to see the reinstatement of the Historic Preservation Commission and was supportive of its new structure. She questioned if the property owners of the 26 historically significant properties were specifically notified by the city.

Mayor Bradshaw clarified that they had not been specifically notified.

Councilor Breen said that she thought the property owners need to be specifically notified, even if there is future review planned by the Historic Preservation Commission. She said that she would rather pass an Interim Ordinance without a specific list of properties attached. She also stated that she would prefer to see an incentive-based approach rather than have the HPC and City Council review and potentially deny demolition permits. She added that this incentive-based approach could be included in the future permanent Ordinance.

City Administrator Jade Riley commented that if some demolition review process were not included in the Interim Ordinance, any of the properties on the list could obtain a demolition permit while a permanent Ordinance was being developed and we would run the risk of losing those buildings.

Planning & Building Director Suzanne Frick clarified that we do not need an Interim Ordinance to establish the Historic Preservation Commission since the HPC already exists in our city code. The purpose of the Interim Ordinance is to establish a review process for demolition or alteration of historically significant structures. She said that if the City Council does not want to establish a review process, there is no need for an Interim Ordinance.

Councilor David said that, like Councilor Breen, he has had issues with the emergency designation since the beginning. He also agreed that the list is problematic because the City Council did not contribute to the list and it seems arbitrary to restrict demolition on those properties without more information on why certain properties are included and others are excluded.

Mayor Bradshaw clarified that the City Council could edit the list that they approve as part of the Interim Ordinance and also that the list is subject to change in the future.

Council President Hamilton agreed that the list could use more review and commented that she found it alarming that the owners of properties on the list were not notified.

Mayor Bradshaw commented that notification of property owners is not typically part of this type of process and then turned it over to Logan Simpson Consultant Jennifer Levstik. Jennifer said that if the list were not adopted as part of the Interim Ordinance, then the HPC would have no purview over anything. With a list in place, they would have parameters over what they would review if a demolition permit came in. However, she did recommend that all property owners on the list be notified that their property is included on this list.

Planning & Building Director Suzanne Frick clarified that legally, the city is not required to provide notification to property owners. She said that, however, it might be good to do a courtesy notice to the group of properties that are considered historic. She also provided a comparison of properties that are on the list to those that are in the avalanche zone. She stated that property owners in the avalanche zone are not prohibited from making alterations but are required to go through a review process that properties not in the avalanche zone don't have to.

Councilor David stated that under the proposed Interim Ordinance a property owner on the list could potentially be denied demolition, which made this more than just an additional process for them to go through. He voiced his concern with the level of uncertainty this would create for property owners.

Council President Hamilton noted that this is a new process and highlighted the importance of being transparent. She said that she thought it was the right thing to notify all of the property owners on the list and to give them a chance to participate. She also stated the importance of having clear criteria for why properties are included on the list in order to set the HPC up for success.

Councilor Slanetz agreed that it was important to get the HPC back up and running. He said that he would like the list to be as objective as possible. However he voiced his concern with property owners rushing to get a demolition permit while the HPC was trying to figure out the list. He mentioned that another option would be to require a building permit to be obtained prior to demolition. That way, the HPC could be included in the building permit review process. He said that if we were to include a list with the Interim Ordinance, he would probably prefer to start with a smaller list and have the HPC build on it.

Councilor David questioned the arbitrariness of the list and wondered if it would be better to have simpler criteria, like age. He also asked about buildings that are on the list that have hazardous materials or are in disrepair.

City Administrator Jade Riley clarified that there is a clause for health and safety in the proposed Interim Ordinance.

Mayor Bradshaw stated that the original list was based on age and that it was refined based on historic integrity. Meaning, that buildings that were modified may have been removed, while buildings in disrepair may have remained due to their lack of modification.

Councilor Breen said that the point that Councilor Slanetz brought up about requiring a building permit prior to demolition could help avoid the rush to demolition while the permanent Ordinance is being developed.

Planning & Building Director Suzanne Frick commented that it would be better to have a process in place with the HPC weighing in first so that the design review process does not get waylaid by opposition to the demolition of a historic structure.

Mayor Bradshaw commented that one of the owners of a property on the list voiced their support for going through the proposed process. The Mayor said that it gave him confidence that the proposed process would create a better result for everyone involved.

Council President Hamilton said that the property owner the Mayor was referring to submitted a comment in opposition to the proposed Interim Ordinance. Overall, she stated her support for an Interim Ordinance with at least a base level list and highlighted the importance of getting feedback from property owners.

Councilor Breen commented that she is not in support of a second reading of the Interim Ordinance as it is written. She said she would prefer either a smaller list with iconic historic buildings and/or to remove the language allowing the denial of demolition permits.

City Attorney Matt Johnson said that by removing the ability to deny demolition permits, the city would lose leverage to get the applicant to make changes to their project.

Mayor Bradshaw commented that the Planning & Zoning Commission reviewed the Interim Ordinance and voiced unanimous support for its passage as a first step.

Councilor Slanetz said that the list should consist of a minimum of five to ten properties.

Mayor Bradshaw reminded the City Council that they could revise the list prior to adopting the Interim Ordinance.

Councilor David mentioned that the feedback received from property owners was in opposition to the Interim Ordinance. He said that all of property owners on the list of 26 did not necessarily get the opportunity to comment. He stated his support for narrowing the list and then allowing the HPC to revisit.

Councilor Breen asked how many properties on the list were eligible for the National Register.

Planning & Building Director Suzanne Frick said that the criteria that was used for the list of 26 was the same criteria that the National Register uses and, therefore, all of 26 buildings on the list could potentially be eligible. She clarified that in order to determine actual eligibility a more thorough examination of the properties would be required. However, she reiterated that the highest standard (that of the National Register) of criteria was used to create the list of 26 properties.

Councilor Breen stated her support for a smaller list but voiced her hesitancy for having the Council pick those properties. She mentioned three properties that she thought everyone could agree should be included - Comstock & Clark Mercantile (Enoteca), Forest Service Park, Greenhow & Rumsey Store (Culinary Institute).

Councilor Slanetz said that his list would be closer to the list of 26 that was proposed.

Councilor David said he would like to ensure that the Michel's Christiania Restaurant and the Horace Lewis Home/Elephant's Perch were also on the list.

Council President Hamilton said that she was not sure if there would be agreement on the list, but that she thought it was important to pass an Interim Ordinance and trusted in the HPC to revise the list. She voiced her support for the inclusion of St. Mary's Catholic Church.

Mayor Bradshaw commented that Bonning Cabin should be added, as it is owned by the city.

The Council deliberated and came up with a list of seven properties: Bonning Cabin, Comstock & Clark Mercantile, Greenhow & Rumsey Store, Forest Service Park, Michel's Christiania Restaurant, Horace Lewis Home/Elephant's Perch and Lewis Bank

City Administrator Jade Riley asked the City Council if they would like to add language to the Interim Ordinance to require a building permit approval prior to a demolition permit.

Planning & Building Director Suzanne Frick clarified that it would go back to the original proposed language for Section 1C.

Council President Hamilton stated that she was okay passing a list of only seven properties because she had confidence that the HPC would find value in a larger list of buildings that would constitute the final list.

Mayor Bradshaw said that a third reading would be conducted on Friday, January 15th at 2:00pm.

Motion to approve a second reading of Interim Ordinance 1216 with the amended list of seven properties and the original language proposed by staff in 1C.

Motion made by Council President Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

Read by title only by Council President Hamilton.

- EXECUTIVE SESSION

2. Executive Session to Consider the Evaluation of Personnel pursuant to 74-206(1)(b)

Motion to enter into Executive Session pursuant to 74-206(1)(b).

Motion made by Councilor Breen, Seconded by Council President Hamilton.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

- ADJOURNMENT

Motion to adjourn at 6:50pm.

Motion made by Councilor Breen, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

Neil Bradshaw, Mayor

Katrin Sharp, Deputy City Clerk