



CITY OF KETCHUM, IDAHO CITY COUNCIL MEETING

Monday, October 19, 2020, 4:00 PM

480 East Avenue, North, Ketchum, Idaho

Minutes

Due to safety and COVID-19 physical distancing requirements, there will be limited public attendance at Ketchum City Council meetings. Members of the public may observe the meeting live on the City's website at <https://www.ketchumidaho.org/meetings> or observe the meeting live outside of the building.

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 City 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.

If you would like to provide comment on a PUBLIC HEARING item on the agenda in person, you may speak to the Council when called upon but must leave the room after speaking and observe the meeting outside City Hall.

**Dial-in: +1 253 215 8782
Meeting ID: 932 0422 2250**

- **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 Amanda Breen
Councilor Michael David (Teleconference)
Councilor Courtney Hamilton
Councilor Jim Slanetz

ALSO PRESENT

City Administrator Jade Riley
City Attorney Matt Johnson
Director of Finance & Internal Services Grant Gager
Public Affairs & Administrative Services Manager Lisa Enourato
Planning & Building Director Suzanne Frick

Police Chief Jamie Shaw
Fire Chief Bill McLaughlin

- COMMUNICATIONS FROM MAYOR AND COUNCILORS

None

- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** 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
 1. Approval of Minutes: Regular Meeting September 21, 2020
 2. Approval of Minutes: Special Meeting September 29, 2020
 3. Approval of Minutes: Regular Meeting October 5, 2020
 4. Authorization and approval of the payroll register
 5. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$376,782.41 as presented by the Treasurer
 6. Resolution #20-026 Recommendation to appoint Grant Gager as City Clerk - Neil Bradshaw, Mayor
 7. Approval of Resolution #20-024 Appointing Meredith Skillman as a member of the Ketchum Arts Commission - Neil Bradshaw, Mayor
 8. Recommendation to approve Contract #20547 with Blaine County for GIS services - Suzanne Frick, Director of Planning and Building
 9. Approval of Contract #20545 for Bulldozer Rental - Brian Christiansen, Director of Streets and Facilities Maintenance
 10. Approval of Contracts for Snow-hauling Services - Brian Christiansen, Director of Streets and Facilities Maintenance
 11. Recommendation to approve Encroachment Agreement #20527 at 180 W. Second Street - Suzanne Frick, Director of Planning and Building
 12. Recommendation to Approve Purchase Order #20546 for GE Cimplicity Software Upgrade and Technical Support - Mick Mummert, Wastewater Superintendent
 13. Recommendation to approve the extension of Contract #20187 with EcoEdge for Ketchum Sustainability Advisory Committee - Jade Riley, City Administrator
 14. ACTION ITEM: Approval of Event Application for Festival of Trees - Lisa Enourato, Public Affairs and Administrative Services Manager

Mayor Bradshaw requested that item #14 be pulled from the consent agenda and considered after item #18.

Councilor Hamilton requested that item #13 be pulled from the consent agenda and considered separately.

Motion to approve consent agenda items #1-12.

Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.

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

For item #13, Councilor Hamilton clarified that the city planned for the new Utility position to be in charge of sustainability. Since that position has not been filled yet, KSAC is requesting interim support of \$3,000 to be taken from the sustainability budget. Councilor Hamilton expressed interest in revisiting the sustainability budget at a later date.

Motion to approve consent agenda item #13.

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

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

For item #14, Mayor Bradshaw said that it might send the wrong message for the city to approve a large event at this time.

Council President Breen expressed her concern that more than 50 people could be present at one time. Councilor Slanetz commented that he thought the event could be done in a safe manner. Councilor Hamilton commented that she would vote to deny application as is, but thought that the event organizer could address some of the safety concerns and bring the application back to the next meeting. Council President Breen agreed.

Item #14 was tabled.

- NEW BUSINESS (no public comment required)
- 15. ACTION ITEM: Recommendation to approve Encroachment and Alley Maintenance Agreement #20548 with Jack Bariteau for development at First Avenue and Fourth Street - Suzanne Frick Director of Planning and Building

Councilor Slanetz questioned if the city is paying for sidewalks on this project. Planning & Building Director Suzanne Frick clarified that the city would be paying for a portion of sidewalk in order to ensure that the entirety of 1st Avenue would have snow melt, rather than having a gap between two projects.

Jack Bariteau presented on the purpose of the Encroachment and Alley Maintenance Agreement.

Mayor Bradshaw commented that he would like to see a complete, safe sidewalk in place.

Councilor Slanetz and Councilor Hamilton asked for an estimate of the amount that the city would need to contribute. Jack Bariteau mentioned that he does not currently have a price for the sidewalks, but will bring the estimate to the City Council for discussion and approval.

Mayor Bradshaw reiterated that the City Council would approve the cost of the sidewalk separately from the Encroachment and Alley Maintenance Agreement before them today.

Councilor Breen expressed her support for approving the agreement and mentioned the public benefit of safe, consistent sidewalks. Councilor David voiced his support for getting the sidewalk done correctly.

Motion to approve Encroachment and Alley Maintenance Agreement #20548.

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

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

16. ACTION ITEM: Recommendation to approve Encroachment Agreement #20536 with Idaho Power for infrastructure to support the development at First Avenue and Fourth Street - Suzanne Frick, Director of Planning and Building

Mayor Bradshaw introduced the item and commented that it had to do with infrastructure improvements related to the previous item.

Motion to approve Encroachment Agreement #20536 with Idaho Power.

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

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

17. Update and discussion on Winter Parking Regulations and Curbside Pickup Parking Areas - Jade Riley, City Administrator

Mayor Bradshaw introduced the item and turned it over to City Administrator Jade Riley.

City Administrator Jade Riley showed a presentation on potential curbside pick-up sites for businesses and winter parking regulations. Riley mentioned that next steps would include public and business outreach over the next two weeks. Both topics would be discussed at a Special Traffic Authority Meeting on October 28, 2020. Then, both topics would be brought back to the Council on November 2, 2020.

Council President Breen commented that an educational campaign would be an important component of changing overnight parking regulations.

Councilor Hamilton mentioned that she has heard that it can be very difficult for people to get their car back from the tow lot. She welcomed any improvements that can be made to the process.

The council discussed potential streets and parking lots that could be used to accommodate overnight parking and/or towing.

18. ACTION ITEM: Discussion and potential action on COVID-19 in Blaine County - Neil Bradshaw, Mayor

Mayor Bradshaw introduced the topic and asked Fire Chief McLaughlin to provide an update.

Chief McLaughlin commented that Blaine County is now in the critical risk zone. He also mentioned that COVID cases are rising in South Central Public Health District, Blaine County and Idaho as a whole. He highlighted the importance of keeping an eye on hospital capacity, due to the fact that Blaine County is reliant on many regional hospitals that are also experiencing spikes in COVID. Chief McLaughlin said that we have the option to increase restrictions on group size, but that we could also focus on educating and enforcing on existing regulations.

Mayor Bradshaw reiterated that we could (1) tighten up on compliance with existing regulations or (2) place additional restrictions on group size.

Public Affairs & Administrative Services Manager Lisa Enourato provided an update on the Health Order that Blaine County passed earlier that same day.

Mayor Bradshaw provided an overview of the City of Ketchum's draft Public Health Emergency Order. He emphasized the need to amplify our education efforts and then turned the discussion over to the Council.

Councilor Hamilton agrees that we need to do more enforcement and education of the protocols that are already in place, but also thinks it is important to tighten up the gaps that exist.

Councilor David commended both residents and visitors for taking things seriously and doing a great job in Ketchum. He agrees that we need to focus on compliance with existing regulations, especially after sundown, but also commented that gatherings seem to be an issue, so he would like to discuss restricting gathering size.

Councilor Slanetz mentioned the high level of antibodies in our community and thinks that the City of Ketchum should stay the course with existing regulations and encourage community members to take personal responsibility. He also reminded everyone that we changed our risk level criteria recently.

Council President Breen discussed the difficulty in responding to COVID at the local level, when there should be more coordinated efforts by the State of Idaho. She also mentioned that hospital capacity is a concern for everyone experiencing a medical emergency, not just COVID patients. She supported limiting gathering size and didn't have any suggested changes to the draft Health Order.

Councilor Hamilton mentioned that it may be easier on businesses if we went back to Stage 3 protocols for restaurants and bars. City Administrator Jade Riley expressed difficulty in pinpointing Stage 3 protocols, since the State amended those protocols when we went into Stage 4.

The Council deliberated.

Motion to approve Public Health Emergency Order No. 20-04, as amended by Mayor Bradshaw and Councilor Slanetz.

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

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

Voting Nay: Councilor Slanetz

- PUBLIC HEARING

19. ACTION ITEM: Recommendation to approve a Preliminary Plat submitted by Fritz Haemmerle and Reli Haemmerle to subdivide and adjust the existing lot lines shared by two existing parcels, 131 Topaz (Lot 1, Shelby Dukes Sub) and 151 Topaz (Ketchum FR SE SW TL 8490 SEC 18 4N 18E) into three (3) lots - Suzanne Frick, Director of Planning and Building

Mayor Bradshaw introduced the item and opened the public hearing on the item. There was no public comment.

Applicant Fritz Haemmerle attended in person to answer questions, but there were none.

Councilor Hamilton asked, from a planning perspective, why we disallow dual-facing lots.

Planning & Building Director Suzanne Frick clarified that there is a provision in our code to limit access to one street frontage, based on urban planning principles.

Motion to approve the Preliminary Plat.

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

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

20. ACTION ITEM: Recommendation to Consider Emergency Ordinance 1213 - Temporary prohibition on demolition of historic structures - Neil Bradshaw, Mayor

Mayor Bradshaw introduced the item and said that the intent is to take six months to have a "community conversation" on the subject of historical preservation in our community. The Mayor opened public hearing on the item.

Public Comment:

Charlie Holt - Voiced his opposition to Emergency Ordinance 1213 in person.
Jeff Lubeck - Voiced his opposition to Emergency Ordinance 1213 in person.
Daniel Sundali - Voiced his opposition to Emergency Ordinance 1213 in person.

Mayor Bradshaw closed public comment.

Planning & Building Director Suzanne Frick clarified that for any application that has previously been filed with the City, the Emergency Ordinance would not apply.

Council President Breen mentioned that she was on the Historical Preservation Commission around 2005 - 2007. She mentioned that we do currently have an ordinance on the books that requires a 60-day noticing period for historic demolition. She agrees that the community should engage in discussions about historic preservation, but that it should not be done under an emergency ordinance.

City Attorney Matt Johnson gave an overview of the definition of an Emergency Ordinance in the Idaho code. He clarified that it is up to the City Council's discretion to determine if there is an imminent peril, justifying an Emergency Ordinance.

Councilor Hamilton expressed her concern over the loss of historic structures in Ketchum. She indicated that the level of real estate transactions is extremely high and could constitute an emergency. However, she also stated her belief that not all of the buildings in the existing study should be considered historic. She expressed interest in doing three readings of the Ordinance and also expressed openness to an Interim Ordinance. Overall, she expressed support of the Emergency Ordinance.

Councilor Slanetz commented that he doesn't want to see Ketchum's character disappear but acknowledges the difficulty in determining what is considered "historic". He mentioned that he understands the concerns of property owners. He expressed his fear that, by introducing an Emergency Ordinance, we may have created an emergency by giving property owners a sense of urgency that would not have existed otherwise.

Councilor David agrees with Council President Breen. He expressed the need to have this discussion, but that an Emergency Ordinance is not necessary because there is an existing process in place.

Planning & Building Director Suzanne Frick clarified the existing demolition process, which is really a notification period. The City does not currently have authority to deny a demolition application. She explained that this process would allow us to explore definitions of historical significance within our community and to come up with a plan.

Councilor Slanetz expressed support for an Emergency Ordinance with a shorter expiration period of 90 days to prevent a rush of demolition permits. Councilor Hamilton commented on

her desire to do whatever she can to avoid losing one of Ketchum's landmark buildings. She expressed her support for an Emergency Ordinance.

Councilor David brought up his concern with COVID's impact on the public hearing process and expressed his discomfort with passing an Emergency Ordinance tonight.

Motion to waive first and second readings of Emergency Ordinance 1213, as amended by Councilor Slanetz.

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.
Voting Yea: Mayor Bradshaw, Councilor Hamilton, Councilor Slanetz
Voting Nay: Council President Breen, Councilor David***

Motion to adopt Emergency Ordinance 1213 and read by title only, with corrections to typos.

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.
Voting Yea: Mayor Bradshaw, Councilor Hamilton, Councilor Slanetz
Voting Nay: Council President Breen, Councilor David***

Councilor Hamilton read Emergency Ordinance 1213 by title only, amended to 90 days.

21. ACTION ITEM: Recommendation to Adopt Ordinance 1214 amending Chapter 17.88 of the Ketchum Municipal Code, Floodplain Management Overlay District - Suzanne Frick, Director of Planning and Building - **Continued to November 16, 2020**

Motion to continue item to November 16, 2020.

***Motion made by Councilor Slanetz, Seconded by Councilor Hamilton.
Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

- EXECUTIVE SESSION

22. Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)

Motion to enter executive session pursuant to Idaho Code 74-206(1)(f).

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.
Voting Yea: Council President Breen, Councilor David, Councilor Hamilton, Councilor Slanetz***

- ADJOURNMENT

Motion to adjourn at 7:47pm.

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

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

Neil Bradshaw, Mayor

Katrin Sharp, Deputy City Clerk