



CITY OF KETCHUM, IDAHO SPECIAL CITY COUNCIL MEETING

Monday, November 18, 2019, 4:00 PM.

480 East Avenue, North, Ketchum, Idaho

PRESENT

Mayor Neil Bradshaw
Council President Michael David
Councilor Amanda Breen
Councilor Jim Slanetz

ABSENT

Councilor Courtney Hamilton

STAFF PRESENT

Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Kirk Houston
Director of Finance & Internal Services Grant Gager
Director of Planning & Building John Gaeddert

- **CALL TO ORDER:** By Mayor Neil Bradshaw

Mayor Neil Bradshaw called the meeting to order at 4:03 pm.

- **COMMUNICATIONS FROM MAYOR AND COUNCILORS**

Mayor Neil Bradshaw congratulated Councilor Jim Slanetz and Council President Michael David for the win in the election and thanked them for continuing to serve. He welcomed Fire Chief Bill McLaughlin and thanked the public for the support of the Fire Bond.

- **COMMUNICATIONS FROM THE PUBLIC on matters not on the agenda (Comments will be kept to 3 minutes)**

Mayor Neil Bradshaw asked for public comment.

Tom McLean Ketchum Sun Valley Volunteer Association congratulated Jim Slanetz and Michael David on their re-election. He appreciates the MOU partnership with the YMCA and the City and talked about the possible relocation of the training facility and asked that the Fire Department be included in the process

Susan Wingate is very pleased that the bond for the Fire Department passed, however has concerns about the YMCA parking lot location. She suggested the location be very accessible and possibly off the highway. Susan Wingate stated that the YMCA is very congested.

Susan Scovell read a letter from Jen Smith congratulating the City on the Bond. She voiced her objection to the YMCA parking lot location and talked about the history of the YMCA location and the Skate Park. She talked about the area being a safety zone. Susan Scovell advised that she is in agreement with Jen Smith's comments and would like to talk about her suggestions on location in the future.

Jane Mitchell talked about the importance of unity and about the bond not being site specific. She advised that she thinks there is a problem with transparency and the wording was very misleading. She talked about the advertising

saying there was no cost to the city which is untrue and talked about this agenda being misleading and not referencing the Fire House site.

Gary Hoffman is very pleased with the results of the bond election. He pointed out 3 facts stating that the new Fire House will be close to the center of town, the site was considered over a number of years and the YMCA and skate park are major users. Gary Hoffman stated that the YMCA supports the location and talked about traffic and Ambulance and Medical calls that serve Ketchum. Councilor Amanda Breen thanked Gary Hoffman and Jim Plummison for all their hard work to get the bond passed.

Richard Canfield gave his congratulations on the funding of the fire station but said that it does not end in the vote, stating the City still has time to change the location. Mr. Canfield stated that the City needs to have an open public conversation to keep public good will and talked about the goals.

Lara McLean thanked council for the fire truck and the jobs that they saved. She hopes to impress on the council to meet the needs of the community and stated that this should not be a substation for the City of Sun Valley, this should be a public safety facility for fire and police.

Greg Martin gave his congratulations on the election. He stated that the community recognizes the need for the fire station, and he is here to speak for the Fire Department. They do not want to rush this thru. He is not in favor of the proposed location. He talked about the protocol of an emergency call.

Mayor Neil Bradshaw talked about the process the council has gone thru for the last 2 1/2 years stating it was extensive and thorough and there was representation from the public. Mayor Bradshaw talked about a location that is being discussed since the election. He talked about the work that would need to be done to the open space law for that proposed location. He talked about the extended public process and the possible legal actions that may occur. Mayor Bradshaw gave a number of issues with the proposed land and advised that he welcomes petitions to know what the public wants. He clarified that the City has no intention of moving the training facility. He referenced the McGrath Study advising that it identified the YMCA location as an ideal location for the fire station. The Mayor is delighted with the support of the community and he plans to keep the fire station on track.

- **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

The Mayor moved item 10 to the next agenda.

1. Approval of Minutes: Regular Meeting November 4, 2019
2. Authorization and approval of the payroll register
3. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$574,585.62 as presented by the Treasurer.
4. Monthly Financial State of the City - Director of Finance and Internal Services Grant Gager
5. Authorization and approval of Beer & Wine License for the TNT Taproom
6. Authorization to approve Resolution #19-026 establishing the 2020 calendar for the City Council
7. Authorization to approve Resolution #19-025 establishing 2020 Ketchum Planning & Zoning Commission Meeting Dates – Director of Planning & Building John Gaeddert
8. Recommendation to Adopt Resolution #19-028 Accepting the Canvassed Election Results from the Blaine County Board of Commissioners – City Clerk Robin Crotty
9. Authorization to approve Joint Powers Agreement #20427 between Blaine County and the City of Ketchum relating to Law Enforcement Services – City Administrator Suzanne Frick
10. Recommendation to approve Resolution #19-031 to appoint Olin Glenne on the Visit Sun Valley Board

Motion to accept the consent agenda

Motion made by Councilor Slanetz, Seconded by Councilor Breen.

Voting Yea: Mayor Bradshaw, Council President David, Councilor Breen, Councilor Slanetz

- PUBLIC HEARINGS AND DISCUSSIONS (Public comment and input taken on the following items)

11. ACTION ITEM: Recommendation to approve Lease Agreement #20428 between the Community Library and City of Ketchum—City Administrator Suzanne Frick

Mayor Neil Bradshaw explained the agreement before them and asked for public comment. Jenny Davidson from the Community Library echoed Mayor Bradshaw's thoughts. She talked about all the success of the Community Library and advised that she is excited to move forward with the lease and looks forward to the use of Forest Service Park.

Mayor Neil Bradshaw expressed his support of re-envisioning the space. Councilor Jim Slanetz questioned what is in the middle building? Jenny Davidson explained it is historical exhibits. Councilor Amanda Breen talked about the development of the lease and her support.

Motion to authorize the Mayor to approve Lease 20428 with the Community Library

Motion made by Councilor Slanetz, Seconded by Councilor Breen.

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

12. ACTION ITEM: Recommendation to approve the Final Plat for 100 Seventh Condominium (previously referenced as Sun Valley Dental Arts Building), located on Lot 5, Block 34, City of Ketchum – Senior Planner Brittany Skelton

Mayor explained that this is the final step prior to issuing the Certificate of Occupancy. This is an administrative act and asked for public comment. There was none.

Motion to approve the 100th Seventh Final Plat subject to City issuance of a Certificate of Occupancy for the building and condominium units.

Motion made by Councilor Breen, Seconded by Councilor Slanetz.

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

13. ACTION ITEM: Proposed amendment to the Onyx FAR Exceedance Agreement #20171 to change the identified Mitigation Property from 121 Short Swing Lane to 102 Irene Street and possibly allow the Onyx Developer / J Peterman Development, LLC to sell and/or assign Excess Square Footage in the identified Mitigation Property to other developments – Director of Planning & building John Gaeddert

Mayor Neil Bradshaw explained the agreement before them. He talked about the staff recommendation saying credits will be contemplated at a later date. This is a straight swap for one property for another.

Mayor Neil Bradshaw asked for public comment.

Shannon Flavin read a letter from Chris, a developer of the project from the inception. He gave the background of the project and when it began. He talked about the affordable housing issue in Bozeman, MT explaining that he feels it is the most important issue in our towns today. He talked about the FAR program before council and about delivering a property to Blaine County Housing Authority. He talked about obtaining the exact sq. footage was impossible and he is not interested in coming in under the sq. footage. He is looking into using excess sq.

footage and feels it is important to deliver a property rather than paying the In-Lieu fees. He talked about the positives of using the excess towards the flexibility and spoke in support.

Ed Johnson, 110 Wood River Dr., spoke in support of affordable housing. He talked about the proposal creating a secondary market for the sq. footage and should not be allowed.

Bob Crosby does not agree with the previous comment saying this developer is offering existing product to the City and it is coming in at a far higher value. He advised that this information has been emailed to all of council. Bob Crosby addressed the credits and advised there would not be a secondary market. He thinks council should consider this and talked about all that the city would benefit from.

Nathan Harvil, Blaine County Housing Authority echoed Bob Crosby's comments and said that the Blaine County Housing Authority has been involved and this is a need that exists. He believes this could be done correctly and is in support of whatever can be done to benefit the community.

Layne Thompson, Magleby Construction in Ketchum, voiced his support of approving this language. Based on his experience he believes Ketchum has stumbled upon a solution for community housing. It's the government's responsibility to develop fair markets to assist a community. Part of the challenge is the In-Lieu monies that come into the city coffures. This will assist but the regulation will be important. He voiced problems with the short-term rental market.

Shannon Flavin spoke for himself in favor of the agreement.

Mayor Bradshaw appreciates the housing given from Onyx and voiced support of the swap of property saying it has to happen soon. Mayor Bradshaw explained that there will be a longer discussion about the credits and the policy.

Councilor Jim Slanetz questioned the property on Short Swing Lane and where it is going. Blaine County Housing Authority Executive Director Nathan Harvil explained, it goes into the long-term inventory. Jim Slanetz questioned what is different about Ben Franz' unit. Mayor Bradshaw clarified that the funding goes to Ben Franz but managed thru BCHA. Nathan Harvil explained that all applicants come from the BCHA. Jim Slanetz questioned the In-Lieu fees. Nathan Harvil explained that BCHA never owns the property outright. There was a discussion as to how to use In-Lieu fees. Jim Slanetz referenced Whistler and questioned how the money could be used to reproduce for funding for the next project to create a snowball effect. Mayor Neil Bradshaw voiced support of Jim Slanetz's comments. Shannon Flavin advised that this would be a great property to use in-lieu fees to buy. Jim Slanetz would like to figure out how the excess fees stay within the system. Councilor Amanda Breen said this is a great discussion, however, it is not what they are being asked to approve tonight, she voiced her support of the project but has some hesitation of approving the language tonight without having a larger discussion. Council President Michael David does not think we need to hold this up, but we need to have a reexamination of the in-lieu fees. The In-Lieu fees and their use was discussed at length.

Mayor asked for approval of the project and said there would be further discussion on how to handle the funding.

Motion to amend Paragraph 5 of Contract 20171 and the identified Mitigation Property from 121 Short Swing Lane to 102 Irene Street consistent with the provisions noted in the Blaine County Housing Authority letter of November 8, 2019. This approves the swap and policy will be addressed at a later date.

Motion made by Councilor Breen, Seconded by Councilor Slanetz.

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

14. ACTION ITEM: P & Z Recommendation to approve Barriteau Separate Property Trust/Main Trust Properties LLC - 1st & 4th Mixed Use Project for Partial Alley Vacation, Preliminary Plat and a Development Agreement #20427 – Director of Planning & Building John Gaeddert

Mayor Neil Bradshaw introduced this topic and asked the applicant to present.

Applicant, Jack Barriteau talked about his project. He showed a power point explaining the project and talked about the snow storage area and explained why he would like the alley vacated. He talked about the improvements he would make to the alley that is vacated and about the dimensions of the project and all they have to offer including parking. Jack Barriteau advised council that this would be the first affordable housing built without asking for funding and talked about how they are making this happen. Jack Barriteau questioned why there is a request for continuance from staff.

Mayor Neil Bradshaw asked for public comment.

Jim Speck spoke on behalf of Carol B, LLC., asking to be able to comment on alley vacations in the future. He advised that when the applicant bought the property, he was aware that the alley was there. He talked about the public benefit and who uses it and advised that he does not see the public benefit of vacating the alley as required by the city's ordinance.

Dave Wilson, owner of old post office said, we are turning over the maintenance of the alley to a private HOA. In 10 years, it may not be Jack Barriteau. He would like to see the City maintain it and talked about the transformer being placed in the alley.

Charlie Holt talked about the grade of the alley and said that keeping it open during the winter, is asking for huge problems. He talked about snow plowing and maintenance of the alley.

Judy Pittman owns the parcel by the alley. She talked about the current transformer base on the alley and suggested all transformer boxes be moved to the ROW saying that it's an opportunity to do something while the City owns it.

Shannon Flavin talked about the alley by Perry's saying that if there is an alley to vacate, that would be it. He advised that Jack Barriteau's project is a public benefit but there are things to work out.

Mayor Neil Bradshaw said every alley is unique and each alley vacation would have to come before council. He talked about curb cuts if we don't approve this. Workforce housing is a public benefit. Mayor advised that we need direction and we need to take the time to do this right.

Councilor Amanda Breen asked Director of Planning & Building John Gaeddert, why the recommendation to continue? John Gaeddert advised that the alley maintenance agreement needs to be developed, questions on the 4th street encroachment need to be addressed, the Development Agreement needs to be developed as well as the Performance needs to be addressed. John Gaeddert advised that we could work on things between now and the next meeting depending on City Attorney Matt Johnson's availability. He went on to talk about the overall size of the proposal. Amanda Breen asked if the HOA could pay the City to maintain the alley. City Administrator Suzanne Frick advised that the City does not have equipment that will fit down that alley and suggested that the city could contract with another company to maintain. Amanda Breen asked Jack Barriteau if the staircase would be lit? Jack Barriteau advised that it will be lit for pedestrian safety reasons. Amanda Breen asked the applicant about the utility boxes and consolidation. Mr. Barriteau advised that he does not think that is possible but is happy to work with Idaho Power to see what can be done. He advised that he needs to have the project approved before he can make that happen. He suggested snow melt being installed instead of talking about who will take care of things in the future.

Jim Slanetz questioned the utility's and advised the city has a procedure and funds in place from the franchise agreements. Mayor Neil Bradshaw advised that he needs to get a sense from council on how they feel about the Vacation. Jim Slanetz said we are setting a precedent. This particular property has a lot of benefit to vacate. Jack Barriteau said the continuance is a total shock and that he thought the documents were all going to be worked on after approval and that time is critical. Mayor Neil Bradshaw advised that process is very important also. We will try to be as efficient as possible. Council President Michael David said he understands Jack Barriteau's concern about the continuance and talked about the positives of the snow melt and the lit walkway. Michael David would like to have the loan documents in place for the hotel because it is a related project for housing. Jack Barriteau said he is going forward with this project regardless of the hotel, however, this will be a positive impact for the hotel. He cannot get funding in place prior to obtaining the building permit. Michael David reiterated that if the hotel on Main St. does not happen the employee housing is not needed. It would then be considered workforce housing. Amanda Breen understands the frustration, but we need to work thru these issues. She talked about the public interest and the need for more information. Jim Slanetz and Michael David both agree with Amanda Breen. Mayor Neil Bradshaw summarized saying that this is a fantastic project, the design and proposal are wonderful, and the vacation is in the public benefit. He would like more visibility on the agreements. We need to be assured prior to the first shovel in the ground, the project will be completed. Mayor Neil Bradshaw suggested that we put this on the December 16th agenda. Jack Barriteau asked for a commitment. Mayor Neil Bradshaw advised that all documents required, to make a decision, will be brought to the meeting on the 16th for the council to be able to make a decision.

Motion to continue to December 16th the partial alley vacation, the preliminary plat application and the development agreement for 1st and 4th street mixed use building.

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

15. ACTION ITEM: Recommendation have the 2nd & 3rd reading of Ordinance #1202 - Proposed amendments to Title 17, Zoning Regulations to amend height allowance for 100% community housing projects and clarify that a project in the Community Core Subdistrict 1 that provides 100% community housing above the 1st floor and complies with the ground floor street frontage uses of the Subdistrict shall be considered a 100% community housing project – Director of Planning & Building John Gaeddert

Mayor Neil Bradshaw summarized the ordinance before them and opened the meeting for public comment. There was none.

Motion to waive the 3rd reading of Ordinance 1202

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

Move adopt on the 2nd reading and read by title only Ordinance 1202 as set forth in Attachment A

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

Michael David read the title aloud.

16. ACTION ITEM: Recommendation to have the 2nd & 3rd Reading of Ordinance #1204 to establish Wastewater and Water connection fees—City Administrator Suzanne Frick

Mayor Neil Bradshaw explained the Ordinance before them and opened the meeting for public comment. There was none.

Motion to waive the 3rd reading of Ordinance 1204

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

Move adopt on 2nd reading and ready by title only Ordinance 1204.

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

17. ACTION ITEM: Recommendation to adopt Fee Resolution #19-029 – Director of Finance & Internal Services Grant Gager

Mayor Neil Bradshaw introduced Fee Resolution 19-029 explaining that they are aligning costs to reflect actual costs to the City. Mayor Bradshaw opened the meeting for public comment. There was none.

Motion to adopt Resolution 19-029 adopting fees and fee schedules for all City department.

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

- STAFF AND COUNCIL COMMUNICATIONS (council deliberation, public comment not taken)

18. ACTION ITEM: Recommendation to Adopt Resolution #19-030 for Agency Action – Director of Finance & Internal Services Grant Gager

Director of Finance & Internal Services Grant Gager explained that this is a fairly technical step. There is an IRS requirement, in order to start the spending prior to the sale of the bonds. This resolution does not approve the expenditure of funds or any contracts. Mayor Neil Bradshaw advised that there is a rfp on the website for an applicant who has experience in shepherding thru a project of this nature that will close this Friday at 2:00pm. Grant Gager explained that there will be future contracts coming to council for phase II.

Council President, Michael David, talked about comments made earlier in the meeting. He questioned if we owe it to everyone to step back and have a discussion regarding location. He hesitates to proceed to quickly on this. He doesn't know if there is a greater part of the community that is opposed to the location. Mayor Neil Bradshaw advised that time is money. This topic will come up on the 2nd meeting in December to declare the location. Mayor Neil Bradshaw advised that we have clearly represented, in every piece of material, the location of the fire station. He believes if we change the location we should go back out to the voters for another location. He hopes to get council approval at the 2nd meeting in December. He advised council they can come back at the 16th with an alternative site they can discuss at that time. Councilor Jim Slanetz questioned the Attorney if looking at a different site is against the bond language. City Attorney Kirk Houston advised that he did not write the language and will look into it and get back to council. Michael David requested this be put on a future agenda

Motion to adopt Resolution 19-030 declaring the City's intent to reimburse certain authorized project expenses from the fire bond fund.

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

- ADJOURNMENT

Motion to adjourn at 6:18 p.m.

Motion made by Councilor Breen, Seconded by Councilor Slanetz.

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

Neil Bradshaw, Mayor

Robin Crotty, City Clerk