



**CITY OF KETCHUM, IDAHO SPECIAL CITY COUNCIL MEETING**

**Monday, December 16, 2019, 4:00 PM.**

**480 East Avenue, North, Ketchum, Idaho**

PRESENT

Mayor Neil Bradshaw

Council President Michael David

Councilor Amanda Breen

Councilor Courtney Hamilton

Councilor Jim Slanetz

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

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

- **ROLL CALL**

- **COMMUNICATIONS FROM MAYOR AND COUNCILORS**

Councilor Jim Slanetz advised the public that the ice rink looks like it's ready to go. Councilor Courtney Hamilton advised there were 15 public comments received the day of the prior meeting. She is concerned about public opinion not being heard. She would like a deadline for receiving written public comment. Courtney Hamilton also voiced concern over sustainability stating, that the funding is not being provided to ensure sustainability is happening. We are falling behind and impacting the quality of life in Ketchum and are being bad leaders. We need to step up and make big changes in sustainability. All resort towns have a sustainability department. We need to start making a difference. Mayor Bradshaw will schedule a meeting later this week with the sustainability group to address concerns.

Mayor Bradshaw wished everyone a happy holiday and talked about the upcoming Winter Solstice.

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

Sharon Patterson Grant talked about the new Fire station and all it will have for sustainability. They are always on the lookout. Mayor Neil Bradshaw advised that he is a huge supporter of the group and praised their expertise. He is delighted by the sustainability projects from the group and would like to continue this conversation.

Robert Rudy is here to present 125 pages of documents for 108 Fir Dr. regarding receiving the Certificate of Occupancy. He referenced an engineering report that is included in the record and said that copies of the report should be made and given to all supervisors.

Rebecca Bundy would like to speak on an item that is on the end of agenda because she was unable to stay for the meeting. Mayor Bradshaw allowed her comments at this time. Rebecca Bundy referenced the request for snow melt in the alley on the Bariteau project and advised against it stating the amount of energy going into melting snow is exorbitant. Removing snow in the alley would be a better idea.

Gary Lipton questioned the Mayor's missive and transparency. He talked about completed projects in the missive explaining that the funding for sidewalks was by the KURA, not the City. Credit needs to be given to the KURA. Mayor Bradshaw thanked Gary Lipton for his leadership in the KURA and the KURA's funding of the sidewalks.

- 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 December 2, 2019
  2. Approval of Minutes: Special Meeting December 9, 2019
  3. Authorization and approval of the payroll register
  4. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$581,635.99 as presented by the Treasurer.
  5. Monthly Financial State of the City—Director of Finance and Internal Services Grant Gager
  6. Recommendation to approve amendment to Alley Maintenance Agreement 20392A with Thad and Annette Farnham—City Administrator, Suzanne Frick
  7. Recommendation to approve Easement Agreement #20437 with KETCH PDX, LLC for public use of private property—City Administrator, Suzanne Frick
  8. Recommendation to approve Encroachment Agreement #20438 with KETCH PDX, LLC, for snow melt in the public right of way—City Administrator, Suzanne Frick
  9. Recommendation to approve Alley Maintenance Agreement #20439 with Crossbuck Subdivision Homeowners Association—City Administrator Suzanne Frick
  10. Recommendation to Approve Assignment Agreement 20441 assigning Trail Creek Fund LLC, to Harriman Hotel, LLC—City Attorney Matthew Johnson
  11. Recommendation to approve Computer Lease Agreement 20442 with Dell – Director of Finance & Internal Services, Grant Gager

**Motion to approve consent**

***Motion made by Councilor Hamilton, Seconded by Councilor Breen.***

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

- PUBLIC HEARINGS AND DISCUSSIONS (Public comment and input taken on the following items)
  12. ACTION ITEM: P & Z Recommendation to approve Bariteau 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 the agreements in the packet explaining they all need to be looked at individually and voted on individually. Mayor Neil Bradshaw asked for public comment.

Dave Wilson, Ketchum resident, talked about maintenance and performance of work to be done. He questioned who would maintain the alley during construction and questioned the utilities in the alley stating all properties in the alley need access to the utilities.

Jim Speck talked about code and being sure that vacating the alley will benefit the public. He questioned what the public is going to get and if the housing and parking requirements are being met. Mr. Speck said that nothing in the plan says the building cannot be built without the alley. He questioned the curb cut and the snowmelt system. He talked about access to the alley and stated that the council cannot make a finding today because the 3 property owners have not been notified.

Carol Thielen, owner of the property adjacent to Mr. Bariteau, questioned why she has not been contacted about this. She is concerned about the alley vacation. She has neuropathy and uses the alley to gain access to her property and stated it is unfair to give up the alley to benefit one property owner. She voiced concern over the haste and said more studies would need to be done. She hopes this project is not rushed thru to provide workforce housing.

Jack Bariteau addressed the snow melt concerns stating that the cost related to running those systems are far less than trucking, plowing and hauling snow off. He has seen the public benefit over the last 20 years. He says they could run the system off the boiler and advised that he is not creating additional curb cuts. They are providing parking they are not required to build. They are following good practice by the alley and talked about the length of time they have been at this project.

Public comment closed.

Mayor Neil Bradshaw talked about the alley vacation and the public interest stating there is a logistical part regarding the vacation. Director of Planning & Building John Gaeddert advised it could be done by an encroachment but because of the grade they would have the same type of result. He believes the alley vacation is the best vehicle. The findings, #4, outlines the public best interest. Mayor Bradshaw talked about the topography and the public best interest, the preliminary plat and about the Development Agreement. He talked about the specifics of the development agreement and being sure the neighbor's needs are met.

Councilor Courtney Hamilton questioned why we don't see the Alley Maintenance Agreement. Director of Planning & Building, John Gaeddert said it could be made a condition of this agreement and talked about the engineering that will be coming forth. The FAR Exceedance Agreement, Public Right of Way Improvements Agreement and the Alley Maintenance Agreements are conditions of the building permit issuance. Mayor Neil Bradshaw explained the process before the council. Councilor Courtney Hamilton explained that to say he could have the alley and the alley agreement coming later is very hard on the neighbors. Mayor Bradshaw explained that council has another opportunity to deny, if the project does not meet all the requirements of the development agreement. He advised that this is a judgement call on the council's part. He outlined the work before the applicant. Councilor Amanda Breen talked about snow melt and the sustainability and cost. She asked Mr. Bariteau if the snow melt is necessary for the project. Jack Bariteau talked about the process of removing snow and said he could move it in the traditional fashion and went on to talk about the maintenance of sidewalk and curbs with snow removal. He said he is a real believer in snow melt and has used it for over 20 years. The exact location of the snowmelt was discussed. He talked about the agreement that he would like produced to take to each of the homeowners, stating that this agreement cannot be done until the engineering studies are completed.

Councilor Jim Slanetz voiced concern about the snow melt on the entire alley for environmental concerns. He talked about employee housing and the public benefit and about the grade in the alley.

Council President Michael David talked about the alley vacation process and the council's ability to look at each alley on a case by case basis stating that the current alley is horrible. He appreciates the neighbor's comments, but a well-maintained alley is a big benefit. Councilor Amanda Breen said that having a safe well-lit area is a significant public benefit. Councilor Courtney Hamilton advised that she does not think alleys are made for public benefit and is not in support of the snow melt and cannot support the project stating we have to pay more attention to the environment. The snow removal process was discussed at length. City Administrator Suzanne Frick clarified that, currently, all alleys are pushed out in the street and the City then takes the snow. Councilor Amanda Breen would like more information on the snow melt and questioned if the council has enough information to move forward this evening? Mayor Bradshaw asked Dave Wilson what was on his mind. Dave Wilson said that snow melt does play in sustainability and talked about the ability to move snow. Courtney Hamilton would like to see the FAR Exceedance, Encroachment and Alley Maintenance Agreements but believes they can move forward. The public good was discussed at length.

Attorney Matt Johnson advised that no change needs to be made to the motion. This conversation is for direction to staff only.

**Motion to approve the proposed approximately 110' x 30' Partial Alley Vacation Application in Block 57 immediately adjacent to property owned by Bariteau and Holt & Johnson, LLC consistent with Attachment A.1.**

***Motion made by Councilor Breen, Seconded by Council President David.***

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

**Motion to preliminary platt map and findings of fact for Lots 1B and 6A of Block 57 of the Ketchum townsite consistent with Attachment B.1**

***Motion made by Councilor Breen, Seconded by Council President David.***

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

**Motion to approve the proposed Development Agreement for the 1<sup>st</sup> and 4<sup>th</sup> Street project as set forth in Attachment C.1.**

***Motion made by Councilor Breen, Seconded by Council President David.***

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

13. Recommendation to approve Thunder Spring Residences Sublots 8 & 9 Final Plat – Associate Planner Abby Rivin  
Mayor Neil Bradshaw introduced the topic and opened the meeting for public comment. There was none.

**Motion to approve the Thunder Spring Residences Sublots 8 & 9 Final Plat subject to the issuance of a Certificate of Occupancy for attached townhome unit 8 & 9.**

***Motion made by Councilor Hamilton, Seconded by Councilor Breen.***

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

14. ACTION ITEM: Discussion and direction on the location of the proposed fire station—Mayor Neil Bradshaw

Mayor Neil Bradshaw talked about the Bond Election, proposed language and location. He went on to talk about the site selection process. Mayor Neil Bradshaw advised where we are in the process now and the need to lock down the site. We need to know if this is the site or not so we can give the architect direction. Mayor Bradshaw presented the questions: If not there, then where? In not now, then when?

Susan Wingate talked about the location stating she would rather see the fire and police in the same location and would like to see what other locations have been considered. She does not want a satellite fire department and would like Council to consider a better spot. Mayor Neil Bradshaw advised that all identified sites are in today's packet and can be found on the city website.

Jane Mitchell talked about the Bond just passing and the bond language not being site specific. She suggested taking a look at a better location. She talked about the size of the proposed meeting room and said it is a mistake to move forward with this much undercurrent.

Susan Scovell talked about the open houses she attended for the fire station and advised that she has some questions on the size of the site, the circulation, and the access from Lewis for volunteer parking. She said everything in the building is pinched and there needs to be room on the outside for landscaping. She voiced her opinion against snow melt and wants to know where their snow storage and garbage would be. She would like to be able to house future accommodations and housing for our fireman and woman.

Connie Hoffman, Ketchum resident, spoke in favor of the current location stating there was a committee and public input and many people had the opportunity to speak prior to the vote. There was strong community support. Connie Hoffman advised that the City has owned the property for a long period of time and talked

about the positives of the current location. Having the police and the fire dept. in separate locations is not a problem. It is her understanding that many of the people voted for the bond because of the location.

Steven Shwartzganger lives across the street from the proposed station and spoke in support of the location along with this HOA.

Russell Train pushed for sustainability measures for the fire station stating, that building for efficiency saves money.

Ross Dinkelspiel, on citizen committee, spoke in support of the proposed site. He advised that 22 sites were identified, however, this site seemed to be the most logical one. He voiced concern over where we would get the money if the site is moved?

Jim Plummison advised he was a co-chair on the committee and referenced the last fire house proposal going down in flames and the fact that this one passed. He said he paid attention to every site they had in mind and talked about the positives of this site. He is shocked to have to be here tonight to defend this location.

Terry O'Connor, MD, with Blaine County Ambulance, advised that he has not been asked to comment on this in a professional capacity but wanted to say his piece. He is commenting as a nine-year resident and congratulated everybody on the passing of the bond. He said he was never fond of the location. He talked about the dangers of the current proposed site and about fatality rates in rural areas of emergency medical personnel. He talked about a report from FEMA that talks about the location of all fire houses. Terry O'Connor questioned the timeline detail of the bond. He asked if the other sites warrant consideration and advised that he has talked to the firefighter professionals and they are not in a hurry to move. He asked if we are at risk for losing the training facility site and if so, if we have calculated that cost? Terry O'Connor questioned as to where blame would lie if there was a fatal accident due to the location.

Mayor Neil Bradshaw talked about the Police Dept. being housed on 5th street. Mayor Bradshaw advised the public that by waiting to move forward, it would cost approximately \$350,000 per year. We cannot wait for construction cost to go up and we must create a safe environment for our firefighters. He asked the Fire Chief if the proposed fire house meets the needs of the department. Fire Chief, Bill McLaughlin advised the public of what has been done so far and said they could make the site work as they tweak the design. Chief McLaughlin advised that he has not reviewed all the previous sites, however, he does not want to step in and re-do all the work that has been done stating all sites will have challenges and is comfortable moving ahead.

Mayor Neil Bradshaw advised it will be sustainable and a project that the public can be proud of. The fire station will be 16,000 sq. feet, there is no requirement to move the training station and there are no parking problems, and nobody has suggested any other site that would work better.

Council President Michael David appreciates us having this meeting and the people who spoke. He said he has always had concerns about this site and talked about the size of the building and the ability of backing vehicles in. He talked about parking concerns and the ability for the building to grow as well as about the safety of the intersection. Councilman David talked about the area being vetted for affordable housing and losing it to the fire station and suggested holding off a few weeks. He is worried about rushing forward.

Councilor Courtney Hamilton said it is not perfect, but nothing is and questioned why we are talking about this now? All points are well taken but people who voted on the bond thought it was going to be in that location. She questioned if there is anybody in the room with proposals for other locations. She thinks this location is fine.

Councilor Amanda Breen is stunned that the bond passed. It's the public trusting them with that money. She advised that no site is perfect but there is not a proposal out there for any additional sites. Councilor Breen advised that the Bond was never proposed to acquire land with this money. The public and staff concerns need to be looked at during the design.

Councilor Jim Slanetz said it is a B- location but no location is perfect. He agrees in moving forward with this location and working on the design. Taking funds out of the bond for land is not an option.

Council President Michael David advised that he heard firefighters want to earn money and purchase land. A no cost solution would be to extend the property line without costing any money and putting it in a better building that operates better. He does not want to sacrifice safety, saying, that is a scary intersection. Can we extend looking at this property to a date certain.

Mayor Neil Bradshaw talked about the \$200,000 in the budget for signalization. The information that Terry O'Connor brought up is information that had already been vetted. Mayor Bradshaw talked about size and scale of the proposed building saying it is a significant building that meets the needs now as well as in the future.

Councilor Amanda Breen does not want to see a headline that says we are spending the funds on delays. Mayor Bradshaw is keen on moving forward and is not being dismissive of all the comments. Council President Michael David continued to talk about the size and the possibility of expanding the property line.

Fire Chief Bill McLaughlin explained that the proposed station is a derivation of a station in Boise. He talked in detail about the layout of the station and the entry for the volunteers. Mayor Bradshaw advised that this will be an ongoing conversation once we approve the site. Council President Michael David stressed the importance of safety. Mayor Bradshaw understands and will be making that a priority. Councilor Amanda Breen thinks all of Michael David's points are very important but does not see the need to delay and possibly drive up the cost of the project.

**Councilor Jim Slanetz moved that the new fire station be located on the dirt lot adjacent to Northwood Place on Saddle Rd.**

Councilor Courtney Hamilton asked Council President Michael David what his proposal is on how to move forward. Michael David would like to see what the safety plan would be for pedestrian bike crossing as well as the entrance to the YMCA. Mayor Neil Bradshaw advised that if Council approves this site, they will move forward with the safety measures and sustainability questions. We need to pick the site and then work on the issues. Michael David continued to voice his safety concerns.

Mayor Neil Bradshaw advised that he will bring Council President Michael David's concerns to the next council meeting. Councilor Courtney Hamilton advised that working on sustainability should have started 1 year ago and we need to move forward with that immediately. There is \$500,000 dedicated to that and it needs to be spent wisely and needs to be forefront. Councilor Amanda Breen agrees. Mayor Bradshaw advised that the Architect is fully aware, and we will be talking about the Project Manager coming on and his involvement in the sustainability aspects later in today's meeting.

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

Mayor Neil Bradshaw called for a 5-minute break

- STAFF AND COUNCIL COMMUNICATIONS (council deliberation, public comment not taken)
15. Recommendation to receive and file the Audited FY 19 Financial Statement---Auditor Dennis Brown

Mayor Neil Bradshaw advised Council that Auditor, Dennis Brown is here for questions.

**Motion to receive and file the audited FY 19 financial statement.**

***Motion made by Council President David, Seconded by Councilor Hamilton.***

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

16. ACTION ITEM: Recommendation to contribute funding towards KETCH I and II for public infrastructure—Mayor Neil Bradshaw

Mayor Neil Bradshaw talked about funding infrastructure from housing in lieu funds to units built by Ketch 1 and Ketch 2. Councilor Courtney Hamilton questioned sidewalks. It was clarified they will be 8 feet. Mayor Neil Bradshaw clarified the County's involvement and how it ended up being 5 units. Councilor Jim Slanetz said we need to look at what we're getting. He does not think they are affordable units; they are market rate units. These are units with no parking and limited views. We have already given \$175,000 dollars to this project. He questioned what the council would pay for 320 sq. ft unit. He talked about all the city has already given to this project and advised we are getting nothing in return.

Council President Michael David talked about the limitations and it being limited to incomes. Michael David said the in-lieu money has been sitting in the coffers forever and now we have 5 units. He talked about the difficulty of finding housing. Council President Michael David and Councilor Jim Slanetz debated the pros and cons.

Mayor Neil Bradshaw asked council if we want to send a strong message by contributing. Jim Slanetz advised this is not a message we need to be sending right now. This contribution is not going to change what is being done. Councilor Amanda Breen voiced concern that we do not have assurances that these will be long term rentals and has always had concerns of these being ski lockers and takes Jim Slanetz's point. Mayor Neil Bradshaw asked if this should be tabled to a later date. Michael David advised he would like to give them the \$13,000 but he does share concerns about them being short term rentals.

Mayor Neil Bradshaw clarified that we are not saying no or yes but will be coming back at a future date.

17. Request for Council feedback to Ketchum Arts Commission on its selection of three semi-finalists for permanent sculpture installation – Assistant City Administrator Lisa Enourato

Assistant City Administrator Lisa Enourato said that the Ketchum Arts Commission would like to know if Council believes they are headed in the right direction. The Commission does not want to move forward without council's blessing.

Councilor Amanda Breen was not in favor of a sound element and would move away from the second proposal. Councilor Courtney Hamilton likes all the art but feels #3 will get the most push back from the public. She is in favor of interactive art. Mayor was in favor of #2 and is ok with #1. Courtney Hamilton applauded the Arts Commission for getting a sculpture at this budget.

18. ACTION ITEM: Recommendation to approve Agreement #20440 with DPPM for project management services—Mayor Neil Bradshaw

Mayor Neil Bradshaw introduced Dennis Potts and outlined the interview process that has been completed and talked about Mr. Potts qualifications. He operates out of the KIC when in Ketchum. He has a breadth of experience and is also familiar with bond reporting. Mayor Neil Bradshaw is thrilled to have this type of experience in the City and no travel costs will be incurred.

Dennis Potts talked about his experience and explained that his company is 10 years old, he has lived in Elkhorn village for 6 years and has recently purchased a home. He talked about making sure the dollars are spent appropriately and about a project he just finished. Mr. Potts talked about his tour of our current fire department and the importance of getting the fire department in a better and safer location is key. He talked about the positives of the smaller station. Construction costs are going up on a monthly basis. He talked about pre-

purchasing so we can get things locked in at today's prices. He went over the challenges and being sure that on the team, we have all the right people, and talked about the importance of the right general contractor. Mayor Neil Bradshaw is appreciative of his level of professionalism. Councilor Amanda Breen talked about the Bariteau project and PEG hotel and now the fire station. She questioned how we get enough laborers on the project. Dennis Potts explained the plan he has for the labor force and about the schematic design presentation saying solar plays a big part in sustainability. The positioning of the building is all that has been missed at this time. Courtney Hamilton advised that the sustainability committee is educated and ready to help, free of charge. Dennis Potts talked about the structure of various city meetings and Mayor Bradshaw talked about messages going forward. Construction fencing was discussed. Dennis Potts advised that phone numbers and contacts will be put on the fence, so the public knows who to contact with questions.

City Administrator Suzanne Frick advised we will be taking a step back to be sure we are meeting all the sustainability goals. This will be brainstormed tomorrow prior to moving forward. Councilor Courtney Hamilton questioned Dennis Potts on his experience on building fire stations and about the people on his team and their knowledge base. He praised Cole Architects. Courtney Hamilton asked the Fire Chief for comments. Fire Chief, Bill McLaughlin advised that DPPM will be a great asset to the team.

**Motion to approve contract 20440 for \$185,856 with Dennis Potts Project Management, LLC for construction management services and authorize the Mayor to sign the Agreement.**

***Motion made by Councilor Breen, Seconded by Councilor Slanetz.***

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

- ADJOURNMENT

**Motion to adjourn at 7:13 p.m.**

***Motion made by Councilor Hamilton, Seconded by Councilor Slanetz.***

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

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Neil Bradshaw, Mayor

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Robin Crotty, City Clerk