



# City Council

## Regular Meeting

~ Minutes ~

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

Robin Crotty  
208-726-3841

Tuesday, February 19, 2019

4:00 PM

Ketchum City Hall

**Present:**  
Mayor Neil Bradshaw  
Council President Michael David  
Councilor Jim Slanetz – arrived at 4:15 pm  
Councilor Courtney Hamilton  
Councilor Amanda Breen

**Also Present:**  
Ketchum City Administrator Suzanne Frick  
Ketchum City Attorney Matt Johnson  
Director of Finance and Internal Services Grant Gager  
Director of Planning and building John Gaeddert

**1. CALL TO ORDER: By Mayor Neil Bradshaw**

Mayor Neil Bradshaw called the meeting to order at 4:05 pm.

**2. ROLL CALL**

**3. COMMUNICATIONS FROM MAYOR AND COUNCILORS**

Mayor Neil Bradshaw asked for a motion to table item 6c to a date uncertain.

**Motion to table item 6c to a date uncertain.**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                     |
| <b>MOVER:</b>    | Courtney Hamilton, Councilor                   |
| <b>SECONDER:</b> | Amanda Breen, Councilor                        |
| <b>AYES:</b>     | Michael David, Amanda Breen, Courtney Hamilton |
| <b>ABSENT:</b>   | Jim Slanetz                                    |

Councilor Amanda Breen expressed her gratitude to the Street Department for their snow removal efforts.

Mayor Neil Bradshaw praised the Street Department and asked the public for patience during the cleanup process. He also advised that he met with Proterra Electric Bus Company. They will be in Ketchum on February 25<sup>th</sup> to present. February 25<sup>th</sup> is also a meeting on consolidation regarding public safety at 4:30 pm at the Limelight Hotel.

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

Gary Hoffman talked about spending time in Sedona Arizona. He talked about development discussions he had and did a comparison to the Wood River Valley. He thinks it's too late to save Sedona but thinks Ketchum has hope.

Bridget Bagley, a Naturopathic Doctor, talked about new 5G technology that is coming to the valley advising the council that it is a deadly ray. She talked about the tests that were done with 5g and how it affected living forms. The studies show that in 5 years' time everybody will be infertile. She distributed a handout for council so they can do their own research on this topic.

Annie Corrock, a Ketchum resident asked that 5c, disbursement of funds, be removed from the consent agenda due to the in-lieu housing expenditures for the closing at Blaine County Title. It needs to be pulled from approval until after 6c when the expenditures are approved.

David Hurd, Ketchum resident supports affordable housing, workforce housing, deed restricted housing and live and work housing however, he does not support housing in the LI. He talked about the proposed housing in Northwood and did a comparison to other areas of Ketchum. He talked about how the proposed housing will fit on the proposed lot and parking issues as well as emergency services issues. He talked about the cost of the lot and the construction costs. He does not understand the land swap or how the city will have the funds to build the proposed housing.

5. **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.**
- a. **Approval of Minutes: Regular Meeting of February 4, 2019**
  - b. **Authorization and approval of the payroll register**
  - c. **Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$2,138,880.35 as presented by the Treasurer.**
  - d. **Monthly Financial State of the City - Director of Finance and Internal Services Grant Gager**
  - e. **Motion to approve Alcohol Licenses for Wood River Whiskey and Despos Mexican Restaurant – Director of Finance and Internal Services Grant Gager**
  - f. **Authorization to Reallocate Ketchum Arts Commission Funds – Assistant City Administrator Lisa Enourato**
  - g. **Motion to approve Purchase Order 20318 for a Snow Plow – Street Superintendent Brian Christiansen**

Councilor Amanda Breen pulled item 5c

**Motion to approve consent agenda items 5a, b, d, e, f, g**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Jim Slanetz, Councilor          |
| <b>SECONDER:</b> | Courtney Hamilton, Councilor    |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton |

Councilor Amanda Breen would like this addressed after item 6d.

6. **PUBLIC HEARINGS AND DISCUSSIONS (Public comment and input taken on the following items)**
- a. **ACTION: Hemingway School Subdivision Plat Amendment and ROW Vacations (including portions of an alley in Block 31, an alley in Block 52, and portions of 9th and 10th Streets) – Director of Planning and Building John Gaeddert**

Mayor Neil Bradshaw opened the meeting for public comment.

Marilyn Moran 221 Parkway, mother and grandmother, spoke in support of the Hemingway School expansion but is not in support of changing the route of the bike path. She talked about the cost of the changes to Parkway Dr. and all that is involved. The proposed moving of the bike path is more than 3000 feet. Safety and Traffic studies will have to be had. There will also be legal fees between the city and the homeowners.

Jim Laski talked about the plat amendment approval process as well as the letter he sent to Mayor & Council over the weekend. He talked about the plat before them and the change in the ROW easement. Jim Laski submitted a signed petition that opposes the re-designation for bikes and sheep. Jim Laski talked about other easements and said by adopting this plat we would not have proper easement for the current bike path. He proposed this plat not be approved today.

Michael Haxby, 220 Parkway Dr. talked about protecting his and his neighbor's property and about the statements sent in response to public comments by Mayor Bradshaw. There was a handout distributed showing the bike path, right of way as well as the easements. Michael Haxby referred to previously approved ordinances and talked about plats and easements that are not platted properly that have not been corrected.

Mickey Adler, 220 Parkway Dr. talked about transparency with this issue. She talked about the P & Z Mission & Vision statements and about how they relate to this issue. She talked about the population and said the rerouted path is not fair to them. Mickey Adler asked council not to consider this if they abide by the mission statement. She went on to say that the existing path is perfect the way it is. The reroute is not safe for people or sheep. She said the plat as it is proposed is in violation of Idaho Code and asked the council to push this back to P & Z today.

Laura Theis, Parkway owner and on the Parks and Lands Board, does not think we have written permission pursuant to Idaho Code. She asked that the council look into the code to be sure it was properly noticed. The code says the property owners need to give written permission and they have not done that. Attorney Matt Johnson said this is a concern that was submitted in a letter and has been reviewed with John Gaeddert and because of that staff is recommending properties A & E not be approved because they do not have written consent from the owners.

Jim Phillips, representing the sheep ranchers, talked about the need for maintaining the livestock trail thru the City of Ketchum. Mr. Phillips said that he understands that some of the expansion plans have changed and voiced concern for the sheep. He talked about the change in the schedule and about a proposed MOU, however, he has not been presented with the terms. Mr. Phillips said the bike path and the sheep have already been working together and asked the trail to be permitted in the plat.

John Moran, a resident on Parkway, said he has never seen the City Council put sheep before the residents and he has rights as a property owner. He moved here because it's beautiful and it's quiet and expects Mayor and Council to protect them. He said they have a right as property users to enjoy their property and does not want to see the sheep run down the middle of parkway.

John Peavey, President of the Trailing of the Sheep, voiced concern about access and the 100-year arrangement that has been in place. We need to have a firm way to deal with lenders and the people who run ranches. He talked about kids and their excitement of the sheep coming thru. Mr. Peavey requested the council to deal with this.

Adrian Hennessy, resident of Parkway Dr., asked if council has any data that shows the utility easement? She is a heavy user of the bike path and does not believe it can be used as a bike easement. She would appreciate, as a tax payer, a presentation showing the easement.

Peter Thomas questioned what happened to Mr. Peavey's sheep path that he was running sheep on before? What happened to the easement?

Mike Murphy, Ketchum resident, commented that the current bike path works fine. He talked about the curve and the speed of traffic on the road by the YMCA. He is in favor of leaving the bike path where it is.

Mayor Neil Bradshaw advised that this is not about changing the bike path. This is about swapping a piece of land and making it so we can no longer build a road on the easement. Mayor Bradshaw asked for clarification from Director of Planning & Building John Gaeddert about plats that were touching. John Gaeddert explained that parcels A & E have points in them that touch the property. This requires written permission from the property owners that they do not have. He recommended that the Council deny parcels A & E in the motion and to approve parcel b,c,d & f that would allow them to do the expansion.

Councilor Amanda Breen asked if the school district has said anything about this change. She was advised that the school district advised that change does not affect their plans.

Councilor Courtney Hamilton asked about the clarification of the easement. Director of Planning & Building John Gaeddert advised that Galena Engineers say there is an easement.

Tish Short, Principal of Hemingway Elementary, advised that they are expanding the school and they have no issue with the bike path with the way it currently exists. She has no issue with the Sheep coming thru. Their plans for expansion have nothing to do with this land swap or the bike path.

Councilor Jim Slanetz asked about the garden. Mayor Neil Bradshaw said at this time there is no plans to do anything with the garden.

Councilor Amanda Breen asked why we are making any change to the easement at this time. Councilor Courtney Hamilton asked if there is an issue with the utilities with the way it is platted. Howard Royal, Director of Buildings and Grounds with the Blaine County School District, talked about the easements that go across that land and explained the removal of the road is to keep it safe.

Mayor Neil Bradshaw said that all we wanted to do is eliminate the ROW and the only reason for this was to give the school more stability. The Mayor talked about the huge process in changing the route of the bike path and asked if we can currently use the bike path forever the way it is. The Council and City Attorney Matt Johnson discussed the restrictions. Mayor Neil Bradshaw reiterated that he would like to work with the school to be sure they know what they can and can't do with the build. Councilor Jim Slanetz talked about his support of the way the bike path currently is.

Mickie Adler talked about the easement to the left of the school and said there is no proof there is an existing easement and said Blaine County School District owns the bike path, not the City. City Administrator Suzanne Frick advised council that we will be securing an easement & bike path portion

between 8<sup>th</sup> & 9<sup>th</sup> street. City Attorney Matt Johnson advised that there is confusion as to if the easement exists or not. This action will clarify the confusion of the easement.

Jim Laski suggested that the expressed condition needs to be put on the plat.

Jim Phillips talked about vacating the street ROW. He questioned what is going to happen to the sheep and would like the rights of the sheep be put on the plat as well. Mayor Neil Bradshaw and Jim Phillips talked about options to be used for the sheep. We have in the plat the easement for the bike path.

Mayor Neil Bradshaw asked Principal of Hemingway Elementary, Tish Short, about timing and for her opinion on how to proceed. She was ok with waiting until the next Council meeting. All of council agreed that this should come back cleaned up. City Attorney Matt Johnson advised that this could be tabled until a later date or tabled until a later date with public comment.

Councilor Amanda Breen thanked the community for their comments and would like public comment to continue to the next meeting. Councilor Jim Slanetz agrees with Amanda Breen. Councilor Courtney Hamilton appreciates all the work that is being done for the expansion of Hemmingway. The ultimate goal is for Hemingway to serve K – 8.

**Motion to table this matter and continue this public hearing to March 4, 2019.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Michael David, Council President |
| <b>SECONDER:</b> | Courtney Hamilton, Councilor     |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

**a. ACTION: Recommendation to approve the final plat for 320 N. Leadville – Director of Planning & Building John Gaeddert**

Mayor Neil Bradshaw advised this is a procedural issue and asked for public comment. There was none. Associate Planner Abby Rivin gave details of the project and advised that the units will be allowed to be sold separately.

**Motion to approve the 320 Leadville Building condominium Final Plat applications, subject to conditions 1-7.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Courtney Hamilton, Councilor     |
| <b>SECONDER:</b> | Michael David, Council President |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

**b. ACTION: Recommendation to approve the First Reading of Ordinance #1192 modifying the development standards for Light Industrial Zones I, II, and III – Director of Planning & Building John Gaeddert.**

Postponed

**c. ACTION: Recommendation to approve Ordinance 1194 adjusting the FY 19 budget - Director of Finance & Internal Services**

Director of Finance & Internal Services Grant Gager outlined the 4 recommended changes in the packet.

Mayor Neil Bradshaw opened the meeting for public comment.

Annie Corrock said that the funds are being transferred because the 6<sup>th</sup> & Leadville purchase of land. She said she understands why this is being done but should have been done during the budget process. She talked about funds being held until a project is completed and voiced concern about spending those funds and if the project is not done, saying we will not have the funds to pay back.

Mayor Neil Bradshaw asked council for questions, discussions and thoughts.

Councilor Amanda Breen asked if this is giving authorization for Director of Finance and Internal Services Grant Gager to write the check, but nothing can happen unless the deal closes? It was clarified that this is correct. Council President Michael David asked for a refresher on the 1 Million that is being held in-lieu for Auberge. Grant Gager explained the funds and what would be left for potential repayment. Grant Gager talked about the timing of the budget and advised that the proposals were not received during the budget process and that is why the funds were not fully appropriated.

Mayor Neil Bradshaw is asking for approval of Ord. 1194

**Pursuant to Idaho Code 50-902, I move to waive the second and third readings of Ordinance No. 1194 and read by title only.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Amanda Breen, Councilor         |
| <b>SECONDER:</b> | Courtney Hamilton, Councilor    |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton |

**Motion to adopt Ordinance No. 1194, an ordinance of the City of Ketchum, Idaho, Amending Ordinance Number 1188, the Annual Appropriation Ordinance for the Fiscal Year Beginning October 1, 2018 and Ending September 30, 2019: appropriating additional monies to be received by the City of Ketchum, Idaho; and, providing an effective date.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Courtney Hamilton, Councilor     |
| <b>SECONDER:</b> | Michael David, Council President |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

**Motion to approve consent item of 5c.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Courtney Hamilton, Councilor     |
| <b>SECONDER:</b> | Michael David, Council President |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

**7. EXECUTIVE SESSION:****a. Discussion pursuant to 74-206 1 (f)****Motion to go into Executive Session at 5:45 p.m. pursuant to Idaho Code 74-206 1**

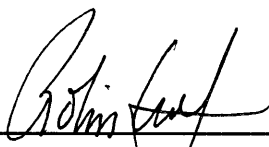
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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Jim Slanetz, Councilor           |
| <b>SECONDER:</b> | Michael David, Council President |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

**Motion to come out of Executive Session at 6:14 p.m.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Courtney Hamilton, Councilor     |
| <b>SECONDER:</b> | Michael David, Council President |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

**8. ADJOURNMENT****Motion to adjourn at 6:15 p.m.**

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Courtney Hamilton, Councilor     |
| <b>SECONDER:</b> | Michael David, Council President |
| <b>AYES:</b>     | David, Slanetz, Breen, Hamilton  |

  
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Robin Crotty, City Clerk  
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Neil Bradshaw, Mayor