



City Council

Regular Meeting

~ Minutes ~

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

Robin Crotty
208-726-3841

Monday, April 15, 2019

4:00 PM

Ketchum City Hall

Present:
Mayor Neil Bradshaw
Council President Michael David
Councilor Jim Slanetz
Councilor Courtney Hamilton
Councilor Amanda Breen

Also Present:
Ketchum City Administrator Suzanne Frick
Ketchum City Attorney Matt Johnson
Director of Finance & Internal Services Grant Gager
Director of Planning & Building John Gaeddert
Senior Planner Brittany Skelton
Waste Water Superintendent Mick Mummert

CALL TO ORDER: By Mayor Neil Bradshaw

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

ROLL CALL

COMMUNICATIONS FROM MAYOR AND COUNCILORS

Councilor Amanda Breen attended the Ralph Garrison presentation on tourism and advised that there is a lot of room for growth in Ketchum. Councilor Jim Slanetz also attended the presentation and agrees with Amanda Breen and talked about how we can build our economy. Council President Michael David agrees and talked about targeting shoulder season as well as the winter season

Mayor Neil Bradshaw talked about the positive LOT numbers during the snow season and advised the public to be aware of the floods and to prepare for the worst and hope for the best.

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

Jim Hungleman talked about protecting our health and government and the dangers involved in 5G and electromagnetic fields and suggested starting a public awareness program. Mayor Neil Bradshaw advised that we will be learning more about the law regarding 5G later today.

Mickey Garcia Ketchum advised that he would like public comment changed from 3 minutes to 5 minutes.

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 March 18, 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 \$773,331.16 presented by the Treasurer.**

4. **Monthly and Quarterly Financial State of the City - Director of Finance and Internal Services Grant Gager**
5. **Approval of Plant Healthcare Contract #20328 with Arborcare - Facilities Maintenance Juerg Stauffacher**
6. **Approval of PO #20332 with Xylem Analytic for Waste Water improvements - Waste Water Superintendent, Mick Mummert**

Councilor Amanda Breen pulled consent item 1. She was not present for the meeting and did not want to vote on the approval of the minutes.

Motion to approve item 2, 3, 4, 5, and 6

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

Motion to approve item 1

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
ABSTAIN:	Amanda Breen, Councilor
AYES:	Michael David, Jim Slanetz, Courtney Hamilton

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

7. Mid-year Update from Mountain Rides - Mountain Rides

Executive Director Wally Morgus thanked the Council for their support and reported that ridership is up on all routes and the financial picture is a good one. Wally Morgus publicly thanked his staff for all their efforts and talked about customer satisfaction. He read aloud the positive compliments they have received and advised that the compliments have outweighed the complaints. He gave a preview of the upcoming summer schedule and talked about the routes that are being proposed.

Mayor Neil Bradshaw asked Council for questions or comments. Councilor Jim Slanetz asked about the route from Warm Springs to River Run. Executive Director Wally Morgus advised that was one of the busiest routes this winter. Councilor Amanda Breen was glad to hear the silver route was doing well and raised questions regarding that route for the summer months. Councilor Courtney Hamilton is pleased to see how many people are riding the bus and is proud of Mountain Rides.

8. Quarterly update by Sun Valley Economic Development

Sun Valley Economic Development Executive Director Harry Griffith talked about the success of the Denver trade show he attended. He also advised that he is pleased about the property tax exemption and the Culinary Institute is moving forward. Mayor Neil Bradshaw thanked Harry Griffith for his help in getting the property tax exemption thru. Council President Michael David questioned the conversations in Denver. Harry Griffith explained that people's biggest obstacles are housing and how to get here.

9. ACTION: Recommendation to approve the preliminary plat for the West Ketchum Fadeaway Townhomes

Mayor Neil Bradshaw opened the meeting for public comment. There were none.

Director of Planning & Building John Gaeddert talked about the work that will be done prior to plat and advised there will be something done in the alley and they will be working with the neighbors and Street Superintendent Brian Christiansen to make this happen. Councilor Courtney Hamilton asked about alley access for homes. Councilor Amanda Breen asked what a detached town home was. John Gaeddert explained and talked about how the ordinance evolved.

Motion to approve preliminary plat for the West Ketchum Fadeaway Townhomes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Amanda Breen Councilor
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

10. ACTION: Recommendation to approve Emergency Ordinance #1195 enacting flood regulations

Mayor Neil Bradshaw opened the meeting for public comment. There was none.

Mayor Neil Bradshaw would like to waive the 2nd & 3rd readings due to the urgency of this Ordinance. He asked for comments and questions. Senior Planner Brittany Skelton explained Ordinance 1195 before them for approval. Councilor Courtney Hamilton asked if this is a temporary ordinance. Brittany Skelton explained the emergency status of approving is for 180 days and advised that emergency ordinances do not have to be noticed. In August this can come back to council to make it permanent.

Motion to approve the First Reading of proposed ordinance 1195 and to waive the second and third readings, finding imminent peril to the public health, safety, or welfare due to anticipated flooding caused by Wood River Valley snowpack being approximately 130% above normal.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Council President
SECONDER:	Courtney Hamilton, Councilor
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

Council President Michael David read the Title aloud.

11. ACTION: Recommendation to approve the First Reading of Ordinance #1192 modifying the development standards for Light Industrial Zones I, II, III

Mayor Neil Bradshaw opened the meeting for public comment.

Bob Crosby, Sun Valley Board of Realtors asked for Director of Planning & Building John Gaeddert to outline the changes prior to him talking. Mayor Neil Bradshaw agreed.

Director of Planning & Building John Gaeddert talked about what happens in the LI and shared what is allowed and advised that the LI is critical to the City of Ketchum. He explained proposed changes in detail and advised that the Planning & Zoning Commission would like to keep the units small.

Bob Crosby, Sun Valley Board of Realtors talked about the provision of housing and the task force that he has been a part of. He has concerns about Ordinance 1192 stating that it will not help with housing in the LI. He suggested that we look at density saying this should reduce unit costs. He talked about the parking code advising that this ordinance will require underground parking as written. He proposes one

parking space per unit, not bedroom, and proposed 2nd floor LI being discretionary, not required. He talked about selling a portion of the building to subsidize the building. LI 3 was discussed and what should be allowed.

Mayor Neil Bradshaw advised there is a lot for the council to think about. He is interested to hear what the council has to say and would like to give direction to Director of Planning & Building John Gaeddert and his team.

Council President Michael David says this deserves more discussion by council. The 5th floor needs to be looked at, the parking restrictions create too much parking, discretionary 2nd floor is the way to go, the sale items could help with inventory along with LI 3 on the ground floor. What the deed restrictions look like is important. Long term rentals are in greatest demand and maybe deed restrictions, not income restricted.

Councilor Courtney Hamilton advised that there is a fine line in creating more housing and creating construction costs being more prohibitive. She is open to discuss all these things. Penthouses can be discussed but anything that is for sale has potential for conflict. She brought up parking issues and how to manage and enforce in that zone. How to manage noise levels and decibels. Height is not one of her concerns. She has concerns about LI losing and residential winning. She is open to discussion to discussion regarding LI on the 2nd floor. Deed restrictions are an option, but she is concerned about the nitty gritty. She is for ground floor residential in LI3.

Councilor Amanda Breen agrees with Council President Michael David. Her concerns are the same as Bob Crosby's in the fact that staff do all this work and LI just sits there. She agrees we need to look at the 5th floor, she does not agree with one parking space per bedroom, there should be discretion on the 2nd floor and look at ground floor residential in the LI3 and is open to deed restriction options.

Councilor Jim Slanetz likes the height at 48 rather than the higher one. Protecting light industrial is key. Jim Slanetz is for parking per square footage rather than per bedroom. Discretionary LI on 2nd floor, for sale units on top floor – yes, 3 units that are moderately priced. He's not necessarily in favor of a pent house suites. Ground Floor residential on the LI3 with restrictions. More for workforce housing.

Attorney Matt Johnson advised that this needs to be noticed again with the new version. The first reading will be in the next meeting.

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

12. ACTION: Approval of the Sludge Lease Agreement Addendum – Waste Water Superintendent Mick Mummert

Motion to approve the Sludge Lease Agreement Addendum

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

13. Discussion regarding community-led market – Mayor Neil Bradshaw

Mayor Neil Bradshaw advised that we have had various meetings with stakeholders and came up with some criteria that has been broadly accepted. The Farmers Market has chosen to relocate to River Run,

however, there are some other individuals who want to look at other market opportunities. Mayor Bradshaw gave examples of other types of markets and talked about others who are looking at starting a market and partnering with the City. He asked Christina Giordani to speak. She talked about a new market with the City of Ketchum and Ketchum to run the market saying it would be a food and beverage market only. It would promote local production of those who produce in the valley. Mayor Neil Bradshaw said it would be a process to set up some criteria. The criteria would then come back to council for review with the idea of doing a test case this year. They would have a test for 6 weeks from July to August. Mayor asked Council if they would like staff to work on this moving forward or not.

Councilor Jim Slanetz would like more public comment on this before moving forward. He's a big supporter of the Farmers Market and it not sure how to move forward. Mayor Neil Bradshaw advised that he is just looking to see if there is interest in a different type of market.

Councilor Amanda Breen said this reminds her of what happened in Boise a few years ago. She said they have coexisted well. The concept of having maybe 2 different focuses on 2 different markets is worth looking at. It could be feasible to have different markets on different days. There was a discussion on what day and the reasons for choosing certain days. Christina Giordani said participants could contribute to both markets. This summer could be a test market. Amanda Breen asked about the term partnership and what that means. Mayor Neil Bradshaw talked about the different criteria that could be leading that conversation. Amanda Breen supports staff looking at this and getting more public comment.

Councilor Courtney Hamilton was disappointed in the new location. She loves the vibrancy it brings to town and loves the concept of local food and showcasing all that they can do. She voiced concern over the city managing this event and the effect it will have on the event staff. She questioned if the City of Boise manages their market. Attorney Matt Johnson is not aware if any cities that run their own farmers market but will look into this.

Council President Michael David agrees with all the points that have been made. If it is complimentary it will be great. He would like to hear from the brick and mortar and other markets that this could affect. Losing the market from downtown hurts and if there is an opportunity to make a cohesive market he is in favor. Councilor Amanda Breen brought up the point that a Saturday would not be as vibrant. Mayor Neil Bradshaw advised that this is not to be a rival market, legal implications need to be looked at and now that he knows there is an interest, we will continue to explore this option.

14. Discussion about Rural Fire District Contract for Services and Presentation on options

Interim Fire Chief Tom Bowman presented, advising that he came on staff March 5th to help develop a plan for services. He presented some options that could be looked at.

First Proposal is Ketchum Fire Department Version 2.0. He talked about restoring trust and confidence in all constituents, residents, contract partners and Ambulance District which helps with funding. KFD operates 3 different divisions. (KRFD, Ambulance District, KFD) He gave examples of what the Ketchum Fire Dept. 2.0 would look like, what could be purchased and how. He talked about developing a capital replacement fund as well as a strategic plan. He presented current staffing levels and new staffing ideas. Tom Bowman advised that Immediate steps would be to find a new station for a fire dept and how to fund it and how City Council and Mayor would have to sell that to the voters. He talked about options of a bond or a mill over ride and about paid on call volunteers and things that could be done for them regarding job duties and training. Tom Bowman went over the results of the McGrath report and what that showed and suggested looking at a new Assistant Chief Position. Lastly, we are looking at the Chief having more control over the department.

Second proposal is to do nothing. By doing this we would probably lose the Ketchum Rural Fire Department contract. That would be \$325,000 a year loss which means we would lose 4 of our full-time fire fighter staff. If we lose KRFD contract, will we also lose the Ambulance Contract? If we lose both we would look like the Hailey Fire Department. One Fire Chief and 15 volunteers. He talked about not allowing this to happen. There is too much at stake to do nothing.

Third Proposal would be unification or consolidation and he talked about state statute.

- a. Joint Powers Agreement Authority – Interim Fire Chief Tom Bowman talked about the JPA's that the city is currently involved in and how they work. He talked about how they could work forward in producing this for KRFD.
- b. Contract for Service – This was presented on March 4th and the City Council rejected it. Tom Bowman talked about changes to the proposed contract that could make this work. It could be called a "Definitive Agreement." He talked about Sun Valley's involvement.
- c. Annexation – He talked about Rural Fire District's location. State code has a way for Ketchum and Sun Valley to be annexed into the KRFD. He talked about the process to make that happen and he touched on why KRFD would want anything to do with us since we are not Ketchum Fire 2.0. He suggested starting out with a contract for service prior to going to annexation.

He advised that it is now up to council to decide on which way to go

Mayor Neil Bradshaw thanked Interim Fire Chief Tom Bowman for outlining the options and advised this will be discussed on Wednesday.

Councilor Amanda Breen asked if more costs and sources of funding will be coming before them at Wednesday's meeting. Interim Fire Chief Tom Bowman advised he would be looking for more principles than cost. How much it's going to cost will always be in the back of our minds.

Councilor Courtney Hamilton said the main thing we need to do is have a little humility as a City to see what we've done wrong and figure out how to fix it. How do we make sure this never happens again? She would like to look in depth into the McGrath report and put together the Fire version of a strategic plan moving forward. Getting everybody on the same page moving forward is key.

Mayor Neil Bradshaw said we know where we are right now, and we have 90 days to respond. We know this comes down to people, process and equipment. Mayor Bradshaw talked about the Union Negotiations stating that city officials and the union are really working together to find a solution where we have a process that is effective. Staffing levels were discussed. On equipment side we need to get new fire trucks and pumpers a long with a fire station. Mayor Bradshaw is committed to move toward a bond measure in November so we can build a fire station in an appropriate location in Ketchum. We need to give the Fire Chief flexibility to manage the people. We may want to pass a Resolution with a timeline that can be delivered to Ketchum Rural Fire and Sun Valley. Councilor Courtney Hamilton agrees we need to prove to the KRFD that we need to be able to pull our weight. We need to do a stop gap action and were not thinking of the long term. We need to be sure were not being to short sighted.

Council President Michael David agrees with Councilor Courtney Hamilton saying we need to prove to our partners, and quickly, that were serious about this. The priority is what the 2.0 looks like. We need to restore trust and confidence.

Councilor Jim Slanetz is intrigued about the Annexation idea saying it's a positive for Ketchum Rural and it takes us out of the equation. He does not remember ever telling a fire department no when they asked for more money.

Mayor Neil Bradshaw tabled this topic until Wednesday's workshop.

Mayor Neil Bradshaw asked Blaine County Commissioner Angenie McLeary to speak. Angenie McLeary advised that she is very excited to hear what they are talking about. She appreciates the vision Ketchum is working towards and talked about working together on fire and ambulance service and about pros and cons. There needs to be more process and public engagement. The County will be looking at the Ambulance Contract next year. She is pleased the City is having the meeting on Wednesday and is also pleased with the process Ketchum is following. Commissioner Fosbury will be present at Wednesday's meeting.

15. Discussion of 5G and FCC Regulations

Mayor Neil Bradshaw asked City Attorney Matt Johnson to talk about what we can do and what we can't do. Matt Johnson advised that the FCC preempted last fall, the ability of cities to do a whole lot about 5 G. The FCC rules cities cannot prohibit cell tower equipment in cities. The FCC now says that cities can be part of the size and design but cannot prohibit. Several cities have sued the FCC over this. There has been a ruling in favor of the FCC. As of January 14, 2019, cities have very little ability to regulate. We need to look at the permitting scheme and what we can do.

Mayor Neil Bradshaw allowed public comment

Bridget Bagley talked about the wave length of energy and gave examples saying 5G burns brain cells. She distributed a handout and talked about the atmosphere and the damage out there. She stated that we do not need to tolerate this. Cell phones are turning you into zombies.

Karen McCall, Ketchum resident said she has been aware of 5G for about 6 mos. What she has read is frightening. She talked about being protected from EMF's and voiced her concerns.

Mickey Garcia talked about the article on face book referring to what happened in Belgium and about scientific research he has read about. It's not time to panic and run into every direction. He referred this to micro waves and advised the council to dig into this before you freak out.

Mayor Neil Bradshaw talked about Science being conflicted. There is reason for genuine concern. Mayor would like to know from the Council how they would like to move forward. Council President Michael David asked if cities in the United States have been approached? Mayor Neil Bradshaw said we have concerned citizens and emails from organizers that say stop 5G now. There are also some in favor of it. Councilor Amanda Breen questioned what kind of statement were talking about. Mayor Neil Bradshaw explained what type of statement we could make. Amanda Breen advised she is pleased this has come before Council; however, she does not have an opinion on this at this time and does not believe the city should make a statement at this time. Councilor Jim Slanetz would like to make a statement and do everything they can to not let this happen even though our hands are tied. He does not like private enterprises being able to do this. He said what he has read about it, is frightening. Council President Michael David said the science is unresolved and that is a good reason not to allow it. We should be able to make our own laws and he needs to know more about this before he would allow it. Councilor Courtney Hamilton agrees with Jim Slanetz. She does not want to wait until we have an application before we do something.

Mayor Neil Bradshaw asked what other cities have done. City Administrator Suzanne Frick explained that this is a big topic in a lot of cities. She advised that some cities are prohibiting regardless, and others are writing franchise agreements. Ketchum can do something in between like write a Resolution saying

we will not allow our infrastructure to be used and deal with the outcome when it comes up. Suzanne Frick advised that they are now saying 5G is for public safety.

Councilor Amanda Breen stated she would like more information. This sets a precedent if we make a statement. Attorney Matt Johnson stated that we don't have a lot of ground legally. If we pursue this, we will be sued. He suggested reaching out to other cities.

16. ACTION: Approval of Property Tax Exemption Support Letter

Mayor Neil Bradshaw explained that the county approved a 5-year property tax exemption for qualifying housing and advised that if it's a project you would like considered to please put in an application which KECH has done. We are just submitting a support letter. Mayor Bradshaw read the letter aloud.

Councilor Jim Slanetz asked Director of Finance & Internal Services Grant Gager about where the taxes go. Grant Gager explained Idaho State Code and revenue taxes and how they are collected and distributed. How this would affect the KURA was discussed as well as how this affects the rents collected.

It was clarified that this letter is in support of the KECH project only. It is not a general letter. The reason for doing this letter now is timing.

Motion to approve the Property Tax Exemption Support Letter

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael David, Council President
SECONDER:	Courtney Hamilton
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

EXECUTIVE SESSION

17. Discussion pursuant to 74-206 (1) (j)
18. Discussion pursuant to 74-206 (1) (f)
19. Discussion pursuant to 74-206 (1) (c)

Motion to go into Executive Session pursuant to Idaho Code Discussion pursuant to 74-206 (1) (f) (c)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

ADJOURNMENT

Motion to come out of executive session at 8:53 p.m.

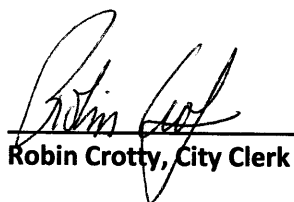
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David, Council President
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen

Motion to adjourn at 8:53 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Courtney Hamilton, Councilor
SECONDER:	Michael David Council President
AYES:	Michael David, Jim Slanetz, Courtney Hamilton, Amanda Breen



Neil Bradshaw, Mayor



Robin Crotty, City Clerk

