



**Regular Meeting**

**~ Minutes ~**

**Monday, October 19, 2015**

**2:00 p.m.**

**Ketchum City Hall**

**Present:** Chairman Baird Gourlay  
Commissioner Mark Nieves  
Commissioner Shelley Siebel  
Commissioner Jim Slanetz  
Vice Chair Tim Eagan  
Commissioner Anne Corrock - arrived at 2:00 p.m.

**Absent:** Commissioner Gary Lipton

**Staff Present:** Micah Austin, Director of Planning and Building  
Ryan Armbruster, URA Attorney

**1. CALL TO ORDER**

Chair Baird Gourlay called the meeting to order at 2:05 p.m.

**2. CONSENT CALENDAR**

- a. Approval of Minutes:
  - 1. August 17, 2015 Regular Meeting minutes
  - 2. August 24, 2015 Special Meeting minutes
  - 3. September 28, 2015 Special meeting minutes
- b. Approval of Current Bills

**Motion to approve Consent Calendar**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Eagan, Vice Chair
<b>SECONDER:</b>	Shelley Siebel, Commissioner
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz
<b>ABSENT:</b>	Gary Lipton, Commissioner

**3. COMMUNICATIONS FROM THE BOARD OF COMMISSIONERS**

Chair Baird Gourlay explained that Commissioner Gary Lipton submitted comments in regards to the agenda. Baird Gourlay was not going to read Gary Lipton's comments into the record because he said decisions should not be made until they have a hearing and since he was not present he would not be able to vote on the topic.

Commissioner Mark Nieves would like an update on the consoles at the Visitor Center. Micah Austin Director of Planning and Building explained that the tablets were not ready yet. The plan is to begin charging in November, however, that month may be needed for the testing period.

Commissioner Anne Corrock arrived at 2:09 p.m.

**4. COMMUNICATIONS FROM THE PUBLIC**

Chair Baird Gourlay asked for communication from the public. There were none.

**5. NEW BUSINESS**

- a. Discussion and approval of annual engagement letter for professional services with DRB- Dennis Brown, CPA to audit the KURA financials, as required by Statute (Sandy Cady, Secretary/Treasurer)

Pat Bennett Deputy Treasurer presented for Sandy Cady Secretary/Treasurer the proposed Audit Agreement.

**Motion to accept the Terms of Engagement for Auditing Services with Dennis R. Brown, CPA..**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Eagan, Vice Chair
<b>SECONDER:</b>	Mark Nieves, Commissioner
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz, Corrock
<b>ABSENT:</b>	Gary Lipton, Commissioner

- b. **Discussion and approval of funding allocation for specific projects within the Revenue Allocation Area for public infrastructure as requested by the City of Ketchum (Micah Austin, Planning and Building Director)**

Micah Austin Director of Planning & Building outlined the funding allocation for specific projects within the Revenue Allocation Area for public infrastructure and recommended we allocate the full amount. Jen Smith, Parks & Recreation Director and Robyn Mattison, Public Works Director/City Engineer presented the details.

Robyn Mattison Director of Public Works/City Engineer presented the priorities.

1. Warm Springs - 9<sup>th</sup> Street to 6<sup>th</sup> Street – Curb & Gutter with Street Lights
2. 3 actual half blocks on Leadville and 2 on Second Street
3. 6<sup>th</sup> Street – 2<sup>nd</sup> Ave half block to the alley to the East.

Particulars of the plan were discussed. Robyn Mattison reminded the commission that there are grants for other portions of the sidewalks. Costs of estimates are preliminary. After Engineering is done the costs will be more accurate.

Jen Smith Director of Parks and Recreation presented explaining that the restrooms at the Skate Park are the priority. She explained the process of development. Chair Baird Gourlay questioned the cost of hookup for water and sewer. Jen Smith explained the cost is included and will be working with Robyn Mattison on the Engineering of the project. Vice Chair Tim Eagan clarified that \$90,000 plus the impact fees they get is the price.

Vice Chair Tim Eagan questioned the relationship of this to the Atkinson's Park facility. Jen Smith Director Parks & Recreation explained that the Atkinson's park request is for an expansion to the park. Commissioner Mark Nieves asked for the difference between the \$125,000 and the \$90,000. Micah Austin Director of Planning & Building explained where the funds were coming from and what they are for. The \$125,000 was the original request and the \$90,000 is what the URA agreed on in 2010. There was a discussion regarding the original requests and what is being requested now and how the allocations are broken out.

Micah Austin Director of Planning and Building explained that no matter what is approved there will be no checks issued until at least January when the tax dollar revenue comes in. The total available is \$445,200. (\$90,625 for skate park and \$354,575 for sidewalks.) This would take care of priority 1 and some of 2. The timeline was discussed.

Ryan Armbruster Attorney said we may want to consider how the dollars are processed due to the budget and the finite amount. We normally would not see the invoices or back up and suggested we put together an MOU. Commissioner Mark Nieves asked about a "shall not exceed" clause. Micah Austin Director of Planning & Building clarified that the URA would be paying the City. The City would pay the contractor and URA would reimburse the City for work performed.

Vice Chair Tim Eagan asked for more input from Robyn Mattison Director of Public Works/City Engineer regarding priorities. Robyn Mattison explained that the priority is #1 and a portion of money for #2. Commissioner Shelley Siebel asked for clarification regarding what has already been approved and what they are asking for. Micah Austin Director of Planning & Building explained when funds were approved and where they are now.

Chair Baird Gourlay asked if everybody was in agreement with the \$90,625 for the skateboard park. Vice Chair Tim Eagan asked if the city is paying the balance. Jen Smith Director of Parks & Recreation said to her knowledge it has not been earmarked but it is in the Parks Department Capital Improvement Plan. Tim Eagan wants to be sure the balance of the money is there so we don't have a half completed project. Baird Gourlay explained that the full project is budgeted in the Parks and since the URA is now going to contribute the city will have the balance over the \$90,625 in their capital budget.

**Motion to allocate out of the fiscal year 15/16 budget for sidewalks and Street. \$354,575 to go to the City of Ketchum Public Works Department for sidewalks and \$90,625 for the Guy Coles Skate Park with the provisions that if the \$90,625 is not enough Jen Smith Director of Parks and Recreation can come back and request additional funding.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anne Corrock, Commissioner
<b>SECONDER:</b>	Tim Eagan, Vice Chair
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz, Corrock
<b>ABSENT:</b>	Gary Lipton, Commissioner

**c. Discussion on termination date of revenue allocation authority (Ryan Armbruster, KURA Attorney)**

Ryan Armbruster, Attorney explained that the plan extends to 2034. He said you can't do that because of the 2009 Statute. He explained what originally occurred with the bond, however, 2030 needs to be the drop dead date. Chair Baird Gourlay suggested Micah Austin Director of Planning & Building go thru to be sure we have no 2034 dates. They need to cease by 2030. Micah Austin said the resolution says 2034. Ryan Armbruster does not suggest we test the statute.

**d. Update on City Council action on approval of the amended bylaws and board composition (Micah Austin, Planning and Building Director)**

Micah Austin Director of Planning & Building explained the changes that were made and approved. Chair Baird Gourlay asked about the commissioner's terms. Micah Austin said the seats are 5 year terms per seat. There is a conflict that will need to be resolved. There was clarification from Ryan Armbruster

regarding the terms and appointment stops and start times. The number of council members has not been finalized. Micah Austin will be bring everybody's term dates to a future meeting and will be drafting a new Ordinance.

**6. OLD BUSINESS**

**a. Discussion and Approval of the Owner Participation Agreement between the KURA and the Aspen Skiing Company (Ryan Armbruster, KURA Attorney)**

Ryan Armbruster presented. He thinks the document in front of them now is ready for approval. This agreement concurs with KURA's direction from the last board meeting. Jim Laski, Applicant Attorney is present to answer any questions. Vice Chair Tim Eagan asked about the sunset date on the agreement of 2030. Micah Austin Director of Planning & Building explained that the agreement came about because of an obligation in the bond agreement. This agreement will come forth every year for years to come. Jim Laski Attorney had nothing to add at this time.

There was a discussion regarding oversite and approval of expenses that are submitted and when payments will begin.

Commissioner Mark Nieves questioned the procedure if something comes in over the estimated amounts. Micah Austin Director of Planning & Building explained that anything exceeding the estimated amounts will come back to the commission for approval. Chair Baird Gourlay and Jim Laski Attorney discussed what exactly is reimbursable and at what rate. Jim Laski said the costs may be going down because they may not be doing the heated sidewalks any longer. Suzanne Frick, City Administrator explained that this is an Aspen decision, not a City decision. She explained that the City is in support either way.

**Motion to approve the Owner Participation Agreement between the Ketchum Urban Renewal Agency and Limelight Ketchum, LLC and authorize the Chair to sign.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Eagan, Commissioner
<b>SECONDER:</b>	Mark Nieves, Commissioner
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz, Corrock
<b>ABSENT:</b>	Gary Lipton, Commissioner

**b. Discussion of Request for funding from Kato Holdings LLC for public infrastructure necessary for development of 231 Sun Valley Road (Micah Austin, Planning and Building Director)**

Micah Austin Director Planning & Building said he talked to Paul Conrad and this item is not ready for discussion and will come back to this board at a later date.

Micah Austin suggested he could talk to Idaho Power regarding what they are planning and make it part of the strategic plan. The Commission was in agreement.

**c. Current funding requests report and update (Micah Austin, Planning and Building Director)**

Micah Austin Director of Planning & Building said there have been no applications for funding since the last meeting and outlined what they currently have. Starbucks building maintenance was discussed and Micah Austin explained that there is no safety danger; however, the logs need to be repaired. The architect says it will take 40 hours of work to repair. A quote will be forthcoming.

The signage and lighting on the Starbucks Building was discussed. The cost for lighting for the Windermere and Visitor center sign is \$2,108.99 for materials and labor. It is understood that the lights and signs had to match our signage and that this was a verbal agreement. We do have a budget for repair and maintenance of the building. Micah Austin will do more research and bring this back to the commissioners.

Micah Austin Director of Planning & Building requested permission to schedule a deep clean; however there is no requirement for a deep clean. URA would pay; it would then be reconciled and would later get reimbursement from the other tenants.

Commissioner Anne Corrock asked if we want to do more improvements to show Ketchum's presence. Chair Baird Gourlay would like to put this topic on the next agenda and ask for public opinion.

**7. EXECUTIVE SESSION PURSUANT TO: Idaho Code Sections 74-206(1)(f) and 74-206(1)(c)**

**Motion to go into executive session 3:10 p.m.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Egan, Vice Chair
<b>SECONDER:</b>	Mark Nieves, Commissioner
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz, Corrock
<b>ABSENT:</b>	Gary Lipton


**Motion to come out of executive session 3:18 p.m.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Egan, Vice Chair
<b>SECONDER:</b>	Shelley Siebel, Commissioner
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz, Corrock
<b>ABSENT:</b>	Gary Lipton

**8. ADJOURNMENT**


**Motion to Adjourn at 3:19 p.m.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tim Egan, Vice Chair
<b>SECONDER:</b>	Shelley Siebel, Commissioner
<b>AYES:</b>	Nieves, Siebel, Gourlay, Slanetz, Corrock
<b>ABSENT:</b>	Gary Lipton



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Baird Gourlay, Chairman

ATTEST:



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Sandra E. Cady  
Secretary/Treasurer