



# City Council

## Regular Meeting

~ Minutes ~

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

Robin Crotty  
208-726-3841

Monday, May 15, 2017

5:30 PM

Ketchum City Hall

**Present:**  
Mayor Nina Jonas  
Council President Jim Slanetz  
Councilor Anne Corrock  
Councilor Michael David  
Councilor Baird Gourlay

**Also Present:**  
Ketchum City Administrator Suzanne Frick  
Ketchum City Attorney Matthew Johnson  
Finance Director/Internal Controls Grant Gager  
Director of Planning & Building Micah Austin  
Assistant City Administrator Lisa Enourato

**1. CALL TO ORDER: By Mayor Jonas**

Mayor Nina Jonas called the meeting to order to 5:30 p.m.

**2. ROLL CALL**

**3. APPROVE COUNCIL MEETING AGENDA POSTING: RECEIVE AND APPROVE THE REPORT OF THE CITY CLERK OF THE POSTING OF THIS MEETING'S AGENDA NOTICE.**

Interim City Clerk Robin Crotty advised that the agenda was posted and has met all posting requirements.

**4. COMMUNICATIONS FROM MAYOR AND COUNCILORS**

Mayor Nina Jonas thanked emergency services and staff for their hard work on the flood issues and thanked the community for their support. Councilors Anne Corrock, Michael David, Jim Slanetz voiced they're thanks to staff and community. Council President Jim Slanetz thanked "Clean Sweep" for their efforts and went onto talk about a filming crew in Ketchum. Councilor Baird Gourlay talked about the high importance of repairing the pot holes on the 75.

**a. Swearing in 4 new Ketchum Firefighters – Mayor Nina Jonas**

Mayor Nina Jonas called 4 new firefighters to the podium to be sworn in.

**b. Proclamation for Kids to Parks Day May 20, 2017 – Mayor Nina Jonas**

Mayor Nina Jonas read a proclamation for Kids to Park Day.

**c. Proclaiming the City of Ketchum, a Stigma Free Community – Mayor Nina Jonas**

Mayor Nina Jonas proclaimed the City of Ketchum as a Stigma Free Community.

Gail Rae advised she has been working on mental health for 10 years in our community. She gave her history in dealing with this organization and talked about upcoming events to support mental health.

**5. COMMUNICATIONS FROM THE PUBLIC on matters not on the agenda**

Mayor Nina Jonas asked for questions from the public. There was none.

**6. CONSENT AGENDA**

- a. Approval of Minutes: Regular Meeting May 1, 2017
- b. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$137,673.63, as presented by the Treasurer.
- c. Authorization and approval of the payroll register
- d. Scriveners correction to Ordinance 1175 – Chapter 8.11 should read Chapter 8.12 – City Administrator Suzanne Frick
- e. Recommendation to approve Resolution17-008 to declare surplus property – Finance Director/Internal Services Grant Gager
- f. Recommendation to approve Art in City Hall consignment agreements – Director of Parks & Recreation, Jen Smith
- g. Recommendation to approve Artist Commission Contract for Cover Art project – Director of Parks & Recreation Jen Smith

Mayor Nina Jonas asked for approval of the consent agenda. Councilor Anne Corrock questioned a Henry Schein Fire Department Charge. Fire Chief Mike Elle explained they are medical supplies. Anne Corrock questioned a Street Department charge for Custom signs for \$3,500. City Administrator Suzanne Frick advised that she would get back to her. Council President Jim Slanetz advised of a clerical error in minutes on a spelling.

**Motion to approve the consent agenda**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Slanetz, Council President
<b>SECONDER:</b>	Baird Gourlay, Council
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

**7. COMMUNICATIONS FROM STAFF AND OTHER ORGANIZATIONS**

- a. **Recommended approval of Automatic Aid Agreement between the City of Ketchum, the Ketchum Rural Fire District and Wood River Fire Protection District – Fire Chief, Mike Elle**

Fire Chief Mike Elle advised that this is the first of two agreements and outlined the changes. They have been reviewed by the city attorney. Mike Elle recommends approval.

**Motion to approve the Wood River Fire, Ketchum Rural Fire and City of Ketchum Automatic Aid Agreement.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Slanetz, Council President
<b>SECONDER:</b>	Michael David, Councilor
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

- b. **Recommended approval of North Wood River Valley Fire Service Automatic Aid Agreement between the City of Ketchum and the City of Sun Valley – Fire Chief, Mike Elle**

Fire Chief Mike Elle talked about the agreement with Sun Valley and went over the changes in the contract.

**Motion to approve the North Wood River Valley Fire Service Automatic Aid Agreement.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Baird Gourlay, Councilor
<b>SECONDER:</b>	Michael David, Councilor
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

**c. III-A Annual Report update – Finance Director/Internal Services Grant Gager**

Finance Director/ Internal Services Grant Gager introduced Amy Manning Program Manager for the IIIA. She gave the history of launching the IIIA in Ketchum. She went over the current membership and talked about the annual review that was distributed to the Council and went over aggregate coverage in detail. Amy Manning explained that IIIA is not an insurance company and explained how they do business. She went over the financial goals as well as this year's goals for the IIIA with wellness being key.

**d. Recommendation to approve Lukas Nelson & Promise of the Real Contract for Performance at Wagon Days – Assistant Administrator Lisa Enourato**

Assistant City Administrator Lisa Enourato presented a contract with Lukas Nelson for Wagon Days. Council President Jim Slanetz questioned the deal and if it was always in the plan. Ryan Colquist head of RJ entertainment explained the reason behind the cost and the scheduling. Councilor Anne Corrock questioned the suggestion from David Barrovetto at a previous council meeting. Sun Valley Events Director Heather LaMonica Deckard advised council of her conversation with David Barrovetto and the reason for the current scheduling. She advised that the committee agreed this may be something they could look at in a future year. Lisa Enourato advised that Attorney Matt Johnson has reviewed the contract.

**Motion to enter into a contract with Monterey International.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael David, Councilor
<b>SECONDER:</b>	Anne Corrock, Councilor
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

**e. Request of Sun Valley Performing Arts Center for City Council Reconsideration of the Exceedance Agreement—Ed Lawson**

Applicant Attorney Ed Lawson talked about the FAR Exceedance Agreement. He is asking council to reconsider the decision they made on May 8th. He read the part of the draft agreement that he is opposed to. He talked about the housing contribution being a burden and about non-profits and how they get their donations. Ed Lawson said the Center does truly appreciate the cities support however is requesting the Council reconsider their decision of May 8th. Mayor Nina Jonas asked council for question of Ed Lawson.

Councilor Baird Gourlay went over the notes from the previous meeting that Ed Lawson refers to from April 17th. Council President Jim Slanetz talked about Plan A not working out and moving onto Plan B. Attorney Ed Lawson said that there is no expiration on Plan A. There was a discussion as to when permitting fees would be collected. Micah Austin explained that all fees are do when permit is filed.

Tim Mott talked about his understanding of when the fees would be due and said that Argyros is asking that what was agreed upon at the last meeting be erased and for council to go back to the April 17th meeting.

Matt Johnson explained the April 17th meeting and what was agreed between the attorneys which was to write a proposal to be proposed to the council. Matt Johnson reiterated that no agreements were made on April 17th. Council made a decision in the first May meeting. Ed Lawson gave his opinion of why they went the route they did. Tim Mott spoke again about the April 17th meeting and what he felt was agreed upon. Council President Jim Slanetz talked about the transcript from April 17th.

Director of Planning & Building Micah Austin went over the estimates of fees.

Councilor Michael David had questions of staff as to how to make Option A work. Councilor Anne Corrock refers to a January 24th letter from the city and talked about the approval process thru P & Z and what was said at that time.

Mayor Nina Jonas opened the meeting to public comment.

Carol Knight a strong supporter of this project talked about the benefits of this project to the city. She asked council to go back and look at the ordinance. She said this project will not have an impact on Community Housing. She urged Council to move forward and waive the fees.

Jim Garrison public citizen and applicant representative referred to Councilor Annie Corrock's comments of not having a problem paying the fees. He explained that at that time he did not know what the fees would be. He referred to comments made at the April 17th meeting and went over the P & Z process that the applicant went thru.

Mayor Nina Jonas asked council for more suggestions as to what fees can be waived. Councilor Anne Corrock questioned how these fees will be covered in the budget. There was a discussion among council as to what fees should be waived.

Applicant Attorney Ed Lawson talked about what he believed was agreed to on April 17th. The council deliberated about Argyros paying the building permit fees and getting a credit for those fees toward the community housing fees. Councilor Baird Gourlay talked about net zero.

City Attorney Matt Johnson explained that the Ordinance says that the council has the ability to waive fees based on economic development. There is no language to waive community housing fees FAR Standards in that Ordinance. Councilor Anne Corrock explained that everyone in the community has put community housing as number one. Scenarios were continually discussed among council.

City Attorney Matt Johnson explained if they fulfil Option A then their community housing requirement is met. He gave a suggestion as to how to add a sentence to the agreement and advised that the reconciliation could be done at the end. City Administrator Suzanne Frick suggested that the applicant come back to council to demonstrate the work that they've done to satisfy that obligation. She suggested alternative language.

Mayor Nina Jonas suggested to stick to what was said 2 weeks ago or add a sentence. Deliberation continued. City Administrator Suzanne Frick asked for clarification. Councilors Michael David and Baird Gourlay are good with moving forward with good faith on both sides.

**Motion to approve the FAR Exceedance Agreement at the via the amended proposal of the applicant to now include the following language: under part II – To the Extent that such fees are less than the community housing incentive amount the City will consider the value of the participation of the Sun Valley Performing Arts Center in the effort to implement the Option described above in paragraph One as significant and sufficient to meet the standards in the KMC 17.124.040**

<b>RESULT:</b>	<b>ADOPTED (3 to 1)</b>
<b>MOVER:</b>	Michael David, Councilor
<b>SECONDER:</b>	Baird Gourlay, Councilor
<b>AYES:</b>	Michael David, Baird Gourlay, Jim Slanetz
<b>NYES:</b>	Anne Corrock

- f. **PUBLIC HEARING: Third Reading Ordinance #1171 City initiated text amendment to Title 17 Zoning Code, Chapter 17.132, Dark Skies, to update the existing ordinance, establish a dark sky lighting curfew, establish standards for holiday lighting, and establish lighting color temperature standard—Micah Austin, Planning and Building Director.**

Director of Planning & building Micah Austin outlined the changes that have been made since the second reading from the International Dark Sky Committee and Nina Jonas' suggestion. Micah Austin explained that the City will submit their application but he is unsure if this is a sure thing.

Mayor Nina Jonas opened the meeting up for public comment. There was none.

**Motion to approve Ordinance 1171.**

Councilor Anne Corrock questioned our street light compliance. Director of Planning & Building Micah Austin explained the change that was made.

Mayor Nina Jonas Read the Title in full.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Baird Gourlay, Councilor
<b>SECONDER:</b>	Jim Slanetz, Council President
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

- g. **Recommendation to Approve Engagement Letter with McHugh/Bromley, Attorneys at Law – City Administrator Suzanne Frick**

City Administrator Suzanne Frick explained the engagement letter and recommended approval. City Attorney Matt Johnson has reviewed the contract.

**Motion to authorize the City Administrator to approve the Engagement Letter with McHugh/Bromley, Attorneys at Law for legal services.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anne Corrock, Councilor
<b>SECONDER:</b>	Baird Gourlay, Councilor
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

8. **EXECUTIVE SESSION to discuss:**

- a. **Personnel discussion pursuant to Idaho Code §74-206 1(b).**
- b. **Threatened Litigation pursuant to Idaho Code §74-206 1 (a-j)**

Motion to go into executive session at 7:47 p.m. pursuant to Idaho Code §74-206 1(b) and Idaho Code §74-206 1 (a-j)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anne Corrock, Councilor
<b>SECONDER:</b>	Jim Slanetz, Council President
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

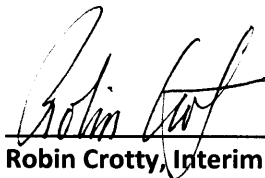
Motion to come out of executive session at 8:51 p.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anne Corrock, Councilor
<b>SECONDER:</b>	Jim Slanetz, Council President
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

9. ADJOURNMENT

Motion to adjourn at 8:52 p.m.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Baird Gourlay, Councilor
<b>SECONDER:</b>	Jim Slanetz, Council President
<b>AYES:</b>	Michael David, Anne Corrock, Baird Gourlay, Jim Slanetz

  
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Robin Crotty, Interim City Clerk  
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Nina Jonas, Mayor