



City Council

Regular Meeting

~ Minutes ~

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

Monday, March 6, 2017

5:30 p.m.

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
Director of Parks & Recreation Jen Smith
Assistant City Administrator Lisa Enourato

1. **CALL TO ORDER:** Mayor Nina Jonas called the meeting to order at 5:30 p.m.
2. **ROLL CALL OF COUNCIL AND MAYOR**
3. **APPROVE COUNCIL MEETING AGENDA POSTING:** receive and approve the report of the city clerk of the posting of this meeting's agenda notice.
Finance Director/Internal Services Grant Gager advised council that the agenda was posted on Tuesday February 28th, 2017. The Agenda was amended and reposted on Friday March 3, 2017 and has met all posting requirements.

4. **COMMUNICATIONS FROM MAYOR AND COUNCILORS**

Councilor Baird Gourlay encouraged the public to log onto their Idaho Power account to view the energy savings box they are offering. Councilor Michael David acknowledged the potholes and assured the public they will be fixed as soon as possible. Mayor Nina Jonas thanked the local businesses for the events they are all involved in within our community.

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

Steve Windgard questioned the snow that's being dumped in the Warm Springs Ranch area. He has concerns about liability and flooding. City Administrator Suzanne Frick responded to the question by advising that it is private snow storage on private property. There is not a prohibition that keeps somebody from creating a snow storage lot. Council and Mayor discussed creating a future prohibition to keep this from occurring. Pros and cons were discussed. Mayor Nina Jonas advised that snow storage will be brought back to a future meeting for further discussion.

Kurt Eggers property and business owner talked about the Visitor Center Building. He was the landscape architect for Town Square as it is now. He said that building is an important component of that public space and talked about other town squares in other ski communities. He would like it to stay in public trusts.

6. **CONSENT AGENDA: Note: The Council will be asked to approve all the following listed items by a single vote, except for any items that a member of the Council asks be removed from the Consent Agenda and considered and discussed separately under new business.**
- a. Approval of Minutes: Regular Meeting February 21, 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 \$423,150.78, as presented by the City Treasurer.
 - c. Authorization and approval of the payroll register.
 - d. Approval of Beer & Wine License.

Motion to approve the consent agenda in full with the correction to the spelling of Mayor Simons name.

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

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

- a. **PUBLIC HEARING: Recommendation to Adopt Ordinance 1169, An Emergency Ordinance of the City of Ketchum, Finding an Imminent Peril to the Public Health, Safety or Welfare Due to Pending Litigation and Therefore Amending Ketchum City Code 17.124.040 To Provide for A Floor Area Exceedance Agreement and Clarify the Administrative Procedures of Such Chapter; Providing a Savings and Severability Clause; and Providing an Effective Date - City Administrator Suzanne Frick**

City Administrator Suzanne Fick outlined the lawsuit brought before the City in regards to challenging our density bonus incentive related to Community Housing. She explained the floor area ratio and the community housing issue. She outlined the options the council could take and what would be involved with each of those options. Suzanne Frick explained the option staff is recommending and outlined the template that would be used going forward. Staff is recommending that council adopt Emergency Ordinance 1169 tonight.

Mayor Nina Jonas asked Council for questions. There was none.

Mayor Nina Jonas asked for public comments. There was none.

Council President Jim Slanetz would like to move forward with Ordinance 1169. Councilor Anne Corrock said that going forward with Ordinance 1169 is their best choice. Councilor Michael David feels they don't have a choice but to move forward. Councilor Baird Gourlay explained that in the past, when this was approved, they thought they were protecting the community and it's unfortunate the City has been put in this situation. It's important to move forward and not backwards. He talked about the length of time this could take.

City Administrator Suzanne Frick explained that this should be approved as soon as possible to keep the current projects going. City Attorney Matt Johnson explained how to move forward with two readings.

Motion to approve the first reading of Ordinance 1169: An Emergency Ordinance of the City of Ketchum, Blaine County, Idaho, finding an imminent peril to the public health, safety, or welfare due to pending litigation and therefore amending Ketchum City Code 17.124.040 to provide for a floor area ratio exceedance agreement and clarify the administrative procedures of such chapter; providing a savings and severability clause; and providing an effective date.

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

There was a discussion of possibly having a special meeting for the second reading. City Administrator Suzanne Frick will check with the applicants and will be in touch with council as to the need for a special meeting.

b. *Flood preparation and insurance, ordinance support or need for an emergency ordinance, timing, resources, door hangers - City Administrator Suzanne Frick*

City Administrator Suzanne Frick presented the steps the City is taking to inform the public about the need for flood insurance. Precautions are being taken for the flood season and sand will be provided to the public. There was a discussion as to what the City is offering and what the citizens will be responsible for.

Councilor Michael David talked about the lack of an Ordinance. City Administrator Suzanne Frick advised that in the past people marshalled their own resources and advised that the Fire and Police Chiefs are suggesting we enact something so that they can enforce if the need arises. The logistics of pumping was discussed.

City Attorney Matt Johnson said this could be in the storm water ordinance. Brain storming was done by Mayor and Council.

c. *PUBLIC HEARING: Second Reading of Ordinance 1166 Amending Ordinance 1108 to approve Ballot Language for the May 16, 2017 Special Election to extend the collection of the additional 1% LOT for Commercial Air Service until 2023 - City Administrator Suzanne Frick*

Director of Finance/Internal Services Grant Gager presented a power point presentation and talked about how the 1% LOT Funds are being used, Ketchum's collection history and presented alternate scenarios. Grant Gager outlined the revenues and expenditures as well as when the funds came in and when and how the funds were spent. He gave statistics as to the dollar amounts collected during the original lot collection as opposed to what has been collected with the additional 1%. Grant Gager presented a variety of scenarios involving the continued collection of the additional 1% LOT.

Mayor Nina Jonas asked council for questions for Grant Gager. There were none at this time.

Mayor Nina Jonas opened the meeting up for public comment.

Milton Adams, Sun Valley citizen advised that he sent a letter to all of council that he would like entered into the record. He would like the City to change / add the letter e. to the document to say that a % of the money goes to the Essential Services Facility. He advised that this is a unique tax that the city collects and passes onto another organization.

Barry Peterson, local merchant for 45 years and Ketchum resident voiced his support of the LOT continuing as it currently is. He advised that he has seen results in his store due to the new visitors that are visiting Ketchum.

Olin Glen, resident, business owner and board member for Visit Sun Valley advised that he is here to ask council to support and continue the collection of the of 1% for Air. He talked about the importance of the tax, and outlined all the benefits the community has seen due to the tax.

Executive Director Mountain Rides Jason Miller explained the importance of the 1% for Air and how it affects Mountain Rides. Jason Miller voiced his support of the continued collection of the 1% LOT Tax.

John Curnow General Manager of the Limelight in Ketchum expressed his support of the LOT and talked about other resorts in other communities and how they benefit from the LOT process. John Curnow outlined all the benefits that the LOT provides.

Dick Fenton, standing in for Carol Waller talked about the seats that are being underwritten by the program and about the marketing that is supported by the LOT. Dick Fenton talked about the successes that have been accomplished and explained that the Valley is still in competition with other resort areas.

Gail Severen voiced her support of LOT.

There were no other public comments. Mayor Nina Jonas closed Public Comment.

Councilor Baird Gourlay talked about the data that Director of Finance/Internal Services Grant Gager presented. He talked about the dips in travel and the cost of seats over certain times and about the increase in the cost of busing and the reasons for it. He talked about the quality of the equipment that Horizon is using as opposed to the other airlines and the fact that the diversions are fewer with the better equipment. Baird Gourlay voiced his support of the 1% LOT.

Council President Jim Slanetz is in support of putting this on the May ballot however he would like the busing component added to the ballot language. Jim Slanetz talked about the collection of taxes at the State level and would like to look at collecting tax from internet sales and how this affects the bricks and mortar in Ketchum.

Councilor Michael David clarified that the Council is not voting on the tax, they are deciding whether this should go on the ballot. He advised that he saw a lot of new visitors this year and he is in support of putting this on the ballot but would like to tweak the language in regards to busing.

Councilor Anne Corrock is in support of delaying this ballot measure until the November election. She would like to see more numbers than what was presented today. Annie Corrock talked about the continuation of MRG's and what other resort cities are doing. She suggested rewording and possibly changing the collection percentage to a ½ %. Anne Corrock gave the background of the original collection of the LOT in 1978 and advised that she would like to stay with the intent of the original 5 years and look at optional ballot language.

Councilor Baird Gourlay believes waiting until November puts the program at risk. He is in agreement with tweaking the language but is in full support of a May election.

Mayor Nina Jonas would like the language added that says if this doesn't pass in the other cities it won't pass here as well. Mayor Nina Jonas would like more leniency in the promoting of marketing and bus service to airport.

The decrease in the number of seats coming into the valley was discussed. Councilor Annie Corrock talked about other ski areas and what they do about MRG's. Attorney Matt Johnson explained that the Council has the ability to bring a new ordinance to the next meeting and they have the ability to waive the 3 readings.

City Administrator Suzanne Frick clarified that the direction given from Mayor and Council is expanding the ability of promoting marketing and ground transportation into the local communities and adding language that says this won't pass in Ketchum unless it is passed in all 3 of the other communities.

d. Mountain Rides bi-annual presentation – Executive Director Jason Miller

Executive Director Jason Miller gave an update of the recent activities and results. He showed the ridership of the last 3 years and talked about recent successes of Mountain Rides. The night owl service

was discussed in length. Jason Miller talked about the Snowpocalypse and how the buses ran thru this very strong and active winter season. Mayor Nina Jonas asked about the future of the Valley Route. Jason Miller explained they have added 2 additional trips - 1 evening and one mid-day. He explained the new services that are now available thru Mountain Rides. (Galena Ride n' Glide and Airport Ride 'n Fly) Allowing dogs on the buses was discussed. Jason Miller gave the overall picture of total ridership, hours of service and a performance metrics was displayed. He went over the safety record of Mountain Rides and all the training they do for their employees as well as who is riding the bus. The Bus Stop Project and criteria was presented and he showed a map of the bus stop locations in Ketchum and went over the bus stop improvement plan for this year in detail. The design of the benches was discussed. In conclusion Jason Miller talked about the goals of Mountain Rides 5-year plan and thanked Mayor and Council for their support.

Councilor Anne Corrock questioned the App. Executive Director Jason Miller explained how the app works and encouraged the public to download onto their phones as well as to view their new and updated website. Councilor Anne Corrock questioned the routes and schedules and the read outs in the bus. Jason Miller explained that the read outs are unfunded at this time and options for visual and audio were discussed. The Grant funding that Mountain Rides received in the past for a transit hub was discussed.

e. Ketchum Arts Commission Ordinance Amendments – Director of Parks & Recreation Jen Smith

Director of Parks & Recreation Jen Smith presented the proposed ordinance change.

Jen Smith pointed out 3 major changes in the ordinance. They have been reviewed and approved by City Administrator, City Attorney and KAC Chair. The three changes were outlined:

- 1 - clarification of the definition of public art
- 2 - clarification and streamlining of terms language to reflect current practice
- 3 - clarification of language regarding the KAC project driver and not one that supports artists and the organizations directly.

Staff recommends approval.

Mayor Nina Jonas asked for public comment. There was none.

Mayor Nina Jonas would like to propose a change to 4.01.010. she would like to add an education opportunity, heritage and cultural celebration.

Motion to approve the first Reading of Ord. 1168 amending Ketchum municipal code, title 4, "commissions and boards", chapter 4.16, "arts commission" to update and clarify the purpose and policy of the city and arts commission in encouraging public art; to add new sections 4.16.020 providing definitions and 4.16.050 identifying sources of funds; to provide administrative responsibilities for conservation and maintenance of public art; to provide for the establishment, composition and terms of the arts commission; to provide for duties and responsibilities of the arts commission; providing a savings and severability clause; providing a codification clause; providing a repealer clause; providing for publication; and providing for an effective date

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

8. **EXECUTIVE SESSION to discuss:**

- a. Pending Litigation pursuant to Idaho Code §74-206 (d) and (f).

No Executive Session

9. **ADJOURNMENT**

Motion to adjourn at 7:38 p.m.

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



Robin Crotty, Interim City Clerk

Nina Jonas, Mayor