

APPROVED

**City of Stanley
Council Meeting Minutes
August 10, 2017**

IN ATTENDANCE FOR THE CITY:

Mayor Herb Mumford, Council President Steve Botti, Councilmember Laurii Gadwa, Councilmember Mark Wilson and Councilmember Lem Sentz, City Attorney Paul Fitzer, all answered to roll call. City staff members included: City Clerk/Treasurer Cari Tassano.

OTHER ATTENDEES:

Bill Hart, Peggy Hart, Josh Franks, Joanne Flynn, Christopher Pratt, Austris Rungis, Eldon Hartevig, Evan Roth, Michelle Wetzel and Jim Wetzel

PUBLIC HEARING – Proposed FY18 Budget:

The Public Hearing was opened at 6:05 pm in the Stanley Community Room to receive comment of the proposed FY18 Budget.

Testimony in favor: None offered

Neutral Testimony: None offered

Testimony in opposition: None offered

The City Council did not have any closing comments

The public hearing is adjourned at 6:08 p.m.

PUBLIC HEARING – Conditional Use Permit: located in the Limited Commercial zone for a short-term vacation rental for Josh Franks at Block 2, Lot 11, First Amended Plat Stanley Original:

Testimony in favor: Michelle Wetzel

Neutral Testimony: None offered

Testimony in opposition: None offered

The City Council did not have any closing comments.

The public hearing is adjourned at 6:10 p.m.

CALL TO ORDER:

The meeting is called to order by Mayor Mumford at 6:10 p.m.

AGENDA AMENDMENTS:

None

MAYOR COMMENTS:

Commented on loose dogs and the leash laws the city currently has. Mayor Mumford will be requesting Custer County Sherriff's office to approach the owner of the dog, this is the second biting incident with this particular dog.

ORIGINAL IN RED

COUNCIL COMMENTS:

None

CITIZEN PARTICIPATION:

None

COUNCIL ACTION ITEM LIST:

None

CONSENT AGENDA:

June 20, 2017 Council Meeting. Payment approval Report – Unpaid and prepaid bills for July/August. Councilmember Gadwa moves to approve the Consent Agenda with a change of a word of “acceptable” on the Hosac’s conditional use permit. Councilmember Wilson seconds. All approve. Motion passes.

LAW ENFORCEMENT:

The City Council is in receipt of the written report from the Custer County Sheriff’s office. The Council acknowledges the report.

STREETS AND ROADS:

Streets are holding up well.

COMMUNITY BUILDING:

None

PIONEER PARK:

None

AD HOC COMMITTEES:

CEDA: None

Cemetery: Plots are all sold

Code Review: This winter we will look at different issues.

Sawtooth Interpretive & Historical Association: 2017 summer lectures series were well attended. Ice Cream social is this Saturday at the museum.

Groomer: None

Chamber of Commerce: None

BUILDING PERMITS APPROVED BY CITY CLERK:

None

BUILDING PERMITS/CITY COUNCIL APPROVAL:

Building Permit #885 – Excavation & Building(s) placement – 207 Wall Street – Block 2, Lots 10 & 11, First Amended Plat Stanley Original – Josh Franks: Council President Botti moves to approve building permit #885, contingent upon sewer approval. Councilmember Sentz seconds. All approve. Motion passes.

OLD BUSINESS/NEW BUSINESS:

Conditional use permit for a short-term vacation rental at 215 Wall Street – Josh Franks Block 2, Lot 11, First amended plat Stanley Original in Limited Commercial zone: Councilmember Gadwa moves to approve Frank’s conditional use permit for the home located on lot 11. Council President Botti seconds. All approve. Motion passes.

4 ACRE PARCEL CONVEYANCE TO THE CITY OF STANLEY:

Council President Botti has contacted the Forest Service, it appears that one of the boundary markers are missing or is not correct, currently if you measure between the 5 current stakes it does not equal 4 acres. Botti will continue to follow up on receiving an answer regarding the surveyed boundary lines.

Botti also reported that the office of the General Council for the Forest Service said that the barn on the property will convey to the city ownership along with the land. This is an important clarification that the barn will be at the discretion of the City.

RESOLUTION #2017-3, FOREGONE PROPERTY TAX AMOUNT OF \$703:

The City Clerk Cari Tassano explained, we must have a resolution to be able to receive any foregone tax amount. The \$703 within the resolution will be used for the purchase of new accounting software and computer equipment which we have already budgeted. Councilmember Gadwa moves to approve resolution 2017-3 Foregone Property Tax. Councilmember Wilson seconds. All approve. Motion passes.

RESOLUTION #2017-4, DARK SKY DESIGNATION:

Councilmember Gadwa moves to approve resolution 2017-4 International Dark Sky Reserve Designation. Council President Botti seconds. All approve. Motion passes.

RESOLUTION #2017-5, SPECIAL EVENT PARKING:

The Council decided to make resolution 2017-5 generic so it can apply to any special event within the City of Stanley; when this resolution is to be in effect it must be posted so the public is aware of the changes. Councilmember Gadwa makes a motion to approve Resolution 2017-5 for Special Event Parking as discussed. Council President Wilson seconds. All approve. Motion passes.

PROPOSED ANNUAL APPROPRIATION ORDINANCE #199 FOR FY18:

Councilmember Gadwa makes a motion to approve Appropriation Ordinance #199 and to suspend the rules and read by title only, one time only as per Idaho Code 50-902. Councilmember Wilson seconds. City Clerk Tassano reads by title only. Roll Call Vote: Council President Botti – Aye. Councilmember Gadwa – Aye. Councilmember Sentz – Aye. And Councilmember Wilson – Aye. All approve. Motion passes Ordinance #199.

DISCUSSION OF PARK MODEL RECREATIONAL VEHICLES/955 EVA FALLS

AVENUE/BILL AND PEGGY HART: On 6/20/2017 the Hart's had submitted a building permit #882 to the City Council requesting to develop 10 Park Model Recreational Vehicles on their property, on this same date the building permit was denied by the City Council. On August 7, 2017, a letter was sent to the City of Stanley by Sawtooth Law offices, Evan Roth in behalf of Bill and Peggy Hart for the purposes of requesting to amend Title 17 of the SMC. The Hart's are interested in developing their real property to accommodate 10 Park Model Recreational Vehicles. Based upon different code sections of the SMC they feel that the appropriate minimum square footage per unit should be 2,500 sq. ft. and not 7,200 sq. ft. Roth points out that vacation rentals have become so popular and that park model recreational vehicles are similar in nature. Roth gave examples of other properties in the area that have similar uses.

Mayor Mumford pointed out that some of the properties Roth referenced were properties that were grand-fathered into the area. The reason the code was written by the previous administration is because they did not want more RV's, trailers, or trailer parks on the main corridor of Stanley and wanted them in specific zone areas, to maintain the character of the town.

City Attorney Paul Fitzer: Evan Roth and the Harts define these units as Park Model Recreational Vehicles, In January 2018 the State of Idaho will be adopting the residential code, referencing tiny houses (Idaho will be the first state to adopt this code), after doing some research Fitzer has found that some cities in other states reference them as accessory dwellings, the distinction is important, are they considered a recreational vehicle (which is RV's) or an accessory dwelling. The council and the public will have to consider who will come after you, would this be considered a mobile home park, will there be sewer hoses and water hoses sticking out, will these be put on permanent foundations, will these be considered short-term rental periods or longer rental periods that consist of 30 days or more. Roth couldn't give an exact definition of the exact use besides: occupancy would be temporary in nature, Roth further stated that these will be very attractive units with concrete block foundations and shouldn't be considered a mobile home park and feels these would be a very attractive addition to the area verses some of the other approved commercial businesses; convenience store or gas station for instance.

Council President Botti: feels there are 3 things that need to be addressed:

- Appearance
- Density
- Permanent or semi-permanent

Councilmember Gadwa: Is concerned what comes after one of these units is moved or the unit is sold, what comes next. Will an RV unit that is not rustic in nature replace the missing tiny home?

Austris Rungis, Joanne Flynn and Christopher Pratt, all have concerns due to the proximity of the property they all live at Creekside Condominiums which is across the street from the Hart's project. Flynn does not feel the ordinance should be changed and it was created for a reason.

It was further discussed by everyone that this is going to take quite a few work sessions to see what the community would like to see happen. There have been several letters written so once again, several work sessions are necessary to address everyone's comments and concerns.

CITY CLERK REPORT:

Inquired if the city council would be interested in opening the FY17 budget, due to the fact, that there is a high probability that we could go over the budgeted amount allocated in Revenue for the option tax, if the fund is not budgeted then we will not be able to use any of the additional funds. The off-setting fund will be Streets and Roads option tax fund due the heavy snow year. It was decided that the Option Tax Revenue fund and the Streets and Roads Option Tax Expense fund will be considered for re-budgeted amount of \$24,500. Council President moves to open the FY17 Budget for a re-budgeted amount of \$24,500. Councilmember Gadwa seconds. All approve. Motion passes.

The 2017 Election on November 7, 2017 – Candidate filing period opens on August 28, 2017 at 8:00 a.m. The following seat are up for election:

- a. Mayor - 4 year term
- b. Seat #1 - 2 year term
- c. Seat #3 - 4 year term
- d. Seat #4 - 4 year term

August 10, 2017 Council Meeting

The City of Stanley office will be closed August 14th – 21st, 2017, the City Clerk will be on vacation the 14th thru the 18th, and we will close the office on the 21st for the Total Solar Eclipse.

The City Council took a break at 8:03 p.m.

The meeting resumed at 8:09 p.m.

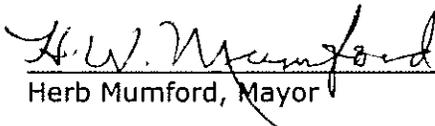
EXECUTIVE SESSION:

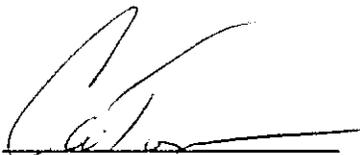
Council President Botti moves to go into executive session per IC 74-206 F. Councilmember Gadwa seconds. Roll Call Vote: Council President Botti – Aye, Councilmember Gadwa – Aye, Councilmember Sentz – Aye and Councilmember Wilson – Aye. All approve. Motion passes.

The City Council concluded the executive session and returned to regular session at 8:35 p.m., there was no further business.

ADJOURNMENT:

Mayor Herb Mumford adjourns the meeting at 8:36 p.m.


Herb Mumford, Mayor

ATTEST: 
Cari Tassano, City Clerk

