

APPROVED

**City of Stanley
Council Meeting
Tele-Conference
September 10, 2020**

IN ATTENDANCE FOR THE CITY:

Mayor Steve Botti, Council President Laurii Gadwa, Councilmember Lem Sentz and Councilmember Tim Cron. All answered to roll call. Councilmember Austin Clegg was not present. City staff members included: City Clerk/Treasurer Cari Tassano

OTHER ATTENDEES:

Andrew Kimmel, Greg Dye, Greg Wallace, Amy Klingler, Lin Gray, Jesse Wolcott, Keith Reese, Jeff Schroeder

CALL TO ORDER:

The meeting is called to order by Mayor Botti at 6:11 p.m.

AGENDA AMENDMENTS:

none

MAYOR COMMENTS:

Still under a mandatory public health order with Eastern Idaho Public Health.

COUNCIL COMMENTS:

none

COVID-19:

Amy Klingler is going by the 3 W's: Wear your Mask, Wash your hands and Watch your distance. She is keeping a close eye on the school and wants everyone to be very careful not to spread it into the school. So far in Stanley we are doing well.

CITIZEN PARTICIPATION:

none

COUNCIL ACTION ITEM LIST:

none

CONSENT AGENDA:

08/04/20 Special Meeting, 08/13/20 Council Meeting and the payment approval report – unpaid and prepaid bill for August/September. Council President Gadwa had a change for the 8/13/20 Council Meeting minutes on the language for the building permit penalties and procedures in proposed Title 17, the start date of any penalties will be when you Intend to break ground not your start date. The City Clerk noted this change. Council President Gadwa moves to approve the consent agenda. Councilmember Sentz seconds. All approve. Motion passes.

LAW ENFORCEMENT:

The City Council is in receipt of the written report from the Custer County Sheriff's office that was dated April 2020 and was not the current month. The Council therefore passed on this agenda item.

ORIGINAL IN RED

COMMUNITY BUILDING:

none

PIONEER PARK:

Working on sprinkler repair.

STREET AND ROADS:

none

AD HOC COMMITTEES:

Cemetery: looking at different schematics, seeing if there is a possibly that we may have more room for additional plots.

Code Review: none

Sawtooth Interpretive & Historical Association: open on weekends only for both locations. End of year clean up in the SNRA to clean up trash and gather campfire rings after the busy summer season. On September 20th there will be ground maintenance and clean up at the museum. Volunteers should check dates and times for both events on the SIHA website.

Snowmobile Groomer: none

Chamber of Commerce: none

BUILDING PERMITS/CITY COUNCIL APPROVAL:

Building Permit #948 – Sawtooth’s Luce’s LLC – 105 Niece Avenue – New Construction: Councilmember Cron stated the siding on the building permit is currently noted as Hardy Board (fiber cement siding), which is not an approved siding on the SMC. This was discussed by the group and it was decided we must be able to see a sample before determining. Mayor Botti pointed out that the building permit was noted by the applicant as to where the parking will be located for the multi-family dwelling for off street parking and for snow storage. Council President Gadwa moves to approve Building Permit #948 with the understanding that the Hardy Board, color of brown, truly resembles wood per our code and gives the Mayor authorization to approve the siding prior to the permit holder purchasing or installing the siding. Councilmember Sentz seconds. All approve. Motion passes.

Building Permit #949 – Tim & Becky Cron – 3 Benner Street – New Construction: Mayor Botti clarified with Cron that the set back is 10’ from neighboring properties (adjoining lot boundaries). Council President Gadwa moves to approve building permit #949 with the stipulation that the setback from an adjoining property is 10’. Councilmember Sentz seconds. Councilmember Cron abstained. All approve. Motion passes.

Building Permit #950 – Tom & Lynn Knudson – 321 Sawtooth Ridge Road – New Construction – Garage: Councilmember Gadwa moves to approve Building Permit #950. Councilmember Cron seconds. All approve. Motion passes.

OLD BUSINESS:

Title 17: Review of Title 17 draft proposal to include the latest revisions from our last meeting on 8/13/20: Mayor Botti was hoping we could go through the current draft and move forward with a public hearing in October. The following changes were made:

- a. Windows: Any windows collectively shall not comprise more than 60% of the viewable façade; has been removed. The glass surface of an individual window shall not be larger

- b. Penalties for uncompleted projects: permittee will be notified 30 days prior to expiration of the building permit. There will be a fine of \$50.00 per month if the exterior work as described on a valid building permit is not completed by the permit expiration date; has been added.

The council unanimously agreed at the next council meeting we will hold a public hearing on Title 17 changes.

NEW BUISNESS:

Discuss chapter 1.08 General Penalty of the Stanley Municipal code can our code be enforced; can deputies write citations or do changes need to be made to our code: Mayor Botti introduced Jeff Schroeder, he is part of our legal team. Botti explained that we have been told that our code is not adequate and cannot be enforced due to court costs not being specified within our code. Schroder deals mainly in criminal prosecution; he spends a lot of time in court on infraction and misdemeanor penalties; he helps his firm write ordinance specifically infraction and misdemeanor penalties for City ordinances and not just state code; he also works closely with the Idaho Supreme Court with the new computerized court system. Schroeder explains that court costs do not need to be included within our code and the statement that our code cannot be enforced is an incorrect statement. There is no reason our city code cannot be enforced right now, as the code stands. As long as the code specifies whether it's an infraction or a misdemeanor which our code does. Schroeder stated that our code is one of the more modern codes he has come across.

CITY CLERK REPORT:

The City Clerk reminded the City Council that these next two Council Meetings we will be reporting the final numbers on the financials for the end of fiscal year 2020 and if anyone has any questions to let her know. Our new fiscal year will start on 10/01/2020.

EXECUTIVE SESSION:

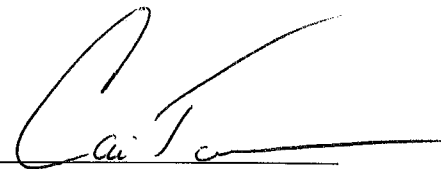
Council President Gadwa makes a motion to go into executive session as per Idaho Code 74-206 (1) (B) at 7:46 p.m. Councilmember Sentz seconds. Roll call vote was taken by City Clerk Cari Tassano: Council President Gadwa - Aye, Councilmember Sentz - Aye, Councilmember Cron - Aye. All approve. Motion passes.

At 8:34 p.m. Council President Gadwa announced we are now in regular session and no decisions have been rendered.

There was no further business to discuss.

Mayor Botti adjourns the meeting at 8:35 p.m.


Steve Botti, Mayor

ATTEST: 
Cari Tassano, City Clerk

