

City of Stanley
Special Meetings-Public Hearings/Council Meeting Minutes
October 13, 2016

IN ATTENDANCE FOR THE CITY:

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

OTHER ATTENDEES:

Alison Beechert, Tim Cron, Becky Cron, Melinda Hadzor, Jennie Stephenson, Mike Stephenson, Ellen Roche Libertine, Gary Gadwa, Ellen Glaccum, Jack Stevens, Ashley Hadzor, Charlie Thompson, Christy Thompson, Kelly Kerns, Meagan McElerone, Tyler Lucas, Molly Austin, and Janice Toledo.

SPECIAL MEETING-PUBLIC HEARING – Stanley Comprehensive Plan 2010, Resolution #2010-6, section 6.1 and 6.2 General Land Use Map:

The Public Hearing was opened at 5:09 pm in the Stanley Community room to receive comments on the Stanley Comprehensive Plan 2010, general land use map. The City has received 2 letters against changing the comprehensive plan. Mayor Mumford gave a description of the rules and conduct during a public hearing. Three maps were handed out: the current general land use maps and the proposed general land use map. Mayor Mumford gave some historical information of the comprehensive plan general land use map: The Limited Commercial zone was established in March of 1998, approximately a year later, there was a lot split done on the Bakery property (now known as 250 Wall Street), prior to the lot split the property frontage faced Critchfield, when the split occurred in 1999, it turned the property and the property frontage is now on Wall Street; at this time the property should have been changed to commercial, but this was never done.

The purpose of the proposed change is to keep all the properties that are facing Critchfield (a narrow street) in the limited commercial zone and changing all the properties that are facing Wall Street and Ace of Diamonds (wide streets) to commercial (the majority of the properties on these two streets are already zoned commercial, this would make it consistent).

Mayor Mumford asked the City Council if they had any opening comments, which there were none.

Testimony in favor:

Tim Cron – 765 Ace of Diamonds, owner of SBC: is in favor of rezoning all the properties on Ace of Diamonds and Wall Street to commercial, pointing out that due to the width of both streets and because this area is considered the business corridor. Cron emphasizes that people like the rustic (old time) feel of Stanley with its unpaved roads, no stop lights and no parking meters; pointing out that there are not many places left where you can find this quality. Due to these reasons, he does not feel creating additional parking lots is the answer.

Jack Stevens - 315 Benner Street: has heard rumors that the City Council plays favorites. Stevens does not feel that the council plays favorites and described a story about a previous building permit that he had submitted that was denied by the City Council. Stevens then

re-did his building permit the following year and now has a stronger and better storage unit because of the original denial.

Kelly Kern – 765 Ace of Diamonds: does not feel we need another parking lot, she walks downtown every day, in the summer, during the SBC hours (7:00 am to 2:00 pm) and never sees downtown parking in the downtown corridor full (Ace of Diamonds), she doesn't feel additional parking spaces will change the fact that people want to park on Wall Street closest to the Bakery.

Charlie Thompson - 440 Eva Falls: Thompson states that change is going to happen whether we want it to or not, so let's think differently about this 6 Block area and make it a historic zone and if the community is worried about night clubs or gas stations, then making it an historical zone will address all these issues.

Ellen Libertine - 215 Wall Street: supports the rezoning of the Bakery property (250 Wall Street).

Neutral Testimony:

none offered

Testimony in opposition:

Mike Stephenson - 230 Wall Street: Stephenson question whether the City Council can make any decisions tonight, he would like to see a neutral third party to come in when decisions are being made regarding the rezone of the Bakery Property (250 Wall Street). Stephenson states, "he has no problem with the Bakery property being rezoned", and points out this does nothing to change the traffic and parking problem. Stephenson is concerned if the Bakery property or the Libertine property is sold and a night establishment is now allowed because the property was rezoned commercial; stating that, "he is ok with the morning traffic (caused by the Bakery business) and he can live with that", but he would be concerned if there was night traffic because he is a morning person. Mayor Mumford pointed out that this is the same situation with his property at 230 Wall Street (that is located next store to the Bakery property and is already zoned commercial). Stephenson stated, "we knew what we bought when we bought the property, we knew what was there and we understood that and we accepted that"; he then read a portion of an appraisal report, done on his property (230 Wall Street), that he has handed out to the City Council and he would like it to be part of the public record, pointing out that before construction commenced on the addition at 250 Wall Street, his property had decreased in value (September 2015), "due to the brief periods of congestion". Stephenson finalized his comments stating, if the traffic and the parking were addressed then everyone would probably approve what is being discussed tonight.

Ellen Libertine - 215 Wall Street: She is opposed to the rezoning of her property. She feels if her property is changed to commercial it would hurt the community.

Closing Comments:

Mayor Mumford: emphasized that the traffic and parking issues (that the City has been working on all summer) will continue to be improved upon regardless of what we do with the zoning, these issues are separate from the comprehensive plan land use map and the zoning being discussed tonight; we had an economical parking plan that was presented at the beginning of the summer for parking, but unfortunately that window has closed due to gravel access. Mayor Mumford reassured everyone that we will continue to look at different parking options. Additionally, this summer many citations have been issued by our law enforcement and new speed limit signs have been posted at all 3 entrances to the City.

The City Council did not have any closing comments. The Public Hearing is closed at 5:54 p.m.

SPECIAL MEETING-PUBLIC HEARING – Rezone applications Timothy and Rebecca Cron DBA Wall Street Investments/Stanley Baking Co.; Land Owner and Steven W. Hosac DBA HCI, LLC/Stanley High Country Inn; land Owner:

The Public Hearing was opened at 5:55 pm in the Stanley Community room to receive comments for the rezoning applications. We have received two letters against the rezone and 12 letter in support of the rezone. Mayor Mumford asked the City Council if they had any opening comments, which there were none. Mumford gave a description of the rules and conduct during a public hearing.

Applicant Comments by Tim Cron - Stanley Baking Company owner – 250 Wall Street: Cron read his letter dated 8/2/16 requesting rezoning of his property from limited Commercial to Commercial. Pointing out after being in business at this location for 12 years and since the purchase of his property it has always faced Wall Street (the commercial zone). Now, after an approval of a building expansion he is being asked to supply an additional 48 parking spaces that would be required in the limited commercial zone, which is not possible on his property. Stating that, "Stanley Baking Company lot, fits the mold, for the other commercially zoned lots in Stanley".

City Attorney Paul Fitzer: explained the difference between the land use map and zoning: In general, does the Land use map reflect what the citizenry wants to see happen in the downtown area (wider streets need to be commercial, narrow streets need to be limited commercial). Changing the land use map reflects what is trending, what the community is doing and what the people want to see happen. Fitzer would like the city council to ask themselves, does this make sense, do we have a long-term plan if more businesses open? Stanley Baking Company and High Country Inn cannot ask for rezoning without also asking for the corresponding change to the comprehensive land use map.

Testimony in favor:

Jack Stevens – 315 Benner Street: stated that he already said everything he needed to say.

Ellen Glaccum - Iron Creek: is in support of the SBC and HCI properties being rezoned, she feels Wall Street and Ace of Diamonds are both wide streets and feels these streets are considered the commercial zone and the sensible thing to do is to rezone these properties to commercial.

Ellen Libertine – 215 Wall Street: is in support of the bakery property being rezoned.

Neutral Testimony:

None offered

Testimony in opposition:

Mike Stephenson – 230 Wall Street: feels that the council inappropriately approved the SBC building permit on 9-15-2015 and we should be addressing parking first before rezoning the property. Stephenson reiterated two earlier comments 1. that he has no problem with the SBC and appreciates what they do for Stanley; they knew what it was (the popular Bakery business) when they purchased their property next door. 2. the appraisal that was done prior to the addition being built; claiming that it has damaged his property due to its location next to the SBC.

Ellen Libertine – 215 Wall Street: is in opposition to having Hosac property and her property rezoned. Libertine does not feel there is room for these two properties to be zoned as commercial, due to the increase parking demands it would put on Wall Street and Ace of Diamonds.

Closing Comments:

Applicant has no rebuttal comments.

The City Council did not have any closing comments. The special meeting/public hearing is closed at 6:10 pm.

CALL TO ORDER:

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

AGENDA AMENDMENTS:

None

MAYOR COMMENTS:

We are looking for another city maintenance person, we have a potential applicant, but he has not yet been approved. Also, we have a response letter from our City attorney referencing the Stephenson's and their attorney concerns, which is public record.

COUNCIL COMMENTS:

Council President Botti has two comments:

Flood Rate Insurance Map: back in 2010 we passed our flood hazard ordinance, at that time we asked the Army Corps of Engineers to come in and correct errors on the flood elevations map that had been done on Valley Creek and they did complete this, but ever since then we needed them to produce a base flood elevation map or flood rate insurance map for all the areas they did not do in 2010, which include portions of: the Salmon River, Valley Creek and all the tributaries streams flowing into Valley Creek. Botti read an email from Tracy Swartz, Floodplain Management Services Program Manager, please see breakdown:

2014 ---- completed flow frequency development
2015 ---- obtained stream bed and structure surveys
2016 ---- there was no funding
2017-2018 -- topographic data out of the stream channels and hydraulic modeling and flood insurance rate mapping.

Dark Sky Reserve/Dark Sky Association: at this point this effort has been discussed with Blaine County and Custer County commissioners and both are supportive. The applications itself has begun and it will take a while, but the process has started. This would be the first Dark Sky Reserve in the United States. This is a collaborated effort that includes: Forest Service, Ketchum, Sun Valley, Stanley, Blaine and Custer County.

CITIZEN PARTICIPATION:

Ellen Libertine: Discovered that some of the addresses that the county and city have do not match and Libertine would like to see this rectified. Mayor Mumford commented that we were not aware of this discrepancy. This is the first we are hearing of this. Mumford reassured Libertine that we would investigate this further.

COUNCIL ACTION ITEM LIST:

None

CONSENT AGENDA/MEETING MINUTES:

September 8, 2016 Council Meeting Minutes and the payment approval report for unpaid and prepaid bills for September/October. Councilmember Gadwa moves to approve the consent agenda. Council President Botti 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. Deputy Sheriff Brandon Knight is currently in post training. Mayor Mumford commented that there were several citations and warnings issued in regards to traffic tickets in the town of Stanley; the sheriff's office has these reports.

COMMUNITY BUILDING:

Custer County is requesting use of the community building with all fees waived on November 8th, 2016 for the general election. Councilmember Gadwa moves to approve the request with all fees waived, requesting that they use as many local community members as possible. Council President Botti seconds. All approve. Motion passes.

PIONEER PARK:

Idaho Bicycle Ride Northwest would like to request camping in Pioneer Park for the bike riders on the evening of August 11, 2017. Councilmember Gadwa would like to make sure the school has approved the request by IBRNW, there are questions that need to be answered, and we need permissions in writing from the school district; we must have a letter from the school district approving the request prior to our approval. The shower truck will have to have an additional fill, they will need to clarify if they would like the City to supply water for the truck? Council President Botti moves to table this request until these questions are answered. Councilmember Wilson seconds. All approve. Request is tabled.

STREETS AND ROADS:

None

AD HOC COMMITTEES:

CEDA: Mumford commented on some of the highlights from the last meeting, that is included in the minutes of September 8, 2016 Council Meeting.

Cemetery: None

Code Review: None

Sawtooth Interpretive & Historical Association: currently they are looking for a new executive director, and plan on having a selection completed by the 20th of this month.

Groomer: currently Gary Gadwa has been in negotiation with the Forest Supervisor Chuck Mark, regarding a request from the snowmobile group to obtain permission to be able to groom Basin Butte, Gadwa was assured he would have an answer by this fall.

Chamber of Commerce: have recently published ads in the Times News, The Source, RB Idaho, Triple A, and State of Idaho Travel Guide. They also have partnered with Mountain Village for the upcoming snowmobile shows and just completed a post card for these shows.

OLD BUSINESS/NEW BUSINESS:

Amendment to the City of Stanley Comprehensive Plan 2010-Land Use Map and the rezone applications by Wall Street Investments, LLC and HCI, LLC: prior to the City Council making any decisions, City Attorney Paul Fitzer asked the City Council if they had any biases regarding the comprehensive plan or the rezoning presented tonight: each councilmember and the Mayor stated they do not have any biases for any decision that are being made tonight. Councilmember Gadwa pointed out that Critchfield is not a wide street and this is

one of the reasons why the properties on this street were classified as limited commercial and therefore should remain in the limited commercial zone, since this time, Wall Street has been widened and is wide enough to accommodate commercial parking, also when the limited commercial zone was created the SBC property (250 Wall Street) was originally on Critchfield, when the lot split occurred and repositioned the SBC property to front on Wall Street; this property no longer has any access to Critchfield. Council President Botti points out that Ace of Diamonds and Wall street were designed for commercial parking (approximately 75' wide), this area can accommodate commercial perpendicular parking and is considered the downtown core, as our town grows Botti feels that that we need to reclaim these streets for commercial parking and implement the perpendicular parking that was in the original plan and this is why all properties on these streets should be zoned commercial, due to all these reasons, we need to change the Comprehensive Plan Land Use Map and the zoning of the properties not already zoned commercial. It is acknowledged that Libertine would not like her property rezoned and this request will be honored in the zoning requirement. Safety is still a concern and the City is working on rectifying these issues. Fitzer cited page 9 of the City of Stanley Comprehensive Plan: "the City's total area is limited to 308 acres, which can be viewed as an economic constraint, limited growth and business expansion. Presently there are vacant and undeveloped areas still in the commercial zone. New business are not abundant due to high land prices in Stanley and the seasonal economy", Fitzer points out that the area in question has mixed zoning and if we are envisioning this to be commercial within our comprehensive plan, you're addressing why you have the inhibited economic development. Botti inquired would it be possible to approve the proposed zoning without the actual ordinance in hand. Fitzer explained that we did not plan to have a final approval or denial tonight; we were unsure if the City Council would be approving or denying these issues tonight, therefore, if you vote to approve the rezoning tonight by rezoning these two properties then the ordinance will conform to the special meeting-public hearings. Amending the resolution and the ordinance, will not require another special meeting-public hearing and can be approved at a subsequent council meeting: amending the comp plan followed by an amendment to the zoning ordinance.

Councilmember Gadwa moves to amend Resolution #2010-6 in Section 6.1 and 6.2 General Land Use Map as presented tonight on the proposed land use map. Based on the advice of the city attorney a resolution codifying this amendment will be adopted at a subsequent council meeting. Council President Botti seconds. Roll Call Vote: Council President Botti - Aye. Councilmember Gadwa - Aye. Councilmember Sentz - Aye. Councilmember Wilson - Aye. All approve. Motion passes.

Council President Botti moves to approve the request for rezone by Timothy J. Cron and Rebecca Cron, Wall Street Investment, LLC, Stanley Baking Company, legal description: Lot 5A Block 4 Stanley Original, from limited commercial to commercial and corresponding amendment to the zoning map pursuant to ordinance #184 which is an administrative de minimis amendment to the ordinance. Based on the advice of the city attorney an ordinance codifying this motion will be adopted at a subsequent council meeting. Councilmember Sentz seconds. Roll Call Vote: Council President Botti - Aye. Councilmember Gadwa - Aye. Councilmember Sentz - Aye. Councilmember Wilson - Aye. All approve. Motion passes.

Council President Botti moves to approve the request for rezone by Steven W. Hosac, HCI LLC, Stanley High Country Inn, legal descriptions: Tract 03-89 Stanley Annex and Tract 03-88 Stanley Original from limited commercial to commercial and corresponding amendment to the zoning map pursuant to ordinance #184 which is an administrative de minimis amendment to the ordinance. Based on the advice of the city attorney an ordinance codifying this motion will be adopted at a subsequent council meeting. Councilmember

Gadwa seconds. Roll Call Vote: Council President Botti – Aye. Councilmember Gadwa – Aye. Councilmember Sentz – Aye. Councilmember Wilson – Aye. All approve. Motion passes.

Break was Taken: 7:50 pm
Meeting was resumed: 8:01 pm

Winter contract for the City of Stanley Streets and Roads: Mayor Mumford reported that prior to putting the winter streets and roads contract out to bid, we contacted all the parties that could possibly be interested in bidding or had bided in prior years and found that there was only one party interested in the Stanley winter street and roads contract which is Stanley Construction. Mayor Mumford negotiated a contract with Stanley Construction consisting of the same restrictions and the same rates as last year. In the past, when there was more than one business interested in bidding, the City would put it out for bid.

Wood River Land Trust annual renewal Lease: Council President Botti stated that the current lease agreement will expire on September 30, 2016, so therefore, we will need to sign a new agreement; the possibility of changing the expiration date was discussed, but the City would like it to expire at the end of our fiscal year for budgeting reasons and all other parties on the lease agreement would also like to keep this expiration date. Councilmember Gadwa stated she would feel more comfortable having it be an agreement vs. a lease agreement. Council President Botti makes a motion to approve an agreement with Wood River Land Trust from October 1, 2016 - September 30, 2017 and adopt the language proposed. Councilmember Sentz seconds. All approve. Motion passes.

Waldorf Building/Chinking Bid: The City Council discussed whether the Waldorf building needed to be chinked and concluded that the possibility of preserving the building would be more appealing. The Council also feels the bid of \$3,328.00 would not be feasible within the 2017 budget. Councilmember Gadwa moves to not chink the Waldorf building. Council President Botti seconds. All approve. Motion passes.

BUILDING PERMITS APPROVED BY CITY CLERK:

None

BUILDING PERMITS/CITY COUNCIL APPROVAL:

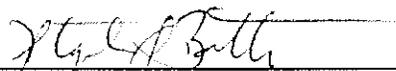
None

CITY CLERK REPORT: (City Clerk/Treasurer Cari Tassano)

Presented all the financial reports and the Council had no questions. The city tent was destroyed by the weather and per our maintenance department it was not salvageable. The City Council decided not to replace the tent.

ADJOURNMENT:

Mayor Mumford adjourns the meeting at 8:28 p.m.


Steve Botti, Council President

ATTEST:


Cari Tassano, City Clerk

