
City of Stanley
Regular Council Meeting Minutes
August 12, 2010

Mayor Mumford called the City Council meeting to order at 6:04 p.m. Thursday, August 12, 2010 in the Stanley Community Building.

IN ATTENDANCE FOR THE CITY:

Mayor Herb Mumford, Council President Steve Botti, Councilman Lem Sentz, Councilwoman Laurii Gadwa, City Police Officer Pete Isner, and City Clerk Erin Fisk.

OTHER ATTENDEES:

Sean Tajkowski, Ellen Libertine, Jared Hopkinson, Anna Means with the Challis Messenger, Ron Gillett, Rebecca Arnold, Melinda Hadzor, Dave Lesser, and Gary Gadwa.

PUBLIC HEARING:

Budget for FY11 – Council President Botti made a couple comments on the budget numbers. It shows a net deficit of \$77,000 on page 19 which includes the \$90,000 grant monies for Airport Road. The grant money is already in the bank and must be expended this year. The budget looks much better without that grant money included; no deficit but actually a net positive.

No other public comment was offered. The Mayor mentioned the money that was designated to help with the Winter Festival. The Council would also like to earmark around \$500 to help the Sawtooth Music Festival with various costs next year. The money will not be specifically budgeted, but "earmarked" from an existing line item. Comprehensive Plan 2010 Revision – the last hearing held on July 15, 2010 resulted in some editorial changes. The Council also considered the comments made regarding land use and zoning. Copies are available for anyone to review. Council President Botti had not been able to attend the last hearing, but he did read through the comments submitted. Most centered around land use issues on page 18. The feeling seems to be that the residential use in commercial zones would be banned, but that is definitely not the council's intention. They simply want to maintain a viable commercial center. The council is not trying to do away with residential in commercial zones. Councilwoman Gadwa agrees. The Mayor included some changes to that section based on the previous comments. He read from the attached "Summary of Changes" sheet, page 16. Jane McCoy, Dick Neustaedter, and Joe Lamb had all provided comments on this section; Jane had also submitted suggested wording to include. All these concerns were addressed with the subsequent revisions. The changes were merely to clarify that residential use in commercial would not be banned, but that the importance of maintain commercial property is still a concern. There were also some late comments received from the Sawtooth National Recreation Area, Sara Baldwin and Sharon Browder. They were quite lengthy and bring up some hot topics relating to the independence of the city within the SNRA. There are a lot of things that could be discussed for hours, but these suggested changes will not be included in this revision. There were some basic SNRA regulations/requirements listed in Part D. This part was stricken from the Comp Plan document in this revision. Nothing was lost; the statement was more of a judgment and not particularly subjective. That supported removing it from this revision of the document. These comments submitted could be quite contentious and should be discussed in the coming months or year to see if there is anything that

should or could be integrated into the Plan. Council President Botti said that the SNRA suggested that we adopt their statistical corrections to the number of visitors, etc. The Mayor said he spoke with the ladies who submitted the comments and their statistics are not better than what is already included in the Plan. They only monitor visitors who are recreating. The Mayor wants numbers on who is actually traveling through town, not just staying in designated campgrounds. He would like to use some transportation stats. Botti says that just counting cars on the highway may not be too accurate either. It is suggested that the stats could be dropped all together. Councilwoman Gadwa feels that there needs to be a balance. She supports dropping the stats from the Plan. The last numbers we had available were from 2005 or 2006. The Mayor and Council agree that the stats should be dropped.

Ron Gillett – he asked about any prior meetings on the Plan. The Mayor says that there have been multiple meetings and hearings held that were all open to the public. He had some concern over the comments made by the SNRA. He does not want to see the city enter into any agreements with the SNRA until things are looked at closely. Ron reads a brief excerpt from the SNRA comments submitted. He tells the Mayor and Council to beware. He does not want the Forest Service or SNRA telling him what he can and cannot do on his property as long as it is reasonable. He agrees with the city not including any changes from these comments.

Rebecca Arnold – on page 1 under "Goals," she feels that the language about private property rights should be left as it was in the original. Under section 6 "Land Use," page 15, this is one of the first references to preserving dark night skies. She says Stanley is a small town and people can just drive outside of town to look at the stars. She thinks being able to have lights on your property is a safety and security concern. Also, from what she understands from Salmon River Electric, the shades that direct light downward are very expensive and it would be unreasonable to require people to install these. Under the "Commercial Land Use" section, she thought the original wording was fine. She does not want to see any limitations placed on how property can be used. As far as the Forest Service/SNRA comments, she thinks the city should strongly resist ever trying to impose SNRA regulations within the city limits of Stanley.

Pete Isner – says he was glad there have been workshops and meetings about the Comprehensive Plan. It has been an ongoing project since he started working here. He thinks traffic numbers need to be nailed down a little better. He'd like accurate numbers from a law enforcement standpoint. The amount of traffic simply driving through really does affect the community. In looking for grants, having accurate traffic numbers included in the Plan could be helpful.

Sean Tajkowski – says he agrees with Rebecca to a point on the dark sky issue. He has had issues with lights being too bright and disturbing him. He thinks that as long as the lights aim down and stay on people's property, not shining out into other people's windows, etc. He thinks this just needs to be defined. The Mayor says the Comp Plan simply identifies the issue as something to look into and address, but does not state any specifics on how to deal with it. Council President Botti says that most ordinances he's read about night skies do just deal with keeping the lighting on your property and not projecting it out onto neighboring properties. Botti suggests that efforts to reduce light pollution could be voluntary without having to enact an ordinance. Sean does not want to see any strict regulations on the types of shades that can be used. Councilwoman Gadwa talks about "focused lighting." The Plan says that this is a concern and puts it on our radar. She does not see it as a high priority at this point in time. Councilman Sentz says that the shields are only around \$80. The Mayor reiterates that this is not a top priority. Gary Gadwa asked if we lease lights from Salmon River Electric, such as the street lights. The clerk says that the electric is all that we pay. She is not sure how many are just on the city streets

and which ones the city pays for, but the amount we are paying is quite minimal and the only cost is the actual electric.

The Mayor closes the hearing portion and moves into the regular meeting at 6:38pm.

AGENDA AMENDMENTS: None.

MAYOR COMMENTS/UPDATE:

The city of Stanley is now part of the National Flood Insurance Program as of July 13. The Mayor thanks all those who participated in the meetings and hearings and the Council for all their hard work. This is good to have in place now. This could help us receive other FEMA benefits for disasters, such as forest fires. The Sawtooth Music Fest was a great success with around 2500 attendees. It was their 5th year. He thanked the folks involved in the planning. He says that he appreciates the way the organizers come back every year to discuss the event and how things could be revised or improved. Sean says they had a lot of new analytics and stats this year. The Mayor informed everyone that around 2000 Sockeye returned for one of the first times in 20 years. There was a media event held at the Redfish Lake trap where the fish were allowed to swim freely into the lake to spawn naturally instead of taking them to the hatchery. Channel 7 news did a piece on the event. This is an improving statistic for the salmon. Council President Botti noted that one item was skipped. He talked about the meeting with Jamie Huff on August 11. She is a Region 10 flood management specialist with FEMA. She came to discuss with us how to move forward now that we have passed an ordinance and become part of the NFIP. Botti thought it was a very good meeting. One important clarification that came out of it was regarding the status of properties built within the floodplain after the 1988 FEMA maps and our recent passage of an ordinance. Jamie Huff confirmed that those properties will not be subject to any further review by FEMA. The owners are eligible to apply for flood insurance under the program. As far as the council is concerned, the properties are considered grandfathered in whether they are compliant with the new ordinance or not. This was a big issue to get resolved in a favorable way. The Mayor notes that the city did not support any alternative; we did not support having to bring those homes up to standards.

PRESENTATION:

Sean Tajkowski – he received a letter from the city about construction on his home. He is not doing any exterior construction. He met with Council President Botti about this and went over all the things he might be working on, but nothing should require a permit. On streets and roads, he gets the brunt of the dust off the streets. He said that he has been here for 10 years and has never seen the streets in such bad shape. He commented on Airport Road and not having an issue getting up it. He says it is the city's responsibility to maintain the roads and control the dust. He says that the contractor should fix all the holes and the massive swale across Ace of Diamonds. He realizes that we have budget constraints, but there should be liability on the contractor. He wanted to see the water truck more. Simple maintenance on the streets is an issue. He was not happy with the dust abatement; did not think it worked. He wants to make sure the dust is kept down during construction on Airport Road. He says he is opposed to the city spending money on the Airport Road project right now. The clerk notes that this was grant money received by the city. Sean says the problem with Airport Road is people speeding. He is concerned about where the extra dirt will end up and the impacts of the construction on the surrounding vegetation.

Jared Hopkinson – speaking for the Chamber of Commerce. He is the President of the Chamber for the 4th year. They have created a winter marketing committee.

Their focus is to market off-season events, with Winterfest, the Sled Dog Race, and steelhead season being the main events. They are creating a document for people to fill out if seeking help from the Chamber on events. The budget constraints in the upcoming fiscal year will reduce their marketing ability a bit. Climbing magazine and Sunset recently had articles about Stanley and the Stanley area. There is also an L.A. Times article coming out possibly this month and an article in National Geographic where Redfish was named one of the top 10 best swimming spots in the US. The next work session is set for August 26 to determine what to focus on in the upcoming year. Then on September 9 they will have a breakfast at the Bakery and go over the outcome from the work session. The breakfast will be at 10:00am on September 9 with free pancakes and coffee. Mayor Mumford thanks Jared and says it sounds like they are really digging in. Sean asks Jared about the internet connection for the Chamber. There was an issue with the Chamber hooking into the city's internet equipment. They will discuss this issue further later outside the meeting.

CITIZEN PARTICIPATION:

COUNCIL COMMENTS:

COUNCIL ACTION ITEM LIST:

No current updates were provided.

CONSENT AGENDA:

Councilwoman Gadwa makes a motion to approve the consent agenda. Council President Botti 2nd; all approved; none opposed; motion passes.

BUILDING PERMITS:

Thomas & Rebecca Arnold, 2nd Renewal of Building Permit #728-R1 (will become R2)
– Councilwoman Gadwa made the motion to approve the renewal of the permit making it “R2.” Council President Botti 2nd; all approved; none opposed; motion passes.

LAW ENFORCEMENT: (Officer Pete Isner)

Deputy Trevor Dowton planned on being here but had a call he had to go on. The Music Fest event went smoothly with no complaints. He noticed a larger amount of litter after this year's event, particularly around the Chapel area. Sean said he got very sick, but has been working on picking up trash when he's been up at the park. There was one domestic disturbance the Sunday morning after. Pete would like to see a public intoxication ordinance over an open container ordinance. It's just an issue with someone being overly intoxicated. Nothing else seemed to fit for this incident. Pete said it was the individual's personal liquor and not liquor from a bar. Sean says he agrees with Pete. This only happens maybe 3-4 times per year. He is working on gathering info from other cities on their public intoxication ordinances. His intention is not to harass people who are walking from the bars, etc. He would like to try to get a feel for what people think about this at the next council meeting if possible. On code review, he is looking for direction from the Mayor and council on camping ordinances. He would like the fines changed from misdemeanors to first offense being a simple fine. There are issues over interpretation of the current ordinance limiting camping in the city limits. He has seen lots of multiple RV's parked on the same lot this summer. He feels the ordinance is meant for one tent or RV for a period of five days every 30 days, not five RV's for five days. That's more of a trailer park scenario, not having a couple friends visit for the weekend. Trash and

proper sanitation are the issues here. There was a felony high speed chase that ended just west of Stanley on Highway 21. He, the County deputies and Forest Service officers were on it and were able to put down spike strips to stop the vehicle. They were concerned about the chase coming through town. It almost ended in a shooting, but the outcome was favorable. This was a first for him.

STREETS AND ROADS: (Mayor Mumford)

On August 10 the Mayor met with the contractor for the Airport Road project as well as representatives from the electric and phone companies and our city engineer. They hope to get started next week. Everyone will do the best they can to keep it at a minimal disturbance, but it will be a disturbance. We tried to wait to start toward the end of the summer season.

CEMETERY: (Councilwoman Laurii Gadwa)

CITY PARK:

COMMUNITY BUILDING: (Mayor Mumford)

The Sawtooth NRA asked for a reduced rate on the rental fee for a meeting held on July 29. The event has come and gone, but the request still stands for the reduced \$50 rate which has been pretty standard. Councilwoman Gadwa makes a motion to approve the reduced rate request. Councilman Sentz 2nd; all approved; none opposed; motion passes.

AD HOC COMMITTEES:

- Groomer Committee: (Mayor Mumford/Gary Gadwa)
- CEDA Report: (Mayor Mumford) – no insert for this month’s meeting. CEDA is continuing with existing projects. They are still working on the development of a community center in Challis. They met with Senator (representative) Jeff Siddoway in Challis. The CIEDRA board also met with him. He wanted to see what input we had on the bill and federal regulations. He is not sure how it was left, but it was a good opportunity.
- Gem Committee: (Charlie Thompson) –
- Chamber of Commerce: (Greg Edson) – This was dealt with earlier in the meeting.
- Code Review: (Council President Botti) – A work session was suggested for sometime in September to work on the “omnibus” ordinance to clean some things up in the code. Based on comments tonight from Pete, we could add some law enforcement issues to that. Laurii and Steve would like the meeting early in September. The clerk will be gone until the 7th, so later would be better. It is decided that the work session will be held Thursday September 9 at 1:00pm.

UNFINISHED BUSINESS:

NEW BUSINESS:

“Throw-down in Dogtown” concert event – Melinda Hadzor presents the idea to the council. She says the Stanley High Country Inn, The Horseshoe Pit, and the Rod n

Gun Saloon have been working on this event and are sponsoring. They have bands lined up to play from 2pm to 8pm. They would like to have part of Ace of Diamonds blocked off. They are looking at blocking off half the street from just beside McCoy's Tackle Shop. The Mayor's concern is over notifying the surrounding business owners. The proceeds are going to the Linville family who lost their son in a skiing accident this spring. They would like to donate what they receive to the Sawtooth Search and Rescue. Councilwoman Gadwa says events like this have worked well in the past. She doesn't think we need to block off the whole street, but part should be fine. Melinda says they do not want to adversely affect other businesses. It is a daytime event versus late night. The Mayor says he would like to see events like this pushed farther back into our shoulder season. Melinda says they wanted to do this before the river guides left town and all the Redfish Lake and Lodge workers, who worked with him there and were friends. Everyone is volunteering their time to put this on. Pete would like to see the area blocked off parallel to the street, all the way across Ace of Diamonds. This would only take two barriers and would be easier to move for those trying to get to the Sawtooth Hotel. Mayor Mumford wants to see the Hotel contacted so they are aware of the event. Pete does not have an issue with the open containers within that designated area. Councilwoman Gadwa makes a motion to waive the open container and allow the street to be blocked off as worked out between the event coordinators and Officer Isner and that the other businesses are contacted. Councilman Sentz 2nd; all approved; none opposed; motion passes.

FY11 Budget – There was earlier discussion over earmarking some funds to support the Sawtooth Music Festival. Rebecca Arnold asks about the letter from the music fest group and how much money they were asking for. The clerk says they were asking for funding assistance but were not real specific on how much they wanted from the city. The Mayor wants to support the event as best we can. Council President Botti thinks that the event is great for the community and businesses and that the city should support them in a co-op fashion. There has been discussion over infrastructure being built and the city has supported the event as well as other events as well. The group was looking for around \$3000, but the city cannot afford a contribution of that magnitude. Botti suggests earmarking some funds out of the "Community Relations" General Fund line item to help support the festival. Councilwoman Gadwa notes that because of the tight budget we could be looking at cutting back on waiving of fees, etc. The Option Tax requests are being cut as well. Groups that usually receive money will not be receiving as much if any next year. Council President Botti makes a motion to designate \$500 from "Community Relations" to help support the Sawtooth Music Festival. Councilwoman Gadwa 2nd; Sean Tajkowski wants to make it clear that the event is a community event with lots of help from volunteers. Everyone is welcome to help, although there does have to be some central organization. They had a lot less sponsors this year, but with it being a two day event, it was a wash. They are not out to make a huge profit and are not "begging" money from the city. He says this event brings in a lot of option tax money to the city for that weekend. He says money is directly generated from this event and he feels that money is in excess of \$3000. Funds they are making are being retained for the following year's event. Next year they are looking at more expense with things like a semi-truck to haul gear. He puts emphasis on this being a community event. He did not feel that \$3000 was too much to ask. The Mayor notes that the Sawtooth Music Fest is a legal entity and there is central organization behind the event. He realizes that there is a lot of volunteer time that goes into it and he can't thank them enough for all of that. Sean insinuates that the event could go away if they don't continue to receive funding help. Sean says that the way they operate is pretty open. Councilwoman Gadwa thinks that she may have a funding

source, aside from the city, for them for next year. Council President Botti wanted to commend everyone who donates their time and money into an event that is a benefit to the community; it is not just taking money out but also putting money back in. This is the kind of event he thinks we should support and he wishes we could provide more financial support at this time. He wishes Sean luck in the future. The Mayor calls for conclusion on the vote. All approved; none opposed; motion passes. Council President Botti makes a motion to approve the proposed budget for FY11. Councilwoman Gadwa amends the motion to include waiving the second and third readings of the Appropriations Ordinance per IC 50-902 and read by title only. Council President Botti accepts/seconds the amended motion. All approved; none opposed; motion passes. Councilwoman Gadwa reads the Appropriations Ordinance aloud.

Comprehensive Plan – (Rebecca Arnold gets up and leaves the discussion at approximately 7:45pm and then returns sometime later). The council discusses the statistical information in the Plan. It is decided to go ahead and leave the stats in the Plan. This is based on comments made by Officer Isner and the relation to having the numbers in the Plan and being able to apply for grants, etc. They would like newer stats included. None of the changes/revisions suggested are significant. Councilwoman Gadwa makes a motion to accept/adopt the Comprehensive Plan with the revisions suggested and noted in the "changes" document attached and the appropriate labeling of the statistical data and with the verification from the attorney that the changes are in fact not considered substantive. Council President Botti 2nd the motion and noted some very minor typographical errors that could also be corrected. All approved; none opposed; motion passes.

Resolution #2010-6 to adopt Comprehensive Plan – Councilwoman Gadwa reads the resolution aloud. Council President Botti notes #2 in the resolution and asks why it needs to say "zoning" ordinances. Could it just say "ordinances?" The clerk says that the wording was pretty standard and was mostly supplied from the city attorney. No one sees an issue with removing "zoning" as long as the city's legal counsel agrees. Councilwoman Gadwa makes a motion to approve the Resolution with the removal of the word "zoning" under #2 contingent upon attorney review of that revision. Council President Botti 2nd but would like to amend the motion to say that the wording can remain as is if the attorney thinks that is best. The amendment is accepted. All approved; none opposed; motion passes.

Stanley Community Library – a discussion needs to take place regarding a land transfer from the city to the library for their new proposed site. After this, there should be no more boundaries to them proceeding with the project. This would only strengthen their position. Dave Lesser is here to speak on behalf of the chairman, Chris Hooper. He is preparing an application to the Bureau of Land Management for a change of use on the proposed site which is 0.99 acres (libraries are currently not an approved use). They would like to see ownership transferred from the city to the library district. He feels that they have to get serious about this now. They need an approval or resolution from the council saying that they are in favor of transferring the 0.99 acre piece of property to the library district with a construction window of ten (10) years. Dave submitted some info to the Mayor on the proposed project. There was preliminary discussion between board members and previous city council members and there seemed to be support at that time. Dave feels that the library's position with the BLM would be stronger if they had a resolution from the city council approving the land transfer. He would like to get the application submitted to the BLM very soon and would therefore like a resolution from the city very soon. Rebecca Arnold says she is very supportive of the library but wonders what legal hurdles would have to be jumped over to avoid someone trying to challenge the land transfer later. Do hearings have to be held, etc? Councilwoman Gadwa explained

what took place when the city transferred land to the school district for the Stanley school. The city did a quick claim deed for the school property. There were stipulations that if the now school property dissolved, the property would come back to the city. Same thing with the BLM, if the city screwed up and allowed a use against the BLM regulations, then the property would go back to the BLM, which we don't want to see happen. Education was an appropriate use but for whatever reason libraries were/are not. Basically Councilwoman Gadwa is suggesting that it would be a quick-claim deed over to the library district, no hearings are necessary. If the library was not constructed within ten years, the land would return back to the city. There was some correspondence from the BLM on the change of use for the library back in December of 2008 that indicated that they did not see any current issues with the request and they did not anticipate it being a problem. Dave feels that having something in writing from the city would be best. Council President Botti asks if a land transfer was the only option considered. He is not necessarily opposed, but the city has a limited amount of land available and transferring ownership may not be the best option. Councilwoman Gadwa says that from a grant standpoint, in order for the library to seriously look for grant funding or even private donations, they need ownership. Botti suggests looking into 99 year leases on the land. Dave Lesser notes friends with 99 year leases from the Forest Service have lost their property after the lease is up. That would not be fair to the tax payers supporting the library. A 99 year lease would be better than nothing, but for the library district purposes, becoming the owner of the property would be best for the project. There is a lot of money that will be going into this building. They are getting to the point where serious decisions have to be made. Botti feels that the transfer would have to have careful legal language included it about what would happen if the library went away or something was in violation. They city would not want the land to revert back to the BLM. Mayor Mumford notes that whatever transfer may take place would be subject to approval from the BLM on the proposed use. The property could only be used for a library otherwise it would be returned to the city. The Mayor asks how the council wants to move forward on this. Councilwoman Gadwa supports moving forward with a resolution. The resolution could include some specifics yet to be determined. Dave says that the library board would support having a resolution, but they need something as soon as possible. He just wants something to give to the BLM that will simply reinforce that they are serious about putting a new library on that site. Councilwoman Gadwa says they have run into "chicken and egg" scenarios where the city would not give permission until the BLM approved the change of use or the BLM would not approve the change of use until the city agreed on the land transfer. Ellen Libertine agrees that the city should be look further into long term leasing versus land transfers. She would be concerned if the city had to take the land back from the library, what legal hurdles would be involved there? She just would not want to the see the resolution say that it will be a transfer until more research is done. Dave just needs something that says the city is in support of the proposal moving forward, whether it would be a transfer or a long-term lease. He suggests tonight. The clerk says that they do not have a resolution prepared for tonight. Councilwoman Gadwa suggests making a motion in support of making that portion of land available to the library. Council President Botti makes a motion to approve pursuing an arrangement by which the library district would be allowed access to and control over that parcel of land for construction of a new library. Councilwoman Gadwa 2nd; Dave says the portion of land they are talking about is 0.99 acres and he provided the Mayor with a legal description. He says he will go up and flag the corners of the parcel to help with placement of the dirt spoils from the Airport Road project. It is notes that the legal

description can be an attachment to the resolution but everyone is aware of the parcel that is being discussed. All approved; none opposed; motion passes.

CITY CLERK REPORT: (City Clerk/Treasurer Erin Fisk)

Financials as of the end of June have been provided and July's will be done by the end of the week. The clerk will be out of the office on vacation from Tuesday August 31 until Tuesday September 7. However, someone will be in the office to answer phones, provide fax and copy services, and to check email. This is new since normally there is no one in the office when the clerk is off. The hours may be slightly different, but the office will still be open Monday through Thursday.

OPTION TAX REPORT: (City Clerk/Treasurer Erin Fisk)

May's returns were quite low and have not improved much. It is hard to say why May was such a slow month. The clerk is not anticipating too much more coming in for July, although businesses have until the 25th of the month to get their returns in. As far as returns from the Mountain Mama's Art and Craft Fair, we had no idea of the number of vendors, but it seems like a lot of forms have been returned. Some have come in from the Sawtooth Music Festival, but not all of them yet. Councilwoman Gadwa said that some comments had been made at the Art and Craft Fair that people were surprised our option tax was higher than Sun Valley's. She noted the difference in our town's tax base and the amount and type of properties around. The rates are only different by .5%.

TREASURER REPORT:

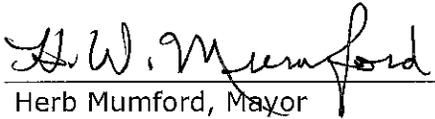
State Investment Pool, Check Register, and Accounts Receivable reports were provided to the Council and Mayor.

EXECUTIVE SESSION:

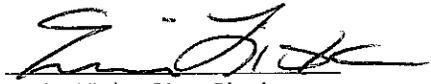
CITY ATTORNEY: (Paul Fitzer, Stephanie Bonney, Carl Withroe)

ADJOURNMENT:

There being no further business, Mayor Mumford adjourned the City Council meeting at approximately 8:26pm.



Herb Mumford, Mayor

ATTEST: 
Erin Fisk, City Clerk

