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**City of Stanley
Regular Council Meeting Minutes
August 21, 2014**

IN ATTENDANCE FOR THE CITY:

Mayor Herb Mumford, Council President Steve Botti, Councilmember Laurii Gadwa, Councilmember Melinda Hadzor, Councilmember Lem Sentz, City Clerk/Treasurer Cari Tassano, Police Officer Thomas Barrett and Maintenance Personnel Greg Wallace.

OTHER ATTENDEES:

Andy Gunderson, Jeff Welker, C.J., Vicki Jo Lawson, John Piva, Kathy Piva, and Mike Piva

CALL TO ORDER:

The meeting is called to Order by Mayor Mumford at 6:06 p.m.

AGENDA AMENDMENTS:

None

MAYORAL COMMENTS:

Had an interesting mayoral meeting in the Eastern Idaho Region in Island Park; Idaho Association of Cities was there with their legal representation. They consulted with the mayors on legal questions. It was a good session and very informational.

COUNCIL COMMENTS:

Council President Botti commented back in 2009 the City requested assistance from the Army Corp of Engineers, Flood Plain Management Services. Updating and producing base flood elevations maps for the entire town including all the streams within the City limits. They are now ready to do that for the City of Stanley, they plan on sending a survey team soon, which is very good news. They had already remapped the Valley Creek section but we do not have the Salmon River or the Tributaries to Valley Creek. We should write a letter reconfirming these items and thanking them for coming. If there are other areas of interest for the City now would be the time to ask. Council President Botti had two suggestions: 1. the area along the bridge that crosses Valley Creek just before the confluence with the Salmon River, having information about this area would be helpful; during the 100 year flood water was approaching the floor of the bridge. 2. The Approximate flood plain map produced by FEMA back in 1988 showed the 100 year flood covering a portion of Hwy 75 south of town. Botti would like to have this information in case this does ever happen. Mayor Mumford would support these two additional areas for consideration. The Mayor will produce a letter within this next week. Councilmember Gadwa mentioned that Cemetery Creek would be another good one; it actually flooded out the road this year.

CITIZEN PARTICIPATION:

None

COUNCIL ACTION ITEM LIST:

None

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CONSENT AGENDA/MEETING MINUTES:

7/07/2014 Work Session and payment approval report for unpaid and prepaid bills for July and August. Councilmember Gadwa made a motion to approve. Council President Botti seconds. All approved. Motion passes.

LAW ENFORCEMENT:

Thomas Barrett reads the monthly police report, some of the highlights: there were a large number of animal abuse checks; did additional patrols of hwy 21, there were no citations, but had a large volume of warnings; watched for people illegally using trash dumpsters in town. Councilmember Gadwa commented that the Sawtooth Mountain Mama's really appreciated the City helping police their event.

COMMUNITY BUILDING:

Mayor Mumford opened sealed bids for the community building on 3 separate projects, hoping to have these jobs completed for this fiscal year:

Radon Abatement; no bids were received.

Insulation Bid; received only one bid:

D&L Construction blow in insulation for the attic R19 to R38	\$3,850.00
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Oiling of the Community Building; received 3 bids:

Stanley Construction, pressure wash, oil (2 coats) paint green trim	\$5,050.00
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Custom Lumber, hot steam cleaner and oil building	\$2,200.00
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Mark Fitzgerald, pressure wash, oil, paint green trim	\$3,500.00
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Council President Botti asked if we had money in the budget for these projects for this fiscal year. Mayor Mumford explained we still had 20,000 for capital improvements, but in the line item for maintenance of the building we would be going over.

Council President Botti made a motion to approve bid proposal from Custom Construction for \$2,200.00 for oiling of the building and D&L Construction for \$3,850.00, labor & materials for the attic insulation. Councilmember Gadwa seconds. All Approve. Motion passes.

STREETS AND ROADS:

Mayor Mumford commented that the streets have been holding up pretty well from the summer traffic, but there are a few potholes showing up on Airport Road. Mayor Mumford spoke to Steve Stroud with Stanley Construction about possibly getting some recyclable asphalt from existing projects in the area.

AD HOC COMMITTEES:

CEDA: Mayor Mumford reads the CEDA Report. Next meeting is September 16, 2014.

Cemetery: Councilmember Gadwa contacted the Forest Service regarding expanding the Cemetery, but she was notified by the Forest Service they will not be offering

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addition land to expand the Cemetery. They do not supply land for permanent use and a cemetery is consider permanent use.

Code Review: Need to set up a work session in October some time to finish up our code review process.

Sawtooth Interpretive & Historical Association: This weekend is the Salmon Festival and the film Damnation will be showing at the Red Fish Center and the Community Building.

Groomer: Still trying to get part list approved.

Chamber of Commerce: No one is present from the Chamber but Ellen sent an email on the things they have been doing since the last council meeting, the council chose not to read it, but if anyone would like a copy we would be happy to supply them with one. Councilmember Gadwa mentioned we still need proof of their tax exempt status.

OLD BUSINESS/NEW BUISNESS:

Vintage Snowmobiles:

Vintage Snowmobile will be parking on the Mountain Village property for the annual snowmobile show requesting to park overnight September 12th and 13th, 2014. Councilmember Gadwa made a motion to approve overnight camping for security reasons. Councilmember Hadzor seconds. All approve. Motion passes.

Mike Piva and Family Lot Split:

Council President Botti and Mayor Mumford discussed 100' lot width and how the SMC is interpreted. Councilmember Gadwa pointed out the easements must be recorded so you do not have problems in the future. Councilmember Gadwa made a motion to approve lot split. Council President Botti seconds. All approve. Motion passes.

Resolution 2014-3 Doug Bates Lane Name Change:

Councilmember Gadwa asked if Steve Hosac approved the change of lane name. Council President let the Council know that he did, in fact, approve name change. Councilmember Gadwa made a motion to approve Hosac Lane being changed to Bates Lane. Council President Botti seconds. All Approve. Motion passes.

Option Tax Support Boise Public Radio:

Councilmember Gadwa made a motion to approve option tax support of \$1000.00 to Boise Public Radio to be paid in the next fiscal year 2014-2015. Councilmember Sentz seconds. All Approve. Motion passes.

Fire Department Andy Gunderson Back Wall behind building:

Mayor Mumford read the letter he wrote to Gunderson on 2-4-14 requesting an action plan and projected dates for completion for both the permanent stabilization of the slope and the remediation of the neighboring property. Also as stated in Mayor Mumford's letter he offered contacting an engineer to help assess plans for the permanent stabilization on a pro-bono basis. Mr. Gunderson declined his offer and attempted a method to stabilize the slope. Unfortunately, this did not remedy the problem and the problems still exist. Mayor Mumford mentioned that it was not in his letter but screening is needed on any retaining walls installed. There was no landscape requirements in place when the fire hall's retaining wall was build. Dr.

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Jeffrey Welker commented on the letter he wrote on 8-20-2014 regarding the requirements that were required of him and feels the Fire Department should have the same requirements. He gave advice on the things that worked and did not work for the construction of his retaining wall. Also Dr. Welker is concerned about the safety issue that this slope has caused. Andy Gunderson would like to propose a couple of things: 1. when Charlie Thompson built his new building he disabled access to his road behind the City of Stanley's property. Speaking for himself only, Andy thought it would be good to give Charlie Thompson permanent access to the road thru the City of Stanley's property which in turn Charlie Thompson would allow him to stockpile dirt on his property. 2. Andy wants to enter dirt from this direction and have dirt cascade down and then add the vegetation needed. Mayor Mumford inquired if anyone has looked at this approach professionally. We really need a Civil Structure Engineer that can guarantee the work will stay put and not deteriorate over the years. The City would be willing to give temporary access across our parking lot, but is not willing to give a recorded easement because it locks the City in and we would never be able to develop on our own property, for instance, if we ever wanted to expand our building or add a new building we would be unable to do so because of the recorded easement. Andy Gunderson feels it is unfair to ask Charlie to use his property to fix the problem without giving him permanent access. The City Council let Andy know it is not his responsibility to contact Charlie; it would be the cities responsibility. Mayor Mumford offered again to have a professional come and look at the slope on a pro-bono basis. Mr. Gunderson declined having this help again. They concluded the meeting with no solutions. The council would like Mayor Mumford to speak with Charlie Thompson to explore all possibilities and speak to Jamie (owner of property on the West side) to see if there are any other possible options for access.

The group continued to discuss the re-vegetation and stabilization of the hill with the help of an engineer that can guarantee the sound stabilization, the removal of debris from all neighboring properties and making it safe for the public (i.e. fence or some other barrier). All of these things need to be done as soon as possible.

Andy Gunderson/Sawtooth Valley Rural Fire District:

Andy reported on all the necessary work that was completed on the 14 year old water truck. He also let the City know that the cisterns capabilities have increased for Fire Protection within the City of Stanley, anyone within a 1000' this lowered the ISO rating which will help the public with their fire insurance coverage's.

Proposed Annual Appropriation Ordinance #193:

The Budget Hearing was already held on August 14, 2014. Motion made by Councilmember Gadwa to approve the FY 2015 Budget waiving the 3 readings. Council President Botti seconds. Roll call vote: Council President Botti – Aye, Councilmember Gadwa – Aye, Councilmember Hadzor – Aye. , Councilmember Sentz is abstained. All approve. Motion passes. Mayor Mumford reads Ordinance #193

Copier Lease – IT Integrated Tech:

Councilmember Gadwa made a motion to approve purchasing a lease for a new Xerox WC 7830 copy machine. Council President Botti seconds. All Approve. Motion passes.

Resolution 2014-1A Authorized Representative to approve Building Permits:

The Council asked the City Clerk if she was comfortable continuing to approve building permits? City Clerk commented as long as she was able to continue to ask

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the Mayor and the Council President Botti for direction and was able to utilize maintenance personnel Greg Wallace to visually inspect property she felt comfortable continuing the current process. Mayor Mumford commented that he felt it was imperative that each building permit is handled in this manor and that the City Clerk was doing it correctly. City Clerk also noted that the new resolution no longer had the 3rd bullet point referencing terminating or continuing said resolution. Council President Botti made a motion to approve Resolution 2014-1A. Councilmember Gadwa seconds. All Approve. Motion passes.

BUILDING PERMITS APPROVED BY CITY CLERK:

Sign Permit #140806 Sawtooth Mountain Guides

BUILDING PERMITS APPROVED BY CITY COUNCIL:

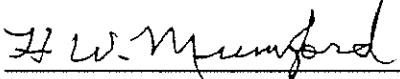
Councilmember Gadwa moves to approve sign permit #140728; Back Country Bistro moveable sign/board. Councilmember Sentez seconds. Councilmember Hadzor is abstained. All approve. Motion passes.

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

City Clerk let the Council know she will be on vacation Thursday, September 4, 2014 and therefore the office will be closed. City Clerk approved lot split for the Canaday Properties, LLC in August 2014.

ADJOURNMENT:

Mayor Mumford meeting is adjourned at 7:55 p.m.



Herb Mumford, Mayor

ATTEST: 

Cari Tassano, City Clerk

Noted attachments follow:

- Ceda Report
- Letter to Andy Gunderson from Mayor Mumford 2-4-2014
- Letter from Dr. Jeffrey Welker
- Fire Department area coverage map



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**Custer Economic Development
Association
Report to City Council**

August 2014

Herb Mumford

CEDA Board Meeting

Tuesday July 15, 2014

- Meeting held at Challis Community Event Center-Board Room.
- **The Community Event Center**– Jolie is looking at the possibility of adding an outdoor gazebo or similar structure to facilitate outdoor weddings. Inquiries have shown that there is interest in such facilities. Also some improvements are needed to the existing building including rain gutters for the building roof and water collection barrels or other disposal provisions for collected rainwater.
- **Aquaculture – Meat Packing** The aquaculture installations are moving forward, but the initiative to establish a COOP for meat and other produce packaging and marketing is facing a number of issues that don't have easy answers (for example having product on a regular and reliable basis). The COOP is somewhat stalled until some better solutions for known problems are found.
- **CRRO** – CEDA is looking into time share rentals of the observatory by research organizations or individuals doing astronomical observations. The advisory committee is running a survey on Survey Monkey for likely customers to see if CRRO can provide what they really want.

CEDA Board Meeting

Tuesday July 15, 2014

- **Strategic Plan** – Considering the community meeting, the board decided that experience with poor turnout for this type of function is too discouraging to attempt a meeting this year. We can consider the community meeting again when we have a better process to assure the meeting is well received and attended. Putting together such a meeting takes a lot of effort and coordination, so we want to make certain the interest and benefit to the community makes it worth the effort.
- **Next meeting**, Tuesday, Sept 16, 2014, 9:00 AM or possibly 3:30 PM (TBD), Community Event Center-Board Room, Challis.



CITY OF STANLEY

February 4th, 2014

Chief Andy Gunderson
Sawtooth Valley Rural Fire District
P O Box 29
Stanley, ID 83278

Dear Mr. Gunderson,

As you are aware the Fire District as lessee of the city property dedicated to the fire station and facilities is not allowed to violate the law. I have spoken to you several times about the material that has rolled, slid, or eroded off of the city property onto the neighboring private property and the fact that it needs to be removed. Also the slopes and retaining wall blocks must be permanently stabilized so that the past problems of falling blocks, slides, rolling stones and erosion are not repeated. Years have passed and the problem is still not resolved. The owner has been **very** patient and tolerant of the situation, but we cannot expect him to endure the **trespass** indefinitely. His property needs to be restored to its original state or at least close enough to meet his approval (not including a property trade). Please provide the city with an action plan, along with projected dates for completion of the actions involved for both the permanent stabilization of the slope and the remediation of the neighboring property. Since the plan itself will take some time, I would appreciate your informing the city as soon as practical of the date you will have such plan prepared.

I suggest that you contact an engineer with civil/structural/soils expertise to come up with professional plans for the permanent stabilization. As you will recall, very early in my first term as Mayor, I approached you to let you know that I had lined up a nearby engineer with the appropriate expertise who was willing to do an initial assessment and provide recommendations on how to proceed on a pro-bono basis. At that time you explained to me that you were planning some other actions to stabilize the slope and were also planning to remove the material from the neighboring property, so you declined my offer. Subsequently you did try another method to stabilize the slope and recovered the fallen retaining wall block from the neighbor's property, but as things stand today we see that the stabilization was not effective and there are still stones and eroded material on the neighbor's property. If you would like, even though several years have passed, I can contact the engineer again and ask if he would still be willing to do some pro-bono work to provide an initial assessment and recommendations on a path forward. Let me know if you would like me to do that, or you or the district can certainly approach any other engineer with the appropriate expertise and make your own arrangements to engage his services.

City of Stanley
P.O. Box 53 Stanley, ID 83278
Tel: 208.774.2286 / Fax: 208.774.2278
www.stanley.id.gov
cityclerk@ruralnetwork.net



CITY OF STANLEY

I know that on a daily basis, this issue is not your first priority, fire protection is. In that regard, let me take this opportunity to thank you for the outstanding job that you and your team of volunteers have done over the many years of your service. Very recently, just last summer, your prompt and effective actions on the fire in the laundry at Papa Brunee's not only saved the owner from what could easily have been the total loss of his property but you also saved the community from what could have been a disastrous fire spreading to adjacent structures in the downtown area. We can't thank you enough!

Respectfully yours,

Herb Mumford, Mayor
City of Stanley

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Stanley City Clerk

From: Dr. Jeffrey Welker [joxdoc@gmail.com]
Sent: Wednesday, August 20, 2014 4:39 PM
To: Stanley City Clerk; Herbert Mumford; Steve Botti; laurie gadwa; lem sentz; Melinda Hadzor
Cc: Camille Sherlock; Staff At
Subject: Re: Agenda 8/21/2014
Attachments: Welker- Retaining wall City Response10-28-08 (2).doc

Greetings:

I read with interest the Council's Agenda for Thursday August 21st, 2014. I see in the "new business" section of the agenda there appears to be some discussion coming of the retaining wall to the back wall of the firehouse.

As some of you may remember when I put in my retaining wall I was required to screen, cover and paint my retaining wall blocks that are identical to the ones used behind the Firehouse. This was done at considerable expense and labor on my part. You can see by the enclosed letter the then Mayor Hanna threatened to bring the city police officer over to cite me on a criminal charge if I did not comply; that was back in 2008. It even made the Challis Messenger under the term "Welker Situation". As I explained then, I always planned on covering and screening them but it takes time for plants to grow (and old guys to build things). As you look at my place you have not been able to even tell that there are retaining wall blocks now for years. This is not the case with the Firehouse. In fact some of the blocks have tumbled down the hill when we had the last flood. It would appear to me that some sloughing is still occurring with their fill, perhaps into the wetlands.

So, I have questions I would like answered.

1. When the Firehouse was built were they held to the same building practice as I was with my retaining wall? Seems like the Firehouse was built at about the same time as my project.
2. If they were not held to the same building practice were the ordinances different?

Everyone should be treated equal. If the Firehouse didn't fulfill their obligations of their building permit what enforcement has happened? Has any Mayor threatened to bring the city police officer to the Firehouse to issue a citation for the violation?

Perhaps a larger concern is the "attractive nuisance" by the wall that has no protection from public access. We have watched young children playing on the wall and children making a game of throwing rocks and pushing soil from the top of the wall. Didn't the architect envision that a commercial building next to a community hall where they have such functions as wedding parties and other events realize the potential hazards? I appreciate I have been able to phone our current Mayor Herb when children have been playing on the wall and he handled it right away. Someone will get hurt or killed on that wall if it isn't protected from the public.

I think "painting" the blocks is a waste of time and money. The paint is only temporary. It peels off and looks awful as it does so. Natural plantings of trees, shrubs and covering with natural materials is really the only way to create a lasting cover for the "Firehouse Situation"

I hope each Council member takes a moment to walk behind the Firehouse and personally view the retaining wall. I also hope they venture into our subdivision and view how it looks from our view if they have not all ready done so.

I certainly don't want to bring any hardship or bad feelings to Andy or the brave Firemen and women we have. I do strongly believe all individuals and public buildings should be treated equally in regard to ordinances.

Thank you for your consideration.

Jeff Welker

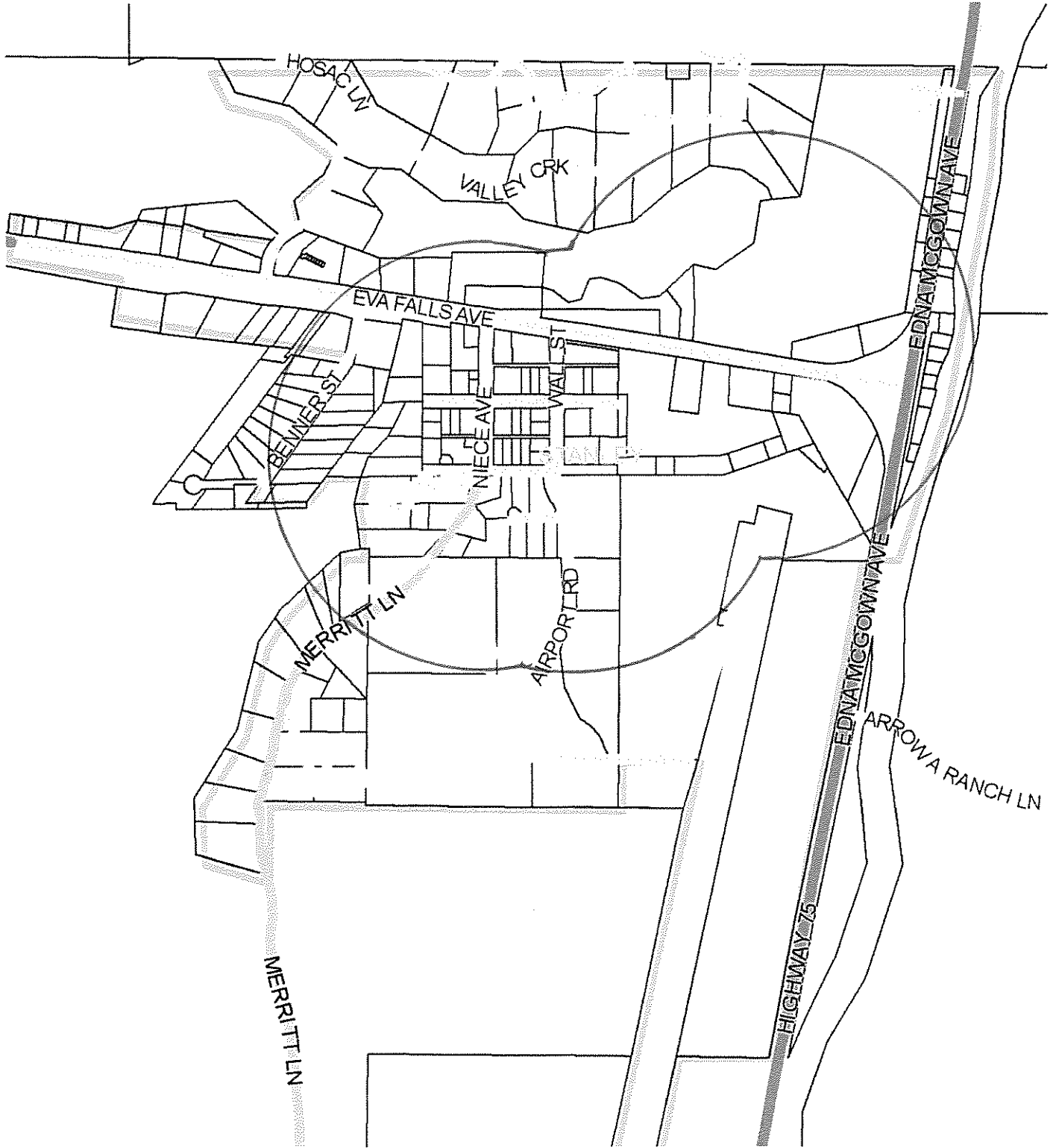
"Peace is that brief glorious moment in history when everybody stands around reloading".

--Thomas Jefferson

You cannot invade mainland America, there would be a rifle behind every blade of grass.
Isoroku Yamamoto Japanese Admiral

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Custer County Idaho MapServer



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