

**City of Stanley
Regular Council Meeting Minutes
April 14, 2011**

ORIGINAL IN RED

Mayor Mumford called the City Council meeting to order at 6:07 p.m. Thursday, April 14, 2011 in the Stanley Community Building.

IN ATTENDANCE FOR THE CITY:

Mayor Herb Mumford, Council President Steve Botti, Councilman Frank Juiliano, Councilman Lem Sentz, Councilwoman Laurii Gadwa, and City Clerk Erin Fisk.

OTHER ATTENDEES:

Neil Anderson, Nan Anderson, Rachel Anderson, Gino Jackson, Charlie and Christy Thompson, Celina Moreno, Melinda Hadzor, Gary Gadwa, Alison Beechert, Gary and Sari O'Malley, Jan Skrukud, Sheryl and Irvine Baird, Anna Means with the Challis Messenger, Ellen Libertine, and Jocelyn Plass. John and Shauna Graham, Catherine Anderson, Noel Sitton, and Josh Franks arrived at approx. 7:00pm.

AGENDA AMENDMENTS: None.

PUBLIC HEARING:

MAYOR COMMENTS/UPDATE:

The Mayor wished to give a big thanks to everyone who helped with the 2nd Annual Stanley Sled Dog Rendezvous. It was a tremendous success. He thanked Mountain Village and all the employees there who helped make it happen. The mushers had a great time. There were many businesses who contributed as well and it just goes to show what we can do when we work together. The Mayor hoped to get the word out better next year to make sure everyone knows that it is a fun spectator event. Many people are not familiar with dog sled racing and don't know whether or not they can view any of the events. We expect the amount of participants to grow next year. Mayor Mumford also thanked Brett Wooley for his work grooming the trails as well as Brian Camilli who was the official race coordinator and helped us out immensely. The Stanley Geothermal Development Initiative (SGDI) is a project the Mayor and some other folks such as Bob Beckwith are working on. They did not know about this until after the last Council meeting. The Dept. of Agriculture has grants available with interest in renewable energy resources. People around here have dreamed about being able to utilize our geothermal resources. Roy Mink, a geologist who has helped with many geothermal developments around the country, is helping out. A feasibility study will be the first step. The city is working on a proposal for a Rural Development Grant, but we need matching funds. Salmon River Electric and CEDA have said that they could probably provide funds but we are still looking for other sources. The grant is a 50-50 grant – whatever funds we can contribute, the grant will match. Neil Anderson provided a feasibility study that was done for Mountain Village back around 1984. There is more that can be done though. The feasibility study is said to cost around \$20,000 and the goal is to see if the geothermal resources in this area can be used to provide community heating and/or electricity, as well as the possibility of hot springs development. The ground water has to be 160 degrees in order to generate power, but could be used for other purposes if it is not that hot. The feasibility study is necessary to determine the potential. The process is moving along quickly because the grant has to be completed in the near

ORIGINAL IN RED

future. The Dept. of Agriculture is encouraging us to apply because they are not seeing a lot of competition for the grants at this time. Mayor Mumford says that we are seeking at least \$10,000 in matching funds. If we could spend more on the feasibility we might see a better result. It would also be great to be able to punch an exploratory well, but he is not optimistic that we will be able to raise that much money. If the feasibility study produces positive results, the city will have to look into lease agreements to use federal land and/or agreements with private land owners depending on where the optimum drill site is located. The deepest well drilled when Mountain Village did their feasibility study was around 280 feet. Their results at the time were not too encouraging – the water was around 140 degrees in one well and only about 55 degrees in another. This study will take it to a whole new level.

Code Review/Hillside Ordinance:

Council President Botti (Steve) wished to speak about the outcome of the recent Hillside Ordinance Work Session. Steve said that during the work session the Council was unable to have the conversation they wanted about the proposed ordinance language. If you go back and read the March 11 minutes, it is obvious that the Council was looking for a participatory process but instead spent a lot of time dealing with wild exaggerations instead of debating ways to simplify the engineering requirements to achieve the objectives. Steve complimented Charlie Thompson, who did not attend the work session but tried to get the conversation going by submitting specific written comments about the engineering requirements. Unfortunately, the Council was unable to deal with this during the work session. A lot of time was also wasted counting how many requirements were in the proposed ordinance instead of discussing the meaning of them or alternative to them, which was what everyone should have been there to discuss. Counting requirements was totally irrelevant. It is also irrelevant to compare the ways different cities' codes are organized. Some time was also spent discussing Steve's second home in Boise, which he did not understand at all. Steve feels that this was a totally non-productive way to deal with this issue or even to run a Council meeting. It proved impossible to get meaningful discussion going on how to make the ordinance acceptable. Therefore, at this point Council President Botti made a motion to table the entire Code Revision project along with any further discussion of the hillside ordinance indefinitely. The Council can possibly take up these code revisions at another time when there is not an emotional campaign of misinformation going around in the community. Perhaps later on everyone can sit down and have an objective discussion, which is what the Council has wanted to do all along. As far as he's concerned, if citizens ever want to come in with constructive proposals, the Council will always be willing to listen to those. Councilman Juliano (Frank) 2nd. After the work session, Frank had the Mayor of Sun Valley, Wayne Willitz, staying in his hotel. He had a conversation with him about some comments that were made during the work session. Apparently someone in this community had gone down to Sun Valley and dialogued with someone in the Mayor's office about something related to the proposed hillside ordinance. Wayne said he would have a conversation with his staff about the information they are presenting about Sun Valley's ordinances. Frank thinks this will be interesting. Mayor Mumford clarified that Council President Botti's motion was to table the entire Code Revision project. The Mayor calls for a vote on the motion. All approved; none opposed; motion passes.

PRESENTATION:

Ellen Libertine – Ellen was elected representative to read a letter that was written and signed by 70 individuals. Some in the audience felt that this was a moot point

ORIGINAL IN RED

and should not be read. Ellen wished to read the letter aloud regardless, which pertained to the proposed hillside ordinance.

*See attached letter that was written verbatim.

Councilman Juiliano asked under what circumstances the individuals were asked to sign the document. Frank had received a call from someone in the community regarding how individuals were being asked to sign the document. He preferred to have this discussion with Neil Anderson after the meeting. The Mayor made some comments regarding being open to constructive suggestions by the community if they wish to come in and share.

COUNCIL COMMENTS:

COUNCIL ACTION ITEM LIST:

No current updates were provided.

CONSENT AGENDA:

Mayor Mumford had some minor grammatical corrections for the March 10 meeting minutes. He will provide the Clerk with his marked up copy for her to work off of. Councilwoman Gadwa made a motion to approve the consent agenda with the typographical corrections as noted. Council President Botti 2nd; all approved; none opposed; motion passes.

BUILDING PERMITS:

Rebecca Arnold, Request for Reissuance of Building Permit 690-R2 under Ordinance #184 "Omnibus Revisions" – the applicant is asking for an already current permit to be reissued under a recently passed ordinance which made some minor changes to the requirements of the building permit section of the Stanley Municipal Code. Mayor Mumford reiterated that Permit 690-R2 is currently in effect and that the ordinance she was referring to in her transmittals is not a new ordinance. Minor changes were made but the ordinance referenced in Section 15.04.06(C) was not itself reissued. Mayor Mumford stated that Permit 690-R2 expires in May and at that time Rebecca can apply for a new permit, since 692-R2 is on its second and final renewal. The Mayor would like to know if she wants us to hold the check and apply it to the new permit or send it back to her. Councilman Juiliano asks what the point would be to "reissue" the permit now. The Clerk believes that there must be some kind of grandfathering issue at play when new ordinances are passed. The Council does not believe that this concept applies to this situation. The Mayor again states that Permit 690-R2 is current and in effect. The Clerk asks if the Council will want to deny the request based on this information. Councilwoman Gadwa wishes simply to refer back to the applicant for clarification. She does not feel that a denial is necessarily appropriate but that the issue is a moot point since her permit is already in effect. She thinks this may have been a misunderstanding.

LAW ENFORCEMENT: (Officer Pete Isner)

STREETS AND ROADS: (Mayor Mumford)

Hopefully we will not be spending any more money on snow plowing. The Clerk directs the Council to the financials where it will show what we have spent to date on snow plowing. The 2011 Summer Streets and Roads Maintenance Contract is up for approval. We will need to advertise for this and send out invitations to bid to those who have bid in the past. Councilwoman Gadwa made a motion to approve the 2011 Contract. Council President Botti 2nd; all approved; none opposed; motion passes.

ORIGINAL IN RED

CEMETERY: (Councilwoman Laurii Gadwa)

CITY PARK:

COMMUNITY BUILDING (CB): (Mayor Mumford)

Jeff Clegg, Redfish Lake Lodge – request to waive fee for CB during Redfish Memorial Run on May 28th. Gary Gadwa says that part of the money raised will go to the Sawtooth Interpretive and Historical Association (SIHA) to support their Forum and Lecture Series and to also support their taking over the running of the Redfish Lake Visitors Center. SIHA is a 501(C)3 organization. Gary does not know how much money the Memorial Run has raised in the past or might raise this year. Mayor Mumford does not think that the fees should be waived for “for profit” activities. Fees are typically reduced for local agencies. Jeff Clegg hoped to not have to use the building but will need to if the weather is poor. Councilman Juiliano made a motion to waive the fee in support of the Memorial Run and SIHA. They will be required to clean up even if they do not pay the fee. Councilman Sentz 2nd; all approved; Councilwoman Gadwa abstained due to her involvement with SIHA. None opposed; motion passes.

The Forest Service request can be removed. They will no longer need the building for the training due to cutbacks in their travel budget.

Jocelyn Plass – request for reduced rental rate to use the kitchen only on July 28. She is planning to start a business making “confections.” She needs the use of a commercial kitchen to get started. She may also like to use the kitchen other dates as well, if possible. The Mayor thinks the only issue is that she is a “for profit” business. Councilwoman Gadwa said they used to have a separate rate for the kitchen only, but it does not appear that we have been doing that recently. Councilwoman Gadwa seemed to remember that the old rate for the kitchen only was around \$50. Councilman Juiliano asked for some more information from Jocelyn. She will be making and selling candy. For July 28, she just needs the extra space to make treats for the Sawtooth Music Festival. She estimates that she might need a space one to two times a month. Councilwoman Gadwa mentions the possibility of Jocelyn having her own kitchen certified. She does not think it would be difficult. Jocelyn thinks that the impact of her using the kitchen in the Community Building would be minimal, but it would be some additional income for the city. Councilman Juiliano thinks that we should be encouraging and supporting new start-up business. He also notes that there are not too many people clamoring to use the space. The normal rental rate is \$250/per day. Jocelyn would make sure that when she uses the building, she would not be impacting any other events or possible rentals. She understands that if a full paying rental needed the space, she would have to find somewhere else for that time. She would also like to schedule the times with the Clerk rather than come to the meetings every month. Councilwoman Gadwa makes a motion to approve the request on a contingency basis, not using the space more than four times per month at a rate of \$50 a day. Councilman Juiliano would like to see us throw in her first day for free just to help support a fledgling business. Councilwoman Gadwa thinks that the frequency portion of the motion could probably be removed. Jocelyn likes this space because she can be out of the way during large events such as the Music Festival. It would just be her using the facility. Councilman Juiliano amends the motion to include the first use for free. Councilwoman Gadwa accepts the amendment. Council President Botti 2nd; Botti does not see a problem renting out part of the building. All approved; none opposed; motion passes.

Salmon Festival – request for fee waiver August 27-28 and request to waive temporary business license requirement for vendors. The Clerk says that the

vendors still have to collect Option Tax even though they may not have to have a business license. Councilwoman Gadwa makes a motion to approve the request as the event is a shoulder season event. Council President Botti 2nd; Ellen Libertine asks if she needs to email the Salmon Festival people about the decision. She submitted the request for them but said that was all she would do. She should have the people in charge get in touch with the city. All approved; none opposed; motion passes.

AD HOC COMMITTEES:

- Groomer Committee: (Mayor Mumford/Gary Gadwa) – there are a few broke down items, such as the winch, that are being repaired. There will be an end of the season meeting to wrap everything up. They will need volunteers to go out and pick up signs and snow poles. Parks and Recreation said that we will not be receiving a new groomer next year but can look at that for the following year.
- CEDA Report: (Mayor Mumford) – see attached report.
- Gem Committee: (Charlie Thompson) – Charlie did not have anything to share. Mayor Mumford mentioned that Ride Idaho would like to contribute something back to the community. One of the options is picking out new park equipment. Some of it can be purchased in modules, allowing us to work on it over the years. It would be great to have nice, modern, safe equipment for the kids. Mayor Mumford gave the catalogues to Charlie who then gave them to James Denhart. The Mayor says that we need feedback soon.
- Chamber of Commerce: (Ellen Libertine) – they have hired some summer office people. Dee is leaving Sunday. Ellen will be in there in the interim. Tomi Baker will be starting in May and will be there through the winter. James will be painting their sign shortly as soon as the weather gets better. They have been doing press releases for steelhead season. Casey Bruck has been doing blogs on hot springs, avalanche conditions, steelhead, and is working on one for photography. They will also do more on the members – maybe once on recreation, one on a group of members or member if there are no events taking place. They are doing a large color ad in the Challis Messenger in the annual guide. There are no events taking place at the moment. Businesses in town are starting to close different days. They have a fundraising event coming up and the membership BBQ in June. Gary Gadwa will be doing the Stanley Historical Guided Tour for the public the same weekend as Wild Idaho. He did not mention the actual date. Ellen also mentioned that they have placed a local calendar on the website now. Anyone with events coming up should contact her to get them posted on the calendar.
- Code Review: (Council President Botti) – Option Tax Committee – seems to be a moot point since we are not pursuing any code review at this time. Mayor Mumford points out that McCall, being a larger town, gets many requests for Option Tax funds. Their advisory committee manages the requests before they come to the City Council. The Mayor does not feel it is something Stanley needs at this time. There is not much enthusiasm from the Council to pursue something like this.

ORIGINAL IN RED

UNFINISHED BUSINESS:

NEW BUSINESS:

Budget Workshop & Hearing Dates – the County Clerk must be notified by April 30. Early June is best to allow time for adjustments and additional hearings if necessary. This being an Option Tax year, two budgets may need to be created. Council President Botti had some time conflicts. The Council decides to hold the workshops, usually done on three consecutive days, May 24-26, 2011. A date for the hearing was not decided on.

*It is later decided to hold the Budget Hearing on August 9 at 5:00pm.

Sawtooth Music Festival – something had been budgeted for them last year. About \$500 was set aside in Community Relations. The money was budgeted to support the event and also to hopefully provide some improvements to the park that they and others would benefit from. Mayor Mumford explains a little to Jocelyn Plass. It would be preferable to use the money budgeted to create something of a mutual benefit to both the city and their event. SMF had originally asked for a lot more funding, which the city cannot do, but had decided to budget \$500 to show them that we appreciate their efforts in organizing the event. Councilman Juiliano does not understand why we are giving them money. John Graham points out how much they are making theoretically based on the price of tickets and how many were sold. He also does not believe that they pay the bands very much to play. Mayor Mumford brings everyone back to the point which is the request for \$500 to help cover the costs of port-o-johns. He would like to see something to help the park out, but it is not his decision. Councilwoman Gadwa says that the use for the funds was not discussed at the time, but she thought it was supposed to be something with a lasting benefit for the community. She would like to ask them to come back with a better proposal for another project or use for the money. Councilwoman Gadwa made a motion to deny the request for the previously stated reason. She suggests putting new gravel on the park path or adding gravel to Airport Road, general road maintenance leading up to the event, more permanent fencing, etc. John Graham suggests some kind of traffic control devices such as barriers or cones that the city could purchase and have available for the music festival event. Everyone wants to see something with a mutual benefit to both the city and the festival. Councilman Sentz 2nd; all approved; none opposed; motion passes.

Stanley Street Dance Series – John Graham thanked the Council for listening to their proposal. The group's purposes are threefold: they would like to make some money themselves, see the Option Tax make some money and see the resort that Stanley used to be starting to come back. They also want to see people have fun and be taken care of while having fun. They provided a draft memorandum of understanding and intro letter. Papa Brunee's, Kasino Club, and Back Eddy's are proposing putting on a series of street dances starting in June and ending in August; six Thursday nights from about 5pm to 9pm. They will sell grilled finger foods, pizza, sodas, beer, and mixed drinks. They have budgeted about \$3600 for some good bands. They are asking the city to close down Ace of Diamonds between the Artisan's Guild and the Post Office, waive the open container ordinance for the duration of the event, provide port-o-johns if possible, and also have a police officer scheduled to work during the event. Hayden Beverage has pledged funds to go towards advertising, but they cannot give the money to a client, therefore they would like the money to go to the city and the group directs how to use the money. The group will set up a portable stage and take it down and they will police the area for garbage and trash. They might want a little leeway on the schedule in case they can extend the series a week or so into late August. Mayor Mumford thanks John and the group of business owners for taking the initiative and putting the proposal

together. Councilman Juiliano thinks it will be great and supports their efforts. All the feedback John has been getting has been very positive. Councilwoman Gadwa has some concern over the advertising. She wonders if the funding for that could be given to the Chamber to administer. That is not something that the city does regularly, whereas the Chamber is a logical place for that money to go through. John has no issue with that. The city will need to look at its budget to determine whether or not we can afford port-o-johns. Ellen asks about parking and where the port-o-johns will go. John would like the port-o-johns to go on the west side of Papa Brunees by their dumpsters. Parking will be available on both ends of Ace of Diamonds and possibly the Post Office parking lot. Since it will be after hours it may not be an issue but John will talk to the post master about it. There is also all of Wall Street and Niece Avenue. They are hoping that all the businesses in the area will benefit from this. John would like one or two port-o-johns. Council President Botti clarifies where they want the open container ordinance waived. Just within the area of the street dance is the response. The Council all support this proposal. John suggests the city asking the port-o-john vendors to be sponsors and possibly donate or give a reduced rate. The city will check into that. Councilwoman Gadwa thinks the approval can be taken care of with a memorandum of understanding such as the one John worked up. There was some concern expressed over the Library being open and having the road blocked off. John will talk to Jane about that. Councilman Juiliano made a motion to support the Stanley Street Dance Series, to check on funding for port-o-johns, to waive the open container for just the portion of Ace of Diamonds designated and for the dates specified. John Graham will work on cleaning up the language in the memorandum, making some minor changes and get a copy back to the city to review and to sign. Councilman Sentz 2nd; all approved; none opposed; motion passes.

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

Applications for the City Clerk/Treasurer position are currently being accepted. Employment would begin immediately or soon as possible. More information can be obtained at the city office. Councilman Juiliano brings up trying to better protect the clerk from harassment.

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

Option Tax Comparison form was provided to the Mayor and Council to review. They numbers are still down a little from this time last year.

TREASURER REPORT:

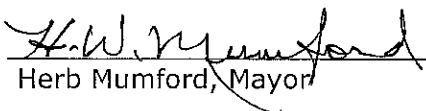
State Investment Pool, Check Register, Accounts Receivable and the monthly budget reports (budget to actual) were provided to the Council and Mayor for review.

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 8:05pm.



 Herb Mumford, Mayor

ATTEST: 

 Erin Fisk, City Clerk

April 14, 2011

To: Mayor Mumford and Council Members Botti, Gadwa, Sentz and Juliano

Re: Draft Hillside Ordinance

We are residents, property-owners, business-owners and those with a significant stake in Stanley who are concerned about the draft hillside ordinance. First, however, we want to acknowledge and thank you for your commitment to our community. While we may not always agree on policy items or your decisions upon them, we appreciate your involvement as Mayor and Council members. You have contributed hundreds, if not thousands of hours, to help govern the City and we understand it is often a thankless task. Thank you.

We believe adding significant new requirements to the existing hillside ordinances will make housing even more expensive – especially for young people, discourage new development, abuse property rights, and further increase the City's legal expenses. It seems to fall into the category of "if it isn't broke, don't fix it," and is consuming the time and energy of the community in a direction that simply is not aligned with the community's wishes.

Therefore, we were heartened by the numerous times you indicated at the April 11 Work Session that you were open to substantive changes to the draft hillside ordinance. We also wanted to follow-up on the introductory statements by the Mayor at that meeting which indicated that you should be and in fact are open to consider whether changes to the current hillside ordinances for individual lots are needed at all.

Specifically addressing the draft ordinance that was discussed at the meeting, we do not believe this is an appropriate approach to amending the ordinance and it should be set aside. By signing this letter we are clearly stating a specific position – do not further consider the extensive changes to the hillside ordinance, we want the current ordinances for individual lots to be retained.

While we may be open to extending the requirements beyond the three that currently exist, we believe the community, including those most significantly impacted, should be involved at the onset of any new drafting effort.

Clearly the 17 people who signed the attendance sheet at the Work Session indicated they did not support the draft (one person did not indicate their support or opposition), but this letter expands that input dramatically.

Finally, and most importantly, please do not drag this community through another long, expensive and divisive fight on land use. This community needs to be brought together.

Sincerely and caring deeply for Stanley...

T. S. Nelson
Sharon Nelson
James R. Toland
James R. Toland
Shirley W. Womac
Georgina A. Wason
Mildred
Shane Ellison
John Lake Liberton
Cous. Egan
Frank Carlson
Mark Christenson
Jane McCoy
Suzanne Hutchinson
Oliver Higgins
Vern Kerne
Dora K. Reese

Bill R. Cobbley
Cynthia Cobbley
~~Bill R. Cobbley~~
Pamela A. Church
Gary O'Malley
Sari O'Malley
Pat O'Malley
Gary O'Malley
Kereth Ann Ebbel
JIM HOLCOMB
Chester W. Carlson
Mary R. Kist
Ther. B. O'Neil
Barbara J. Christenson
Pat Higgins
D. Keith Reese
G. S. Snelson

~~Pat Christenson~~
Peter Christenson
John R. Christenson
Christy Thompson
Charles J. Christenson
Alan Christenson
Selma Lamb
Brett Woolley

CHRISTY THOMPSON
Charles Thompson
DAVID R. Christenson
Selma Lamb
Brett Woolley

Clayton O. Hansen

Lillian Kuban

NAN Anderson

Liam Coulson

Garry Johnson

Sherry Brooke-Lathrop

Michelle Wetzel Michelle Wetzel

Tris Sue Johnson

Jeff Welke

Wesley Miller

Darlene Welke Pat Galt

Neil B. Anderson

Timothy R. Helder

Don F. Buffum

Jon at Redfish

~~John~~

~~John~~

Christina C. Crecich

Jim Elson

George Nedelec

Josh Franks

~~John~~

Jim D. Jackson

Tom Johnson

Glick Aram

Prenda Adams

~~John~~

Jim Wetzel

~~John~~

Sarah Adams

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

April 2011

Herb Mumford

CEDA Board Meeting - March 15, 2011 Meeting

- Meeting held at BLM Office in Challis.
- The promo video for Custer County is complete. Mike and Leilani did an excellent job with a very professional result. The board reviewed the video for the first time at the meeting. The only “negative” comment was from Wayne Butts who said something to the effect “Oh great, now I will have to move out of Custer County because when this gets out, we will have everybody in the world trying to move here.”
- The Challis Community Center project is moving forward. Details of ownership and operational responsibilities are being worked out between the County and the City of Challis. A MOU is also being prepared between the County and CEDA. Details of the facility are being discussed with an architect to see that the plan includes the features needed/desired by the community. Ground breaking could be in the Fall of this year.
- Jolie plans to attend the Region 7 Tourism meeting in Sun Valley on April 11, 2011. The March 22 date had to be rescheduled due to snow.
- CRRO is essentially completed as a CEDA project. It is now transitioned to operations. Boise State is the major player in long term operations.
- Next meeting, Thursday, April 21, 2011, 12:00 noon PM at BLM Office in Challis.