

**City of Stanley
Public Hearing/Council Meeting Minutes
January 18, 2012**

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Council President Botti called the Public Hearing to order at 5:38 p.m. Wednesday, January 18, 2012 in the Stanley Community Building.

IN ATTENDANCE FOR THE CITY:

Council President Steve Botti, Councilman Lem Sentz, Councilwoman Laurii Gadwa, Councilwoman Hadzor (incoming), Councilman Juiliano (outgoing) and City Clerk Doug Plass.

OTHER ATTENDEES: Ellen Libertine, Sari O'Malley, Huck Adams, Gary Gadwa, John Phillips, Keith Reese

PUBLIC HEARING:

The Council is considering the renewal of two conditional use permits for short-term vacation rentals in Residential 'B' zone.

Councilman Juiliano asks if the 'dust issue' and any other complaints regarding rentals have been resolved.

Council President Botti responds that to his knowledge, all complaints have been resolved.

Incoming Councilwoman Hadzor remarks that the council may want to consider extending the permit duration, as yearly renewals seem to be a waste of time in the absence of complaints or other issues to be resolved.

Public Testimony:

The City Clerk reads into the record letters from Neil Bradshaw and Gary Smith/Karen Ekblad to be included in the meeting minutes.

Sari O'Malley: Neil Bradshaw and Gary Smith's letters make many of the points that she would like the council to consider. She knows that the owners care deeply about their relationships with their neighbors and take the Conditional Use Permits very seriously. In addition to signing the rental agreements, guests are greeted with another reminder of the rules governing their behavior and the linking of their behavior with the return of their damage deposit. Although she may not have completely agreed with the need for Conditional Use Permits at the outset, she has come to believe that they are positive and useful as they provide clear guidance as to the rules regarding this use. Because of this, there have been no complaints or problems with the neighbors during the two years that these permits have been issued. As the Conditional Use Permit section of the code gives the council discretion in permit length, she would ask that longer permits be considered, especially now that these permits have been renewed for two years without any problems.

Huck Adams: He feels that these rentals bring money to the local economy as a whole. Also, he is personally affected by them, because he plows the driveways for the property owners.

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Ellen Libertine: Stanley needs whole home vacation rentals as part of the whole picture of lodging options, especially in the summer.

Gary Gadwa: He feels rentals are a very good thing. After being involved in property management with Laurii for a number of years, he feels that the highest quality people are the ones who stay at these homes. His experience is that they are very respectful of the rules imposed on them. Furthermore, it provides an opportunity for the home owners to continue to afford to keep and maintain these homes. He would also like to see the permit period extended, as yearly renewal creates needless bureaucracy in the absence of problems.

Public Hearing Adjourned at 5:58 pm.

CALL TO ORDER: Council President Botti called the regular Council meeting to order at 5:58 pm. Mayor Mumford is absent.

AGENDA AMENDMENTS: Per IC 67-2343(4)(b) and (c), Councilwoman Gadwa motions to amend the agenda to include the Sawtooth Ski Club's request for a fee waiver for the use of the Community Room. Councilman Juliano 2nd. All approved. Motion passes.

CONSENT AGENDA: 12/8/2011 Minutes, bill for January and prepaid bills for January. Council President Botti notes a correction to the December 8th, 2011 meeting minutes. A mention of the Redfish Lake Trail omits the word 'trail'. Councilwoman Gadwa moves to approve the consent agenda with the noted correction. Council President Botti 2nd. All approved. Motion passes.

INSTALLATION OF NEW COUNCIL:

The city clerk administers the oaths of office to the newly elected council members Melinda Hadzor and Steve Botti, and presents them with certificates of election that are awaiting the mayor's signature. Councilwoman Gadwa moves to retain Steve Botti as council president. Councilman Sentz 2nd. All approved. Motion passes.

CITIZEN PRESENTATION:

Gary Gadwa – Would like to bring to Council and the community up to date on the Wildlife and Winter Recreation Study that is currently ongoing. Three wolverines have been collared and tracked. Community businesses have been great about providing drop-off points for recreationists' data recorders and have even offered discounts to those who participate in the study. Winter businesses are being promoted at the same time as the study is being undertaken.

John Phillips – Would like to thanks Jim Wetzel for not plowing our parking spots full unlike past years' snow removal contractors.

Keith Reese – Would like to provide an update on the plans for the Niece property. The remodel may begin this spring, and it is possible that the library could be occupied by November. The owners of the property would like to do a mixed use development which may include housing, retail space, weekly rentals, a café, and a shared kitchen space. Two new buildings will be built, retaining a grass courtyard. There will need to be some lot line adjustments done, but the owners may prefer to build across lot lines now if it is possible. The owners would like to have a mining motif with some timber elements and perhaps some metal siding. Sprinkler

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requirements need to be addressed as we don't have a hydrant system. Snow removal would need to be addressed as well.

Council President Botti believes that this is a positive development, and although there are issues to be resolved, he thinks that it will be possible to make changes if warranted to make this happen.

The city clerk reads a letter from Frankie Polson into the record concerning her desire to split a lot in Stanley. Council President Botti notes that Stanley cannot currently approve a lot split, but it is on the list of things to be addressed with code revision.

COUNCIL ACTION ITEM LIST:

- Updates to list:
 - USACE floodplain data has been received and has been sent on to Sunrise Engineering for the compilation of a map incorporating those data with property boundaries.
 - The floodplain data will also be used to obtain a Letter of Map Revision from FEMA with the help of Sunrise Engineering and Idaho Water Resources
 - A tent rental contract has been completed, and is awaiting council approval.
 - Catering permits have been researched. IC23-934A authorizes the issuance of Catering permits by municipalities for businesses with a liquor license to serve alcoholic beverages off premises.

CUSTER COUNTY SHERIFF'S REPORT

The Sheriff's report has been submitted.

COMMUNITY BUILDING:

EECBG – Heat Pump System is partially operational. Pump replacement is needed, but Hiddleston will take care of it if as the parts become available.

Sawtooth Ski Club – Request for fee waiver. Councilwoman Gadwa motions to approve the fee waiver for the use of the community building on March 3rd for the Sawtooth Ski Festival. Councilman Sentz 2nd. All approve. Motion passes.

AD HOC COMMITTEES:

- Groomer Committee: (Gary Gadwa) – The Grooming schedule for this weekend is as follows: Friday – local grooming, Saturday – trail to Smiley Creek. The groomer required many repairs to start up for the current grooming season.
- Gem Committee: (Doug Plass) – The Gem Committee has been working toward the goal of creating a park plan. This will require review of previous plan, discussion of future use and secure an intern to create the plan. Also, Amy Klingler has obtained a grant for the replacement of playground equipment. The grant is for \$15,000 for purchase of playground equipment with \$9,000 in matching funds required of which \$1,000 has been raised. The Gem committee also talked about the proposed trail to Redfish Lake as development of the trail and trailhead will inform the planning for the park.
- Chamber of Commerce: (Ellen Libertine) – The winter poster has been distributed. No information as to the reinstatement of non-profit status has been received as of yet.

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NEW BUSINESS:

Conditional Use Permit Applications:

Council President Botti motions to approve the permits for three years.

Councilwoman Hadzor asks if we need to set an end date. Council President Botti says that as private homes retain their use in the absence of a Conditional Use Permit, it is different than a permit for the construction of a business. Ellen Libertine asks whether other permits require renewal, and the council responds that there are different zones and issues to be considered. Councilwoman Gadwa thinks that having an end date is a good idea as it gives a responsibility to periodically review. Sari O'Malley asks that they be approved for 5 years and that an administrative renewal be used rather than a public hearing required. Council President Botti amends his motion to extend the permit period to 5 years. Administrative renewal may be allowed, but a legal opinion is required. Councilwoman Gadwa 2nd. All approved. Motion passes.

Tent Rental Contract - Councilwoman Gadwa motions to approve the tent rental contract. Councilwoman Hadzor 2nd. All approved. Motion passes.

Code Revision - The council would like to schedule a work session to address municipal code review, specifically the issue of lot splits and building appearance. The session is scheduled for 10 am on February 16th.

Park Planning - The Council will plan a town hall meeting to discuss the development of a park plan. It can be discussed at a future meeting.

Councilwoman Gadwa moves to approve a contract with Tomi Quigley-Baker for the use of the community room for a preschool facility. Councilwoman Hadzor 2nd. All approved. Motion passes.

The City clerk proposes a Memorandum of Understanding for Winterfest activities. Councilwoman Gadwa motions to approve the MOU. Council President Botti 2nd. All approved. Motion passes.

CITY CLERK REPORT: (City Clerk/Treasurer Doug Plass)

The clerk has applied for a scholarship for the attendance of the Mountain West Institute 3/21-3/23. Year end tax forms have been processed. The Stanley Geothermal Feasibility Study has been completed and we are awaiting a synthesized report.

OPTION TAX REPORT: (City Clerk/Treasurer Doug Plass)

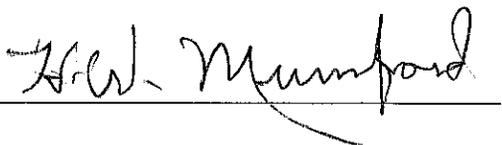
Option Tax Comparison Sheets are reviewed.

TREASURER REPORT:

The monthly financials are reviewed.

ADJOURNMENT:

Council President Botti adjourned the meeting at 7:00 pm.



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01-18-12 Minutes

Herb Mumford, Mayor

ATTEST: _____
Doug Plass, City Clerk

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Gary Smith and Karen Ekblad
315 Sawtooth Vista Lane/Stanley
3219 Point Place SW/Seattle

17 January 2012

Mayor and Members of the City Council
City of Stanley
P.O. Box 53 / Highway 21
Stanley, ID 83278

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Mayor Mumford, President Botti, and Members of the Council:

Thank you for reading our comments into the public record at the hearing regarding the renewal of the conditional use permit for vacation rentals of our home at 315 Sawtooth Vista Lane.

We've been offering our home to vacation renters for eleven years, and it has seemed to be a very beneficial thing to do: it helps us afford our home in Stanley, and it offers a way to bring guests to enjoy Stanley who would not otherwise come. These are people who want the room and amenities of a home. Last summer we probably had about 10 groups, the majority of whom come from out of the state and make an annual, or semi-annual trek to Stanley to vacation. Because these groups can afford it, they bring expendable income and spread it around— restaurants, recreation experiences and equipment, shopping, and so on – and of course, more local options tax revenue to go with it. It seems to us that Stanley needs more guests like this, and certainly the demand is there: last year we had almost 50% more people inquiring than we could accommodate. These vacation rentals are an integral part of the health of the economy of Stanley. Many of our guests are repeat visitors, and some, such as our long-time repeat renters John and Susan Van Der Wal, loved it so much they built their own home here.

2011 was our second summer complying with the Conditional Use Permit requirements. While there has never been a complaint to the city in the decade, now our Rental Agreement clearly identifies the restrictions on each guest renting the property. We have also taken extra steps to ensure that our vacation rentals suit the neighborhood, by adding the following conditions to our Rental Agreement:

- A speed limit requirement on Merritt Lane not to exceed 15 mph.
- The guest must initial that they will adhere to the vehicle maximum at all times.
- Maximum occupancy of 8 people.
- No events on the premises.
- No camping on the premises.
- The damage deposit in the amount of \$500 is also tied to complying with the requirements.

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Of course, it's important to us personally that our neighbors be satisfied. By having Sari O'Malley as our rental agent, she is always available to immediately respond to any concerns a neighbor may have regarding a guest. We're pleased that some of neighbors have testified in support of this continuing use, including our closest neighbor, Sharon Nelson.

For all these reasons, we respectfully request that you again approve the Conditional Use Permit for vacation rentals at our home.

Thank you.

Gary Smith and Karen Ekblad

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Stanley City Clerk

From: Neil Bradshaw [neil.bradshaw@mac.com]
Sent: Monday, January 16, 2012 5:14 PM
To: cityclerk@ruralnetwork.net
Subject: Conditional Use application

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Doug,
Unfortunately I will not be able to attend the council meeting on Wednesday for the public comment and so have attached this letter which I would like submitted for the record.
Thanks
Neil

Dear Mayor and Council,

I have submitted all the necessary paperwork along with a request for the renewal of my Conditional Use Permit. Over the last year I have not been made aware of any concerns related to the use of my home as a vacation rental property and do not anticipate any future problems. Sari O'Malley (Sawtooth Vista Rentals) and I have structured a Rental Agreement which not only imposes the City mandated restrictions, but adds additional conditions beyond the Conditional Use requirements. These additional restrictions include:

- We have imposed a speed limit of 15 mph on Merritt Lane for all guests traveling to the property
- We have prohibited any "events" from taking place on the property communicating clearly to guests that this home is not to be used as a gathering place when guests are part of a wedding event.
- We have prohibited any campers on the property, eliminating any temptation for them to be used for additional sleeping areas.

Should there ever be a concern, I as the owner, would like to be alerted immediately and I will take every step to remedy the situation. I appreciate that the language in the Conditional Use Permit which states that the City will notify me of any violations so that I can be immediately correct the situation.

Sari O'Malley has spoken to the neighbors and asked that should any of them ever have any concerns regarding a guest, that they phone her immediately and she will care for the situation. She lives in Stanley year-around and is available to quickly visit to the property.

To enforce these provisions, as well as the Conditional Use Restrictions, we have asked each guest to specifically initial certain areas of the Rental Agreement to ensure they have read and understood them. Then we have tied their compliance back to the refunding of the damage deposit. Sawtooth

Vista Rentals talks through the rental agreement with each guest prior to their arrival further ensuring that they intend to comply and warning them of non-compliance.

It is really important to me that this conditional use permit continues to work for our community, and will support whatever decision the community and the council decide.

Respectfully,

Neil Bradshaw

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Version: 2012.0.1901 / Virus Database: 2109/4746 - Release Date: 01/16/12

January 7th 2012

Honorable mayor of Stanley

City Council members

Box 53

Stanley, Idaho 83278

I am requesting to be put on the agenda of your next city council meeting, for approval of a lot split. My lot is 8 residential B on Merritt lane.

I had spoken to your city clerk in the spring and she had assured me that this lot could be split. It is zoned for half acres, of which I have. I had the lot surveyed the first of December, by wade surveyors of Salmon, Idaho. I met your requirements for 100 feet right away. This is not for a subdivision. This is for my single lot.

I need to split the lot and try to sell half of it, for financial reasons. I will meet all of your requirements that you may need from the city of Stanley. Sewer and sanitation permits, Record of Survey and etc. Thank you for attending to this matter promptly.

Box 4784

Dillon, Colorado 80435

Phone No. (970)-262-1680

Cell (970)-661-600-8430

Frankie Polson,

Frankie Polson

-Enclosed Amended Plat-

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