

ORIGINAL IN RED

**City of Stanley
Regular Council Meeting Minutes
May 12, 2011**

Mayor Mumford called the City Council meeting to order at 6:08 p.m. Thursday, May 12, 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:

Gary and Sari O'Malley, Rebecca Arnold, Ellen Libertine, Steve Stroud and wife, James Denhart, Gary Gadwa, Janet Forsgren, and Anna Means with the Challis Messenger. Tim Cron arrived at approximately 6:45pm.

AGENDA AMENDMENTS: None.

PUBLIC HEARING:

MAYOR COMMENTS/UPDATE:

Mayor Mumford reminded everyone that the budget workshops are scheduled for May 24-26 in the city office meeting room starting at 10:00am. The Budget hearing is set for August 9, 2011 at 5:00pm in the Community Building. The Mayor also wanted to update the council on the progress of the Stanley Geothermal Development Initiative. The grant application has been turned in on time although we will not find out whether or not we are awarded the grant until sometime at the end of June. The cost of the feasibility study is around \$40,000 which will be the maximum amount allowed under the grant. That includes a \$20,000 match. Mayor Mumford announced again that the Clerk will be leaving. The good news is that the city has received around twenty applications ranging from close by to far away. The Mayor and Council expressed their appreciation for all the work the current clerk has done. Councilman Juiliano brought up some concerns over possible harassment and inappropriate behavior that the clerk has had to deal with. He would like one of the county officers to interview the clerk to document some of the instances of harassment. He is very concerned about this but it is decided that this particular subject should be discussed further in an executive session.

PRESENTATION:

COUNCIL COMMENTS:

COUNCIL ACTION ITEM LIST:

No current updates were provided.

CONSENT AGENDA:

Councilman Lem Sentz needs to be added as an attendee to the April 11, 2011 meeting minutes. There are minor grammatical corrections to the April 14 minutes which the clerk will get from the Mayor. Councilman Juiliano had a few copied pages that he handed out to the Council which dealt with the March council meeting as well

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as the poor behavior at the hillside ordinance work session. Councilwoman Gadwa makes a motion to approve the Consent Agenda with the noted corrections.

BUILDING PERMITS:

Midvale Telephone, Building Permit #787 – Councilwoman Gadwa made the motion to approve the permit. Council President Botti 2nd; Steve asked about the timeline or work, when they thought they would be done. The work should begin around the first of July and be completed in September. All approved; none opposed; motion passes.

Stanley Baking Company, Building Permit #788 – Councilman Juiliano made the motion to approve the permit. Councilwoman Gadwa 2nd; all approved; none opposed; motion passes.

Rebecca Arnold, Request for Reissuance of Building Permit #690-R2 under new Ordinance #184 – Rebecca asked to withdraw the request since the Council intended to deal with the request in another way.

Rebecca Arnold, Building Permit #789 – the Mayor explains that Permit 789 covers the exact same scope of work as 690-R2. The city assumes that Ms. Arnold wishes to proceed with the same scope of work to continue the infrastructure of her subdivision. The new permit is necessary since 690-R2 will expire at the end of May. Councilwoman Gadwa makes the motion to approve the permit. Councilman Juiliano 2nd; all approved; none opposed; motion passes.

SSVQP Inc., Building Permit #769 (would become R1) – Councilwoman Gadwa made the motion to approve the permit as a first renewal noted as "R1." Council President Botti 2nd. Steve asked if we had any follow-up on the other agency permits that may have been required of SSVQP. The clerk indicated that she had heard nothing from SSVQP on the progress of any other agency permits, although this was noted in their original approval letter last year. Councilman Juiliano asked about approving a permit for someone who is not the deeded owner the property. The clerk and the Mayor clarified for Frank that we have received an email from the property owner approving the permit and using their name on the permit. If the property owner did not approve then SSVQP would not be able to apply for a permit unless they were the deeded owner of the property in question. There being no further questions, all approved; none opposed; motion passes.

LAW ENFORCEMENT: (Officer Pete Isner)

Pete Isner and his wife Sarah have moved to Moscow. They will be sorely missed, but it was a great opportunity for both of them. Pete will not be replaced right away although in the long term the goal is to hire another officer. Both EMT and Fire services in Stanley that we need a Stanley officer versus using the County. The other small cities using the County seem to be unhappy and are not getting the coverage they really need. The County is also stretched thin. Pete left us a list of possible reserve officers to check with to see about fill-in/part-time work for the summer and during events. The date to seriously think about hiring another officer will be after the Option Tax election/vote in November. Councilman Juiliano agrees that having a city officer is a valuable asset. Gary Gadwa spent five years as a reserve officer for Pete and he has been left in the dark about any employment possibilities. The Mayor states that Gary is one of the reserve officers that Pete recommended. The Mayor would like to consider Gary and they can discuss this further at another time. Councilman Juiliano is concerned about law enforcement during July and August. Mayor Mumford has spent time talking with County Sheriff Stu Lumpkin and has been informed that there are budget pressures for them as well. The Forest Service also does not have a law enforcement officer this year. The state police are also cutting back. They have committed to patrolling Stanley area

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but if the price of gas goes up to much then they may have to reconsider their time up here as well. Moving was a great opportunity for Pete but bad timing for us. We are going to look at what law enforcement resources we do have and making do. We will try to put together the best coverage plan we can. The County is still responsible for patrolling this area and will respond if called. We are not hanging out there without any coverage. The County Deputy also lives just west of town near the ITD state shed.

STREETS AND ROADS: (Mayor Mumford)

Only one proposal for the 2011 summer streets and roads contract was received. The Mayor opens it. It is from Steve Stroud with Stanley Construction for \$130 per hour. Steve was the contractor who was awarded the contract last year. Dust abatement was discussed. The city plans to do what we can. We did budget for it, but we do not have much to spend so we will have to stretch our dollars. We have in the past "piggybacked" with ITD to save us the cost of freight. We will try to do that again this year as well. We will probably use the same product as last year. It seemed to set pretty well and after it is set is water resistant and is biologically benign. Councilwoman Gadwa makes a motion to approve the bid. Councilman Juiliano 2nd; all approved; none opposed; motion passes. Councilman Juiliano brought up concern over snow removal if the Option Tax does not pass. This could be huge for the city and the residents if the Option Tax does not pass and there is little to no money snow plowing of the streets.

CEMETERY: (Councilwoman Laurii Gadwa)

CITY PARK:

Randy Somerville is asking for a waiver of the park fees and a waiver of the open container rule for Sunday, June 19 for the Father's Day/AJ Silva Cup Kite Festival. He is also asking for assistance with publishing fees for ads in the Challis Messenger. Anna Means confirmed that the color ad we published last year was done as a press release and was free. We also published a smaller black and white ad which we did pay for. Councilwoman Gadwa made the motion to approve the waiver of the park fees and the waiver of the open container only on the park property. Councilman Juiliano 2nd; all approved; none opposed; motion passes. Councilwoman Gadwa made a motion to approve the request to publish one small ad and also the free press release. Councilman Juiliano asked about getting help from the Chamber. Ellen said she did not know about this and had not been contacted for help. Councilman Juiliano 2nd; all approved; none opposed; motion passes.

COMMUNITY BUILDING (CB): (Mayor Mumford)

The Chamber of Commerce requests a waiver of the community building fee for the June 14 Chamber BBQ. Ellen is under the impression that the event will definitely be held in the building versus just being booked as a back-up to the park in case the weather is bad. They have used the park in the past and usually booked the community building as a back-up. The clerk assumed they were just holding it at the community building since they did not request a waiver of park fees or to book a date at the park. Councilwoman Gadwa makes the motion to approve the request. Councilman Juiliano 2nd; all approved; none opposed; motion passes.

AD HOC COMMITTEES:

- Groomer Committee: (Mayor Mumford/Gary Gadwa) – there is some equipment that is still out for repairs. We are still waiting for reimbursements

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from the Forest Service and Parks and Recreation. The clerk had been told that Parks and Rec would pay for the breakdown that occurred this year, but still has not received anything. Gary will follow-up with them. Councilwoman Gadwa mentioned how under budget the groomer was for wages this season. The Mayor and Council wanted to thank the groomer committee and the operators for a great season and great trails.

- CEDA Report: (Mayor Mumford) – see attached report.
- Gem Committee: (Charlie Thompson) – The group Ride Idaho will be donating some park equipment in exchange for the city allowing them to stay with their group at the park. Mayor Mumford passed the catalogue with the equipment along to Charlie Thompson to get feedback from Gem Committee. He has not received any word from Charlie. Now it appears that we will be looking at picnic tables, which we really need up there. We are looking at metal picnic tables in natural colors either brown or green. We may need to chain the tables together to keep them from being stolen. We are also considering 8 foot tables since they are harder to move. It is wonderful that Ride Idaho is willing to give back to the city and community in this way. The park picnic tables get a lot of use in the summer and the wood ones we have now were hand-me-downs from the Forest Service years ago and are in very poor conditions. This is good PR all around, for the city and for Ride Idaho to show their participants the kinds of charity work they do for communities. Mayor Mumford would still like to see the Gem Committee get going on the overall Park Plan to help in looking for grants for various park projects. They also need to look around for possible pro-bono help to get that started.
- Chamber of Commerce: (Ellen Libertine) – they are having a membership meeting June 1 as well as elections. They have hired/appointed Erin Wilson to take Mike Jones' place on the board. On June 14 is the Chamber BBQ and raffle. With regard to advertising, in April they did a steelhead press release, May they did one for the Redfish Memorial Run, May 25 there will be a full page ad in the 101 Things to Do This Summer that the Weekly Sun paper is doing. It will have pictures of Stanley with text. Mid May there will be a magazine size program coming out for the USAC Mountain Bike Championships. There will be 3000 copies going out to all riders and area businesses. The Chamber has a half-page ad in that publication. The Challis Messenger is doing a Central Idaho Guide which the Chamber will advertise in. Anna Means says there will be around 3000 of that printed and distributed. It stays on display around the area all year. There will be editorial content on Stanley as well as a full page ad. In June the Chamber will come out with 2011 summer posters that will be distributed all over Idaho. They are still working on hiring staff for the Chamber office this summer. They have one potential person and one intern that will work for a month. As for the 3rd party review on the books, Sean Tajkowski will be picking up a computer for them soon and then they can complete the review. After that Sparky will be taking over the bookkeeping. Mayor Mumford again asks about the overall Communications Plan and Marketing Plan. Ellen says there has been a communications plan in place for a while and she can just give Herb a copy of her Excel Spreadsheet. The Mayor wants something very specific for the communications plan such as all the advertising outlets starting with the free opportunities and identifying when you do it and how much it costs as well as contact information, etc. Ellen does not understand

what the Mayor is asking for. Ellen is trying to organize all the information because there was not much organization when she started. This plan is important so that it can be passed along to new employees or interns who will then know who to contact, where, when and how much it will cost. It is decided that the Mayor and Ellen should get together and discuss this with one another so that everyone is on the same page and understand that needs to happen still. Councilman Juliano feels that the Chamber is way ahead of where it was a year ago and wanted to applaud Ellen's efforts. We need to expand our reach and resources even further. Council President Botti's wife Vicki Lawson attended this year's Idaho Recreation and Tourism Conference which was in Lewiston. Ellen said that there was not enough money to send her this year. Vicki said that it was particularly good and there were some great presentations that were pertinent to recreation and tourism in Stanley. Ellen went to the one in Boise, but was unable to attend the one in Lewiston. Ellen will be getting together with Sandra from Idaho Rocky Mountain Ranch who did attend and she will be filling her in. Ellen also said that there were supposed to have video conferencing set up but the hotel where it was held was not able to get it worked out. There are four of these conferences per year.

- Code Review: (Council President Botti) – Councilman Juliano (Frank) had looked back on the March 10 meeting minutes and identified numerous places where the members of the council indicated their willingness to work with the community on the hillside ordinance and the subsequent work session on April 11 specifically regarding the proposed hillside ordinance. Frank did this after the April 11 work session which was met with anger, a “mob tone,” and much unwillingness to move forward by the community member attending. Creating a petition is one thing and it is certainly everybody's right. Frank said that they, the council, may not be thrilled to be there but that is their job and their constitutional obligation to work through issues such as the proposed hillside ordinance. The council did not go into the work session saying that they were trying to jam the draft ordinance down anyone's throats. They wanted to listen and try to work through it. Instead, someone went around town saying that the city was in crisis and started the petition. Frank feels that if the council continues to be met with that kind of resistance to the Democratic process, that they may go to a “no tolerance” “no disruption” policy during meetings or work sessions. He wants to confer with our attorneys and possibly adopt a policy on this issue. We could simply go back to not allowing any public input other than the five minutes everyone is allowed if they wish at the beginning of the meeting during the Presentations. Mayor Mumford also stated that allowing community members to be an active part of the process in work sessions is completely of their own volition, it is not legally required. Frank is really not happy about how this whole thing played out. Disagreements are fine but we need to treat each other with civility and respect. Council President Botti followed up on some of the signatures on the petition and encountered some signers who said afterwards that they had made a mistake; that they had been approached in a very emotional fashion and were led to believe that a major crisis was in store. Upon further research and going back and actually reading the ordinance, they felt they had made a mistake and recognized that there was some validity to what the council was trying to do and that they were essentially railroaded into signing the petition. Council President Botti feels that this was a classic fear mongering campaign and that it is a sad day for Stanley when

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decisions are made that way. Councilman Juilliano says that for as long as he is sitting in this seat he will not tolerate behavior like this. Mayor Mumford was also not happy with how the work session went. He said that there was an opportunity for participation presented that was wasted and that people should not expect the same opportunity in the future unless behavior changes.

UNFINISHED BUSINESS:

Sawtooth Music Festival – they presented a revised request for budgeted Option Tax funds. Councilwoman Gadwa asked to address this matter. She wished to apologize to the Music Festival group. She felt that they should not have asked them to revise their original request and that they had not thought the whole thing through prior to the last council meeting. Councilwoman Gadwa makes a motion to approve \$500 per their original request to do with it what they want. In the future if the council wants something more specific than they need to discuss it with the group in advance. Council President Botti 2nd. He also wanted to add that the music festival is a great asset to this town. As a whole he feels the town benefits from the event. It puts Stanley on the map and publicizes that we are here and gets people to come to town. He thinks that perhaps the music festival people feel they are being picked on and he wants to make sure that they do not feel that way. The \$500 is basically a token of support. He agrees with Councilwoman Gadwa that they made a mistake by initially denying the request the asking them to come back with a revised request. Mayor Mumford noted how we have a follow-up meeting with the music festival representatives every year to go over the event and ways to possibly improve it. That is a great way to deal with issues. In addition, Nicole Johnson did say that they could possibly use the funds to purchase some A-frame signs that could be used by the festival and left to store with the city to be used for other community events as well. Mayor Mumford calls for a final vote – all approved; none opposed; motion passes.

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

The city is still accepting applications for the City Clerk/Treasurer position. Also, the current clerk is planning to be out of the office May 18-19 and May 23 for vacation and also May 30 which is Memorial Day and a regularly scheduled closure.

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:

An executive session was scheduled per IC 67-2345(A) and IC 67-2345(F). Councilwoman Gadwa makes the motion to move into executive session per the above noted Idaho Code sections. Councilman Juilliano 2nd; Roll Call vote – Councilman Sentz: yay; Councilman Juilliano: yay; Council President Botti: yay; Councilwoman Gadwa: yay. All approved; none opposed; motion passes. The Council moved to go into executive session at 7:25pm. The Council will take a short break before beginning the session.

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The Council and Mayor discussed the issues at hand, namely pending litigation and hiring of an employee.

Councilwoman Gadwa made the motion to adjourn executive session and move back into open session. Councilman Juiliano 2nd; all approved; none opposed; motion passes.

The Council reconvened in open session. Council President Botti made a motion to amend the agenda per IC 67-2343(c) to include a vote on the Letter of Intent and the draft Settlement Agreement both of which were discussed during the executive session. Each document pertains to a different but currently pending legal matter. Councilwoman Gadwa 2nd; all approved; none opposed; motion passes. The Council brought meeting attendee Rebecca Arnold back into the community building to participate. The Letter of Intent pertains to a legal issue of which she is a party to.

- Councilwoman Gadwa made a motion to approve the Letter of Intent as presented and to authorize the Mayor to sign it. Council President Botti 2nd; all approved; none opposed; motion passes.
- Councilwoman Gadwa made a motion to ratify and authorize the Mayor to sign the proposed Settlement Agreement as discussed. Council President Botti 2nd; all approved; none opposed; motion passes.

CITY ATTORNEY: (Paul Fitzer, Stephanie Bonney, Carl Withroe)
Carl Withroe was available via telephone for the executive session.

ADJOURNMENT:

There being no further business, Mayor Mumford adjourned the City Council meeting at approximately 8:45pm.

H.W. Mumford
Herb Mumford, Mayor

ATTEST: Erin Fisk
Erin Fisk, City Clerk



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

May 2011

Herb Mumford

CEDA Board Meeting - April 21, 2011 Meeting

- Meeting held at BLM Office in Challis.
- 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. The architect has been given a retainer to develop the details of the facility. Ground breaking could be in the Fall of this year.
- CEDA approved \$5000 in matching funds for the SGDI feasibility study grant request being submitted by the City of Stanley.
- 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, May 19, 2011, 12:00 noon PM at BLM Office in Challis.

