

APPROVED

**City of Stanley
Public Hearing/Council Meeting Minutes
May 9, 2013**

IN ATTENDANCE FOR THE CITY:

Mayor Herb Mumford, Council President Steve Botti, Councilmember Laurii Gadwa, Councilmember Melinda Hadzor, Councilmember Lem Sentz, and City Clerk/Treasurer Doug Plass

OTHER ATTENDEES:

PUBLIC HEARING – Proposed Cemetery Ordinance

The Public Hearing was opened at 6:00 pm in the Stanley Community Room to receive comment of the proposed Cemetery Ordinance.

Councilmember Gadwa states that this Ordinance is proposed to address a gap in the Stanley Municipal Code.

No public testimony is offered.

The Hearing is closed at 6:03 pm.

CALL TO ORDER/ROLL CALL: The regular council meeting is called to order at 6:03 pm. The Mayor and the full council are all present.

AGENDA AMENDMENTS: The Clerk proposes two agenda amendments:

1. Strike 'and to vote on its acceptance' from Pioneer Park master plan item.
2. Include a request from Custer Economic Development Association for a letter from the Council pledging support for the next three fiscal years.

Councilmember Gadwa moves to accept the amendments offered by the clerk.

Council president Botti seconds. All approved. The agenda stands amended.

MAYORAL COMMENTS:

The Mayor presents a plaque received from the Salmon Challis National Forest thanking the City for assistance during the Halstead Fire.

The Mayor notes that it is beginning to look like summer in Stanley, and that we are all hopeful for a good summer season.

CONSENT AGENDA:

The April 4th meeting minutes, prepaid bills for March and April, and unpaid bills for April are included. Councilmember Gadwa moves to approve the Consent Agenda. Councilmember Hadzor seconds. All approved. Motion passes.

PRESENTATION/CITIZEN PARTICIPATION:

The Clerk reads an email received from Rebecca Arnold regarding Niece Smiley Creek LLC's request to amend building permits 810 and 811 that is included in the meeting file.

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Keith Reese presents a proposal by Stanley Town Square to donate moveable parking barriers to the City of Stanley for use on Niece Avenue. He would like to use a combination of posts on the property line and parking barriers to establish a walkway in the Niece Avenue right-of-way. These barriers would be composed of short logs with butt logs on either end. These could be removed for winter storage. He feels that the community would benefit from this improvement.

The Clerk reads an email received from Stanley Community Library Board Chair Phil Coonts in support of the proposal.

Councilmember Hadzor reports that some community members have told her that they don't want parking barriers.

Councilmember Gadwa is concerned that parking barriers push traffic into the center of the road which could cause problems. She would like to receive more public input on the matter.

Council President Botti says that he agrees with Councilmember Gadwa about receiving more input. He says that there have been some discussions regarding parking, but there needs to be another opportunity to discuss this with the town.

Keith Reese suggests that these barriers could be put in as an experiment, and that if the City is willing to try it, all the expense for the trial period would be borne by Sawtooth Valley Builders.

The Clerk schedules a Town Hall Meeting for 5/23/2013 at 5 pm to discuss parking and street use issues in Stanley.

COUNCIL ACTION ITEM LIST:

The Action Item List is presented. No current updates are proposed.

LAW ENFORCEMENT:

The Mayor gives a briefing on the search for a police officer. He reports that an offer was extended and accepted, but the applicant suffered an injury shortly after and withdrew his acceptance. Another candidate has been offered the job and we are awaiting response. In the event that the second candidate does not accept, there is an additional qualified candidate as well.

The Mayor presents the Sheriff's report, noting that things are still relatively quiet in Stanley.

COMMUNITY BUILDING:

The Clerk reads an email from Stanley Community Library Board Chair Phil Coonts requesting a waiver of the Community Building fees for the annual library garage sale at an open date in June. Councilmember Gadwa moves to waive the fee. Councilmember Sentz seconds. All approved. Motion passes.

PIONEER PARK:

Terry Clark presents SIHA's plan to restore the Shaw Cabin. SIHA functions as the City's Historic Preservation Commission, and would like to restore the cabin in place. The Shaw cabin was built in 1880 in Sawtooth City, moved to Fisher Creek in 1902, donated to the City in 1956, and moved to its present location in Pioneer Park in 1998. SIHA would like to be allowed to fundraise for the restoration project with the

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funding going through the City's books, and would also like funding by the City considered when the budget is developed. It is suggested that the City Council appoint a liaison to work with SIHA on the project. SIHA has received an estimate for the work of \$8250.

Council President Botti asks what the projected time frame for this project is, and Terry Clark says that it will be dependent on when funding is available.

Council President Botti moves to support fundraising activities for the Shaw Cabin restoration, and to implement the plan through the City's books. Councilmember Hadzor seconds. Three approve. Councilmember Gadwa abstains citing her conflict of interest as an employee of SIHA. Motion passes.

The Clerk presents a request from **Bike and Build** to camp in Pioneer Park on July 28th. The Council discusses Bike and Build's offer to make a donation of \$100 to a local affordable housing organization. Council President Botti moves to allow the request with the instruction that the Clerk make the suggestion to Bike and Build to donate to a local organization that fulfills their requirements. Councilmember Hadzor seconds. All approved. Motion passes.

The **Park Master Plan** will be presented to the public at the May 23rd Town Hall Meeting.

Eric Lyman (Over the Edge, Inc.) presents a proposal to use the park for Hot Air Balloon Bungee Jumping and Scenic Rides, and would like to know what the Council thinks about it. Councilmember Gadwa is concerned about potential conflicts with other park use. Mayor Mumford says that the park would have to be reserved for this use via the normal process. Council President Botti asks what amount of lead time is necessary for this activity. Eric Lyman responds that two weeks is sufficient. The Council is concerned about proper insurance coverage, visual impacts, and potential conflicts with the airport. Eric Lyman says that they have never had an accident in 23 years of doing these jumps, and that they are thinking of starting sometime around the 1st of July.

AD HOC COMMITTEES:

CEDA: (Mayor Mumford) – the Challis Community Center is open and accepting bookings. There was an open house on April 4th that was attended by Congressman Simpson. The Rapid Response Observatory agreement with BSU has been completed. CEDA will be facilitating a community meeting to address strengthening of the local economy especially with regard to the hospitality industry. There is also an initiative put forward for marketing the Land of the Yankee Fork. The next meeting will be on May 16th at 4:30 pm in Challis.

CEMETERY: Councilmember Gadwa reports that the Cemetery will not be expanded, as the USFS is not amenable.

CODE REVIEW: Council President Botti reports that a work session is needed to work through Building Permitting changes and to explore legal issues.

CHAMBER OF COMMERCE: Charlie Thompson reports that KTVB will be holding their live tour in Stanley on Monday the 13th at a location to be determined, and residents are encouraged to participate. The summer poster is almost ready to distribute. The Chamber will be holding a meeting on May 14th at 11 am to work on the marketing plan. Mayor Mumford asks of the Chamber Membership will be notified of the meeting, and Charlie Thompson

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assures him that they will. On May 16th the Sun Valley Marketing Group will be coming up to meet with the Chamber members. On June 12th the annual social mixer will be held at the Community Building.

BUILDING PERMITS:

Niece Smiley Creek LLC – presents amendments to Building Permits 810 and 811 to include changes to structure and designation of off-street parking for potential residential units. Keith Reese notes that although nothing in the SMC allows the designation of required off-street parking on lots other than the one being developed, nothing prevents it either. He would like to suggest that an easement be drafted to designate parking that would encumber the property rather than combining the lots in question. Councilmember Hadzor asks if there are 12 units on the property, and Keith Reese replies that there are 12 units, but one is the café, and the other 11 are livable. Councilmember Gadwa notes that the floor plan changes have already been submitted. Councilmember Hadzor asks when the property will be ready, and Keith Reese replies that July 1st is the target date. Council President Botti asks if there are additional uses on lot 3A other than parking, and Keith Reese replies that there remains other useable space. Councilmember Hadzor asks whether difficulties will be encountered in the future by approving required off-street parking on a different lot. Keith Reese responds that Rebecca Arnold's point about future transfer of properties is a good one, and can be solved through the use of an easement.

Council President Botti moves to approve amendments to Building Permits 810 and 811 as specified in the applicant's letter under the condition that an easement be established on Lot 3A in order to establish parking required by the Stanley Municipal Code and recorded to run with the land in perpetuity. Councilmember Gadwa seconds. All approved. Motion passes.

Niece Smiley Creek LLC – Building Permit #820 – Fence along property line on Niece Avenue. Councilmember Gadwa notes that metal chain is not specified in the SMC. Councilmember Hadzor notes that the code says that posts can be metal, but that is as far as it goes. Council President Botti says that the code is ambiguous as to how chains would be handled. He says that although they wouldn't specifically violate the code, they are not specifically allowed either, and he would prefer to give the benefit of the doubt to the applicant. Councilmember Gadwa moves to approve Building Permit #820. Councilmember Sentsz seconds. All approved. Motion passes.

Canaday Properties LLC – Building Permit #821 – Fence along south property line. Councilmember Gadwa moves to approve Building Permit #821. Councilmember Hadzor seconds. All approved. Motion passes.

Charlie Thompson – Sign 050113 – Sign advertising business. Councilmember Gadwa asks Charlie Thompson to describe the blue color that will be used, and Councilmember Hadzor asks what the sign will say. Charlie Thompson replies that the blue is comparable to other signs in town and the sign says 'Sawtooth Spirit'. He asks the council to return to his application after he retrieves a document.

Doug Plass – Sign 050513 – Sign advertising business. Councilmember Gadwa motions to approve Sign Permit 050513. Council President Botti seconds. All approved. Motion passes.

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Doug Plass – Building Permit #822 – Sunken fire pit. Councilmember Hadzor expresses concerns about the operation of a fire pit near the adjoining business. Doug Plass responds that he will work with his neighbors to ensure that the fire pit doesn't become a nuisance. Councilmember Gadwa motions to approve Building Permit #822. Councilmember Hadzor seconds. All approved. Motion passes.

Charlie Thompson returns and distributes a color photo of the sign in question for Sign Permit 050113. Councilmember Gadwa motions to approve Sign 050113. Councilmember Hadzor seconds. All approved. Motion passes.

Brett Woolley – Sign 050213 – Sign advertising restaurant. Councilmember Gadwa motions Sign 050213 subject to the approval of the blue color in question by the City. Council President Botti seconds. All approved. Motion passes.

Mike Piva - Building Permit #823 – Addition of windows to west wall of building. Councilmember Gadwa moves to approve Building Permit #823. Council President Botti seconds. All approved. Motion passes.

Thomas and Rebecca Arnold – 2nd renewal of Building Permits # 789, 790, and 791. Council President Botti says that this renewal needs some discussion. He notes that some in the community have expressed concern specifically regarding the continued presence of dirt piles on the property. He notes that after 7 years of activity, the project is still not completed. He hopes that it can be done in a year, but starts to wonder whether it ever can actually be completed. He says that work must be planned accordingly under the circumstances that we deal with here. With all of that said, Council President Botti moves to approve the request for the second renewal of Building Permits 789, 790, and 791. Councilmember Gadwa seconds. JC Anderson adds that the dirt that was previously piled on the property is now gone, and the dirt that is currently there was all put there recently. All approved. Motion passes.

NEW BUSINESS:

Custer County Sheriff – Request for Council support of application for Dedicated Enhanced Emergency Communications Grant Application. The Clerk presents a suggested support letter. Councilmember Gadwa moves to support the grant application. Councilmember Hadzor seconds. All approved. Motion passes.

Mike and Jennie Stephenson – Request for permit for the use of a RV for temporary employee housing. The Clerk notes that the required permission from the Stanley Sewer Association has been included with the request. Councilmember Gadwa moves to grant a permit for 2013 for use of an RV for temporary employee housing. Council President Botti seconds. All approved. Motion passes.

Consideration of proposed ordinance concerning the Stanley City Cemetery. Councilmember Gadwa moves to suspend the three reading of the ordinance and read by title only. Council President Botti seconds. All approved. Motion passes. The Clerk reads the proposed ordinance by title only. Councilmember Gadwa moves to approve the Ordinance. Council President Botti seconds. Council President Botti votes yes. Councilmember Gadwa votes yes. Councilmember Hadzor votes yes. Councilmember Sentz votes yes. The Ordinance stands approved as Ordinance #190.

Custer Telephone Cooperative – Application for Conditional Use Permit for the construction and operation of a Wireless Communication Facility at 425 School Road.

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Ron Rembelski presents the application to the Council. He says that CTC is looking at a 50' x 50' area near the eastern edge of the school property boundary for a stealth tree tower with a grove of real trees and one building. This would be located 25' off of the property line. The tower is 45' tall and would be placed on a concrete pad. The site is about 150' from the school with antennas pointing down Hwy 21 and in both directions down Hwy 754. CTC would allow Alltel to co-locate their tower, thus removing the tower that is currently in the school.

Councilmember Hadzor asks how loud the generator in the facility would be. Ron Rembelski replies that it is no louder than a truck running and would only run while the power is off and 15-20 minutes once a week.

Councilmember Gadwa asks how kids are to be kept from climbing the tower. Ron Rembelski replies that there will be no branches for the first 15'. Fencing has not been requested by the school district. In addition, drip irrigation would be provided to keep the grove of trees healthy.

Councilmember Gadwa asks how this will benefit the Stanley School in particular, as the earlier tower installation was supposed to provide funds locally, but these have gone to the district as a whole subsequently. This is a question for the school district.

Council President Botti asks whether the 45' tower requested is required or just preferred. Ron Rembelski replies that the tower could be made shorter with reduced coverage and without allowing antenna co-location.

Councilmember Gadwa notes that when John graham wanted to raise his tower beyond 28', his application was denied, so it might be difficult approving this one. She says that legal counsel may need to be contacted to answer concerns.

The Mayor suggests that a public hearing be scheduled, and the Clerk consults with the Council and the applicant, scheduling a public hearing at 5:00 pm on Monday, June 10th.

Proposed Ordinance regarding Condominiums – The Clerk presents an ordinance drafted by the city attorney to address SMC's silence regarding Condominiums and similar divisions of ownership. A work session is scheduled at 9 am on May 21st to review it and determine how to move forward.

CEDA – Request for letter of support for FY14,15, and 16. Councilmember Gadwa moves to support CEDA for the next three year at \$500/year contingent upon the availability of funds. Council President Botti seconds. All approved. Motion passes.

SIHA – Councilmember Gadwa says that SIHA would like the Council to designate a liaison for Shaw Cabin restoration work. Councilmember Hadzor volunteers to serve as liaison.

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

The Clerk reports that the office will be closed intermittently on 5/13 and for the entire day on 5/16. In addition, the office schedule may be variable in June as some transitions will be occurring.

Budget Workshops are upcoming on June 4th and 11th.

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

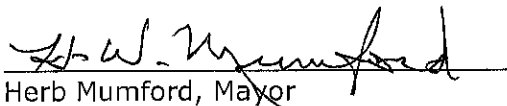
The current financial situation of the City is presented to the Council.

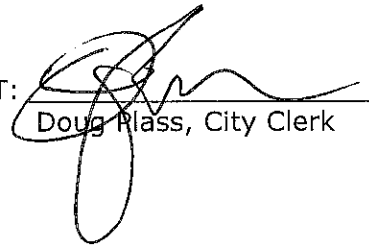
EXECUTIVE SESSION:

Councilmember Gadwa motions to enter executive session per IC 67-2345(1)(f) to confer with the City Attorney about pending litigation. Council President Botti seconds. All approved. Motion passes. The audience is dismissed at 8:28 pm. After a short break, the Mayor convenes the executive session at 8:35 pm. The regular meeting is resumed at 9:03 pm

ADJOURNMENT:

The Mayor adjourns the Council meeting at 9:03 pm.


Herb Mumford, Mayor

ATTEST: 
Doug Plass, City Clerk



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