



CITY OF STANLEY

APPROVED

City Council Meeting Amended Agenda

July 11, 2024

6:00 p.m.

Stanley Community Center, 510 Eva Falls Stanley, ID 83278

Regular Council Meeting (Idaho Code 74-204 (1))

Call to Order: (Mayor Botti) Mayor Botti calls the meeting to order at 6:03 PM.

Roll Call: Mayor Steve Botti (Present), Councilmember President Laurii Gadwa: (present via telephone), Councilmember Kim Hernandez (present), Councilmember Tim Cron (present via telephone), Councilmember Gabe Cardoso (present). All answered roll call. Also present for the City Clerk Jennifer Hayes.

Agenda Amendments [Idaho Code 74-204 (4)(b) and (c)]: None

Mayor Comments:

Council Comments: Councilmember Tim Cron states that during the Town Hall meeting about the Resort Cities Liquor Licenses held 06/25/2024 some businesses in Stanley were open during that time and that influenced their decision not to attend the Town Hall meeting. There are interested parties that could not be present tonight also and Councilmember Cron wanted to make note that there is more interest than what was previously thought. Mayor Botti confirms that the City did receive an email that we can read to be entered into record, and that it would be entered into record either way.

Presentations/Citizen Participation:

The public is invited to present commentary at will regarding any city-related business, whether or not that item is included on the agenda. Comments are limited to five (5) minutes and may or may not be addressed by the Council/Mayor.

John Philips would like to know why the city clerk does not have a fancy name plate like everybody else, that is number one. Number two, he would also like to talk about the Redfish trail. It was entered in as a wheelchair accessible path; he walked a bunch of the trail, and it is not. John points out that if old people had to ride on it that it would be a nightmare and we need a refund on it.

Consent Agenda:

- June 13, 2024 Council Meeting Minutes, and the Payment approval – Unpaid and prepaid bills for June – **Action item** Councilmember motions to approve the Consent Agenda. Councilmember Hernandez seconds the motion to approve. All in favor, none opposed.

Law Enforcement:

- Sheriff's Reports- Mayor Botti mentions things have been busy and the deputies have been responding in patrolling, which is what we asked them to do. Deputy Neumeyer arrives at 6:12PM, Mayor Botti asks if there is anything he would like to add, as we already went through the Sheriff's report. Deputy Neumeyer asks the council if they have any specific questions, no one has questions. Maintenance Manager Peters notifies Deputy of ITDs plan to assist upcoming events by reducing speed, putting up 25 mph speed limit signs, and a pedestrian walkway with extra signage for the event.

- Incident Reports- Summary report and detailed reports in council member packet. Update on the fire situation: soft close on all Bench lakes, trail 101 will be closed. Rescue up on Thompson Creek, the one on 710 was in the county.

Community Building:

Pioneer Park: Councilmember Cron says that it has looked better than ever. Maintenance Manager Kimberly Peters says that she did a walk through, and they will be putting up 16 story boards up in the park. The Zip lines will be going up in the park. There will be two locations, one hundred and fifty feet each, one by the playground, and one by the large group of Pine trees. Mayor Steve Botti went to Iceland and saw them all over, people love them. He thought they would be a nice amenity for the park and they are not that expensive. They are short, don't go very far, and there is a spring at the end so people don't slam into to anything at the end, if all goes according to plan. The city used some of the money received from Blue Cross of Idaho to purchase.

Streets and Roads:

- Mayor Botti brings up dust abatement, roads are pretty dusty. We may need to consider doing dust abatement more throughout the summer, something we need to consider at the next budget meeting. Maintenance Manager Peters suggests instead of doing all the streets and roads perhaps just doing the areas that get high traffic use like Wall Street, Ace of Diamonds and Neice Ave. Peters talks about ITD's plan to assist with upcoming events by reducing speed, putting up 25 mph signs and a pedestrian walkway with extra signage for the event this last weekend that ITD will help assist with for upcoming events.

Ad Hoc Committee Chairs:

Cemetery: (Laurii Gadwa): Nothing to report.

Code Review/Revision: (Steve Botti): Still haven't gotten there and the list continues to grow.

There are things that need to be revised

Sawtooth Association (SIHA): (Lin Gray): No Report.

Snowmobile Groomer: (Gary Gadwa): Grant will be going to trucker training and be taking the part over with him and save the city a lot of money. Mayor Botti has a question about the warming hut that appeared at the park, don't remember seeing in the past, what is the status of that? Gary Gadwa said he wasn't aware that I was there, that would mean the Stanley snowmobile team has brought it back from the junction of Cascade Road and boundary Creek Road. Maybe they thought it needed some work. Wasn't aware that it was back. Mayor Botti states we need to figure out: does it need repairs? Why did they move it? What is the situation there? Gary Gadwa says he will follow up with the snowmobile club.

Chamber of Commerce: (Chamber Representative)

Report on current activities, advertising, events, etc. Jennifer Folsom reports that visitors have increased a lot. They have a new member River 1, and Lower Stanley Motel has also joined, and it has increased their business. The fourth of July parade went really well, special thanks to those that picked up trash, Mayor Botti, Tim Cron and his crew Tamara and Jeffery Hall.

Old Business:

- Resolution 2024-3 For Resort City Restaurant Specialty Liquor License-**Action Item**
 - Mayor Botti speaks, this had been tabled from last meeting, there was a Town hall Meeting in order to gather information from the community and see if there was interest. It will be up for a vote at this council meeting if the council wishes to do so. It is listed as an action item if the council feels they have enough information.
 - Mayor Botti will read the email and the summary from the last time to refresh everybody and for the record. Mayor Botti reads the summary.

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- There is a new state law that allows the state and designated Resort cities to license qualifying restaurants to serve liquor by the drink with restaurant meals subject to certain restrictions.
- Resort cities are those defined as qualifying to impose local option tax. Having a population of 10,000 or fewer in a tourism-based economy, to be 10 miles from the boundary of national forest, to be more than 15 miles from a city with a population of 50,000 or more, to have the sewage flow 20% greater in the high season than in the low season, which Stanley does.
- The primary source of income must be derived from food sales not by liquor sales. Food sales must be at least 60% of total sales. No more than three licenses may be issued by a resort city.
- The city council of a resort city must pass a resolution allowing these licenses to be issued. The state of Idaho will not approve any liquor licenses to be issued until the city council acts. The city councils are not required to allow any of these licenses to be allowed, but the Alcohol and beverage Control (ABC) would like the cities to let them know soon if we decide to allow it. We need to notify ABC whether or not we allow the resort city liquor licenses.
- All liquor sales must end at the time food service and sales cease.
- A local resort city that allows resort city liquor licenses may impose additional date and time restrictions on liquor sales. That will require an ordinance if we pass this, the next decision would be, do we want to add any additional restrictions. That would be a state ordinance.
- If the state allows the resort city liquor license, they would be issued on a first come, first served basis to qualified applicants on the waiting list for state issued liquor licenses. A month ago, there were no applicants for the city of Stanley on the waiting list.
- Businesses will have 10 days to accept and 90 days to meet the requirements and utilize the license.
- If the city agrees to issue these licenses and does issue them, they cannot rescind them at a later date. Mayor Botti checked this with the city attorneys.
- At the Town Hall meeting the question was brought up as to what qualifies as a restaurant. Mayor Botti clarifies for the record. It is defined in two different places. In the state code title 23, chapter 9 it defines detail sale of liquor by the drink. It says that a restaurant means any restaurant, hotel, café, coffee shop, dining room, cafeteria, a railroad dining car or eating establishment having kitchen and cooking facilities for the preparation of food and where hot meals are regularly served to the public.
- Idaho administrative code that contains the rules applying to alcohol and beverage control which derives from that state law further defines a restaurant as an establishment maintained and advertised and held out to the public as primarily a food eating establishment where individually priced meals are prepared and regularly served to the public primarily for on premises consumption. The establishment must also have a dining room or rooms, kitchen and cooking facility for the preparation of food and the number and type of employees normally used in preparing and cooking meals. Must have stoves, ovens, refrigeration equipment and such other equipment used in normally found in restaurants and located on the premises on the premises of the establishment.
- Councilmember Cardoso questions then, the empanada truck and the coffee cart would not qualify? Mayor Botti says I would not think so.
- Mayor Botti Reads the email sent from Vicky Braun:

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Hi Jen

Thank you for your email.

My apologies for missing the line in your previous email which asked restaurants to register their interest in the new liquor license. The special meeting was unfortunately scheduled during peak hours for the restaurant. I would therefore like to offer the following comments:-

- Stanley has an exciting culinary scene which is integral to the package that draws people to the town and motivates them to return.
 - That contribution would be enhanced if visitors were able to enjoy a cocktail with their holiday meals. This would bring additional revenue for business owners and in turn for the community.
 - The parameters of the seasonal restaurant license encourage responsible drinking. Most restaurant customers in Stanley are families, who are unlikely to cause problems with day drinking or drunk driving.
 - At Sawtooth Luce's the majority of patrons enjoying an alcoholic beverage with their meal have only a single drink. We would be happy to share data from our POS system to confirm this.
- I hope that these comments will help to inform the decision making process.
 - This was the only communication that the city received after the town Hall meeting on the subject.
 - Councilmember Hernandez asks if we have received information on if this is a one and done thing. Is this our one time shot to say yes, or no? Do we have to decide on it, or can we wait until next year? Councilmember Hernandez says she knows Ketchum and McCall are going to do it and it would be nice to see how it affects them. She states that if we pass it, half the summer season would almost be over by the time restaurants apply, and the state responds. Some of the restaurants are already getting ready to close down for the season. Hernandez thinks we should come back after we gather more information and see how it's affecting other cities. Revisit it in the early part of the year and see if it's a nay or yay. This would allow people plenty of time to apply.

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- Councilmember Gabe states that he is against it. We can reserve the right to go forward with it in a year or two after watching other communities. He is against it.
- Mayor Botti says, yes, that is correct, we can always come back to it later and approve licenses.
- Councilmember Cardoso asks do we need to schedule a time to revisit it. He agrees with Councilmember Hernandez, he asks councilmember Gadwa her thoughts.
- Councilmember Gadwa agrees that we wait and see what the other cities do, see how it affects them. See if they have any increased problems with it, or if they don't have any problems. She thinks it would behoove us to wait, whereas we could pass this resolution later. She agrees with everything that has been said there.
- Mayor Botti recalls one of the issues that came up at the town Hall meeting was enforcement issues. It is not the only issue, there are pros and cons, but several people mentioned it. Either way, the criteria in the state law or if we were to pass an ordinance, there would have to be enforcement. Whatever criteria is put in place would have to be enforced whether it was about hours, or whether the restaurant menu qualifies. There are a lot of considerations moving forward. Mayor Botti states it is not to say that we shouldn't do it, he is not necessarily taking a side, just mentioning the issues and concerns that were raised. As Councilmember Cardoso was suggesting, we don't know for sure, we don't know how we would deal with those issues and whether it would be a problem or not.
- Councilmember Gadwa agrees that we need to look at how the other cities are enforcing and evaluating it. Have they set the sideboards that we talked about? How are they enforcing? How are they regulating or observing whether they are being complied with? There is concern that this may be another enforcing issue for Stanley. How much more do we want to put on not only the deputies, but how much do we want to put on the establishments for monitoring. Councilmember Gadwa would like to see what other cities are doing with that.
- Councilmember Cardoso says it sounds like three of them want to wait and see what happens, he asks Councilmember Cron his opinion.
- Councilmember Cron asks Councilmember Gadwa what she is worried about being enforced? What is going to change other than there will be some dinner restaurants serving cocktails during dinner hour? What are the other enforcement issues?
- Councilmember Gadwa states one of the concerns she has are if time or hour ordinances are set, would deputies be going into establishments at 10:30 or 11:00 PM to ensure that alcohol is not being served? How will that enforcement be carried out? She states that it is not so much enforcing but monitoring to make sure that alcohol service is not extending to after the hours that may be set in an ordinance. If someone is violating, then we have the problem of ticketing and those sorts of things. If sideboards are set up, how do we monitor what people are eating? Are people just ordering a side dish like French fries or a whole meal, like a burger? There has to be some sort of way to monitor these things. Councilmember Gadwa would like to see how other cities are monitoring that effect and see what side boards they are putting on.
- Councilmember Cron asks if Gadwa is saying that in order to have a drink, they have to order a meal as well?

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- Yes, that is what the law says in order to have a drink, they have to have a full menu meal.
- Mayor Botti confirms it cannot become a bar. The alcohol and beverage control confirmed this, it would have to be served with a full restaurant meal. It can't be snacks on the bar. It cannot be equivalent to what a person might do walking into a bar.
- Councilmember Cron's opinion is that as a council they should be working with small businesses to enhance the people's experience, and the profitability of small businesses. That should be one of their highest priorities. Are there enforcement issues? Yes, but it shouldn't be something that is a deal breaker. There are only a couple of interested parties and he doesn't believe they are interested in staying open past dinner hours. Having said that, he is in favor of tabling this until they know if there are interested parties. There are some parties that are on the fence interested, but we should wait and see if they are truly interested and want to pursue this. He doesn't believe anyone will do it this summer if we do vote on this. It's a big issue how we as the city government treat the small business community. He understands the three arguments that were at the Town Hall meeting. Yes, if you are a bar owner, you don't want another business competing. Cron doesn't believe it is direct competition, they are family restaurants. Not bar style restaurants. Councilmember Cron is in favor of tabling this to see how other resort communities do. We do need to keep in mind as a community government we need to allow other people to enhance their restaurants and businesses, and being able to have a cocktail at a family restaurant is doing that.
- Councilmember Cardoso makes a motion that we not approve the resolution 2024-3 and revisit this issue in a years' time. Councilmember Cardoso does want to note that we can't undercut other local businesses to prop up others. We can't choose sides. The three stakeholders in the bar scene feel like we would be cutting their legs out from underneath them. We can't favor one type of business over another.
- Councilmember Hernandez thinks that we should visit at the beginning of the year.
- Mayor Botti asks for clarification, is there a motion to not approve the resort liquor license at this time and re-address it in a years' time.
- Councilmember Gadwa thinks we should table it until the first of the year. Not that we do not want this resolution or are voting against it and would have to draft another resolution. Can we simply table it? Is everyone in agreement with that?
- Councilmember Cardoso makes a motion to table resolution 2024-3 until the first of the year. Councilmember Hernandez seconded the motion. All in favor, none opposed.

New Business:

- James Fowler would like to propose dates and proposed changes for 2025 SVG contract. (Sawtooth Valley Gathering) -- **Action Item**
 - James Fowler thanks everybody for their time. Had a great festival, it's a pleasure to be here, he is filled with gratitude. He says none of them live up here and it's a really special location to come and share with everybody. Grateful for all the parts that came together to get everyone here.
 - The park looked amazing, nicest it's ever been up there. The feedback from attendees say it was the best festival yet. Fowler says they are doing the best they can to make it easy on everybody. If he succeeds, everybody succeeds.
 - Fowler says that it's listed as a dollar per ticket of presale that goes back into the community. Not only that but actually four dollars of every ticket gets split between four non-profits. The Parent's Association has been a beneficiary since 2015, and Sawtooth Brewery donates 10% of their sales to that organization also. The Salmon River Clinic, the Sawtooth Valley Rural Fire Department and the Sawtooth Search and Rescue are the other

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three. Donations increased this time due to their numbers being up this year. They have also added another beneficiary, the late-night shows on Friday and Saturday at the Mountain Village and the Kasino club are ticketed sales and one dollar from every ticket sold goes to the Heart of Idaho Sanctuary over in Challis.

- The Cleanup crew has done a great job, the crew leaves the town cleaner than they found it.
- Fowler, as always, gave tickets to locals, he said everyone that showed up to the conference room at the Mountain Village got a ticket. He didn't turn anyone away that wanted to see some music.
- SVG promotes the other businesses in town and the chamber, they all promote each other. They are members of the chamber. They do their part to make the chamber known to help make everyone succeed.
- As far as the proposal for 2025 is concerned, the same game plan. In general, keep the same as previous years. From 2021 they have Thursday and Sunday in town and Friday and Saturday up at the park, pre-party at Kasino Club. SVG started a little later this year to give people a break from the elements and encourage people to go into town and promote local businesses. Mountain Village has sold more Bloody Mary's then it ever has.
- A lot of the vendors have been the same for the last ten years.
- SVG tries to be an asset to the community and wants the festival to be an asset to the community and wants to make it feel like the town is involved also.
- Mayor Botti asks what the final ticket sales were? Fowler replies they were within 20 tickets of being sold out for Saturday, which is about 1,480 attendee guests and then locals and friends, it was a peak attendance. It was close on Friday, Thursday and Sunday circulate a little more.
- Mayor Botti says it is helpful to know if it is near capacity, how it went, how it was managed. It is helpful to know that it won't grow and to know the number of people we will have to deal with. Fowler says the park would handle four thousand people up there, but it is a matter of parking and so forth. They had the shuttles working and tried to keep people moving through town and not congesting anything. The ticket sales were very close to capacity. But he would argue that not all those people were at the park at the same time. People were spread out to the lakes, the camping sites, in town and so forth.
- Councilmember Gadwa has a question about the contract in addendum A, it has live music listed at the Kasino Club until 2:00 AM on Wednesday. They cannot go until 2 AM that violates the city's municipal code. She acknowledges at this time they are just approving dates, and the contract will be adjusted later, but wants to make note.
- James Fowler, thanks her for that note, he says it is not outdoors, it is indoors. That is something that has been there the last few years. In truth, it ended at 1AM this year. That is indoors with the doors down at midnight.
- Councilmember Gadwa wants that put in the contract. It states that music will go until 2 Am, and that concerned her.
- Mayor Botti points out that elsewhere in the contract there is language that the music would comply with the city code, which would bring the noise ordinance into play. Need to reiterate the if we approve music goes until one or two am that doesn't mean they can violate noise ordinance in the course of doing that.
- Fowler says it is to his understanding that they have not had any complaints about those shows. The doors are down, they are very conscious of that and want to be good neighbors.
- Mayor Botti brings up that the maps may be a little different next year and will have to be incorporated into the new contract to include the ice rink being moved, and the parking by the new school and such. These things can be addressed in the spring. Fowler agrees to the walk through and the discussions that will need to happen.
- The dates are approved but there will have to be another meeting in the spring to address the contract details.

Councilmember Cardoso makes a motion to allow James to move forward with his proposed dates for 2025 SGV for June 18-24. Councilmember seconds. All in favor. None opposed.

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- City of Ketchum would like to raise fees for Lobbying services that Stanley pays —**Action Item**
 - Resort city coalition would like to raise the fees for the lobbying services by the Resort Cities Coalition. They are proposing a raise to \$500 in fees, right now Stanley is paying \$175 per year.
 - Councilmember Gadwa's opinion is that we are a very small resort city compared to the other resort cities and because of that she doesn't believe we should be involved in that. She doesn't want to spend the five hundred dollars, that's a little bit much for our small city to take on.
 - Councilmember Cardoso agrees, he doesn't know if we benefit from what they are doing.
 - Councilmember Cron asks what would we pay into lobbying for?
 - Mayor Botti says it's whatever issues the resort cities coalition want to lobby for. One of them was the restaurant city liquor license, another one was a change to the Idaho Liquor law that was recently passed that they weighed in on. Basically, what they want to do is have somebody there dealing with the state legislature. For example, there are some cities that aren't currently qualified to levy a local option tax that want to, the city of Boise, for one, and their population is a little over ten thousand last time he looked. Issues like that that come up that would perhaps affect the local option tax or dealing with the option tax. They want to increase their lobbying efforts, so the question is: is it worth it to us? We don't have to participate as a resort city, however, we are eligible.
 - Councilmember Cardoso says they are not looking out for us.
 - Councilmember Gadwa says it doesn't prevent us from having input. For example, if they decide they want to mess with the option tax and we don't agree, it doesn't prevent us from having our input. We won't have a lobbyist or a single person doing that, but we can still have input. Gadwa says she's been involved in lobbying organizations, she knows what it is, she likes lobbying but the jump from \$175 to \$500 is a little bit much for this small of a community. Bigger communities are probably paying more, but we need more information before we commit ourselves to that kind of budget. When you look at our budget compared to their budget, \$500 is a lot for our budget.
 - Mayor Botti states that if the state legislature wanted to change any of the option tax, or how a city could levy it, or what the rate would be, or anything like that, he would definitely be calling them up. Mayor Botti doesn't believe we benefited greatly from their lobbying efforts to this point. This issue with the resort liquor licenses and if it turns out to be a good thing and if Stanley wants to do it then, they would have had a hand in that. He is not aware of a lot of issues right now.
 - Councilmember Cardoso says they are not looking out for us all really, he feels it is for Ketchum and McCall and that's it.
 - Councilmember Cron wishes he knew more about what their mission is. It is nice to be represented statewide and know we can be represented. It does seem like an important entity within the context of what we really are, which is a resort community.
 - Councilmember Hernandez says it would be nice to know what their agenda is, we need more information besides the bill.
 - Councilmember Cardoso suggests we request more information before we move forward.
 - Mayor Botti says we can do that. We can request what kind of issues they are working on and what is the focus of what they are hearing from the other cities.
 - Councilmember Cardoso makes a motion to table the lobbying services issue until we request more details and more information on the lobbying services. Councilmember Gadwa seconds. All in favor, none opposed.

Building Permits/City Council Approval:

- Maintenance manager Peters notes that Kuba at the end of Critchfield was approved will begin to build in the next week or two.

Building Permits approved by the Building Administrator:

- None

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City Clerk Report: (Jennifer Hayes)

- Bringing in Brad Grohusky to integrate .gov. Clerks email is full; we are working on it.

Option Tax/Treasury Report:

- Option Tax update- looks good. Still up.
- Budget Workshop Dates—had to move Budget Hearing workshop to July 23, 2023.

Adjournment:

Mayor Botti adjourns the meeting at 7:12 PM.


Steve Botti, Mayor

ATTEST: 
Jennifer Hayes, City Clerk Treasurer