

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
SEPTEMBER 7, 2010**

Pursuant to adjournment of the City Council meeting held August 17, 2010, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday, September 7, 2010**, at 7:00 p.m. A roll call was taken and present were council members: Jay Mazalewski, Colin Dye, George Mosher, Mayor Daniel Powers, Planning and Zoning Administrator Doug Self, Public Works Director Jared Gunderson, and City Attorney Stephen Zollinger. Mayor Daniel Powers led the Pledge of Allegiance.

MINUTES TO REVIEW

Council Members reviewed the minutes from the City Council Meeting.

Council Member Mosher made a motion to approve the minutes of the August 17, 2010 City Council Meeting. Council Member Dye seconded the motion. The motion passed unanimously.

CLAIMS REVIEW

Council members reviewed the claims.

Council Member Mosher made a motion to approve the claims as presented dated August 18, 2010 through September 7, 2010. Council Member Mazalewski seconded the motion. The motion carried unanimously.

HAZARD MITIGATION PLAN / NATIONAL FLOOD INSURANCE PROGRAM

Mayor Powers stated that Mr. Self had been working on a Flood Plain Ordinance. However, through FEMA, there was a grant for a Hazard Mitigation Plan. The water line reconstruction on Main Street can qualify for this grant in three different ways; to prevent freezing issues, increase fire protection to the downtown area, and make sure the water line itself is more earthquake resistant. Mayor Powers stated the City had filed intent to pursue. However, the application was not due until November. To be eligible for this grant, the City must have current flood insurance.

ORDINANCE 317-10: FLOOD DAMAGE PREVENTION ORDINANCE – FIRST READING

Mr. Self explained to the Council that Resolution 224-07 – National Flood Insurance Program Participation, was created to assure the Federal Assurance Administration that the City would adopt these regulations. The Planning and Zoning Commission reviewed the Flood Plain Ordinance in 2005, but due to the amount of corrections needed in the subdivision ordinance, it was tabled.

Mr. Self explained the changes that were made by the Idaho Department of Water Resources, the Planning and Zoning Commission and Jennifer Zung of Harmony Design.

One edit was to add the “cumulative substantial improvement” for development, reconstruction, remodel or other improvements for a structure. Such action that was 50% or more of the market value shall be inspected and must comply with the Flood Damage Prevention Ordinance. These improvements would be counted cumulatively for ten years. The Council discussed the options of making it cumulative for 5 years.

Council Member Mazalewski questioned who would be the administrator for this ordinance. Mr. Self replied that he would and would need some training in the future.

Council Member Mosher made a motion to consider Ordinance 317-10 Flood Damage Prevention to be first read. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

PUBLIC WORKS REPORT

Review Pathway Bids

Jared Gunderson stated that 5 bids were received for the pathway projects. The two lowest ones were presented to the Council. Council Member Dye questioned if the City was required to take the lowest bid. Mr. Gunderson replied that it wasn't necessary but that the City should since they requested bids.

Council Member Mazalewski felt that if the pathway projects were budgeted for \$25,000 and the bids were under that amount, all pathways should be done since the City had the material to complete all at this time.

Council Member Mosher made a motion to accept Mackin Brothers bid for the pathway improvements using material from the airport and to do all 4 phases. Council Member Dye seconded the motion. The motion passed with all in favor.

Mr. Gunderson further reported that SilverStar completed a service project at Lion's Park and that Ace Hardware donated a significant amount of paint for the project. The lower ponds at the lagoons were being drained, but Mr. Gunderson felt the clean up might have to wait until after the first frost.

Mr. Gunderson felt that the City would need to hire someone to remove the rest of the material on Ned Thomas property before the contract expired. Mayor Powers felt that the \$200 a day penalty was cheaper for the City to endure than to hire someone to haul the extra material.

The location of street signs in Calico Sky was discussed.

WASTEWATER TREATMENT FACILITY UPGRADE EID REVIEW

Mayor Powers stated that not all information had been received from Scott Rogers so he suggested tabling this discussion.

VICTOR/DRIGGS SEWER AGREEMENT

Stephen Zollinger reviewed the agreement and had no issues to discuss. Mayor Powers did not feel the agreement changed much and that some things were clarified better. Mr. Gunderson questioned if a sewer committee would need to be developed. Mayor Powers did not feel this was necessary if there was consistent communication between the two cities.

Council Member Mosher made a motion to approve the Intercity Agreement for Wastewater Treatment Services. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

BROKEN SPUR SUBDIVISION – REQUEST TO EXTEND PRELIMINARY PLAT APPROVAL (5 YEARS)

Mr. Self stated that the Broken Spur Plaza had requested an extension on the preliminary plat. There was no specific maximum and minimum extension time stated in the City Code but the Council had never approved more than one year. Mr. Self stated there were no pending regulation changes. However, there was a change to the adjacent development that may change connectivity. Mr. Self concluded stating that this should not be a reason to not grant an extension, as this could be resolved in the future.

Council Member Mosher made a motion to approve the Broken Spur Extension request for one year. Council Member Dye seconded the motion. The motion passed with all in favor.

PLANNING AND ZONING REPORT

Area of Impact Renegotiation

The Planning and Zoning Commission reviewed the boundaries of the Area of Impact and recommended the adoption of the revised boundaries while maintaining the current ordinances and the city comprehensive plan within the Area of Impact.

Mr. Self explained the Area of Interest, which would include a larger area. The Planning and Zoning Commission and the City Council would review comments from Mr. Self to the County. These applications would not go through a Public Hearing within the city. Mayor Powers suggested that only the Planning and Zoning Commission review these types of applications. Mr. Self further explained that the area of interest would give a buffer around the areas incorporated in the transportation plan and the sewer jurisdiction.

Mr. Self reviewed the extended boundaries of the Area of Impact. He stated the areas being added would keep the current county zone, which was ADR2.5. Mayor Powers felt that increasing the Area of Impact would increase the trouble of administering the area. Mr. Self felt that those concerns had been reduced over time, as the planning administrators at the County appear to understand and follow the Area of Impact Agreement.

Mayor Powers also wanted to ensure that the city was not encouraging urban sprawl. Mr. Self replied stating that the city shouldn't be allowing those outside of the area of impact to connect to the water system and that extending the area would give the city more

control over development. Mr. Zollinger felt the city should protect a big enough area for future growth. Mayor Powers questioned if a water and sewer service boundary area could be developed. Mr. Self replied that it could.

Mr. Self stated that once the Council was agreeable to the Area of Impact, a joint meeting with the County would take place and then Public Hearings would be scheduled.

Council Member Mosher made a motion to approve the recommended Area of Impact boundaries dated August 16, 2010. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

Mr. Self reviewed the building and grant activity with the Council.

APPROPRIATION ORDINANCE 318-10 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010

Mayor Powers explained that this ordinance would approve the budget that was already reviewed and approved by the Council.

Council Member Mosher made a motion to suspend the rules and read by Title only Ordinance 318-10. Council Member Dye seconded the motion. Schuehler took a Roll Call vote; Council Member Mazalewski, aye; Council Member Dye, aye; Council Member Mosher, aye. Mayor Daniel Powers read the ordinance by title only.

Council Member Mosher made a motion to approve Ordinance 318-10 as presented. Council Member Mazalewski seconded the motion. The motion passed unanimously.

DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Powers read the proclamation.

Council Member Mazalewski made a motion to support the Domestic Violence Proclamation. Council Member Mosher seconded the motion. The motion passed with all in favor.

Mayor Powers informed the Council that the School District was doing a Suicide Walk on September 14th at 1:00pm and encouraged all to participate.

Mayor Powers stated there were scheduling conflicts with staff on Friday afternoons. He questioned if the Council was agreeable to having the office open at 9:00 and close for lunch and/or early on Fridays. Council Member Mazalewski suggested being opened ½ hour later one day during the week for those that work outside of Driggs. He also suggested the office close after the typical lunch hour, at 1:00pm. Mr. Zollinger discussed the option of a drop box, similar to that in Rexburg.

Mayor Powers updated the Council on the Geotourism project. He stated the RFQ had not been issued, as there was some discussion on the language of the document. Council

Member Mazalewski reminded the Mayor that a public forum needed to be scheduled and stated he would assist with that as needed.

EXECUTIVE SESSION

Council Member Mazalewski made a motion to go into executive session at 9:11pm pursuant to Idaho Code 67-2345(d). Council Member Mosher seconded the motion. Schuehler took a roll-call vote: Council Member Mazalewski, aye; Council Member Mosher, aye; and Council Member Dye, aye. The motion carried unanimously.

The Council came out of executive session at 9:35pm.

ADJOURNMENT

Council Member Mosher made a motion to adjourn. Council Member Dye seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:36pm.

ATTEST:

Sonya Adams, City Clerk

Daniel J. Powers, Mayor