

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
MARCH 16, 2010**

Pursuant to adjournment of the City Council meeting held March 2, 2010, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday March 16, 2010**, at 7:00 p.m. A roll call was taken and present were council members: George Mosher, Jay Mazalewski, Greer Jones and Colin Dye, Mayor Daniel Powers, City Attorney Stephen Zollinger, Planning and Zoning Administrator Doug Self, and Public Works Director Jared Gunderson. 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 March 2, 2010 City Council Meeting. Council Member Mazalewski seconded the motion. The motion passed unanimously. Council Member Dye abstained from the vote due to his absence at the subject meeting.

CLAIMS REVIEW

Council members reviewed the claims.

Council Member Dye made a motion to approve the claims as presented dated March 3, 2010 through March 16, 2010. Council Member Mazalewski seconded the motion. The motion carried unanimously.

KATHY RINALDI – UPDATE REPORT

Kathy Rinaldi, Teton County Commissioner, reported to the Council. She stated a Road and Bridge levy would be on the ballot this May and would be set at a million dollars each year for two years. The county would be getting educational flyers to the community to explain the reasoning for the levy. Ms. Rinaldi stated that during a recent telephone survey, most people were not in favor of doing the levy during these economic times. However, the County was going forth because there was a serious infrastructure problem and property taxes, which were not put toward the Road and Bridge department, did not aid in funds.

Ms. Rinaldi then voiced the importance of the Census and asked the Council to promote it to the constituents.

Ms. Rinaldi stated the County would be re-writing the Comprehensive Plan and was going to go back to the public to review the vision of the Valley. During that process, the County would like to work with the City regarding the Area of Impact. Ms. Rinaldi stated the Area of Impact was “probably not what we want and has some legal issues according to Kathy Spitzer.”

Council Member Mazalewski questioned why the County chose an out-of-valley construction company for the RFQ for the chip seal on Ski Hill Road. Ms. Rinaldi discussed the bid process and why that choice had to be made.

LEA COLASUONNO-TARGHEE ANIMAL SHELTER UPDATE

Ms. Colasuonno stated that the shelter had raised about \$92,000 in private donations. She stated that without the money from the cities in Teton Valley, the shelter would have been closed. She further stated that this was the slowest time of year for spay and neutering. Council Member Jones questioned if the clinics that the veterinarians provided, affected the shelter. Ms. Colasuonno stated it helped the shelter and further stated that the money that was donated by the City of Driggs went directly to help with spay and neutering.

Ms. Colasuonno stated the shelter had a website that allowed owners to look for animals that are lost. She concluded by stating that it costs the shelter approximately \$100 to house an animal, which did not include the cost to maintain the shelter.

CHERI MILNE – TETON INDOOR SPORTS ACADEMY

Ms. Milne stated she currently had about 120 students enrolled in classes, with several families who participated in open gym. She would like to start a competitive gymnastic team and was looking for more space in the Community Center. She stated she understood that the lease would have to be revised and that the rent would increase.

Ms. Milne stated that she had many concerns from parents regarding the information that had been in the newspapers regarding the Community Center. She felt her program was based on the community and wanted to remain in the building once improvements began. Mayor Powers replied, stating that the City wanted to have a series of public forums to determine what needs to be done with that side of the building. He concluded by stating, “this use fits in, but it’s a bigger decision than just mine.”

Council Member Mazalewski questioned how the new lease would be drafted due to the different changes that may take place. Mayor Powers felt the expiration date from the current lease should be kept and the rent should be raised proportionately.

PUBLIC HEARING – WATER RATE INCREASE – 7:30PM

Mayor Powers explained the reason for increasing the water rates and the logic behind the rate structure that was chosen. The city was currently running in an operation deficit of 6% and a total deficit of 33% when depreciation was included. A public hearing was held last October and Mayor Powers stated that several comments from that hearing were taken into consideration.

For a residential consumer using a 1-inch line, the monthly water fee would increase by 17% and the per-gallon charge for overages would be raised by almost 100% to \$1.00 per gallon. The hope was to promote conservation and creative landscaping, Mayor Powers said. He felt that the total projected revenue increase based on 2009 would be about 31% but with the conservation incentives, the actual amount of revenue may be less. With

this, the depreciation still would not be fully funded. Mayor Powers concluded by stating that there was a letter from Sunrise Engineering supporting the current rate structure.

Mark Rockefeller had general questions concerning the rates of residential users versus commercial users and if the winter water allowance would still be in affect. Mayor Powers stated the rates were based on the size of the water line one had and that the winter allowance standards did not change. Mr. Rockefeller stated he understood the direction and the need for the City “not to run into the red.”

Mayor Powers opened the Public Hearing at 7:43pm.

Hope Strong questioned the map that indicated what users were able to use the 10,000-gallon winter allowance. He stated the resolution did not include that or state that the people outside of the zone would be charged for the increased water use in the winter. Mayor Powers stated the map would need to be adopted as an official document to the resolution.

There was no further comment and the Public Hearing was closed.

Council Member Mazalewski wanted to ensure that the Council evaluates this issue again next year to review the data.

Council Member Mosher stated he felt the City was trying to raise cost fairly and that the comments from the previous public hearing were taken into consideration to come up with the proposed rates.

Stephen Zollinger stated the City should pass the water rate increase and then pass a separate resolution to include the map that indicates which users were able to use the water allowance in the winter months.

Council Member Mazalewski made a motion to adopt Resolution 250-10 Adopting an Increase in Water Rates in Excess of 5%. Council Member Dye seconded the motion. The motion passed with all in favor.

PUBLIC WORKS REPORT

Jared Gunderson stated that the RFQ for the Engineer for the sewer plant design was put into the newspaper. He further stated that Scott Rogers would be in Driggs to discuss DEQ issues that need to be resolved.

The dirt at the airport was being removed. Mr. Gunderson stated that the County and City of Victor had taken advantage of it. Mr. Gunderson stated that at this time the City was trading the dirt for services.

Council Member Mazalewski asked Mr. Gunderson for the parks budget. He stated that the Parks and Recreation Committee was beginning to assess the parks.

Mayor Powers stated that he received a letter from the County regarding the reclaimed pavement at the airport. Mayor Powers asked that Mr. Gunderson identify all potential uses the City may have first, before allowing the County to have it.

PLANNING AND ZONING REPORT

Doug Self stated that the City was awarded the Energy Efficiency and Conservation Block Grant and a grant to install solar panels at the sewer lagoon. Mr. Self reported that the grant through the Local Highway Rural Improvement Project grant was not awarded to the City.

Building Code Amendment-Architecture Stamp Requirement

Mr. Self presented a draft for the Building Code Amendment as requested by Jason Letham. This would require a licensed architect's stamp be on construction documents for new commercial construction and allow the Building Official to require an architect's stamp on construction documents for commercial remodels. It was explained that the fee for an architect's stamp on plans should be included in the fees for drawing plans.

Stephen Zollinger stated legally there were others, besides architects that had authorization to stamp plans. Mr. Self stated that others could stamp the plans, but were not authorized to ensure all other building code requirements were met, such as occupancy, egress, etc. He further stated that the City had problems with engineers not wanting to have their stamp on plans for the above issues. Mr. Zollinger stated that some may refuse, but that the State Statutes authorized them to stamp plans and the Ordinance should include those that could do so. Mr. Self stated the International Building Code states "licensed design professional" and would change the word "architect" to "licensed design professional in the State of Idaho."

Council Member Jones made a motion to consider Ordinance 313-10 as first read with the changes discussed. Council Member Mosher seconded the motion. The motion passed with all in favor.

Broken Spur Subdivision-Request for Extension on Final Plat Approval

Mr. Self stated that the Broken Spur Subdivision was requesting a six-month extension on the recording of their final plat in order to get signatures on the final plat Mylar, signatures on the Development Agreement and the financial survey completed.

Council Member Mosher made a motion to allow for a six-month extension for the final plat for the Broken Spur Subdivision. Council Member Jones seconded the motion. The motion passed with all in favor.

Mr. Self concluded his report by explaining the actions of the Planning and Zoning Commission during the previous meeting.

MAYOR'S REPORT

Lou Simonet-Discussion of Teton Creek Bridge

Mayor Powers stated that Lou Simonet would provide information regarding the Teton Creek Bridge. However, because he was not on the agenda, the Council could not go forward with a decision at this time.

Mr. Simonet stated that the County had obligated \$200,000 for the Teton Creek Bridge. The Road and Bridge Department was doing most of the work due to the tight budget. Harmony Design did the design for the riprap to protect the bridge. The sewer line that connects to Driggs Centre was installed approximately a year ago and with the reconstruction of the bridge, the grade was different. Therefore extensions need to be put on the sewer manholes. The County wants to ensure there would be no damage or erosion up stream. Riprap would be placed before bridge, on both banks and around the “bulb” that was further downstream.

Mr. Simonet stated the original estimate for this project did not include labor because Road and Bridge was going to do most of the work but had taken longer than thought. He explained that the county had about \$10,000 left and to finish the project would take approximately \$23,000. Filter rock and riprap are already on location. Mr. Simonet stated that minor excavating needed to be completed before the filter rock and riprap could be done. He felt that a more experienced company should finish the job to ensure it was done correctly. Mr. Simonet concluded by stating that the Road and Bridge Department did not have the equipment to easily finish the job, but was able to do so with a bit more time. He reminded the Council that the snowmelt would be arriving soon and the bridge needed to be complete prior to that time.

It was discussed to inquire about a multi-jurisdictional grant. Council Member Mosher felt the use of the bridge would not decrease. Mayor Powers questioned if there was room for pedestrians on the bridge. Mr. Simonet stated that there was an easement at another section of the creek for a pedestrian bridge to separate pedestrians from vehicle traffic.

Music on Main

Mayor Powers stated the City received a response from the Teton Valley Foundation and it appeared there would be a split between Driggs and Victor. Mayor Powers stated he spoke to the Foundation and that was not the case. They are currently still open to the idea of having Music on Main in Driggs for 2010 and in Victor for 2011. Mayor Powers stated he met with Aaron Myler to pursue the use of their parking lot for Music on Main. He felt that Mr. Myler was amenable to the use, but was going to check with his other business partners. The 2011 Main Street construction project should be taken into consideration as well and it appeared that the best option would be to have it in Driggs for 2010 and Victor for 2011 to avoid construction work. The best option may be to try to expand the space in the front of the Community Center for this year.

Council Member Mazalewski felt that it would not be cost effective to make improvements to use the Ethington property for only three weeks, but felt that it would work if it was for the full season. He also suggested talking to the Mayor of Victor to discuss a possibility that would work for both cities.

Scenic Byway

Mayor Powers stated he proposed a timeline regarding this project to Reid Rogers. These provided goals to move the project forward. Council Member Jones felt public forums should be scheduled in the future.

Council Member Jones reported on the Centennial Committee and Heritage Days.

EXECUTIVE SESSION

Council Member Mazalewski made a motion to go into executive session at 9:10pm pursuant to Idaho Code 67-2345(f). Council Member Mosher seconded the motion. Schuehler took a roll-call vote: Council Member Mazalewski, aye; Council Member Jones, aye; Council Member Mosher, aye; and Council Member Dye, aye. The motion carried unanimously.

The Council came out of executive session at 9:27pm.

Stephen Zollinger explained the agenda for the recent meeting with the FAA. He reviewed what took place at the meeting and stated that Mr. Self had drafted language and concepts that address their concerns. He asked the Council to authorize Mr. Self to work with the Airport Board to formulate the position that the City of Driggs continues to support what is in place regarding residential uses at the airport. Council Members Jones, Mosher and Mazalewski verbally gave their support.

Election of Council President

Council Member Jones made a motion to elect Council Member Mosher as Council President. Council Member Dye seconded the motion. The motion passed with all in favor.

ADJOURNMENT

Council Member Mosher made a motion to adjourn. Council Member Jones seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:38pm.

ATTEST:

Sonya Adams, City Clerk

Daniel J. Powers, Mayor