

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
MAY 3, 2011**

Pursuant to adjournment of the City Council meeting held April 19, 2011, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday, May 3, 2011**, at 7:00 p.m. A roll call was taken and present were council members: Greer Jones, Colin Dye, George Mosher and Jay Mazalewski, 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 previous City Council Meeting.

**Council Member Jones made a motion** to approve the minutes of the April 19, 2011 City Council Meeting. Council Member Dye seconded the motion. The motion passed with all in favor.

**CLAIMS REVIEW**

Council members reviewed the claims.

**Council Member Dye made a motion** to approve the claims as presented dated April 20, 2011 through May 3, 2011. Council Member Mazalewski seconded the motion. The motion carried unanimously.

**TARGHEE ANIMAL SHELTER – BUDGET REQUEST**

Rhonda Kjos presented financial documents from the shelter and spoke to the Council. She explained that in November 2009, the city donated \$6,000 to the spay and neuter program at the Targhee Animal Shelter. She explained that without that donation, the program would not have succeeded.

Ms. Kjos was requesting funding at this time, explained that the winter season was hard for the shelter as the propane costs were higher, the animals were indoors more and more employees were needed. She further explained that because of higher unemployment and foreclosure rates, many people were surrendering their pets.

Ms. Kjos explained other means of funding, stating that a thrift store for the shelter may be developed and obtaining a professional grant writer was being researched. The biggest issue was trying to find funds for salaries, the propane bills and medications, as most grants do not fund those needs. She concluded by stating any help would be greatly appreciated.

Mayor Powers suggested that the Council not make a decision on this request immediately as there were several others requesting money during the meeting all should be heard before determining. He further informed the Council that \$10,000 was budgeted for non-profit support.

Council Member Mazalewski was concerned with the problems of stray dogs within the community and explained the desire to fund an animal control officer in the future. Ms. Kjos responded stating that a major issue was that citizens were not registering their dogs and therefore, Ms. Kjos felt there were no consequences. She stated the shelter was trying to get a grant for a pet tag ID maker and that they were going to go to the schools and educate children about the responsibility of pet ownership.

Council Member Mazalewski questioned if having an animal control officer would mean more work for the shelter. Ms. Kjos stated that a cat and dog quarantine had been developed and she felt that once it was known that fines would be enforced, resources would be saved in the long run.

#### **MAIN STREET CONCERNS – PHYLLIS LAMKEN**

Phyllis Lamken, owner of Dark Horse Books, spoke to the Council. She was concerned about the Main Street project stating that the work was a good idea but the timing was not. She felt if the road was worked on during July and August, “it would be disastrous” as the city needed more retail businesses, not road construction to attract tourism. Ms. Lamken felt the project would put the current retail stores out of business and stated that her store had 45% less profit this year. She did not feel the plan to close certain lanes would help those along Main Street maintain business and asked that the Council do the project during another period of time.

Mayor Powers stated the start date for the project was May 23, 2011, which had been moved forward to try and end the project earlier. He also stated that the project would be staged differently, which may enable the project to be completed by late July or early August. Ms. Lamken stated she felt the project should be done during the winter months to which Mayor Powers responded that the project was already under contract. He reminded those in attendance that it was a state highway and the project was state funded. He further stated that he was doing all in his power to work with the concerns of the community and get the project started as soon as possible.

#### **TETON VALLEY BUSINESS DEVELOPMENT CENTER PRESENTATION**

Ken Chambers, a Board Member for the Teton Valley Business Development Center, spoke to the Council and read the business proposal. He explained the intent was to request enough funds to cover rent and administrative assistance, totally about \$25,000. He felt that something needed to be done to assure business development in the future.

Council Member Mazalewski stated that the city might be able to supply an office within City Hall. Mr. Chambers responded stating the intent was to have the Chamber of Commerce, the Teton Valley Foundation and the Teton Valley Business Development Center housed together. He stated he had an office in one of his buildings and he would substantially reduce the rent for those organizations.

Council Member Mazalewski questioned if grants had been researched. Anne Callison stated that a grant should be given to the center in 2012 if a 501c3 was obtained. The request for funds was to “open the doors” and begin to develop the center. Ms. Callison

stated that one project that would be completed was to provide entrepreneurs a package of information regarding the community. She concluded by stating that the Department of Labor and Ted Hendricks with ECIPDA had been contacted as well to help with the commencement of the center.

Mayor Powers felt that city should develop an economic strategy. He felt the business center could actively be recruiting businesses and attend trade shows. In the mean time, the city should develop goals and have a future plan. Council Member Mazalewski suggested working with other agencies as well as the other cities within the Valley.

It was requested this topic be discussed at the next City Council Meeting.

### **COUNCIL OF GOVERNMENTS MEMORANDUM OF AGREEMENT**

Mayor Powers explained this memorandum would enable the cities and county to work together quarterly as a group. The Council of Governments would be comprised of the County Commissioners and the Mayors, although each entity could determine whom their representative would be. The Council Members felt Mayor Powers was the best representative. Corrections were discussed.

**Council Member Mosher made a motion** to approve the Memorandum of Agreement between the Teton County Board of Commissioners and the Municipalities within Teton County, Idaho to form a Council of Governments. Council Member Jones seconded the motion. The motion passed with all in favor.

Stephen Zollinger voiced his concerns stating that according to the agreement, any disagreement among the group would be settled through mediation or arbitration and he was not comfortable with the generalized statement. He felt the agreement should be more specific. Council Member Mazalewski requested that Mr. Zollinger review the agreement after corrections were made.

### **VICTOR SEWER AGREEMENT**

Mayor Powers stated he attended the City of Victor's Council Meeting and they do not want to own the trunk line and want to keep the ownership and maintenance of the line as it was. Victor request that the City of Driggs pay for the upgrade for the last quarter mile of the trunk line because even though the need for it is marginal, if it wasn't done now, it would need to be done in the future by Victor.

Council Member Dye felt that Victor should maintain the line to the city limits. Council Member Mazalewski stated he thought the city should maintain control at the current location but was not willing to upgrade the line as it currently met capacity. If the trunk line needed upgrades in the future due to connections the City of Driggs added then, Council Member Mazalewski stated, the City of Driggs should be responsible for the cost of the upgrade. Mr. Zollinger stated the terms of the current agreement stated the City of Victor was responsible for the upgrade.

Mr. Gunderson stated there was plenty of capacity within the line. Mayor Powers stated that Victor argued that it would be cheaper to upgrade the line at this time than in the future. Council Member Mazalewski suggested Mayor Powers suggest that the City of Driggs would meet the current flows needs for the line but did not want him to guarantee future capacity that was not known.

Mr. Gunderson stated that if Victor were on a regular cleaning schedule with the trunk line, it would increase the flow of the line.

## **PLANNING AND ZONING REPORT**

### **Recreation Center Proposal**

Mr. Self stated that he drafted a Resolution for adopting a policy for the recreation center in Phase II of the Community Center. This space would not include the Scenic Byway Center. He suggested reviewing the information and officially discuss it at the next meeting.

Mayor Powers suggested designating space for other potential uses other than Scenic Byway Center. Mr. Self felt the Council should not designate any specific space until the Scenic Byway Center was designed.

## **PUBLIC WORKS REPORT**

### **Source Protection – IRWA**

Melinda Harper from the Idaho Rural Water Association spoke to the Council. She stated she had been contacted by Mr. Gunderson to discuss the water source and its protection. She further stated that drinking water was valuable and without the source water, most communities fail. The biggest concern was nitrates, Ms. Harper stated, and these areas in Teton Valley with the nitrate spots should be noted. Source water protection plans were simple and could be accomplished quickly and she volunteered to do help the City of Driggs at no cost.

### **Special Events and Activities Application Review**

Council Members reviewed the application. Mr. Gunderson stated there was occasional confusion with the City Park scheduling and he felt this would assist. Council Member Mazalewski questioned if the City wanted to add a fee to the application, although he stated, he did not want to discourage anyone from using the facilities. Mr. Gunderson stated that the requirements to provide trash receptacles, portable restrooms and clean up of the area after an event eliminated the need for fees.

Mayor Powers suggested a refundable deposit be required in case keys were not returned or clean up of the area was not completed. The Council determined that a deposit of \$300 was appropriate.

### **Trails and Pathways Discussion**

Mr. Gunderson stated that the hours of operation within this ordinance were included for future curfews that may occur. Council Member Jones was concerned that if a stipulation

were created, people would not use the pathway after late school events. The Council decided not to include this until a problem arose.

Council Member Dye stated the City could not prohibit someone from carrying a concealed weapon and asked the wording be changed under Section 1.01.90 regarding firearms. He also stated he did not feel horses should be on pathways and that manure should be cleaned up and removed. Council Member Mazalewski agreed that horses should not be allowed on paved pathways but did not feel they should be eliminated from all pathways.

Council Member Mazalewski questioned the reasoning for prohibiting climbing trees or sitting on fences. Mr. Gunderson stated that trees could be damaged. Council Mazalewski stated he did not want to write an ordinance that was not going to be enforced. Mr. Self stated the Tree Ordinance prohibited the damage of public trees.

Mr. Gunderson discussed the general activities of the public works department.

#### **MAYOR'S REPORT**

Mayor Powers stated there was a log jam in Teton Creek downstream from Cemetery Bridge. When the snow melts, this would cause a problem. Friends of the Teton River received a quote from MD Nursery and Aqua Terra to resolve the issue. FTR was also willing to pay for half of the fee. Mayor Powers requested that the Council approve \$1,000 from the contingency fund to give flexibility to address any issues that may come up. However, he felt the cost would be less than \$1,000.

**Council Member Mazalewski made a motion** to authorize \$1,000 to the removal of a log jam down stream from the Cemetery Bridge. Council Member Jones seconded the motion. The motion passed with all in favor.

#### **ART WALK FUNDING**

Teri McLaren discussed with the Council the First Friday Art Walk. She requested funds for advertisements for the events stating that the business owners involved did not feel they were able to contribute more than what they were doing by providing refreshments. She felt that one ad in the newspaper each month would keep the event in the public's eye while promoting it. Ms. McLaren stated that she had found a free website and once developed, could be linked to the city's website. She concluded by stating that the event had been proven successful in other communities.

Mayor Powers suggested approving funds to get ads through the summer, as he did not feel comfortable approving funds for the next fiscal year.

Mayor Powers stated that bids were being obtained for the repairs to the Industrial Building. He further stated that there were two potential tenants for the remaining space and questioned if the past rent, \$.40 per square foot, was adequate or if it should be lower with the economy. Council Member Mazalewski questioned if there was a tiered rate structure. Mayor Powers stated the intent was to be a business incubator. The Council

felt that if the rate needed to be lowered to get a tenant in the building it could be dropped but not lower than the rate for unfinished space at \$.26 a square foot.

Council Member Dye requested the Council to consider a Texting While Driving Ordinance. Discussion began and it was determined that an ordinance should be developed.

Mayor Powers stated the project to bury the power lines had been completed. He stated he would also like to hire an intern during the summer to help with marketing and communication, updating the website and helping with the newsletter, etc. The High School was screening candidates for the job.

**ADJOURNMENT**

**Council Member Mazalewski made a motion** to adjourn. Council Member Dye seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:53p.m.

ATTEST:

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Sonya Adams, City Clerk

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Daniel J. Powers, Mayor