

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
APRIL 6, 2010**

Pursuant to adjournment of the City Council meeting held March 16, 2010, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday, April 6, 2010**, at 7:00 p.m. A roll call was taken and present were council members: George Mosher, Jay Mazalewski, 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 16, 2010 City Council Meeting. Council Member Mazalewski 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 March 17, 2010 through April 6, 2010. Council Member Mazalewski seconded the motion. The motion carried unanimously.

PLANNING AND ZONING REPORT

2nd Reading – Building Code Amendment – Architect Stamp Requirement

Doug Self stated that it was not necessary for the Council to adopt the amendment as it was approved at the last meeting and should not be on the agenda.

Mr. Self then reported on the Energy Efficiency Block Grant and stated he would implement the project upon his return from vacation. He explained the meetings for Safe Routes to School and the workshop VARD was hosting entitled “Reshaping Development Patterns.” He concluded by stating that Teton County, Teton, Victor and Driggs were going to form a Comprehensive Plan Committee in the near future.

PUBLIC HEARING – SIGN ORDINANCE AMENDMENT – 7:30PM

Mr. Self stated the last time the Sign Ordinance was amended was in 2004. Through a number of sign applications, the Planning and Zoning Commission felt there were several concerns that should be addressed. The new Sign Ordinance amendment was put into the Driggs City code format to match the new codebook.

A letter was sent to all businesses, and Mr. Self stated no comments were received from the letter or the public hearings with the Planning and Zoning Commission. He explained the significant changes that were included with the amendment. Those changes include, but are not limited to, allowing a sign face replacement without a permit, increasing the

number of days allowed for a temporary sign from 9 days to 14 days, restricting neon window signs to 6 square feet, increasing the number of allowed freestanding signs for a multi-business complex, increasing the maximum size of a projecting sign from 16 square feet to 25 square feet and increasing the maximum right of way encroachment for a projecting sign, modifying freestanding sign height and size maximums, and modifying kiosk standards so that a group of businesses may erect a business directory sign.

The Council Members voiced concern with the ability to have a 90 square foot freestanding sign in the C2, C3, and M1 zones with a speed limit of 45 miles per hour. Mr. Self suggesting eliminating that and making the maximum square footage for a freestanding sign to be 55 square feet in a 35 mph and above zone.

Mr. Self also stated he received an email from Council Member Jones stating there were a number of concerned citizens that felt the sign ordinance was too strict. Mr. Self recommended the Council consider this the first reading and he would meet with Council Member Jones regarding those stated concerns.

Mayor Powers opened the Public Hearing at 7:45pm. There were no comments and the Public Hearing was closed.

Council Member Mosher made a motion to consider Sign Ordinance 312-10 as first read with the changes that were discussed on page 11, striking the bottom line of the table showing sign size for increased speed for 45 mph and above. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

PUBLIC HEARING – VACATION OF HERON’S EDGE PUD PLAT – 7:45PM

Mr. Self stated that, “The City Council initiated the vacation of the Heron’s Edge PUD plat because of the un-remedied default of the Developer’s Agreement (no bonding in place for required improvements) and violation of the Driggs Subdivision Ordinance (infrastructure not completed within 3 years).”

The Heron’s Edge plat was recorded and signed, but was not pulled into the AS400 system and so the record of who owns the properties within the subdivision was not included in the Public Hearing notices. Mr. Self recommended the City Council table the hearing to ensure that all owners are notified.

Mayor Powers opened the Public Hearing at 7:50pm. There were no comments and the Public Hearing was closed.

Council Member Mosher made a motion to table the Heron’s Edge plat vacation pending the legal notification of owners of the townhome lots in the Heron’s Edge plat. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

AIRPORT UPDATE – TOM HUNTER

Mr. Hunter was not able to attend the meeting. Mr. Self read a letter to the City Council which summarized the city’s position regarding residential policies and residential

through the fence leases. At this time, the FAA had not provided feedback. Mayor Powers stated that the purpose of the comments submitted to the FAA was to try and get a bill passed to support through the fence residential uses.

PUBLIC WORKS REPORT

Jared Gunderson reviewed the timeline for the RFQ with the Council. He stated that the Council would have to approve the bid and therefore a special work meeting was scheduled for April 13, 2010 at 6:30pm.

Victor would meet on April 14, 2010 with Scott Rogers who would present them with a sewer plant proposal. Mr. Gunderson would be in attendance and stated he wanted to try and get the issue with the brewery straightened out while there.

Regarding the RFQ, Mr. Gunderson stated that two responses had been received for engineering services and two responses had been received for administrative services.

Mr. Gunderson reported on a sewer backup at the Chevron gas station. He stated that when the runway was completed, the manholes were covered and the public works department had spent 3 hours digging for the manholes. He would submit that bill to the Airport Board.

The City of Rexburg had issues with EPA, according to Mr. Gunderson, and therefore the samples the city submitted were not the best. In the future, the samples would be sent to Teton Microbiology in Idaho Falls. Mr. Gunderson stated that the city could have a lab in Driggs. However, the expense would not be within the budget. Council Member Mazalewski questioned if a lab could be included with the new sewer plant project. Mr. Gunderson stated that it could.

The extra material at the airport was still being moved. Council Member Mazalewski questioned if the County would be able to use some of the requested asphalt. Mr. Gunderson stated that it may be able to be used for the pathways within the city and he was holding it until that was determined.

Mayor Powers stated that the lease with Ned Thomas to store the extra material on his property expired April 14, 2010. It was questioned if the site could be cleared by the middle of July. Mr. Gunderson felt that it would depend on the weather and determined that an additional 6-month lease could be negotiated. If the dirt was not cleared at the end of the new lease, Mr. Gunderson felt that the Airport Board should have it removed or request the FAA to do so. Mayor Powers reminded the Council that the Airport Board hadn't removed the dirt from Mr. Thomas' property because the City asked them not to; therefore he felt the City should be responsible for paying the lease. Council Member Mazalewski requested to review the lease and it was suggested to discuss the lease at the April 13th Special Meeting.

Council Member Mazalewski stated that he felt there were issues with ATV's at the skate park and wondered if fencing could be put up. Mr. Gunderson stated he would discuss

this with the sheriff's office. Mayor Powers wanted to make sure there was a sign for 'no motorized vehicles' and Mr. Gunderson stated he would look into that as well.

NELSON ENGINEERING UPDATE FOR GRANTS – DIANE TEMPLE

Diane Temple gave a brief update on the Community Development Block Grant and stated that the bid documents were completed and DEQ's approval had been received. The mandatory pre-bid meeting went well with 13 people in attendance. She stated the relationship with Fall River was solid and they had agreed to waive the administrative fees, which consisted of about \$7,000.

Council Member Mazalewski stated that Arbor Day was May 22, 2010 and the City may need to deal with coordination or see if equipment could be moved off site during that weekend. Ms. Temple felt that was feasible.

Ms. Temple reported that the Gem Grant was completed and was in the process of being closed out. She stated the final information would be given to Mayor Powers.

SCENIC BYWAY RESOLUTION 251-10

Mayor Powers stated this resolution was premature and that the City, Chamber of Commerce and Urban Renewal Agency were still in the process of amending documents. This would be tabled until the final versions of those documents are available.

MAYOR'S REPORT

Music on Main

Mayor Powers reviewed with the Council the timeline that Reid Rogers and Doug Self submitted for the Scenic Byway project. Mr. Self stated that he made a few changes to the original timeline provided by Mr. Rogers, as there were several items that had been left out such as the Design Review, bid process and building permit review process. He stated the project was already two weeks behind and that if everything were done on time, the earliest possible construction start date would be August 20, 2010.

Mayor Powers stated that the Teton Valley Foundation wanted a joint statement from the Urban Renewal Agency and from Mayor Powers that stated Music on Main would not conflict with the construction of the Scenic Byway project. He felt the best-case scenario would be for construction to begin in late August, after Music on Main was completed.

Council Member Mazalewski felt that it would be a good idea to have Bill Shaw's input on the timeline. Mayor Powers stated that the City should strive for a quality design and project and not be in a hurry to complete it. He felt that people were worried about losing the grant money but stated that if the RFQ began, that chance reduced greatly.

The Council was in agreement that the best possible schedule for construction would not conflict with Music on Main and directed the Mayor to discuss this with the Urban Renewal Agency.

Teton Creek Bridge

Mayor Powers reminded the Council of the presentation that was made at the last meeting by Louis Simonet regarding the Teton Creek Bridge. He stated the city had set aside funds for chip sealing in the amount of \$50,000 and that the City's share for the chip seal on Ski Hill would be between \$5,000 and \$10,000. Council Member Mosher reminded the Council that the County had a deadline to complete the bridge before the winter runoff began and felt it was a justifiable expense. Discussion of the funds and how they would be used began.

Council Member Mosher made a motion to support the County's request for \$15,000 to put toward the completion of the bridge on Cemetery Road. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

Young Child Proclamation

Mayor Powers read the proclamation.

Council Member Mazalewski made a motion to support next week being The Week of the Young Child, April 11th-April 17th, 2010. Council Member Dye seconded the motion. The motion passed with all in favor.

ADJOURNMENT

Council Member Dye made a motion to adjourn. Council Member Mosher seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:16pm.

ATTEST:

Sonya Adams, City Clerk

Daniel J. Powers, Mayor