

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
MARCH 2, 2010**

Pursuant to adjournment of the City Council meeting held February 16, 2010, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday March 2, 2010**, at 7:00 p.m. A roll call was taken and present were council members: George Mosher, Jay Mazalewski, and Greer Jones, 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 questioned the discussion regarding rent for the Food Bank. He wanted to stress that there was no negotiation for rent and “no back room dealings” had occurred, as an amount for rent had never been discussed.

**Council Member Mosher made a motion** to approve the minutes of the February 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 February 17, 2010 through March 2, 2010. Council Member Jones seconded the motion. The motion carried unanimously.

**SPECIAL MEETING MINUTES TO REVIEW**

Council Members reviewed the minutes from the City Council Special Meeting.

**Council Member Mosher made a motion** to approve the minutes of the February 25, 2010 City Council Special Meeting with Victor. Council Member Mazalewski seconded the motion. The motion carried unanimously.

**PUBLIC HEARING FOR THE ZONING ORDINANCE AMENDMENT FOR TEMPORARY USES-7:30 PM**

Doug Self explained to the Council that the amendment was discussed previously at the City Council meeting in February and was re-noticed for a public hearing due to the changes discussed. Mr. Self stated the three categories remained, explaining each type of vendor. No public comment was received, although, Mr. Self stated, one business owner did feel that temporary vendors should be further restricted.

Council Member Jones voiced grammatical corrections to the amendment. Mayor Powers questioned if current vendors would be grandfathered. Mr. Self explained that if a vendor stopped operations, the vendor would be required to follow the amended

ordinance when operations began again. Stephen Zollinger stated that if a vendor discontinued services for more the 6 months, the grandfather clause would be null and void. He further explained that temporary vendors could never be grandfathered because of the length of time they are able to operate as a temporary vendor.

Mayor Powers opened the Public Hearing at 7:32pm. There was no public comment and the Public Hearing was closed.

Council Member Mazalewski stated that he felt the “loop holes” discussed at the previous meeting had been resolved.

**Council Member Mosher made a motion** to suspend the rules and read by Title only Ordinance 310-10. Council Member Mazalewski seconded the motion. Schuehler took a Roll Call vote; Council Member Mazalewski, aye; Council Member Jones, aye; Council Member Mosher, aye. Mayor Daniel Powers read the ordinance by title only.

**Council Member Mosher made a motion** to approve Ordinance 310-10 as presented. Council Member Mazalewski seconded the motion. The motion passed unanimously.

#### **EXECUTIVE SESSION**

**Council Member Mosher made a motion** to go into executive session at 7:37pm pursuant to Idaho Code 67-2345(f). Council Member Mazalewski seconded the motion. Schuehler took a roll-call vote: Council Member Mazalewski, aye; Council Member Jones, aye; Council Member Mosher, aye. The motion carried unanimously.

The Council came out of executive session at 8:44pm.

#### **PUBLIC WORKS REPORT**

Jared Gunderson stated that Dylan McCracken would be representing the City on the Parks and Recreation Committee. Mr. Gunderson further stated that the department was working on clearing streets and would be getting mix to fix the potholes. Teton County had started to haul dirt from the airport to the Skate Park.

#### **Resolution 248-10 Public Works Standards Specifications & Drawing Book**

Mr. Gunderson stated the Public Works Standards Book had been revised and “cleaned up” to add needed safety issues.

**Council Member Mosher made a motion** to approve Resolution 248-10 as presented. Council Member Jones seconded the motion. The motion passed with all in favor.

#### **PLANNING AND ZONING REPORT**

Mr. Self stated that the City was awarded the Energy Efficiency and Conservation Block Grant for the insulation of the unfinished Community Center space and to retrofit the streetlights with induction lamps. He further explained that he included Mr. Gunderson’s time to be funded by the grant, but felt it may have not been included.

The Safe Routes to School Task Force held their second meeting and recommended not to wait for funding, but to use the resources available such as volunteers, and materials at the airport to build the pathway to the middle school.

The LRHIP and EECBG grant for the sewer lagoon should be announced in the near future. Mr. Self then reviewed the key points from the meeting with ITD (Idaho Transportation Department) about Main Street (see the Staff Report for March 2, 2010).

### **MUSIC ON MAIN AND SCENIC BY-WAY DISCUSSION**

Mayor Powers stated the City received a response from Teton Valley Foundation regarding the use of the space in front of the Community Center for Music on Main. The Foundation had not made a decision at this time for the location of Music on Main. Mayor Powers questioned if the Council wanted the grass in front of the Community Center to be used. He further stated that there had been several discussions with Reid Rogers regarding the plaza and Scenic Byway. The issuance of the RFP and RFQ were “clearly in our power.” Mayor Powers felt the City should “take the lead back” in cooperation with the Urban Renewal Agency and the Teton Valley Chamber of Commerce and “not rely on others to bring us funding.”

Council Member Mazalewski directed the conversation back to the issue of Music on Main and questioned if the space in front of the Community Center would be available. Mayor Powers stated that at this time there was not an RFP for the design of the proposed plaza and the designs that have been presented were not within the budget.

Council Member Jones questioned why Teton Valley Foundation wanted to use the grass in front of City Hall when they originally stated the space was too small. Council Member Mosher felt the Council “worked out a situation that was beneficial to the City” and felt that vendors and people attending Music on Main would have more room at the proposed location on Depot and Front Streets.

Mayor Powers reminded the Council that the proposed location was on a private lot and could not guarantee the location in the future. Council Member Mazalewski stated that the Council might risk losing Music on Main if it was decided to continue with the proposed location. The Council agreed that the original proposed location should be offered to Teton Valley Foundation and not the space in front of the Community Center, as in previous years.

Mayor Powers felt the City should hold a public meeting to discuss the future of the Scenic Byway to determine if the community was in favor of having the Byway inside or outside of the existing Community Center. Council Member Mazalewski felt that the Mayor should meet with Reid Rogers to determine the design and what was needed. Mayor Powers stated the issue had received increased press and did not feel the City had made an opportunity for the public to comment. Council Member Mazalewski stated that he felt the City should decide whether to house the Scenic Byway inside or have a separate building. He also stated a design forum should be done by the chosen architect.

Mayor Powers stated the Council had made a decision to house the Scenic Byway in an exterior building. However, an agreement or contract had not been completed so that decision could be changed. However, changing the decision “should not be taken lightly.” He concluded by stating that time was of the essence and the project needed to begin.

Discussion regarding the budget and cost analysis for an exterior building began. Mayor Powers stated that it had been assumed by some that it would be more cost effective to have another building. It was also discussed that the current agreements allowed for the Scenic Byway to be housed inside the Community Center and had not been amended for an exterior building.

Diane Temple suggested the Council receive cost estimates for either project. Mayor Powers felt the first step was to obtain an architect for the design. The Council felt that it was very important to begin the process as soon as possible. Mayor Powers felt the Council needed to determine what process should be developed in order to ensure forward motion began.

Mayor Powers read the previous motion to the Council. Council Member Mazalewski felt that the Council should continue with the motion that was previously made for a new structure to be built to house the Scenic Byway. He questioned why that motion would not be fulfilled at this time and continue with a RFQ and amend the agreements. After the RFQ was complete, a design team could then begin with the plans based on the budget and make the distinction if the Scenic Byway should be inside or outside of the Community Center.

Discussions regarding a private and a public RFQ and their qualifications and requirements began.

Council Member Mazalewski stated he would like to see an RFQ done to solicit the design teams, give them the general outline to be constructed outside or renovated inside the building. Mayor Powers stated he would meet with the Urban Renewal Agency because the decision to proceed could not be done unilaterally but the City “can certainly take the lead.”

Council Member Mazalewski directed Mayor Powers to draft an RFQ with the Urban Renewal Agency and Teton Valley Chamber of Commerce to request design professionals for the Scenic Byway Center and team up a design build team. The Council was in agreement.

## **MAYOR’S REPORT**

### **Uncommon Sense-Partnership with the Seniors**

The Yellowstone Business Partnership was hosting a project called Uncommon Sense. Mayor Powers encouraged the City staff and Council to participate. He stated the Senior Center would also like to be involved and would participate in each module, leaving one rotating space for those that wanted to participate. Council Member Mazalewski stated

his company had participated and felt it was worth the effort to be involved. He further stated that it was a “constant involvement with a two year program and did not involve just attending a workshop.” Council Member Mosher felt the program would be good and wanted to encourage staff to participate.

**Council Member Mosher made a motion** to direct the Mayor to find representation to go through the Business Leadership for the City in conjunction with the Senior Center as partners and to authorize the expenditure of \$1200. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

### **Surplus Police Car**

Mayor Powers explained that the Council needed to designate the City police car as a surplus item in order to auction it in the future.

**Council Member Jones made a motion** to have the police car as surplus for Public Works to dispose of it as they see fit. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

### **Fair Housing Resolution 249-10 and Proclamation**

Mayor Powers stated the resolution and proclamation was a requirement for the Community Development Block Grant. Diane Temple stated that the City of Driggs had a Fair Housing Resolution but it was in 2005 and needed to be updated. Council Member Mazalewski questioned the impediment analysis. Ms. Temple stated that was a standard form that needed Mayor Powers’s signature that ensure land use regulations and other information was addressed in various documents including the Comprehensive Plan.

**Council Member Jones made a motion** to approve Resolution 249-10 as presented. Council Member Mosher seconded the motion. The motion passed unanimously.

Mayor Powers read the Fair Housing Proclamation

### **Sewer Procurement**

Mayor Powers stated that in review of past procurement sewer documents it was found that the City hired Scott Rogers. However, that procurement process was not valid for the scope of design that would be needed to go forward with the sewer plant upgrade. Mayor Powers felt a new RFQ should be issue for the sewer design process and grant administration. He explained the alternative to hire Nelson Engineering because the City had gone through the procurement process with them and they were eligible. Diane Temple from Nelson Engineering stated that Scott Rogers would be unable to complete the project on his own without hiring an engineer for some aspects of the project. She stated Nelson Engineering could complete the inspections. Mr. Gunderson felt that it would be best to complete the RFQ.

**Council Member Mosher made a motion** to request the Mayor to go ahead and do a request for qualifications for sewer design work for the future upgrades and a separate request for qualifications for administration and funding for the grant process for the new

waste water project. Council Member Jones seconded the motion. The motion passed with all in favor.

Council Member Mazalewski questioned the presentation plan for the next meeting regarding the water rate increase and felt the community needed to be better educated regarding the issue prior to the meeting. Mayor Powers stated a presentation would be given to the community at the Public Hearing and stated that information would be inserted with the water bill. He also stated that a presentation plan for the press could be done.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Mazalewski seconded the motion. The motion passed with all in favor and the meeting was adjourned at 10:35pm.

ATTEST:

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Sonya Adams, City Clerk

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Daniel J. Powers, Mayor