

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
JUNE 15, 2010**

Pursuant to adjournment of the City Council meeting held June 1, 2010, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday, June 15, 2010**, at 7:00 p.m. A roll call was taken and present were council members: Jay Mazalewski, Greer Jones and Colin Dye, 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 Jones made a correction to the minutes.

Council Member Jones made a motion to approve the minutes of the June 1, 2010 City Council Meeting. Council Member Mazalewski seconded the motion. The motion passed unanimously.

CLAIMS REVIEW

Council members reviewed the claims.

Council Member Mazalewski made a motion to approve the claims as presented dated June 2, 2010 through June 15, 2010. Council Member Jones seconded the motion. The motion carried unanimously.

APPROVAL OF BEER AND WINE PERMIT

Council Member Dye made a motion to approve the Charitable Event Beer and Wine Application for the Teton County Democratic Party. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

PUBLIC WORKS REPORT

Jared Gunderson stated that he had been reviewing the report from the sewer line between Victor and Driggs. There were a couple of issues and he would give a detailed report to the Council after he completed the review.

HK Construction had started the sewer line project to the north of the Community Center. At this time they are ahead of schedule, according to Mr. Gunderson.

Louis Simonet, Teton County Engineer, met with Mr. Gunderson. Mr. Simonet stated that he would know soon whether the funds would be provided for the chip seal project on Ski Hill Road, although at this time he did not feel it would be provided. Because of this, Mr. Gunderson sent a proposal to various agencies to see how much it would cost for the City to continue with the portion of the road within the city limits. He continued to state that he would like to place 3/8 chip seal instead of the chip seal and slurry seal. He would discuss this with Tim Allen, Teton Valley Trails and Pathways, to ensure this

would not be a problem for bicyclists. Mr. Gunderson also stated that this area would need to be swept every two weeks for the first year to keep up with the maintenance of the type of road base.

Council Member Dye asked that the shoulder to Creekside be swept, as it was “really stoney.” He also asked that a barrel be placed in the crosswalk at Creekside.

Mr. Gunderson stated that the crosswalks around town were going to be repainted. However, those on Little Avenue would not be done until it was determined if the chip seal would be complete. Stripping of the bike lane along 5th Avenue would also be done. Council Member Mazalewski questioned if the stripping could continue to Boosway Street. Mr. Gunderson would look into this to see what the cost might be.

Discussion of the well house in Valley Centre began. Mayor Powers stated that some community members felt that the building should be screened and he asked that the Development Agreement be reviewed.

Discussion of the parks began. Mr. Gunderson questioned if the Parks Committee would be willing to do “Carry in, Carry Out” at the parks. Council Member Mazalewski stated he felt it was a good idea and would relieve funds in the park budget because the public works department would not have to clean up after events as much. Council Member Jones suggested asking the Sheriff’s office for the Work Detail to clean up the parks after the tournaments that are held during the summer.

PUBLIC HEARING: AMENDMENT TO CITY OF DRIGGS CODE, TITLE 9 (ZONING) – HEIGHT STANDARDS -7:30PM

Doug Self explained the purpose of the amendment stating it “repealed the conditional use permit option for exceeding the maximum base height in the A-2.5, A-0.5, CBD, C-1, C-2, C-3 and M-1 Zones.” The Planning and Zoning Commission reviewed the standards after issues with Burns Concrete and felt “it wasn’t working well” and there was no direction for the reviewing body. Therefore, this amendment was made.

A height exception would be requested for certain building features such as church spires, belfries, cupolas, or domes, chimneys, ventilators, skylights, parapet walls, cornices, solar energy systems, elevator penthouses or necessary mechanical appurtenances. The maximum height exception would be limited to 120% of the base height maximum. The setbacks would be increased for the structure in the same ratio as the height and restrict the horizontal size of the structure to no more than 20% of the corresponding building’s wall. This amendment would also modify the base heights in the A-2.5, A-0.5, CBD, C-2 and C-3 zones and would require buildings taller than 35 feet to step down to 35 feet when located less than 100 feet from a residential or C-1 zone.

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

Council Member Jones made a motion to suspend the rules and read by Title only Ordinance 315-10. Council Member Mazalewski seconded the motion. Schuehler took a Roll Call vote; Council Member Mazalewski, aye; Council Member Jones, aye; Council Member Dye, aye. Mayor Daniel Powers read the ordinance by title only.

Council Member Jones made a motion to consider Ordinance 315-10 third read as presented. Council Member Mazalewski seconded the motion. The motion passed unanimously.

PLANNING AND ZONING REPORT

Area of Impact Renegotiation

Mr. Self stated that the Area of Impact was established in 2004. The State Statutes require the AOI be reviewed every ten years. However, the City and the County are about to update Comprehensive Plans and Mr. Self felt this was a good time to review the contract. The Council requested that the Planning and Zoning Commission review and make recommendations.

Mayor Powers questioned if a public hearing would be scheduled for this. Mr. Self stated that after the negotiations, a public hearing would be scheduled. Mayor Powers further suggested that the public be involved earlier in the process.

Council Member Mazalewski made a motion to direct the Planning and Zoning Commission to review the Area of Impact and begin negotiations with the County. Council Member Dye seconded the motion. The motion passed with all in favor.

Off-Site Signage for Off-Main Street Businesses

Mr. Self asked the Council to discuss off-site signs within the City of Driggs. He stated this should be considered specifically for those businesses off Main Street. He explained that 460 Bread felt that by placing a sandwich board sign on Main Street for their business, they had an increase in sales of 50-60%, compared to the days the sign was not out.

He explained the two options, which may include government sponsored directory signs with a generic sign or to allow off-site signs for those businesses 800 feet off Main Street. Mayor Powers felt a solution should be made and felt government sponsored signs had a potential to “look better.” Council Member Mazalewski felt that the City should not be involved in business advertisements. Stephen Zollinger suggested looking at the City of Ketchum as they have directional signs along their main street and stated that if the City did not regulate them on one post, there would be an abundance of different types of signs.

Mayor Powers felt the City needed a mechanism to get people to businesses without having different types of signs lining the street. Council Member Mazalewski suggested there be a limit on the size of the sign and the quantity of signs per street corner.

Council Member Dye was in favor of uniform off-site signs. Mr. Self stated the Planning and Zoning Commission would begin to work on a solution.

Planning Commission and Department Activity

Mr. Self explained the design review process for the Swiss Grill. He stated it was the first business that went through the process for a seasonal vendor. The Design Review Advisory Committee denied the application. The Planning and Zoning Commission had tabled the application, but was leaning toward allowing it with additional screening to make the trailer look more permanent. Mr. Self stated that the community was concerned with these vendors competing with the “brick and mortar buildings” and he suggested the business registration fee differ for these types of businesses. Council Member Mazalewski suggested increasing the fee for seasonal vendors.

Grant Funded Energy and Transportation Project Updates

Mr. Self stated that both energy grants had been executed and that he was in the process of getting the bid packages out. Mayor Powers stated that Fall River had rebates on top of federally funded projects and that an audit should be done before any ordering of lights began.

ITD stated that the final plans should be approved for the pathway before August 1, 2010.

MAYOR’S REPORT

4th of July

Mayor Powers stated that he received a request from the Teton Valley Chamber of Commerce for \$1,000 for the fireworks on the 3rd of July. Mr. Self questioned if the City could use that money for activities that could be held on the 4th of July. Council Member Mazalewski stated that he had heard concern from citizens that there were no activities on the 4th of July. Council Member Dye felt it would be hard not to support the fireworks programs since the City had helped in the past. Council Member Mazalewski felt that the fireworks celebration should be held on the 4th of July and not the 3rd.

Mayor Powers felt that Huntsman Springs had made a community event into a diverse polar event because of Glenn Beck and stated he had a “hard time supporting it.” Mr. Self suggesting splitting \$1000, \$500 for the fireworks show and \$500 for the City of Driggs to do something on the 4th of July.

Council Member Jones made a motion to approve \$500 for Huntsman Springs and \$500 for a city celebration on the 4th of July. Council Member Dye seconded the motion. The motion passed with Council Member Jones and Council Member Dye in favor. Council Member Mazalewski voted in opposition.

Scenic Byway Agreements

Mayor Powers stated that the State and Local Agreement had a few minor changes and he explained those. The Inter-Agency Agreement also had a few changes and suggesting having more time in the plan approval period to get public involvement. The Urban

Renewal Agency felt that 21 days would be appropriate. Council Member Mazalewski voiced a few concerns, which were discussed and addressed.

Mayor Powers stated the State and Local Agreement and the Inter-Agency Agreement should be approved and then the Project Advisory Committee should meet and begin work on the RFQ documents. He stated his concern that the building was projected with an \$800,000 budget and the plaza with a \$200,000 budget, which would not leave any money for any interior work. Alternate funding needs to be made available before the RFQ was approved.

Council Member Mazalewski made a motion to approve the Amended State and Local Agreements and the Inter-Agency Agreement with the mentioned changes. Council Member Dye seconded the motion. The motion passed with all in favor.

Council Member Dye made a motion to appoint Mayor Dan Powers as the representative from the City for the Project Advisory Committee. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

Victor Sewer Agreement

Mayor Powers explained the draft agreement; those changes highlighted in red were proposed by Victor and the changes highlighted in blue by Driggs.

Mr. Zollinger stated that it appeared Victor would continue to do what had been done with the past agreement and would rent the capacity from the City of Driggs. He suggested that any back charges for capital improvements should be finalized and a capital account needed to be created for Victor. He further stated that the city would obtain judicial confirmation and would project income from Victor, setting the rental rate to cover costs. The City of Driggs would not make money but would “breakeven for the renting capacity.”

Discussion of loans and monthly fees began. Mr. Self questioned why the City was unable to use the money that Victor had obtained for collection fees. Mayor Powers stated that it was because the City of Driggs was the one getting the bond and in order to get the financing, Victor should not have any equity in the facility. Mr. Zollinger stated they would pay 100% of what they are using and the City should remain landowners and not partners with Victor.

Discussion of the length of the agreement began, as it was a concern that the City of Victor should not be able to renege on the contract unless under certain circumstances.

Council Member Mazalewski questioned the insurance and having Victor as an additional insured. He wanted to ensure that Victor was paying for that additional cost. Mr. Zollinger stated that Amy Smith should check but he did not feel it would be an additional charge.

Mr. Gunderson also voiced corrections to the agreement. They were discussed and changed. A mandatory meeting between the cities should also be included in the agreement. Mr. Gunderson requested that Victor have a plant operator present if at any time they want access to the system.

Council Member Mazalewski directed the Mayor to continue with negotiations with the wastewater treatment services with the recommendations made.

EXECUTIVE SESSION

Council Member Mazalewski made a motion to go into executive session at 9:28pm pursuant to Idaho Code 67-2345(f). Council Member Jones seconded the motion. Schuehler took a roll-call vote: Council Member Mazalewski, aye; Council Member Jones, aye; and Council Member Dye, aye. The motion carried unanimously.

The Council came out of executive session at 10:25pm.

Council Member Mazalewski made a motion to have the Mayor and staff proceed as directed in respect to Western Teton Development as discussed in Executive Session. Council Member Jones seconded the motion. The motion passed with all in favor.

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 10:26pm.

ATTEST:

Sonya Adams, City Clerk

Daniel J. Powers, Mayor