

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
APRIL 21, 2009**

Pursuant to adjournment of the special City Council meeting held April 21, 2009, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday, April 21, 2009**, at 7:00 p.m. A roll call was taken and present were council members: Greer Jones, George Mosher, and Colin Dye, Mayor Louis Christensen, Public Works Director Jared Gunderson, Planning and Zoning Administrator Doug Self, Financial Officer Amy Smith, and City Attorney Stephen Zollinger. Mayor Christensen led the Pledge of Allegiance.

MINUTES TO REVIEW

Council Members reviewed the minutes.

Council Member Mosher made a motion to approve the minutes of the March 30, 2009 Special City Council Meeting. Council Member Dye seconded the motion. The motion carried unanimously.

Council Member Mosher made a motion to approve the minutes of the April 7, 2009 City Council Meeting. Council Member Jones seconded the motion. The motion carried unanimously.

Council Member Mosher made a motion to approve the minutes of the April 13, 2009 Special City Council Meeting. Council Member Jones seconded the motion. The motion carried unanimously.

CLAIMS REVIEW

Council members reviewed the claims.

Council Member Dye made a motion to approve the claims as presented dated April 8, 2009 through April 21, 2009. Council Member Mosher seconded the motion. The motion carried unanimously.

ORDINANCE 303-09 RADON-RESISTANT CONSTRUCTION REQUIREMENTS – THIRD READING

Doug stated that no changes were made from the second reading of this ordinance other than the adoption date.

Council Member Mosher made a motion to suspend the rules and read Ordinance 303-09 by title only. Council Member Dye seconded the motion. Schuehler took a roll-call vote: Greer Jones, aye; George Mosher, aye; and Colin Dye, aye. The motion carried unanimously.

Mayor Louis Christensen read Ordinance 303-09 by title only.

Council Member Mosher made a motion to approve Ordinance 303-09. Council Member Dye seconded the motion. The motion passed with all in favor.

PUBLIC HEARING: ZONING ORDINANCE AMENDMENT – ACCESSORY DWELLING UNITS – 7:30PM

Doug explained that this amendment would allow accessory dwelling units (ADU) in all zones except the R3 zone.

Doug read from his staff report stating, “The purpose of the amendment is to implement the specific recommendation in the Comprehensive Plan that allow accessory dwelling units, which will provide the opportunity to develop small dwellings (detached cottages, garage apartments, or an attached apartment within the primary building) to meet the special housing needs of single persons and couples of modest income.”

He further explained that the main points of the amendment were as followed; an accessory dwelling unit would only be allowed on a lot with a single-family dwelling and only one ADU would be allowed per lot, no ADU may exceed 50% of the primary dwelling units gross floor area (excluding basements), no ADU may exceed 800 square feet in the R1 and R2 zones, 1000 square feet in the A-0.5, ADR0.5/1.0 zones or 1200 square feet in the A2.5 or ADR2.5 zones, an ADU will count as .5 dwelling units for purposes of calculating density, the Planning and Zoning Administrator would check that the ADU blends with the general appearance of the primary dwelling, a 5-foot property line setback was allowed adjacent to an alley, and one parking space was required.

Mayor Louis Christensen opened the Public Hearing at 7:41pm. There were no comments and the Public Hearing was closed.

Council Member Mosher made a motion to suspend the rules and read Ordinance 304-09 by title only. Council Member Dye seconded the motion. Schuehler took a roll-call vote: Greer Jones, aye; George Mosher, aye; and Colin Dye, aye. The motion carried unanimously.

Council Member Mosher read Ordinance 304-09 by title only.

Council Member Mosher made a motion to approve Ordinance 304-09. Council Member Dye seconded the motion. The motion passed with all in favor.

PUBLIC HEARING: ZONING ORDINANCE AMENDMENT – R1 LOT SIZE AND SETBACK MODIFICATION – 7:40PM

Doug stated this ordinance amendment would promote infill by reducing the lot size in the R1 zone. He explained the main points of the ordinance which were; the minimum lot size would be reduced from 9,000 square feet to 7,000 square feet for a single family dwelling, but would remain 9,000 square feet for duplexes and would reduce to 8,000 for corner lots; the minimum setback is reduced from local roads from 20 feet to 15 feet (except for garages, which would remain at 20 feet to keep cars off the sidewalks and encourage a more pedestrian-oriented streetscape), with the allowance for porches and

patios to extend to within 10 feet of the right-of-way as long as clear vision requirements were met, and reducing the minimum lot width for detached single-family structures to 65 feet.

Because of the above elements, Doug stated, the type of infill that could split a half-acre lot into three lots, could be accomplished as seen in a previous application.

Council Member Mosher questioned if the minimum lot coverage would remain the same. Doug replied, stating that it would and explained the difference in the size of home that could be placed on a smaller lot. Council Member Mosher felt that a reasonable sized home could still be placed on a lot such as this.

Mayor Louis Christensen opened the Public Hearing at 7:52pm. There was no public comment and the Public Hearing was closed.

Council Member Jones made a motion to suspend the rules and read Ordinance 305-09 by title only. Council Member Mosher seconded the motion. Schuehler took a roll-call vote: Greer Jones, aye; George Mosher, aye; and Colin Dye, aye. The motion carried unanimously.

Council Member Jones read Ordinance 305-09 by title only.

Council Member Mosher made a motion to approve Ordinance 305-09. Council Member Dye seconded the motion. The motion passed with all in favor.

PUBLIC HEARING – BROKEN SPUR PLAZA SUBDIVISION PRELIMINARY PLAT – 7:50PM

Diane Temple from Nelson Engineering spoke on behalf of the applicant and presented information to the City Council. She passed out an outline of her presentation (see file SUB09-1).

Diane explained the connectivity to the Arrowhead Business Complex and the infrastructure within the Broken Spur Plaza consisting of sidewalks, employee and customer parking, and water and sewer connections. Mayor Christensen had provided a Will-Serve letter for the development and Jared had discussed street lighting and its placement. Diane further stated that a verbal agreement had been obtained for the culvert depiction by Grand Teton Canal Company. A written agreement will be drafted once the DRAC process was complete and prior to the final plat submittal.

Council Member Mosher questioned why the landscaping islands were squared off as opposed to round. Doug replied stating that was a staff recommendation to provide more landscaping and a larger turning radius. He further stated it was a recommendation, not a requirement. However, the engineer decided to follow it and make that change.

Doug presented his staff report. He stated the plat could conform to the Zoning and Subdivision Ordinance requirements once a few things were addressed. The street name

needed to be determined for the north-south street and a plat note restricting the floor area development on each lot, or specifying the number of parking spaces allocated to each lot, must be added to ensure conformance with the parking space requirements. Upon approval from DRAC, Public Works and Grand Teton Canal Company, the plat could be approved.

The Planning and Zoning Commission recommended approval of the preliminary plat with the conditions that approval from DRAC, the Public Works Director and the Grand Teton Canal Company were obtained and that a plat note was added restricting development on each lot to a floor to area ration (FAR) of 1.0 unless additional parking was provided to ensure each lot had adequate parking.

Council Member Jones questioned what the street name would be. Diane replied that it would be determined with the assistance of the Teton County GIS Department. Doug stated he would discuss this with Eric Smith, Teton County GIS Department, as he felt the street should be named consistently due to the connectivity to the Arrowhead Business Complex.

Mayor Louis Christensen opened the Public Hearing at 8:08pm. There was no public comment and the Public Hearing was closed.

Council Member Jones made a motion to approve the Broken Spur Plaza preliminary plat as presented with the conditions stated by the Planning and Zoning Commission and the change in the street name. Council Member Dye seconded the motion. The motion passed with all in favor.

AUDIT REPORT – RUDD AND COMPANY

Brad Reed, from Rudd and Company presented the 2008 City Audit Report. He explained the audit findings and stated that the City of Driggs had a clean financial report. He also stated that the city was in a positive financial situation at the end of the fiscal year for 2008.

Mr. Reed made a recommendation to the City Council to begin to include the Airport Board finances with the City finances.

Council Member Mosher made a motion to approve the audit as presented for the year ending September 2008. Council Member Jones seconded the motion. The motion passed with all in favor.

Amy Smith presented information to the Council regarding the 6-month report on the budget. She explained the actuals versus the budget and what they are at the present time.

PLANNING AND ZONING REPORT

Doug reported that the North South Pathway Kick-Off meeting was scheduled for Monday, April 27, 2009 at 10:00am.

He also reported that the results of the stimulus grant for Little Avenue should be reported this week.

PUBLIC WORKS REPORT

Jared Gunderson stated that changes to the Public Works Standards were being made. Those changes were regarding subdivision approvals and snow removal. It was discussed that a resolution would have to be written for approval. Jared would write the resolution.

Street sweeping would take place during rainstorms in order to keep the dust controlled. Jared also stated that patchwork to the roof of the Community Center was done and hoped it would alleviate the problems.

MAYOR'S REPORT

Mayor Christensen stated that bids for the airport runway project were received. The engineer's estimate was \$6,281,337. Bids ranged from \$5,989,867 from Knife River to \$7,842,580. Knife River met all of the requirements and was the low bidder.

Council Member Mosher made a motion to approve the concurrence of award to Knife River. Council Member Jones seconded the motion. The motion passed with all in favor.

Mayor Christensen discussed the collateral assignment of contract rights for the line of credit for Wells Fargo for the Urban Renewal Agency. He requested approval from the City Council since the Urban Renewal Agency was part of the government organization.

Council Member Mosher made a motion to approve the collateral assignment of contract rights for the Urban Renewal Agency. Council Member Dye seconded the motion. The motion passed with all in favor.

Mayor Christensen also stated ratification for the Three Way Agreement between the City of Driggs, the State of Idaho and the Scenic Byway was needed.

Council Member Mosher made a motion to ratify the Three Way Agreement between the City, State and Scenic Byway. Council Member Dye seconded the motion. The motion passed with all in favor.

Mayor Christensen stated he received a letter from Fall River regarding the request to consolidate the city meters. Fall River declined the request. Council Member Mosher stated they needed to "figure out how to get out of the \$30.00 charge for every meter." He continued to state that the electric company stated this would be a temporary charge but "it's never gone away." Stephen Zollinger suggested that the City Council Members attend the next Board Meeting for Fall River.

EXECUTIVE SESSION

Council Member Dye made a motion to go into executive session at 9:44pm pursuant to Idaho Code 67-2345(f). Council Member Jones seconded the motion. Schuehler took a roll-call vote: Greer Jones, aye; George Mosher, aye; Colin Dye, aye. The motion carried unanimously.

The Council came out of executive session at 9:48pm.

ADJOURNMENT

Council Member Jones made a motion to adjourn. Council Member Mosher seconded the motion. The motion passed with all in favor and the meeting was adjourned at 9:49pm.

ATTEST:

Sonya Adams, City Clerk

Louis B. Christensen, Mayor