

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
DECEMBER 15, 2009**

Pursuant to adjournment of the Special City Council meeting held December 1, 2009, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday December 15, 2009**, at 7:00 p.m. A roll call was taken and present were council members: George Mosher, Dan Powers, Greer Jones and Colin Dye, Mayor Louis Christensen, City Attorney Stephen Zollinger, Planning and Zoning Administrator Doug Self, Financial Official Officer Amy Smith, and Public Works Director Jared Gunderson. Mayor Louis Christensen led the Pledge of Allegiance.

MINUTES TO REVIEW

Council Members reviewed the minute from the City Council Meeting. Council Member Mosher made a correction.

Council Member Mosher made a motion to approve the minutes of the December 1, 2009 City Council Meeting as corrected. Council Member Dye 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 December 2, 2009 through December 15, 2009. Council Member Jones seconded the motion. The motion carried unanimously.

PUBLIC WORKS REPORT

Jared Gunderson reported that one streetlight would have to be replaced. Vehicle towing took place the last time snow was removed. Mr. Gunderson asked for a RFP from towing companies for towing fees. Basin Auto was the only company that responded and had a fee of \$125 per vehicle. They would store the vehicles they tow at Basin Auto.

Council Member Powers made a motion to approve Basin Auto as the City's towing contractor. Council Member Mosher seconded the motion. The motion passed with all in favor.

EXECUTIVE SESSION

Council Member Mosher made a motion to go into executive session at 7:17pm pursuant to Idaho Code 67-2345(f). Council Member Jones seconded the motion. Schuehler took a roll-call vote: Dan Powers, aye; Greer Jones, aye; George Mosher, aye; Colin Dye, aye. The motion carried unanimously.

The Council came out of executive session at 7:38pm.

Council Member Mosher made a motion to allow Aqua Engineering to be involved at the current agreed amount to resolve current issues with EPA, if necessary. Council Member Jones seconded the motion. The motion passed with all in favor.

PUBLIC HEARING - VALLEY CENTRE SUBDIVISION ANNEXATION – 7:30PM

Doug Self explained that the City Council had recommended the annexation of the Valley Centre area and asked the Planning and Zoning Commission to review and make recommendations. Mr. Self explained the location of the annexation and stated that no public comment had been received, verbal or written. The Commission found that the annexation met the Idaho Code and felt that the existing Comprehensive Plan and Zoning were appropriate with a change to include all commercially zoned properties in the design review overlay.

A fiscal analysis and budget implications were reviewed and outlined in the staff report completed by Mr. Self. Water and sewer rate income would drop, Mr. Self stated. However, the city would receive resort tax from the commercial businesses within the annexation. There are no public roads at the current time and no functioning Home Owners Association. Mr. Self felt the income would increase, even with the decrease in the water and sewer rates, due to the resort and property taxes.

Council Member Mosher was concerned that the roads would be a future expense. Jared Gunderson, Public Works Director, stated that the roads were “less than desirable” and that the City should not consider maintaining the roads until “they are up to city standards.” Stephen Zollinger stated the roads would need to be dedicated or have a lease arrangement made and did not feel this should be part of the annexation hearing.

Council Member Powers questioned why sidewalks would only be required if a property was under the design review overlay. Mr. Self explained the standard. Council Member Powers also questioned if the properties that were zoned C3 (Service and Highway Commercial) should be downzoned to C2 (Downtown Commercial). Mr. Self stated that property owners might be agreeable to the change since C2 accepts retail, a use the C3 zone did not allow.

Mayor Louis Christensen opened the Public Hearing. There was no comment and the Public Hearing was closed.

Council Member Powers questioned if C2 was a better zone for the area, eliminating C3. Mr. Self responded stating that he felt that C2 would allow retail box stores instead of the smaller scaled employment offices that were encouraged in the area. He also stated that the C2 retail should be keep in the downtown area and having an additional 10 acres of C2 in the Valley Centre Subdivision would go against the Comprehensive Plan.

Council Member Mosher felt there was potential for “a lot more retail out there” and “now is a good opportunity to take that away.” Mr. Self responded stating that most

parcels that are zoned C2 were already developed, leaving one or two parcels that would be affected.

Council Member Mosher made a motion to approve the annexation of Valley Centre I and II with the condition that all commercially zoned property has the design review overlay. Council Member Powers seconded the motion. The motion passed with all in favor.

Council Member Mosher made a motion to waive the rules and read by Title only for Ordinance 309-09. Council Member Jones seconded the motion. Schuehler took a Roll Call vote; Council Member Powers, aye; Council Member Jones, aye; Council Member Mosher, aye; Council Member Dye, aye. Mayor Louis Christensen read the ordinance by title only.

Council Member Mosher made a motion to approve Ordinance 309-09. Council Member Powers seconded the motion. The motion passed unanimously.

WATER RATE DISCUSSION AND PLAN

Mayor Christensen stated a letter was received from Mary Lou Hansen and gave a copy to the Council Members. Amy Smith, Financial Officer, discussed the different scenarios and what the revenue would be for each.

Council Member Powers suggested having a \$25 base with a 6,000-gallon allowance and charging \$1 per 1,000 gallons over that allowance. Mr. Gunderson stated he felt a tiered system would be better and Ms. Smith responded stating that one may see conservation because the usage fee would be doubled.

Mayor Christensen stated he favored the 10,000-gallon allowance and felt it was a “comfort zone.” Council Member Dye suggested keeping the 10,000-gallon allowance and increasing the base fee to \$26. Council Member Powers did not feel this “sent the right message to people to try and conserve.” Mr. Gunderson stated that the city would see more revenue if a tiered system was in place. Council Member Jones felt that a tiered system could be used, but felt the previous fees discussed were too high.

Several options were discussed and the Council asked Ms. Smith to run figures for other options.

INDUSTRIAL BUILDING SPACE LEASE

Mayor Christensen reported that Eric and Anna Baler would like to rent units 101 and 102 in the Industrial Building. The location would house an outdoor retail sporting goods store. The possible tenants were willing to pay \$800 a month plus utilities. Council Member Powers felt the tenants should be aware that the rent was a two-year incubation rate. Ms. Smith stated that the city could raise the rent by 25% after a few years and was in the best interest of the tenant to move after that time period.

Council Member Powers made a motion to approve the tenants for the Industrial Building as proposed. Council Member Jones seconded the motion. The motion passed with all in favor.

MAYOR’S REPORT

Mayor Christensen stated that he was working on the contract documents and specifications for the Block Grant construction process.

Council Member Dye questioned why the Council did not get to provide input regarding the dirt that was being hauled by MD Nursery from the airport. He felt that “Lillian is selling city property.” Stephen Zollinger explained stating that under the terms of the contract, it was Ms. Bowen’s responsibility to supervise the entire project from start to finish. The city would have to “go outside of the contract” as Ms. Bowen had an agreement with the property owner who was storing the dirt. Mr. Zollinger felt the city should want Lillian Bowen to be responsible and return the property to its original state, which meant allowing Ms. Bowen to remove the dirt how she saw fit.

Council Member Powers felt the city should profit from the removal of the products and questioned where the money was going. Mr. Zollinger explained that half of the money would go back to the property owner as outlined in the contract. Council Member Powers also questioned if the material could be used for the project on Main Street in the future. Mayor Christensen stated that project was run by ITD and they may not want to use material from the City of Driggs. Mr. Gunderson felt the materials could be valuable to the city and Mr. Zollinger suggested that Mr. Gunderson discuss the topic further with Ms. Bowen. Council Member Powers wanted to ensure this would be done and directed Mr. Gunderson to follow-up with Ms. Bowen.

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 9:17pm.

ATTEST:

Sonya Adams, City Clerk

Louis B. Christensen, Mayor