

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
JULY 7, 2009**

Pursuant to adjournment of the regular City Council meeting held June 23, 2009, and the call of the Mayor, the Driggs City Council met in regular session **Monday, July 7, 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, Planning and Zoning Administrator Doug Self, Public Works Director Jared Gunderson 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 June 23, 2009 City Council Meeting. Council Member Dye seconded the motion. The motion carried unanimously.

CLAIMS REVIEW

Council members reviewed the claims.

Council Member Mosher made a motion to approve the claims as presented dated June 24, 2009 through July 7, 2009. Council Member Jones seconded the motion. The motion carried unanimously.

BROKEN SPUR PLAZA – FINAL PLAT

Doug Self presented information to the Council. He stated the Council approved the preliminary plat with conditions that approvals were received from the Design Review Advisory Committee (DRAC), Public works, Sunrise Engineering and Grand Teton Canal Company.

DRAC reviewed the site plan and made a recommendation to the Planning and Zoning Committee who approved it with the following conditions; the two sidewalk “returns” toward Moraine Ct be deleted and a new sidewalk connection to the pavement of Moraine Ct be added to the west of the Broken Spur business access; the tree species meet the 40-60% evergreen requirement, shrubs be added between the trees in the parking lot buffer strip and the open space 8 be expanded south to provide better curb protection for parked cars, unless there is a turning radius requirement that prevents such expansion.

The Staff recommendation is to approve the Broken spur Plaza Final Plate with the conditions that prior to recording the plat; the plat and plans are revised to show conformance with DRAC conditions, the improvement plans are approved by Sunrise Engineering, DEQ and staff, the development agreement is executed and an acceptable financial security for required improvements is supplied to the city and county.

Mr. Self stated that comments were received from Sunrise Engineering and concerns would be addressed. Grand Teton Canal Company was invited to comment but at this time, no comment was received. However, a signature line will be added on the plat to ensure their approval. The Development Agreement had not been established yet but would include that all common areas would be privately maintained, water and sewer would be through the City of Driggs and the street lights would be privately owned and maintained. Connection to Arrowhead Plaza to allow for cross-connectivity would also be addressed in the Development Agreement.

Council Member Powers questioned if the landscaping would be complete prior to the approval of building permits. Mr. Self responded stating that landscaping would have to be finished or bonded for prior.

Jared Gunderson stated that meters could not be located in the buildings. They would either have to be placed in the sidewalk or provide an easement.

Diane Temple, from Nelson Engineering, presented information to the Council. She explained where the development was located and stated that the goal was to provide smaller and attractive commercial lots. The CC and R's would give architectural guidelines and the streets and sidewalks would be developed to be pedestrian friendly.

Council Member Powers made a motion to approve the Broken Spur Plaza Final Plat subject to the DRAC and staff recommendations and final staff approval of the Development Agreement. Council Member Mosher seconded the motion. The motion passed unanimously.

AIRPORT RESOLUTION PROHIBITING NEW RESIDENTIAL USES

Stephen Zollinger stated that he had not had a chance to review the document. He felt that some of the other issues addressed in the Corrective Action Plan should be dealt with first prior to approving this resolution. However, he wanted the Council to be introduced to this resolution at this time.

PLANNING AND ZONING REPORT

Mr. Self reported on several different applications that had been submitted. The Conditional Use Permit for Western Heritage was submitted but was not complete. Bruce Simon had submitted a revised cinema plan and it would be submitted to the Planning and Zoning Commission for review. There was also a zone change and the temporary use ordinance will go before the Commission next meeting.

The Airport Board would like to look at the concept of a master plan and should update their Capital Improvements planned expenses. This will be introduced at their next meeting.

Mr. Self would also like to have a 5-year CIP for roads and parks. There are a number of grants that may be able to be written to assist as well.

Council Member Dye questioned how the noise could be controlled at the airport in regards to Sweetwater Subdivision. The Corrective Action Plan stated the City will not execute any new Through the Fence Agreements from any residentially owned land. Sweetwater was residentially zoned and therefore would have to submit a CUP.

Mr. Zollinger further stated that property would have to be condemned to regulate. The FAA will not allow the City to “curtail hangers simply because you don’t want more airplanes.” He further stated a balance of community needs and community needs for a quiet atmosphere should be obtained. Mr. Self stated these issues would be addressed in the Airport Master Plan. Mr. Zollinger further stated that the Airport Layout Plan and the zoning regulate the amount of hanger space available.

PUBLIC WORKS REPORT

Jared Gunderson reported a problem with the water tank and its valve. He was waiting for parts to be delivered. Council Member Powers questioned if pressure was being lost because of this. Mr. Gunderson replied it was not.

INI issues were sighted at Grand Auto Body. Mr. Gunderson asked that it be fixed and the owners stated it would. He also got a cost estimate in case it was not fixed and Public Works had to do the work.

Owen PC would demolish the city storage building this week.

MAYOR’S REPORT

Census Complete Count Committee

Kreslyn Schuehler and Mayor Christensen attended the first meeting. This committee would ensure the community was educated on the importance of the census.

Airport Construction Project

Construction began last week and appeared to be on schedule. Council Member Powers questioned if 100 North was to be improved. Mayor Christensen stated it was at the end of the project if land was obtained to do so. Council Member Powers wanted to use “left over dirt to have a berm and plant trees for noise barriers.” Mr. Zollinger stated that FAA regulations should be reviewed as that was not part of the plan submitted.

Mayor Christensen asked Delwyn Jensen to be on the Airport board. Council Member Dye questioned if that was a conflict of interest since he was on the Planning and Zoning Commission as well. Mr. Zollinger stated it was not a “legal conflict of interest” and it was discussed that a few others were on more than one committee.

Council Member Mosher made a motion to ratify Delwyn Jensen to serve on the Airport Board. Council Member Dye seconded the motion. The motion passed with all in favor.

Council Member Dye questioned if an executive session could begin. Mr. Zollinger stated that the Council could not make a change to the agenda 48 hours prior to the

meeting if it end result of the change lead to a decision. Council Member Dye began his discussion.

He stated someone was in the process of having their house be put into foreclosure “because of the LID.” He wanted to know if the Council “felt good about that.” Council Member Mosher stated that the community knew about the LID and had a 68% consensus for it. He further stated that “people get in unfortunate situations and could have dealt with this earlier.”

Mr. Zollinger stated that “had it not been for the economic downturn, the LID would have increased property value more.” Council Member Dye felt this person “had no choice in getting this.” Mr. Zollinger disagreed stating they had a choice to live in an organized community and felt the bank was using the City as a “scapegoat.”

Council Member Jones wanted to ensure the vendor selling cherries and peaches at the Pines Motel had a business registration permit. The Mayor will follow up with this.

ADJOURNMENT

Council Member Dye made a motion to adjourn. Council Member Powers seconded the motion. The motion passed with all in favor and the meeting was adjourned at 8:27pm.

ATTEST:

Sonya Adams, City Clerk

Louis B. Christensen, Mayor