

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
JANUARY 5, 2016**

Pursuant to adjournment of the City Council meeting held December 15, 2015, and the call of the Mayor, the Driggs City Council met **Tuesday, January 5, 2016**, at 7:30 p.m. A roll call was taken and present were Council Members: Greer Jones, Ralph Mossman, August Christensen, and Wade Kaufman; Mayor Hyrum Johnson, City Attorney Stephen Zollinger, Financial Officer Carol Lenz, Community Development Director Doug Self, Building and Grants Technician Annie Decker, Public Works Director Jared Gunderson, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**OLD BUSINESS – THIRD READING OF AN ORDINANCE TO AMEND DRIGGS CODE TITLE 4-2 (NUISANCES)**

Council Member Mossman felt there were a lot of problems with the ordinance as it stood and he was not ready to approve it. He continued to state the ordinance was an attempt to protect neighbors from each other and felt it ended with forcing neighbors to work together and he cautioned the Council on that process.

Council Member Mossman was also concerned about the definition of the front and rear yards and wanted to ensure corner and flag lots were also define. Other concerns of Council Member Mossman’s included; Section 3 adding clarification as to when an inoperable vehicle became debris, discussion of the permit process allowing a salvage vehicle in the front yard, and how often a permit could be obtained. He also had concerns about the complaint and civil fine citation process.

Council Member Jones felt that if the ordinance was not detailed, it could raise more issues. He also had questions about how corner lots would be handled in respect to front and back yards.

Council Member Christensen stated she was not comfortable in approving the ordinance as it was written.

Council Member Kaufman questioned why the issues were not brought forward in one of the previous meetings and questioned how the City Attorney felt in regards to the proposed ordinance. Stephen Zollinger stated nuisance ordinances were “purely subjective and this one has taken away some of the subjectivity.” He continued to state that while it may not address of the concerns it is no less defensible than anything else he’s seen.

**Council Member Mossman made a motion** to table the ordinance and consider the work of the nuisance working group to be complete and direct staff to bring back to the Council, within a month, a draft ordinance that was based on the one looked at, as well as the current ordinance, and specifically include the complaint process, permit process for vehicle repair and restoration, and civil fines and incorporate any changes that the staff or

council felt were necessary to clarify or otherwise improve the ordinance. Council Member Christensen seconded the motion.

Doug Self presented questions to clarify the above motion. Mayor Johnson suggested a work session was in order and reminded the Council that staff had concerns with enforceability.

A roll-call vote was taken: Council Member Jones, nay; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, nay. Mayor Hyrum Johnson voted in favor of the above motion. The motion passed with a 3-2 vote.

### **CONSENT AGENDA**

**City Council minutes from December 15, 2015**

**Claims from December 16, 2015 – January 4, 2016**

**Council Member Jones made a motion** to approve the consent agenda. Council Member Kaufman seconded the motion. The motion passed with all in favor.

### **OATH OF OFFICE FOR NEWLY ELECTED/RE-ELECTED OFFICIALS**

Mayor Johnson expressed his gratitude to Council Member Mossman for his service to the city.

Mayor Johnson administered the Oath of Office to Wade Kaufman and Jay Mazalewski.

### **Nomination and Election of Council President**

**Council Member Christensen nominated** Council Member Jones to act as Council President. Council Member Kaufman seconded the nomination. The nomination passed with all in favor.

### **CHANGE ORDER NO. 3 FOR KNIFE RIVER CONTRACT ON N/S PATHWAY C**

Mr. Self informed the Council of a credit of \$1,043.26 and stated the project remained within budget.

**Council Member Christensen made a motion** to accept Change Order No. 3 for Knife River for a credit of \$1,043.26. Council Member Kaufman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mazalewski, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried with all in favor.

### **GEM GRANT AGREEMENT FOR BUS STORAGE FACILITY**

**Council Member Jones made a motion** to accept the Gem Grant Contract as presented. Council Member Mazalewski seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mazalewski, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried with all in favor.

### **300 MAIN LEASE AGREEMENT FOR SNOWFEST**

**Council Member Mazalewski made a motion** to approve the 300 Main Lease Agreement for Snowfest. Council Member Christensen seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mazalewski, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried with all in favor.

### **RESOLUTION #310-16 AND LETTER FOR SUPPORT FOR URBAN RENEWAL IN IDAHO**

Mayor Johnson explained that in the last several years there were bills in the legislation to restrict the Urban Renewal Agencies in Idaho. The presented material was to show the city's support for Urban Renewal Agencies.

**Council Member Jones made a motion** to approve Resolution #310-16 and to authorize a letter of support. Council Member Kaufman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mazalewski, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried with all in favor.

### **Discussion of Council Meeting Schedule**

Council Members discussed moving the time of the regularly scheduled City Council Meetings.

**Council Member Jones made a motion** to move the City Council Meetings to 6:30pm on the first and third Tuesdays of the month. Council Member Christensen seconded the motion. The motion passed with all in favor.

### **Discussion of Council Representation on Boards and Committees**

The Council discussed representation on non-recommending and recommending committees.

**Council Member Christensen made a motion** to designate August Christensen to the Parks and Recreation Committee and Wade Kaufman to be the school liaison and a designee to the Trees and Beautification Committee. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

### **Discussion of Option for Regular Public Comment Agenda Item**

Council Member Christensen stated she was in favor of open comment at every meeting. She felt the city should encourage and allow people to have a say.

Council Member Mazalewski was against allowing comments as he felt it would invite more issues and there were other avenues the community could pursue to reach staff and/or the Council and Mayor. Council Member Jones agreed and stated that the Council would not be able to have a discussion with those bringing up issues. Council Member Kaufman stated he felt it could get out of hand and did not see this as a tool that would be beneficial to the city.

The discussion ended with Mayor Johnson stating it could be discussed at a future meeting. However, at this time it would not be added the agenda.

The Council discussed the necessity of staff reports and determined that Staff should continue to submit those as needed in Council packets.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Mazalewski seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 9:08pm.

ATTEST:

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Kreslyn Schuehler, City Clerk

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Mayor Hyrum Johnson