

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
OCTOBER 2, 2012**

Pursuant to adjournment of the Special City Council meeting held September 25, 2012, and the call of the Mayor, the Driggs City Council met **Tuesday, October 2, 2012**, at 7:15 p.m. A roll call was taken and present were council members: Greer Jones, Colin Dye, Ralph Mossman and George Mosher, Mayor Daniel Powers, Community Development Director Doug Self, Public Works Director Jared Gunderson, City Attorney Stephen Zollinger, and City Clerk Kreslyn Schuehler. Mayor Powers led the Pledge of Allegiance.

MINUTES TO REVIEW

Council Members reviewed the minutes from the City Council Meeting dated September 18 and September 25, 2012. Corrections were made to the September 25, 2012 minutes by Council Member Jones.

Council Member Mosher made a motion to approve the minutes of the September 18, 2012 City Council Meeting. Council Member Jones seconded the motion. The motion passed with all in favor.

Council Member Mosher made a motion to approve the minutes of the September 25, 2012 Special City Council Meeting. Council Member Mossman seconded the motion. The motion passed with all in favor.

CLAIMS REVIEW

Council members reviewed the claims.

Council Member Mossman made a motion to approve the claims as presented dated September 18, 2012 through October 2, 2012 with the exception of the claim from Rocky Mountain Environmental. Council Member Jones seconded the motion. The motion passed with all in favor.

TETON COUNTY FIRE DISTRICT – REQUESTING FINANCIAL SUPPORT

Mayor Powers informed those present that the Airport Board had approved at their last meeting \$3,000 to give to the Fire District.

Bret Campbell spoke to the Council stating that the foam that was going to be used in the fuel fire truck should last approximately 10-15 years and that the initial cost of the foam and radios for the truck were costly. Mayor Powers stated he felt \$3,000 was sufficient to contribute.

Council Member Mosher disagreed, stating he felt the City should also contribute to the cost of the radios. Council Member Jones added that the original discussion, which occurred at the last meeting, concluded that the city would also contribute \$2,000.

Council Member Mossman made a motion to pay Teton County Fire District \$3,000 out of the Airport Fund. Council Member Dye seconded the motion. The motion passed with all in favor.

Council Member Mosher made a motion to pay Teton County Fire District \$1500 to go toward communications necessary for use in the airport truck. Council Member Jones seconded the motion. The motion passed with all in favor.

VARD – DONOVAN RYPKEMA PRESENTATION SUPPORT

Stacey Frisk from VARD spoke to the Council stating that a new Comprehensive Plan has just been passed and a company was helping to develop a model code in Driggs. She stated there was a lot of feedback from the community that the results did not delve into economics. VARD would like to ask Donovan Rypkema to come speak specifically on economic aspects in the Valley. The Teton Valley Chamber and Sonoran Institute have agreed to support the event.

Ms. Frisk asked the City Council for support either with funds or with a sponsorship, as well as the use of the color copier. She stated the cost of the room rental and advertisement would need to be covered. Mayor Powers questioned if the City of Victor had been asked to contribute. Ms. Frisk stated they hadn't but she would do so in the future.

Council Member Jones was concerned that the presentation would be similar to the recent Community Review. Doug Self spoke to the Council stating his concern was that it would be general concepts that were presented and he felt the city needed technical steps. Council Member Mossman stated he felt there needed to be more specifics on the presentation, but he was open to allowing VARD to use the color copier. He also felt the County should be involved.

Council Member Mossman made a motion to approve \$100 for the presentation of Donovan Rypkema and the use of the color copier.

Council Member Mosher asked the motion be amended to include the use of the Council Chambers, if needed.

Council Member Mossman agreed to the above amendment. Council Member Mosher seconded the motion. The motion passed with all in favor.

SECOND READING OF ORDINANCE 337-12 – NON DISCRIMINATION POLICY

Council Member Dye felt the purpose of the ordinance was for self-promotion for political gain by another Council Member and was against the ordinance, as he stated it was covered under federal law.

Council Member Mossman stated several cities have taken this ordinance on. He did not deny there was a political motivation, but stated he did not do it to be on the local news station.

Stephen Zollinger stated that a decision based on gender, etc. would be covered under federal law and the reason cities are moving further and passing a separate ordinance was to show a statement of support. He agreed that it may or may not accomplish anything significant alongside the state and federal laws and concluded that the ordinance served no purpose and caused no harm. He further questioned if the city really wanted to be put in a position to enforce the ordinance.

Council Member Mossman stated the ordinance would allow a person to come to a 3-person panel before going to court. Mr. Zollinger felt the issues would not stop at the panel and would continue to the courts and the city would spend a lot of money defending the issues. He suggested the city do a resolution as opposed to an ordinance.

Council Member Mossman made a motion to develop a resolution for the next meeting. Council Member Mosher seconded the motion. The motion passed with all in favor.

ORDINANCE #338-12 – SIGN CODE AMENDMENT FOR CAMPAIGN SIGNS

Mayor Powers stated this amendment was drafted in response to the 30-day restriction of posting campaign signs. He felt it should match the County regulations which were to allow campaign signs 60 days before an election. However, if the ordinance amendment was passed tonight, it would not have any effect on the election this year.

Doug Self clarified that this was an amendment for the exemptions to getting a permit for a sign that is over 4 square feet. Council Member Mossman felt the amendment should first be seen by the Planning and Zoning Commission.

Council Member Mossman made a motion to send the Ordinance Amendment to the Planning and Zoning Commission. Council Member Dye seconded the motion. The motion passed with all in favor.

ROCKY MOUNTAIN ENVIRONMENTAL – WATER RIGHTS UPDATE

Kristin Moore and Roger Warren were present to provide information to the Council. They gave a presentation regarding the water rights and showed a list of those the city holds or has potential to hold. They explained the differences between a permit, a license and a decreed.

Ms. Moore explained the Grand Teton Shares the city had, which equals 152 shares or 9.85 cfs. However, if the flows of Teton Creek were lower, the cfs shares the city would have would be lower as well.

Both Ms. Moore and Mr. Warren explained the steps that were needed for each permit or license and what needed to be finished on each. The Teton Creek well did not have a water right and Ms. Moore stated follow-up was needed to change the ownership.

Mayor Powers felt an agreement needed to be developed between the Grand Teton Canal Company and the city so that the Teton Creek rights and shares would allow the city to use the spring diversion.

The Council questioned the recent claim that was submitted by Rocky Mountain Environmental. Mr. Warren stated it was a years' worth of hourly wages.

Council Member Mosher made a motion to approve the claim from Rocky Mountain Environmental. Council Member Dye seconded the motion. The motion passed with all in favor.

PUBLIC WORKS REPORT

Resolution #279-12 – Authorizing Water Study

Jared Gunderson stated this resolution was to authorize the Mayor to sign documents for the water planning grant.

Council Member Dye made a motion to approve Resolution #279-12. Council Member Jones seconded the motion. The motion passed with all in favor.

RFQ for City Engineer

Council Member Jones felt the RFQ was necessary as it would allow the same company to work on the various projects throughout the city. Mr. Zollinger reviewed the document and stated it was appropriate.

Council Member Jones made a motion to approve the RFQ for the City Engineer. Council Member Mosher seconded the motion. The motion passed with all in favor.

COMMUNITY DEVELOPMENT REPORT

Doug Self stated he had been working on various grants. The 5th Street Sidewalk grant was being closed and he was planning for the 2014 Safe Routes to School Grant as well as the Our Town Grant for the plaza. He was currently waiting on the State and Local Agreement for the Transit Center.

Ashley Koehler, the new Planning and Zoning Administrator, would start October 24, 2012. University of Idaho Law students would come to Driggs to look at the form based code and help improve the area of impact agreement with the County.

MAYOR'S REPORT

Mayor Powers reported that the Memorandum of Understanding was signed by the Teton Arts Council.

The Council discussed moving the November 6th meeting to 8:00pm due to the elections.

Council Member Jones stated he had a concern with singling out gender in the non-discrimination resolution and felt there should just be a resolution that states the city follows the federal and state laws.

ADJOURNMENT

Council Member Mosher made a motion to adjourn. Council Member Mossman seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 10:31pm.

ATTEST:

Kreslyn Schuehler, City Clerk

Daniel J. Powers, Mayor