

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
DECEMBER 1, 2015**

Pursuant to adjournment of the City Council meeting held November 17, 2015, and the call of the Mayor, the Driggs City Council met **Tuesday, December 1, 2015**, 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, Planning and Zoning Administrator Ashley Koehler, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

APPROVAL OF MINUTES

Council Member Christensen made a motion to approve the minutes from the City Council Meeting on November 17, 2015 with changes discussed. Council Member Jones seconded the motion. The motion passed with all in favor.

CLAIMS

Council Member Christensen made a motion to approve the claims as presented from November 18, 2015 to December 1, 2015. Council Member Mossman seconded the motion.

The Council reviewed the claims.

Council Member Christensen amended the motion to approve the claims as presented from November 18, 2015 to December 1, 2015 with the exception of the invoice from Harmony Design GE99 Colter Building Water for \$224. Council Member Mossman seconded the motion. The motion passed with all in favor.

ORDINANCE #364-15 – ZONING ORDINANCE AMENDMENT FOR POWER SPORTS VEHICLE REPAIR AND SALES – SECOND READING AND POSSIBLE ADOPTION

Annie Decker presented information to the Council. She stated, based on the comments received, Standard No. 4 in Section 7 could read, “Any associated noise shall not disturb the use and enjoyment to any adjacent property.”

Council Member Kaufman was concerned with Standard No. 1, stating some sites were unable to have an impervious surface due to drainage issues. He was also concerned that the proposed wording for Standard No. 4 may give neighbors the ability to complain about any noise at any time. Council Member Mossman suggested referencing the City Code in regards to noise, but also felt that may be a possible conflict with the proposed standards.

Council Member Mossman discussed his concerns regarding a few definitions and requested Power Sports Vehicles be define separately from Power Sports Vehicle Repair and Sales.

Council Member Mossman made a motion to consider Ordinance 364-15 second read and asked staff to insert in Section 7, Number 4 between “noise” and “shall,” the words “not in violation of City Code 5.1.3, 5.1.4 and 5.1.5”, to break out the definition of power sports vehicle as a separate definition from power sports vehicle repair and sales and to make sure the two sentences that talk about work orders include “for sale or rent”, and in Section 2 amend the definitions. Council Member Kaufman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

SECOND READING OF AN ORDINANCE TO AMEND TITLE 4, CHAPTER 2

Doug Self presented information to the Council. He stated that because of ongoing discussions and amendments, he was recommending the removal of Section 3 from the ordinance. He felt it may also overlap with the zoning code regarding nuisances. He informed the Council the working group had not been informed of this recommendation before the meeting. He felt the removal would be simpler and easier to move forward. He concluded by reviewing the definition of a nuisance.

Council Member Mossman stated the recommended change would make the ordinance more general. He further stated he was uncomfortable with requiring neighbors to submit a name and signature when filing a complaint and believed citizens had the right to remain anonymous.

Mr. Zollinger informed the Council that there was no such thing as anonymity with civil complaints as the City was not able to “hide the facts” in regards to a complaint. He suggested different wording for that section of the ordinance.

Council Member Mossman questioned if the ordinance should be tabled until the next meeting to work through some of the concerns and issues discussed. Mr. Zollinger explained that with new Council Members being sworn into office in January, the current business should be finished by the end of the year or the process would have to start over.

Council Member Kaufman acknowledged that the committee members had worked hard on developing the ordinance and didn’t want to have to “crumple it up and throw it away.”

Council Member Mossman made a motion to table Ordinance 364-15 until the next Council meeting to give staff time to work on it. Council Member Kaufman seconded the motion. The motion passed with all in favor.

The Council decided to accept public comment at the next meeting and Mr. Self would advertise it as such.

CONSIDER AN EXTENSION OF THE ON AIRPORT CAR RENTAL AGREEMENT WITH HERTZ RENT-A-CAR

Council Member Jones questioned if other companies wanted to perform the services at the airport. Carol Lenz stated it was an exclusive contract with Hertz Rent-a-Car and was a just an extension of what was in place.

Council Member Jones made a motion to approve the extension of the On Airport Car Rental Agreement with Hertz Rent-a-Car. Council Member Mossman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

DISCUSSION - INTRODUCTION TO THE PROPOSED LAND USE CODE AND ZONING MAP

Ashley Koehler presented information to the Council. She requested the Council begin to look at the Code for formal review in the spring. She explained the website and where the information could be found if the Council should direct the public to the website when questions arose.

CONSIDER ACCEPTANCE OF THE CANVASSED ELECTION RESULTS FROM NOVEMBER 3, 2015 FROM THE BOARD OF COUNTY COMMISSIONERS

Council Member Jones made a motion to accept the canvassed election results from November 3, 2015 from the Board of County Commissioners with Z. Wade Kaufman receiving 170 votes, Jay T. Mazalewski receiving 136 votes and Val R. Casper receiving 97 votes. Council Member Mossman seconded the motion. The motion passed with all in favor.

NORTH-SOUTH PATHWAY SECTION B-CHANGE ORDER NO. 2 CM OWEN CONTRACT

Mr. Self stated the change order was to place boulders along the pathway for \$200.

Council Member Kaufman asked the Council if they were agreeable to a donation of the boulders, eliminating the change order. He stated he would be willing to donate the boulders and volunteer time to deliver and place the boulders in the needed areas. The Council agreed to the donation from Council Member Kaufman.

MAYOR'S REPORT

Mayor Johnson informed the Council of the new hire, Troy Jones, who would be doing maintenance and janitorial duties for City Hall and the Industrial building.

EXECUTIVE SESSION

Council Member Kaufman made a motion to go into executive session at 9:31pm pursuant to Idaho Code 74-206 regarding contract matters. Council Member Mossman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council

Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

Council came out of Executive Session at 10:10pm.

ADJOURNMENT

Council Member Jones 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 10:11pm.

ATTEST:

Kreslyn Schuehler, City Clerk

Mayor Hyrum Johnson