

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
December 17, 2013**

Pursuant to adjournment of the City Council meeting held December 3, 2013, and the call of the Mayor, the Driggs City Council met **Tuesday, December 17, 2013**, at 7:15 p.m. A roll call was taken and present were council members: Greer Jones, Ralph Mossman, George Mosher, Colin Dye, and Mayor Dan Powers, Community Development Director Doug Self, City Attorney Stephen Zollinger, Public Works Director Jared Gunderson, Planning and Zoning Ashley Koehler, Financial Officer Carol Lenz and City Clerk Kreslyn Schuehler. Mayor Dan Powers led the Pledge of Allegiance.

APPROVAL OF MINUTES

Council Member Mossman made a motion to approve the minutes from the City Council Meeting on December 3, 2013. Council Member Jones seconded the motion. The motion passed with all in favor.

CLAIMS

The Council reviewed the claims presented.

Council Member Jones made a motion to approve the claims as presented from December 4, 2013 through December 17, 2013. Council Member Mossman seconded the motion. The motion passed with all in favor.

ALCOHOL LICENSES PERMITS FOR 2014

Council Member Dye made a motion to approve all alcohol license permits pending completion of the application. Council Member Mossman seconded the motion. The motion passed with all in favor.

PUBLIC HEARING – 7:30PM ZONING ORDINANCE AMENDMENT FOR FOOD AND BEVERAGE PROCESSING

Ashley Koehler spoke to the Council regarding the ordinance amendment. She stated that due to some restrictions on businesses, the Planning and Zoning Commission reviewed the Zoning Ordinance and felt the changes were appropriate. She reviewed the concerns and mitigations for the downtown and industrial/highway commercial areas.

Ms. Koehler further stated that the Commission reviewed the amendment in July and requested that staff discuss the changes with the current business owners including 460 Bread, Grand Teton Vodka, Teton Wines, Teton Creamery and Rob Dupre, a future business owner. Some owners gave her comments and a Public Hearing was held in November, recommending approval to the City Council.

Ms. Koehler reviewed the changes that had been made since the previous Council discussion and read the comments that were received from VARD, which included concerns with retail sales in an industrial zone. Ms. Koehler stated that one solution

would be to change the definition of industrial zone and create a class of accessory retail use if the Council was also concerned.

Mayor Powers opened the Public Hearing at 7:39pm. Bill Beckett, owner of Grand Teton Vodka, spoke in favor of the ordinance amendment. He described the awards his business had received and explained that an increase in sales would help the community and bring customer attraction to the city. He concluded by stating that most other distilleries allow retail sales.

No other comments were made and the Public Hearing was closed at 7:51pm.

Council Member Dye stated he received two phones calls from concerned citizens who did not want to see retail in the area of impact.

Council Member Mossman and Mosher felt the Council needed to review the mentioned changes before approving the amendment.

Council Member Mosher made a motion to consider Ordinance 342-13: Amendment to Title 9 (Zoning) of Driggs City Code: Food and Beverage Procession Regulations first read. Council Member Dye seconded the motion. The motion passed with all in favor.

SILVER STAR FRANCHISE AGREEMENT

Michelle Motzkus, from Silver Star Communications, spoke to the Council. Changes had been made and Ms. Motzkus reviewed those with the Council. She further stated the agreement was only for telephone services and not for cable.

Council Member Mossman was concerned about the clause that allowed Silver Star to remove property. Mr. Zollinger stated that was a very typical clause and not something to be worried about as it was of no value to Silver Star to remove the entire infrastructure as they would look to sell it to another company first.

Council Member Mossman made a motion to table the discussion until the Agreement reflects the changes discussed. Council Member Jones seconded the motion. The motion passed with all in favor.

EXECUTIVE SESSION

Council Member Mosher made a motion to go into executive session at 8:23 pm pursuant to Idaho Code 67-2345. Council Member Jones seconded the motion. A roll-call vote was taken: Council Member Mosher, aye; Council Member Jones, aye; Council Member Dye, aye; Council Member Mossman, aye. The motion carried unanimously.

Council came out of Executive Session at 8:31pm.

SAGEWOOD SUBDIVISION ROAD TRANSFER

Council Member Jones made a motion to table the issue for a minimum of 30 days at the request of legal counsel. Council Member Dye seconded the motion. The motion passed with all in favor.

ACCESSORY BUILDING RATE CHANGE REQUEST

Carol Lenz presented information to the Council. She explained the research that staff did and recommended that separate accounts and associated water/wastewater charges continue to be billed monthly for 335 and 355 E Harper until Ms. Hansen paid to cap the Accessory Dwelling Unit's service lines at the City's main utility lands and paid to connect the ADU into the primary residence's service lines once adequate capacity was verified.

Mayor Powers reviewed Council Member Mossman's proposal on the issue as well and felt the City should be consistent and fair and stated Council Member Mossman's proposal would create an exception.

Council Member Mossman explained his proposal. Mr. Zollinger stated the current code was based on what can be used, not what is actually used and further stated the fee was based on the connection. He further stated that if a grant was to be obtained from IDWR, fees must be based on the amount of connections and not on the number of dwellings.

Council Member Dye made a motion to approve the staff recommendation. Council Member Mosher seconded the motion.

Council Member Mossman stated he would prefer only the water line be capped and not the sewer line.

Council Member Dye made a motion to amend the motion to state approval of the staff recommendation for the water line only. Council Member Mosher seconded the motion. The motion passed with the majority in favor. Council Member Mossman voted in opposition.

POWER VALLEY HOA WATER LINE BREAK CREDIT REQUEST

Ms. Lenz reported receiving a breakdown of current mitigation efforts. She requested the Council to determine if a credit should be given as discussed in the past.

Council Member Mossman made a motion to credit Powder Valley HOA as discussed. Council Member Mosher seconded the motion. The motion passed with all in favor.

BRAD STREET REQUEST FOR REDUCTION TO UTILITY BILL

Mayor Powers reviewed the staff report.

Council Member Dye made a motion to deny the request for a credit. Council Member Mosher seconded the motion. The motion passed with all in favor.

BATEMAN HALL CONSTRUCTION CONTRACT FOR TETON SCENIC BYWAY VISITORS CENTER

Doug Self presented the Standard AIA Contract between City of Driggs and Bateman Hall with a contract sum of \$605,000. He stated the Project Advisory Committee met and discussed changes with Bateman Hall to include a cost savings of \$20,000-\$40,000 by reducing some quality, but not changing the scope or program elements.

Council Member Mossman made a motion to approve the construction contract with Bateman Hall for the Teton Scenic Byway Visitors Center. Council Member Mosher seconded the motion. The motion passed with all in favor.

CONTRACT AMENDMENT WITH CYNTHIA ROSE- TETON SCENIC BYWAY EXHIBIT COORDINATOR

Mr. Self presented information to the Council and stated that an additional \$25,000 was placed in the recent increased budget allocation to ensure the city could fulfill the requirements of the exhibits and procurement.

Council Member Jones made a motion to approve the contract amendment with Cynthia Rose. Council Member Mosher seconded the motion. The motion passed with all in favor.

CITY CENTER PLAZA – 90% PLANS REVIEW

Mr. Self reviewed the changes with the Council. He stated the complete plans would be submitted by the end of the week. Council Member Mossman requested the plans be used for advertising.

Council Member Mossman made a motion to approve the 90% Plaza Plans. Council Member Mosher seconded the motion. The motion passed with all in favor.

STAFF REPORTS

Mr. Self reviewed the rest of his staff report and stated the Recreation Master Plan and future grants were projects he would be working on in the future.

Jared Gunderson reviewed his staff report.

Water System Work Order

Mr. Gunderson reviewed the Work Order for the Letter of Intent for SRF Funding. Once the letter was complete, funding may be obtained in 2015-2016.

Council Member Mossman made a motion to approve the Work Order for Aqua Engineering for the water system project. Council Member Mosher seconded the motion. The motion passed with all in favor.

Lighting Policy Implementation

Mayor Powers questioned if the Lighting Policy should be rewritten to change the lighting of street lights from just being on or off to being dimmed at a certain time of

night. Council Member Mossman felt the Resolution should be amended because LED lighting had transformed since the time the original was written. Mr. Gunderson stated he would like to try to dim the street lights in Creekside and see how the community reacted before changing the entire policy.

MAYOR'S REPORT

Work Order Policy

Mayor Powers stated that all work orders have been approved by the Council. He was requesting that a dollar amount be set to allow staff to approve some of the smaller items that had already been budgeted. The Council agreed to a dollar amount of \$1,000.

Council Member Jones made a motion to approve allowing staff to approve work orders for limits less than \$1,000. Council Member Mossman seconded the motion. The motion passed with all in favor.

ADJOURNMENT

Council Member Dye made a motion to adjourn. Council Member Jones seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 9:29pm.

ATTEST:

Kreslyn Schuehler, City Clerk

Mayor Daniel J. Powers