

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
MAY 7, 2013**

Pursuant to adjournment of the Special City Council meeting held April 30 2013, and the call of the Mayor, the Driggs City Council met **Tuesday, May 7, 2013**, at 7:15 p.m. A roll call was taken and present were council members: Greer Jones, Ralph Mossman George Mosher, and Colin Dye, Mayor Dan Powers, Community Development Director Doug Self, Planning and Zoning Administrator Ashley Koehler, City Attorney Stephen Zollinger, Public Works Director Jared Gunderson 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 April 11, 2013. Council Member Dye seconded the motion. The motion passed with all in favor.

Council Member Dye made a motion to approve the minutes from the City Council Meeting on April 16, 2013. Council Member Jones seconded the motion. The motion passed with all in favor.

Council Member Mossman made a motion to approve the minutes from the City Council Meeting on April 30, 2013. Council Member Dye seconded the motion. The motion passed with all in favor.

CLAIMS

The Council reviewed the claims presented.

Council Member Dye made a motion to approve the claims as presented dated April 17, 2013 through May 7, 2013. Council Member Jones seconded the motion. The motion passed with all in favor.

**PUBLIC HEARING: CITY CODE ZONING CHAPTER TEXT AMENDMENT –
HEIGHT EXCEPTION FOR EMERGENCY WIRELESS
TELECOMMUNICATION FACILITIES – TETON COUNTY**

Ashley Koehler spoke to the Council. She stated a request was received from Teton County to allow dispatch towers to exceed the maximum allowed height. Because the current ordinance did not adequately address the request, a code amendment should be made. Ms. Koehler stated the Planning and Zoning Commission had reviewed the request.

Ms. Koehler explained support from the Comprehensive Plan stating it “expressed support for efficient services and protection of the City’s historic and unique character” which included a plan for future service, facility and utility needs. She also stated the Design Review Standards and Guidelines include standards for “height, setback ratios, location relative to the street, public and civic spaces, colors, concealment and disguise of

mechanical equipment with special standards for mechanical equipment on building walls, rooftops, and ground-mounted units.”

The Airport Master Plan discusses height limits that extend from the runway with a maximum height of 150 feet. Ms. Koehler stated the Airport Board had reviewed the amendment and provided comments to ensure safety and compliance with the FAA standards.

One public comment was received at the Planning and Zoning Commission meeting on April 10, 2013 in opposition due to the tower being placed in the view corridor.

Ms. Koehler reviewed the proposed ordinance with the Council. She reminded them that the amendment was only for emergency dispatch towers which would require such towers to co-located on an existing tower if possible. She also stated the maximum height of such towers should remain at 100 feet with a greater setback adjacent to residential zones and streets.

Ms. Koehler continued to review the ordinance with the Council stating that the tower height would not conflict with the FAA standards and the emergency towers should be exempt from the Design Review standards and review process and instead rely on the design standards proposed.

Teton County had requested the fees be waived because only public entities would be going through the process. Ms. Koehler also stated the Commission decided not to require a public hearing for the applications to erect a tower of this sort.

Ms. Koehler concluded her report by recommending approval of the proposed ordinance amendment.

Jay Mazalewski, Teton County Engineer, spoke to the Council. He stated that under the current code this type of tower would not be allowed. He requested the height limit be 150 feet, as opposed to staff’s recommendation of 100 feet. He felt the city should allow for greater flexibility in the future.

The Council questioned where the proposed tower would be located. Mr. Mazalewski stated that if the ordinance was adopted, the county would be required to co-locate. If that could not be done, the tower would have to be placed on site.

Mayor Powers opened the Public Hearing at 8:05pm. There were no comments and the Public hearing was closed.

Mayor Powers read into the record the public comment that was received from John Handsford and stated the Council should “consider this very carefully because there was no mechanism for the public who might be negatively affected.” He further felt that harm would not be placed on an applicant if a public hearing was required.

Council Member Mosher felt that “something like this on Main Street will be detrimental to the businesses” and should be out of view from the general public. Mayor Powers reminded the Council that the discussion should be about the proposed amendment and not about the future tower location.

Ms. Koehler stated the applicant would have to prove that co-location would not be possible and that they would use the shortest and smallest tower possible. Discussion of the type of structure began. Mayor Powers felt the applicant should be allowed to come up with a solution to fit the specifics instead of dictating they type of tower needed to use.

Council Member Mossman stated he felt the amendment was appropriate for emergency towers in the city and would like the best possible technology involved so the tower was the least visible. Council Member Dye and Jones stated that if the applications were reviewed on a case by case basis, a height limit should not enforce, except the requirement by the FAA of 150 feet.

Changes that were discussed included striking section 9-2E-2:E5, leaving the setbacks to be the radius equal to the proposed height and include a public hearing requirement as part of the application process. The Council also requested three elevation drawings be submitted and allowing any affected person to appeal the decisions made.

Council Member Mossman made a motion to consider Ordinance #337-13 first read with the changes discussed. Council Member Dye seconded the motion. The motion passed with the majority in favor. Council Member Mosher voted in opposition.

BOB FOSTER – GRANT SUPPORT REQUEST FOR IDAHO DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT PROFESSIONAL

Bob Foster presented information to the Council. He stated the program was a three year rotating program sponsored by the Idaho Department of Commerce and would be awarded in July 2014. The grant would fund a coordinator position which would aid in business support services and recruitment activities.

Mayor Powers reminded the Council the request for funds was budgeted for 2013.

Council Member Jones made a motion to authorize a letter of support for the EDPro grant application stating the intent to continue budgeting matching funds of \$5,000. Council Member Mosher seconded the motion. The motion passed with all in favor.

BID REVIEW AND CONTRACT AWARD FOR COMMUNITY CENTER PHASE IIA IMPROVEMENTS

Doug Self stated one bid was received from Headwaters Construction. The bid was three times the architects estimate and should not be awarded at this time. Mr. Self requested to receive an itemized cost so the architect could learn what was missing. Plan One should work with Headwaters to determine what was missing and then adjust the priorities and rebid the project in the fall.

Council Member Mosher made a motion to reject the bids received from Headwaters Construction. Council Member Mossman seconded the motion. The motion passed with all in favor.

STAFF REPORTS

Doug Self and Jared Gunderson reviewed their staff reports.

MAYOR’S BUSINESS

Mayor Powers reminded the Council about the AIC Conference in June.

EXECUTIVE SESSION

Council Member Jones made a motion to go into executive session at 9:27 pm pursuant to Idaho Code 67-2345. Council Member Mossman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mosher, aye; and Council Member Dye, aye; Council Member Mossman, aye. The motion carried unanimously.

Council came out of Executive Session at 9:40 pm.

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 9:40pm.

ATTEST:

Kreslyn Schuehler, City Clerk

Mayor Daniel J. Powers