



CITY OF DRIGGS
COUNCIL MINUTES
June 5, 2012

Pursuant to adjournment of the City Council meeting held May 16, 2012, and to the call of the Mayor, the Driggs City Council met on June 5, 2012 at 7:15 p.m. Present: Council President Mosher; Council Members Dye and Jones; Also present: City Attorney Zollinger, Planning and Zoning Director Self, and Public Works Director Gunderson. Excused: Councilmember Mossman. Mayor Powers led in the *Pledge of Allegiance*.

Approval of Minutes

- May 16, 2012: **Mosher moved to accept the May 16, 2012 minutes as presented. Jones seconded.** Dye abstained. Motion carried.

Approval of Claims

- A correction to invoice #19293 to Dan Powers was noted, an increase to \$536.32. Invoice #19317 to Dan Powers should be void, \$150.00.
- Questions:
 - HD Fowler [Park Supplies]
 - Edwin Thomas [Land Lease]
 - Action Excavation [5th Street Sidewalk]
- **Dye moved to approve Claims dated May 17-June 6, 2012, as corrected. Jones seconded.** Motion carried.

Zumba Class (North End) – Penelope Tolman

- Not present – no action taken by Council

Teton Valley Balloon Rally Beer & Wine Catering Permit and Sponsorship

- Virginia, Margaret, and Candy highlighted items outlined in the information included with the Council packet: evening “Glow” events on July 3rd, balloon rides at the Airport, sponsorship funding request, and their goals for a “smaller, tighter” event.
- Available funds for sponsorship were discussed. **Dye moved to approve City sponsorship at \$2,000.00 with \$1,400.00 from Non-profit and \$600.00 from Contingency. Mosher seconded.** Motion carried.
- The Rally’s catering permit applications were reviewed. Questions about the two applications (one wine, one beer) were answered. **Mosher moved to approve the Wine and the Beer Catering Permits for the 2012 Teton Valley Balloon Rally. Dye seconded.** The question was called: Dye, aye; Jones, nay; Mosher, aye. Motion carried.

Fiscal Year 2011 Audit: Brad Reed and Josh Bingham, Rudd & Co.

- Josh Bingham walked the Council through the FY 2011 financial audit report. Of note: the City received an unqualified opinion with no problems, issues, or trends noted.
- The May 31, 2012 supplemental letter stipulates that no significant audit findings were present and that the audit was conducted without difficulties.

- The Internal Control supplemental letter noted the City's difficulty in providing separation of duties due to its small staff size and limited budget ability to hire. At this time there is no cost-benefit to the City so this comment will be present in the foreseeable future.
- Brad Reed answered questions from the Council, in particular during the discussion on availability of funds for specific projects (Unassigned Fund Balance, pg. 12) and how much reserve the City should try to maintain (30% or 3-4 months of activity).
- Reed also discussed the importance of Enterprise [business] funds (water & sewer for the City) setting rates high enough to have positive operations. In FY 2011 the sewer fund "broke-even" while the water fund carried an "adequate" fund balance.
- **Dye moved to accept the FY 2011 Financial Audit as presented. Mosher seconded.** Motion carried.
- Reed & Bingham will provide an estimate on the cost to have Rudd & Co. prepare a five-year 'Indicator of Financial Health' report for the Council.

Fiscal Year 2012 Year-to-Date Financials

- The Council reviewed YTD financial information on the various funds with Finance Officer Lenz. The Road Fund will require additional funds transferred from the General Fund because of prior year costs being invoiced and expensed in the current year. The General Fund and Resort Tax Fund are in good standing with Resort Tax revenue anticipated to increase over the summer months.
- Actual revenue receipts for both the Water and Sewer Funds are below budget; however, increased water use over the summer and a rate change for commercial sewer accounts should increase revenue receipts over the remaining fiscal months.
- The Industrial Building Fund is below revenue due to a lack of tenants. There are three or four prospective clients looking at renting space in the building at this time. Rental rate(s) are reviewed and adjusted based on current market.

Planning and Zoning: Doug Self

- **Sidewalk Sale Days Resolution**
 - Self informed the Council that City code, Title 7, Chapter 1 prohibits the use of sidewalks for retail purposes except on days specified by resolution. Resolution 727-12 would designate May 1 – October 1 as Sidewalk Sales Days in the City of Driggs.
 - **Mosher moved to adopt Resolution 727-12, with the dates expanded to May 1 – October 31. Dye seconded.** Motion carried.
- **Industrial Building Lease Rates**
 - A proposed lease rate schedule for the City's Industrial Building (IB) was presented for consideration. The proposed IB schedule mirrors the rate schedule in place for the Recreation Center (RC) space, with the exception of market rate for the RC set at \$0.40 per square foot.
 - The proposed IB schedule is:
 - Years 1 & 2: 65% of market rate (current for warehouse/office = \$0.46/sf)
 - Years 3 & 4: 75% of market rate
 - Years 5 & 6: 85% of market rate
 - Years 7 & 8: market rate
 - Renewals & rates beyond 8 years would be subject to negotiation

- **Jones moved to approve the Industrial Building rate schedule as listed. Mosher seconded.** Motion carried.
- **Safe Routes to School Agreement**
 - Self requested Council authority for the Mayor to execute the Safe Routes to School (SRS) State-Local Agreement (SLA) for project # A013(138). The project includes funding in the amount of \$6,000.00 for non-infrastructure activities (education/encouragement), \$9,000.00 for project development (survey/engineering), and \$91,000.00 for construction (in 2014) of a separated asphalt pathway from the new 1000 N up Highway 33 to the Valley Center Subdivision
 - **Mosher moved to authorize Mayor Powers to execute the State-Local Agreement for Safe Routes to School project #A013(138). Dye seconded.** Motion carried.
- **Woontanara Aid Yard Sale Fundraiser**
 - Consensus was reached by the Council to allow the Woontanara Aid Yard Sale on the City Center Plaza on September 8th, 2012. Part of the north-end of the City building may also be used to coordinate drop-off and storage of donated items prior to the sale.
- **Driggs Recreation Center Concept**
 - Self outlined a conceptual floor plan being worked on for the North End. Uses include the Indoor Sports Academy under its own lease for the west end of the building, and a master lease with the Teton Valley Recreation Authority (TVRA) which would manage the remaining space with potential tenants to include the Teton Rock Gym & Yama Judo. A half-court basketball area could also be used for community events. Space for a visitor's center and the transit center will also be included in the concept. Funding would need to be set aside to upgrade the current North End restrooms.
 - No action was required by the Council.

Public Works – Jared Gunderson

- **PW Staff Report:** Council members were e-mailed with the latest Public Works staff update prior to tonight's meeting. Jones inquired about progress on Dura Patching which lead to a discussion on the proposed fill of the speed dip at 4th & Ross which will serve as a test of the Dura Patch process to reduce the dip(s) in other City streets. Discussions have been held in prior years on filling the dips part way with a "cold patch" process but action was not taken for multiple reasons. Gunderson referred back to the survey of resident responses: 1/3 'leave as is', 1/3 'remove entirely', and 1/3 'fix at least cost'. Council members agreed that the Dura Patch test at 4th & Ross should be done.
- **Curb at Ashley**
 - No response received to date from ITD on changing the curbing on Ashley by Driggs Tire
- **Street Sweeping**
 - Gunderson will be busy sweeping in July while the rest of the PW Crew works on blowing out sewer lines
- **Skate Park Cameras**

- Silver*Star has submitted a \$1,577.51 quote to install four surveillance cameras at the Skate Park. The quote includes a DVR for recording with 24/7 access by the Sheriff's department. The system's hard drive/server will be placed at the Public Works shop. Funding will be taken from the Parks budget.
- **Lions Park Backstop** – came in under budget. Great job by all contractors & PW staff.
- **Posts at City Park** – posts are crooked (catty wampus) but repair is not a high priority budget item as they are still functioning as intended
- **Welcome to Driggs Signs** – According to Mike Stearns the signs were an Eagle Scout project years ago. The City owns the signs but not the ground. Lighting of the signs will take a “creative solution”
- **Cemetery Bridge at Teton Creek**
 - Quotes were received from HK, Headwaters, and MD Nursery for installation of railings and paving of the bridge deck. MD's quote was lowest at \$57,460.00 [corrected]. The railing alone was budgeted at \$35,000.00.
 - **Mosher moved to accept MD Nursery's quote of \$19,500.00 + 50% of traffic control at \$2,250.00 [\$21,150.00 total] for installation of railing only on Cemetery Bridge at Teton Creek to be paid from Resort Tax funds. Jones seconded. Motion carried.**
- **Material Move From Airport to Lagoon**
 - Quotes to move the City's road material from Airport storage to the Lagoon were received as follows:

Contractor	Unit	Quantity	Price	Total
Action Gravel Enterprises	CY	5010 CY	4.99	\$24,999.90
Action Excavation	CY	5020 CY	4.98	\$24,999.60
MD Nursery	CY	4761 CY	5.24	\$24,947.64
Matkin Brothers	CY	6192 CY	4.04	\$25,000.00
DePatco	CY	5353 CY	4.67	\$24,998.51

 - Because of time constraints for the removal of material, contractors were asked for the amount of material they could move on or before June 25th.
 - **Jones moved to contract with Matkin Brothers and DePatco to move material from the Airport to the Lagoon with Action Excavation as contingency if needed to meet the removal deadline. Mosher seconded. Motion carried.**

Mayor's Report: Daniel J Powers

- **Track to Hang Art in the City Center**
 - Further research revealed that separating the track and lighting systems makes sense. The original quote for track only was \$2,800.00. Consensus was reached to proceed with ordering the track to be paid under the City Hall Improvement general fund line. Quotes received for lighting cost will be brought back to the Council.
- **Art Walk Advertising Budget**
 - Fiscal year funding provided by the City for Art Walk advertising (\$1,500.00) is almost used. A request for additional funding will be brought to the Council soon.
- **Water Rights Meeting**

- Powers met with Jerry Rigby, City Attorney Zollinger, and a representative of the Canal Company to discuss Alta Spring water rights. The issue is confusing because the water originates in Wyoming with end delivery in Idaho. Control of the water right is in question. Discussion/meetings are on-going.
- **Downtown Spaces**
 - Meetings/brainstorming have been done with downtown landlords and business to try and fill empty spaces; issues/ideas are frequently the topic of discussion at DDCA meetings. There has been a small increase in Sales Tax numbers and the Industrial Building is seeing an increase in interest.
- **Teton Arts Council Proposal**
 - The Council reviewed a proposal by the Teton Arts Council (TAC) to manage a City Center Arts Space utilizing the proposed track/lighting (see Track to Hang Art above) in the foyer of City Hall.
 - TAC would be responsible for: development of an annual schedule of exhibits, set-up and tear-down of exhibits, publicity, artist contact/communication, exhibit receptions, and grant application/funding for outside exhibits.
 - The City would be responsible for: art work sales during normal business hours and maintenance of the space.
 - Attorney Zollinger cautioned that the Council should retain veto authority to ensure that all exhibits meet “community standards”. Lenz questioned how sales money would be accounted for and questioned the City’s liability in the event of damaged or stolen artwork.
 - TAC’s proposal will be brought back to Council after additional research.

9:30 p.m. Executive Session

- **Jones moved to enter Executive Session per Idaho Code 67-2345(f) Legal Considerations. Dye seconded.** The question was called by roll: Dye, aye; Jones, aye; Mosher, aye. Motion carried.

9:40 p.m. The regular session was rejoined.

- **Jones moved to direct Mayor Powers to follow through with the Memorandum of Understanding as discussed in Executive Session. Mosher seconded.** Motion carried.

9:50 p.m. Adjournment

With no further business, **Jones moved to adjourn. Mosher seconded.** Motion carried.

Daniel J Powers, Mayor

Attest: Carol Lenz, Finance Officer

Dated this _____ Day of _____, 2012.