



CITY OF DRIGGS  
COUNCIL MINUTES  
July 17, 2012

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Pursuant to adjournment of the City Council meeting held July 5, 2012, and to the call of the Mayor, the Driggs City Council met on July 17, 2012 at 7:15 p.m. Present: Council President Mosher; Council Members Dye, Jones, and Mossman; Mayor Powers. Also present: City Attorney Zollinger, Planning and Zoning Director Self, and Public Works Director Gunderson. Powers led in the *Pledge of Allegiance*.

#### Approval of Minutes

- July 5, 2012: **Mosher moved to approve the July 5, 2012 minutes as corrected. Mossman seconded.** Motion carried.

#### Approval of Claims

- Questions:
  - Teton County [Economic Development, Law Enforcement & Prosecutor Fees]
  - Silver\*Star [City Hall Phone Service]
  - Owen Construction [Harper & Howard Ave payments]
  - R&M Concrete [Curb at Chambers Building]
  - Action Excavation [5<sup>th</sup> St Pathway]
- **Jones moved to approve Claims dated July 5-17, 2012, excluding Action Excavation/5<sup>th</sup> St Pathway & limiting payment to R&M Concrete to the amount previously approved [9/20/11] by the Council toward curbing at the Chambers Building. Mossman seconded.** Motion carried.

#### Teton Arts Council (TAC)

- **Beer & Wine Permit for *Shakespeare on the Green***
  - **Mosher moved to approve Teton Arts Council's application for a beer & wine catering permit for *Shakespeare on the Green*, August 1, 2012. Mossman seconded.** Motion carried.
- **Art Gallery Space: Linda Lopez**
  - Lopez reported that discussions had been held with Denis at Alpine Wines and the TAC Gallery will continue at Alpine. TAC is also looking for other gallery space including the foyer at City Hall.
  - Interest generated from the DDCA's Plein Air should increase the number of artists interest in showing in Driggs
  - **Consensus was reached by the Council** to have Lopez meet with the Mayor to draft a proposal, to include City concerns, for the proposed gallery space and bring back for Council approval.

#### Peaked Sports: Beer and Wine Permit for Wydaho Rendezvous

- **Mossman moved to approve Peaked Sports' application for a beer & wine catering permit for the Wydaho Rendezvous, July 28, 2012. Mosher seconded.** Motion carried.

#### Truck Traffic Impacts: Tina Walker, Teton Valley Cabins

- Walker, the innkeeper at Teton Valley Cabins, presented a letter to the Council, dated July 12, 2012, in which she writes of the “noise and disturbance” from “huge transfer trucks and dump trucks rolling through ... downtown streets...” She went on to point out the loss of business at Teton Valley Cabins and questioned where she can “claim the lost revenue or repair the damage to our reputation...” She stated that she would “like the routes allowed for these large vehicles to be re-visited ...” and included suggested alternate routes on State Line Road, 1000 E, 2000 S, and “even” 2500 N.
- Council discussion with Walker included gravel plant hours of operations (controlled by County CUP), noise (“no, just trucks” per Walker), alternate routes, and safety issues related to trucks trying to enter roadways without some form of regulation e.g. the stop light at Little & Main.
- Powers questioned Zollinger on the City’s ability to prevent through truck traffic on Little. Zollinger noted that the City could prevent trucks on Little as long as a “reasonable alternative” was available; however, the City cannot regulate traffic that crosses a State highway (Main Street in Driggs is State Highway 33). A truck route must be designated, signed, and enforced if implemented
- Self pointed out that Little/Ski Hill Road by Teton Valley Cabins is designated a truck route and that the road base is designed for heavy truck traffic; the City excluded the block between 5<sup>th</sup> & Main on Little in 2006 because of the businesses downtown. Alternate routes listed in the City’s transportation plan (e.g. Johnson Avenue) have not been upgraded to support proposed heavy traffic due to limited funding
- Guch Lombardi, who lives and owns two businesses on Little Avenue, spoke in favor of closing Little to through truck traffic. Lombardi stated that her business is “way down” and that it is “completely unpleasant on Little, walking or biking.”
- After further discussion of City designated truck routes and alternatives, **Mossman moved to remove Ski Hill Road, 5<sup>th</sup> Street, & Johnson Avenue as designated City truck routes; to sign Ski Hill Road at Cottonwood Corner “No Through Truck Traffic”; and to work with Teton County and the Idaho Transportation Department on appropriate signage for alternate routes. Mosher seconded.** Motion carried.

#### **8:15 p.m. Public Hearing: Ordinance 333-12 Outdoor Lighting Regulations**

- Self started the discussion by informing the Council of the P&Z Commission’s recommendation to adopt the ordinance. He then went on to note the additions proposed by Carl Jordan underlined in red with proposed deletions struck-through. Mossman questioned which version was recommended by P&Z, the original or proposed changes – P&Z had not seen the revised version.
- Powers questioned enforcement and the permitting process. Self responded that initially, enforcement may take as much as 20 hours per week for existing lighting. New lighting would not be an issue as Design Review for new structure(s) would regulate proposed lighting. Section 2C: Amortization was discussed at length. Zollinger stated that the ordinance meets current standards and is heading in the same direction that lighting is moving. Zollinger clarified that the Council can make minor changes to an ordinance at each reading – the public hearing needs to address the recommendation of the P&Z Commission

#### **8:45 p.m. The Public Hearing was opened for public comment.**

- **For**
  - **Carl Jordan** spoke in favor of the ordinance. He used lights to demonstrate the difference in bulb illumination. He spoke of the non-regulation of Christmas lights, how inexpensive it would be to come into compliance with the ordinance, and he stressed that the proposed changes he added/struck through brings the ordinance back to “what the P&Z wanted.” Jordan stressed three key points: 1) holiday lighting, primarily LED, must conform with 5000 lumens confirmed; 2) flag lighting is not restricted in the ordinance, the direction of lighting is tipped downward;, and 3) full conformance should be accomplished in five (5) years versus the ten (10) years recommended by P&Z. He closed his presentation by stating, “Dark Skies is a code word for good lighting.”
- **Neutral** = None
- **Opposed** = None

**9:05 p.m. The Public Hearing was closed to public comment.**

- **Jones moved to consider Ordinance 333-12: Outdoor Lighting Regulations first read as approved by the P&Z Commission. Mossman seconded.** Discussion followed and focused on the difficulty in enforcing holiday lighting and sending the proposed changes to P&Z for review & recommendation. **The question was called,** motion carried.

#### **FY 2013 Budget Work Session**

- Powers reviewed the proposed budget for fiscal year 2013 with the Council. Discussion focused primarily on the General and Road Funds with Powers noting that “serious budget cutting” would need to be done to balance the entire budget. In the General Fund (GF) he pointed out the addition of an Economic Development/Mobility sub-category which included a proposed new position and most of the anticipated grant award(s) for FY 2013.
- Due to the length of the evening’s agenda, consensus was reached by the Council to meet on Tuesday, July 24, 2012 at 7:15 p.m. to further refine the budget for FY 2013

#### **Public Works – Jared Gunderson**

- **Old Jet Truck:** Gunderson requested approval from the Council to dispose of the 1956 Jet Truck that no longer works. He has received an offer of \$500 for salvage from Brandon Lerwill. Zollinger confirmed that the Council can declare the truck surplus and dispose of for salvage. **Mossman moved to declare the 1956 Jet Truck surplus. Jones seconded.** Motion carried.
- **Ross Avenue Chip Sealing** – slated for 7.18.12. Bicycle path will not be chip sealed. Mossman asked if the test dip [DuraPatch to fill] should be moved to 5<sup>th</sup> so it could be chip sealed too. Gunderson said he would check
- **Harper Avenue** – the low spot in the new asphalt in front of KwikWay will be fixed. Cost to repair will be covered by the Contractor’s bond.
- **Street Sweeping** – slated for tonight
- **Tin Cup:** Gunderson will be meeting with Tin Cup organizers on 7/18 to finalize preparations for Saturday’s race

- **Airport Road Material** – Ned Thomas has notified Gunderson that “he appreciates the work done” in removal of the material and with the City’s efforts to control weeds
- **Old Phoenix Video:** rubber barricades have been ordered for in front of this store space
- **Weed Spraying** – County is responsible for enforcement per State statute. The City can spray in its right-of-way; if weeds extend into private property, the County Extension Agent should be notified. Powers asked that Ross & Booshway be mowed and that Gunderson find out who is responsible for upkeep at Calico Sky and west of Front Street.

**Community Development:** Doug Self

- **Burns Concrete Variance** – denied by Driggs P&Z Commission. The variance request will go to the Teton County Commissioners in September where denial is also anticipated.
- **Conditional Use Permit** – Cody Runyan has received a conditional CUP for Trailer Sales at the lot behind the Broken Spur, pending landscape approval
- **P&Z Public Hearings**
  - Huntsman Springs Phase I PUD amendment and Huntsman Springs Phase II plat were both approved by P&Z as was the Fire Impact Fee Amendment. All will be brought to the Council
- **Grants**
  - **Our Town** for \$50,000 [FY 2013] has been awarded to design a City Center Plaza and Public Art Space
  - **Idaho Rural Partnership** (IRP): training sessions will be held September 11 (Council is encouraged to attend the dinner session); September 12 is an all day planning session; September 13 the Council is encouraged to attend for presentations. The IRP will bring expertise to the City to conduct a community review with emphasis on economic development, recreational opportunities, community involvement, and the City’s general lifestyle
  - **GEM Grant:** \$42,500 has been awarded [FY 2012] to put fiber optic into the SE Business section of downtown. Three bids will be sought. All affected landowners have been contacted for input, pre-construction
  - **Local Highway Improvement** Funds for FY 2014 – the City has a 70% chance of qualifying, W Little as a project? URA for match requirement?
- **DDCA Summer Banners** – not up due to a “hold up” at Peak Printing
- **Law Enforcement Center** - final design review is set for 7/23; demolition should begin soon thereafter
- **Dye questioned Anderson’s fence at Palisades Trail** – Self will check, but he does not believe a permit was required

**Mayor’s Report:** Daniel J Powers

- **Batch Plant**
  - Powers has been in contact with the County about the noise and odor coming from the batch plant. CUP are issued based on State statutes and as long as the operators meet permit conditions, there is not much the County can do
- **1000 N @ Airport**
  - Working with Lillian Bowen to sort out the details on the grant award from the FAA; it appears that the anticipated figures are \$127,000 apart

- **Airport Board**

- **Resignation:** Ash Alexander has resigned opening up a spot on the Airport Board. The Board meets the third Wednesday of each month and should be composed of 50% City residents. Powers has received two names for consideration. He encouraged the Council to make additional recommendations.
- **Noise Abatement:** noise abatement committee has been meeting and will be placing noise abatement signs soon

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

**10:38 p.m. Executive session was entered.**

**11:15 p.m. The Regular session was rejoined.**

- **Mossman moved to approve payment request #2 from Action Excavation in the amount of \$51,937.01. Jones seconded.** Dye abstained. Motion carried.
- **Mosher moved to direct Powers to negotiate with L8 as discussed in Executive Session. Mossman seconded.** Motion carried.

**11:20 p.m. Adjournment**

With no further business, **Dye moved to adjourn. Mossman seconded.** Motion carried.

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Daniel J Powers, Mayor

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Attest: Carol Lenz, Finance Officer

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2012.