

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
JULY 19, 2011**

Pursuant to adjournment of the City Council meeting held July 12, 2011, and the call of the Mayor, the Driggs City Council met in regular session **Tuesday, July 19, 2011**, at 7:00 p.m. A roll call was taken and present were council members: Greer Jones, Colin Dye, George Mosher and Jay Mazalewski, Mayor Dan Powers, City Attorney Stephen Zollinger, Public Works Director Jared Gunderson and Planning and Zoning Administrator Doug Self. Mayor Dan Powers led the Pledge of Allegiance.

**MINUTES TO REVIEW**

Council Members reviewed the minutes from the previous City Council Meeting. Council Member Mazalewski made corrections.

**Council Member Mazalewski made a motion** to approve the minutes of the July 12, 2011 City Council Meeting. Council Member Mosher seconded the motion. The motion passed with all in favor.

**CLAIMS REVIEW**

Council members reviewed the claims.

**Council Member Jones made a motion** to approve the claims as presented dated July 13, 2011 through July 19, 2011. Council Member Dye seconded the motion. The motion carried unanimously.

**TETON VALLEY SKATE PARK CLUB – CHRIS MATAISZ AND JOSH JOHNSON**

Josh Johnson spoke to the Council. He felt the Skate Park was getting too crowded and wanted to add on to it for the benefit of the community and to increase safety. Plans were to add a children's section, located to the south of the existing gazebo, with slower transitions. The plans would take 3-4 years to complete and would be done in phases, Mr. Johnson stated. The overall plan included fundraising and building awareness in the community. Mr. Johnson concluded by stating the model had a lot of good transition to aid in safety. He also felt it would increase tourism as it could be added to the loop of skate parks in Wyoming and Idaho.

Council Member Mazalewski questioned if the additions would interfere with the BMX Park or the Frisbee golf area. Neither area would be affected, Mr. Johnson stated. He felt it would be a good project, benefiting the community. He requested the permission of the Council to begin to move forward with the project.

Mayor Powers stated he requested that the Skate Club progress to ensure the project had a wide variety of users and sponsors. Mr. Johnson stated the club had three meetings and that several people were involved including Mark Goddard and parents of those who use the park often. Mayor Powers also suggested getting community input. Chris Mataisz

stated they wanted to have a Skate Park Clean-Up Day and may be able to incorporate the two.

Council Member Mazalewski suggested the Parks Committee also be informed of the intentions, as well as the Public Works Department to ensure adequate access for their equipment.

### **SCENIC BYWAY CENTER ARCHITECTS CONTRACT**

Hyrum Johnson spoke to the Council, representing the Project Advisory Committee (PAC), and stated the PAC had recommended the City enter into a contract with the L8 Group to allow the drawing of plans for the Scenic Byway Center. He further explained that it would be hard to determine an exact budget until there was a drawing to work with.

Mr. Johnson presented the Scenic Byway Budget Proposal and stated that with the current numbers there was a shortfall of about \$28,000. The intention was to create the project with a 501c3 which will intern, create funds for the operation and maintenance of the center, Mr. Johnson stated. There are those willing to commit funds, but won't do so until progress was shown. It was also stated the current budget had a \$75,000 contingency.

Council Member Mazalewski stated his biggest concern was that \$159,000 was budgeted for the management and \$141,000 had already been spent. He did not feel \$16,500 was enough to cover expenses to the end of the project. Mr. Johnson stated that once the funds were gone from the Management budget, Reid Rogers, the project manager, would no longer be able to be reimbursed for his work and would then begin the work under the 501c3. Mayor Powers stated that the PAC had seen a category by category account of where the money had gone. Mr. Johnson stated that he and the Mayor had tried to get more accountability from Mr. Rogers and were progressively becoming more comfortable with the use of the funds. Mayor Powers agreed.

Mr. Johnson questioned if the City wanted to continue to delay the project. Council Member Mazalewski stated he did not have a problem moving forward with the building design, but felt the design should fit to the funds that were in place. Mr. Johnson agreed, but stated the shortfall was a result of the Community Development Block Grant reorganization. He requested the City cover that with the understanding that "loan" would be the last to be used and the first to be reimbursed. Council Member Mazalewski again stated that the City should work within the current budget even if that means cutting the design by \$30,000. Mayor Powers reminded the Council that because the city chose to bury the power lines, the money came out of the CDBG grant money that was allocated for this project.

Council Member Jones questioned if the building could be redesigned. Mr. Johnson warned the Council stating that if the architect was to change his design, the city would be at risk for "potentially going against the RFQ process and the others who submitted" and explained the reasoning for that. Stephen Zollinger stated that it would be up to ITD

to determine if the change warranted another RFQ process. He further suggested that the architect changed the interior finishes by \$28,000 and not the exterior design. Mayor Powers further stated, "It's not a system that allows us to say we like this but we want to change that." Mr. Johnson stated that the architect was to hold a public input meeting regarding his design, but the concept should remain the same.

Council Member Mazalewski felt that the project should meet the current budget. Council Member Jones stated that the city took \$60,000 from the CDBG and now the PAC was asking for some of that money back to complete funding for the project. He did not feel this was a problem because he saw that the money would come back. He further stated that many people had put effort into this project and he wanted to see it move forward.

Mr. Johnson reminded the Council that permission to proceed with drawings was not a commitment to build a building. If the drawing bids did not fit into the budget, then a cutback could take place. Mayor Powers felt the city could budget for the \$28,000 in the next fiscal years budget.

Council Member Mazalewski suggested that the process for the drawings begin. After the drawings were complete, the topic would be revisited. In the meantime, he felt fundraising efforts should be put forth.

**Council Member Mazalewski made a motion** to approve the Standard Form of Agreement between the City of Driggs and L8 Group for the Scenic Byway Project. Council Member Jones seconded the motion. The motion passed with all in favor.

Council Member Mazalewski stated he wanted to know how the funds had been spent thus far and stated that if the city needed to pay a separate auditor that should occur. "It's our responsibility to know where the money has gone," he stated.

#### **VICTOR SEWER AGREEMENT**

Mayor Powers stated that an agreement had been approved, but the City of Victor had some changes, specifically to Section 3. Mr. Zollinger was concerned with the changes stating that if upgrades were necessary and the City of Victor did not approve them, they would not have to share in the cost of the upgrades. If it was a necessary improvement to keep in compliance, Victor should share in those costs regardless of their prior approval, Mr. Zollinger stated. Council Member Mazalewski suggested changing the language from "approved by the City of Victor" to "inform the City of Victor" and stated he was in agreement that capital improvements be reported on a quarterly basis. Other items discussed were changing the amount of any capital expenditure from \$2,500 to \$5,000. Mr. Zollinger suggested discussing the intent with Victor to understand if they just want to be notified or give their approval for expenditures.

**Council Member Mazalewski made a motion** to approve the Driggs/Victor Inter-City Agreement for Wastewater Treatment Services with the changes to item 3c as noted in

the minutes. Council Member Mosher seconded the motion. The motion passed with all in favor.

### **SEWER RATES**

Mayor Powers stated this discussion was a result of the ongoing discussions with Teton Creek Resort who are paying more for sewer than any other multi-family unit. He suggested adopting an ERU schedule which would increase the amount of ERU's the city had, allowing the base rate per unit to decrease by one-third for single-family residence.

Mayor Powers stated most other cities use a lower ERU number than 1 for multi-family units or apartments. He stated most in the city were averaging 3,000 gallons a month during the peak winter month or about 100 gallons a day. He further stated that the current ERU table averaged about 320 gallons a day. Mr. Gunderson stated that DEQ estimated a use of 400 gallons a day for an average household. Mayor Powers stated that if the ERU number was reduced it would "soften the blow" as some of the units will have a drastic increase.

Mr. Zollinger stated the city must find equality either by objectively or subjectively doing so. He suggested determining the potential impact at full capacity and should not base it on actual usage.

The Council felt this concept was acceptable and fairer across the board. Mayor Powers stated he would get the information in the form of an Ordinance for the September meeting.

### **SELF-FUNDED INSURANCE POOL**

Amy Smith spoke to the Council and stated that several cities in the State of Idaho had agreed to provide themselves with insurance with a goal to spread the risk across the pool and control increases. The city was a small employer for health insurance and therefore was at a greater risk for rate increases.

Ms. Smith explained the key players involved in the group called the Intergovernmental Insurance Authority. These people created the group to control costs and have greater buying power. If the city joined before August 3 and gave a 3-year commitment, the plan structure would be set up with Blue Cross and the current health benefit plan would remain in place for one year. The premium would remain the same for one year as well.

Mayor Powers stated that if the city joined, immediate costs would be the same. He further stated there was a good chance that the future costs would be less as the intent was to stabilize rates. Mr. Zollinger stated that the group would become a negotiator on behalf of all participants, allowing for lower rates as a whole.

Council Member Mazalewski questioned if employees should be informed of the changes before the Council made a motion to approve the action. Mayor Powers felt the Council could make a motion and if there was a big concern, the issue could be further discussed.

**Council Member Mazalewski made a motion** to approve the City of Driggs join the Idaho Independent Government Authority. Council Member Mosher seconded the motion. The motion passed with all in favor.

### **BUDGET DISCUSSION**

The Council Members continued the budget review from the previous meeting. The Mayor's salary was discussed with an increase now and another in two years.

The Resort Tax fund was reviewed with no changes. \$45,000 could be added to increase the budget for capital improvement projects next year. Designs of pathways were discussed as well as maintenance of roads.

The road fund was discussed. Money would be added for the street lights replacement costs. The park fund was reviewed again and Mayor Powers requested that Mr. Gunderson determine what improvements would be done for the year.

Water and Sewer funds were reviewed. The debt from Victor was discussed and the Council recommended following up with past communications regarding the issue. The building fund was discussed and Mayor Powers and the Council determined that the roof should be fixed before the seasons change.

Mr. Zollinger explained the process and reasoning for depreciation within the sewer fund. Mayor Powers requested that every year, repairs that could be identified should be so the funds were allocated to those projects.

The budget hearing date would be held on August 23, 2011.

### **PLANNING AND ZONING REPORT**

Mr. Self gave an update of the Planning and Zoning Commission. He stated he was working with the Parks Committee, the Outdoor Lighting Committee and the Teton Valley Mobility advisory Committee which was looking at the Tiger 3 Grant for development of a transfer and bus storage facility.

Mr. Self reported on the Downtown Driggs Community Association. He reports some of the ideas developed through the committee which included erecting kiosks and painting murals on walls and utility boxes.

The E-Center Workshop would meet at City Hall next week which was geared toward economic planning and business development.

Mr. Self gave a report on the Main Street Project and the pathway landscaping.

### **PUBLIC WORKS REPORT**

Mr. Gunderson stated that EPA and DEQ would be visiting to discuss the issues with the lagoon and flooding. A Disaster Relief meeting will occur with the State to discuss the reimbursement costs that were incurred.

Mr. Gunderson stated he was disappointed with the results from the Victor sewer line and stated the proposal did not follow the standards. Mr. Zollinger suggested determining if the proposal followed Victor's standards.

**MAYOR'S REPORT**

Bret Campbell, Teton County Fire Marshal, will be conducting a fire training event for the community on Thursday at 9:00am at the Transfer Station. Mayor Powers stated the Jackson Wellness Fair was canceled and the Seniors asked to use the hall and the north end of the Community Center for that Wellness Fair. Mayor Powers asked that the Council waive the fees for the use of the space with the condition that the cleaning was done by them after the event.

Mayor Powers requested an update on the FAA contact regarding the sheriff's fee. Mr. Zollinger stated he had not been able to discuss the issue with his contact with the FAA. Mr. Zollinger stated he would try to discuss the issue with Carol Suomi or Peter Doyle.

Mayor Powers reported on the Ned Thomas Lease Agreement. The lease stated the City of Driggs would agree to land improvements with rent of the land at \$750 per month. Mr. Zollinger stated if a project within the city needed material, the city would first take material from Mr. Thomas property to reduce his elevation, making it even with the runway. Mr. Zollinger felt this contract was no more expensive than getting the material from another source.

**ADJOURNMENT**

**Council Member Mazalewski made a motion** to adjourn. Council Member Mosher seconded the motion. The motion passed with all in favor and the meeting was adjourned at 11:00p.m.

ATTEST:

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Sonya Adams, City Clerk

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Daniel J. Powers, Mayor