



CITY OF DRIGGS  
COUNCIL MINUTES  
July 5, 2012

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Pursuant to adjournment of the City Council meeting held June 26, 2012, and to the call of the Mayor, the Driggs City Council met on July 5, 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

- June 12, 2012: **Mosher moved to approve the June 12, 2012 minutes with workshop results attached. Jones seconded.** Motion carried.
- June 19, 2012: **Mosher moved to approve the June 19, 2012 minutes as corrected. Jones seconded.** Motion carried.
- June 26, 2012: **Jones moved to approve the June 26, 2012 minutes as presented. Mossman seconded.** Motion carried.

#### Approval of Claims

- Questions:
  - King's/Trail Creek [Community Garden]
  - Ace Hardware [solenoids for park]
  - Pump Tech [Valley Centre Well replacement]
  - Silver\*Star [Skate Park]
  - Intermountain Traffic Safety [School Ped/Base]
  - Fall River Electric [City Hall]
- **Mosher moved to approve Claims dated June 19-July 4, 2012, as presented. Mossman seconded.** Motion carried.

#### Alpine Wines Permit for Wine/Plein Air Event

##### Alpine Wines Permit for Wine & Beer/Tour de Wyoming

- **Mosher moved to approve a wine catering permit for Alpine Wines for the 2012 DDCA Plein Air Event & a beer & wine catering permit for Alpine Wines for the 2012 Tour de Wyoming. Mossman seconded.** Discussion focused on the lack of a 'sponsored event line' on the application. The question was called, motion carried.

#### Update on the Chamber of Commerce: Erica Rice

- Rice, chair of the Teton Valley Chamber of Commerce (TVCC), updated the Council on current projects and news. She spoke of the Teton Valley Marketing Alliance and the Idaho Travel Council and TVCC's involvement with each organization.
- She also notified the Council of the Chamber's hire of a part-time receptionist and its move to the building behind Dreamchasers. The move allowed co-locating with the Teton Valley Business Development Company (TVBDC).
- Bob Foster spoke on behalf of the TVBDC. Foster's talk focused on volunteers' efforts to pursue grants in support of economic development in the Teton Valley. He also noted that

growth for the region from the inside out “appears to be the most productive” avenue for the TVBCD to pursue.

- Questions/comments from the Council dealt with foot traffic, signage, being notified to “stay in the loop”, and the desire to be included early in interactions with potential business owners
- Rice ended her presentation by informing the Council of the availability of the Chamber’s conference room for TVCC member’s use at no charge.

#### **Art Walk: Teri McLaren**

- McLaren was on hand to request additional City funding to pay for advertising for the Art Walk in Driggs for the months of August & September 2012. The Council had previously authorized \$1,500 which is used.
- **Mosher moved to approve advertising support not to exceed \$700.00, paid from Contingency, for the August & September Driggs Art Walks. Dye seconded.** Motion carried.

#### **Teton Arts Council – Proposal to manage foyer as gallery space: Linda Lopez**

- Lopez was on hand to discuss the Teton Arts Council’s (TAC) proposal to utilize the foyer of City Hall as an art gallery. She discussed TAC’s present arrangement with Alpine Wines. She also spoke of Huntsman Springs’ offer to provide gallery space.
- She and Teri McLaren (TAC board member) answered questions from the City Council on discussion(s) between the Arts Council and Alpine Wines, how many gallery spaces TAC was going to operate, anticipated number of shows, revenue split, insurance, and the City Council’s condition that it retain ultimate authority to authorize or deny show content for display.
- No action was required of the City Council at this time. TAC representatives will visit with Denis at Alpine Wines and return to the Council with the decision(s) made between Alpine and TAC.

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

- **Water Engineer Request for Qualifications (ERFQ):** Gunderson requested approval from the Council to proceed with advertising the ERFQ to conduct a DEQ Water Facility Plan (WFP) for the City. The plan will be funded at 50% by DEQ at a total cost not to exceed \$60,000.
  - Gunderson will chair a committee composed of Council members Dye & Mossman and City employees Lenz & Schuehler to review RFQs received and to recommend an engineer to the full Council.
  - **Mosher moved to authorize advertising for Engineer qualification to conduct a Water Facilities Plan for the City of Driggs. Jones seconded.** The motion carried.
- **Sewer Plant**
  - Moving of road material will be completed by July 6, 2012; this meets the removal deadline of 7/15 at no additional storage cost to the City; approximately 24,000 cubic yards of material was moved
  - Gunderson will confirm whether or not sterilization will need to be done at the storage site
- **Weed Spraying**

- Spraying on City property is 100% complete
- **Budget** – work continues on FY 2013
- **J.U.B Engineers, INC** – Alan Giesbrecht, an Engineer with J.U.B, spoke briefly to the Council to introduce its members to the qualifications of J.U.B Engineers, Inc. He spoke of the company’s multiple disciplinary approach to projects; of its focus on having a ‘local presence’ on projects to quickly address client concerns, and of its ability to draw from expertise at its 14 regional offices in five states, an ‘inter-office connectivity’.
- **Courthouse Sign** – the speed limit sign by the Courthouse was “found today” and will be put back up
- **5<sup>th</sup> Street Pathway** – punch list walk through is scheduled for July 6<sup>th</sup>
- **See & Save** – no concrete ribbon was laid; the Hospital has talked to the contractor about paving for additional parking
- **4<sup>th</sup> of July** – crosswalks downtown were not striped because the paint contains a thermal plastic which cannot be applied until 15 days after road oiling
- **Manholes:** two manholes, one on Harper, one on Howard, will be raised per bid

**Planning and Zoning:** Doug Self

- **Teton County Comprehensive Plan: Angie Rutherford**
  - Rutherford, planner for Teton County Idaho, asked the Council for a formal letter, addressed to the Teton County Commissioners, outlining the City’s official stance on the County’s proposed Comprehensive Plan (CP). The County P&Z is holding two final public hearings on July 10 & 11, 2012. The hearing on the 10<sup>th</sup> is where public input will be sought. The hearing on the 11<sup>th</sup> will be for P&Z debate and formal recommendation
  - A long, wide-ranging discussion ensued with the primary focus of the discussion being based on written comments provided by the City’s Planning & Zoning Director Self on Chapter 5. The Framework Plan of the CP. Concerns included the lack of density definition(s), the proposed ‘doughnut’ in downtown Driggs, and the area of impact classification of specific regions outside of City limits, among the areas of concern is the Mixed Ag/Rural Neighborhood classification surrounding Darby
  - Rutherford responded to concerns by stating that the County “does not want to compete” with the City; the intended goal of the County CP is to “make our cities vibrant “and to counter the existing CP’s “incentive to build outside” of cities. She went on to state that the CP is the County’s attempt to “get away from the CUP process” by 1) creating more zones and 2) providing enough detail to limit the need for conditional use permitting (CUP)
  - Rutherford ended her presentation by stating that the Teton County Comprehensive Plan is a “visionary, goal setting document” that is not intended to provide “hard specifics”. She closed by once again requesting a letter from the Council.
  - **Consensus was reached by the Council** to have a letter drafted by Powers & Self for presentation to the Teton County Commissioners with Council approval [via email] to be sought prior to submission of the letter
- **Revised TwentyTwo Designs Industrial Building Lease**
  - Revisions to the lease between the City and TwentyTwo Designs were presented for approval. Revisions were contained in: 1. Demised Premises 3. Rent 5. Usage of

Premises and Compliance with Laws and Insurance & 7. Building and Property Management. **Mossman moved to approve the revised lease as presented. Mosher seconded.** Motion carried.

- **Mustang Drive Vacation Consent**

- Teton County has received an official application to vacate the public right-of-way for Mustang Drive to convert the road to a private road and right-of-way. The president of the Mustang Ranch HOA, Tucker Smith, supports the vacation citing concern for public safety as the road currently provides unlimited access to the airport runway. Mustang Drive is in the City's Area of Impact, so consent is being sought from the Council to vacate.
- **Mossman moved to consent to the vacation of Mustang Drive converting the road to a private road and right-of-way. Mosher seconded.** Motion carried.

- **Resolution 274-12 Banner Policy for Main Street Light Poles and City Center Building**

- Self presented a final version of the proposed City Banner Policy. Discussion focused on wording of the resolution to protect the City's control over which organizations have access to display. **Jones moved to approve Resolution 274-12 A Policy for the Use of Main Street Light Poles and City Center Building for Display of Nonprofit Event Banners as presented. Mosher seconded.** Motion carried.

**Mayor's Report:** Daniel J Powers

- **1000 N Road Project Update**

- Cost overrun is estimated to be an additional \$30,000. School District 401 said 'no' to providing funding toward the overrun. Teton County Commissioners will discuss the City's request for funding on 7/10/2012.
- Airport Board members Alexander and Christiansen told Powers that Airport funds are available to pay the additional expense.
- Powers reported that the City does have \$25,000 available in its Street Impact Fund. These funds must be used on a project that can show "increased capacity". The proposed changes to 1000 N will meet this requirement.
- **Mossman moved to rescind the Council's motion of April 3, 2012 to pay \$30,000 toward the 1000 N Road Project out of the Resort Tax Fund and to approve payment of \$30,000 toward the 1000 N Road project via \$25,000 from the Street Impact Fund and \$5,000 from the Resort Tax Fund. Jones seconded.** Discussion: Powers answered a question from the audience that at the present time there will be "no property tax impact" on Driggs property owners to move 1000 N. **The question was called:** Dye, nay; Jones, Mosher, Mossman, aye. Motion carried.

- **Little Avenue Closure for Wydaho Rendezvous**

- A written request to close Little Avenue in front of Peaked Sports during the Wydaho Rendezvous on 7/28, for approximately two hours, has been received. Attorney Zollinger noted that the City can block the Main Street left turn lane onto Little Avenue with cones, which should prevent camera activation of the turn signal, during the time of street closure
- **Dye moved to approve closure of Little Avenue during the 2012 Wydaho Rendezvous as requested, with the amount of closure time set at the Mayor's discretion. Mossman seconded.** Motion carried.

- **Key Policy**

- Powers relayed City staff's concern at providing keys to Council members. Staff's goal is to schedule who is in/out of the building.
- Attorney Zollinger noted that the Council is being asked to respond to two questions: (1) What is the standard practice in Idaho concerning giving keys to Council members? and (2) How much control does the Council want to maintain over who has access to all areas, including private offices, of City Hall?
- Giving keys to Council members varies across the state. Providing keys only to groups who schedule and are approved to use the building provides the highest degree of control currently available to the Council.
- Powers clarified that the City currently has an avenue for groups/individuals to check-out a key for scheduled events.
- Zollinger recommended that a policy be formalized stating that elected officials have the authority to control access to the public spaces at City Hall by either checking out a key from City staff or by notifying the Teton County Sheriff's Office for key access. City staff has the authority to control access to public spaces at City Hall by requiring key check-out for individuals/groups/events that reserve said public space(s).
- **Jones moved to formalize a City Hall public space access policy as recommended. Mossman seconded.** Motion carried.

- **Use of Road Levy Money to Pay-off LID**

- **Mossman moved to table discussion.** Motion died for a lack of a second.
- **Jones moved to enter executive session per Idaho Code 67-2345 (f) Legal Considerations. Mossman seconded.** The question was called by roll: Dye, aye; Jones, aye; Mosher, aye; Mossman, aye. Motion carried.

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

**10:40 p.m. The Regular session was rejoined.**

- No action was required as a result of Executive Session.

**10:40 p.m. Adjournment**

With no further business, **Jones 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.