

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
August 20, 2013**

Pursuant to adjournment of the City Council meeting held August 6, 2013, and the call of the Mayor, the Driggs City Council met **Tuesday, August 20, 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, City Attorney Stephen Zollinger, Public Works Director Jared Gunderson, Planning and Zoning Administrator Ashley Koehler, City Financial Officer Carol Lenz and City Clerk Kreslyn Schuehler. Mayor Dan Powers led the Pledge of Allegiance.

APPROVAL OF MINUTES

Council Member Jones made a motion to approve the minutes from the City Council Meeting on August 6, 2013 with changes discussed. Council Member Mossman seconded the motion. The motion passed with all in favor.

CLAIMS

The Council reviewed the claims presented.

Council Member Mosher made a motion to approve the claims as presented dated August 7, 2013 through August 20, 2013. Council Member Jones seconded the motion. The motion passed with all in favor.

JAY MAZALEWSKI, COUNTY ENGINEER – REQUEST FOR SUPPORT FOR THE DRIGGS/VICTOR PATHWAY

Jay Mazalewski, Teton County Engineer, stated the county was going to crack seal and seal coat the pathway between Driggs and Victor. He was requesting a contribution from the city for the .6% of pathway that was located in the city, which equal \$300 of the total cost. The Council budgeted \$2,400.

Council Member Mosher made a motion to contribute \$2,400 for the maintenance of the pathway. Council Member Jones seconded the motion. The motion passed with all in favor.

THIRD READING: ORDINANCE #340-13 INCREASE IN MAYOR AND COUNCIL SALARIES

Council Member Jones made a motion to approve Ordinance #340-13 as presented. Council Member Mosher seconded the motion. The motion passed with all in favor.

7:30PM – PUBLIC HEARING FOR THE FY 2014 PRELIMINARY BUDGET

Mayor Dan Powers opened the Public Hearing at 7:30pm. There were no comments and the Public Hearing was closed.

DANA MACKENZIE – PROPERTY ACCESS VIA FIFTH STREET PARK

Brad Melehes spoke to the Council stating his property adjacent to the city shop did not have a legal easement to access the grounds. Information provided to Mr. Melehes during the time of the auction stated an easement would be provided by adjacent owners. However, the adjacent owners were unwilling to provide such an easement, Mr. Melehes stated. He further explained that other attorneys have stated because the city gave access to the property at one time, they were responsible to provide that access again.

Stephen Zollinger stated that if a parcel was landlocked, the property owner could seek to have the original easement restored, but it could not be upgraded and could only be used as it was previously.

Mr. Melehes felt the property owned by the city near the cemetery was not an equal trade, but was interested in the property at Lion's Park. He further stated that if a trade was amenable, the city could put restrictions on the land stating a certain percentage of the land would have work force/attainable housing, as that was the ultimate goal for him.

Mr. Zollinger recommended obtaining valuation of the property and research the origins of Lion's Park to ensure no restrictions were placed on the property.

APPROVAL OF ORDINANCE 341-13 ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR 2014

Carol Lenz and Council Member Mossman made corrections to the ordinance.

Council Member Mossman made a motion to waive the rules and read by title only Ordinance 341-13 entitling the annual appropriation ordinance for the fiscal year beginning October 1, 2013 and ending on September 30, 2014; appropriating the sum of \$5,958,591 to defray the expenses and liabilities of the City of Driggs for said fiscal year; authorizing a levy of a sufficient tax upon the taxable property; and specifying the objects and purposes for which said appropriation is made. Council Member Mosher 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 Member Mossman made a motion to approve Ordinance 341-13 as read. Council Member Mosher seconded the motion. The motion passed with all in favor.

CITY CONTRACT WITH GERRY BATES – CITY FORESTER

Ashley Koehler presented information to the Council stating that the agreement was to consider Gerry Bates as the city's forester at no cost to the city. She further stated he had been involved with the city for past Arbor Days and help with trees in the community.

Council Member Dye made a motion to approve Gerry Bates as the City Forester. Council Member Mosher seconded the motion. The motion passed with all in favor.

300 MAIN STREET PUD DEVELOPMENT EXTENSION REQUEST

Ms. Koehler stated a request had been made to extend the PUD development for an additional 5 years. According to the subdivision ordinance, all infrastructure must be completed within 5 years of the time the plat was recorded. She further stated the Development Agreement should be reviewed to make changes to the phasing timelines.

Mark Rockefeller presented information regarding the development to Council. He stated the project was “market driven” and would succeed with the correct demographics in the community. He concluded by stating he would like to extend phase 1 for another 5 years but did not feel it was reasonable to require each phase that followed to be completed within 2 years of commencement.

Council Member Jones made a motion to grant a 5-year extension for Phase 1 with considerations discussed.

Mayor Powers questioned if the motion of approval be contingent on the changes to the Development Agreement. Mr. Zollinger stated the intent of the Development Agreement was to deal with zoning and was not a “construction document.”

Council Member Jones made a motion to approve the 5-year extension with the conditions that a clarified timeline for completion of all four stages of development and to include language that specifies that bonding is required prior to commencing construction of any improvements. Council Member Mosher seconded the motion. The motion passed with all in favor

AGREEMENTS WITH TETON COUNTY AND CITY OF VICTOR FOR ADMINISTRATION AND CONTRACTING OF TETON COUNTY PUBLIC ACCESS AND RECREATION MASTER PLAN

Mayor Powers stated Teton County and the City of Victor do not have the staff available to administer the process. The City of Driggs volunteered to do so.

Council Member Mosher made a motion to approve the contracts for the Interagency Agreements with the City of Victor and Teton County. Council Member Mossman seconded the motion. The motion passed with all in favor.

Discussion began regarding the contract for Professional Services. Council Member Mossman made corrections and suggested groups that could be added to the advisory committee. Those included skiers, fitness centers, and a possible Wyoming representative among others.

Council Member Mossman made a motion to approve the contract for Professional Services between the City of Driggs and Harmony Design with the changes discussed. Council Member Jones seconded the motion. The motion passed with all in favor.

STAFF REPORTS

Jared Gunderson stated a new transformer would be needed at the waste water treatment plant. Fall River would be able to complete the job for \$19,830.41 which would be

reimbursed from DEQ. If the Council approved the funds, Fall River could start the project within the week.

Council Member Mossman made a motion to approve \$19,830.41 to Fall River. Council Member Mosher seconded the motion. The motion passed with all in favor.

Ms. Koehler reported on the findings regarding vacant and abandoned buildings and suggested the Council think about adopting the International Property Maintenance Codes. She concluded by stating she would continue her research and will make a formal presentation in the future.

EXECUTIVE SESSION

Council Member Jones made a motion to go into executive session at 9:35 pm pursuant to Idaho Code 67-2345. Council Member Mossman seconded the motion. A roll-call vote was taken: Council Member Mosher, aye; Council Member Jones, aye; Council Member Dye, aye; Council Member Mossman, aye. The motion carried unanimously.

Council came out of Executive Session at 9:53 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 9:53pm.

ATTEST:

Kreslyn Schuehler, City Clerk

Mayor Daniel J. Powers