

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
AUGUST 4, 2015**

Pursuant to adjournment of the Special City Council meeting held July 21, 2015, and the call of the Mayor, the Driggs City Council met **Tuesday, August 4, 2015**, at 7:30 p.m. A roll call was taken and present were Council Members: Greer Jones, Ralph Mossman, August Christensen and Wade Kaufman; Mayor Hyrum Johnson, City Attorney Stephen Zollinger, Financial Officer Carol Lenz, Public Works Director Jared Gunderson, Community Development Director Doug Self, Planning and Zoning Administrator Ashley Koehler, and City Clerk Kreslyn Schuehler. Council Member Jones led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Council Member Mossman made a motion** to approve the minutes from the City Council Meeting on July 21, 2015 with corrections. Council Member Jones seconded the motion. The motion passed unanimously.

**CLAIMS**

**Council Member Jones made a motion** to approve the claims as presented from July 22, 2015 through August 4, 2015. Council Member Mossman seconded the motion.

The Council reviewed the claims.

The above motion passed with all in favor.

**PUBLIC HEARING – ORDINANCE 360-15: ANNEXATION OF GRAND TETON DISTILLERY PROPERTY AND SILVER STAR COMMUNICATIONS BUILDING (20.53 ACRES) WITH C-3 AND M-1 ZONING DESIGNATIONS**

Ashley Koehler presented information to the Council. She stated the annexation consisted of 20.53 acres including the property of Silver Star Communications and Grand Teton Vodka. The annexation complied with the City code and Idaho State statutes. She stated the Comprehensive Plan designates both properties to be within the design review overlay.

Ms. Koehler stated Grand Teton Vodka was located in the area of impact and Teton County had not enforced some of the provisions and allowed temporary certificates of occupancy for the whiskey storage and the distillery expansion. Landscaping and paving were incomplete on those buildings.

Ms. Koehler further explained the rest of her staff report and requested the Council consider Ordinance 360-15 as first read, holding a second reading at the time proposed conditions were met.

Bill Beckett, owner of Grand Teton Vodka, spoke to the Council. He stated the financial requirements to complete the landscaping and paving were minor. Mr. Beckett stated

that pavement on the distillery expansion was ready, but he did not want to proceed on it because it may interfere with the sewer lines that would be installed in the future. He stated he would erect the recommended signs and did not have an issue with removing the trailer and parking the semi-trailer behind the whiskey storage building. He concluded by stating he was anxious to be a part of the city and did not want to continue submitting applications and receiving approvals from two different public authorities.

A discussion of the south access road began. Mr. Beckett was concerned that if it was blocked off, the owner of the easement could pursue litigation with him. The Council discussed ways to block the access in a temporary manner.

Aaron Jenkins spoke on behalf of Silver Star Communications. He stated the company was neutral in regards to the annexation.

Mayor Johnson opened the Public Hearing at 8:18pm. There were no comments and the Public Hearing was closed at 8:19pm. No written comments, other than what was included in the staff report, were received.

The Council discussed ways in which the applicant could block the south access road to ensure it would not be used.

**Council Member Mossman made a motion** that finding the annexation and zoning request conform to the objectives of the Driggs Comprehensive Plan upon completion of the Design Review approval conditions and would facilitate achievement of planning objectives between the County and City, consider Ordinance 360-15 first read and to schedule the second reading at such time as the following conditions are met and 2c is acknowledge:

1. An Avigation Easement be signed and recorded on the properties.
2. The owners of the Distillery property shall submit and/or comply with the following:
  - a. Submit an estimate for the completion of the landscaping and parking surface for the distillery expansion and submit a financial guarantee for the cost of these improvements, plus 10%.
  - b. Submit a landscape plan, cost estimate, and financial guarantee plus 10% for the improvements associated with the whiskey storage building.
  - c. Upon sewer hookup, restore the highway encroachment to adjacent drainage swale.
  - d. Outdoor storage of equipment and trailers must be east of the buildings and/or screened from view from the highway.
  - e. Landscaping and parking lot paving shall be completed prior to the issuance of a Certificate of Occupancy for any new building constructed on this site or by October 15, 2016, whichever occurs first.

Council Member Jones seconded the motion.

The Council discussed the financial guarantees and agreed 15% would be more appropriate.

**Council Member Mossman amended his motion** to read, that finding the annexation and zoning request conform to the objectives of the Driggs Comprehensive Plan upon completion of the Design Review approval conditions and would facilitate achievement of planning objectives between the County and City, consider Ordinance 360-15 first read and schedule the second reading at such time as the following conditions are met and 2c is acknowledge:

1. An Avigation Easement be signed and recorded on the properties.
2. The owners of the Distillery property shall submit and/or comply with the following:
  - a. Submit an estimate for the completion of the landscaping and parking surface for the distillery expansion and submit a financial guarantee for the cost of these improvements, plus 15%.
  - b. Submit a landscape plan, cost estimate, and financial guarantee plus 15% for the improvements associated with the whiskey storage building.
  - c. Upon sewer hookup, restore the highway encroachment to adjacent drainage swale.
  - d. Outdoor storage of equipment and trailers must be east of the buildings and/or screened from view from the highway.
  - e. Landscaping and parking lot paving shall be completed prior to the issuance of a Certificate of Occupancy for any new building constructed on this site or by October 15, 2016, whichever occurs first.

Council Member Jones agreed to the amendment and seconded the motion. The motion passed with all in favor.

#### **WEST LITTLE AVENUE RECONSTRUCTION PROJECT – DEPATCO CONTRACT CHANGE ORDER NO. 2**

Mr. Self stated the geotech study found the sub base and base depths could be changed and a revision of the storm water plan addressed concerns with system maintenance. The changes caused a reduction in the project of \$17,995.40. However, with the engineers work, equating to \$45,800, the remaining budget was \$3,292.47.

Jennifer Zung, from Harmony Design, explained other ways in which the Council could reduce the costs.

**Council Member Jones made a motion** to approve Change Order No. 2 with whatever other cost savings could be incorporated as identified by staff. Council Member Mossman seconded the motion.

**Council Member Jones amended the above motion to state:** approval of Change Order No. 2 with additions and cost savings as discussed and other cost savings that staff may identify. Council Member Mossman seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

## **NORTH/SOUTH PATHWAY SECTION C – ROSS TO 750 NORTH – PLAN REVIEW**

Mr. Self informed the Council an encroachment permit was needed for the pathway. He further stated the Public Works comments were not included in the staff report.

Jared Gunderson spoke stating the culvert could be reduced to 12 inches and the dog leg at Ross Avenue could be eliminated. He also stated the plans could be value engineered after the costs were received.

The Council discussed possible elevation changes as well.

**Council Member Mossman made a motion** to approve the pathway plans and put them out to bid with the following changes; eliminate the dog leg at Ross Avenue, reduce the culvert from 18 inches to 12 inches, place riprap adjacent to the culvert to protect the pathway, and change the elevation to reduce fill amounts and drop offs as much as possible. Council Member Christensen seconded the motion. The motion passed with all in favor.

## **MAYOR'S REPORT**

### **Urban Renewal Agency Commissioner Appointments**

Mayor Johnson stated the terms of Bart Birch and Carrie Cleary were ending in September and both had expressed interest to remain on the Board. Bart Birch agreed to serve a term of 1 year, ending September 30, 2016 and Carrie Cleary agreed to serve a term of 3 years, ending in 2018.

**Council Member Christensen made a motion** to ratify the reappointments of Bart Birch for a 1 year term to 2016 and Carrie Cleary for a 3 year term to 2018. Council Member Mossman seconded the motion. The motion passed with all in favor.

## **EXECUTIVE SESSION**

**Council Member Mossman made a motion** to go into executive session at 9:54pm pursuant to Idaho Code 74-206 for personnel matters. Council Member Jones seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mossman, aye; Council Member Christensen, aye; Council Member Kaufman, aye. The motion carried unanimously.

Council came out of Executive Session at 9:58pm.

## **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 9:58 pm.

ATTEST:

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Kreslyn Schuehler, City Clerk

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Mayor Hyrum Johnson