

**MINUTES OF THE CITY OF DRIGGS
CITY COUNCIL MEETING
AUGUST 7, 2012**

Pursuant to adjournment of the City Council meeting held July 24, 2012, and the call of the Mayor, the Driggs City Council met **Tuesday, August 7, 2012**, at 7:15 p.m. A roll call was taken and present were council members: Greer Jones, Colin Dye, Ralph Mossman and George Mosher, Mayor Daniel Powers, Planning and Zoning Administrator Doug Self, Public Works Director Jared Gunderson and Deputy City Clerk Kreslyn Schuehler. Mayor Powers led the Pledge of Allegiance.

MINUTES TO REVIEW

Council Members reviewed the minutes from the Special City Council Meeting dated July 17, 2012. Council Member Mossman made corrections.

Council Member Dye made a motion to approve the amended minutes of the July 17, 2012 Special City Council Meeting. Council Member Mossman seconded the motion. The motion passed with all in favor.

Council Members reviewed the minutes from the previous City Council Meeting dated July 24, 2012.

Council Member Mossman made a motion to approve the minutes of the July 24, 2012 City Council Meeting. Council Member Jones seconded the motion. The motion passed with all in favor

CLAIMS REVIEW

Council members reviewed the claims. The Council had questions for the Public Works Director and postponed the approval of claims until later in the meeting.

TETON INDOOR SPORTS ACADEMY LEASE – CHERI MILNE

Doug Self presented a draft of a lease to the Council. Cheri Milne stated she would like to increase and reconfigure the space she currently has for new equipment. Mr. Self suggested the tenant determine the amount of increased space needed and insert it into the lease at a later date.

Ms. Milne stated she felt 500-1000 additional square feet would be adequate and also asked for a longer term, three years with three renewal options. Council Member Mossman stated he was not comfortable with the length of the term, as he felt the city did not have an option to terminate the lease. Mr. Self stated the city gave the Teton Senior Center a 99 year lease and felt the City should have longer leases so that tenants have “value and invest” in the facility and community. Council Member Dye suggested a 6 year term.

Council Member Mossman stated he did not feel the city should be in a position to be a landlord. Council Member Mosher disagreed stating it was a good deal for the city and

the space was great for the business. He felt the city should make it as easy as possible for the tenant to keep the lease and the longer the tenant was willing to commit, he felt was better.

Council Member Mosher made a motion to approve the lease for Teton Indoor Sports Academy as presented with adjustments to be made on the square footage to be determined within 60 days. Council Member Jones seconded the motion. The motion passed with the majority in favor. Council Member Mossman voted in opposition.

PUBLIC SAFETY ON LITTLE AVENUE – RICK NANSEN

Rick Nansen spoke to the Council regarding his concerns of the water flowing out of the Colter Building. He stated because it was flowing at a large width, his customers were having a hard time crossing the water without slipping. He felt it was a safety concern and requested the city do something to ensure it did not become a liability. Mayor Powers stated there was a plan for the street which would take place in 2014. The Council discussed options for the interim. In conclusion, Mr. Self stated he and the Public Works Director could work with Mr. Nansen to find a temporary solution.

FIRST STREET DRAINAGE – KATHY RUNYAN

Kathy Runyan spoke to the Council regarding drainage on First Street. She stated because the street was higher than the property, “a lake of water” was often present that “floods the building.” She has had contractors look at the issue and they have suggested a sump be added. Jared Gunderson stated he has also researched the issue and if the city does the work themselves, it would cost about \$2000. However, a contractor has also agreed to do it for \$2200 and he felt it would get done faster if the contractor completed the work.

Council Member Mosher made a motion to allow Macken Construction to do a storm drain sump on the corner of First Street and Little Avenue. Council Member Jones seconded the motion. The motion passed with all in favor.

FIRE DEVELOPMENT IMPACT FEE AMENDMENT – RESOLUTION 276-12 – COMPREHENSIVE PLAN AMENDMENT

Mr. Self read the resolution.

Council Member Mosher made a motion to approve Resolution 276-12 – Comprehensive Plan Amendment. Council Member Mossman seconded the motion. The motion passed with all in favor.

ORDINANCE 334-12 – FIRE DEVELOPMENT IMPACT FEE AMENDMENT

Mr. Self read the title of the ordinance to the Council. He explained that Table 8-3-5C was being amended to change the fire fees. He further stated that the city would collect 50% of the fee as determined in the original impact fee regulations. The fee would be approximately \$9 less than what was previously approved.

Council Member Mosher made a motion to waive the rules and read by title only Ordinance 334-12. Council Member Jones seconded the motion. A roll call vote was made; Council Member Jones, aye; Council Member Mossman, aye; Council Member Mosher, aye; Council Member Dye, aye. The vote passed with all in favor.

Council Member Mosher read the Ordinance 334-12 by title only.

Council Member Mosher made a motion to approve Ordinance 334-12. Council Member Mossman seconded the motion. The motion passed with all in favor.

8:15PM PUBLIC HEARING – HUNTSMAN SPRINGS PHASE 1 PUD – AMENDED FINAL PLAT

Bob Albondi, from Rendezvous Engineering, spoke to the Council regarding the application. He stated the applicant was requesting a reduction in lots to provide more flexibility in home design. He further explained the changes.

Mayor Powers opened the Public Hearing at 8:20pm. There were no comments and the Public Hearing was closed.

Mr. Self stated the Planning and Zoning Commission approved the plat amendment with the conditions that the abandoned utilities be approved by the Public Works Department. Mr. Self stated that this was already a requirement in the Public Works Standards and therefore did not need to be a condition from the Council.

Council Member Mossman made a motion to approve the amended final plat for Huntsman Springs Phase 1 PUD. Council Member Mosher seconded the motion. The motion passed with all in favor.

8:30PM PUBLIC HEARING – HUNTSMAN SPRINGS PHASE II – PRELIMINARY AND FINAL PLAT

Mr. Albondi spoke to the Council stating the Master Plan currently had more lots than what was being proposed. He discussed the concerns of the Planning and Zoning Commission regarding the pathway and stated they would have it connected to the Highway 33 pathway by 2016, if agreeable. Mayor Powers stated he would like to see it connected by 2014 with the option of allowing an extension if needed. Todd Woolstenhulme also spoke on behalf of Huntsman Springs, stating they would rather put funds where the growth would be and didn't feel the pathway would be used as much by that time. However, they were willing to abide by the Council's wishes.

Mayor Powers opened the Public Hearing at 8:30pm. There were no comments and the Public Hearing was closed.

Council Member Mossman questioned the language for the avigation easement in the Development Agreement. Mr. Self explained that the language for the easement would be stronger and would have the approval of the Airport Board. Mr. Ablondi stated when selling a property, the new owners were given disclosures as well, regarding the airport.

Council Member Mossman made a motion to approve the Preliminary and Final Plat for Phase II in Huntsman Springs with the conditions listed in the staff report and amend the Development Agreement in Section 8B, making the pathway connection within 1 year and not 2. Council Member Mosher seconded the motion. The motion passed with all in favor.

ORDINANCE 333-12 – OUTDOOR LIGHTING ORDINANCE – 2ND READING

Mr. Self stated the Planning and Zoning Commission had reviewed it and recommended changes. He presented those to the Council. Council Member Jones stated he received comments from citizens regarding concerns of enforcement. Mr. Self explained the course of enforcement to the Council.

Carl Jordan spoke to the Council in favor of the ordinance. He stated he was agreeable to the original language of applicability and was concerned that if specifications were used, enforcement would have to take place.

Katherine Shephard also spoke. She stated that lighting was an industry with changes that occurred often and she suggested that changes be enforced within 5 years and not 10, as proposed.

Council Member Jones made a motion to consider Ordinance 333-12 second read. Council Member Mosher seconded the motion.

Council Member Mossman recommended amending the motion to include a change to the language in section 2a to state “no more than 1 light.” Council Member Jones disagreed and the motion stood as stated. All were in favor of above motion.

RESOLUTION 275-12 – OUTDOOR PUBLIC LIGHTING POLICY

Mayor Powers was concerned with implementation, stating that the city would have a lot of nonconforming street lights under the policy. He suggested it be stated to allow changes to be made as the budget allowed. Mr. Self stated the resolution was a direction for how the lighting policy should proceed, not about the city’s budget. The Council discussed changes and agreed to omit Section 1.2.

Council Member Mossman made a motion to adopt Resolution 275-12 with the amendment to omit Section 1.2 and change wording on Section 1.4 by omitting “The number of.” Council Member Mosher seconded the motion. The motion passed with all in favor.

PUBLIC WORKS

Scott Green spoke to the Council regarding the 5th Street sidewalk. He stated he, along with others, had issues with getting in and out of their driveway due to the huge gaps between the sidewalk and property owners driveways.

Mr. Gunderson stated a punch list had been completed for the grant requirements. However, there are excess items that need to be done. He felt that it would cost approximately \$7,000 to finish the project.

Council Member Mosher questioned if there was a penalty with the contract. Mr. Self stated the project was finished within the timeframe. Mr. Gunderson stated he would have bids to complete the project by next meeting. Council Member Mosher suggested that the Council approve a maximum fund to complete the project.

Council Member Mosher made a motion to allow the Public Works Director to get local contractors to handle the repairs to finish the 5th Street sidewalk project not to exceed \$8000. Council Member Mossman seconded the motion. The motion passed with all in favor.

Keller Engineering

Brian Finning and Skylar Allen presented information to the Council regarding their company.

Forsgren Engineering

Brent Crowther presented information to the Council regarding their company.

Water Plan RFQ Recommendation

Mr. Gunderson stated that 4 companies submitted bids for the water plan study. He presented the Council with the final numbers and stated that Aqua Engineering had the highest score from the Selection Committee.

Council Member Mossman made a motion to proceed with Aqua Engineering for the water study. Council Member Jones seconded the motion. The motion passed with all in favor.

CLAIMS

Council Member Jones made a motion to approve the claims as presented and approved an additional \$184 for Arnold Concrete to pay the balance of the bill. Council Member Mosher seconded the motion. The motion passed with all in favor.

COMMUNITY DEVELOPMENT REPORT

Mr. Self stated the Planning and Zoning Administrator job had been advertised and will be closed August 29th.

He further stated there was a service change request for shuttle schedule for Grand Targhee. That will go to bid to determine who will get it.

MAYOR'S REPORT

Appoint Airport Board Member

Mayor Powers stated he received one application from Chris Schuehler, whom he felt was highly qualified.

Council Member Dye made a motion to appoint Chris Schuehler to the Airport Board. Council Member Mosher seconded the motion. The motion passed with all in favor.

Appoint City Clerk

Council Member Jones made a motion to appoint Kreslyn Schuehler as City Clerk. Council Member Mosher seconded the motion. The motion passed with all in favor.

Parks Fee Schedule

Mayor Powers stated at this time the city requires a deposit of \$300 to reserve the parks. This does not vary depending on the size of the group. Staff had proposed to make that deposit a sliding scale depending on the number of people using the park. Mayor Powers suggested a fee should also be implemented and should be based on the area of the park that was reserved. It was discussed and Mayor Powers stated he would continue to work on a proposal for the Council to approve.

Adopt Preliminary FY 2013 Budget

The Council reviewed the budget and the changes that had been made. Council Member Mosher suggested increase water and sewer rates to 5% stating he would rather increase the rates a little over time than having to increase rates substantially. The Council agreed to include a 5% increase in water and sewer rates.

EXECUTIVE SESSION

Council Member Mossman made a motion to go into executive session at 10:43pm pursuant to Idaho Code 67-2345. 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 came out of Executive Session at 10:55pm.

Council directed the Mayor to implement personnel policies discussed.

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 10:56pm.

ATTEST:

Kreslyn Schuehler, City Clerk

Daniel J. Powers, Mayor