

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
SEPTEMBER 20, 2011**

Pursuant to adjournment of the Special City Council meeting held September 16, 2011, and the call of the Mayor, the Driggs City Council met **Tuesday, September 20, 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 Daniel Powers, City Attorney Stephen Zollinger, Public Works Director Jared Gunderson, and Planning and Zoning Administrator Doug Self. Mayor Powers led the Pledge of Allegiance.

**MINUTES TO REVIEW**

Council Members reviewed the minutes from the previous City Council Meeting.

**Council Member Mosher made a motion** to approve the minutes of the September 6, 2011 City Council Meeting. Council Member Jones seconded the motion. The motion passed with all in favor.

**CLAIMS REVIEW**

Council members reviewed the claims.

**Council Member Mazalewski made a motion** to approve the claims dated September 7, 2011 to September 20, 2011. Council Member Dye seconded the motion. The motion passed with all in favor

**TED HENDRICKS – FORD GARAGE UPDATE**

Mr. Hendricks gave the Council an update on the Ford Garage building. He stated they had received a lot of interest from local businesses interested in using the building. Working with the different possible tenants, Mr. Hendricks had spoken to Doug Self and Bret Campbell, the Teton County Fire Marshal, to begin to discuss what should happen to the building to bring it up to code.

Mr. Hendricks asked the Council if the city would like to see this building move forward under a business development concept. With this, The Development Company would like to gift the building to the City of Driggs and then lease it back and manage it under the terms of an agreement. The transfer of ownership would allow the building to be taken off the tax roles. Mayor Powers informed the Council that this would only add a building to the city's insurance policy.

Mr. Hendricks stated The Development Company would be responsible for maintenance, insurance, the tenants and would pay for all costs. Mayor Powers stated his concern was that the city did not want to compete with other business space that would hold similar uses and did not feel that adding more business space was in the city's best interest. Council Member Mazalewski foresaw the building as a place for industrial type businesses, rather than retail and Mr. Hendricks agreed stating they were not interested in

having a restaurant or retail space in the building. He concluded by stating they were working with the E-Center to ensure there was no competition created.

Mayor Powers questioned if The Development Company could give a commitment to not allow businesses in the building that could be housed in downtown. Mr. Hendricks stated he would agree upon uses but wanted to be flexible so that the building could be full and used.

Council Member Mazalewski felt Mr. Hendricks and Stephen Zollinger, the City Attorney, should work together to develop an agreement and move forward with this idea.

#### **KATHY RINALDI – COUNTY UPDATE**

Ms. Rinaldi stated a Council of Governments had been assembled and was moving forward.

Council Member Mazalewski questioned if the County was pursuing an animal control ordinance. Ms. Rinaldi stated the issue had been added to the agenda as well as beginning discussions with Sheriff Liford regarding the services that could be incorporated.

Council Member Mosher asked about the Comprehensive Plan. Ms. Rinaldi stated the vision document was passed and the process was on schedule for completion.

A discussion of the snow mobile routes began. Ms. Rinaldi stated public hearings were scheduled for the fall to further designate those routes.

Ms. Rinaldi stated the County purchased 210 N. Main as the law enforcement building and were still trying to decide if renovations should be completed or if a new building should be built.

Ms. Rinaldi concluded her report by giving a brief update as an Urban Renewal Agency Commissioner.

#### **JASON LETHAM – SCENIC BYWAY DESIGN UPDATE**

Mr. Letham asked for the Council opinion on the Geotourism Center as it was designed, specifically about how it was attached to the existing building. He stated the front floor plan had not changed from what was submitted for the RFQ, but configuration of the bathrooms for the tourism center and the future use of the existing building had been altered. He wanted to confirm the flow of the building and how future uses may have an effect.

Mr. Letham stated that National Geographic had been pushing for a 3D movie theatre and therefore, this design was what was shown to determine if the bathrooms were large enough for this type of use. He was proposing a 24-hour vestibule, if the Council wanted to allow the restrooms to be open 24-hours a day. He questioned if the Council wanted to

increase the size of the restrooms for future use or spend the money to do so at a later date.

Council Member Mazalewski questioned how the size of a theatre related to other uses in respect to the restrooms. Mr. Letham stated that the theatre was more dense compared to other ideas, such as a recreation center.

Mayor Powers stated that the future city hall expansion area was in a less than ideal spot. He further questioned if the location of the bathrooms would work for any use in the existing building. He stated the cost to increase the size of the restrooms would be between \$50,000-\$80,000.

Council Member Mazalewski stated he had a hard time giving more cash to the project when it was already over budget. Mayor Powers stated that the project was based on raising money and if money was not found, the project would not be completed. He continued to state he felt it did not make sense to approve a design that was more expensive. He further stated that if it made sense to move the restrooms for the Scenic Byway Center than it should be done and not hinge on what may happen in the future with the space.

#### **SE PARKING LOT BID REVIEW / CONTRACT AWARD**

Diane Temple, from Nelson Engineering, spoke to the Council. She stated five contractors were contacted regarding the bid and 2 bids were received from HK Contractors and MD Nursery. Bids had to be revised to remove line items that kept the project over budget. She advised the Council to accept the lowest bid from MD Nursery.

Mayor Powers stated that both bids first came in at over \$100,000, which would put the process in a different category and prove difficult to complete this year. The storm drain system was removed and street lights were reduced from 4 to 2. The Community Development Block Grant has \$75,000 remaining, which would obligate the city to \$14,000 from the Resort Tax fund.

Council Member Mazalewski questioned if getting rid of the drainage system would require the design to be redrawn. Mayor Powers did not think so. Mr. Gunderson stated that he felt the design would be less work and did not see any future problems in removing the drains.

**Council Member Mosher made a motion** to approve the bid from MD Nursery for \$89,109.00, using funds from the Community Development Block Grant and the Resort Tax fund. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

#### **KEN CHAMBERS – ALLEY WAY IMPROVMENTS/SE PARKING LOT**

Mr. Chambers requested to be allowed to put a curb on the sidewalk and the landscape area. Mr. Gunderson asked that a ribbon curb be added as it was easier to plow snow.

Mr. Chambers stated he would do the prep work and have the man power, but was asking for assistance with the cost.

**Council Member Mazalewski made a motion** to authorize the Mayor to work with Ken Chambers to install a ribbon curb not to exceed \$2,000. Council Member Dye seconded the motion. The motion passed with all in favor.

#### **WASTEWATER TREATMENT FACILITY UPGRADE – BUDGET REVIEW**

Mayor Powers stated that an invoice was approved for \$45,000 for the design portion of the upgrade. He explained that invoice was part one of the engineering design and bidding. The engineering company was doing more than was typical by adding all of the programming and installation work. The third part was construction services and on-site project management. The budget would be updated monthly as the project proceeds. The Council would be seeing claims to the City of Victor who would pay the subcontractors for the project directly.

#### **BROKEN SPUR SUBDIVISION – REQUEST FOR 5 YEAR EXTENSION ON FINAL PLAT APPROVAL**

Doug Self stated this was the second request for an extension due to a “bad economy” as stated by the applicant. He explained that the regulations had not changed and the surrounding properties or zoning had remained the same. He reminded the Council that a one year extension was generally granted and suggested a 5-year maximum be placed due to the loss of continuity.

Council Member Mazalewski was not sure a third extension should be granted. Mr. Zollinger explained that if nothing changed with the regulations and ordinances, he would not be able to defend a decision not to allow the extension.

Mr. Self felt a standard should be developed that would address criteria as to if an extension should or should not be granted. Mr. Zollinger cautioned the Council against doing anything other than approving this extension request and encouraged the city to develop a written policy.

**Council Member Mazalewski made a motion** to approve the extension for the Broken Spur for one year and directed the Planning and Zoning Commission and staff to develop criteria in which extensions are granted. Council Member Mosher seconded the motion. The motion passed with all in favor.

#### **PLANNING AND ZONING REPORT**

Mr. Self reported that the Safe Routes to School 5<sup>th</sup> Street sidewalk bid was approved by ITD with the hope to begin the project next month. If the estimate was under \$100,000 and bids come back over that amount, a two week sealed bid process would have to begin. Mr. Self believed it was worth trying to move forward with.

The Main Street concrete work should be done this week and would be paved Monday. 15,000 cubic yards of millings would be received from that. Mayor Powers felt that

Teton Avenue and 500 South by Suburban Propane should be target areas for the millings. He also questioned if the city could partner with the County on projects such as Flying Saddle and Rodeo Drive. Jay Mazalewski and Jared Gunderson would discuss this further.

A ribbon cutting for Main Street would be October 7 during the Art Walk.

## **PUBLIC WORKS REPORT**

### **Trails and Pathway Ordinance-**

The Council reviewed and discussed the proposed ordinance. Council Member Dye questioned why snowmobiles were not allowed on the trails and felt that horses should be banned. Council Member Mazalewski felt that some trails could be designated for snowmobiles with signage.

Mayor Powers stated he had a hard time prohibiting horses on pathways. Council Member Mazalewski suggested that horses be prohibited from paved pathways.

Mr. Gunderson asked that a Council Member review the Employee Safety Manual. Council Member Dye volunteered.

Mr. Gunderson stated the tests for the Huntsman Springs well had to be redone. He reminded the Council that the well would need to be updated with all the tests before the city would take it over.

Mr. Gunderson updated the Council on the water line that would be replaced across Main Street at Howard Avenue. He stated that repairs would be done so the city would not have to hire an engineer. Mayor Powers informed the Council that funding for this would be taken out of the water reserve fund.

**Council Member Jones made a motion** to approve Hill and Sons to do the water line hook up as discussed if they could complete it in the timeframe necessary. Council Member Mosher seconded the motion. The motion passed with all in favor.

## **MAYOR'S REPORT**

Mayor Powers stated the City of Victor approved the sewer agreement. In the past, the City of Driggs had billed quarterly for actual costs. At this time, Victor was requesting to develop an annual fee scheduled based on previous costs. Mr. Zollinger stated that Mr. Gunderson would need to start tracking atypical expenses to ensure they were accounted for.

Mayor Powers questioned how complaints should be handled for the old Air Ranch property out by the middle school. Mr. Zollinger stated a notice could be sent to the bank stating the property is a nuisance and against city ordinances.

Mayor Powers stated the RFB for propane services had an estimated cost of below \$50,000. He questioned if the bid should be noticed in the newspaper. It was determined that it should be or the timeline should be changed.

**EXECUTIVE SESSION**

**Council Member Jones made a motion** to go into executive session at 9:47pm pursuant to Idaho Code 67-2345. Council Member Mazalewski seconded the motion. A roll-call vote was taken: Council Member Jones, aye; Council Member Mosher, aye; and Council Member Dye, aye; Council Member Mazalewski, aye. The motion carried unanimously.

Council came out of Executive Session at 10: 10pm.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Mazalewski seconded the motion. The motion passed with all in favor and the meeting was adjourned at 10:12pm.

ATTEST:

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Kreslyn Schuehler, Deputy City Clerk

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Daniel J. Powers, Mayor