

**MINUTES OF THE CITY OF DRIGGS  
CITY COUNCIL MEETING  
MARCH 15, 2016**

Pursuant to adjournment of the City Council meeting held March 1, 2016, and the call of the Mayor, the Driggs City Council met **Tuesday, March 15, 2016**, at 6:30 p.m. A roll call was taken and present were Council Members: Greer Jones, Jay Mazalewski, August Christensen, and Wade Kaufman; Mayor Hyrum Johnson, City Attorney Stephen Zollinger, Building and Grants Technician Annie Decker, Financial Officer Carol Lenz, Community Development Director Doug Self, and Public Works Director Jared Gunderson. Council Member Jones led the Pledge of Allegiance.

**CONSENT AGENDA**

**City Council Regular Minutes – March 1, 2016**

**Claims from March 2 – March 15, 2016**

**New Alcohol and Catering Licenses**

Carol Lenz requested an item be added to the claims in the amount of \$33,569 to Smith Chevrolet for a Public Works truck that was budgeted this fiscal year.

**Council Member Jones made a motion** to approve the consent agenda with the addition to the claims for Smith Chevrolet in the amount of \$33,569 to be split between the water and sewer funds. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**6:35PM HEARING REGARDING ADOPTION OF DRAFT “ON CALL POLICY”  
FOR PUBLIC WORKS EMPLOYEES**

Jared Gunderson answered questions from the Council regarding the policy. Mayor Johnson stated the Public Works staff was notified in writing of the hearing and signed a notice that stated they were aware of the hearing and chose not to attend.

**Council Member Mazalewski made a motion** to adopt the On Call Policy for city representatives in administrating on-call matters. Council Member Jones seconded the motion. The motion passed with all in favor.

**DEPARTMENT UPDATES AND COUNCIL LIAISONS REPORTS**

There were no Council Liaisons Reports.

**Financial Officer: Brief Road Fund Review**

Carol Lenz explained the audit adjustment process and why the Road Fund appeared to be over spent. She stated adjustments are after the audit was approved to ease the accounting steps and stated those adjustments are presented to the Council at a future meeting.

**FALL RIVER ELECTRIC PRESENTATION REGARDING PROPOSED  
CONSOLIDATION WITH LOWER VALLEY ENERGY – BRYAN CASE**

Bryan Case, CEO of Fall River Electric, presented information to the Council. He stated the Cooperative was considering ways to lower costs to its customers. One way may be to consolidate with Lower Valley Energy, which serves adjacent communities such as Jackson and Swan Valley.

Mr. Case stated the members would ultimately make the decision about a consolidation and explained the benefits and savings of a merge.

#### **TETON VALLEY BALLOON RALLY – REQUEST FOR FUNDS**

Margaret Breffeilh presented information to the Council. She thanked the Council for past sponsorship and requested continued sponsorship for the coming event in July. She invited the City be a Title Sponsor which included a contribution of \$3,000.

Ms. Breffeilh explained the events included in the Balloon Rally and the proposed locations of the balloons.

Ms. Lenz informed the Council the city's contribution to the Balloon Rally last fiscal year was \$2,000. Council Member Christensen requested the discussion continue at the next meeting after information regarding the budget and other 4<sup>th</sup> of July events were discussed.

#### **FAIR HOUSING PROCLAMATION**

**Council Member Christensen made a motion** to approve Fair Housing Month Proclamation. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

#### **AMENDMENT TO THE TREE ORDINANCE**

Annie Decker provided information to the Council. She stated the Tree Committee had reviewed the amendment and submitted comments which were included in the draft.

The Council discussed minor changes to the draft ordinance.

**Council Member Christensen made a motion** to approve the Tree Ordinance Amendment as first read and directed staff to make changes as discussed. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

#### **FIRST READING TO AMEND TITLE 5, CHAPTER 3 (DOGS)**

Doug Self presented the ordinance amendment to the Council.

Council Member Kaufman questioned the reasoning for the voice control definition as it wasn't depicted in the ordinance as an option for controlling an animal. Mr. Self responded, stating the purpose was to have uniform definitions with all dog ordinances within the cities and county.

**Council Member Jones made a motion** to consider the Ordinance to amend Title 5, Chapter 3 as first read. Council Member Mazalewski seconded the motion. The motion passed with all in favor.

**WORK SESSION: BEST PRACTICES POLICY DRAFT 2**

Council Member Christensen voiced concerns with time limitations on the agenda and questioned how other council members felt regarding this. Council Member Jones felt guidelines were good in order to stay on topic. Council Member Mazalewski also felt time limitations were good for work sessions but wanted to have the option to extend time if needed on a case by case basis.

Mayor Johnson reminded the Council of the public comments that were received and provided to them for review.

The Council reviewed comments from VARD and Mayor Johnson, starting with the definition of quasi-judicial. Mr. Zollinger stated that quasi-judicial matters would always be site specific and was not concerned with the definition as proposed.

The Council discussed written comment deadlines for public hearings. Council Member Mazalewski's concerns were with applicants submitting late information and felt the concerns should be addressed within the Zoning Ordinance instead of the policy. Council Member Christensen stated she wanted to hear public comment that was submitted after a deadline. Mayor Johnson reminded the Council that all comments must be made available to the public which was the reason for the deadline, to ensure public was notified properly and with enough time to consider comments. Council Member Christensen felt firm guidelines for hearing late public comments should be established.

It was explained that, as written, comments received after the deadline would be summarized and may, at the Council's discretion, be read into the record.

Council Member Mazalewski stated he felt the applications for applicants should have specific deadlines for submitting information to the staff and should be noticed in the application. Mayor Johnson stated it was important to set a deadline for staff to be able to review and develop staff reports for the Council in a reasonable timeframe.

Mayor Johnson stated that when public comments are received by Council Members for quasi-judicial hearing, Council Members should obtain the person's name and submit the information during the public hearing.

The Council discussed public comments that were submitted without an address. Council Member Mazalewski, Council Member Kaufman and Mayor Johnson voiced their opinion that public comments submitted without an address should not be heard.

Mr. Zollinger stated the City could not preclude someone outside of the City of Driggs from submitted a comment but it could require that all comments provide an address. He further stated that proximity was seen as relevant by courts in quasi-judicial matters.

Anonymous comments were discussed. Council Member Christensen felt the Council should hear all comments whether an address was attached or not. Council Member Kaufman stated he agreed. However, he didn't have a desire to hear comments from people outside of the county as they were unaware of the dynamics of the area.

Mayor Johnson discussed the role of staff and stated that due to the small office staff, it was difficult to play separate roles. However, he felt no staff member should present information to the Council in a neutral manner and then further discuss a position as an advocate or in opposition.

Council discussed group spokespersons and the regulations that may be placed on that situation.

Further discussion of the Best Practice Policy will be heard at a future meeting.

**CREATION OF MAYOR'S YOUTH ADVISORY COUNCIL**

Mayor Johnson stated he was beginning a Mayor's Youth Advisory Council. He explained the vision and the group of people that may be included as well as his involvement and time commitment.

**RATIFICATION OF APPOINTMENT OF GREER JONES TO URBAN RENEWAL AGENCY**

**Council Member Mazalewski made a motion** to ratify the appointment of Greer Jones to the Urban Renewal Agency. Council Member Kaufman seconded the motion. The motion passed with all in favor.

**ADJOURNMENT**

**Council Member Jones made a motion** to adjourn. Council Member Kaufman seconded the above motion. The motion passed with all in favor and the meeting was adjourned at 9:15pm.

ATTEST:

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Kreslyn Schuehler, City Clerk

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Mayor Hyrum Johnson