

May 13, 2009

Victor City Hall

**CITY COUNCIL
MEETING MINUTES**

Mayor Scott Fitzgerald called the meeting to order. Councilmen present were Richard Naef, David Kearsley, Johnny Ziem, and David Bergart.

The amended minutes of the April 29th council meeting were motioned and seconded for approval. The ayes were unanimous.

Bob Benedict- Teton County Commissioner- Quarterly Visit

Teton County Commissioner Bob Benedict discussed the impact agreement between the County and City, currently being updated. The public is concerned the agreement will require them to apply through the City then require them to apply through the County creating a double process. The City has compared their regulations with the County's to make sure the new agreement will protect the City's utilities and roadways. The Council asked Mr. Benedict for a courtesy review from the County on applications regarding the wildlife on the Eastside of the proposed impact area. City Attorney Herb Heimerl is reviewing the agreement and will get it to Council for their review.

Mr. Benedict informed the Council the County is working on updating their Comprehensive Plan. Mr. Benedict will keep the Council informed on the status of the plan. Mr. Benedict asked the Council's input in regards to the ordinance the County is updating. The Council asked Planning and Zoning Administrator Cari Golden to send the County a copy of the Subdivision Ordinance the City is looking to adopt. The Council asked Mr. Benedict to consider involving the Teton Valley Trails and Pathways in developments.

Mr. Benedict updated the Council regarding the address changes in the County and the replacement of street signs. The County is working on budgeting for the replacement of the street signs. The Council informed Mr. Benedict the City has replaced the signs due to safety. Discussion was held with Council and Mr. Benedict regarding the original agreement. The Council recalls the County agreed to pay for the sign changes. Mr. Benedict will investigate the minutes from previous meetings and get back to the Council.

Mr. Benedict informed the Council that the County has created a list of all the approved developments and lots in the County. Mr. Benedict asked the Council to create a list of the approved developments and lots in city limits.

Public Hearing – Chapters I & II of Victor Development Ordinance

Mayor Fitzgerald went through the proper procedures to commence the beginning of this public hearing. Proper notice was given and no conflict of interest exists with any Council member.

Planning and Zoning Administrator Cari Golden gave an overview of the suggested changes from the City Attorney Stephanie Bonney. Mrs. Golden informed the Council the P&Z Commission recommended approval of the Ordinances.

The Mayor then opened the hearing up for public comment. There was no one present that gave comment. The public comment portion of the hearing was then closed.

The subject was then turned over to the Council for deliberation. Council agreed on the suggested changes. Changes were made.

A motion was made and seconded to approve the amended Chapters I & II of the Victor Development Ordinances. The ayes were unanimous.

Grant Writer Hiring- Update

Council President Kearsley updated the Council with the interviews for the hiring of a grant writer. Council asked Attorney Herb Heimerl to create a contract for the new grant writer. Council contracted with Susan Fenger for the position. Mrs. Fenger will begin with phase one. Phase one consists of interviewing staff to become updated with current issues needing addressed in the city to create a priority list for grants.

Red Flag Resolution

Mayor Fitzgerald asked Council for any changes to the "Red Flag" Resolution. Changes were made to the resolution.

A motion was made and seconded to adopt the amended "Red Flag" Resolution as # R09-0513. The ayes were unanimous.

Tony Liford- Teton County Sheriff- Update

Teton County Sheriff Tony Liford updated the Council with the daily patrols in town. The impact is making a difference with the drivers and pedestrians. Sheriff Liford informed the Council the extra patrols have been effective, the number of stops has decreased since the extra patrols began in January 2009. Citizens in the community have commented to the Sheriff and to the Council that they notice the difference. Council informed Sheriff Liford they're planning to meet with ITD to ask for Main Street to be chip sealed, re-striped to create a center turn lane and the speed limit lowered. Council thanked the Sheriff Liford for the extra patrols.

Teton Basin Ice & Recreation- Lease Agreement

City Planner Bill Knight updated the Council on the maps that were created for the Ice Hockey Rink. Ari Kotler from TBIR gave the Council an update on the lease agreement. Council and Mr. Kotler went over the proposed lease. Many issues regarding the lease were discussed. Council agreed to provide the meters and utilities to the facility through phase one and two. Council asked Mr. Kotler to provide a management plan in a document form for review. Discussion was held regarding the issue of the public bringing open containers of alcohol to the facility at any time. Ordinances restrict anyone consuming alcohol on city property. Council agreed the ordinances would need to be addressed before permission could be granted. Council asked Mr. Heimerl to look at the County and State regulations regarding open containers to decide what process should be followed. Mr. Heimerl informed the Council he would also contact ICRIMP to get their input. Council agreed to continue the discussion after more information is gathered.

Victor Velo- MOU

Dave Byers with Victor Velo presented a request to bike skills park in the Pioneer Park for the community to use. Mr. Byers and Public Works Director Scott Golden worked out a map for the track in Pioneer Park. Council discussed the MOU and changes were made.

A motion was made and seconded to approve the amended MOU for Victor Velo for a bike skills park. The ayes were unanimous.

Airport Subdivision CCR's

Mayor Fitzgerald sent a letter to all the property owners in the Airport Subdivision inviting them to a HOA meeting. Five homeowners attended the meeting and three responded by e-mail to Mr. Fitzgerald. All the owners that responded agreed to vacate the CCR's. Council asked staff to start the proper process to vacate the CCR's.

Center Street Condos- Findings of Facts and Conclusions of Law & MOU

Council made changes to the Findings of Facts and Conclusions of Law for the Center Street Condos.

A motion was made and seconded to approve the amended Findings of Facts and Conclusions of Law for the Center Street Condos. The ayes were unanimous.

Council made changes to the Center Street Condos Memorandum of Understanding.

A motion was made and seconded to approve the amended MOU for Center Street Condos. The ayes were unanimous.

Blackhawk Estates- Findings of Facts and Conclusions of Law

Council made changes to the Findings of Facts and Conclusions of Law for the Blackhawk Estates. Discussion was held regarding the destination of the sewer lines by the developer.

A motion was made and seconded to approve the amended Findings of Facts and Conclusions of Law for Blackhawk Estates. The ayes were unanimous.

Sunset Village- Findings of Facts and Conclusions of Law

Council made changes to the Findings of Facts and Conclusions of Law for Sunset Village.

A motion was made and seconded to table the Findings of Facts and Conclusions of Law for Sunset Village to clarify #7. The ayes were unanimous.

Planning and Zoning- Commissioner Interview

P&Z Administrator Cari Golden informed the Council that May 5th was Russell Barney's last meeting as his term had expired. Mrs. Golden introduced Troy Barry to the Council, a local engineer who is interested in taking the position. Council asked Mr. Barry questions and explained the roles of a P&Z Commissioner.

Mayor Fitzgerald appointed Troy Barry to the P&Z Commission.

A motion was made and seconded to accept the mayor's appointment of Troy Barry to the P&Z Commission. The ayes were unanimous.

Miscellaneous

Mayor Fitzgerald asked the Council for input on allowing Trails and Pathway volunteers to create bike and walking trails with natural surfaces on Municipal lane adjacent to Pioneer Park. Council agreed it would be good for the community. Council asked to review a plan for the trails.

Maintenance

City Engineer Rob Heuseveldt updated the Council with the capacity of Lift Station #4 at the Settlement. The Lift Station is designed for 192 units and could pump 100 gallons per minute at full capacity. Currently it pumps an average of 3.4 gallons per minute. Mr. Heuseveldt informed the Council that the Lift Station could supply the three subdivisions approved: The Settlement, Blackhawk and South Mountain, until they're closer to build out. Mr. Heuseveldt informed the Council there are two solutions in the future as build out continues. The first choice would be to upgrade Lift Station #3 on Crystal Ave and upgrade the lines down Crystal Ave. The second one would be to install a gravity line down 200 West to Cedron Road with a lift station installed at the intersection of Cedron Road and 200 West. Installing lines down 200 West to Cedron could be a

problem without development on Cedron to connect the line to the existing system.

Mr. Heuseveldt informed the Council the spec book updates are almost complete and will be presenting it to them at the next meeting that has enough time on the agenda to review it.

Public Works Director Scott Golden presented an estimate to Council for the cost of repairs to damaged sewer manholes and sidewalks in town. The damaged sidewalks are a safety hazard and were damaged due to repairing broken lines under them. Council approved Mr. Golden to have the work done.

Mr. Golden informed the Council he has been looking at prices on a Prowler to use for multiple purposes in the city. Mr. Golden has decided due to the cost of such a vehicle to look for a smaller pickup in the future.

Mr. Golden asked the Council permission to hire Jacob Thomas for summer help. A motion was made and seconded to approve the hiring of Jacob Thomas for summer help. The ayes were unanimous.


Administrative- "Bark at the Park" – Animal Shelter Benefit


Council reviewed a proposal from Deputy Clerk Susan Czapinski requesting a special use at the Pioneer Park to hold a benefit for the Animal Shelter with a beer garden. Councilmen Naef and Kearsley were in approval of the benefit except going against the ordinances regarding the no alcohol on city property policy. Councilman Bergart felt that if the state regulations are followed the city should allow the event to have the alcohol in the park. A lengthy discussion followed.

A motion was made and seconded to approve the benefit for the animal shelter called " Bark in the Park" without the beer garden. The ayes were unanimous.

Bills

A motion was made, seconded and the ayes were unanimous to pay the bills. The meeting was then adjourned.


Craig Sherman, City Clerk


Scott Fitzgerald, Mayor