MINUTES OF THE CITY OF DRIGGS
SPECIAL CITY COUNCIL MEETING
September 28, 2026

Pursuant to adjournment of the Special City Council meeting held September 16, 2026, at 6:00 p.m., and the call of the Mayor, the Driggs City Council met **Monday, September 28, 2026**, at 5:30 p.m. A roll call was taken and present were: Mayor August Christensen, Council President Allison Michalski via Zoom, Council Members: Miles Knowles via Zoom, Jason Popilsky, and Sarah Johnston; City Administrator Doug Self, Public Works Director Jay Mazalewski via Zoom, City Clerk Kreslyn Schuehler, and City Attorney Sam Angell viz Zoom. Those present took part in the Pledge of Allegiance.

IRRIGATION DITCH RELOCATION ON S 5TH STREET AND JOHNSON AVENUE IMPORVEMENT PROJECT-BEN CHRISTENSEN

Ben Christensen, reviewed Idaho Code 42-1207 regarding relocating ditches. He stated the relocation should not impede the water flow or injury someone using the ditch. The relocation would add 80 feet to the ditch and would change the grade from 2% to .336%, creating an area for the water to be stagnate. He stated written permission from all of the ditch users was not obtained as he did not provide his permission to relocate the ditch.

Mr. Christensen felt it was a safety risk to move the ditch as the new location would only have a 66% slope and could not be graded without going into an easement. He proposed a few solutions with the most favorable one keeping the two ditch crossings under the road. He believed if the ditch was relocated, it could be breached and flood homes on the south side of Johnson Avenue.

Mr. Christensen stated he would dig the ditch back if it was relocated. He further stated he was willing to obtain the culverts to help move the construction project along.

Council Member Popilsky questioned how long the section of ditch was that was at the .366% slope. Mr. Christensen stated once the ditch rounded the corner of 5th Street and Johnson, the slope was very narrow, but was unable to state exactly how long it was at .366%.

EXECUTIVE SESSION

Council Member Popilsky moved to go into Executive Session at 6:03pm pursuant to Idaho State Code 74-206 for legal reasons. Council Member Johnston seconded the motion. A roll call vote was taken: Council Member Michalski, aye; Council Member Knowles, aye; council Member Popilsky, aye; Council Member Johnston, aye. The motion passed.

Council came out of Executive Session at 6:51pm.

Council Member Popilsky moved for the 5th Street and Johnson Avenue to go back to engineering to go over other options to work with the ditch users and create a solution. Council Member Knowles seconded the motion.

Council Member Johnson wanted the motion to be modified to specify the city would move forward within the constraints of Idaho Code to receive permission or get judicial review prior to making changes. Council Member Popilsky felt that it was implied that staff would follow the

DRAFT

Idaho Code. Council Member Johnson felt the city wasn't following code since this discussion was occurring. Council Member Johnson requested 3 minutes to consider the motion.

Council Member Knowles moved the question. Council Member Popilsky seconded the motion. A roll call vote was taken: Council Member Michalski, aye; Council Member Knowles, aye; council Member Popilsky, aye; Council Member Johnston, nay. The motion passed.

A roll call vote was taken for the previous motion: Council Member Michalski, nay; Council Member Knowles, aye; council Member Popilsky, aye; Council Member Johnston, nay. The vote was tied. Mayor Christenen, aye. The motion passed.

ADJOURNMENT

Council Member Popilsky moved to adjourn. Council Member Michalski seconded. The motion carried unanimously with the meeting adjourned at 7:02pm.

ATTEST:

_____ _____

Kreslyn Schuehler, City Clerk August Christensen, Mayor

DRAFT