City Council Meeting

January 14, 2026 **Victor, ID**

Victor City Council met in regular session in the Council Chambers in City Hall at 138 N Main Street at 6:00 P.M. Upon roll call the following were found to be present:

Mayor & Council: Sue Muncaster presided as Mayor Pro Tempore, Emily Sustick, Amy Ross, Stacy Hulsing. Mayor Will Frohlich was absent.

Staff: Jeremy Besbris, Jasmine Griffin, Kim Kolner, Nate Beard, and Michelle Smith. Herb Heimerl was present online.

Consent Calendar:

A motion was made by Councilor Sustick and seconded by Councilor Hulsing to approve the consent calendar including items a-h, excluding item c,d,e,g, and h, as presented with the following motions:

a. To approve the December 10, 2025, Regular Meeting Minutes
b. To approve the January 7, 2026, Special Meeting Minutes
c. To approve the Disbursements
d. To approve the Findings: LU2025-12 – Rezone to CX– Peak Property Ventures LLC
e. To approve the Findings: SD2025-10 - Preliminary Plat – Evergreen Subdivision
f. To approve the Voluntary Stewardship and Maintenance Agreement between Victor Skatepark Foundation and the City of Victor
g. To approve the Recurring Monthly Expenditures Approval
h. To approve the Wastewater Lab/Testing Equipment

Mayor Pro Tempore called for a roll call vote. Councilor Ross- In Favor, Councilor Hulsing- In Favor, Councilor Sustick- In Favor. The vote showed all in favor. The motion carried.

Disbursements-Councilor Ross pulled this item. 50-53-805 Wastewater Plant, wondering what the charges were for Smith Curry. Jasmine stated that it is the charges for the breach of Contract with Driggs. A motion was made by Councilor Ross and seconded by Councilor Sustick to approve the disbursements as presented. Mayor Pro Tempore called for the vote. The vote showed all in favor. The motion carried.

Findings: LU2025-12 – Rezone to CX– Peak Property Ventures LLC -Councilor Sustick questioned why the item was returning to Council, noting it had been approved at a prior meeting. Kim explained that, going forward, findings document and associated reasoning statements will be placed on the consent calendar for Council review and final approval. A motion was made by Councilor Sustick and seconded by Councilor Hulsing to approve the Findings: LU2025-12 – Rezone to CX– Peak Property Ventures LLC as presented. Mayor Pro Tempore called for a roll call vote. Councilor Ross- In Favor, Councilor Hulsing- In Favor, Councilor Sustick- In Favor. The vote showed all in favor. The motion carried.

Findings: SD2025-10 - Preliminary Plat – Evergreen Subdivision- Sustick questioned why the item was returning to Council, noting it had been approved at a prior meeting. Kim explained that, going forward, findings document and associated reasoning statements will be placed on the consent calendar for Council review and final approval. A motion was made by Councilor Sustick and seconded by Councilor Hulsing to approve the Findings: SD2025-10 - Preliminary Plat – Evergreen Subdivision as presented. Mayor Pro Tempore called for a roll call vote. Councilor Ross- In Favor, Councilor Hulsing- In Favor, Councilor Sustick- In Favor. The vote showed all in favor. The motion carried.

Recurring Monthly Expenditures Approval- Councilor Ross wanted clarification on the chase credit card fees, Jasmine stated that it is from the credit card company and express for transaction fees for utility payments. A motion was made by Councilor Ross and seconded by Councilor Sustick to approve the recurring monthly expenditures with a clarification for the chase fees. Mayor Pro Tempore called for the vote. The vote showed all in favor. The motion carried.

Wastewater Lab/Testing Equipment-Councilor Ross pulled this item to clarify why the city would be spending money on testing equipment if we haven't decided whether we are going to continue with Driggs Contract or build our own plant. Staff explaining its importance for maintaining the preliminary engineering report and compliance with consent decree requirements. A motion was made by Councilor Ross and seconded by Council Hulsing to approve the expenditure of $41,538 from the Wastewater Fund for the purchase of sampling services and associated equipment necessary to monitor influent characteristics and flow conditions. Mayor Pro Tempore called for the vote. The vote showed all in favor. The motion carried.

Swearing in of 2025 Elected Councilmembers The City Clerk administered the oath of office to the newly elected council members, Stacy Hulsing and Sue Muncaster. Upon being duly sworn, the council members assumed their official duties and took their seats on the City Council.

Action Items.

Continued Item: Resolution R587, A Resolution to Seek Judicial Confirmation to Incur Debt for Wastewater Improvements- Stephanie Bonney-representing MSBT Law, made public comment regarding the resolution to move forward and submit the petition to the court, Stephanie will not file until given the final approval from Mayor or staff.

Council deliberation on continuing this item, timeline for agreement between Driggs and Victor.

A motion was made by Councilor and seconded by Councilor to approve Resolution R587, a resolution declaring the necessity of incurring indebtedness for wastewater system improvements and authorizing the filing of a petition for judicial confirmation pursuant to Idaho Code Title 7, Chapter 13.

Councilor Ross and seconded by Councilor Sustick to continue this item to the next schedule meeting on January 28, 2026. Mayor Pro Tempore called for the vote. Councilor Ross- In Favor, Councilor Sustick- In favor, Councilor Hulsing- In Favor, Councilor Muncaster- In Favor. The vote showed all in favor. The motion carried.

Water Adjustment Request – 7985 S Hwy 33- Jasmine Griffin, City Treasurer made staff comment regarding a request for water adjustment at 7985 S Hwy 33. Jasmine reviewed the possible adjustment options: 1. $505.78 – 50% of prior bill (staff-approved amount) 2. $1,011.57 – full amount billed in November.

A motion was made by Councilor Ross and seconded by Councilor Sustick to approve a water adjustment of $1,011.57 for 7985 S Hwy 33, per the City's Water Adjustment Policy. Mayor Pro Tempore called for the vote. Councilor Ross- In Favor, Councilor Sustick- In favor, Councilor Hulsing- In Favor, Councilor Muncaster- In Favor. The vote showed all in favor. The motion carried.

SD2025-11 - Short Plat Subdivision – Aspen View LLC. X made staff comment regarding a short plat application for a property that consists of a single parcel identified as RPB0087002001E containing 5.02 acres. The property is zoned IX: Industrial Flex & RM-1: Residential Multifamily. Kim reviewed the record of proceedings, and the applicable criteria or approval. Jennifer Zung, representing Harmony Design, made public comment regarding the design, adding an easement for the existing irrigation line.

A motion was made by Councilor Hulsing and seconded by Councilor Sustick that having concluded that the Criteria for Approval of a Short Plat found in Title 10, Article 14.5.9.B have been met, I move to approve SD2025-11 for Short Plat of the property as described in the application materials submitted on October 20, 2025. Mayor Pro Tempore called for the vote. The vote showed all in favor. The motion carried.

Public Hearing.

Continued Public Hearing: Ordinance O645 LU2025-10 – Annexation/Rezone – South of 7000S between 500W & 1000W - City of Victor/Evans- Kim Kolner, Planning Director confirmed that proper notice has been given and that supporting materials are complete. No Council members declared a conflict of interest. Originally noticed for November 13, 2025 and continued. Staff confirmed that all required legal notice was completed and that all materials are present. Staff requested that Council acknowledge that all testimony, discussion, and public comment from all prior public hearings related to this application be incorporated into the record. Staff explained that there have been two conditions of approval added per Councils request from that prior hearing, one requiring all uses that are listed at Permitted or Limited in the zoning ordinance require CUP approval for this property, with the exception of the following uses that will remain permitted or limited according to the Land Development Code: RC Zoned area, Single Family Detached House, Group Home (per FHA; up to 8 residents), Conservation Area, Farming – Limited, Urban Farm – Limited, CIV Zoned area, Conservation area, Farming – Limited, Urban Farm – Limited; and second requiring that any CUPs be approved by City Council with P&Z as the recommending body. Staff also explained that per the applicant/owners' request that the motion of annexation includes a contingency on the sale of the western 40 acres to the City of Victor. This means that if the sale does not go through that the annexation would be void.

Public comment was opened. Concerns were raised about wastewater treatment plant and land costs; additional terms of approval; public comments; the current Teton Springs agreement; infill development; environmental impacts and groundwater contamination; the need to hire Level 4 operators to run the plant; and opposition to the annexation of the property. Public comments were received from Dan Bates, Anna Trentadue, Marian Ruzicka, Marline Griffin, David Sell, Don Thompson, John Filardo, and Deb Grove. Public comment closed.

A short break was requested.

Council discussed concerns regarding potential groundwater contamination. Required groundwater testing would include daily and weekly monitoring. The State may also require downstream testing through monitoring wells if deemed necessary. Additional discussion addressed frontage road development zoning;

open space and pathway considerations; City ownership of additional property; the value of the land; and consistency with the Comprehensive Plan and Area of Impact (AOI) statutes.

Additional Condition requested: The required open space for RC zoning shall be located along the frontage road and 7000 South.

Council Deliberation and reasoning statements were discussed. Councilor Sustick and Councilor Hulsing expressed support for the purchase of the land, noting it would be an asset to the City even if the wastewater facility is not constructed on the site. Councilor Muncaster expressed support for the annexation, stating it is consistent with the Comprehensive Plan. Councilor Ross stated the proposal does not align with the Comprehensive Plan and requested continuation of the item. Councilor Ross made a motion to continue the item to the January 28 meeting. The motion failed due to lack of a second

A motion was made by Councilor Hulsing and seconded by Councilor Sustick that having concluded that the Criteria for Approval of an Annexation found in Title 10, Article 14.7.14.B. have been met, I move to approve LU2025-10 for the annexation of the 80-acre parcel located south of 7000S between 1000W and 500W as described in the application materials dated on August 28, 2025. Subject to and contingent on the sale of the western 40 acres to the City of Victor and subject to council approval of the reasoning statement. Mayor Pro Tempore called for the vote. Councilor Sustick- In favor, Councilor Hulsing- In Favor, Councilor Muncaster- In Favor, Councilor Ross- Opposed. The vote showed three in favor and one opposed. The motion carried.

A motion was made by Councilor Hulsing and seconded by Councilor that having further concluded that the Criteria for Approval of a Rezone Map Amendment found in Title 10, Article 14.7.12.B. have been met, I move to approve LU2025-10 for the zoning of CIV on the western 40 acres and RC on the eastern 40 acres as shown in the application materials dated August 28, 2025, subject to the conditions of approval (listed Below) as amended in the January 14, 2026 council meeting, including a new condition stating: The required Open Space for the RC zoning be shall located along the frontage road and 7000S, and I further move to approve the associated development agreement in form approved by the Victor City Attorney, and subject to council approval of the reasoning statement. Mayor Pro Tempore called for the vote. Councilor Sustick- In favor, Councilor Hulsing- In Favor, Councilor Muncaster- In Favor, Councilor Ross- Opposed. The vote showed three in favor and one opposed. The motion carried.

A motion was made by Councilor Hulsing and seconded by Councilor Sustick to waive the first reading of Ordinance #O645, to read it by title only, and to waive the second and third Ordinance readings Mayor Pro Tempore called for the vote. Councilor Sustick- In favor, Councilor Hulsing- In Favor, Councilor Muncaster- In Favor, Councilor Ross- Opposed. The vote showed three in favor and one opposed. The motion carried.

A motion was made by Councilor Hulsing and seconded by Councilor Sustick to approve Ordinance #O645, an ordinance of the City of Victor, Idaho annexing certain lands to the City of Victor: describing said lands and declaring the same as part of the City of Victor, Idaho, and amending the official zoning map of the City of Victor, which is part of Title 10 of the City's Municipal Code, to assign the zoning designation of CIV: Civic and Institutional and RC Residential Cluster, as described, and direct the City Clerk to publish the ordinance. Mayor Pro Tempore called for a roll call vote. Councilor Sustick- In favor, Councilor Hulsing- In Favor, Councilor Muncaster- In Favor, Councilor Ross- Opposed. The vote showed three in favor and one opposed. The motion carried.

CONDITIONS OF APPROVAL

These Conditions of approval shall be made part of an Idaho Code 67-6511A development agreement. Conditions 1-6 shall only apply to the Residential (RC) zoned portion of the property:

1. The Owner shall be solely responsible for compliance with all applicable development requirements, and all previous and future land use decisions rendered for the property. All federal state and local laws shall be met.
2. A minimum of 10% of residential lots shall be deed-restricted to a qualified local household. A qualified local household being a household having one adult occupant who is either employed or has a verified job offer within Teton County, Idaho for at least 30 hours per week (or 1,560 hours per year) or has resided in Teton County, Idaho for at least one year prior and is either over the age of 65 or has a disability recognized by the federal government.
3. When developed no less than 2 acres shall be dedicated to the City as public park space.
4. When developed there shall be no more than 2 access points along the Frontage Road (500W).
5. There shall be no direct access to HWY 33 from the site, other than 7000S.
6. When developed a gateway buffer shall be provided along the eastern edge of the property, this buffer cannot be calculated towards the required open space.
7. On the CIV zoned portion, there shall be a minimum 100-foot setback from a wastewater treatment facility to any property line. Within said setback there shall be a 6' landscaped berm designed to a minimum 3 to 1 slope said landscaped berm shall be designed by a landscape architect.
8. That any structure within the CIV zoning obtain site plan and design approval by the Planning and Zoning Commission before building permits are issued.

9. Require that all uses that are listed at Permitted or Limited in the zoning ordinance require CUP approval for this property, with the exception of the following uses that will remain permitted or limited according to the Land Development Code: RC Zoned area Single Family Detached House Group Home (per FHA; up to 8 residents) Conservation Area Farming - Limited Urban Farm – Limited CIV Zoned area Conservation area Farming - Limited Urban Farm - Limited
10. Require that any CUPs be approved by City Council with P&Z as the recommending body.
11. The required Open Space for the RC zoning shall be located along the frontage road (500W) and 7000S.

Matters from Mayor, Council & Staff.
City Attorney Herb Heimerl stated that the Driggs City Council will all be attending the mediation. Staff recommended that one Councilor attend the mediation along with Mayor; however, participation by the full Council is at Council's discretion. Amy requested to attend the mediation along with Sue and the Mayor, noting that broader representation would benefit the City. All Council indicated a desire for all council members to participate at this time. A special meeting for executive session for mediation between Driggs and Victor regarding the wastewater facility and will be scheduled for January 21, from 9:00 a.m. to 5:00 p.m., staff will confirm the location

A letter from the Mayor to the City of Driggs was included with the agenda for Council review Links were provided for the 2025 Year-End Review Report, the Treasurer's Monthly Report, and the FY25 Pending Applications and Projects report.

Adjourn. A motion was made by Councilor Sustick and seconded by Councilor Hulsing to adjourn the meeting. Mayor Frohlich called for the vote. The vote showed all in favor. The motion carried. The meeting was adjourned at 9:01 P.M.

City of Victor

Will Frohlich, Mayor

ATTEST:

Michelle Smith, City Clerk

Minutes: MS 01132026