

MINUTES OF SPECIAL MEETING
SUGAR CITY COUNCIL
THURSDAY, JULY 21, 2005

Presiding: Glenn W. Dalling
Meeting Convened at 8 p.m.
Prayer: Brent Barrus

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Tim Kershaw, Brent Barrus, Walter Deitz and Harold Harris.

The Mayor asked Council member Barrus about the breakfast that is scheduled from 7 a.m. to 10 a.m. on Saturday, July 23. Brent said everything is all arranged. The Mayor also said we had a water leak today, and six homes are without water tonight. A discussion was had about calling Dig Line before digging. Council member Harris said Jan Gallup thinks the City Council should meet once a month on the ordinance changes, in addition to our regular monthly meeting. The Mayor said we would discuss it at our regular meeting.

DISCUSSION ON IMPACT AREA: The Mayor said our purpose tonight is to talk about what may or may not happen on August 3rd when the three entities (Sugar City, Rexburg, and Madison County) meet. On that agenda is something on the bike path and something on the impact area. He assumes they will give us time for a presentation. Our purpose tonight is to get our ideas ready and correlate them with P&Z so that we are all on the same page and paragraph when we're talking. He expressed four thoughts: (1) we want to explain to them that we have for some time felt that our impact area should be down the Moody Highway all the way to 2nd East; (2) we need to emphasize that our build-out study has shown that we can provide the infrastructure for the development of that area; (3) the Salem area has filed a petition to be in our impact area; and (4) we ought to emphasize it appears to be the intent of the three P&Z Commissions to standardize zoning. He feels it has more impact on us how that's developed than it does on the City of Rexburg. If we had a sheet typed up and worded properly, he would hand out copies and read it rather than ad-lib it.

BIKE PATH: The Mayor said Dick Dyer sent Joe West, of Trails of Madison County, to see him. He came on strong, after we had looked at the access of the railroad crossings and he heard the Mayor's feelings on it, and he said we don't think the bike path is of any value. The Mayor told him it has value and we are happy to go ahead with it, but that doesn't mean we are going to penalize some people in order to do it. A discussion was had on the fact that we have credit for two crossing closures, and the railroad wants five. He asked Sharon to search anything she can from the minutes indicating what the Council has said in the past years about closing railroad crossings.

Discussion was had on what we are willing to give up as far as impact area.

The Mayor said after we finish our meeting with Planning & Zoning, because that body has no authority to make anything but a consensus of opinion, we will re-meet again in here (the Clerk's office) and pass whatever we want to pass to put in the minutes. P&Z will meet for themselves and do the same thing.

8:30 p.m. The Mayor and Council had a joint meeting with the Planning & Zoning Commission. Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Tim Kershaw, Brent Barrus, Walter Deitz and Harold Harris; KaraLee Ricks, Brad Orme, Bruce King, Bob Oliphant, Mike Withers and Garry Jeppesen, Planning & Zoning Commission; Ross D. Warren; Gaylynn Bean; Troy Thurgood; Jan Gallup; and Clair Boyle.

The Mayor expressed appreciation to our Planning & Zoning people for their time and service.

JAN GALLUP OFFICIAL TITLE: The Mayor said Jan's official title is "Project Consultant," and her assignment at the present time is pretty much tied to revision of the ordinances to comply with the comprehensive plan. We probably will have to go pretty slow on our comprehensive plan map. The County Commissioners have asked us to back off a little bit until the Burns Brothers litigation is settled.

JOINT DISCUSSION ON IMPACT AREA: The Mayor said our purpose for this meeting is to prepare for the three-entities meeting on Wednesday, August 3rd, at 6 p.m., in the Magistrate's Courtroom. On the agenda will be things on the bike path, and something to do with the three Planning & Zoning Commissions, but basically a lot to do with this impact area. Tonight we need to establish exactly where we are going in that meeting. After we are finished talking about this information, the City Council would reconvene in their little room and the P&Z people would reconvene in the council room and hopefully each would pass a motion stating what we would like to do. He explained he would like to have something written down to pass out and we need to be united on it, and discussed the four points he presented earlier to the Council.

After joint discussion, the following was decided upon:

To request the property north of Moody Highway to 1000 West and north to the river be in our impact area (hand out a map). The reasons for our request:

1. Significantly impacts Sugar City
 - a. Sugar need commercial base.
 - b. Imbalance between commercial and residential
2. Salem residents petitioned to be in our impact area
 - a. Long-standing ties
3. Sugar previously requested property west of 33 and north of Moody Highway
4. Build-out study to plan infrastructure
5. Three P&Zs working for uniformity of land use zones and ordinances.

Jan said the Mayor asked her to take these ideas and put it in presentation form. She said she will email it out to the Council and P&Z to review, make suggestions, and then we will refine it. We just need to be specific about the points. The Mayor said we would be willing to give up the land west of 2nd East to Highway 20 if we are asked to at the meeting, but that is all. From there on

we will take it as far as we have to -- to the committee of nine, to the judge, to the people to say where they want to go.

The Mayor said we need to understand when we go to that meeting that our engineer is chairman of the P&Z Commission in Rexburg and in the meeting that the Rexburg people had with the County Commissioners, he made the statement that he thought a fair solution of division would be for Rexburg to take all the land to the south of Highway 20 and we take the north area. We need to make it clear that statement does not represent our feelings.

The Mayor discussed with P&Z the bike path problem. It has got to a point that they are negotiating with the railroad to get an easement for the path to Rexburg. They are holding out for closures of railroad crossings (two or three recommended) in Sugar City. They dropped the 1st South one because we repaired it. There is one at 3rd North, and two that go down to the Sun-Glo, NorSun area. We have been reluctant to close any of the three. He checked with NorSun and Sun-Glo and they don't want the road changed down there. To close the crossing at 3rd North, we would have to build a road and a bridge across the canal. He feels at this point we don't have a crossing that we could approve to be closed. The railroad isn't willing to give us the right-of-way until we agree to close crossings. The Mayor asked the P&Z to pass a motion supporting the discussion for the three-entities meeting on August 3, 2005.

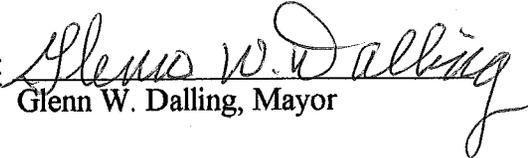
9:15 p.m. The joint meeting with the Planning & Zoning Commission ended and the Council resumed their special meeting in the Clerk's office. **MOTION:** It was moved by Council member Barrus and seconded by Council member Deitz that we accept the points we discussed with P&Z in our joint meeting to present to the County Commissioners and the City Council of Rexburg. The Mayor called for a roll call vote:

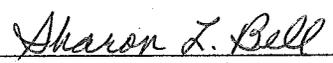
Those voting aye: Council members Kershaw, Barrus, Deitz and Harris

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

Meeting adjourned at 9:25 p.m.

Signed: 
Glenn W. Dalling, Mayor

Attested: 
Sharon L. Bell, Clerk