

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, APRIL 8, 2010

Presiding: Mayor Glenn W. Dalling
Meeting Convened at 6:30 p.m.
Prayer: Harold Harris
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Lamont Merrill and Vaun Waddell; Brian Hawkes, Planning & Zoning Commission; Paul Jeppson; and Garry Jeppesen.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on March 25, 2010. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember King and seconded by Councilmember Waddell to accept said minutes; motion carried.

Marcie presented the March reconciliation reports for the General Fund. It was moved by Councilmember Harris and seconded by Councilmember Waddell to accept the March reconciliation reports for the General fund; motion carried. Marcie presented the March reconciliation reports for the Utility Fund. It was moved by Councilmember Merrill and seconded by Councilmember Harris to accept the March reconciliation reports for the Utility Fund; motion carried.

Marcie presented the current bills in the amount of \$49,100.57. It was moved by Councilmember Harris and seconded by Councilmember King to pay the current bills, together with all regular April bills that have not yet been received; motion carried.

RESOLUTION NO. 2010-4 (Fair Housing): Councilmember Waddell read Resolution No. 2010-4 to proclaim April as Fair Housing Month. It was moved by Councilmember Waddell and seconded by Councilmember Merrill to approve Resolution No. 2010-4. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Merrill and Waddell
Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 1."

MOTION TO AMEND AGENDA: It was moved by Councilmember King and seconded by Councilmember Merrill to amend the agenda to include a discussion of the water right

application by Mayor Dalling for the reason that it was overlooked when the original agenda was prepared; motion carried.

PLANNING & ZONING REPORT: P&Z Chairman Brian Hawkes addressed the council.

Discussion of trailer in impact area (DeFino R. Garcia): Brian reported that Mr. Garcia met with the P&Z at their last two meetings to discuss putting an additional mobile home on the south half of the former Lucky Thomas lot. Lucky divided his property and sold the south half. One residence (Lucky's) is located on the north lot and two residences are located on the south lot. These all use the same well and septic system. The two residences on the south lot use the same electrical hookup. P&Z voted unanimously to disallow the addition of a mobile home on the south lot for the reasons it would make an unauthorized mobile home park in the impact area, there isn't enough room on the lot for three trailers, and it is too close to the property line. Councilmember Harris reminded Brian that the county has the final say in the impact area. Brian stated that he had already talked with the county about the matter and they said they would go along with the city's wishes. P&Z has requested the county to adopt our city ordinances in the impact area.

Wind turbine application: Brian reported that since P&Z has not received any feedback from the council, they assume that the wind turbine application is adequate as it is.

Discussion on AT&T cell antennas on water tower: Brian said he has been contacted by Jodi Price of Fuller Consulting, LLC about adding three panel antennas as well as six lines of coax on AT&T's existing telecommunication facility on the water tower. They are the subcontractor for AT&T. The mayor said AT&T needs permission to do so and will be charged for them. They should give us a sketch of where they are planning to put the antennas. The mayor is negotiating with AT&T on renewal of their lease and will also negotiate with them on the additional antennas.

Public meeting on April 15 on title 9 chapter on home business: Brian reported that P&Z is holding a public meeting at 7 p.m. on April 15 on the home business chapter of title 9.

DISCUSSION ON WIND TURBINE APPLICATION:

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Merrill to approve the application for wind turbine prepared by P&Z and submitted; motion carried.

DISCUSSION ON EAST PARKWAY CORRIDOR: The East Parkway Corridor was discussed at length. There were differing opinions expressed and the decision was postponed for two weeks. The mayor encouraged the council to review all of the information they have. Paul Jeppson and Garry Jeppesen expressed their concerns regarding the East Parkway Corridor. A decision on the East Parkway Corridor was deferred for two weeks.

DISCUSSION ON RESOLUTION FOR PRIVATE USE OF COUNCIL ROOM

(RESOLUTION NO. 2010-5): Councilmember King read Resolution No. 2010-5 for private use of the council room. It was moved by Councilmember Waddell and seconded by Councilmember King to approve Resolution No. 2010-5. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Merrill and Waddell

Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 2."

DISCUSSION ON 3RD SOUTH: Councilmember Harris reported that all property owners/residents along 3rd South are encouraged to attend city council on Thursday, April 22, 2010 to discuss ongoing problems relating to the street location. City Engineer Dick Dyer will come and make a presentation. Individual letters will be sent to each property owner prior to said meeting.

DEPARTMENT REPORTS:

COUNCILMEMBER HARRIS: No report.

COUNCILMEMBER KING:

Funding for street construction/maintenance: Bruce had a question as to where the funding for street maintenance and construction comes from and the amount the city receives. Marcie reported that the street funding comes from two sources: fuel tax revenue and vehicle registration fees. She said that the city could anticipate approximately \$88,000 for this budget year and that it would reflect a 3% reduction. Bruce expressed concern that the transportation study had indicated that we would need \$136,000 annually and that we have only \$88,000 available per year for maintenance and construction.

COUNCILMEMBER MERRILL: No report.

COUNCILMEMBER WADDELL: Vaun reported he would be gone the whole month of May.

Easter egg hunt: Because of a blizzard on April 3, the Easter egg hunt was rescheduled for Saturday, April 17.

Arbor Day: Arbor Day is April 30. Vaun said he will be out of town but the mayor will participate in the celebration. He said the city is not getting the \$300 grant for landscaping, but we do have a tree to plant.

West Entrance Park: Vaun reported that the Tree and Beautification Committee talked about making the west entrance park more accessible to drive in and turn around. They would like picnic tables or other facilities in the park. The mayor said the city is in favor of inviting a proposal from the Tree and Beautification Committee, but it should only be for small group activity.

Rexburg/Sugar City Teton Dam Marathon: The marathon is scheduled for June 12, 2010. Vaun will be responsible for the events in Heritage Park and Paul Jeppson will be in charge of volunteers for the route. He feels it will be a good event.

MAYOR'S BUSINESS:

Report on AT&T Lease: The mayor reported he is negotiating with AT&T. In a letter to AT&T he said on the basis of what Syringa is paying the city, the city wants \$500 a month plus \$100 a month for building usage and \$100 a month for other phone usage, plus \$100 per additional antenna.

Water right application: The mayor presented information on the water right application that at this point appears to be approved, providing there is a dual water system covering irrigation demands. The consensus of the council was to review the matter further before accepting the proposed water right requiring a dual system.

Meeting adjourned at 9:35 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk

RESOLUTION 2010-4

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, IDAHO, THAT:

WHEREAS, April 2010 marks the 42nd anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and

WHEREAS, equal opportunity for all – regardless of race, color, religion, sex, disability, familial status or national origin – is a fundamental goal of our nation, state and city; and

WHEREAS, equal access to housing is an important component of this goal – as fundamental as the right to equal education and employment; and

WHEREAS, housing is a critical component of family and community health and stability; and

WHEREAS, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and

WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and

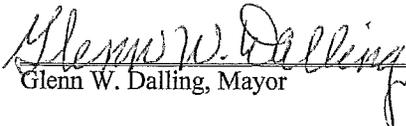
WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed.

NOW, THEREFORE, I, Glenn W. Dalling, Mayor of the City of Sugar City, do hereby proclaim April 2010 to be

FAIR HOUSING MONTH

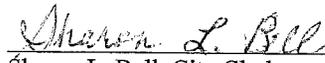
in the City of Sugar City, Madison County, State of Idaho.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 8TH DAY OF APRIL 2010.



Glenn W. Dalling, Mayor

ATTEST:



Sharon L. Bell, City Clerk

(SEAL)

RESOLUTION 2010-5

A RESOLUTION OF THE CITY OF SUGAR CITY, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; ADOPTING A POLICY REGULATING USE, BY THE PUBLIC, OF THE CITY COUNCIL'S CHAMBERS; AND PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the City receives periodic requests from members of the public to use the City Council's chambers for various functions and purposes; and

WHEREAS, the Mayor and City Council believe it is necessary and appropriate to adopt a policy that provides a uniform basis on which to consider such requests in order to protect City property while permitting its reasonable use for public business;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sugar City, Idaho, as follows:

Use of the Council Chambers by the public shall be by prior written authorization of the Mayor or City Council, only.

Such authorization may contain such conditions as the City may deem in its best interest, including, but not limited to, time of use, limitations on food, drink and access to other parts of the building, cleaning, and security requirements, and reimbursement for any out of pocket costs the City incurs for providing use of the room.

Use of the Council Chambers is limited to those organizations with some governmental purpose, e.g., planning and zoning commission, parks and recreation committee, fire department, water board, library board, public meetings and hearings regarding issues before the City, etc.

The City does not permit use by for profit organizations.

The City does not permit use by religious groups.

The City does not permit use by political groups.

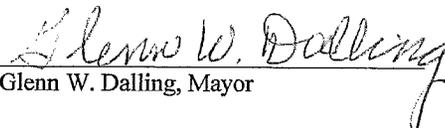
The City does not permit use by educational, social or fraternal groups.

Exceptions to this policy may be made only by a majority vote of the City Council.

This Resolution shall become effective as of the date of its passage.

**UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS
8th DAY OF April 2010.**

ATTEST:


Glenn W. Dalling, Mayor


Sharon L. Bell, City Clerk

(SEAL)