

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, FEBRUARY 28, 2008

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Councilmembers Harold Harris, Bruce King, Brad Orme and Lamont Merrill; Brian Hawkes, Planning & Zoning; Kyra Davis, Standard Journal; Vaun Waddell; Paul Lusk; Kerry Moser.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on February 14, 2008. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Orme and seconded by Councilmember King to accept said minutes; motion carried.

ORDINANCE NO. 274 (Title 9, Chapter 13-4-C):

Councilmember Orme introduced Ordinance No. 274 entitled:

“AN ORDINANCE AMENDING TITLE 9 CHAPTER 13-4-C; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”

It was moved by Councilmember Orme and seconded by Councilmember King to waive the reading on three different days and in full and place it upon its final passage. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Orme and Merrill
Those voting nay: none

Thereupon, the Mayor declared that the motion, having been passed by not less than two-thirds of the Council, had been duly carried. It was moved by Councilmember Orme and seconded by Councilmember Harris to adopt said ordinance. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Orme and Merrill
Those voting nay: none

Ordinance No. 274 was thereupon declared by the Mayor to have been duly passed by not less than two-thirds of the Council, and the Clerk was instructed to publish said Ordinance No. 274 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the City of Rexburg, Madison County, Idaho.

ORDINANCE NO. 275 (Title 10, Subdivision):

Councilmember Orme introduced Ordinance No. 275 entitled:

“AN ORDINANCE ADOPTING SUBDIVISION AND PLATTING REGULATIONS; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”

It was moved by Councilmember Orme and seconded by Councilmember Harris to waive the reading on three different days and in full and place it upon its final passage. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Orme and Merrill
Those voting nay: none

Thereupon, the Mayor declared that the motion, having been passed by not less than two-thirds of the Council, had been duly carried. It was moved by Councilmember Orme and seconded by Councilmember Merrill to adopt said ordinance. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Orme and Merrill
Those voting nay: none

Ordinance No. 275 was thereupon declared by the Mayor to have been duly passed by not less than two-thirds of the Council, and the Clerk was instructed to publish said Ordinance No. 275 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the City of Rexburg, Madison County, Idaho.

PLANNING & ZONING REPORT: Brian Hawkes addressed the council.

Final Plat Application for Old Farm Estates: Brian reported that P&Z received the final plat application for Old Farm Estates. The preliminary plat was approved with conditions. P&Z felt like some of the conditions had been accomplished and some needed more work. P&Z discussed the conditions with Mr. Stillman and Mr. Pincock. (1) Larger lots were discussed. (2) The grid system in the project was discussed. Cul de sacs are the hardest to maintain. (3) The impact study was not as thorough as it should be. P&Z gave it back to them to improve. It was based on 2002 data. They would like peak flow calculations addressed, and felt the impact study was missing information on peak flow. (4) They talked about schools and parks. Their plan is to implement the park in the subdivision at the end of the project. Mr. Pincock quoted from the Sugar City Comprehensive Plan that states, “The two community parks, Smith and Heritage, will be adequate until the population exceeds 3000.” P&Z feels the park should be earlier in the subdivision rather than later, and it will not be a community park. (5) The southern boundary of the project was discussed. Brian reported he wrote a letter to the developers indicating that he would like in writing how they have met each of the conditions. Brian said after Old Farm Estates submitted their application, P&Z has 30 days to vote on it. If P&Z does not feel they have met their requirements; they can drop it back to a preliminary plat status. They will move forward on this in the right way.

Design Review Board for Sugar City Business Park: Brian reported P&Z took a break and convened as a design review board for the Sugar City Business Park. Their first order of

business was to elect officers: Brian Hawkes was elected chairman of the design review board and Stephanie Blackham as secretary. Randy Johnson of Forsgren Associates presented the design review application. Several items were discussed: (1) West Center Street has adequate lanes to service the business park. Pedestrian traffic is not anticipated or desired in the center of the business park, so they will not require sidewalks. (2) The possibility of yield signs instead of internal stop signs was discussed. (3) They talked about the six-foot pedestrian walkway, which is in the ten-foot easement on the perimeter of the property. (4) The location of trees would be determined as part of the landscaping plan of each individual lot. (5) Several items were determined to be taken care of in the CCR's (covenants). They were: backs of the individual lots (the backs should look as good as the fronts), fences, area of integration, streetscape improvements and screening of roof-mounted and ground utilities. P&Z reconvened as a P&Z commission.

Variations for Sugar City Business Park: P&Z discussed with Randy Johnson the four variance requests for the business park: (1) loop street length exceeded the maximum (title 10-6-2-F-3); (2) block length in two of their blocks were longer than the maximum (title 10-6-3-A); (3) concrete rolled curbs are required and ribbon curb is being requested; and (4) concrete sidewalks are required (title 10-7-2-B). Brian reported that P&Z discussed each of the four variances and approved them. Notices were sent to adjacent property owners, and the only one they heard from was Eastern Idaho Railroad, who didn't object to the variances as long as it will not affect railroad crossings or upgrades on crossings.

Preliminary Plat Approval for Sugar City Business Park: P&Z approved the preliminary plat application for the business park with the following four conditions: (1) access to 3rd North to be completed as part of the initial infrastructure installation; (2) street names to be finalized before final plat; (3) open space be formally designated as such; and (4) CCR's be agreed upon before final plat application. P&Z recommended the preliminary plat to the city council for their action.

SPRING RUNOFF – BRUCE KING: Councilmember King reported he visited with Dusty Cureton, superintendent of the Madison County Road Department, regarding the threat of spring flooding. Mr. Cureton said there isn't frost in the fields, so he hopes much of the snow will melt into the ground. He said our own Sergeant Cameron Stanford is the new Homeland Security director for this area, whom we may contact. The county has obtained approximately 5,000 sandbags, which are available at the transfer station north of the airport. The mayor reported the city has 1,500 sandbags and two loads of sand in the shed. Mr. Cureton and his staff will watch carefully as warm weather approaches. His department has cleaned out culverts, etc. in preparation for the thaws. Bruce reported that the Federal Emergency Management Agency (FEMA) has classified Sugar City proper as an X zone, which means it is not considered a flood plain for flood insurance purposes.

PUBLIC OUTREACH: A discussion was had on how to resolve Amy Brown's concerns about the proposed fire station. Councilmember Merrill was assigned to gather information and report back to the council.

WATER TOWER LIABILITY: Councilmember King expressed concerns that the city may be liable for mishaps on the water tower and asked about the status of private users. Edge Wireless and Net Communications (Dave Thompson) have antennas on the water tower. Mr. Thompson needs to start paying or remove his equipment.

7:55 p.m. Attorney Josh Garner arrived.

DEPARTMENT REPORTS:

COUNCILMEMBER HARRIS:

Design Review Board: Harold thought the City Code said the design review board should be appointed by the city council. Attorney Garner said the design review board is an appendage to the Planning and Zoning Commission that is appointed by the city council.

COUNCILMEMBER ORME: No report.

COUNCILMEMBER KING:

Provision on Bonds in Title 1: Bruce reported he has made a couple of changes in title 1. Sharon and Marcie had each reviewed the sections in the new draft of title 1. The mayor reported as part of our ICRMP policy we are covered.

Feedback from Web site: Bruce reported we have now received five responses on city matters through the Feedback page of our Web site. One citizen thanked the city for the way maintenance crews have plowed city streets this winter, one offered to help the city with its Web site, one asked that city residents be able to pay utility bills online, one said the comprehensive plan does not yet have any city maps posted, and one said he was happy to see the city now has a Web site.

COUNCILMEMBER MERRILL:

Agreement –Lone Eagle: Lamont discussed the fact that Lone Eagle desires to be hooked into the city's sewer system. Bill Moss is the engineer on the project. The Connection and Annexation Agreement presented by Mr. Moss was discussed. Attorney Garner said he would like more time to study the agreement. It was the consensus of the council, if the attorney approves, that we can move ahead with the project before our next meeting, with a \$10,000 cap on costs.

Painting Water Tower: The mayor reported that the water tower needs to be painted and taken care of. Lamont contacted painters to paint the water tower and within two weeks he should have some bids to report to the council. The mayor assigned Lamont to meet with the beautification committee and get them on board with this project.

MAYOR'S BUSINESS:

March 8 AIC Meeting: The mayor reported there are 11 members of the council, staff and P&Z who will attend the March 8 meeting. He encouraged everyone to carpool.

Impact Fees: The Mayor reported talking with Richard Horner about a meeting to discuss impact fees. Richard is presently out of town.

Capital Replacement and Improvement Account: The mayor and Marcie met with Dana Izatt regarding setting up capital replacement and improvement accounts. Marcie will report in the next meeting what was decided.

The mayor entertained a motion to go into executive session.

EXECUTIVE SESSION:

8:35 p.m. It was moved by Councilmember King and seconded by Councilmember Orme, pursuant to Idaho Code 67-2345(1)(b) and (f), that we move into executive session to discuss personnel and litigation matters. The mayor called for a roll call vote:

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

Those voting nay: None

Thereupon the mayor declared the motion passed.

Discussions during executive session were on the possibility of hiring part-time help for P&Z and possible litigation.

9:15 p.m. The executive session ended and the regular council meeting adjourned.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk