

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, JUNE 25, 2009

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

Present: Mayor Dalling; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Brad Orme and Lamont Merrill; Vaun Waddell, acting chairman of Planning & Zoning; Tony Rothwell, Sugar-Salem School District #322, Sharee Palmer; and Ray Barney. City Clerk Sharon L. Bell was excused. In the absence of the city clerk, Treasurer Marcie A. Smith took minutes.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on June 11, 2009. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Harris and seconded by Councilmember Orme to accept said minutes; motion carried.

PLANNING & ZONING REPORT: In the absence of P&Z Chair Brian Hawkes, Commissioner Vaun Waddell addressed the council.

Old Farm Estates zoning correction: Commissioner Waddell reported that P&Z has scheduled a public hearing on Thursday, July 16, 2009, at 7 p.m. to rezone Old Farm Estates due to an incorrect description of property in the last rezoning.

Zoning Map: P&Z has scheduled a public hearing on Thursday, July 16, 2009, at 7:20 p.m. regarding a proposed city zoning map.

Recommendation on Sugar-Salem School District #322 Special Use Permit and Variance: Commissioner Waddell presented a letter which was read. He reported that P&Z denied both applications. The reasons for denial will be in writing within 10 days. Public concerns were as follows: (1) surface of the building being steel; (2) incomplete applications; (3) three-foot setback for north side of building; and (4) documentation of hardship to justify approval. The mayor asked if the school district has a time constraint. Mr. Waddell said that the school district wants to build this summer before winter sets in. He said some discussion was that a brick wainscot or outside façade was discussed, to match the other building. He said the vote was five to one not to approve. Councilmember King asked about an appeal to the decision. Vaun said the school district has not made an official appeal to the decision to his knowledge. He also stated that P&Z did not want to discuss design review at this time.

Councilmember Harris said he could get some subcontractors to come and bid on moving the street to tie B Street in with 1st North. He said it is a logical relocation of the street. The mayor asked Commissioner Waddell if the above four items are addressed, if the school district could go ahead. Commissioner Waddell said he cannot say, but fully completing the application in more detail would help. Councilmember King said the council couldn't do anything now until

an appeal is filed on the P&Z's decision.

Appointment of Design Review Board for school district: Commissioner Waddell had no recommendations for the design review board, but P&Z Chair Brian Hawkes would be the chair of the design review board. **MOTION:** It was moved by Councilmember Harris and seconded by Councilmember Merrill to authorize the mayor to approach Bill Barnhill, Lawrence Nielsen, Randi Fogle and Kevin Virgin about the possibility of serving on the design review board under the auspices of P&Z; motion carried.

FLORENCE WARD – SUGGESTION FOR JUNIOR HIGH CROSSWALK: Ms. Ward cancelled her request to address the council.

WATER RIGHTS LETTER APPLICATION: Copies of the letter to Travis L. Thompson of Barker Rosholt & Simpson, LLP, dated June 19, 2009, were presented to the council. The city is asking for a 4.25 cubic feet per second (cfs) water right. Councilmember Merrill summarized the application and letter. EIWCG (Eastern Idaho Water Coalition Group) is working on the Egin Lakes Recharge Project. Forsgren Associates is working with the City of Shelley on their water needs. Forsgren suggests that we put this application in now so that if it is challenged, we can begin discussions on alternatives. The mayor said that now might be a good time due to high water runoff. This water right is for serving future needs of Toscano, Calaway Ranch and Old Farm Estates. Representatives of Toscano and Calaway Ranch have responded that they are willing to help with the expenses incurred for determining the water needs and the expenses of applying for a water right. Old Farm Estates has not responded. It was the consensus of the council that even though developers of Old Farm Estates have not responded to our invitation to help pay the cost of the city water analysis and water right application, which could place them at a disadvantage given the present difficulty of obtaining an independent water right, that we move ahead without them.

MOTION: It was moved by Councilmember King and seconded by Councilmember Harris to authorize Mayor Dalling to apply for a water right of 4.25 cfs to serve future city needs; motion carried.

DEPARTMENT REPORTS:

COUNCILMEMBER HARRIS:

Road construction update:

Center Street Storm Drains: Harold presented a packet with Edstrom Construction's bid for the council to review. He said he attended a meeting today, and Bruce will take down more documents to the state about Edstrom Construction for the project. They can stage their equipment north of the silo on city property. He told Edstrom he would have the council review it before he awarded the bid. He got three bids from Hill & Son, Edstroms and DePatco. The mayor said at the last meeting we were going to award the bid to Hill & Son but we needed a third bidder to be legal; so Harold got a third bid and Edstrom was the low bidder.

MOTION: The city having contacted Edstrom Construction and having identified that the estimated cost of the project is within the legal expenditure limits required by state statute, it was moved by Councilmember King and seconded by Councilmember Merrill to authorize Councilmember Harris to formally award the Center Street storm drain contract to Edstrom Construction Company, whose bid of \$28,300 was the lowest bid; motion carried.

Harold said that Edstroms will start soon and will take about five days to complete the project. The bid was \$11,000 lower than Hill & Son's bid, which was the next lowest bid.

Curve at 7th East corner at high school and Center Street: Harold said he talked with Troy Williams about ideas for the curve at the intersection of 7th East and Center Street at the high school. They have an idea to make the roads perpendicular to each other. He handed out a diagram, a copy of which is attached hereto marked "Attachment 1." Harold stated that the state would not permit a stop at the intersection, so he wants to block the one street instead. This change would not destroy the monument park. The idea is something he wants the council to consider. Troy Williams thought it was good.

COUNCILMEMBER ORME:

July 25th community breakfast: Brad said the community breakfast is from 7 a.m. to 10 a.m. The Young Women who volunteered to take the responsibility of the breakfast will be at girls' camp that week and cannot take the responsibility. Three of the city councilmembers, including Brad, will be out of town that day. Lamont Merrill, the remaining councilmember, agreed to take a major role in the community breakfast. Brad has arranged for all the food from Sugar City Market except the hashbrowns from Dickinson Foods. The mayor has accepted the responsibility of getting the hashbrowns and the Public Address (PA) system. Mrs. Stillman has agreed to take back all the unopened food following the breakfast. Lamont Merrill will pick up the food and return unused portions. The mayor will ask Zane and the other city employees to set up the tables and get the grills out of the shed. Some of the tables will have to be moved from Neibaur Park. The city employees will also be responsible to set up the protective tarps and to turn the sprinkler system off in Heritage Park two days before the event. The city has only two grills, and Harold has agreed to furnish his for the third grill. The mayor asked for the scouts to set up the flags on Saturday rather than on Friday.

COUNCILMEMBER KING:

Title 1 update: Bruce asked to delay any discussion on title 1. He is still waiting on Attorney Forsberg to get back to him on the title. The mayor reported that the city attorney's revision of title 1 has become a major task and the cost is adding up.

COUNCILMEMBER MERRILL:

Safety trench box purchase: Lamont reported that the trench box cost of \$6,900, plus \$1,700 freight, is the lowest of three bids. The trench box we ordered is aluminum and is definitely more expensive than steel, but the steel ones are so heavy that our equipment cannot lift them. Lamont reported that he has found that any trench over 30 inches deep that the city is working in without a trench box has an Occupational Safety and Health Administration (OSHA) penalty of \$25,000.

MOTION: It was moved by Councilmember Merrill and seconded by Councilmember Harris to approve the expenditure of \$8,600 to purchase a trench box for our sewer and water department; motion carried.

MAYOR'S BUSINESS:

Pedestrian signs: The mayor reported ordering pedestrian signs for \$1,500 for the junior high and by the market. The money comes from the street budget.

Meeting adjourned at 8:30 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk

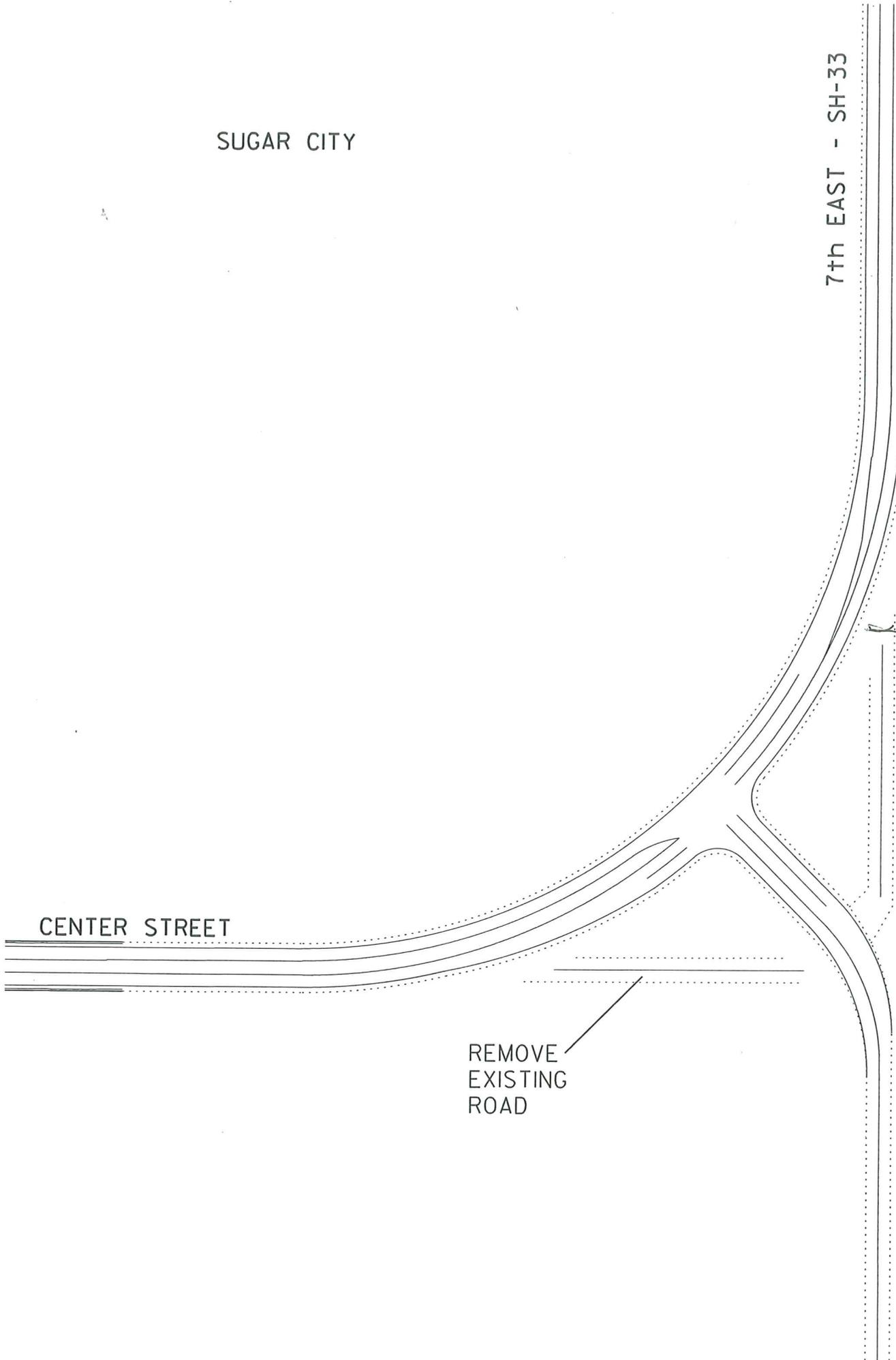
SUGAR CITY

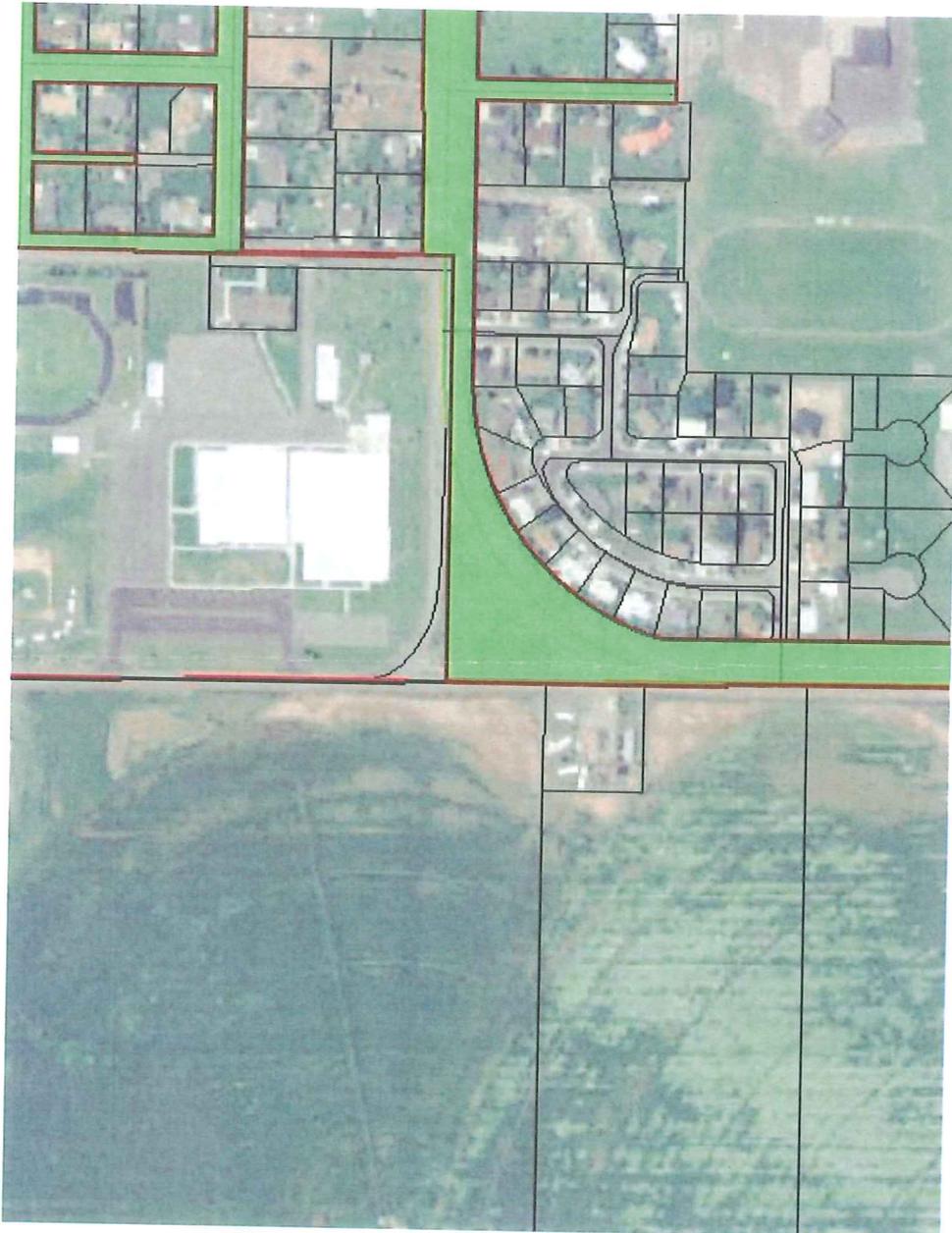
7th EAST - SH-33

CENTER STREET

REMOVE
EXISTING
ROAD

7th EAST - DIGGER DRIVE





Z

DISCLAIMER: This map is intended for display purposes only and is not intended for any legal representations.