

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, JUNE 9, 2005

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Council members Tim Kershaw, Brent Barrus, Walter Deitz and Harold Harris; Scott Lee, City Attorney; Sharee Palmer, Planning & Zoning Commission; Dick Dyer, City Engineer; Commissioner Roger Muir; Brent Rigby; Greg Adams; Deputy Cameron Stanford; Jan Gallup; Rayo Budge; Don Rydalch; Laurie King, Bruce King, Elaine King; Nantalie Cleverley; Dave Thompson; Rogue Stierle; Kyle Somsen; Chandler Webb; Brandon Somsen; and Kolton Virgin.

The Mayor asked if there were any corrections to the minutes of the regular meeting held May 12, 2005, the special meeting held May 18, 2005, the special meeting held May 20, 2005, and the special meeting held June 6, 2005. Each council member had a copy of said minutes prior to the meeting. It was moved by Council member Barrus and seconded by Council member Harris to accept said minutes; motion carried.

Marcie presented the May reconciliation reports for the General Fund. It was moved by Council member Deitz and seconded by Council member Barrus to accept the May reconciliation reports for the General fund; motion carried. Marcie presented the May reconciliation reports for the Utility Fund. It was moved by Council member Deitz and seconded by Council member Harris to accept the May reconciliation reports for the Utility fund; motion carried.

Marcie presented the current bills in the amount of \$85,752.64. It was moved by Council member Barrus and seconded by Council member Harris to pay the current bills, together with all regular June bills that have not yet been received, except the River Valley Coatings bill, subject to Harold's approval or disapproval; motion carried.

Marcie presented a breakdown of tracking employees' labor in hours for May, 2005.

CITIZEN INPUT: Don Rydalch expressed concerns about the last public hearing on the comprehensive plan where Jan Gallup presented a land use map. This seemed to be the focal point of the hearing. He discussed the results of the public survey. Most (97%) of the respondents said the priority for Sugar City leaders was to protect the tranquility of its current and future residential neighborhoods, while 0% disagreed with that priority. Following the public hearing, the proposed comprehensive plan was discussed by the City Council. He felt that discussion was disappointing. There is a preference for limited multi-family residential space. He said the Council wanted more space for multi-family housing, which automatically leaves less space for single-family residences. He felt the Council was bound to go ahead regardless of what

had been presented and against the wishes of most of the city residents. He urged the Council to back up and approve the land use map as was presented by the committee. It represents a diverse group of citizens who have spent lots of time on it and came up with a plan, which he believes represents the desires of the community as a whole. If the Council seriously considered the desires of the majority of the city citizens, that is the best plan. There is adequate multi-family housing allocated in that plan.

NIMS (National Incident Management Systems): Commissioner Roger Muir, Brent Rigby and Greg Adams addressed the Council and explained NIMS. Mr. Rigby said they are working on the emergency operation plan for the county and the cities in the county. The new system that the federal government has outlined is called the National Incident Management System. The county has hired Greg Adams to help us with the emergency operations plan. If we don't adopt it, federal government homeland security grants will be withdrawn. Madison County and the City of Rexburg have adopted it already, and they would like Sugar City to adopt it as well. Greg Adams gave a power point presentation on NIMS. He said this would be implemented into our emergency response system. When there is a disaster, elected officials take charge and the county will also help out. Deputy Stanford will help represent Sugar City on this program. There is some training with the incident command system and they would like the Council to take it. He mentioned there are some grants for training just outside Washington, DC, where there is a training facility. The local emergency planning committee meets once a month. Commissioner Muir said all training is available for the whole county. He said we could use the command trailer for any activities in Sugar City. He said it is equipped for outside showers, has canapés so people can get out of the heat, it is equipped with portable heaters, food, water, and long term batteries. It can support itself for a long period of time. The Mayor thanked them for their time and effort and said we would discuss the matter later in the meeting.

RESIDENT DEPUTY'S REPORT: Deputy Cameron Stanford said he would report later in the meeting.

PLANNING & ZONING REPORT: Sharee Palmer addressed the Council.

Darr Holdeman – Riverside Properties business license: P&Z discussed the application and said Mr. Holdeman does not need a business license.

Impact Area expansion: At their last work meeting P&Z invited quite a few Salem residents to come in and see what we were doing and where we were at on our comprehensive plan map because we wanted input from them. They asked them to give us some names of three representatives we could put on committees. We will redo our ordinances and want to keep them involved in that. They are Gaylene Bean, Troy Thurgood, and Ross Warren. P&Z will be putting them on committees to help. They won't be voting members, but we can allow them to be on committees. They all accepted and want to be involved.

Official Title for Jan Gallup: Last month we talked about giving Jan an official name. She just wanted to remind the Council.

JAN GALLUP – COMPREHENSIVE PLAN:

Comprehensive Plan Map: Jan reported a material change in the wording of the comprehensive plan in the introduction. The key shows a change in how they identified land use on the comprehensive plan map. They changed the land use to low-density residential and medium-density residential to allow for greater flexibility. There is more commercial area shown

on the map. Jan presented a proposed comprehensive plan map dated June 2005, and discussion was had. **MOTION:** It was moved by Council member Kershaw and seconded by Council member Deitz to accept, for presentation at the next public hearing, the Sugar City proposed comprehensive plan map as presented by Jan and Sharee with the exception of the railroad being changed to "public facilities," the grain elevator and surrounding city-owned property being changed to "public facilities," and Sugar City Produce being changed to "manufacturing." 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.

Transportation Plan Map: Jan presented a proposed transportation plan map and discussion was had. **MOTION:** It was moved by Council member Deitz and seconded by Council member Barrus to accept the Sugar City proposed transportation plan map as presented. 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.

Letter to the County Commissioners – Proposed Impact Area Expansion: Jan presented copies of the letter, which was delivered, to the county commissioners Tuesday, June 7th. Attachments included: (1) the 20-Year Growth Impact Study, Figures 1, 3, 5 and 6 showing inclusion of the area south of the north Rexburg Interchange and our capability of extending water and sewer; (2) Exhibit A: Comprehensive plan map 4-28-05; (3) Exhibit B: Petition from Salem residents to become part of Sugar City's impact area; (4) Exhibit C: Revised comprehensive plan map showing the area as commercial; (5) Exhibit D: Map showing the area to become part of Sugar City's impact area. Our meeting with the county commissioners is scheduled for Tuesday, June 14, 2005 at 7 p.m. at City Hall. The Mayor requested that Jan and Sharee Palmer attend said meeting along with the Council. Jan gave credit to Dick Dyer, Bruce King, Sharee Palmer and Garry Jeppesen for their help on the letter. She said there is a possibility that an economic development grant could be used in that area if we were able to have access to that property to put in a water system to help develop the infrastructure.

City Planning Department & Official Title for Jan Gallup: Jan discussed the possibility of starting a city planning department. She also said she needs more money for the work she is doing and she needs a title. She suggested "City Planning Coordinator." She said she submitted a letter to the Mayor.

RAYO BUDGE – CITY BEAUTIFICATION COMMITTEE: Mr. Budge addressed the Council. He said the committee has placed barrels of flowers down Center Street. They identified some places throughout the city they feel need some work. He said some of it would be extensive and expensive. Don Rydalch works with grants and is working in that area. Garry Bates works with projects that have trees in them, and there is money available there if we can earn it. He said we need to become a Tree City USA again. Mr. Budge said the first project would be the south entrance into Sugar City by the water tank. They would like to put up a "Welcome to Sugar City" sign and do some landscaping. They have contacted two landscaping teachers at the college who have both agreed to help give us some ideas. They will get some prices to do the sign and the Mayor said the Council needs to approve the project.

DON RYDALCH – GRANT WRITING: Mr. Rydalch commended Mr. Budge for the good

job he is doing with the beautification committee. He thought the meeting they had with Garry Bates was very helpful. The application deadline will be the middle of September and he feels we ought to have a grant application in for that deadline. He will attend a seminar about filling out the application. Mr. Bates advised us to apply for a community transportation enhancement grant, which ranges from \$500 to \$15,000. This requires a 10% match in cash or work. It also requires a design to scale and official approval by the City Council in the minutes. It covers things like plants, the sign, and trees behind the sign. We would need to do the design work in July even though we don't have an application yet. Rayo asked him to coordinate the Tree City USA and he has contacted Council member Barrus. He mentioned the grain silo and said that the Idaho Transportation Department deadline is January 31st. He said if we decide to take it down, demolition can be part of a grant; but it would have to clear the historical society. Don said he would work with Brant to resurface the tennis courts.

Tree Committee: If we want to become a Tree City USA, we have to have a tree committee and we need to have an Arbor Day celebration. Council member Barrus said we declared the 29th day of April as Arbor Day, but we didn't do a project. A discussion was had. **MOTION:** It was moved by Council member Barrus and seconded by Council member Harris that we change the City Beautification Committee to the Tree and City Beautification Committee so we can become a Tree City USA; motion carried.

ENGINEER'S REPORT: Dick Dyer addressed the Council.

Certified Wastewater Operator: Dick said in preparation for our requirement to have a certified wastewater operator, he has classified our collection system and sent that information to the state. We need a Class I license which is the lowest one. He said this time next year all cities are required to have certified operators for running the wastewater collection and treatment systems. We only have a collection system. Dick will get certified, and Council member Deitz will apply to be assistant operator. He will need to take an examination. Two dates are left before next spring – one in November and one in March. The deadline for a November application is in July. He will get the information to Walter.

Ditch on 7th West: Dick said when they turned water into the ditch, we had quite a problem there. It broke the ditch bank again and flooded the street substantially. He said he called HK when he became aware of it. They were chagrined that they hadn't completed their work there after putting in the culvert earlier this spring. They immediately came back and put in a lot more material and built the ditch bank up. Now it is holding. A discussion was had on putting grates over the culverts. Dick said he contacted the people that were watering out of the ditch and they didn't have any objection to the culvert, as long as it wasn't something that was going to make them spend a lot of time and effort in maintenance. The Mayor asked Walter to figure something out, and have our city maintenance staff build and install them. Walter said he would look at it tomorrow and get something made next week.

West 1st South Railroad Crossing: Dick said he got a report from Council member Deitz that we are having a problem with settlement on the east railroad crossing. Also there is the issue of a hump in the curb on Railroad Avenue where they made repairs to the sewer line. So he passed those on to HK and they are sending someone up to look at them.

Bike Path – Railroad Crossings: Dick has been working with the railroad on the needed easement for the bike path to Sugar City. We are asking for permission to use about 15 feet of their right-of-way to help facilitate that bike path and to keep it out of what we call the "clear zone." This is the area where, if a car were to leave the highway, that's where most of them would then try to recover or whatever. We could put the bike path over into the clear zone if

need be. The railroad is hesitant about liability issues on that and is hesitant about setting some precedent. In the past we had always talked to them about trading value for the use of the right-of-way. They would be willing to sell it to the City outright. We had talked about closing some crossings both in Sugar City and Rexburg. With the railroad's reduction in liability and insurance, they feel it is worth about \$125,000 to \$150,000 to the railroad company for each crossing that is closed. There has been discussion about closing the 3rd South and 7th West crossings and making a better entrance into the NorSun area and the 7th West area across the triangular piece – also discussions were had about straightening out Railroad Avenue. We have people at ITD who work with the railroads and disburse federal funding for them, and we are using those contacts. The railroad representative from ITD that is helping us with this wanted to make sure there is still a commitment for crossing closures. Dick said he has met with Rexburg and they have a few crossings that they are willing to put on the table to get closed. A discussion was had on railroad closures. Dick said we do have the one closure on Railroad Avenue that we have already made when we improved Railroad Avenue, and we are going to show them that we did that. The Mayor said we are not in a position to make the decision to close any crossings.

Dick said we have \$450,000 in grant money to help build this transportation facility. He feels it will be a great asset and it has had great support from the local governments. It would be very well used. If we cannot deliver a railroad right-of-way or resolve where we are going to put the bike path within the next couple of months, we are in jeopardy of losing that federal grant money. He said it is hard for him to go sit down in Twin Falls with railroad and ITD people, etc., and negotiate unless he knows what kind of support he has from the City. It was decided that the City would contact SunGlo and NorSun and discuss closing the crossings. The Mayor told Dick to go ahead and if we need to give him some support, to let us know and we will meet to discuss it further.

DEPARTMENT REPORTS:

COUNCIL MEMBER BARRUS:

Tree City USA: Brent said we need to spend \$2 per capita which can be in money or people who do work. Anything the beautification committee does will count toward it.

Letter from Mayor Larsen: Brent read the letter he received from Mayor Larsen, who said it was not his intention to replace our Flood Run. They will move their races to the second Saturday in June. Brent would like to see more distance between them, perhaps asking them to do it the end of the month. Mayor Larsen said they want to coordinate their races with the health fair sponsored by the hospital and the BYU-I Wellness Center. He will check with the hospital and BYU-I and see if they can change their health fair. He will then send a letter to the City of Rexburg and ask if they'll move their races to the end of June.

Community Breakfast: The community breakfast is scheduled for July 23. Kip Cherrington will oversee it. Brent will ask him to look into other activities to have. He suggested some kind of musical group to entertain while everyone eats. He asked Sharon to put it on the marquee and in the newsletter. A discussion was had on needing some canapés to cover the cooks and people waiting in line.

COUNCIL MEMBER KERSHAW:

Cleanup progress: The Mayor said the south side of town is completed and they are working on the north side. They will be done in seven or eight days from start to finish. A discussion was had on Boyle Fertilizer cleaning up their property. The Mayor asked Tim to check it out and write them a letter. He said Tim could offer assistance of the City to help clean it up.

MEDCO: Tim feels we need to be more proactive in working with MEDCO. He

told them we would like to do a business park here and have them consider helping us.

COUNCIL MEMBER HARRIS:

Rogue Stierle Contract: Harold said Rogue has done a fine job as our building inspector. He presented a proposed contract. Rogue needs to go to Seattle or Boise to become certified. We put some stipulation to our requirements if we get him certified. Three years will be required for him to work for us. Discussion was had on the mechanical code, which we have not adopted. The State has notified the county building inspector that we are out of compliance. but they haven't sent us anything to that effect. Harold recommended we hire Rogue, have a yearly review, and get him certified. Rogue said it would cost about \$1,700 to become certified. The next class is the first week of November, but it has to be paid for several months in advance.

MOTION: It was moved by Council member Kershaw and seconded by Council member Barrus that we offer Mr. Rogue Stierle this contract to serve as our building inspector and also fund his certification process in Boise; motion carried.

Road repairs: Harold said the road repairs are basically completed. They have done patching and repairing all over town, crack sealing on 3rd North and some on Teton Avenue, Cutler Avenue and Railroad Avenue. Several different contractors have been working in town – Hill & Sons excavated and compacted; Zollingers did the big paving jobs; and Klingler Asphalt did the crack sealing and some small patching. Klingler is coming back to seal coat the patches.

Street Sweeper: Harold said the sweeper has been committed. It is in the process of being completed. They took it to a trucking firm to have the truck portion of it taken care of and miscellaneous things. They will have it done in two weeks and will deliver it.

COUNCIL MEMBER DEITZ:

Sewer Cleaning: Walter said the sewer cleaning would be done the second week of July.

MAYOR'S BUSINESS:

Lot by Moon Park: The Mayor said Michael Rawson is looking at it. He did not tell Mr. Rawson a price that we would have to have, but he let him see the appraisal.

Street Sweeper Payment: The Mayor would like to see us take \$15,000 out of the road and street budget. He and Marcie did some research and found we have quite a bit of contingency money we could possibly use, then he would like to borrow out of our general fund savings enough to pay for it. We could pay it back out of the road and street budget each year until it is paid for. Further discussion was had. We will have details later.

Budget Meeting: We will have a special budget meeting Thursday, August 4th, at 6:30 p.m. The Mayor said each Council member has a budgetary assignment and he asked Marcie to make up a sheet where she gives the last year's budget and a potential of what she would have for the next year. The Council members would then request how they would like to use it. He requested them to stay in their own area and come with their projected needs for next year. We will adopt the tentative budget on Thursday, August 11th, and the budget hearing is scheduled for Thursday, August 25th.

Meeting with County Commissioners: The Mayor said the meeting is scheduled for Tuesday, June 14th, at 7 p.m., and everyone needs to be here.

EXECUTIVE SESSION:

10:10 p.m. It was moved by Council member Barrus and seconded by Council member Deitz to go into executive session to discuss personnel matters. 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.

10:20 p.m. The regular Council meeting reconvened.

RESIDENT DEPUTY'S REPORT: Deputy Stanford addressed the Council.

Dog Problem: The Mayor said we don't have a dogcatcher. Since we haven't had one we haven't had any problems. If we have a serious problem we will contact the sheriff's office.

Culvert under Highway 20: Deputy Stanford reported that kids have been going underneath the highway in the culvert. Council member Deitz will look at it tomorrow and do something about it.

Curfew: Deputy Stanford asked Sharon to remind residents in the July newsletter about the curfew law.

EXECUTIVE SESSION:

10:25 p.m. It was moved by Council member Barrus and seconded by Council member Harris to go into executive session to discuss personnel matters. 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.

11 p.m. The regular Council meeting reconvened.

MOTION: It was moved by Council member Deitz and seconded by Council member Harris that we table this matter until the Mayor can talk with the AIC officials and Jan Gallup and gather information to discuss at a later Council meeting. The Mayor said he would talk with Jan and tell her we can't approve her request on the spur of the moment and that it is a budget issue; motion carried. The Mayor would like to ask her to continue what she can do on a limited basis on the present arrangement.

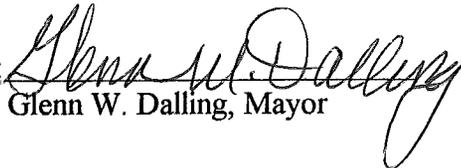
PUBLIC HEARING ON COMPREHENSIVE PLAN REVISIONS: Discussion was had.

MOTION: It was moved by Council member Kershaw and seconded by Council member Harris that we schedule a public hearing for the comprehensive plan on Wednesday, July 13, 2005, at 7 p.m.; motion carried.

RESOLUTION 2005-1: Council member Kershaw read Resolution 2005-1 on NIMS (National Incident Management System). **MOTION:** It was moved by Council member Barrus and seconded by Council member Deitz to approve Resolution 2005-1 dated June 9, 2005; motion carried. A copy of Resolution 2005-1 is attached hereto, marked "Attachment 1."

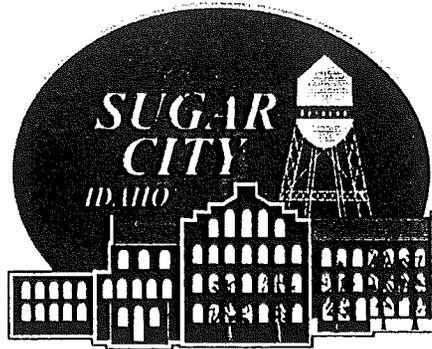
Meeting adjourned at 11:10 p.m.

Signed:


Glenn W. Dalling, Mayor

Attested:


Sharon L. Bell, Clerk



Sugar City

Telephone No. 208-356-7561

10 E. Center St.
Sugar City, ID 83448

**Sugar City Resolution 2005-1 dated June 9, 2005
National Incident Management System (NIMS)**

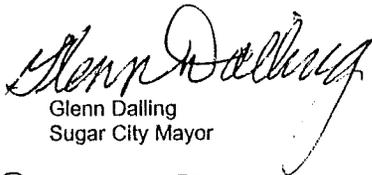
Whereas, Presidential Directive/HSPD-5 mandates the adoption of the National Incident Management System (NIMS) by all Federal, State, and Local agencies, and,

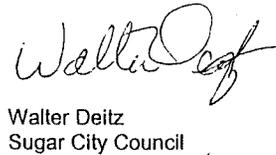
Whereas, adoption of NIMS will enable local governments to apply for Federal funding for numerous programs and grants commencing June, 2005, and thereafter.

THEREFORE, Sugar City, Idaho, a political subdivision of the State of Idaho, formally adopts by resolution the NIMS requirements. NIMS shall be utilized for all Command and Management, Planning, Preparedness, Training, Exercise, and Response functions of City government and all First Responder Organizations. NIMS training will be conducted when scheduled by the State of Idaho.

This Resolution is hereby adopted 9 day of June, 2005, by the Mayor and City Council.

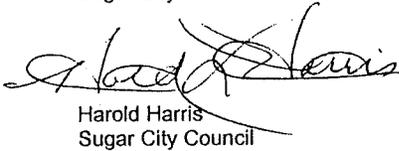
Effective this date of: June 9, 2005


Glenn Dalling
Sugar City Mayor


Walter Deitz
Sugar City Council


Brent Barrus
Sugar City Council


Tim Kershaw
Sugar City Council


Harold Harris
Sugar City Council

Attested:


Sharon Bell
Sugar City Clerk