

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, APRIL 23, 2009

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Brad Orme and Lamont Merrill; Brian Hawkes, Vaun Waddell, Joy Ball, and Jesse Brown, Planning & Zoning; City Attorney William Forsberg; Nathan Sunderland, *Standard Journal*; Ted Hendricks; and Husk Crowther.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on April 9, 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 with one correction; motion carried.

**DISCUSSION ON SALE OF BUSINESS PARK PROPERTY:** The mayor reported that the real estate auction or "surplus sale" of the Business Park, which was held at 6 p.m. on April 23, 2009, yielded no bids. Since Idaho statute requires that a city offer for sale the entire property before selling individual lots, City Attorney Bill Forsberg conducted the auction of the 20.69-acre property, which is platted with 29 commercial lots and provided with streets, curb, gutter, sewer, water, power, telephone and Internet hookups to each lot. Buyers of the lots will be subject to Protective Covenants approved by the city. The property borders U.S. 20 on the west and Center Street on the south and is accessible to Center Street and to 3rd North in Sugar City. The minimum acceptable bid was \$1,646,568, which the council set last year. The mayor asked Ted Hendricks of The Development Company and Attorney Forsberg to address the council regarding the sale of Business Park property.

**Ted Hendricks Report:** Mr. Hendricks said the city has entered into an agreement with Madison Economic Development Corporation to help market the Business Park. A company has contacted him about buying lots, but the auction had to be completed first. Despite the global economic downturn, Ted is optimistic the park will develop over time. His company will stay the course and help the community. He suggested offering incentives to potential buyers of the first few lots.

**Attorney Forsberg Report on Auction:** Since no one bid on the Business Park, the council is free to dispose of the property as deemed in the best interests of the city. He feels offering incentives to interested parties early on will prime the pump.

The mayor thanked Mr. Hendricks and Attorney Forsberg for their comments.

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

**Wind Turbine Information:** Brian reported that P&Z is gathering information on wind

turbines to use in drafting an ordinance.

**Updates to Titles 9 and 10:** He said P&Z would put off updates to titles 9 and 10 until later in the summer.

**Progress on the Zoning Map:** Brian said that P&Z will have updates to the zoning map for the April 12 information meeting, at which time the commission will address the concerns of citizens. Commissioners will use the information obtained in tweaking the map, then set a public hearing on it.

**HUSK CROWTHER (FORSGREN ASSOCIATES) – WATER SYSTEM ANALYSIS:** Mr. Crowther presented copies of the current draft of “Summary Data for Water System Analysis,” explaining essentially that “consumptive” use is water for outdoor irrigation and nonconsumptive use is water for indoor domestic use. The city can apply for a permit to punch a new well but not to obtain a new water right. This new well would simply be a different place to pump, should one of the existing wells fail. He discussed five different categories of water issues given current and future conditions: (1) rights; (2) supply; (3) storage; (4) distribution; and (5) treatment.

Mr. Crowther discussed fire flow and requested that the mayor or Councilmember Merrill seek a reduction in the water requirement for fire flow with the fire marshal. He said the cost of water for future developments should be paid by developers. There are some deficiencies in the existing water system, but Mr. Crowther said they could be easily remedied. Toscano/Sugar City applied for a water right, but the Twin Falls Surface Water Coalition protested. This coalition does not object to nonconsumptive but only consumptive use of water, since this use draws down the level of the Eastern Snake River Plain Aquifer, on which Twin Falls water users rely. Developers of projects in Sugar City have three options: (1) buy a groundwater right and transfer it to the city; (2) install a secondary irrigation system; or (3) enter mitigation. The mayor thanked Mr. Crowther for his report.

**DISCUSSION ON GRAIN SILO:** In January 2008 the city applied for an ITD grant to fund an enhancement project on the grain silo and the immediate surrounding area. Word was received in June 2008 that this project was not selected for funding. Don Rydalch, who was serving as our grant writer, met with the council and reported that he had met with the city Tree and Beautification Committee and they suggested two proposals for consideration: (1) demolition; and (2) a watered down project for the silo including necessary repair, cleaning, landscaping and other related construction to make the silo an attractive historical monument without the artistic painting that was in the grant request. The mayor reported he had obtained a bid from Edstrom Construction who said powder experts are reluctant to bid on dropping the silo because of the large steel support beam in the center of the structure that reaches from the base of the silo to its halfway point. Edstrom said it could detonate the top part and then tip over the bottom section at a cost of approximately \$70,000. The company recommends digging a large hole on the property to bury the debris (for the most part at least) and hauling excess dirt to the Business Park. Alternatively, representatives estimate the cost to haul the debris away at \$20,000. Adding a \$10,000 contingency fee, the demolition cost estimate is \$100,000. The mayor will seek another demolition bid. Councilman Harris reported that the watered down project for the silo area would be about \$107,000 to \$110,000.

**DEPARTMENT REPORTS:**

**COUNCILMEMBER HARRIS:** No report.

**COUNCILMEMBER ORME:** No report.

**COUNCILMEMBER KING:**

**Title 1 update:** Bruce reported that he received Attorney Forsberg's markup of title 1, which was well done. He has discovered a few typos and punctuation inconsistencies. He hopes to present the revised title to the council at the next regular meeting.

**Hump at Intersection of Center Street and South Front Street:** Bruce reported that the Idaho Transportation Department (ITD) will remove a hump at the intersection of Center Street and South Front Street starting on Monday. ITD crews will install a temporary surface and then repave the streets in the fall. Councilmember Harris discussed plans to install storm drains prior to crews repaving the streets.

**Grant writing:** Bruce said he sent an e-mail to Randy Johnson and Brian Harris of Forsgren Associates inviting them to apply for LHTAC grants on behalf of the city. LHTAC Administrator Lance Holmstrom in Boise said there are a couple of grant opportunities through LHTAC for which Sugar City is eligible. The mayor asked Bruce to help the city find someone to assist the municipality with grant writing.

**COUNCILMEMBER MERRILL:** Lamont reported there is no fire hydrant by the junior high school that meets fire code requirements. He will follow up on the matter with Public Works Director Zane Baler.

**MAYOR'S BUSINESS:**

**Dog Ordinance:** Marcie said that dog licenses expire on May 1 and suggested the city grant license holders extensions at no cost to December 31, when the new dog ordinance, which is based on the calendar year, should be in effect. **MOTION:** It was moved by Councilmember Merrill and seconded by Councilmember Harris to extend to applicable citizens dog licenses from May 1 to December 31 at no charge; motion carried. Sharon was asked to include the information in the May newsletter.

**1000 East (7<sup>th</sup> West) Bridge:** The city attorney prepared a letter to the county regarding the 7th West Bridge and advised the mayor to place it on city letterhead, sign it and send it to the county. Briefly, the content of the letter is that the city will work with the county in any way it can, although Sugar City's budget won't allow city participation with matching funds.

The meeting adjourned at 8:40 p.m.

Signed: \_\_\_\_\_  
Glenn W. Dalling, Mayor

Attested: \_\_\_\_\_  
Sharon L. Bell, Clerk