

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, JANUARY 9, 2014

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; Wendy Walker, Treasurer; Councilmembers Bruce King, Lamont Merrill, Vaun Waddell and Burch Drake; David Ogden of Planning & Zoning Commission; Joe Law, Standard Journal; Dana Izatt of Searle Hart & Associates PLLC; Barry King; Isaac Nelson; and Jim Griggs.

The mayor asked if there were any corrections to the minutes of the regular meeting held on December 12, 2013. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Waddell and seconded by Councilmember Merrill to accept said minutes; motion carried.

Wendy presented the December reconciliation reports for the General Fund. It was moved by Councilmember Waddell and seconded by Councilmember Drake to accept the December reconciliation reports for the General Fund; motion carried. Wendy presented the December reconciliation reports for the Utility Fund. It was moved by Councilmember Waddell and seconded by Councilmember King to accept the December reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$38,038.51. It was moved by Councilmember Waddell and seconded by Councilmember Merrill to pay the current bills, together with all regular January bills that have not yet been received; motion carried.

APPOINTMENT OF P&Z COMMISSIONERS: The mayor reported that David Ogden and Randall Miller accepted reappointment for a three-year term each. Janet Harris has resigned, and someone will need to be appointed to serve the remainder of her term until December 31, 2015.

MOTION: It was moved by Councilmember King and seconded by Councilmember Waddell to confirm the reappointment of David Ogden and Randall Miller for another three-year term each on the Planning and Zoning Commission; motion carried.

Councilmember King reported that at the last P&Z meeting commissioners elected David Ogden as chairman and Steve Hawkes as secretary of the Planning and Zoning Commission.

ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED OFFICIALS AND PRESENTATION OF CERTIFICATES OF ELECTION: After concluding the fiscal matters of the preceding year, City Clerk Sharon L. Bell performed the administration of oath of office to the newly elected officers as follows: Councilmembers Bruce King and Vaun Waddell for a term of four years each. The Councilmembers signed the Oaths of Office, were presented with Certificates of Election, and took their places at the council table.

AUDIT REPORT – DANA IZATT: Dana Izatt of Searle Hart & Associates PLLC addressed the council, explaining both the Independent Auditors' Report of his audit of Sugar City's financial records and its Management Report for the fiscal year ended September 30, 2013. Discussion was had. Mr. Izatt reported that the city is in a solid financial condition.

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Drake to accept the audit of Searle Hart & Associates PLLC as reported on January 9, 2014; motion carried.

PLANNING & ZONING REPORT: New P&Z Chairman David Ogden addressed the council.

Election of officers: David expressed appreciation for the opportunity to serve as chairman of the P&Z Commission and agreed to serve for another three years on P&Z. Steve Hawkes will be the secretary.

Review county ordinance #365 and related state statutes: David reported that Steve Hawkes led a discussion on county ordinance #365. P&Z discussed three things related to what is happening.

(1) Kelton Larsen's proposed zone change. Ordinance No. 196 doesn't give P&Z authority to change zones, so Steve said he talked with Attorney Forsberg on amending the ordinance to include zone changes to be discussed and approved. When that comes back, they will discuss it and send it to the city. In order to make that change, it would require a public hearing. Mr. Larsen's application would also need to be amended to be a special use permit, and Steve will continue to work with him on the application. P&Z will hold another public hearing and make a recommendation to the county and hold the public hearing properly.

(2) P&Z discussed the Idaho Transportation Department's relocation of their maintenance shed to one of three different possible sites in Sugar City, one being the Kelton Larsen (Neeley) property.

(3) P&Z also discussed chapter one of the subdivision ordinance because Kelton Larsen is talking about dividing the property. If and when application is made, they can move forward. No decisions have been made.

Councilmember Waddell suggested that this would be a good time for the next installment of comprehensive plan attachments so we can be up to date on plan implementation.

The mayor thanked Mr. Ogden for his willingness to serve and welcomed him aboard. He also asked David to get a list of names to contact to fill the unexpired term of Janet Harris.

GRAIN SILO: The mayor said the Tree and Beautification Committee has been meeting about what to do with the grain silo. We are expecting a letter from the Eastern Idaho Public Health District regarding the possible health hazard due to mice and pigeons and droppings, along with portions of the old grain that was left in the structure. It is somewhat difficult to keep kids out of the silo. We are concerned about the liability. We need to either clean it up or tear it down. The following bids or estimates have been obtained: (1) Servpro of Rexburg/Rigby estimated \$63,784.32 to clean the silo; (2) Eagle Rock Blasting estimated \$30,000 to implode the silo; and (3) Hill & Son Excavating LLC estimated \$11,200 to blast, dig hole and push concrete and debris from the toppled silo into the hole and make mound (for sledding hill) with material.

Additional information will need to be obtained before further discussion and/or any decision is made.

TRI-CITY WASTEWATER AGREEMENT: The mayor said the agreement that is in the packets tonight is the latest, which we received from the City of Rexburg. He asked if the

council would be willing to accept it upon approval by the city attorney. He said he had City Engineer Dick Dyer review the agreement. Dick said under this agreement we would bill Teton. By billing them we get their capacity added to our capacity going to Rexburg so if they have an overage, we don't get the penalty.

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Merrill to approve the wastewater agreement in the form we considered tonight, subject to the city attorney's final approval; motion carried.

REVIEW OF PROPOSED ORDINANCE ON BUSINESS PARK TRAFFIC: The mayor asked Councilmember King to read the proposed ordinance (No. 303). After discussion, the council desired to adopt said ordinance.

ORDINANCE NO. 303:

Councilmember King introduced Ordinance No. 303 entitled:

“AN ORDINANCE ADDING SECTION 5-1-3 TO THE CITY CODE, WHICH PROHIBITS USE OF SUGAR AVENUE BY VEHICLES LARGER THAN PICKUP TRUCKS, SETTING FORTH THE PENALTY FOR A VIOLATION OF THIS SECTION AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.”

It was moved by Councilmember Waddell and seconded by Councilmember Merrill 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 King, Merrill, Waddell and Drake
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 Waddell and seconded by Councilmember King to adopt said ordinance. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmembers King, Merrill, Waddell and Drake
Those voting nay: none

Ordinance No. 303 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. 303 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.

DEPARTMENT REPORTS:

COUNCILMEMBER KING: Bruce reported that BYU-Idaho Application Systems Engineer Gary Abbott came to look at the problem with the city's audio/visual equipment. The settings of the wireless transmitter and receiver did not match. He suggested that we could install the transmitter on the podium wall, which has been done. The city also could purchase a laptop or desktop computer that is always on so you could just click the mouse to activate and use the projector system. It would always be ready to go. The mayor said that the city would buy a

computer for the system.

COUNCILMEMBER MERRILL: No report.

COUNCILMEMBER WADDELL: No report.

COUNCILMEMBER DRAKE:

Parking of large vehicles on city streets: Burch presented a handout showing pictures of a semi truck that is parking along South Maple often facing the wrong direction. He also presented language for a proposed parking ordinance from other cities. The mayor and Mr. Drake will take the information to Attorney Forsberg to draft an ordinance.

MAYOR'S BUSINESS:

Department assignments: The mayor reported that he has visited with each of the councilmembers and they agreed to continue their current assignments as follows:

BRUCE KING: Garbage and sanitation; liaison with Planning and Zoning; oversee city website development and maintenance.

LAMONT MERRILL: Water and sewer; Local Emergency Planning Committee; assistant supervisor of employees; liaison with building inspector.

VAUN WADDELL: Parks and recreation (specifically the Easter egg hunt and the community breakfast); animal and insect control; neighborhood watch; liaison with City of Rexburg for the joint planning of the Teton Dam Marathon.

BURCH DRAKE: Streets, alleys, snow removal; liaison with Tree and Beautification Committee, including Arbor Day celebration and Christmas tree lighting program; provide leadership in obtaining available grants.

Elect President of Council:

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Drake to nominate Lamont Merrill as President of the Council; motion carried.

Elect Vice President of Council:

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Drake to nominate Bruce King as Vice President of the Council; motion carried.

Meeting adjourned at 9:25 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk