

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, MAY 23, 2013

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Wendy Walker, Treasurer; Councilmembers Bruce King, Lamont Merrill, Vaun Waddell and Burch Drake; and Steve Hawkes of Planning & Zoning Commission.

The mayor asked if there were any corrections to the minutes of the regular meeting held on May 9, 2013. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Drake and seconded by Councilmember Merrill to accept said minutes; motion carried.

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

6:40 p.m. Councilmember Merrill disqualified himself and did not take part in the following discussion.

**Recommendation for Lamont Merrill Special Use Permit (townhouse):** Steve presented P&Z's written recommendation as follows: "The Planning and Zoning Commission held a public hearing 16 May 2013 considering a special use permit to allow Lamont Merrill to construct a four dwelling townhouse in an R-2 zone. Three of the six neighbors attended the hearing to become better informed of the consideration. None of the neighbors objected to the proposal. After the public hearing in our regular meeting the commissioners considered the special use permit and are recommending to the city council to allow Lamont Merrill to construct said townhouse. The building meets all of the requirements in the city code and will be a great asset to our community."

6:45 p.m. Councilmember Merrill resumed his position at the council table.

**Recommendation for Impact Area public hearing to county commissioners:** Steve presented P&Z's written recommendation as follows: "The Planning and Zoning Commission held a public hearing 16 May 2013 considering updating the map in the impact area of the zoning districts. Since the hearing involved our impact area, the proposal included three commissioners from the City of Rexburg, one commissioner from the Madison County commission, and four commissioners from the Sugar City commission. Two parcel owners attended the hearing to become more informed on the proposal. None objected to the proposal. After the public hearing, in a regular meeting, the commissioners involved with the hearing considered the changes proposed in the impact area. After a discussion, the commissioners are recommending to the Madison County Commissioners to allow the changes in the Sugar City impact area as proposed.

These changes not only update the impact area, but this proposal also positions the impact area for future growth in the years ahead.

**Letters to John Hymas:** Steve presented a written letter to Madison County Planning and Zoning. He said John Hymas met with the Planning and Zoning Commission requesting two different proposals and requests for property in the impact area.

“The first request is to split the property on the acreage where the Hymas home is located to build an additional house for his son. After consideration and according to the city codes, the Hymas family meets all the requirements of frontage, setbacks, and lot size necessary to meet the standards required in our impact area. The Sugar City Planning and Zoning Commission recommend that you (Madison County Planning and Zoning) allow the property to be split on the John Hymas home property.”

Steve quoted from the proposed letter to the Madison County Planning and Zoning Commission: “The second request of the Hymas family is to split the property located on Highway 33 where they have a business in our commercial zone known as Moody Acres LLC. The property is 4 acres. The Hymas family corporation only needs about one to one and a half acres. Another individual is interested in buying some of the property at this time. After consideration and according to the city codes in the impact area, the Hymas family corporation does meet all the requirements of frontage and setbacks necessary to split the property. The Sugar City Planning and Zoning Commission recommends allowing the property to be split on the John Hymas commercial property.”

#### **DISCUSSION ON P&Z’S RECOMMENDATION FOR IMPACT AREA PUBLIC HEARING:**

**MOTION:** It was moved by Councilmember Drake and seconded by Councilmember Merrill to accept the Planning and Zoning Commission’s recommendation that the City Council support the proposed impact zone changes; motion carried. See proposed changes to Area of City Impact, which is attached hereto as “Attachment 1.”

**DECISION ON P&Z’S LETTERS TO JOHN HYMAS:** The City Council supports P&Z’s decision recommending to the county the division of the John Hymas personal property for an additional home. The City Council also supports the division of Mr. Hymas’ commercial property on Idaho 33 known as Moody Acres LLC. Mr. Hymas should be advised that any sewer hookup must be requested from the City Council and definitely cannot be hooked to existing connections.

Councilmember King suggested that, in the future, the Planning and Zoning Commission’s recommendations concerning divisions of property be limited to language explaining that the proposed divisions meet necessary frontage, setback and lot-size requirements. He counseled against language such as, “The Sugar City Planning and Zoning Commission recommends allowing the property to be split,” which implies that government has authority to stop a landowner from selling or dividing his land.

8: 00 p.m. Councilmember Merrill disqualified himself, did not take part in the following discussion, and did not vote on the special use permit application.

#### **DECISION ON P&Z’S RECOMMENDATION REGARDING LAMONT MERRILL’S SPECIAL USE PERMIT APPLICATION:** Discussion was had.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember King to approve Planning and Zoning's recommendation to issue a special use permit to Lamont Merrill to construct a four-dwelling townhouse on lots 11, 12 and 13, block 64, on North Railroad Avenue; motion carried.

8:05 p.m. Councilmember Merrill resumed his position at the council table.

**DISCUSSION ON PARKING SEMI ON STREET:** Bob Moon did not attend the meeting, so his concern was not discussed.

**SURVEY ON LOTS 58 AND 59:** The mayor reported that John Barnes surveyed the alley, discovering numerous problems.

**DEPARTMENT REPORTS:**

**COUNCILMEMBER KING:**

**Spring cleanup:** The mayor reported that the citywide cleanup has been completed. Crews of the Public Works Department were well organized, finishing cleanup in a record two and one-half days.

**COUNCILMEMBER MERRILL:**

**Open shed report:** Lamont doesn't have plans drawn yet. Councilmember Waddell suggested that we consider enclosing the building instead of leaving one side open. Lamont said that construction of an enclosed shed the size we are discussing would cost approximately \$75,000 to \$80,000. The mayor suggested that Lamont complete design plans and identify project costs of constructing an open shed for presentation at the next meeting.

**COUNCILMEMBER WADDELL:**

**Teton Dam Marathon:** Vaun asked Councilmember King to publicize the Teton Dam Marathon on the city Web site and asked that notice of the event also be included in the June newsletter and posted on the marquee. It is less than two weeks away – on June 8. Vaun suggested having a “misting gate” on the route so contestants can run under it for cooling. He will construct the gate, which the city can use for other events.

**Pioneer Community Breakfast:** Vaun asked if anyone has any suggestions for or concerns about the annual breakfast. His plan for the menu is the same as last year. The mayor and council believe that there is significant value in sponsoring traditional events.

**COUNCILMEMBER DRAKE:**

**Update on street repairs:** Burch reported that crack sealing has been completed for this year. Plans are under way for the fall chip-sealing project.

**Signs:** Burch said a number of new city signs have not yet been installed. Sugar City has approximately 200 street signs.

**Painting the silo:** Burch said he has checked the surface of the silo and feels it could be cleaned, painted, and the existing sign covered.

**MAYOR'S BUSINESS:**

**Sugar City Stake cleanup May 29, 6-8 p.m.:** The mayor said he will meet tomorrow

with Doug McBride of the LDS Church regarding the proposed LDS Sugar City Idaho Stake cleanup day, participation in which the city has been invited. Projects planned include staining benches and picnic tables, placing bark under trees in parks, trimming fence lines in the parks, painting the dugout benches, and installing slats in the bus compound fence.

Meeting adjourned at 8:35 p.m.

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

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

Below are the districts as written in the current impact zoning ordinances. The Planning and Zoning commission are proposing the following changes. The changes proposed are in bold. We invited your input at the public hearing.

## Area of City Impact

### Zoning Districts Established

- A. (A) Agricultural District: The purpose of the A district is to permit current agricultural, large lot rural residential and other types of open land uses to be maintained, and to protect agricultural land from spasmodic, disorderly and indiscriminate development. This district is also established to control the infiltration of urban type development, which could adversely affect agricultural operations, until such time as property owners desire such development.
- B. ~~R-A Residential~~ **(T-A) Transitional** Agricultural District: The purpose of the ~~R-A~~ **T-A** district is to create, protect and maintain a living environment composed of single-family, detached dwellings on lots of reasonable size to be able to maintain the minimum distances required for setback, **water, septic systems**, drain fields, canals and property lines in areas now so developed or to be developed.
- C. ~~HC Highway Commercial~~ **(C) Commercial District**: The purpose of the ~~HC~~ **C** district is to provide for the location and development of businesses and service establishments which are incompatible with other districts, in that they involve enterprises which depend primarily on motorized vehicular traffic and require outside activities, relatively large lot sizes and easy ~~highway~~ access. ~~These districts are normally located along highways leading in the city and are characterized by building set well back from the right of way.~~ **As this type of enterprise normally needs vehicle or railroad access, it is normally located along roadways leading into the city, along railways or along main arterials. This district should be kept free from residential activities.**
- D. (M) **Light Manufacturing District**: The purpose of the M district is to encourage **light** manufacturing and wholesaling activities in an area which will impact as little as possible on the other districts within the city and area of city impact. As this type of enterprise normally needs ~~heavy~~ **heavy** truck or railroad access, it is normally located along highways, ~~leading into the city or along railways~~ **main arterials and railways**. This district should be kept free from residential and retail commercial activities. (Ord. 196, 4-3-1995; amd. Ord. 290, 10-14-2010)