

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, JUNE 9, 2011

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Lamont Merrill and Vaun Waddell; Ryan Malm and Brady Schimpf, JRW & Associates; Clair Boyle; Dax Harris; Devin Thompson; Zachary Morris; Jud Nelson; Alaina Sharp; and Johana Leal.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on May 26, 2011. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember King and seconded by Councilmember Harris to accept said minutes; motion carried.

Marcie presented the May reconciliation reports for the General Fund. It was moved by Councilmember Harris and seconded by Councilmember Waddell 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 Councilmember Merrill and seconded by Councilmember King to accept the May reconciliation reports for the Utility Fund; motion carried.

Marcie presented the current bills in the amount of \$69,768.38. It was moved by Councilmember King and seconded by Councilmember Harris to pay the current bills, together with all regular June bills that have not yet been received, subject to review of the \$1,668 for the DEQ annual drinking water assessment; motion carried.

**RECOMMENDATION ON DESIGN REVIEW FOR PROPOSED MADISON COUNTY SEARCH & RESCUE BUILDING IN BUSINESS PARK:** The five-member Business Park Review Committee, consisting of three representatives of the Sugar City Planning and Zoning Commission – Christine (Sam) Lines, Steve Hawkes, and David Ogden; Councilmember Harold Harris; and Clair Boyle, Madison Economic Partners, Inc., held a meeting at 5:00 p.m. on Thursday, June 9, 2011, on the proposed Madison County Search & Rescue building.

The Review Committee's recommendation was given in the form of a motion from the minutes taken by Marcie Smith as follows: "Motion: It was moved by Steve Hawkes and seconded by David Ogden to approve brick masonry up three feet on three sides and to allow horizontal hardy board on the balance of the building from the first rendering, with overhead enhancements; and to make an exception that they are allowed to pave five parking spots and have a variance to pave five more parking spots within two years. The storage area might not be paved. In addition, they may choose which site plan and lots (1 & 2 or 10, 11 & 12) they want

according to the site plan; unanimously approved.”

**Business Park Design Review Discussion:** Councilmember Harris reported that JRW & Associates has met the requirements of the Business Park Protective Covenants and the City Code. A question was raised if the city’s 10-foot open space requirement was met. That would need to be answered by JRW & Associates. Mr. Malm said the purpose of the building is mostly for search and rescue equipment, but later it may have a call center in it. It will have a 6-foot privacy fence for security and aesthetics. It will be an attractive building and noise will be very minimal. Page 3 of the protective covenants says a “business park,” which is a “public service” place. The mayor gave himself the assignment to check with Attorney Forsberg about adding the word “public” in two places on page 3 of the protective covenants.

**Selling of Business Park lots:** The mayor reported that the city gets the first \$100,000; then \$100,000 goes to The Development Company; then the next \$547,000 goes to The Development Company to loan out for other projects in the Business Park. After \$747,000 is received for lots, the city and county are to divide additional receipts. The value of the lots the county uses for these buildings will be deducted from their share of the remaining money to be divided between the city and the county.

Councilmember Harris disqualified himself from voting because he was a member of the Business Park Design Review Committee for the proposed Madison County Search & Rescue building.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember Merrill to approve the recommendation of the design review committee, with the addition of providing for the 10-foot open space easement at the back of the lots. The mayor called for a roll call vote:

Those voting aye: Councilmembers King, Merrill and Waddell

Those voting nay: None

Thereupon, the mayor declared the motion passed.

Formal approval of land use site plans by the Sugar City Design Review Board and Planning and Zoning Commission is required to obtain a building permit. The matter will go back to P&Z at their meeting on June 16.

**POSSIBLE CODE CONFLICTS:** Councilmember Waddell reported that the chart in section 8-3-5 (wireless service facilities) showed the zones and types of equipment to go into those zones in 2007. In 2009 the city approved new zones. Then in 2011 the city did a whole new title 9. The actions of 2009 and 2011 make the 2007 chart obsolete, so it simply needs to be brought up to date. The design review ordinance needs to be redone due to our title 9, also. P&Z should redraw the chart with the new zones on it. Vaun will be happy to assist them in bringing it up to date.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember King that the matter be sent to P&Z to amend section 8-3-5, bringing it in line with the current zoning districts; motion carried.

**SALARIES OF ELECTED OFFICIALS:** Sharon reported that election year is the only time that salaries for the mayor and council can be changed (Idaho Code 50-203). The deadline for publishing an ordinance passed by the council to change elected official salaries to be effective January 1, 2012, is Thursday, August 25, 2011.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember

King to retain salaries for elected officials at the present level; motion carried unanimously.

**DISCUSSION ON PEDDLERS – NO SOLICITING SIGNS:** Resident Deputy Cameron Stanford is concerned about peddlers going through town. He thinks we need “no soliciting” signs at the city entrances. Our city code bans peddlers, but we have a resolution that gives costs. Councilmember King accepted the assignment from the council to do some research on the banning of peddlers and report back. He will work with the city attorney. No action taken on the signs until we know what the city ruling will be.

**PARK SIGNS:** Discussion was held. The mayor accepted the assignment to have a sample of a sign to be put up in the parks, and will also have the location of the signs designated for the next meeting. It was suggested that the locations be staked out and the council could view them that night.

**CHURCH SERVICE PROJECT:** Some suggestions were made for the Sugar City LDS Stake service project scheduled for Wednesday, June 29 – benches, backstops, park sign bases, etc. Councilmember King accepted the assignment to check with Corbet Peebles on possible projects at the cemetery laying sprinkler pipes and sod, and also helping widows with their homes and yards. The mayor will look into cleaning along the bike path.

**DEPARTMENT REPORTS:**

**COUNCILMEMBER HARRIS:**

**Summer road projects:** Harold reported that he is waiting for some financial information from Forsgren Associates to determine how best to use the \$100,000 grant for 7<sup>th</sup> East. He said HK Contractors Inc. would like to do the Ricks-Landon project earlier than fall, but they know they can't be paid until next fiscal year.

**COUNCILMEMBER KING:**

**Gravel pits and Sugar City's impact area:** Bruce reported that two weeks ago Madison County allowed digging of gravel pits 100 feet from property lines and 300 feet from homes. Most attending the public hearing were opposed to it, but the county passed it anyway. Our code in the impact area chapter says gravel pits are allowed. He discussed the matter with Attorney Forsberg, who suggested disallowing gravel pits or gravel crushing in all four impact area zones. Councilmember King accepted the assignment to carry this to the Planning and Zoning Commission and have them give their recommendation to the council.

**COUNCILMEMBER MERRILL:**

**LEPC meeting:** Lamont reported that a discussion was held regarding potential flood problems. The mayor reported that the governor was in the area today looking over the problem.

**COUNCILMEMBER WADDELL:**

**Teton Dam Marathon:** Vaun reported that the Teton Dam Marathon is this Saturday, June 11. The banner is in place, refreshments will be served at the corner of Heritage Park, and Paul Jeppson has taken care of the volunteers. Mayor Dalling will be at Rexburg Smith Park along with Mayor Woodland to congratulate and present awards to the winning participants.

The mayor entertained a motion to go into executive session.

EXECUTIVE SESSION:

8:50 p.m. It was moved by Councilmember Waddell and seconded by Councilmember Merrill pursuant to Idaho Code 67-2345(l)(a), (b) and (d) to move into executive session to discuss records exempt from public disclosure and personnel matters. The mayor called for a roll call vote:

Those voting aye: Councilmembers Harris, King, Merrill and Waddell

Those voting nay: None

Thereupon, the mayor declared the motion passed.

10:15 p.m. The executive session ended and the regular council meeting reconvened.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember Harris to retain the current name of Heritage Park; motion carried.

**Purchase of gasoline for city vehicles:** The mayor was directed to prepare a letter to Brad Orme in response to his letter regarding the city's position on buying motor fuel.

Meeting adjourned at 10:25 p.m.

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

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