

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, AUGUST 12, 2010

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; Brian Hawkes, Planning & Zoning Commission; Jan Gallup; Sharee Palmer; Elaine King; Holly Harrison; Trever Harrison; and Tom Gallup.

**PUBLIC HEARING (Title 9, proposed repeal of chapters 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, and 13; redesignation of chapters 7, 9, and 15; enactment of new chapters 1, 2, 3, 4, 5, 6, and 7):** Mayor Dalling welcomed everyone and brought the public hearing to order. He presented a brief review of the procedure for the public hearing. City Clerk Sharon Bell reported there was no prior written testimony submitted. Councilmember Waddell stated that this title 9 draft has gone through the Planning and Zoning Commission with several public meetings, followed by appropriate public hearings. Then it went to the city council that sent it to the city attorney, who made significant changes. The reason there is a public hearing tonight is because of Attorney Forsberg's changes. With the sign-up sheet of the public hearing in hand, Mayor Dalling called first for those in favor of approving the proposed revisions to Title 9. No one testified.

Mayor Dalling then called for those neutral to the proposal to testify. No one testified.

Mayor Dalling called for those against the proposal to testify. Comments were made as follows:

**ELAINE KING**, 225 West 2<sup>nd</sup> South. She stated she is representing four different people who are unable to be here tonight. Her concern is with the land use schedule. The legend shows M-1 and M-2 zones, but the zoning map only has M-1 zones. Councilmember Waddell said he anticipates the potential for an M-2 zone in the future. Mrs. King is concerned about a concrete batch plant being allowed in an M-2 zone, even with a special use permit. She said in 2005 over 800 people from Sugar City signed a petition against a batch plant on the northwest corner of the north Rexburg interchange on U.S. Highway 20 in Madison County. Sugar City residents also objected to Teton City plans to change its zoning ordinance to allow for concrete batch plants on the west side of Teton City. To allow for a concrete batch plant in our area is a sore spot for many people because they have been fighting it for 10 years. She is okay with the rest of title 9 and asked the council to please listen to the people.

**JAN GALLUP**, 309 South Austin Avenue. She is concerned with mobile homes and manufactured homes and is recommending that they not be allowed in R-1, R-2 or R-3 zones. Idaho Code 67-6509(a) requires that cities allow for manufactured homes, but the code also

states that those manufactured homes have to meet certain size, eave overhang and setback requirements and be on permanent foundations. Mrs. Gallup is not opposed to manufactured homes. She is opposed to manufactured home parks being in R-1. Other than this item, she feels the commission did a good job.

**SHAREE PALMER**, 1087 East Moody Road. She is concerned that title 9 has changed in that the county has no say in appointing impact members to the Planning and Zoning Commission. The number of members says 3 – 12 and she thinks it should be a specific number. She feels it would be a good idea to put it in the ordinance as to how many are in the city and how many in the impact area. Mrs. Palmer said she agrees with Mrs. Gallup on mobile homes and manufactured homes. She has nothing against them but says it isn't appropriate to have them in an R-1 or R-2 zone. Any mobile home approved should be by special use permit. Mrs. Palmer also agreed with Mrs. King and she doesn't feel we have a need for a concrete batch plant here. The county can meet the need.

**TOM GALLUP**, 309 South Austin Avenue. He is concerned about what has been spoken before. A manufactured home that is typically set up on a foundation needs a special use permit, but a mobile home does not need one. He thought it must be a misprint to have a mobile home permitted in R-1 and R-2 when a manufactured home needs a special use permit. He feels the city needs a little more restriction.

7:05 p.m. The public hearing ended, and the council convened its regular meeting.

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Lamont Merrill and Vaun Waddell; Brian Hawkes, Planning & Zoning Commission; and Sharee Palmer.

**DISCUSSION AND DECISION ON PUBLIC HEARING:** Discussion was had on manufactured homes and density requirements. Attorney Forsberg drafted the mobile and manufactured homes section. On the concrete batch plant, maybe it could be clarified to say a drive-up, one-to-three-yard-capacity, batch plant would be allowed in M-2. The mayor feels we should research it a little more. He said the city has a reasonable time to look at the specific concerns raised at the public hearing and that Attorney Forsberg should be contacted. Councilmember Waddell will work with Sharon on getting the information to the city attorney. He needs to be told of the concerns expressed by the citizens at the public hearing and the items that need to be clarified. If those are substantive, would the city need to have another public hearing?

The Mayor asked if there were any corrections to the minutes of the regular meeting held on July 8, 2010. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Waddell and seconded by Councilmember King to accept said minutes; motion carried.

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

Merrill to accept the July reconciliation reports for the Utility Fund; motion carried. Marcie presented the current bills in the amount of \$80,330.01. It was moved by Councilmember King and seconded by Councilmember Waddell to pay the current bills, together with all regular August bills that have not yet been received; motion carried.

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

**Title 9 chapter on home occupation:** Brian reported that P&Z is still working on title 9 chapter on home occupation. Starting in September they will be working on the impact area.

**BUDGET REVIEW AND DISCUSSION; ADOPT TENTATIVE BUDGET:** Marcie presented a tentative budget for fiscal year 2011, which is October 1, 2010, through September 30, 2011. A discussion was had on said budget items. Councilmember King suggested we budget \$2,000 this year and \$2,000 next year for a projector system for the council chambers.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember Merrill to approve the treasurer's requested budget dated July 31, 2010; motion carried.

**DEPARTMENT REPORTS:**

**COUNCILMEMBER WADDELL:**

**July 24<sup>th</sup> community breakfast:** Vaun reported that approximately 700 people were served at the pioneer community breakfast. Everything went as planned.

**Yard and Garden Awards:** Vaun reported that the Tree and Beautification Committee suggested giving eight awards to local citizens for the months of August and September (eight each month). The city will be divided into four sections with two awards going to each section. The awards will be meritorious ones, one for a fine garden and the other for an excellent yard. They have called a citizens' committee to be the judges.

**MOTION:** It was moved by Councilmember Waddell and seconded by Councilmember Harris that the council endorse the project of the Tree and Beautification Committee to make awards for well-kept yards and gardens; motion carried.

**Appearance of alternative high school:** The Tree and Beautification Committee is concerned about the appearance of the alternative high school and feels the whole thing is out of compliance. A discussion was had on sending a letter to the school district.

**City Hall façade:** After a short discussion, the council decided that the Tree and Beautification Committee should be asked to come up with suggestions and cost estimates. The mayor authorized Vaun to go back and work with them.

**COUNCILMEMBER KING:**

**East Parkway and Beltway record:** Bruce feels that the city should document what it has done regarding the parkway and beltway by posting on the Statements page of the city Web site our recommendations. He read the following statement, which he would like to post on the Web site, along with the accompanying documents: "Corridor Recommendation. The mayor and council of Sugar City have recommended two main roads (corridors) to serve future transportation needs in Madison County. On June 24, 2010, the city sent a letter to Madison County and Rexburg accepting engineering firm Keller Associates' favored option for the proposed 'East Parkway' corridor and also recommending a beltway. Sugar City proposes that Madison County, Rexburg and Sugar City agree on routes for these corridors and then place them on the transportation maps of their comprehensive plans. Corridors need to be identified and protected decades ahead of when needed, so that zoning commissions and governing boards can

shield the corridors from development. We have recommended that each corridor be five lanes, with two lanes in each direction and a center turn lane, and that right-of-way width be 130 feet to allow for curbs, landscaped drainage swales, a shared-use bike/pedestrian path, and buffers. Our recommendation for two corridors stems from long-range transportation planning for Sugar City, which elicited the need for them. Please find posted on this Web page the letter and map that we sent to Madison County and Rexburg, along with the city's presentation on corridors at a transportation meeting May 26 in Rexburg."

**MOTION:** It was moved by Councilmember King and seconded by Councilmember Waddell to document our recommendations on the East Parkway Corridor and the Beltway by placing a statement entitled "Corridor Recommendation" on the Statements page of the Sugar City Web site and also post the letter and map we sent to Madison County and Rexburg, along with the presentation on corridors at a transportation planning meeting May 26 in Rexburg; motion carried.

**Purchase projector system for council chambers:** As noted earlier, Bruce suggested we budget \$2,000 this year and \$2,000 next year for a projector system for the council chambers. P&Z Chairman Brian Hawkes would like to get it now, if possible. Bruce will get more information and present it to the council.

8:30 p.m. Councilmember Waddell was excused.

**COUNCILMEMBER HARRIS:**

**Road update – Cutler Avenue, Jaxon Drive:** Harold reported that Cutler Avenue is under construction right now and will be completed by August 21. They have put in new curb, gutter and storm drains. Jaxon Drive will be paved before fall.

**COUNCILMEMBER MERRILL:**

**Progress on well #2:** Lamont reported that Pump Tech has not yet installed the well #2 pump, which they said they would do several weeks ago. All the equipment is there, but they just need to do the work.

**Rexburg Sewer Discharge Study:** Rexburg is now metering the discharge from sewer going back into the Teton River. They want to apply for a new water right. We should be entitled to our percentage of that and get a credit toward a water right for us. Then we would pay for our percentage of the study.

**MAYOR'S BUSINESS:**

**EECBG (energy efficiency) grant:** The mayor reported that the details of the grant have been approved. We are under way with a new furnace and windows being installed. We will continue to complete the work authorized by the grant as soon as possible. After the grant work is completed, we will finish the work in the back remodeling.

**Madison County Sheriff office:** The mayor said the Madison County Sheriff's office is considering a location in Sugar City and is looking for land to build a satellite station and also storage for their search and rescue equipment.

Meeting adjourned at 8:50 p.m.

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

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