

City of Sugar City
 Mayor Glenn Dalling
 City Council: Harold Harris, Walter Deitz, Bruce King and Brad Orme

We request this letter be part of the official city council meeting record and as owners of real property abutting Third South Street, we ask the following:

City officials approve an official city ordinance determining the finished width of Third South Street from Highway 33 to Digger Drive to be thirty feet (30').

1. The north boundary along Third South Street shall be the back of the existing curb at each intersecting street. The south boundary of Third South Street shall be measured thirty feet (30') from the back of the existing curb on the north side.
2. On street parking along Third South Street shall be prohibited.
3. The city reserves the existing street right-of-way width along Third South Street as a utility easement.

Respectfully,

Property Owner	Street Address	Mailing Address
Jim Dugan	232 S. Austin	Box 343
Reid Walling	222 S. Fremont	PO BOX 6
Orlin Burtch	295 S. Fremont	PO BOX 336
Jay Buschhoff	280 S. Teton Ave	P.O. Box 507
Kate Mills	221 S. Teton Ave.	221 S. Teton
Rosinda Hache	224 S Pine Ave	P.O. Box 132
James (C)	150 E 3rd SO	
James (C)	102 E 3rd S.	102 E 3rd S
Janele Sutke	22 W 3 S	PO Box 78
Richard Johnson	155 W. 300 S. #2	
Gloyd E. Johnson	155 W. 300 S #1	
Wayne Sharp	126 W 3rd S	
Tom Gallup	309 S Austin Avenue	309 S. Austin Avenue
Wendene DeLoe	225 S. Austin St.	P.O. Box 386
Michael Burtch	224 S. Parker	354

Thursday, April 19, 2007

Jeff Patlovich, Fremont County Planning and Building administrator, spoke to the Sugar City Council and Planning and Zoning Commission and to the Ashton Planning and Zoning Commission on the role of city councils and of planning and zoning commissions in land use planning and administration and in general city and county administration.

Among his points were the following:

1. Idaho statute does not require a city council or planning and zoning commission to put a citizen on the agenda who requests it. However, in our democratic society, doing so makes sense and is perhaps morally obligatory. You can maintain order by limiting the time allowed for participation.

State statute does not require a city to include a regular time on the agenda for public comment, either. However, given our democratic order, such an inclusion is advisable. Just limit the comment period.

Be sure to allow citizens more than 2 minutes for input, since the Idaho Supreme Court has ruled that 2 minutes is insufficient time. Three to 5 minutes is probably fine.

2. Since changing the comprehensive plan or ordinances costs money for noticing, copying and codifying, the city may want to charge a fee when a request comes from someone other than a city official.

3. Procedures for developing ordinances need to be amended to specifically allow remanding.

4. Cities and counties are constitutionally separate. A city has no authority to do anything outside its city limits unless the county adopts the city's impact-area ordinances by ordinance.

5. When you receive payment for an application to change the comprehensive plan or ordinances, the ex parte clock starts. That means no talking outside public meetings.

6. Set fees by resolution.

7. A member of the city council cannot sit in on the planning and zoning commission's public hearings because it gives the councilmember knowledge about the application that the other city councilmembers do not have (ex parte).

By the same token, members of the planning and zoning commission cannot sit in on the city council's public hearings, because the city council may remand the matter back to the commission for further consideration.

8. As for keeping the planning and zoning commission informed, the city council should direct the attorney to pass messages back and forth. Also, it is occasionally advisable to hold a joint meeting of the two bodies to discuss policy. Reading each other's minutes on the Sugar City Web site can provide awareness of each other's philosophy and dealings.

9. When an application is under discussion in public work meetings, do not invite comment from citizens in the audience because the application is not yet to the public hearing stage.

10. It is permissible to individually contact the city attorney.