

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, FEBRUARY 23, 2006

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Harold Harris, Bruce King and Brad Orme; Sharee Palmer, Planning & Zoning Commission; Dick Dyer, City Engineer; Kyra Anderson, Standard Journal; Jan Gallup; Commissioner Roger Muir; Brent Rigby; and Don Rydalch. Council member Walter Deitz was excused for the first part of the meeting.

The Mayor asked if there were any corrections to the minutes of the regular meeting held February 9, 2006. Each council member had a copy of said minutes prior to the meeting. It was moved by Council member Harris and seconded by Council member Orme to accept the minutes of February 9, 2006; motion carried

The Mayor declared an executive privilege because time seems to run out before he gets to some of the things he'd like to do. He presented "2005 Projects Approved But Not Completed" and "Goals for 2006," a copy of which is attached hereto marked "Attachment 1." A discussion was had on some of the items.

JAN GALLUP:

Title 9, Chapters 6 (Zoning Districts) & 13 (Amendments, Reclassification, Annexation): Jan gave a Power Point presentation on Title 9, Chapters 6 & 13. She specifically mentioned the addition of three districts that haven't been in our zoning ordinance: (1) under residential – Traditional Neighborhood Districts, where they would put a planned unit development; (2) Open Space District; and (3) Business Park District. Discussion was had on other changes to Chapter 6.

Council member Deitz arrived at 7:15 p.m.

Jan pointed out a new term "lot footprint," or the building envelope. The property owner only owns the land that their house sits on. An association would own and maintain the rest of the property. After discussion, Jan could see that the Council still had concerns about Chapter 6.

Chapter 13: Jan asked if the Council had concerns about Chapter 13. It would really help if we could get that taken care of. She said this is the chapter we would use for a zone change or to change the comprehensive plan. It would make it so we don't have to have an annexation agreement, we don't have to wait that extra time, and City Council may have a public hearing or they don't have to. She said if the Council would decide on a date to go to a public hearing with it, she would appreciate it. **MOTION:** It was moved by Council member Orme and seconded by Council member King that we accept Chapter 13 of Title 9, Amendments, Reclassification & Annexation for public hearing on March 23 at 6 o'clock p.m.; motion carried.

PLANNING & ZONING REPORT: Sharee Palmer addressed the Council.

Yellowstone Meadows: Sharee said Rick Plewe couldn't come to P&Z last week because of a snowstorm. He will come to P&Z on March 2 for some feedback on what they will be allowed to do.

Moody Acres Subdivision: P&Z discussed a problem in Moody Acres about a fence that is going up that will possibly be in the easement of one of our designated roads on our transportation plan map. They don't want to tell him he can't put the fence up, but they thought it would be wise for the City Council to send him a letter and let him know that there are road easements there. Discussion was had. The easement is on the final plat. Sharee also said the center road in Moody Acres, which was also supposed to be brought up to County standards, never has been. A discussion was had whether it is a problem for the City or the County and it was brought up that both the City and the County has an ordinance that states that people cannot build in a street right-of-way. Commissioner Muir said if the street is a dedicated easement, that person still owns the property that is in the easement and he can build on it until the easement is exercised. Sharee reported the developer brought the two outside roads up to County standards and didn't do anything with the center road. No decision was made.

Six-man Committee for Land Use Classifications in Rexburg & Sugar City: The Mayor asked Sharee if she was aware of the six-man committee which would be two members from each of the three planning & zoning commissions, and then Rexburg was going to suggest we have qualified people serve as advisors to that. He is supportive of it. The committee will discuss the various land use classifications in Rexburg and Sugar City and see if there might be some uniformity brought to the name of that classification and the definition of it. The County will get input from the group as to their comprehensive plan. Commissioner Muir said it is kind of an overlook to see that it flows from entity to entity so we don't have conflicting plans that border each other.

HOMELAND SECURITY: Commissioner Roger Muir and Brent Rigby addressed the Council. Commissioner Muir reported Brent Rigby is the Homeland Security Director for Madison County. A grant was obtained in 2005 for planning, training and exercise. There is an equipment line that has \$123,000 in it, and a law enforcement line that has \$70,000. The County Sheriff did suggest with the law enforcement money to split that, with \$33,000 going to the Rexburg Police Department and \$33,000 to the Sheriff's Office and leave about \$4,873 for Sugar City. They talked about using some of the money for additional security for Sugar City. Mr. Rigby said they made a list of things, but it is not committed in concrete, so now is the time to make any changes if we need to. The law enforcement agencies – city, fire, and ambulance – are looking for more equipment to go into their dispatch. Commissioner Muir said to remember there is a homeland security incident manned trailer that the County owns now, and Sugar City is free to use that if they have a need. Brent is the one to contact for that. Mr. Rigby said it shows Madison County is geared up for emergencies and we can handle them. He reported this is a county grant that comes in that they feel like it is good to share. After this year they are not going to see it. It will be a competitive grant. The last three years they've had this money come in, but this is the last year it will be handed to the county. A discussion was had on various uses for the money for Sugar City. The Mayor said we aren't going to give them any direction tonight on how we will use the money.

Spring Run-off: Mr. Rigby reported they had been visiting with some of the hydrologists at the weather service. They are concerned with spring run-off depending on how quick that

comes. We need to make sure we have our flood plan and our water strategy in place. They will call a special meeting to sit down and work it out.

Pandemic Flu Outbreak: Commissioner Muir reported there has been a lot of discussion about a possible pandemic flu outbreak. They had a meeting with Elder Hammond and with the three stake presidents that are assigned to be the regional stake presidents for emergencies. A discussion was had on masks. Mike Clements said, "If you have enough masks to do for 30 days, but your food supply will only do for 20, they don't do you very much good." The direction with Elder Hammond was not to get so excited that this pandemic is coming, but get excited about just being prepared for all hazards that are coming – 72-hour kit, having water, food supply. Don't worry about the pandemic scare that is actually coming, but just be prepared and watch advice from health officials giving direction. Mike Clements works under the Governor in this region. He said in his state meetings, Madison County is the No. 1 county in the state that has followed through on emergency preparedness, especially with the homeland security direction – all under Brent's direction -- and would go so far to say we're probably one of the top counties in the entire nation. The Mayor thanked Commissioner Muir and Mr. Rigby for coming and for the good work they do.

UPDATE ON GRANTS: Don Rydalch reminded the Council that the grants and projects are all Sugar City's. They aren't his and they're not Tree & Beautification Committee's. Don't refer to it as his project; it is our project.

Rock Welcome Sign: Mr. Rydalch reported the bids have been returned and the Tree & Beautification Committee spent two weeks evaluating those. Fortunately we had a sufficient number of bids to meet the State criteria. There were five bids awarded. They were all given to the low bidders: the entry stone block bid went to Travertine Monuments in Idaho Falls; the tree bid went to R&D Nursery in Idaho Falls; sprinkler part bid went to 2M in Idaho Falls; the electrical bid went to Steve Webster here in Sugar City; and the landscape consultant professional is Trevor Pope here in Sugar City. There will be some time spent in March on planning the design again and then work will take place in April and May. The combined total bids came in \$115 lower than budget. The total cost was \$9,740 for those bids. There are some other expenses that didn't have to be bid on. It was mentioned we need to do something with the water line that terminates right where they want to put the sign in before it can go in. We either need to dig it up and extend it past this, or we will move the monument someplace else. The City should be able to do it with our equipment and men.

CHC Grant: Mr. Rydalch will submit a grant application tomorrow to the CHC Foundation in Idaho Falls for \$15,815 for the second phase of this development in connection with City Hall, connecting it up with the shop behind. We will get a yes or no answer within six to eight weeks. The Mayor explained we talked about doing this in three phases. Mr. Rydalch explained the three phases are: (1) the expansion and upgrading of City Hall; (2) connecting the two structures, putting the roof over it and putting walls up, enclosing it; and (3) subsequent office kinds of development and small meeting rooms, etc., some utilities behind here.

The Mayor and Council expressed appreciation to Mr. Rydalch.

MORATORIUM AND DISCUSSION ON SPECIAL USE PERMITS: The City Clerk reminded the Council the 30-day moratorium on Special Use Permits expires on February 26. The Mayor reported if we do nothing, it will expire. A discussion was had on where the P&Z is on their discussion and changing the Special Use Permits. Sharee Palmer said it is going to P&Z public hearing on March 2. She will make a recommendation to the Council at their meeting on

March 9th, so the City Council's public hearing will probably be in April. After the revisions, she said it will be up to the Council whether or not they have a public hearing on a Special Use Permit; but P&Z has to have a public hearing on all of them. She said they will always make a recommendation to the Council, then it will be up to them whether they have a public hearing on it or not. If the Council makes a material change to what P&Z recommends, they will have to have a public hearing. **MOTION:** It was moved by Council member Deitz and seconded by Council member Harris that we continue the moratorium on Special Use Permits for 30 days – until March 23; motion carried. **AMENDMENT TO MOTION:** After a short break, Council member Deitz reported it has been brought to their attention about the motion on the moratorium that we need to state a reason. The reason we want to do the moratorium is for the welfare of the City. So he amended the motion to say that. Seconded by Council member King; motion carried.

MAYOR'S BUSINESS: The Mayor reported he requested Dick Dyer to explain about the interceptor line going to Rexburg and all the aspects of the developments that are taking place and the capacity, and what we face in the future. He turned the time over to Mr. Dyer.

Engineer's Report (Wastewater Interceptor Line): Mr. Dyer presented a memorandum regarding Wastewater Interceptor Line Analysis – Present Use, Commitment, and Capacity, dated February 23, 2006, a copy of which is attached hereto, marked Attachment "2." He discussed present interceptor use, present peak interceptor use, committed interceptor use, and available future capacity. The Mayor reported under the committed interceptor use, the 56 homes was what we granted to Yellowstone Meadows (Stillman) without any raise in hook-up fees, based on what we had done for Ponderosa. Their projection is far beyond that, but that's what we're committed. We are committed also to these 210 connections in Sun River by development plan. Dick said we are collecting the connection fee from them to help us replace that capacity. He said the figure is set to be equal to our current cost of buying capacity, so it slides with inflation. He said when the time comes there are some things that can be done before we start spending millions of dollars building a new pipeline. We are faced with some decisions. There is more proposed development and questions immediately arise on how do we sit, what can we do, what are our resources that are available. He said if we don't do anything else, we would have around 665 more homes (or equivalent) on that interceptor before we get to the point where we're in trouble and we've got to do something. He feels there is a good 20 years of growth in there.

Arbor Day Proclamation: The Mayor reported the Tree & Beautification Committee wants us to declare an Arbor Day, and they suggested the date of April 28, 2006. **MOTION:** It was moved by Council member Orme and seconded by Council member Harris that we set April 28 as the day that Sugar City celebrates Arbor Day; motion carried. A copy of the signed Arbor Day Proclamation is attached hereto marked "Attachment 3." The Mayor asked Council member Orme to come see him about the Arbor Day celebration.

Plans for the Year: The Mayor said he had presented his plans, and hopes the Council will give him theirs really soon. Council member King submitted his plans for the year.

Agendas: The Mayor reported we are under such close scrutiny that technically we should not have any motions that are not introduced by an item on the agenda.

Motion regarding Letter on Moody Acres: A discussion was had on whether the letter should be addressed to the developer and/or the property owner, and it was decided to send the letter to the developer with a copy to the property owner. Sharee Palmer explained that the road not being finished and brought up to County standards is the developer's issue. The fence would be the homeowner's issue. Sharee said the road was supposed to be developed when the other two were. It

might be best to check the development agreement. **MOTION:** It was moved by Council member King and seconded by Council member Harris that we authorize the City to prepare a letter to the developer of the Moody Acres property of a fence that appears to be going in in that development over an easement area for a road and notify the developer of that, sending a copy to the property owner making him aware of the easement there. Sharee said we are sending it to the wrong person to take care of the fence issue. The developer is not putting up the fence. It's the property owner. She said the developer was responsible for making the three roads P&Z required in there up to County standards. The homeowner is putting in the fence and P&Z thought he needed to be aware and reminded that there are easements there that in the future might affect his fence. The Mayor asked Sharee to prepare the letter. Council member Deitz feels we shouldn't do anything until we check the development agreement to see what was agreed upon. **AMENDMENT TO MOTION:** Council member King amended his motion to say assuming the development agreement required that. He feels assigning that to Sharee as Chairman of P&Z would be good, but she won't sign it. Council member Harris seconded. The Mayor called for a roll call vote.

Those voting aye: Council members Harris, King and Orme

Those voting nay: Council member Deitz

Thereupon, the Mayor declared the motion passed.

Motion to Support Six-Person Committee: The Mayor reported we need to appoint two of our P&Z people to serve on that committee. There will be two from the County, two from Rexburg and two from Sugar City. Rexburg wants to add an additional consultant and we would want to do it also. The committee will just make recommendations, but won't be voting on anything. **MOTION:** It was moved by Council member King and seconded by Council member Harris that we authorize and support our Planning & Zoning Commission Chair, Sharee Palmer, and Commissioner Garry Jeppesen to represent Sugar City on the six-person committee recommended by the County to discuss zones and that they choose a consultant to join them; motion carried.

EXECUTIVE SESSION:

9:20 p.m. It was moved by Council member Harris and seconded by Council member Orme to go into executive session for the purpose of discussing personnel and litigation. The Mayor called for a roll call vote:

Those voting aye: Council members Harris, Deitz, King and Orme

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

11:00 p.m. The executive session ended and the regular Council meeting adjourned.

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

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

2005 PROJECTS APPROVED BUT NOT COMPLETED

- The building of a retaining wall at Smith Park (south side) and improving the parking area, including widening of the road.
- Install privacy fence on the north side of Moon Park.
- Extend the privacy fence to the south on the east side of Heritage Park.
- Completion of the south entrance project.
- Completion of City Hall remodeling.

GOALS FOR 2006

- Resolve the problem relating to our arrangement with Rexburg on the wastewater facility.
- Planning for the west entrance project and hopefully a museum in town.
- Planning and remodeling for enclosure of the area between the City Hall building and the shop.
- Planning and remodeling of the shop area in the City Hall building.
- Determine what to do with the little plot of ground owned by the City on the north side of Moon Park.
- Prepare a float for the 4th of July parade and 24th of July parade (same possibly).
- Expand and improve our Christmas lighting.
- Improve and make the reception room in the city offices more attractive.



ENGINEERING • PLANNING • MANAGEMENT

MEMORANDUM

To: City of Sugar City

From: Winston R. Dyer, PE – City Engineer

Date: February 23, 2006

Re: Wastewater Interceptor Line Analysis - Present Use, Commitment, and Capacity

You have inquired to know the status of your wastewater interceptor pipeline capacity with respect to current use, capacity commitments already made, and available future capacity. After researching the calendar year 2005 flows, Rexburg's use of the interceptor, and commitments made for future use, we offer the following information.

Present Interceptor Use

- The following Table summarizes the present use of the interceptor line by each of the present users during the year 2005:

Entity	Avg Flow gal/day	Percent of Use
Teton	58,600	18%
NorSun	128,300	40%
Sugar	118,700	37%
Rexburg	15,300	5%
Total	320,900	100%

Present Peak Interceptor Use

- The following Table reviews the present use (year 2005) of the interceptor line capacity of 812 gallons per minute:

Entity	Peak Flow gal/min	Percent of Use	Percent of Capacity
Teton	65	18%	8%
NorSun	143	40%	18%
Sugar	132	37%	16%
Rexburg	17	5%	2%
Total	357	100%	44%

Committed Interceptor Use

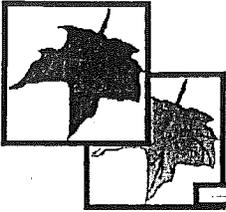
- The following Table reviews the total picture of present use and committed capacity:

Entity	Present Peak Flow gal/min	Committed Future Flow gal/min	Total Flow gal/min	Percent of Capacity
Teton	65	35	100	12%
NorSun	143	91	234	29%
Sun River	0	76	76	9%
Stillman	0	20	20	2%
Sugar	132	0	132	16%
Rexburg	17	20	37	5%
Total	357	242	599	74%

Note: Sun River = 210 connections, Stillman = 56 connections

Available Future Capacity

- Available capacity = 812 gpm total capacity – 599 gpm present and committed use = 213 gpm available for future use
- A typical home will require about 0.32 gpm of capacity in the interceptor line
- 213 gpm available capacity ÷ 0.32 gpm per house = 665 more homes (or equivalent) possible



Arbor Day Proclamation

- Whereas, *In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and*
- Whereas, *the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and*
- Whereas, *Arbor Day is now observed throughout the nation and the world, and*
- Whereas, *trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and*
- Whereas, *trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and*
- Whereas, *trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and*
- Whereas, *trees, wherever they are planted, are a source of joy and spiritual renewal,*

NOW, THEREFORE, I

Glenn W. Dalling

Mayor of the City of Sugar City, Idaho do hereby proclaim

April 28, 2006 as Arbor Day in the City of Sugar City and

I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 23rd day of February in the year 2006

Mayor

Glenn W. Dalling

