

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, FEBRUARY 9, 2017

Presiding: Mayor David D. Ogden
Meeting Convened at 6:30 p.m.
Prayer: Joe Cherrington
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce Arnell, Bruce King, Matt Garner, and Joe Cherrington; City Public Works Director Zane Baler; Chairman Brent Barrus of the Planning and Zoning Commission; Students Brigette Barney, Zach Belnap, Caelub Coates, Kierra Crain, B.. Esplin, Tekya Green, Shaylee Hill, Taylor Hill, and Blake Huntsman; Citizens Tyler and Necia Hoopes, Paul Jeppson, Elaine King, Christine Lines, Galen and Barbara Lusk, Lawrence and Catherine Nielsen and family, D...R..., and Dave Thompson.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on January 26, 2017. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Arnell and seconded by Councilman Garner to accept the minutes; motion carried.

RECONCILIATION REPORTS: Wendy presented the January reconciliation reports for the General Fund. It was moved by Councilman Garner and seconded by Councilman Arnell to accept the January reconciliation reports for the General Fund; motion carried. Wendy presented the January reconciliation reports for the Utility Fund. It was moved by Councilman Cherrington and seconded by Councilman King to accept the January reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$57,166.20. It was moved by Councilman Garner and seconded by Councilman Arnell to pay the current bills, together with all regular February bills; motion carried.

PLANNING AND ZONING COMMISSION REPORT: Chairman Brent Barrus reported on the following items:

Land Use Schedule Title 9 Update: The Land Use Schedule is nearly completed. The commission is working on the map to agree with the revisions on the schedule. They would also like to hold a public work meeting and invite the council before making their final recommendations.

Mike Stears Property: Mr. Stears will change his application to a zone change, rather than a special use permit as encouraged by the council. The current zone, Downtown Commercial (CD), will be proposed to change to a Multiple Use 2 (MU2) on the lot designated for the four-plexes. MU2 provides for a mixture of uses such as higher density residential coupled with business, professional and commercial. Fees will be waived since he is asked to apply for a different permit and hold another public hearing. Planning and Zoning will review the application and set a public hearing date.

Jeff Parkinson Property Special Use Application: Jeff Parkinson's special use permit public hearing will be held next Thursday, February 16, 2017. The Design Review board will meet prior to 7:00 pm to review the application. Mr. Parkinson is applying for a special use permit to be granted an interim period in which to pave the parking area.

Impact Area Study Report: No report

MAYOR'S BUSINESS:

Rural Planning Organization Report (RPO): The mayor met with the monthly RPO meeting in Rexburg and discussed the following items:

- **Street Weights and Speed Limits** – Roads need to be tested for weight limits and speed limits. However testing is very expensive.
- **List of Intern Projects** – Rexburg will hire an engineer intern to help with needed projects and invited Sugar City to use the intern for our city projects. One project the city suggested is help with mapping the water and sewer system for the Global Positioning System (GPS).
- **Grant Sponsor for Third South Interchange Revisions** – The RPO has agreed to sponsor the application to the Idaho Department of Transportation (ITD) to help put in the new intersections on Third South and straighten the road going east that will eventually lead to a frontage road and tie into the Wal Mart shopping area. The cost is projected to be around \$450,000. The city does not have the resources for the improvement and must seek the help of a grant.
- **Work Meeting with Planning & Zoning** - See above.
- **Eclipse Meeting Update** – The total solar eclipse will happen Monday, 21 August, 2017 at 11:33 a.m. Sugar City and Rexburg lie directly in the path of the eclipse. Motels around the area are booked full. An estimated 500,000 people are expected. Planning meetings are being held to map parking and viewing areas. Rexburg has set up a website that will also include Sugar City where visitors can sign up for overnight accommodations, information, and etc. Citizens wanting to participate can also find help in advertising homes, campers, and parking. The city will also organize vendors and other attractions to help entertain and feed the crowds. The community will have a chance to help and participate in the planning and organization of the event.
- **Old Farm Estates/River Bend Ranch Update** – Currently the city does not have enough water capacity or storage to meet its existing demands. A new tank and well are needed which will cost the city around \$4.2 million. 85% of the new well and tank is to meet current need with about 20% for future growth. Developers will pay for the future growth part. The city water rate will need to be raised to \$70 from \$35 for the base fee. A \$3.5 million bond will likely be voted on this coming election. There is the possibility of a block grant for \$500,000 if the city qualifies for the low to moderate income qualification. A survey will be taken to gather the information. The city qualified in 1982. The city will pursue all possible grants to help defray the cost to the citizens.
- **ICRMP Online Training** – The mayor reported that the city completed the online training necessary to receive the 5% discount on the annual worker's comp premium which is around \$10,000.
- **Secondary Irrigation System** – A secondary irrigation system is included in the current water study by Forsgren and Associates. A secondary irrigation system is encouraged by the state and would be supported by the school district which already uses the canals to water their ball fields. The city has several canal shares they are currently not using which could be utilized more effectively if we used the system to water our parks.
- **Five Year Capital Improvement Plan** – The mayor presented a five year capital improvement plan to the council listing current foreseeable major expenses.

FLOOD PLAIN TRAINING DISCUSSION: Zane Baler reported on the training meeting he attended in Boise last week. If the new flood plain map is adopted the city and county must track, enforce, and adopt the Federal Emergency Management Agency's (FEMA) insurance. The insurance would cost those in the flood plain an estimated \$1/square foot for the home which would also include the crawl space. FEMA is in favor of the new flood plain model. Revising the model using correct data could be a

difficult. However, FEMA has promised they will not make a final decision on the flood plain until the new model is complete.

DEPARTMENT REPORTS:

COUNCILMAN ARNELL: No report

COUNCILMAN KING:

Tree and Beautification Committee: Councilman King reported that the Tree and Beautification Committee will resume their meetings in March.

COUNCILMAN GARNER:

Melting Snow and Flooding: Councilman Garner reported that there is concern for flooding because of the fast melting snow and frozen ground. The city has 500 bags of sand ready for use if needed and 3,000 empty bags.

COUNCILMAN CHERRINGTON:

Playground Equipment: Councilman Cherrington is looking at new playground equipment for Heritage Park.

CITIZEN INPUT ON RESPONSIBLE GROWTH IN SUGAR CITY - Barbara Lusk presented to the city clerk and council an initiative petition signed by 30 citizens for the following:

“To the Honorable Wendy McLaughlin, City Clerk of the city of Sugar City of the State of Idaho: “We, the undersigned citizens and qualified electors of the city of Sugar City of the State of Idaho, respectfully demand that the following Ordinance be added to the City Code of the Coy of Sugar City, to-wit:

HOUSING BALANCE. The total sum of the combined number of dwelling units in all R3 and multifamily housing zones shall not exceed 10 percent of the city’s total existing single-family dwellings

Shall be submitted to the qualified electors of the City of Sugar City, of the State of Idaho, for their approval or rejection at the regular general election, to be held on the first Tuesday in November, 2017 and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence and legislative district are correctly written after my name.” (See Attachment #1)

The council received the petition and statement (see Attachment #2) read by Barbara Lusk into record.

Meeting adjourned at 8:45 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

INITIATIVE PETITION

To the Honorable Wendy McLaughlin, City Clerk of the city of Sugar City of the State of Idaho:
 We, the undersigned citizens and qualified electors of the city of Sugar City of the State of Idaho, respectfully demand that the following Ordinance be added to the City Code of the city of Sugar City, to-wit:

Housing Balance. The total sum of the combined number of dwelling units in all R3 and multifamily housing zones shall not exceed 10 percent of the city's total existing single-family dwellings.

shall be submitted to the qualified electors of the City of Sugar City, of the State of Idaho, for their approval or rejection at the regular general election, to be held on the first Tuesday in November, 2017 and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence and legislative district are correctly written after my name.

Signature	Printed Name	Residence Street Number	City	Date	District 34
<i>[Signature]</i>	Verla P Moss	231 N Teton	SC	2-9-17	34
<i>[Signature]</i>	Jill Moss	720 N. Teton	Sugar City	2-9-17	34
<i>[Signature]</i>	Vicky Furness	226 N. Fremont	Sugar City	2/9/17	34
<i>[Signature]</i>	Jenny Furness	226 N Fremont	Sugar City, Id		34
<i>[Signature]</i>	L Gene Jeppson	10 E 3rd No.	Sugar City	2/9/17	34
<i>[Signature]</i>	Jill R. Jeppson	10 E. 3rd N.	Sugar City, Idaho	2-9-17	34
<i>[Signature]</i>	Zona Parkinson	5 E 1 N	Sugar City Id	2-9-17	34
<i>[Signature]</i>	Dale Parkinson	5 E 1 N	Sugar City	2-9-17	34
<i>[Signature]</i>	Leola Barnhill	119 No. Front St	Sugar City	2-9-17	34
<i>[Signature]</i>	Janine Harris	109 N Austin	Sugar City	2-9-17	34
<i>[Signature]</i>	Glenida Sharp	126 W 3rd S.	Sugar City, Id	2-9-17	34
<i>[Signature]</i>	GISELE BUDGE	1042 1st N.	Sugar City	2-9-17	34
<i>[Signature]</i>	Rago B Budge	10 W 1st N	Sugar City	2-9-17	34
					34
					34
					34
					34
					34
					34
					34
					34

State of Idaho, County of Madison, City of Sugar City
 I, Jeanne Jeppson am a resident of the State of Idaho and at least eighteen (18) years of age; that every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence; I believe that each has stated his or her name, address and residence correctly, that each signer is a qualified elector of the State of Idaho, and a resident of the county of Madison and a resident of the city of Sugar City
 Signed Jeanne Jeppson

History of zoning....invented in New York City to protect those already there. Not to help those coming in especially to develop.

Introducing an initiative referendum was handled wrong legally so reading some of the state code to let you know your process. No public forum like last year before petitioner receives letter or talks with city lawyer, has opportunity to change or leave petition as is and certificate of review must be issued and ballot title. (Inappropriate public forum)

Idaho State Code Title 34 chapter 1801B under initiative and referendum elections reads:

“Each city shall allow direct legislation by the people through the initiative and referendum . Cities shall follow the proedures set forth in this chapter....

a.) the city attorney may confer with the petitioner and shall, within twenty working days from receipt thereof, review the proposal for matters of substantive import and shall recommend to the petitioner such revision or alteration of the measure as may be deemed necessary and appropriate.” The city attorney shall prepaqre recommendations concerning revision of the initiative or referendunm, issue a certificate of review to the city clerk, and shall prepare the ballot title and short title.

b.) "The recommendations of the city attorney shall be advisory only and the petitioner may accept or reject them in whole or in part."

13) "'Petitioners must submit the signed initiative....petitions to the county clerk for verification.....'"

15) "The city council shall have the option to adopt the ordinance proposed by the initiative within 30 days after the notification pursuant to section 34-1807.....The city council shall hold a public hearing on the proposed ordinance within the thirty day period, preceded by legal notice published once in the official city newspaper at least seven days preceding the hearing....."

17) "To perfect a petition for city initiative.....the petition shall have signatures from at least twenty percent of the total number of qualified electors voting in the last general city election in November of an odd-numbered year."

Brenda at the Madison County Clerks office informed us that in 2015 a total of 300 residents of Sugar City voted, Twenty percent of 300 is sixty needed signatures.

Most everyone agrees that Sugar City will grow and probably will one day connect with the City of Rexburg. Residents of Sugar City are concerned about how we grow responsibly. Responsible growth is our goal.

While Sugar City does have about five percent of its residences in high density apartments at present, our initiative would allow for an increase of five percent in higher density (which includes only R3 and MU zones). However, to keep us from growing as a city of apartments, which is what the vast majority of the people want, a Housing Balance initiative would do just that.

Our initiative, signed by registered voters of Sugar City, would add to our city code an housing balance. It states:

Housing Balance: The total sum of the combined number of dwelling units in all R3 and multifamily housing zones shall not exceed ten percent of the city's total existing single-family dwellings.

Our committee has been working with a lawyer, who has reviewed this case and we now feel comfortable moving forward.

As stated in Idaho State Code, after verification of signatures the city must have a public hearing within 30 days on this matter and make a decision.