

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, MARCH 10, 2016

Presiding: Mayor David D. Ogden

Meeting Convened at 6:30 p.m.

Prayer: Bruce Arnell

Pledge of Allegiance – Troops #109 & #454 posted the colors and led in the pledge of allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Joe Cherrington, Matt Garner, and Bruce Arnell; Chairman Brent Barrus of the Planning and Zoning Commission; Madison County Fire Department Inspector Dale Pickering; Sugar City Building Inspector Cliff Morris; Scout Leaders Dan and Dorene Porter and Spencer Cook. Scouts and parents – Braden Guymon and mother Rachel Guymon, Josh Christensen, Logan Cutler, Max Howard and mother Kami Howard, Garisen Madsen, Kyle Brunson, Tyler Gehmlich and mother Krista Gehmlich. Citizens Ray and Mary Louise Barney, Rachel Distelhorst, Kevin and Nantalie Cleverley, Paul Jeppson, Barry and Laurie King, Elaine King, Todd and Christine Lines, Jacob and Toni Llewellyn, Barbara Lusk, Taylor and Sarah Lusk, Kim Madsen, Charles and KaraLee Ricks, and Travis Williams.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on February 25, 2016. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Arnell and seconded by Councilman Cherrington to accept the minutes; motion carried.

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

Wendy presented the current bills in the amount of \$68,503.16. It was moved by Councilman King and seconded by Councilman Arnell to pay the current bills, together with all regular March bills; motion carried.

PLANNING & ZONING COMMISSION REPORT: Chairman Brent Barrus reported on items under review that the commission is currently working on:

Dalling Annexation - Public Hearing Report: The commission recommended the zoning to the Dalling Property for annexation as C2 or Community Commercial. Brent explained there were only three citizens who responded to the public hearing. One was against, one was neutral and one for the annexation. Dewey Furness was against the annexation and zoning, expressing concerns about increased traffic, safety and growth. The council asked to see the comments before they make a decision on the recommended annexation. The city also wrote a letter of reassurance to Glenn Dalling and his family that the current land use of AG (Agriculture) would

not be changed. An annexation agreement was also signed by the former Mayor Glenn Dalling, along with his wife Dorothy.

P&Z Welcomes Jeanne Wright: The commission welcomed its newest member – Jeanne Wright. She will take Commissioner’s Bill Barnhill’s seat, whose term ends December 2016. The commission will not seek an eighth commissioner appointment at this time.

River Bend Ranch: River Bend Ranch Attorney Jim Smith presented the preliminary plat and design review applications to the commission last week. RBR proposes a “planned unit development” (PUD). This type of development control promotes enhancement of the bargaining process between the developer and municipalities. A thorough review of the details followed. Some concerns the commission have are:

- Curved streets
- Lot lines not parallel to the road
- Main roads four feet narrower than regular roads
- Snow removal
- Parking
- Cluster Homes

The council suggested to the commission that they be careful with variances, i.e., roads being narrower. Safety and code compliance must be standards to measure by. The fire code must also be considered in the planning process. Jim Smith will be required to meet with the County Fire Inspector Dale Pickering. The planned landscaping is very nice. Private roads will be maintained by the homeowners associations. River Bend Ranch is working with the city. A Tri-Party Agreement between River Bend Ranch, Old Farm Estates and the city will help mitigate city water and sewer study expenses. Two points of water diversion were awarded to the city, and both developers are working together with the city for the best potential well sites. Currently, RBR is waiting for Steve Young’s approval to trench across the river through his property to hook into Toscano’s existing water system. However, time is against the wait as water flows and demand increase as the weather improves.

River Bend Ranch Zoning Stipulations: Councilman King reminded the council and Planning and Zoning Commission of the stipulations he required of RBR when the zone was changed. The clerk will email a list of those stipulations to the council and P&Z from the minutes.

Proportionate Representation: Mr. King also quoted City Code 9-1-4 “Proportionate Representation” and asked the council to review the commission appointments to make sure those serving are apportioned to give proportionate representation. The mayor asked that the review be put on the next agenda.

Impact Area Expansion: The commission is canvassing Salem area residents to learn their desires for city impact area affiliation. So far, most want to be in Sugar City’s area of impact instead of in Rexburg’s impact area.

RIVER BEND RANCH PRELIMINARY PLAT: See above.

DALLING ANNEXATION PUBLIC HEARING DATE: Planning and Zoning recommended annexation of Dalling’s property, with a zoning of C2 or Community Commercial for the property. The council will make a decision after reviewing public comments and the assurance letter from the city.

BLOCK GRANT ECONOMIC DEVELOPMENT BUDGET HEARING: The council set Thursday, April 14, 2016, for the public hearing to reopen the budget. The DEQ Block Grant awarded the city \$400,000 toward the public infrastructure for Fertile Peat’s development. The project total is \$750,000 -- \$250,000 will come from the developer. The city will donate in cash or in kind \$100,000 toward the project as an investment toward the public infrastructure. The new budget will reflect the awarded grant and expenditures.

2012 FIRE CODE ORDINANCE AND POSSIBLE ADOPTION: The council decided to adopt the 2012 Fire Code as Ordinance No 313. Each city is rated on how they meet fire code standards, which translates into better insurance rates for residents.

ORDINANCE NO 313:

Ordinance No. 313 was introduced and read by title only by Councilman Cherrington, entitled:

“AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE, 2012 EDITION, COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL; REQUIRING COPIES OF SAID CODE TO BE KEPT IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND FOR SEVERABILITY; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”

It was moved by Councilman Cherrington and seconded by Councilman Arnell to waive reading of the ordinance on three different days and to place it upon its final passage. Thereupon the clerk called roll upon the motion.

Those voting aye: Councilmen Arnell, Garner, Cherrington, and King

Those voting nay: None

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilman Cherrington and seconded by Councilman King to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilmen King, Cherrington, Garner, and Arnell

Those voting nay: None

Ordinance No. 313 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 313 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

FAIR HOUSING MONTH RESOLUTION AND POSSIBLE ADOPTION: Each year the city remembers the Fair Housing Act and proclaims the month of April as Fair Housing Month.

RESOLUTION NO. 2016- 8 (Fair Housing Month Proclamation): Councilman Cherrington read Resolution No. 2016-8 in its entirety. It was moved by Councilman Arnell and seconded by Councilman Garner to approve Resolution No. 2016-8. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmen Arnell, Garner, Cherrington, and King
Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 1."

Mayor Ogden addressed the council and public explaining the reasons why the city supports the Fair Housing Act, which prohibits discrimination in housing and grants equal opportunity and access to all. Councilman King stated that he supports the Fair Housing Act for several reasons, one of which is that supporting the legislation is needed to obtain grant money from the Federal Government for infrastructure improvements. He also suggested that the city does not discriminate against housing opportunities and provides for various types of housing including trailer parks and apartments. Mayor Ogden read a letter into the minutes explaining the need to meet the housing obligation and to balance citizen desires (see "Attachment 2"). "Zones for other types of housing must be provided," stated Ogden. The Comprehensive Plan cannot override the Fair Housing Act.

PUBLIC COMMENT PERIOD – BARBARA LUSK: Barbara Lusk asked to be on the agenda to address the council prior to the meeting. She stated that Ordinance No. 312 violates city and state laws and should be repealed (see "Attachment 3"). Listed below are her reasons:

- Increases housing density for the high-density zone
- Doubles the density for the multiple-use zone
- Creates a second multiple-use zone that triples the density of the former multiple-use zone
- Violates the City's Comprehensive Plan
 1. Zone to Retain Predominance of Single-Family Housing
 2. Promote Housing Consistent Small-Town, Family-Focused Character
 3. Maintain & Perpetuate Quiet Neighborhoods
 4. Zoning Districts shall be in accordance with the policies set forth in the Comprehensive Plan

"If prompt action is not taken by the council, our lawyers have advised us to take legal action against the city," stated Mrs. Lusk. Barbara gave the city clerk her petition (see "Attachment 3"), along with copies for the city council. She also stated that she would officially submit a referendum (see "Attachment 4") to the clerk on Monday that the citizens of Sugar City be given a chance to vote in the next election, November 2017, to repeal the ordinance.

After Barbara Lusk's comments, the mayor asked the audience, which had increased by several people, if there were any who would also like to comment. Some wished to speak, and a summary of those comments are included below.

Travis Williams (Sugar City): Travis stated he is concerned why the council would be more concerned with the Fair Housing Act than with the desires of the citizens. When you

receive money from the government, it always comes with stipulations attached. He felt the animal ordinance is a bigger issue for the city to solve. Step back on the budget – we don't need massive areas of growth.

KaraLee Ricks (Sugar City): Apartments bring a negative flow into the city – why not consider impact fees to bring in more money and negate expenses. The council has a responsibility to its citizens.

Paul Jeppson (Impact Area): Paul felt that Ordinance No 312 was passed without really “digging into it” or considering all of the consequences. He does not like the zone changes, especially the high density going from 12 to 30. (The maximum density actually went from 12 to 24 dwelling units per acre.)

Todd Lines (Sugar City): Todd felt that the city does not have enough law enforcement to protect the existing citizens now. With the new subdivisions and development, he has noticed an increase in crime in the area. He wanted to know if the council and planning and zoning had considered how the increase in growth and crime would be handled. We don't have our own police department, and the citizens are at risk with inadequate county police protection.

Mary Louise Barney (Impact Area): The allowance of more apartments brings more people. There will need to be more schools. A levy to build more schools will be borne mainly on the shoulders of the homeowners, since renters do not pay property taxes. We don't want more taxes and levies.

Mayor Ogden tried to address some of their concerns. He promised that if Ordinance No 312 was not passed legally that it would be done right. Below is a summary of his statements:

- The Fair Housing Act should be addressed
- Density increases were overstated in the letter of concern
- Tax costs are passed on to renters
- Police enforcement will be addressed

Some zoning improvements of Ordinance No 312 to mitigate density increases mentioned by Mayor Ogden:

- Landscape footprint and parking areas were increased
- All units would be subject to a design review
- Space for growth is available
- Growth will likely take several years to fully materialize

Mayor Ogden told the citizens that the city will review their petition and referendum with the city attorney and will respond to their concerns.

ADA RAMP RESOLUTION AND POSSIBLE ADOPTION: The council adopted the authorizing resolution to create a committee to award the bid and sign all documents for the ADA ramp grant project. Five bids were approved, but the city only received two.

RESOLUTION NO. 2016-9 (ADA Ramp Project Authorizing Resolution): Councilman Cherrington read Resolution No. 2016-9 in its entirety. It was moved by Councilman Cherrington and seconded by Councilman King to approve Resolution No. 2016-9. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmen Arnell, Garner, Cherrington, and King
Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 5."

STATE WATER MITIGATION RESOLUTION AND POSSIBLE ADOPTION: The council decided to join the state water mitigation group to minimize the city's water liability if a recall happens this year. All three of the city's active water wells would be subject to the recall, since the city does not currently have a recorded senior water right. Most cities are joining the coalition, even though it may mean a loss of more acre feet of water up front than if we stood alone.

RESOLUTION NO. 2016-10 (Authorizing Resolution to Join a Group Water Use Mitigation Plan): Councilman Cherrington read Resolution No. 2016-10 in its entirety. It was moved by Councilman Arnell and seconded by Councilman Garner to approve Resolution No. 2016-10. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmen Arnell, Garner, Cherrington, and King
Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 6."

CITY PRIORITY LIST: The council will choose the top ten areas to work on for the year on their city needs list now that all have weighed in on the needs list. Councilman Cherrington would like to add a splash park for Sugar City as one of the items. He will bring a cost break out and more details to the next meeting.

DEPARTMENT REPORTS:

COUNCILMAN ARNELL: No report

COUNCILMAN KING: No report

COUNCILMAN CHERRINGTON: Asked about the grandfather clause provision concerning animals or land use. Can the city grant a grandfather clause in perpetuity?

To only have a nuisance ordinance rather than an animal ordinance is too relative to be enforced effectively, Councilmen Arnell and King suggested. An animal ordinance must state numbers, etc. in order to be enforceable.

COUNCILMAN GARNER: No report

MAYOR'S BUSINESS:

Urban Renewal District Report: No report

Salt Lake Express Trenching Report: No report

Forsgren Water Study Report: No report

Stop Sign Replacement Report: No report

Meeting adjourned at 10:15 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

RESOLUTION NO. 2016-8
FAIR HOUSING MONTH PROCLAMATION

WHEREAS, April 2016 marks the 48th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and

WHEREAS, equal opportunity for all-regardless of race, color, religion, sex, disability, familial status or national origin-is a fundamental goal of our nation, state and city; and

WHEREAS, equal access to housing is an important component of this goal-as fundamental as the right to equal education and employment; and

WHEREAS, housing is a critical component of family and community health and stability and

WHEREAS, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and

WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and

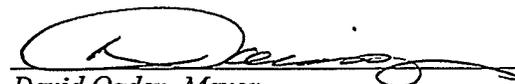
WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed;

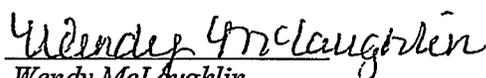
NOW, THEREFORE, I, David Ogden, Mayor of the City of Sugar City, Madison County, do hereby proclaim April 2016 to be

FAIR HOUSING MONTH

In the City of Sugar City, Madison County, State of Idaho.

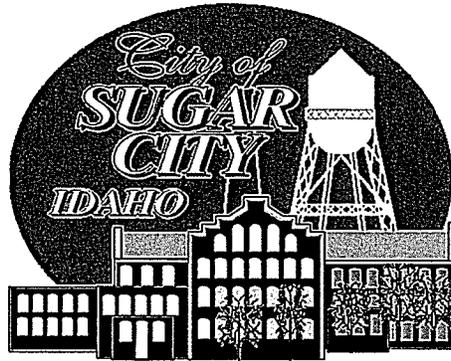
IN WITNESS WHEREOF, I have hereunto set my hand at the City of Sugar City, Madison County in City Hall on this 10th day of March in the year of our Lord 2016.


David Ogden, Mayor



Wendy McLaughlin
City Clerk-Treasurer

David D. Ogden, Mayor
Wendy McLaughlin, Clerk-Treasurer
Shelley Jones, Deputy Clerk-Treasurer

Phone: (208) 356 7561
Fax: (208) 359 2654
Office Hours: 9 a.m. to 4 p.m.



City of Sugar City

P.O. Box 56 - 10 East Center
Sugar City, Idaho 83448

Support our local businesses

March 24, 2016

Dear Sugar City Residents,

The City Council and Mayor have recently approved a resolution designating the month of April 2016 as "Fair Housing Month". This is done each year as a show of support for the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act. This Act prohibits discrimination in any form as it pertains to housing, as defined in the Act.

The City is committed to upholding this law, and will not and cannot discriminate in any of its housing policies. We will, to the best of our ability, encourage good growth, that has the look and feel of a small community. As we continue to grow as a community, and we will grow, the challenge will be to make that growth acceptable to all of the citizens of this wonderful city. We hope that you will all participate in these decisions.

We live in an area where neighbors help neighbors, and where we accept new citizens with open arms. It is a wonderful place to live. Thank you for making this such a great place to live.

Sincerely,

David D. Ogden

Mayor

For the following legal reasons, we ask the city council to repeal Ordinance 312, since both the city council and the planning and zoning commission officials violated city and state laws.

I. Ordinance 312 increases housing density for the high-density residential zone, doubles the density for the multiple-use zone, and creates a second multiple-use zone that triples the density of the former multiple-use zone, violating at least three provisions of the housing chapter of the city's comprehensive plan which states:

1. "Zone to retain predominance of single-family housing." (The ordinance makes way for hundreds of new multifamily dwelling units, thwarting the predominance of single-family homes in Sugar City.)

2. "Promote housing consistent with [Sugar City's] small-town, family-focused character." (Allowing for multiple high-density apartment complexes is inconsistent with our small-town, family-focused character.)

3. "Maintain and perpetuate...quiet neighborhoods." (Inviting high concentrations of people erodes our general serenity.)

Idaho statute requires that "zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan." (Title 67-6511)

II

The Sugar City Council has not properly adopted the change to the comprehensive plan land use map. According to our laws this must be done by resolution.

III. Also, approval of any application according to State Local Land Use Planning must show reasons in writing why the application was approved based upon standards and criteria set forth in the comprehensive plan. We request that you provide us with a copy of the specific provisions of the comprehensive plan upon which you based your decisions regarding Ordinance 312. AND, if there was not a written statement sent to the applicant with these reasons including why the application complies with the comprehensive plan, then, according to State Code 67-6535, another law was violated, which states;

(a) Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same..”

Therefore, the city may also have violated this state law.

If prompt action is not taken by the city council, our lawyers have advised us to take legal action against the city.

on Monday, March 4, 2016

I am ~~also~~ submitting to the city clerk this petition signed by the citizens of Sugar City to start a referendum process.

Idaho State Code

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6511. ZONING ORDINANCE. (1) Each governing board shall, by ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided under section 67-6509, Idaho Code, establish within its jurisdiction one (1) or more zones or zoning districts where appropriate. The zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan.

STATE GOVERNMENT AND STATE AFFAIRS TITLE 67 State Code 67-6535

CHAPTER 65
LOCAL LAND USE PLANNING

67-6535. APPROVAL OR DENIAL OF ANY APPLICATION TO BE BASED UPON EXPRESS STANDARDS AND TO BE IN WRITING. **(1) The approval or denial of any application required or authorized pursuant to this chapter shall be based upon standards and criteria which shall be set forth in the comprehensive plan,** zoning ordinance or other appropriate ordinance or regulation of the city or county. Such approval standards and criteria shall be set forth in express terms in land use ordinances in order that permit applicants, interested residents and decision makers alike may know the express standards that must be met in order to obtain a requested permit or approval. Whenever the nature of any decision standard or criterion allows, the decision shall identify aspects of compliance or noncompliance with relevant approval standards and criteria in the written decision.

(2) The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

(a) Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same..

SUGAR CITY CODE

9-1-4: PLANNING AND ZONING COMMISSION

C. Powers And Duties:

2. Make recommendations to the city council for the adoption, amendment and repeal of the city's comprehensive plan. The commission shall not recommend amendments to the land use map component of the comprehensive plan more frequently than once every six (6) months..

REFERENDUMS -IDAHO STATE CODE

TITLE 34

ELECTIONS

CHAPTER 18

INITIATIVE AND REFERENDUM ELECTIONS

34-1801B. INITIATIVE AND REFERENDUM PROCEDURES FOR CITIES. Each city shall allow direct legislation by the people through the initiative and referendum.

To the clerk of the city of Sugar City, Wendy McLaughlin:

ATTACHMENT #4

"We the undersigned citizens and qualified electors of the city of Sugar City, respectfully demand that the following proposed law to wit:

Shall Sugar City repeal Ordinance 312 (passed by the City Council Jan. 14, 2016), which violates city and state laws? Ordinance 312 not only increases housing density for the high-density residential zones, but doubles the density for the multiple-use zone, and creates a second multiple-use zone that triples the density of the former multiple-use zone, violating at least three provisions of the housing chapter of the city's comprehensive plan.
1. "Zone to retain predominance of single-family housing."
2. "Promote housing consistent with [Sugar City's] small-town, family-focused character."
3. "Maintain and perpetuate...quiet neighborhoods."
Idaho statute requires that "zoning districts shall be in accordance with the policies set forth in the adopted comprehensive plan." (Title 67-6511).

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

Table with 6 columns: Signature, Printed Name, Residence, City, Date, District. Contains 23 rows of handwritten signatures and names, including Taylor Lusk, Galen Lusk, R. Distelhorst, Travis Williams, R. Barry King, Laurie King, Barbara L. Lusk, Elaine King, Charles Ricks, Karabe Ricks, Todd Lusk, Mark Distelhorst, Laurie Orduño, Jorge Orduño, Darrie Dayton, Brandon Dayton, Joyce E. Coanar, Karen E. Hunt, Catharine Nielsen, and Lawrence E. Nielsen.

State of Idaho
County of Madison.... City of Sugar City

I, Barbara Lusk, being first duly sworn, say: That I 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: 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 resides in the city of Sugar City.

Signed Barbara Lusk

The City of Sugar City, Idaho

Resolution No.: 2016 - 9

“A Resolution to Authorize the creation of a committee to review and award the bids to be received in the ADA Ramp Project, and to authorize the Mayor to execute any and all contracts and documents necessary to complete the project.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to facilitate the construction of new ADA ramps in specific areas of the City, to help meet the City's obligations to the handicapped community; and

WHEREAS, the Idaho Transportation Department has approved a grant in the amount of Fifty-Eight Thousand Five Hundred Dollars (\$58,500) for use in this project; and

WHEREAS, the assistance provided for this project will foster significant improvement for the City in meeting its obligation to the handicapped community;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

The City Council of the City of Sugar City, Idaho hereby authorizes the creation of a temporary committee of the Mayor, the City's Public Works Director, and a designated member of the City Council, to review the bids to be received, and then award the eligible low bid for the construction. And then they also authorize the Mayor to execute any and all contracts and documentation necessary for the completion of the project.

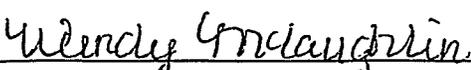
PASSED by the Council of the City of Sugar City on this 10th day of March, 2016

APPROVED by the Mayor of the City of Sugar City, Idaho, on this 10th day of March, 2016.

(SEAL)


David D. Ogden, Mayor

ATTEST:


Wendy McLaughlin, City Clerk - Treasurer

RESOLUTION NO. 2016-10

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT OR AGREEMENTS, AS NECESSARY TO JOIN IN A MUNICIPAL WATER USE MITIGATION PLAN AND/OR JOIN IN WITH ANY GROUP OR COALITION OF CITIES ORGANIZED FOR THE PURPOSE OF FURTHERING SETTLEMENT OF GROUND WATER CALLS.

WHEREAS, the Mayor and City Council of the City of Sugar City have the authority pursuant to Idaho Code § 50-302 to establish resolutions not inconsistent with the laws of the state of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry;

WHEREAS, the City has water rights which may be junior in ongoing calls for curtailment of the diversion of water by groundwater right holders and as a result of such calls may be forced to reduce or interrupt providing water for city residents' use;

WHEREAS, it is in the best interests of the City that such water use not be reduced or interrupted;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, IDAHO, AS FOLLOWS:

The Mayor is hereby authorized to execute agreements with any and all necessary parties to participate in water mitigation plans along with other cities which are junior water right holders in the Eastern Snake Plain Aquifer (ESPA).

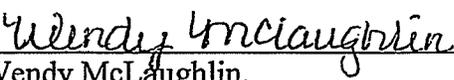
The Mayor is further authorized to execute any documents necessary for the City to join with other cities and organizations of cities who are participants in such mitigation plans in organizations such as the Coalition of Cities for the purpose of responding to, negotiation of, and resolution of water calls which may affect the City.

PASSED by the Council of city of Sugar City, Idaho, on this 10th day of March, 2016.

APPROVED by the Mayor of the City of Sugar City, Idaho, on this 10th day of March, 2016.


David Ogden, Mayor

ATTEST:


Wendy McLaughlin,
City Clerk-Treasurer

March 10, 2016

CITY COUNCIL ATTENDANCE SHEET

(ALL WHO ATTEND MUST SIGN THIS SHEET - PLEASE PRINT)
THANK YOU

- 1 Don Porter
- 2 Dorene Porter
- 3 Braden Guyman
- 4 Tosh Christensen
- 5 Logan Cutler
- 6 Spencer Cook
- 7 Max Howard
- 8 Kami Howard
- 9 Garison Madsen
- 10 Kyle Branson
- 11 Tyler Gehmlich
- 12 Krista Gehmlich
- 13 Clifford J. Morris
- 14 Rachel Guyman
- 15 Rachel Distelhorst
- 16 Todd Lines
- 17 Christine Lines
- 18 Joni Llewellyn
- 19 Jacob Llewellyn
- 20 Ray Barney - Mary Louise Barney

Barbara L. Lusk

Travis Hill

Lauree King

Barry King

Taylor Lusk

Sarah Lusk

~~A. P. King~~

~~Martina King~~

~~Kevin King~~

Kim Madsen

Elaine King

Charles Rich

Kara Lee Rich