

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, APRIL 23, 2020

Presiding: Mayor Steven Adams  
Meeting Via Internet Convened at 6:30 p.m.  
Prayer: Councilwoman Nielsen  
Pledge of Allegiance: Councilman Davis

Present Online: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy M. Ball, Steve Davis, Connie Fogle, and Catherine Nielsen; City Public Works Director Arlynn Jacobson; City Building Inspector Quinton Owens; Chairman Dave Thompson of the Planning and Zoning Commission; City Engineer Dick Dyer; Attorney Chase T Hendricks; Targhee Townhomes Representative Jeff Patlovich; Old Farm Estates Developers Ryan & Jeff Lerwill; Kelton Larsen Estates Representative Jed Jacobs; Teton View Surveying Jeff Rowe; Citizens Lawrence Nielsen, Cache and Alesha Rasmussen; and others who joined electronically but not identified.

**MOTION TO AMEND AGENDA:** It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to amend the agenda to add the following items:

- Association of Idaho Cities (AIC) training video
- Reorganization of agenda items
- Reschedule April 30 public hearing on grounds of illegal publication of notice

The mayor reminded the council that in order to amend the agenda to add items after the meeting begins a good faith reason must be stated of why the item was not on the original agenda and for final action an emergency must be declared necessitating action.

**FRIENDLY AMENDMENT:** It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to remove the AIC training video; motion carried.

**FRIENDLY AMENDMENT:** It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to remove the reorganization of agenda items to put public comments at the beginning of the meeting since it was now time for the regularly scheduled public comments; motion carried.

**PUBLIC COMMENT: 7:00 pm (limited to 3 minutes each) – No Comments**

**RESCHEDULE APRIL 30 PUBLIC HEARING MEETING:** Councilwoman Nielsen asked the council to consider rescheduling the April 30 public hearing since the notices were not published properly in the 2"x4" format according to State Statutes 67-6511b – Zoning Ordinance and 67-6512c – Special Use Permits Conditions and Procedures and therefor illegal. She asked the meeting to be rescheduled with the proper notice publication.

A good faith reason was not declared by the council of why the item was not posted on the original agenda. The council declared the emergency to be the possible financial loss to the city if court action were taken.

The attorney asked for some time to investigate the statues further and asked that the item be moved to the end of the agenda.

**CONSENT AGENDA:**

**Minutes 4-9-2020** – removed from the consent agenda

**Minutes 4-17-2020**

**MOTION:** It was moved by Councilman Davis and seconded by Councilwoman Fogle to approve Consent Agenda as amended and accept the 4-17-2020 minutes; motion carried.

**MINUTES OF 4-9-2020:**

**MOTION: :** It was moved by Councilwoman Fogle and seconded by Councilman Davis to approve the April 9, 2020 minutes with corrections; motion carried.

**PUBLIC WORKS:** - Arlynn Jacobson

**Emergency Fuel Contract** – Mr. Jacobson reported that the city is working on an emergency fuel source contract with Circuit Trucking who would provide 5,000 gallons of diesel fuel in case of an emergency. The diesel is rotated regularly with his trucking business and the tanks are able to hold the extra fuel estimated for a two month emergency supply. The city is also seeking a priority contract with the city's fuel provider.

**Walking Path Porta Potty** – Mr. Jacobson reported that providing a porta potty on the walking path between Rexburg and Sugar City is not a possibility due to unfavorable placement options.

**3<sup>rd</sup> S Street Project** – The city will begin reconstruction of the West 3<sup>rd</sup> South street project next to Norsun this spring. The project has already been approved and budgeted.

**SPECIAL COUNCIL MEETING REPORT:** President Ball reported on the Special Council meeting held Friday, April 17, 2020:

**Council Packet Hard Copies** – the council will require and is grateful to have hard copies of the council packet. 8 copies of maps for plat and building applications are too many because of the maps usually go through several revisions.

**Council Packet Item Deadline** – the council will not allow any items to be entered into the packet that are not available five days prior to the council meeting. 48 hours for minutes and financial reports.

**Thorough Council Discussion** – the council desires time and opportunity to discuss items on the agenda without being directed or cut short.

**Streamlining** - the council would like to hold the public comment section at the beginning of the council meeting to avoid discussion interruptions of other agenda items. No meetings after 10:00 pm please!

**Resolution Drafting** – the council wants a draft resolution to work from at council meetings rather than on-the-spot drafting at council meetings. They would rather the city attorney be in charge of the legal documents.

**Planning and Zoning Procedures Training** – the council was appreciative of Planning and Zoning Administrator Quinton Owens and Chair Dave Thompson for their training and explanations on P&Z procedures and definitions.

**City Code** – a checklist of item requirements for applications and permits will be made available to the public and the council to ensure consistent, clear code compliance.

**Date, Time Stamp** – the office will use a date, time stamp on all items received.

The mayor encouraged and commended the council's desire to meet to discuss and resolve issues. Summarized below are his thoughts on the special meeting:

- Agenda items need to be in well before Friday and supporting documents by Friday
- Hard copies of council packets will be supplied to the council
- 8 copies of maps are encouraged for the city and public even though there will be revisions
- A 7:00 pm public comment time handles any unanticipated motions and allows a set time for comments
- Mayor presides, conducts, and sets the order of the council meetings
- Council duties are legislative
- Resolutions are the responsibility of the council – the clerk and attorney can provide supportive templates and review

**PLANNING AND ZONING REPORT:** Dave Thompson reported on the following items:

**Kelton Larsen Preliminary Plat** – the commission recommended the Kelton Larsen Estates preliminary plat for approval from the council.

**Open Space** – the commission continues to work on the definition and requirements for open space.

**TARGHEE TOWNHOMES 1<sup>ST</sup> AMENDED FINAL PLAT:** The council approved the Targhee Townhomes 1<sup>st</sup> Amended Final Plat. City Engineer Dick Dyer and City P&Z Administrator both recommended its approval to the council. The Clear Vision Triangle and Open Space remain secure with changes to the final plat.

**MOTION:** It was moved by Councilwoman Fogle and seconded by Councilwoman Nielsen to approve the Targhee Townhomes 1<sup>st</sup> Amended Final Plat; motion carried.

**KELTON LARSEN PRELIMINARY PLAT:** The council approved the Kelton Larsen Preliminary Plat. The council reviewed the P&Z findings and P&Z Administrator Quinton Owens and City Engineer Dick Dyer recommendations for approval. The details of the Development Agreement are being worked out and will be available with the Final Plat.

**MOTION:** It was moved by Councilwoman Ball and seconded by Councilman Davis to approve the Kelton Larsen Preliminary Plat; motion carried.

#### **GENERAL BUSINESS:**

**CITY WIDE CLEAN-UP:** Councilwoman Nielsen and the committee will draft a community survey to see if residents are willing to pay more in garbage fees to keep the city-wide clean-up. The survey will be ready for the June utility billing and will be available on the website and Facebook. The item will be discussed further at the next regular council meeting.

**CHANGING BUSINESS PARK NAME:** The council has drafted a resolution to change the Business Park name to the Glenn and Dorothy Dalling Business Park in honor of former Mayor Glenn Dalling and his wife. However, the Business Park committee and businesses will need to be contacted and involved as well as the Dalling family. The item will be discussed further at the

next regular council meeting.

**RESCHEDULE APRIL 30 PUBLIC HEARING MEETING:** City Attorney Chase Hendricks recommended the council go forward with the public hearings on April 30<sup>th</sup> after review of the State Statutes 67-6511b – Zoning Ordinance and 67-6512c – Special Use Permits Conditions and Procedures. They are requirements specifically for Zoning and Special Use permit hearing notices to be used as an alternative notice procedure if 200 or more property owners are involved through a display advertisement of at least 4”x 2 columns in size.

The item will be discussed further at the next regular council meeting to consider a mandatory requirement of the city.

**CALENDARED ITEMS:** None

**MAYOR’S REPORT:**

**COVID 19 Update:** The mayor reported that the COVID 19 graph curve for number of new cases seems to be flattening and expectations of hospitalized patients over inflated. One hospital has laid off 30% of their work force. He is more concerned with the damage to the economy due to layoffs, closing businesses, and the stay-at-home order. A more managed COVID 19 spread to develop immunity through local government and the public health department could be more desirable. He is also concerned that extending the Mayor’s Emergency Declaration would engender unwarranted fear in the community.

The council, however, does not endorse the mayor’s view and passed their own Council Emergency Declaration to protect businesses and citizens and to make available Federal funds. The Council Emergency Declaration will extend to June 13 and be made retroactive to the expiration date of the Mayor’s Emergency Declaration.

The council voiced their concerns and did not condone the mayor using his office as mayor to promote the “All Jobs are Essential Rally”.

**MOTION:** It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to approve the Council Emergency Declaration (see attachment #1); motion passed unanimously.

**Neighborhood Watch & Emergency Response Report:** The mayor reported that he will start the neighborhood watch after the COVID 19 pandemic issues are minimized.

**DEPARTMENT REPORTS:**

**Easter Chalk the Walk Report:** Councilwoman Ball reported that there was some participation but not as much as she had hoped. The chalk walk art was creative.

**Council COVID 19 Activities:** Councilwoman Fogle encouraged the council to promote positive family activities through different ideas and posts as Councilwoman Ball’s Earth Day activity.

**Sugar Days Event:** The city will reach out to local businesses to help sponsor the Sugar Days event scheduled for the second Saturday July – July 11. The mayor will draft a letter for the businesses.

Meeting adjourned at 10:15 p.m. Councilwoman Fogle motioned to adjourn the meeting.

Signed: \_\_\_\_\_

Attested: \_\_\_\_\_

Steven Adams, Mayor

Wendy McLaughlin, Clerk-Treasurer



# Sugar City

**Attachment #1**

Steven Adams, Mayor  
Quinton Owens, Building Inspector  
Wendy McLaughlin, Clerk-Treasurer  
Shelley Jones, Deputy Clerk-Treasurer  
Arlynn Jacobson, Public Works Director  
Jonathan Turner, Code Enforcement Officer

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## CITY COUNCIL DECLARATION OF LOCAL EMERGENCY COVID-19

**WHEREAS**, the President of the United States and the Governor of the state of Idaho have declared a health emergency related to the threat of Covid-19, and

**WHEREAS**, pursuant to City Code the City Council of Sugar City has declared a local disaster emergency from the 16<sup>th</sup> day of April, 2020 to the 13<sup>th</sup> day of June, 2020 due to the threat of Covid-19; and

**WHEREAS**, said declaration sets forth legal and factual considerations in support of such declaration, and

**WHEREAS**, the City Council of Sugar City recognizes the imminent threat of widespread and severe harm to the health of residents and visitors to Sugar City as addressed by the Centers for Disease Control and by actions of the Governor of the state of Idaho, and

**WHEREAS**, such declaration activates the response and recovery aspects of applicable local or intergovernmental disaster emergency plans for the furnishing of aid and assistance; and

**WHEREAS**, the emergency referenced herein exists because the contagious nature and potentially serious consequences of the COVID-19 virus for residents and visitors to Sugar City and requires state emergency assistance to supplement local efforts to protect life, health and property; and

**WHEREAS**, Idaho Code § 67-2808 authorizes the Council of Sugar City to declare an emergency and that the public interest and necessity may demand the immediate expenditure of public money without compliance with formal bidding procedures; and

**WHEREAS**, an emergency declaration must be filed with the county recorder's office and "given prompt and general publicity."

**NOW THEREFORE**, the City Council of Sugar City does hereby declare:

That a Local Disaster Emergency exists and that all efforts will be made to protect the citizens and property of Sugar City through activation of all local disaster emergency plans and state emergency assistance; and

That this Declaration of Local Disaster Emergency ("Declaration") shall be promptly filed with the Madison County Recorder's Office; and

That prompt and general publicity shall be given by a press release notifying the public of this Declaration.

Approved by the City Council of Sugar City this 23<sup>rd</sup> day of April, 2020.

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Mayor

Date: \_\_\_\_\_

\_\_\_\_\_

Council President

Date: \_\_\_\_\_

\_\_\_\_\_

Council Member

Date: \_\_\_\_\_

\_\_\_\_\_

Council Member

Date: \_\_\_\_\_

\_\_\_\_\_

Council Member

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

City Clerk

Date: \_\_\_\_\_