

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, MAY 23, 2019

Presiding: Councilman Brent Barrus
Meeting Convened at 6:30 p.m.
Prayer: Brent Barrus
Pledge of Allegiance

Present: Mayor David D. Ogden was excused. In the Mayor's absence, Councilman Brent Barrus conducted the meeting. Those present: Clerk-Treasurer Wendy McLaughlin; Councilors Brent Barrus, Connie Fogle, and Sid Purser; City Attorney Dylan Anderson; City Engineer Dick Dyer; City Building Inspector Cliff Morris; Planning and Zoning Commissioner Paul Jeppson; Attorney Michael W. Brown for the "Heavy User Water Fee" discussion; Old Farm Estates Developer Ryan Lerwill; Forsgren Associates Project Engineer Randy Johnson; City Accountant Dana Izatt of Searle and Hart Associates, *Standard Journal* Reporter Lisa Smith; Citizens Bruce Arnell, Joy M. Ball, Jan Barrus, Sharon Bell, Matt & Susan Garner, Kevin Fogle, Timothy Frogue, Maurie Purser, Sally Smith, Stephanie Madsen, Morgan & Sydnee & Brylee Madsen, Andy and Helen Purser, and Ron Smith. Planning and Zoning Chairman Dave Thompson was excused.

WELCOME AND ANNOUNCEMENT OF GOVERNOR BRAD LITTLE'S APPOINTMENT OF TWO COUNCILMEMBERS:

Councilman Barrus opened this historic meeting and spoke of how his uncle, LaMar Barrus, served as mayor and his father, Rondo Barrus, had served as the city clerk for 37 years and then four years as the mayor of Sugar City. He welcomed Connie Fogle and Sid Purser to the council. Governor Little appointed the applicants to fill two of the three vacancies left when Bruce King, Vaun Waddell and Joy Ball resigned earlier in March. All four council seats plus the mayor's seat will be open in the November election. Councilors Sid Purser and Connie Fogle will run for a two-year seat.

Attorney Dylan Andersen addressed the question of the legality of holding a meeting without the mayor present or council president to preside. He stated the meeting was lawful and right, and in the best interest of the city to proceed and go forward with the appointments and other city business.

SWEARING IN OF COUNCILORS: Clerk-Treasurer Wendy McLaughlin gave the oath of office to Connie Fogle who will fill Bruce King's seat and Sid Purser who will fill Vaun Waddell's seat. Mayor Ogden will appoint the third seat with ratification of the council.

MOTION: Councilman Purser made a motion to elect a council president which died without a second. After some discussion the council decided to wait until the third appointment to elect a council president.

FEBRUARY 28, PUBLIC HEARING AND SPECIAL MEETING MARCH 6, AND MARCH 14 MINUTES:

Minutes of Thursday, February 28, 2019: Councilman Barrus asked if there were any corrections to the minutes of the regular meeting held on Thursday, February 28, 2019. Each

councilmember had a copy of the minutes prior to the meeting. He also explained that the minutes are generally a summary of the meetings. Councilors Fogle and Purser acknowledged that they were not present at the previous meetings but had read through the minutes. However, they needed to rely on Councilman Barrus for any errors or omissions. There were no corrections.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to accept the minutes; motion carried.

Minutes of the Public Hearing held, Thursday, March 6, 2019: Councilman Barrus asked if there were any corrections to the minutes of the public hearing meeting held on Thursday, March 6, 2019. He explained that public hearing minutes document individual comments for, against, or neutral of a proposed item and therefore contain more detail. There were no corrections.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to accept the minutes; motion carried.

Minutes of the Special Meeting held, Thursday, March 6, 2019: Councilman Barrus asked if there were any corrections to the minutes of the special meeting held on Thursday, March 6, 2019. There were no corrections.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to accept the minutes; motion carried.

Minutes of Thursday, March 14, 2019: Councilman Barrus asked if there were any corrections to the minutes of the regular meeting held on Thursday, March 14, 2019. There were no corrections.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to accept the minutes; motion carried.

RECONCILIATION REPORTS: The council asked general questions to clarify items on the bank statements and financial reports for each fund.

March General Fund: Wendy presented the March reconciliation reports for the General Fund.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to accept the March reconciliation reports for the General Fund; motion carried.

April General Fund: Wendy presented the April reconciliation reports for the General Fund.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to accept the April reconciliation reports for the General Fund; motion carried.

March Utility Fund: Wendy presented the March reconciliation reports for the Utility Fund.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to accept the March reconciliation reports for the Utility Fund; motion carried.

April Utility Fund: Wendy presented the April reconciliation reports for the Utility Fund.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to accept the April reconciliation reports for the Utility Fund; motion carried.

March Expense Report: Wendy presented the bills for March in the amount of \$41,995.78.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to ratify the payment of the March bills; motion carried.

April Expense Report: Wendy presented the bills for April in the amount of \$332,532.07. The large increase in the expense amount is due to payments made to the water system project.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to pay the current bills, together with all regular May bills; motion carried.

ANNUAL FINANCIAL AUDIT REPORT: Certified Public Accountant Dana Izatt of Searle and Hart Associates presented the annual financial audit to the council. He answered several questions of the council and encouraged their active participation in reviewing the monthly financial reports as their fiduciary role to the city. The city was noted again for not having enough staff to segregate duties but will be cognizant of opportunities that may arise in the future.

The budget will need to be reopened for the general fund expenses for going over \$63,796. A separate audit was also done on the Federal grant money for the water system.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to adopt the findings of the audit report; motion carried.

ARBOR DAY PROCLAMATION:

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to adopt May 10, 2019 as Arbor Day in Sugar City; motion carried.

PLANNING AND ZONING REPORT: Paul Jeppson reported on the following items:

Bradshaw Property Special Use and Zone Change Report: A public hearing was held on April 24, 2019 for the Zone Change and Special Use Permit to allow for a 25 unit RV Park. The park will have a western theme. City Engineer Dick Dyer is working with the Department of Environmental Quality (DEQ) on the infrastructure detail. The city code requires asphalt or concrete for the roads which the commission is willing to relax for a hardened gravel finish. The lighting design has been improved and the entrance kiosk will have a 70/30 outside façade interest. The Zone Change application still needs the legal descriptions and the deed to be recorded which has not been completed yet.

Old Farm Estates Cottage Homes Planned Unit Development and Townhomes: The commission has several concerns that need to be addressed. A special meeting was scheduled for yesterday but did not happen because of no quorum and the revised plans were not available until too late to review. However, a concerted effort was made over the weekend to get the revisions done. A public hearing may be scheduled at the next meeting. Councilman Barrus encouraged them to move forward.

Ordinance to Change Parking Stall Requirements: The commission reminded the council they had recommended the parking stall requirement be changed from 1.5 stalls per unit to two stalls. The recommendation was given in August of 2017. The council will put it on the next agenda.

BRADSHAW SPECIAL USE PERMIT AND ZONE CHANGE FINDINGS OF FACT:

See above Planning and Zoning reports.

HEAVY USER FEE: Randy Johnson of Forsgren and Associates presented a high water user table intended for businesses that do not fit in the current Equivalent User Rate Schedule and are heavy water users. The current table catches 98% of all users. The base rate would be calculated off the meter size which assigns maximum potential use. The base fee is used to maintain overall system capacity and is a monthly fee. The one-time new hook-up fees replace future capacity. The council tabled the discussion until the next meeting.

PROPOSED STREET CODE AMENDMENTS: City Engineer Dick Dyer reported that there are very specific and different types of streets. Our current city code has some disparity in the

street requirements which need to be updated. Some of those changes include:

- Right of Way Width
- Street Width

After some discussion the council tabled the discussion until the next meeting.

MAYOR'S REPORTS: Reported by Councilman Barrus:

Open Meeting Law: The new council was given the Open Meeting Law manual to study and become familiar with. It is important to conduct meetings transparently and help the citizens understand what is going on. The council is encouraged to use their individual city email address provided for city business and kept separate from their personal emails and business.

2019 AIC Annual Conference – June 19-21 – Boise: Mayor Ogden and Councilman Barrus plan to attend this year. The new council will be trained in-house and take opportunity for local training sessions next spring.

Clerk-Treasurer Responsibilities: City Clerk-Treasurer Wendy McLaughlin briefly explained the responsibilities of the clerk and treasurer. The clerk's main responsibilities are the minutes, ordinances, and resolutions. The treasurer's main responsibilities are the financial records and budgeting.

Water Project: City Public Works Director Arlynn Jacobson briefly gave an overview of his responsibilities which is mainly to keep the city looking good and maintained. He also reported on the water system well and tank. The well is complete and the water pressure and quality are excellent. Construction of the well house just started. Mr. Jacobson also showed the council how his department is maintaining and tracking street maintenance.

Building Inspector Report: City Building Inspector Cliff Morris reported that single residence home buildings are down compared to last year. Most of the current building activity and future planning is in multi-family units and cottage homes.

DEPARTMENT REPORTS:

COUNCILMAN BARRUS:

Easter Egg Hunt: The city gave away four bikes for the first time. However, we were short on eggs and some said this was the worst Easter Egg Hunt ever. Next year the city will plan to have it at the high school and put out lots more eggs.

Teton Dam Race: The race will be held next Saturday, June 1, 2019. Volunteers from the high school plan on helping man the runner stations in the Sugar City area.

COUNCILMAN PURSER: No report.

COUNCILWOMAN FOGLE: No report

Meeting adjourned at 9:10 p.m.

Signed: _____
Councilman Brent Barrus

Attested: _____
Wendy McLaughlin, Clerk-Treasurer