

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, OCTOBER 11, 2007

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris; Bruce King; and Brad Orme; Josh Garner, City Attorney; Stephanie Blackham, Planning & Zoning; Kyra Davis, Standard Journal; Don Rydalch; Kelvin Musanga; Ray Barney; Vaun Waddell; Sharee Palmer; Tom Gallup; Lamont Merrill; Ches Blackham; and Verla Moss. Councilmember Walter Deitz was excused.

The Mayor asked if there were any corrections to the minutes of the regular meeting held September 27, 2007. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Harris and seconded by Councilmember King to accept said minutes; motion carried.

**Discussion on Eagle's Nest Development:** After discussion, the mayor assigned Attorney Garner to check the legality of the city putting a sewer line on the south side of the property or building infrastructure in the impact area. Discussion was had on the cost to hook up to the sewer. **MOTION:** It was moved by Councilmember Orme and seconded by Councilmember Harris that, pending the legality as determined by our attorney, we proceed with the easement on the south side of the Eagle's Nest property to install an 8" sewer line at a cost of up to \$10,000; motion carried.

Marcie presented the September reconciliation reports for the General Fund. It was moved by Councilmember Orme and seconded by Councilmember Harris to accept the September reconciliation reports for the General fund; motion carried. Marcie was assigned to check with the Idaho Department of Environmental Quality (DEQ) about the annual drinking water assessment of \$4 per hookup. Marcie presented the September reconciliation reports for the Utility Fund. It was moved by Councilmember Orme and seconded by Councilmember Harris to accept the September reconciliation reports for the Utility Fund; motion carried.

Marcie presented the current bills in the amount of \$77,144.27. It was moved by Councilmember King and seconded by Councilmember Harris to pay the current bills, together with all regular October bills that have not yet been received; motion carried.

**Delay in sending out utility bills:** The mayor reported the utility bills have not been sent this month because the city had problems with the meter reader person. Marcie reported that the meter readings were completed late this afternoon and that the bills will go out tomorrow.

**REPORT FROM CITY ATTORNEY JOSH GARNER:**

**Ordinance on Ball, Brown, Harris, Jeppesen Annexation:** Attorney Garner reported

there was an improper legal description in the old ordinance. Former counsel attempted to fix the legal description and sent the revised ordinance to him. Attorney Garner took it to GIS, who found additional mistakes, and he asked them to correct said mistakes. As soon as he gets the correct description, he will prepare the amended ordinance and have the judge issue an amended order. We can't proceed on the Harris annexation until this matter has been finalized. Attorney Garner reported that he can have it finished before the next city council meeting and at that time we can adopt the ordinance.

**Letter on Old Farm Estates:** Attorney Garner reported he is working with the attorney who is representing Old Farm Estates. He would like to be present on October 25<sup>th</sup> to discuss with the council the process for what is going on. Attorney Garner reported he told the attorney what we expect from him on a preliminary plat level. Josh is in the process of writing a letter to the officials of Old Farm Estates on why we rejected their preliminary plat and what they need to do to receive approval. He is writing a letter to their counsel of the issues we have on the preliminary plat, some of the problems and concerns about the impact study that was not complete, the ability to identify size of lots and easements on the maps they gave us. The lots and easements are so small as to be indiscernable, and P&Z felt uncomfortable approving this preliminary plat, even with conditions.

**PLANNING & ZONING REPORT:** Stephanie Blackham addressed the Council.

**Max Parkinson Special Use Permit – Gravel Pit:** P&Z's recommendation: "We recommend approval of the special use permit to allow Max Parkinson to continue to operate his gravel pit in the city's impact area with the condition that it be in operation no more than three years. Mr. Parkinson feels this will be adequate time to complete the gravel pit to the depth that he desires for further development of the property. We recommend approval for the following reasons: (1) gravel extraction is allowed by special use permit in accordance with Title 9-9B-3. (2) Mr. Parkinson has received an extension from the Idaho Land Board." Stephanie reminded the council that they have 15 days to approve or deny the special use permit.

**MOTION:** It was moved by Councilmember Orme and seconded by Councilmember Harris that we approve the special use permit for the Max Parkinson gravel pit, subject to a reclamation agreement drafted by P&Z but approved and signed by the city council and Max Parkinson; motion carried.

**Title 9, Chapter 2, Definitions:** The commission is making progress on Title 9, Chapter 2, and will have a draft of the chapter for the council at their next meeting.

**DON RYDALCH – UPDATE ON WEST ENTRANCE PROJECT:** Mr. Rydalch explained that we have two projects under consideration: (1) west entry project, and (2) silo project.

**West Entry Project:** The grant application was submitted for a \$28,000 project. It will include a large entry sign with shrubs, trees and irrigation. Mr. Rydalch recommends that the land be mowed this fall. Ches Blackham volunteered the young singles branch to clean up the interchange area. Mr. Rydalch will know if we get the grant early in December.

**Silo Project:**

**Artistic Design:** The mayor reported the contract has been signed with Tim Whitworth and his first check has been issued. The next step in the artistic design is the approval by the council of picture images proposed for the silo. Tim will have his recommendation ready for two weeks from tonight, and Mr. Rydalch requested that the item be put on the agenda. The mayor said we should have it two or three days ahead of the meeting, and Tim will design what the council approves. Bob Worrell will be involved in the artistic design of the project. Mr.

Rydalch reported the total design would be completed by December 3.

**Engineering Design:** Following the last meeting, Mr. Rydalch visited with Dick Dyer. It was his opinion that all we needed for the grant is a set of preliminary plans. Mr. Rydalch verified with Bill Shaw that we just need a preliminary design to accompany the application. Dick agreed verbally to prepare the preliminary design for an amount between \$750 and \$1,000.

Mr. Rydalch's remaining item: The seminar for help in writing the grant is at the Idaho Falls Public Library on October 17 from 9 a.m. to 1 p.m. Since he will be out of town, he asked for a substitute to attend and take notes. Councilmember King volunteered to attend and obtain recommendations from state officials. He asked Mr. Rydalch to e-mail him a couple of sentences further explaining what he would like him to achieve at the seminar.

**CITY CLERK – ELECTION REPORT:** City Clerk Sharon L. Bell reported that all the election deadlines have been met to date. She appointed Joan Jeppson as Election Judge and Millie Arnold and Frances Dearing as Election Clerks. The designated polling place is city hall, with polling hours from noon to 8 p.m. on Election Day, November 6, 2007. The ballots have been prepared and the sample ballot and notice of election will be published prior to their deadlines. Sharon reported the election process is moving forward in a timely manner.

#### **DEPARTMENT REPORTS:**

##### **COUNCILMEMBER HARRIS:**

**Street drains:** Crews have installed three street drains.

**Curb and gutter:** Harold reported the curb and gutter would be installed soon.

**Enclosure between city shop and city offices:** Crews are enclosing the area between the city shop and city offices to have a place for additional storage. This frees up the south end of the office building for possible additional offices and/or storage room for documents. The building is up, the roof will be finished tomorrow and the door installed on Saturday. The siding will be completed next week.

##### **COUNCILMEMBER ORME:**

**Report on water and sewer impact fees:** The Mayor reminded Brad that we already have some water and sewer impact fees based on the hookup fee. Of the sewer hookup fee of \$1,425, the first \$1,000 goes to buy capacity for that hookup, \$300 goes toward the interceptor line between Sugar City and Rexburg, and \$100 goes for an inspection fee. Of the \$1,225 water fee, \$1,000 is to be placed in a fund to help Sun River Lake Estates develop its water system. This fund will be rededicated to the overall water system of the city. Brad reported he has two reasons to postpone his report: (1) Walter Deitz, who asked us to investigate this matter, is not here; and (2) he hasn't completed all his research and prepared his findings to present. He asked that the matter be put on the agenda in two weeks. He has been calling other cities and will e-mail copies of his report to the council prior to the meeting.

##### **COUNCILMEMBER KING:**

**Web site:** Bruce reported that the domain name for Sugar City's Web site is active and working well. The old domain name also is active. A discussion was had on putting names of businesses on the Web site. Bruce will send everyone another copy of the restrictions of ".gov" domain names.

**Title 1, chapter 9:** Bruce presented copies of title 1, chapter 9, for the mayor's and council's consideration. In the process of revising title 1, he has added a few new chapters. He has just two chapters of the old title left to review. He will then provide the mayor and

council with a copy of the whole title for their review, prior to setting a public hearing on the proposed revision. He invited the council's input to chapter 9 at our next meeting.

**Recommendation on title 8-3-7B:** The council discussed P&Z's recommendation not to accept Bruce's sentence of clarification for title 8-3-7B. After discussion, Bruce suggested we accept the recommendation of P&Z for now and perhaps revisit this matter the next time we need to make other changes to title 8.

**MAYOR'S BUSINESS:**

**Neibaur Park:** The mayor shared a handout wherein the President of the United States presented the Medal of Honor to Thomas C. Neibaur. A discussion was had on placing a monument on a kiosk in the park and having a celebration in recognition of our servicemen and servicewomen. We could include a list of all servicemen and servicewomen from Sugar City. Councilmember Orme volunteered to research the list of names and will work with Anthony Gardner on it. It was the consensus of the council to support a monument in Neibaur Park that honors Thomas C. Neibaur and also all the servicemen and servicewoman from Sugar City.

**Business Park – meeting in Wallace, Idaho:** The mayor announced an upcoming meeting in Wallace, Idaho, in which Sugar City officials will make a presentation on the proposed allocation of funds of the Department of Commerce for the business park in Sugar City. The meeting will be at 11 a.m. on Thursday, October 18. Mayor Dalling and Council President Harold Harris will join other local officials for the event on Wednesday and return Thursday.

**Status of city cleanup:** The mayor doesn't think it is cost effective to police rules on how much refuse citizens can place in the alleys for city cleanup. The city can't pick up tires, batteries, used oil or large pieces of concrete, and it cannot accommodate waste materials from major remodeling or building projects. Some people take advantage of city cleanup, but the mayor feels the city should continue the service at its current level, unless the level of refuse becomes problematic.

**Salt Lake Express:** Salt Lake Express is a shuttle service between Rexburg and Salt Lake City, apparently with a link to Greyhound bus routes between Butte, Montana, and Salt Lake City. Discussion was held concerning a proposed passenger terminal for Sugar City. It was the consensus of the council that we are definitely concerned about it.

Meeting adjourned at 9:30 p.m.

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

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