

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, FEBRUARY 11, 2016

Presiding: Mayor W. Lamont Merrill  
Meeting Convened at 6:30 p.m.  
Prayer: Matt Garner  
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Joe Cherrington, and Matt Garner; Vice-Chairman Dave Thompson of the Planning and Zoning Commission; Madison County Fire Department Inspector Dale Pickering; Community and Economic Development Manager Ted Hendricks; Forsgren Associates Division Manager Husk Crowther and Project Manager Randy Johnson; Fertile Peat Products owner and partner John Pocock; Citizens Morgan Cloward, Brent Esplin, Olivia Galbraith, Cameron Garner, Kaden Hamlin, Hanna Larson, Anyia Lerwill, Gage Nelson, Amanda Rudd, Jackie Schlegelmilch, Ciera Stoddard, Whitney Tayler, and Dalan and Samantha Weber. Councilman Bruce Arnell and Planning & Zoning Chairman Brent Barrus were excused.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on January 14, 2016. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Garner and seconded by Councilman Cherrington 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 Cherrington 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 \$81,824.90. It was moved by Councilman Cherrington and seconded by Councilman King to pay the current bills, together with all regular February bills; motion carried.

**PLANNING & ZONING COMMISSION REPORT:** Vice-Chairman Dave Thompson reported on items under review that the commission is currently working on:

**Salt Lake Express (SLE) Building Addition:** Tallman Construction & Design President met with the commission and presented the building addition plans. The commission voiced concerns about enough parking with the expansion. SLE owns additional ground next to the proposed building site. The commission will write a letter of recommendation to Madison County since SLE is in Sugar City's impact area.

**Title 9 Revisions:** The commission will finish the R1, R2, and R3 sections of the Title 9 revisions by the next meeting.

**Impact Area Expansion:** The commission will be working with the county on expanding the city's impact area. The area of expansion would include most of the Salem area west of U.S. Highway 20 to the North Salem Highway and north to the County Line Road at E 100 N and east to existing impact boundaries to square-up the area.

**Dalling Annexation:** The public hearing to annex Dalling's property north of Third North is set for March 3, 2016, at 7:00 p.m. The school district has expressed interest in some of the area to be annexed for future expansion. Mr. Dalling has also expressed a desire to accommodate the school district.

**JEANNE WRIGHT P&Z APPOINTMENT:** The council discussed the planning and zoning recommendation and Mayor Ogden's appointment of Jeanne Wright to join the commission. She works at Beehive Federal Credit Union as a loan officer. She would fill Commissioner Bill Barnhill's seat, whose term ends December 2016.

**MOTION:** It was moved by Councilman King and seconded by Councilman Garner to confirm the appointment of Jeanne Wright to the Planning and Zoning Commission to fill the vacancy created by Commissioner Bill Barnhill's resignation; motion carried.

**2012 FIRE CODE ADOPTION WITH AMENDMENTS:** Madison Fire Department Inspector Dale Pickering met with the council to review the importance of and reasons for adopting the current International Fire Code, 2012 Edition and amendments (see Attachment 1). The city adopted the International Fire Code, 2009 Edition in March 2012, although the council later raised concerns about costs, enforcement, and administration. Mr. Pickering's review of the code's benefits included:

- Includes best practices for preserving life and property
- Supported by at least two-thirds of the nation
- Allows egress for public safety and ingress for emergency responders
- Provides best continuity of business
- Involves only commercial properties and subdivisions
- Benefits fire insurance policy ratings for home owners and businesses

Some foreseen changes/expense to the city if code and amendments are adopted:

- More fire hydrants are needed
- Annual inspections to commercial and public properties
- Upgraded available water pressure
- Poor existing conditions brought up to standards
- Code violations may be enforced

The council asked for more time to review the code and amendments. The council also expressed a desire to work toward having Sugar City's satellite office as a first responder to emergency fire calls within the city and impact area instead of Madison County's main office in Rexburg. Mr. Pickering added there are plans currently being discussed for a possible 24-hour crew stationed in Sugar City as early as next year.

**NEW DEQ WATER STUDY FORSGREN AGREEMENT:** The city found it necessary to terminate the original water study agreement with The Dyer Group and to enter into a new agreement with Forsgren Associates Inc. due to missed completion dates and current project development needs. Forsgren Associates was the second highest scorer in the engineer selection

process. Forsgren believes they will be able to complete the study within 60 days, which fits the time frame for Old Farm Estates and River Bend Ranch developments. The study does not include the sewer system. Forsgren Associates Division Manager Brent E. “Husk” Crowther and Project Manager Randy Johnson were present to answer questions of the council.

**MOTION:** It was moved by Councilman Garner and seconded by Councilman Cherrington to approve the new water study contract with Forsgren Associates and to authorize the mayor to execute any and all documents and contracts associated with the water study grant project; motion carried. Resolution No. 2016-5 will be drafted and attached hereto, marked “Attachment 2.”

**AUTHORIZING RESOLUTIONS & FINANCING FOR FERTILE PEAT:** Mayor Ogden introduced Resolutions No. 2016-3 and 2016-4 to the council. Each resolution is connected to the Fertile Peat DEQ Block Grant. Resolution No. 2016-3 authorizes the council president to sign if the mayor is absent. Resolution No. 2016-4 authorizes the city to invest \$100,000 toward the grant. Community and Economic Development Manager Ted Hendricks answered questions of the council concerning the \$100,000 investment. This money will come out of the water and sewer fees account to improve the city’s water-delivery and sewer systems, which is what the money is meant to be used for, Mr. Hendricks explained.

**RESOLUTION NO. 2016-3 (Authorizing Resolution to Assist in the Construction of an Economic Development – Job Creation Project):** Councilman Garner read Resolution No. 2016-3 in its entirety. It was moved by Councilman Cherrington and seconded by Councilman King to approve Resolution No. 2016-3. Thereupon, the clerk called roll upon said motion.

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

Councilman Arnell was excused.

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked “Attachment 3.”

**RESOLUTION NO. 2016-4 (Investing Resolution of \$100,000 in cash or in kind services to assist in the Fertile Peat Block Grant Project):** Councilman Cherrington read Resolution No. 2016-4 in its entirety. It was moved by Councilman King and seconded by Councilman Cherrington to approve Resolution No. 2016-4. Thereupon, the clerk called roll upon said motion.

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

Councilman Arnell was excused.

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked “Attachment 4.”

Councilman King requested that the minutes show the reason for approving Resolution No. 2016-4 as follows: “First, the Department of Commerce requires the city’s financial participation in order for the block grant to be given. Second, the grant enables more than \$500,000 in improvements to the city’s water-delivery and sewer systems, which will provide opportunities for new hookup and service fees that can be used to help operate, maintain and further expand the city’s water-delivery and sewer systems in the future, as needed. Third, the council expects that the \$100,000 investment will come back to the city over time in higher property taxes from the fertilizer business and from other commercial developments.”

John Pocock, part owner of Fertile Peat Products, thanked the council for their support in the development grant and for the good investment in Sugar City’s infrastructure.

**SANITARY SEWER STUDY COST SHARE:** Mayor Ogden expressed the need to look to Sugar City’s future sewer needs, especially as Old Farm Estates and River Bend Ranch build out. Our present sewer capacity would be used up, he said. The mayor suggested a tri-party agreement with the city, Old Farm Estates, and River Bend Ranch to share costs for a sewer study and grant procurements. Rexburg’s Urban Renewal District North Interchange may also be considered to help as development moves north. Dick Dyer of The Dyer Group will provide preliminary numbers to Attorney Jim Smith of River Bend Ranch, who will draft the agreement for review. Councilman King reminded the council that when rezoning River Bend Ranch property from R1 to R3, the city clearly stressed to developers its expectations concerning supplying water and transferring water rights to the city, etc., in connection with the development. The council asked that securing/seeking water rights be added to the city’s needs list.

**JOINT COUNCIL/P&Z MEETING MISSION STATEMENT:** Mayor Ogden suggested to the council that a general mission statement for the city would help as the council meets with the commission to give them an idea of what they envision for the city and its future. Mayor Ogden took information from the Sugar City Comprehensive Plan and asked the council to review and flush out in the coming weeks a mission statement for the city. Councilman King reminded city leaders that the city already has a mission statement in the comprehensive plan, which is the document governing the city. However, it is lengthy and not read by most people, it was mentioned. A mission statement would provide in a few short sentences a succinct and meaningful expression that all citizens and leaders could be familiar with and refer to. Councilman King suggested that the council simply quote from the comprehensive plan.

**CITY PRIORITY LIST:** The council asked that the list be put in order of highest rankings, with a column added for the date completed. Two more items were added:

- Health insurance for full-time staff
- Impact fees reviewed and updated

The council will review the list at the next meeting.

#### **DEPARTMENT REPORTS:**

**COUNCILMAN ARNELL:** Excused.

**COUNCILMAN KING:** Councilman King reported that concerns have been brought to his attention of a lack of street lighting and of speed deterrents within the Ponderosa Subdivision. The mayor will check into proper procedures and costs for possible stop

signs and additional lights.

**COUNCILMAN CHERRINGTON:** Councilman Cherrington bounced ideas off the council on some new ideas for the annual Easter Egg Hunt and Community Breakfast. He would like to use the scouts as much as possible.

**COUNCILMAN GARNER:** No report

**MAYOR'S BUSINESS:**

**ICRMP Report:** Mayor Ogden reported that the city did not pass all the requirements to get the 5% discount through taking ICRMP training courses. We will try again in the coming months for next year's discount.

**City Grader Lease Report:** The city has leased a grader on a trial basis to see if a second grader is worth the cost savings in man power and work grade. The council suggested the city wait until the next snow season to sign a lease agreement.

**Special Council Meetings:** Mayor Ogden will be out of town for the next council meeting, which may be cancelled if there are no pressing issues.

Meeting adjourned at 10:00 p.m.

Signed: \_\_\_\_\_  
David D. Ogden, Mayor

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer

Wendy Walker

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**From:** Dale Pickering <dale.pickering@rexburg.org>  
**Sent:** Thursday, February 4, 2016 2:56 PM  
**To:** 'Wendy Walker'  
**Subject:** RE: Sugar City Fire Code Decision

Wendy,

I hope these amendments are found to be acceptable to the council.

Thanks for your help.

Dale pickering

SECTION I: That the ordinance adopting the International Fire Code (IFC) 2009 Edition is hereby repealed.

SECTION II: That the document known as the International Fire Code (IFC), 2012 Edition, is hereby adopted as the fire code for the City of Rexburg, Idaho including all appendices.

SECTION III: Additionally, the 2012 International Fire Code is amended and changed in the following respects:

A. **109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements therein or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 dollars, or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offence.

B. **113.6 Reimbursement of operational costs.** Madison Fire Department is authorized to seek reimbursement of response, suppression and ambulance costs from or related to incidents. The costs shall be based upon the current edition of the Idaho Fire Service Organization Rate Book.

C. **401.3.4 Silencing fire alarms.** It is prohibited for anyone other than fire department personnel or fire protection system contractors, while in the performance of their duties, to silence, restore, or reset a fire alarm system without the expressed permission of Madison Fire Department.

D. **501.3 Construction documents.** Construction documents for proposed fire apparatus access, location of fire lanes, hydrant locations shall be submitted to Madison Fire Department for review and approval prior to construction.

E. **501.4 Timing of installation.** When fire apparatus access roads, driveways, or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to/and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2

F. **503.2.4 Turning radius.** The minimum turning radius shall be not less than 30 feet and an outside turning radius of not less than 45 feet.

G. **503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles, the accumulation of snow, or the growing of vegetation. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

H. **503.1.1 Driveways.** Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet and minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and 20 feet in width may require turnouts in addition to a turnaround.

I. **503.2.7 Grade.** The gradient for driveways shall not exceed 10 percent unless approved by the fire code official.

J. **503.2.3 Surface.** Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities. Driveways shall be constructed according to the latest version of Idaho Standards for Public Works Construction.

K. **505.3 Multi-family dwelling address.**

a. When individual apartment, condominium, or town house structures within a common complex are designated with separate addresses, individual unit numbers shall be assigned so there is no duplication of unit designations within a building. The first floor shall be 100 series, second floor 200 series and so on for each successive floor. Basements shall be 10 series if the next higher floor is designated the first floor, or basements shall be designated 100 series if the next level is called the second floor.

b. When apartment, condominium, or town house complexes (more than one structure) have been assigned one address, each individual building shall also be assigned a number. The building number shall be posted in a conspicuous location with the number being a minimum of twelve (12) inches in height in a contrasting color to the background. Unit or apartment numbers shall then be assigned in the 10, 100, 200, 300, etc. series per floor as identified in paragraph a. of this section.

L. **506.1 Knox Box® location.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a Knox Box® (s) to be installed in approved locations. The Knox Box®(s) shall contain keys, cards, or codes to gain necessary access and operate life safety equipment as required by the fire code official. All newly constructed structures subject to this section shall have the Knox Box®(s) installed and containing the required keys prior to the issuance of an occupancy permit. Locations shall include:

a. Commercial, industrial, or educational structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency;

- b. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the dwelling units;
- c. Governmental structures and nursing care facilities;
- d. Buildings and structures with 20,000 square feet or more shall have a minimum of two (2) Knox Box®(s).

M. **507.2 Type of water supply.** Add to this section, " Exception. The water supply required by this code shall only apply to structures served by a municipal fire department or a fire protection district and within ten miles of a responding fire station."

N. **507.3 Water service connections.** All water service connections that are metered in a building or structure shall have a valve located outside of the building or structure for shutting off service in the case of an emergency. The valve shall be installed in an approved location at the time of construction. If the water service connection supplies the fire suppression system and the valve is located outside of the city right-of-way, the valve shall be installed adjacent to the fire lane. The valve shall be a monitored post indicator valve, or a similar valve that is acceptable to the Fire Code Official.

O. **507.5.5 Clear space around hydrants.** A 3-foot clear space shall be maintained around the circumference of fire hydrants, including snow, except as otherwise required or approved.

P. **507.5.7 Fire hydrant distance from buildings.** Fire hydrants shall not be installed closer than forty (40) feet and/or at access points to buildings. In such areas where forty (40) feet is an impractical distance, the code official may allow a lesser distance. Access to hydrants not adjacent to a building or structure's fire lane must be approved by the fire code official.

Q. **507.5.8 Fire hydrant models.** New fire hydrants shall be the Waterous® WB67-250, Mueller® A-423, or Clow® F-2545. New hydrants shall be painted red and installed with a 5 inch Storz fitting and cap.

R. **901.6.2 Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years. An additional copy of all inspection and test reports shall be sent to Madison Fire Department by the contractor (person) doing the maintenance or inspection.

S. **903.3.1.2 NFPA 13R sprinkler systems.** Automatic sprinkler systems where allowed in buildings of Group R, with three or more dwelling units and/or up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R.

T. **903.3.7 Fire department connections.** The location of fire department connections (FDC) shall be within 150 feet of a hydrant, adjacent to the fire apparatus access road, installed with clappers, and be 2 ½" NH.

U. **905.2 Installation standard.** Standpipe systems shall be installed in accordance with this section and NFPA 14. All Standpipe systems shall be automatic standpipe systems as defined by NFPA 14 unless approved by the Fire Code official.

V. **906.5 Conspicuous location.** Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. R-2 occupancies

shall have at a minimum one portable fire extinguisher within the dwelling unit located near the cooking area. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel.

W. **907.1 General.** Add to this section, “No partial fire alarm and detection systems shall be allowed.”

X. Delete Sections 5601.1.3, 5601.2.2, 5601.2.3, 5601.2.4.1, 5601.2.4.2, and sections 5608.2, 5608.2.1, and 5608.3 of the International Fire Code.

Y. **D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code. Driveways as described in section 503.7 through 503.11 are not subject to the requirements of this appendix.

Section IV: There has been on file and there shall hereafter be kept on file, in the office of the City Clerk one (1) copy of said International Fire Code, 2012 edition, duly certified by the clerk, for use and examination by the public.

Section VI: The sections of this Ordinance are severable and the invalidity of a section shall not affect the validity of the remaining sections.

Section VII: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VIII: This Ordinance shall become effective upon its passage, approval and publication in the manner provided by law this \_\_\_\_ day of \_\_\_\_\_, 2016

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**From:** Wendy Walker [mailto:[wwalker@sugarcityidaho.gov](mailto:wwalker@sugarcityidaho.gov)]

**Sent:** Thursday, February 04, 2016 1:25 PM

**To:** Dale Pickering

**Subject:** Sugar City Fire Code Decision

Here you go.

Wendy McLaughlin

City of Sugar City

City Clerk-Treasurer

208-356-7561

[wwalker@sugarcityidaho.gov](mailto:wwalker@sugarcityidaho.gov)

**The City of Sugar City, Idaho**

**Resolution No. 2016 - 5**

**“A Resolution to approve the contract with Forsgren Associates, Inc. for Engineering Services to Study the City’s Water System and to Identify Future Water Right and Infrastructure Needs**

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WHEREAS, the Council of the City of Sugar City, Idaho desires to contract with an engineering firm to study the existing water system which services the community, determine the existing water system capacity, identify potential impacts from proposed development and foreseeable future growth and receive recommendations for the improvement and enlargement of the water system; and

WHEREAS, the Idaho Department of Water Resources has provided the City of Sugar City a Grant funds for the purpose of making said study; and

WHEREAS, the information and recommendations will assist the City in planning and developing a water system which is adequate to providing water necessary for the continued growth and development of the City and which will foster significant economic development for the City, including additional tax revenues, and future development fees;

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

The City Council of the City of Sugar City, Idaho hereby authorizes the Mayor to enter into an agreement between the City of Sugar City and Forsgren Associates, Inc. for engineering services as described above with compensation not to exceed \$50,000.00 and to execute any documents necessary to effectuate the agreement.

PASSED by the Council of the City of Sugar City, Idaho, on this 11<sup>th</sup> day of February, 2016.

APPROVED by the Mayor of the City of Sugar City, Idaho, on this 11<sup>th</sup> day of February, 2016.

(Seal)

\_\_\_\_\_  
David D. Ogden, Mayor  
City of Sugar City

ATTEST:

\_\_\_\_\_  
Wendy McLaughlin, City Clerk

# The City of Sugar City, Idaho

RESOLUTION NO: 2016-3

## Authorizing Resolution

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**"A Resolution to Contract with the Department of Commerce to Assist in the Construction of an Economic Development – Job Creation Project."**

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WHEREAS, the Council of the City of Sugar City desires to assist in economic development activities by performing infrastructure improvements on City rights of way which will assist in job creations within the City of Sugar City.

WHEREAS, the Council of the City of Sugar City desires to contract with the Idaho Department of Commerce for an Economic Development Idaho Community Development Block Grant to assist in the construction of the said infrastructure;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:  
The City Council of the City of Sugar City hereby authorizes the contract for the Idaho Community Development Block Grant with the Idaho Department of Commerce for funds to assist in the construction of infrastructure for said Project. The Council also authorizes the Mayor or, in the absence of the Mayor, the Council President to execute the contract documents between the City and selected Contractor and all other associated documents pursuant to this project.

RESOLVED this 11<sup>th</sup> day of February, 2016.

\_\_\_\_\_  
Mayor or City Council President  
City of Sugar City, Idaho

ATTEST:

\_\_\_\_\_  
Wendy McLaughlin  
City Clerk-Treasurer

SEAL

RESOLUTION NO. 2016-3

**The City of Sugar City, Idaho**

**Resolution No. 2016 - 4**

**“A Resolution to Invest One Hundred Thousand Dollars (\$100,000.00) in Cash and/or In-kind Services to assist in the Fertile Peaks Products project as a partner with them and the Department of Commerce’s Idaho Community Development Block Grant.”**

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WHEREAS, the Council of the City of Sugar City, Idaho desires to facilitate the provision of Idaho Community Development Block Grant funds to the Fertile Peaks Products project; and

WHEREAS, the Idaho Department of Commerce that administers this program is now requiring the City of Sugar City to provide a cash and/or in-kind match in order to obtain their Block Grant funds in the amount of Four Hundred Thousand Dollars (\$400,000.00); and

WHEREAS, the assistance provided for this project will foster significant economic development for the City, including additional tax revenues, and future development fees;

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

The City Council of the City of Sugar City, Idaho hereby authorizes the investment of One Hundred Thousand Dollars (\$100,000.00) in either cash or in-kind services as match towards the Idaho Department of Commerce’s Idaho Community Development Block Grant project with Fertile Peak Products.

PASSED by the Council of city of Sugar City, Idaho, on this 11<sup>th</sup> day of February, 2016.

APPROVED by the Mayor of the City of Sugar City, Idaho, on this 11<sup>th</sup> day of February, 2016.

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David D. Ogden, Mayor

ATTEST:

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Wendy McLaughlin, City Clerk-Treasurer