

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, APRIL 12, 2018

Presiding: Mayor David D. Ogden  
Meeting Convened at 9:00 a.m.  
Prayer: Dave Ogden  
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilors Brent Barrus, Vaun Waddell, Joy M. Ball, and Bruce King; City Public Works Director Zane Baler; Planning and Zoning Chairman Dave Thompson; Suicide Prevention Action Network (SPAN) representative Judy Nelson; Citizen Bert McLaughlin.

**MINUTES of 3-10-18:** Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on Saturday March 10, 2018. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Waddell and seconded by Councilwoman Ball to accept the minutes, with the legal authority to go into executive meeting taken out; motion carried.

In response the mayor said he would not sign the minutes in protest of Councilors Ball, King, and Waddell's action to remove from the minutes the legal action to go into executive session on grounds that they did not hear it being read. Councilman Barrus said he did state the legal authority in his motion. Mayor Ogden said he, Public Works Director Zane Baler, City Clerk-Treasurer Wendy McLaughlin and others heard Mr. Barrus state it. A roll call vote was taken.

Those voting aye: Councilors Ball, King, and Waddell  
Those voting nay: Councilman Barrus

Councilman Waddell also indicated that the meeting was improperly posted because a posting between 24 and 48 hours before the meeting requires a motion in the meeting to amend the agenda in order for the amendment to become effective, also because the Open Meetings Handbook published by the Attorney General says that authority for the executive session must appear on the posted agenda. The agenda was posted at least 24 hours in advance but did not include the authorization reason. Attorney Anderson indicated that in his opinion the meeting was legal and properly posted.

**MINUTES of 3-22-18:** Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on Thursday March 22, 2018. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman King and seconded by Councilwoman Ball to accept the minutes as amended; motion carried with Councilman Barrus abstaining.

**RECONCILIATION REPORTS:** Wendy presented the March reconciliation reports for the General Fund. It was moved by Councilwoman Ball and seconded by Councilman King to accept the March reconciliation reports for the General Fund; motion carried. Wendy presented the March reconciliation reports for the Utility Fund. It was moved by Councilman King and

seconded by Councilwoman Ball to accept the March reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$147,778.77. It was moved by Councilman Waddell and seconded by Councilman King to pay the current bills, together with all regular April bills; motion carried. Councilman King noted that he felt \$300 on legal counsel for weekly staff meetings was too high. Councilman Barrus noted that the monthly fees for the lawsuit were also too high. Councilwoman Ball questioned the \$150 a month expenditure to Pepsi for employee drinks, asking if the employees pay for drinks as they take them from the cooler or if they are provided free of charge. The mayor responded that the city doesn't do a lot for its employees, so the drinks are furnished by the city.

**SUICIDE PREVENTION ACTION NETWORK – SPAN UPPER VALLEY REXBURG:**

Judy Nelson informed the council that a new suicide prevention chapter is now serving the Upper Snake River Valley and surrounding areas. Idaho has the 8<sup>th</sup> highest suicide rate in the nation, down from the 5<sup>th</sup> highest a year ago. Last month there were four suicides in Idaho – three adults and one youth. Meetings are held the first Tuesday of every month at 60 W. Main Street in Rexburg from noon to 1:00 p.m., with a lunch provided. All are invited to come. A trained support group is planned and being organized. She asked that we help get the word out to the public. The group works to reduce suicide through statewide advocacy, collaboration, and education in best practices.

**PLANNING AND ZONING COMMISSION REPORT:** Dave Thompson reported that the commission did not have a quorum but worked unofficially on several items.

**Design Review:** The Design Review Board met and approved, with conditions, the Mission Shoes building in the business park. They also met with Jon Gregory, representing Jensen's Drywall, on the five-unit shop planned in the park as well. An official report will be given to the council, hopefully by the next council meeting.

**Cottage Homes:** Developers Jeff and Ryan Lerwill have been working with Planning and Zoning and getting input on the direction and guidelines the commission is working on for cottage homes. Although zoning density allows for 24 units an acre, the Lerwills are looking at about 10 units per acre. The Lerwills have indicated they have received much interest in the cottage home developments. They have shown Dave Thompson mock-ups of the development, and their engineer from Eagle Rock Engineering, Paul Snarr, has organized a spreadsheet with all points addressed in the application. They are hoping to showcase the developments.

**IMPACT MEETING EXPANSION:** Dave reported that they are working on expanding the city's area of impact. He will have City Deputy Clerk-Treasurer Shelley Jones send out the county guidelines on impact area expansion to Planning and Zoning so they are familiar with the procedure. He will then present to the council their goals and get their feedback.

**COUNTY/CITY PLAT PROCESS:** Mayor Ogden presented a final plat administrative procedure flow chart to the council. The chart is a visual aid of tracking and completing the final plat process so that all signers and reviewers from the county and city have been contacted and given an opportunity to "weigh in" and make any corrections in a proficient and timely manner. The city recently adopted Ordinance 320\_2016 to help the final plat process.

**BUDGET HEARING DATES:** City Clerk-Treasurer Wendy McLaughlin presented to the

council the timeline for adoption of the 2018 fiscal year budget. The last day to certify the property tax levy to the county commissioners is Thursday, September 6.

- July 12 – review first budget proposal
- July 26 – review second budget proposal
- Aug 9 – adopt tentative budget
- Aug 23 – hold public hearing and adopt budget

**MAYOR’S REPORTS:** The mayor reported on the following items:

**Test Well Update:** The test well hit water at 417 feet and was drilled to 520 feet. No bottom to the underground aquifer was reached. The water is clear, with no sand, and has good pressure. Water samples have been sent in. The test well will be sealed off, and the main well will be started once the bid process is complete. A bid notice has been sent to the Idaho Department of Environmental Quality (DEQ) for review and approval. The bid process will take a good month once the bid is published. Drilling for the main well could begin sometime in June.

**Moody Waterline:** The waterline to Moody will begin soon. County Attorney Troy Evans is preparing easements for the line. The city has also received an annexation agreement from property owner Gary Jeppesen. The city is working on annexing the businesses along Idaho Highway 33 south of Sugar City, which could impact city needs for positive growth.

**Recording Each Council Meeting Report:** The city has decided it will record all council meetings and is looking into providing a microphone for each council member seat.

**Rural Planning Organization (RPO) Report:** No report

**Comprehensive Plan Review:** Madison County Planning and Zoning Administrator Bradley Petersen is reviewing and updating the county’s comprehensive plan. Mayor Ogden is also working with him and reviewing our city’s comprehensive plan to avoid potential conflicts.

**DEQ Award Report:** Public Works Director Zane Baler received a certificate of recognition from DEQ for source water protection for the city. Sugar City is the only municipality in the state that has a documented plan in place. Idaho Rural Water was instrumental in developing the source water protection plan for the city. The plan has helped the city obtain low interest rates for their loans.

**Request for Proposals on Trash Collection Report:** Mayor Ogden, Zane Baler, and Public Works Director Assistant Arlynn Jacobson will visit at least three businesses to get proposals for city trash pick-up. Currently the city has a contract with Idaho Falls business PSI – Waste Systems, which will expire in August. They have been with the city for several years, and the mayor would like to investigate other capable businesses and proposals.

**City Minute Procedures Report:** No report.

**NEW WELL AND TANK BUDGET UPDATE:** The mayor reviewed with Forsgren and Associates the well budget and presented to the council a profit and loss statement from the budget meeting. He reviewed with the council the increases needed to the water base rate and user fee to stay on track. The base rate will go from \$34 to \$44.25 per month, and the user fee will go from \$.90 cents to \$.95 cents per thousand gallons. The increase will probably take place for the new fiscal year in October. To help offset the burden of increase to citizens, the mayor has talked with Idaho Falls Mayor Rebecca Casper about their “Project Help.” They take in donations and work with Eastern Idaho Community Action Partnership (EICAP), which administers the applications and funds. The applicant must qualify to be eligible. Mayor Casper says the program is very successful.

**SEWER STUDY REVIEW:** Forsgren Associates will be done with the sewer study soon. The

study is being done in conjunction with Rexburg's sewer project to update the Kmart lift station and sewer lines to the plant. The study will show how much Sugar City and Teton impact the multi-million dollar project and their share of the costs. It will mean another bond to the city and a raise in sewer base rates and user fees.

**DEPOSIT ON WATER CONNECTIONS:** The prior city treasurer, Marcie Smith, had worked on some proposed changes to the billing procedures in the code to match the city's actual billing procedures. A few minor changes will need to be made as far as due dates and delinquent date calculations. The code also mentions a predetermination hearing for delinquent services and utility deposits, which the city does not practice. These and other changes are being reviewed.

**PROPOSED EQUIVALENT RESIDENTIAL USER (ERU) RATES FOR SEWER:** The city adopted the ERU for water base fees in order to share the utility maintenance costs more fairly with businesses and residents. Prior base fee calculations were based on meter size, which was not always a good fit. However, the city did not adopt the ERU for sewer rates, which means that businesses, institutions, and residents pay the same rate even though the impact can be much larger depending on the type of business. The mayor asked the council to consider adopting the same ERU for sewer as water. Currently the sewer base rate is \$17.12. The user fee was just increased last October to \$3.15 from \$3.00 per thousand gallons. The council asked for more time to consider the matter.

**DEPARTMENT REPORTS:**

**COUNCILMAN BARRUS:**

**Canal Water:** Barrus reported that the canal water will be turned off next week for one week. The city will need to use that window of time to set the water line casing under the canal toward Barney's for the Moody waterline project.

**Potholes:** The city is working at patching the potholes on 3<sup>rd</sup> South and Teton intersection and in other areas in the city.

**French Drains:** The city has had problems in the past with their French drains. Although the city keeps them cleaned out, the clay soil does not let them drain properly. The use of swales is a better design and more efficient for drainage.

**COUNCILMAN WADDELL:**

**Easter Egg Hunt** - was well attended and supported by local businesses. Brad's Exxon donated a car detail (\$160), Marlene's, Stone Ridge Dental, Dairy Queen, all donated items to the Easter Egg Hunt. Four bikes and 550 candy-filled eggs were also donated by Gator Jacks.

**Teton Dam Marathon:** The city will need 23 volunteers to help with aid stations and four intersections. The marathon will be held Saturday, June 2, 2018.

**COUNCILWOMAN BALL:** The Tree and Beautification committee is working on the Arbor Day Celebration event coming up Friday, May 11, 2018, at 11 a.m.

**COUNCILMAN KING:** No report.

Meeting adjourned at 9:15 p.m.

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

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