

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, APRIL 9, 2020

Meeting Convened at 6:30 p.m.
Prayer: Councilwoman Joy Ball
Pledge of Allegiance: Mayor Adams

Present: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy Ball, Steve Davis, Connie Fogle, and Catherine Nielsen; Public Works Director Arlynn Jacobson; City Attorney Chase Hendricks; City Engineer Dick Dyer; City Building Inspector Quinton Owens; Planning and Zoning Chair Dave Thompson; Design Review Chair Paul Jeppson; PSI Waste Systems Manager Jeremy Harris; Old Farm Estates Developers Jeff and Ryan Lerwill; Old Farm Estates Engineer Jeff Rowe of Teton View Surveying; Developer Ray McDougal; Citizens Barbara Lusk, Lawrence Nielsen, Karri Tingy, and others who joined electronically but not identified.

PUBLIC HEARING (Proposed Stricter Roof Sheeting Standard): Mayor Adams welcomed everyone and brought the public hearings to order. He gave a brief review of the proposed stricter roof sheeting standard and asked for any ex parte communication or conflict of interest among the council. None were brought forth. Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of the new roof sheeting standard. No one testified.

The mayor called for those neutral to the new roof sheeting standard. No one testified.

The mayor called for those against the new roof sheeting standard.

Ray McDougal testified against the stricter standard stating that the International Building and state codes have already addressed roof sheeting requirements with different roof systems and area snow loads. He thought it unwise to mandate 5/8" roof sheeting in addition proven standards that may not work with all roof systems or be necessary. He asked if there was any evidence of roof failure due to using 7/16" sheeting or that snow loads were wetter and heavier in Sugar City than other local areas.

Jeff Lerwill testified against the stricter standard stating that building requirements are already addressed by the Uniform Building Code. The thicker sheeting is nice and is an option to homeowners. If the city chooses to mandate the heavier sheeting, then the option of 7/16" sheeting available to citizens is taken away. He said that Island Park which receives more snow doesn't require the heavier sheeting.

The mayor called for a response from the city building inspector, engineer and attorney to address the concerns.

City Attorney Chase Hendricks stated the city may amend the state building code if it finds good cause for building or life safety exists and that it is reasonably necessary.

City Building Inspector Quinton Owens stated that it is good to consider all roof systems when requiring different sheeting. It is known that 7/16" works with all roof systems. Rexburg, which has the same snow loads, does not require the 5/8" roof sheeting.

City Engineer Dick Dyer stated that with the 5/8" roof sheeting you get 3 times the roof strength compared to the 7/16" sheeting. The area snow loads in Sugar City are not greater than Island Park but are greater than the national average.

6:55 p.m. The public hearing ended.

PUBLIC HEARING (Garbage Fee Increase): Mayor Adams brought the public hearing to order. He gave a brief review of the proposed pass along garbage fee increase due to Madison County's 20% landfill fee increase. He asked for any ex parte communication or conflict of interest among the council. None were brought forth. Wendy McLaughlin reported that there were no prior written testimonies submitted.

PSI Waste Systems Manager Jeremy Harris stated that because of the COVID 19 pandemic Madison County is delaying the fee increase until May or June. PSI will not increase their fees to the city until the county increases their fees. He also stated that PSI does not control the disposal fees.

Attorney Chase Hendricks stated that the utility fees are to cover costs only.

The mayor called for those in favor of the new garbage fee. No one testified.

The mayor called for those neutral to the new garbage fee. No one testified.

The mayor called for those against the new garbage fee. No one testified.

7:05 p.m. The public hearing ended and the regular council meeting began.

ORDINANCE NO. 350_ 2020 (Stricter Roof Sheeting Standard): This was considered in the previous meeting but a public hearing was not conducted as required, so the action was not valid.

“AN ORDINANCE TO AMEND SCC 8-1-2 BUILDING CODES - TO ADD ADDITIONAL REQUIREMENTS FOR ROOF PERMITS AND FIVE-EIGHTS (5/8") INCH OSB (ORIENTED STRAND BOARD) SHEETING FOR ALL ROOFS ”

After the required public hearing, it was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball and Nielsen

Those voting nay: Councilors Davis and Fogle

The ordinance did not receive the required 2/3 vote of the council. The mayor declared that the motion did not pass. Because a 2/3 vote was required, the mayor did not need to break the tie.

PROPOSED GARBAGE FEE INCREASE:

RESOLUTION NO. 2020-8: The Council moved to adopt Resolution 2020-8 “A Resolution to Approve an Increase in Garbage Fees”. The clerk will revise the resolution to rename the “Clean-up Base Fee” to “Extra Dumpster Fee”.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilwoman Ball to adopt Resolution No. 2020-8 to approve an increase in garbage fees and authorize the mayor to determine the effective date; motion carried. A copy of said resolution is attached hereto marked “Attachment #1.”

CONSENT AGENDA:

Minutes of Regular Meeting 3-26-2020 – removed from consent agenda
Payment Approval Report – removed from consent agenda
Treasurer’s Report

MOTION: It was moved by Councilman Davis and seconded by Councilwoman Nielsen to approve the Treasurer’s Report; motion carried.

MINUTES OF REGULAR COUNCIL MEETING 3-26-20: Councilwoman Nielsen asked to strike the roll call vote that wasn’t taken.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to accept the 3-26-20 minutes as revised; motion carried.

PAYMENT APPROVAL REPORT:

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to accept the “Payment Approval Report”; motion carried.

PUBLIC WORKS REPORT: See below.

PLANNING AND ZONING REPORT: Chairman Dave Thompson reported on the five public hearings held April 2. The commission recommended them for approval with conditions to the council. A rough draft was given to the council just prior to the meeting to review. The Council expressed concerns summarized below:

- Change of public hearing venue after publication
- Electronic public communication not clear
- Findings of Fact over reaching, not clear
- Planning and Zoning rushed

PUBLIC COMMENT – 8:00 pm:

Old Farm Estates Ryan Lerwill stated that there were some errors in the minutes that needed to be corrected. The mayor directed him to detail the error to the city clerk for correction.

TARGHEE TOWNHOMES 1ST AMENDED FINAL PLAT: The Council tabled the amended final plat to shift the lot line to the south 5' for both east and west buildings. The city engineer, building inspector, and attorney were satisfied that moving the lot line 5' to the south was not a material change and did not compromise setbacks or open space. Some concerns are listed below:

- Material change
- Renumbering of lots
- Open space
- Clear vision triangle/safety issues
- Additional fees

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to table the final plat until complete information is available; motion carried.

GENERAL BUSINESS:

CITY METAL RECYCLING: Arlynn Jacobson reported that the city has installed a second large dumpster to recycle metal. The city can receive a credit toward their bill from the sale of the metal. A large sign will be installed to help direct citizens.

CITY WIDE CLEAN-UP: The council voted to move the last city-wide clean-up to the fall because of the COVID 19 pandemic and social distancing order. Additional time for citizen feedback and suggestions would also be available.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to move the last city-wide clean-up to fall; motion carried.

PUBLIC HEARING DATE: The additional public hearings to the Planning and Zoning public hearings on April 2 will be held on recommendation from the city attorney.

MOTION: It was moved by Councilman Davis and seconded by Councilwoman Fogle to set the date for the public hearings on Thursday, April 30; motion carried after the Mayor broke the tie vote in favor of moving forward.

COVID 19 COUNCIL LETTER: Councilwoman Fogle asked the Council for their thoughts on encouraging activities to foster positive, friendly, and neighborly ways to stay in touch while practicing the stay-at-home order.

PORTA POTTY ALONG WALKING PATH: The council has received requests for a porta potty along the walking path going toward Rexburg. Arlynn Jacobson will follow-up and report back to the council.

GENERAL BUSINESS FOR DISCUSSION ONLY:

RENAMING THE SUGAR CITY BUSINESS PARK: Councilwoman Ball proposed that the city rename the Sugar City Business Park to the Glenn and Dorothy Dalling Business Park in honor of Glenn Dalling. She named several lifelong achievements of Glenn Dalling and has the support of several community members who have approached her with the idea.

CALENDARED ITEMS:

FIRST DISCUSSION: None

SECOND DISCUSSION:

City Marshal and Deputy Program – The mayor reported that he has received support and positive feedback from ICRMP and Madison County Sheriff’s Department on a possible city marshal and deputy program. The council will receive a draft of the ordinance on the next agenda. The Member Youth Council is in favor of a neighborhood watch type program. The Council is concerned that “marshal” or “deputy” titles may be abused.

THIRD DISCUSSION –

Backflow Device Ordinance Amendment

BACKFLOW DEVICE ORDINANCE AMENDMENT: The council approved the proposed backflow device ordinance amendment.

Ordinance No. 351_2020 was introduced and read additions read in full by Mayor Adams entitled:

“MODIFICATIONS TO BRING CODE INTO COMPLIANCE WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) ACCEPTABLE BACKFLOW DEVICES.”

It was moved by Councilwoman Ball and seconded by Councilman Davis to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Davis, Fogle, and Nielsen

Those voting nay: None

Ordinance No. 351_2020 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No 351_2020 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

STREET WIDTH AMENDMENT ORDINANCE: The council approved the street width amendment ordinance.

Ordinance No. 353_2020 was introduced and read in full by Councilman Davis entitled:

“MODIFICATIONS TO BRING CITY CODE INTO COMPLIANCE WITH INDUSTRY STANDARDS ON MINIMUM STREET WIDTHS.”

It was moved by Councilman Davis and seconded by Councilwoman Ball to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Davis, Fogle, and Nielsen

Those voting nay: None

Ordinance No. 353_2020 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No 353_2020 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

SMOKE FREE CITY PARK ORDINANCE (to fix roll call vote): The council read in full and approved Ordinance No. 352_2020 March 26, 2020 but did not call a roll call vote entitled:

“AMENDMENT TO PROHIBIT THE USE OF NICOTINE PRODUCTS IN SUGAR CITY PARKS.”

It was moved by Councilman Davis and seconded by Councilwoman Fogle to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Davis, Fogle, and Nielsen

Those voting nay: None

Ordinance No. 352_2020 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No 352_2020 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

MAYOR AND COUNCIL REPORTS:

Mayor Adams:

Covid 19 Report: The mayor reported that he would like to see the local jurisdictions, through the health department, issue stay-at-home orders. Other mayors who feel the same will write a letter together to the Association of Idaho Cities to give to the governor. The stay-at-home order will probably be extended even though the economy is suffering.

Emergency Expense Funding Opportunity: The mayor reported that local jurisdictions may be reimbursed from the Federal Government on emergency expense items. The mayor would like to use this opportunity to buy specialized radios, cameras, lighting, road block materials that could be used both by the city and Madison County.

Funding Awarded: The city has received \$225,000 through Ted Hendrick’s application to help with the water system expenses. The mayor would like to use the funds to finish the landscaping, install radio readers, and reduce the bond cost.

Funding Available for Shovel Ready Projects: The mayor reported that there is Federal money available for shovel ready projects. The city could use help with the proposed new sewer line to Rexburg or straightening Highway 33. It is an 80% to 20% grant meaning city would have to help with only 20% of the costs. The mayor would like to be able to reduce water fees in order to increase sewer fees to the citizens.

Councilwoman Ball:

Tree and Beautification Committee Report – The committee will meet Thursday, April 16 to discuss Sugar Days.

Chalk the Walk – Pictures will be posted on the city website and facebook.

Meeting adjourned at 11:15 p.m.

Signed: _____
Mayor Steven Adams

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

The City of Sugar City Idaho

Resolution No. 2020-8

“A Resolution to Approve an Increase in Garbage Fees.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to comply with laws that govern proprietary funds which are financed primarily by revenues generated by the activities themselves; and

WHEREAS, PSI Waste Systems will increase their land fill rates due to Madison County’s increase in rates;

WHEREAS, the Council of the City of Sugar City, Idaho desires to maintain the garbage fee increase as low as possible;

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

The mayor will announce the effective date for the increase to coincide with the County’s effective date increase. Garbage collection rates for Sugar City residences and businesses shall be as follows:

GARBAGE _____	Monthly
1. Residential _____	\$ 15.10
2. 2 nd Can _____	11.48
ADDITIONAL DUMPSTER FEE _____	2.40
3. 3 Yard Dumpster _____	82.24
4. 6 Yard Dumpster _____	154.47
5. 8 Yard Dumpster _____	201.37

PASSED by the Council of the City of Sugar City on this 9th day of April, 2020

APPROVED by the Mayor of the City of Sugar City on this 9th day of April, 2020.

(SEAL)

Steven Adams, Mayor

ATTEST:

Wendy McLaughlin,
City Clerk-Treasurer