

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, JUNE 9, 2016

Presiding: Mayor David D. Ogden
Meeting Convened at 6:30 p.m.
Prayer: Bruce King
Pledge of Allegiance

PUBLIC HEARING (Ordinance No. 304 Revisions “Animals Other Than Canines”):

Mayor Ogden welcomed everyone and brought the public hearing to order for the second and final public hearing for the revisions to Ordinance No. 304. Mayor Ogden presented a brief review of the procedure for the public hearing. Councilman Arnell summarized Ordinance No. 304 and the suggested revisions. City Deputy Clerk-Treasurer Shelley Jones reported that there was one prior written testimony submitted by Holly Christensen against the proposed revisions which Mayor Ogden read into the record.

The mayor called for those in favor of approving the proposed revisions to Ordinance No. 304 to testify. No one testified.

The mayor called for those neutral to approving the proposed revisions to Ordinance No. 304 to testify. No one testified.

The mayor called for those against approving the proposed revisions to Ordinance No. 304 to testify. Testimony is summarized below.

Michelle Eaton feels that the nuisance law should be sufficient. She feels the current ordinance is an infringement on property rights.

Helen Harris feels relying upon the nuisance law would pit neighbor against neighbor. The current ordinance should be enforced. The council mentioned hiring a code enforcement officer.

Travis Williams doesn't want new animals, ok with current animals. Don't double code with state code.

Jess Brown wants to preserve the beauty of Sugar City but preserve self-reliance. Animals would be very useful in case of a disaster. He shared a vision of the third president to the Church of Jesus Christ of Latter-Day Saints John Taylor.

Mary Lou Wilding testified that she puts up with her neighbors dogs and cats because I like them. We can put up with each other; give and take.

DISCUSSION AND POSSIBLE MOTION TO ADOPT REVISIONS TO ORDINANCE NO. 304: The council discussed the proposed changes to Ordinance No. 304 in light of the

comments made by the public. The council was not ready to make a decision on the proposed revisions or possibly repealing the ordinance.

7:30 The public hearing ended and the council convened its regular meeting.

Present: Mayor David D. Ogden; Deputy Clerk-Treasurer Shelley Jones; Councilmen Bruce King, Joe Cherrington, Matt Garner, and Bruce Arnell; Dave Thompson of the Planning and Zoning Commission; Sugar City Building Inspector Cliff Morris; Standard Journal Reporter Lisa Smith; BYUI Students Sheresa Allred, Megan Davis, Morgan Harper, and Mercy Owusu; Citizens Jesse & Virginia Brown, Rachel Distelhorst, Nita Eaton, Mychelle Eaton, Timothy Frogue, Beau & Hannah Fuquay, Helen Harris, Taylor Higuchi, Paul Jeppson, Elaine King, Todd and Christine Lines, Bob Oliphant, Mark & Judy Oliphant, Dave Thompson, Mary Lou Wilding, and Travis Williams. Clerk-Treasurer Wendy McLaughlin was excused.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on May 26, 2016. Each councilman had a copy of the minutes prior to the meeting. Councilman King asked that the minutes reflect his vote against health insurance benefits for the council and mayor. The mayor said it would not be noted unless a roll-call-vote was taken. It was moved by Councilman Garner and seconded by Councilman Cherrington to accept the minutes as written; motion carried.

RECONCILIATION REPORTS: Shelley presented the May reconciliation reports for the General Fund. It was moved by Councilman Arnell and seconded by Councilman Garner to accept the May reconciliation reports for the General Fund; motion carried. Shelley presented the May reconciliation reports for the Utility Fund. It was moved by Councilman Arnell and seconded by Councilman Cherrington to accept the May reconciliation reports for the Utility Fund; motion carried.

Shelley presented the current bills in the amount of \$360,031.94. It was moved by Councilman Cherrington and seconded by Councilman King to pay the current bills, together with all regular June bills; motion carried.

PLANNING AND ZONING COMMISSION REPORT: Commissioner Dave Thompson reported on items under review that the commission is currently working on:

Design Review Board Report: No report.

River Bend Ranch Preliminary Plat Revision Report: River Bend Ranch Attorney Jim Smith reviewed changes made to the preliminary plat to gain approval from the Madison County Fire Department. He also indicated that the development for River Bend Ranch would slow down a bit for other more pressing projects that came to the forefront. Listed below are the changes discussed:

- Moving north and south entrances further apart
- Adding an emergency vehicle access road
- Widening two turnarounds and installing an additional “hammerhead” turnaround
- Adding more parking
- Changing street names and spellings
- Expanding some lot sizes

Other changes will be made to sidewalks and the walking path. The council will be kept abreast of changes and the final report from the fire department.

Old Farm Estates – Division #2 Final Plat Report: Old Farm Estates is still waiting on approval from the Idaho Transportation Department (ITD) for intersections connecting to Third South and 7th West. The council asked that Mayor Ogden be a part of the meetings between the developer and ITD and report back. Water right issues were discussed as well for both developments. Old Farm Estates' development agreement for phase one gives them the first 39 homes before water rights must be transferred.

Impact Area Increase Report: No report

DESIGN REVIEW BOARD REVISIONS AND PUBLIC HEARING DATE SET: The council discussed the need to change the current city code for the design review board to allow for more qualified individuals to sit on the board. Currently Planning and Zoning is the committee. With the code change the city engineer, public works director, and other qualified individuals up to five more along with three from Planning and Zoning could be appointed. The council set a public hearing date for the next council meeting Thursday, July 14, 2016 at 6:30 p.m.

MOTION: It was moved by Councilman Garner and seconded by Councilman Cherrington to set a public hearing date to revise the current city code to allow for a more professional design review board; motion carried.

MOTION: It was moved by Councilman Arnell and seconded by Councilman Garner to add an underscore and current year (Ordinance No. XX_2016) to the name of the ordinance and make it retroactive to beginning of 2016; motion carried.

THIRD SOUTH STREET: The council discussed current needs to upgrade and repair Third South. With the development of Old Farm Estates Third South will take on more traffic. Currently the street is narrow and without curb and gutter. Homes along Third South do not meet current setbacks, and French drains will need to be upgraded to regular storm drains. Cost is estimated around \$500 - \$750 million. The mayor will look at options for funding the project which will be added to the city's needs list.

OLD FARM ESTATES DEVELOPMENT AGREEMENT RECOMMENDATIONS: The council discussed the need to revise, clarify, and clean-up the development agreement for Old Farm Estates with the new owners. Items to be addressed are listed below:

- Previous agreement to charge first 56 homes the same hook-up fee used when Ponderosa Estates was developed several years ago
- Sidewalks being the responsibility of the owner instead of developer
- Water rights not released before now
- Water rights used to reduce water impact
- Remedies accumulative – what does this mean

CODE ENFORCEMENT OFFICER RECOMMENDATIONS AND POSSIBLE

ADOPTION: The council discussed the possibility of hiring a part-time code enforcement officer. The council agrees the city code needs to be enforced. The code officer would be in addition to the services offered through the Madison County Sheriff's Office. A few minor revisions were recommended. No motion to adopt the recommendations was made.

AIC TRAINING & CANCELLATION OF REGULAR COUNCIL MEETING: The council's next regular meeting will be cancelled because of a lack of a quorum.

MOTION: It was moved by Councilman Cherrington and seconded by Councilman Garner to cancel the next council meeting due to a lack of a quorum. Most of the council and staff will be attending the annual AIC training meeting in Boise June 22 through 24; motion carried.

DEPARTMENT REPORTS:

COUNCILMAN ARNELL:

Semi-Annual Water Coalition: A presentation was given on water rights issues. In the 1950s – 1960s there was an increase in available water from flood irrigation. Since then it has decreased each year. The goal is to get the available water back to levels in the 1990s. The coalition will look at basins and combine ½ through recharge and ½ through water reduction to gain available water.

COUNCILMAN KING: No report.

COUNCILMAN GARNER:

Grants to Consider: Councilman Garner reported there are areas grants could be considered that the city could use. Councilman Cherrington had many ideas for park upgrades and activities that grants could help with listed below:

- Sewer/Water line replacement
- Tennis Court Additions and Maintenance
- Smith Park Track
- Splash Park
- Heritage Park Walking Path
- Cement Pad for Water Spigot in Heritage Park
- Side Walk extended to High School
- Additional Storage Shed/s

COUNCILMAN CHERRINGTON:

Teton Dam Marathon: The marathon went well. It started at 7:30 a.m. and ended about 11:30 a.m.

MAYOR'S BUSINESS:

Water Rights for Current Developments Report: No report

Community Activities Committee Report: No report

AT&T 5th Amendment: The mayor is negotiating a rent agreement with AT&T who wants to reduce their rent with the reduction in size of equipment. Square footage in space will be calculated to base the rent.

Meeting adjourned at 10:10 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer