

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, JULY 28, 2016

Presiding: Mayor David D. Ogden
Meeting Convened at 6:40 p.m.
Prayer: Matt Garner
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce Arnell, Matt Garner, Joe Cherrington, and Bruce King; Chairman Brent Barrus of the Planning and Zoning Commission; Forsgren Associates Inc. Project Manager Randall Johnson; Rexburg *Standard Journal* Reporter Lisa Smith; and Citizen Jesse Brown.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on July 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 with the change to remove “high school” to “Kershaw Intermediate and Central Elementary” under item FORSGREN WATER STUDY – 12 Inch Line for lines that are too small; motion carried.

PLANNING & ZONING COMMISSION REPORT: Chairman Brent Barrus reported on items of business:

Old Farm Estates Final Plat Report: Commissioners are still waiting to hear back from the Idaho Transportation Department on the proposed intersections.

Title 9 Revisions Update: The commission hopes to have the Title 9 revisions completed and a recommendation submitted to the council by next council meeting.

City Impact Area Increase: Chairman Brent Barrus reported that most Salem residents want to be included within Sugar City’s impact area and are willing to sign a petition. The council asked for a map of residents who have expressed this interest.

MOTION TO AMEND THE AGENDA: The mayor asked the council to amend the agenda to add two additional items not listed. The reason for these additions is that timing is crucial. The two items added were:

- Silver Star Communications Franchise Agreement Discussion
- Ratification of New Appointments to the Design Review Board

MOTION: It was moved by Councilman Arnell and seconded by Councilman Garner to make the changes to the agenda; motion carried.

WATER STUDY FINAL DRAFT: Project Manager Randy Johnson of Forsgren Associates presented to the council the final water study draft. The city has not grown as rapidly as Rexburg to date, although it is considered a bedroom community to Rexburg. The potential exists in Sugar City for large upward growth swings. Even so, Mr. Johnson’s water study assumed that demand on the water system associated with all areas of development (commercial, residential, high density) could triple over the next 40 years. Below are listed the main concerns that need attention:

- City cannot meet the current capacity or demand for water – The system does not meet Idaho Department of Environmental Quality (Idaho DEQ) requirements for water capacity. Zane reports that the wells have difficulty keeping up with peak summer use. In addition, the current Well #1 is experiencing some pumping and water quality problems. The City is in the process of determining if it will need to be re-drilled. In the study, it was considered as working in the short term, but not in the long term.
- Water storage is 1 million gallons short.
- Well and storage tank are needed immediately – cost about \$3.3 million – should satisfy demands for the first 10-20 year period.
- Three more wells and another storage tank will be needed over the following 20-year period.
- Because there does not appear to be a grant program for which the City qualifies, a bond will likely to be issued to cover costs.
- Cost to the residents will be approximately \$18 - \$27 more per month per household.
- Grant and developer fees can help mitigate costs and were used in the cost analysis.

The council will work to inform residents over the next 18 months through town hall meetings and the newsletter of the real need and build public support. Mr. Johnson will work on the environmental study next to complete the water study.

ANIMAL ORDINANCE NO. 304 REVISIONS AND POSSIBLE ADOPTION: The council further revised the ordinance before adopting the final draft, making additional compromises to accommodate different points of view. They understood that the ordinance did not meet everyone’s needs, but believe it struck a reasonable balance that could serve the city as a whole. It took public input, council deliberations, and numerous revisions over a span of about two years.

ORDINANCE NO. 318_2016:

Ordinance No. 318_2016 was introduced and read by title only by Councilman Cherrington, entitled:

“AN ORDINANCE REPEALING CHAPTER 4 OF TITLE 4 OF THE SUGAR CITY, IDAHO CITY CODE AND REPLACING IT WITH A NEW CHAPTER 4 OF TITLE 4, WHICH DEFINES CERTAIN WORDS AND TERMS APPLICABLE TO THE REGULATION OF ANIMALS OTHER THAN CANINES; PROHIBITING THE MALTREATMENT OF ANIMALS; PROHIBITING THE HERDING OF ANIMALS ON CITY STREETS; PROHIBITING KEEPING CERTAIN ANIMALS; PROHIBITING THE KEEPING AND MAINTENANCE OF NUISANCE ANIMALS; MAKING IT UNLAWFUL FOR ANIMALS TO RUN AT LARGE; PROVIDING FOR THE IMPOUNDMENT OF ANIMALS RUNNING AT LARGE OR NUISANCE ANIMALS; REGULATING THE KEEPING OF DOMESTIC HENS; REGULATING THE KEEPING OF BEES; PROVIDING A PENALTY FOR VIOLATION OF THIS CHAPTER; PROVIDING FOR SEVERABILITY, REPEAL OF ANY ORDINANCE OR PROVISION WHICH MAY BE IN CONFLICT WITH THE PROVISIONS HEREIN; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE.”

It was moved by Councilman Cherrington and seconded by Councilman King to waive reading

of the ordinance on three different days and to place it upon its final passage, provided that all revisions agreed upon are included. Thereupon the clerk called roll upon the motion.

Those voting aye: Councilmen King, Cherrington, Garner, and Arnell

Those voting nay: None

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilman Garner and seconded by Councilman Arnell to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilmen King, Cherrington, Garner, and Arnell

Those voting nay: None

Ordinance No. 318_2016 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. 318_2016 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.

MISSION STATEMENT: The mayor discussed the need for a mission statement to briefly define the city's primary goal. He submitted a draft statement to the council for consideration. Councilman King objected to using anything other than the actual Comprehensive Plan, which declares the primary goals of the city. He also feared that the original meaning may be lost or compromised by drafting different pieces of the document into a separate statement. The council asked Councilman King to draft a mission statement to be presented at the next council meeting. Councilman King accepted the assignment.

RESOLUTION NO. 2016-17 (Memorandum of Understanding between Sugar City & Silver Star Communications (Millennium Networks): Councilman Arnell suggested having a certain designated area in the ground when burying different utility cables to keep order; the council agreed. It was moved by Councilman Arnell and seconded by Councilman Garner to approve Resolution No. 2016-17. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmen Arnell, Garner, Cherrington, and King

Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 1."

DESIGN REVIEW BOARD APPOINTMENTS TO BE RATIFIED: Mayor Ogden proposed several names to the council for appointment to the Design Review Board. The individuals represent different areas of expertise.

- Brent Barrus – Chairman of Planning & Zoning
- Dave Thompson – Planning and Zoning Commissioner
- Clay Rasmussen – Planning and Zoning Commissioner
- Dick Dyer – City Engineer

- Cliff Morris – City Building Inspector
- Matt Garner – Councilman
- Paul Jeppesen – Citizen
- Russell Thurston – Citizen

MOTION: It was moved by Councilman King and seconded by Councilman Arnell to ratify the appointments of those named above to the Design Review Board; motion carried.

DEPARTMENT REPORTS:

COUNCILMAN KING: No report. Requested the updated Need’s List be emailed to the council.

COUNCILMAN CHERRINGTON: Councilman reported that the community breakfast and St. Anthony’s Pioneer Day Parade went well. He also recommended that the sidewalk from the Heritage Park to South Pine be completed before school starts, if possible. It will cost about \$12,000.

COUNCILMAN ARNELL: No report.

COUNCILMAN GARNER: No report.

MAYOR’S BUSINESS:

Ordinance Officer Update: Mayor Ogden reported that the city is currently taking applications for the ordinance officer position until the end of August.

Matt Lurker Police Department Proposal: Mr. Lurker sent a proposal for Sugar City’s own police department. The city is not currently looking to create its own police department.

Silver Star Excavation Permit Report: See above.

Budget Work Meeting August 4th reminder: The council will meet in a public meeting on August 4 to discuss the 2016-2017 budget.

ICRMP Training Reminder: City Clerk Wendy McLaughlin will send the training link to each councilman.

PERSI Update: PERSI is raising its rates for employer contribution as well as employee contributions. However, over the past several years there has only been two times the raise actually went through because of market fluctuations.

Meeting adjourned at 9:40 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

The City of Sugar City, Idaho

Resolution No.: 2016 - 17

“A Resolution to Approve a Memorandum of Understanding between Sugar City, Idaho and Millennium Networks, LLC, for the Installation of Broadband System Facilities, and Authorization for the Mayor of the City of Sugar City to Execute Said Memorandum.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to enter into a Memorandum of Understanding with Millennium Networks, LLC, for the installation of broadband system facilities; and

WHEREAS, the City of Sugar City has certain rights-of-way that Millennium Networks, LLC desires to use to install this infrastructure; and

WHEREAS, Millennium Networks, LLC has filed the required permit application with the City of Sugar City and has met all of the required documentation, with the exception of the execution of a Franchise Agreement and Ordinance; and

WHEREAS, Millennium Networks, LLC has agreed to execute a Memorandum of Understanding that agrees between the parties to negotiate and execute in good faith the aforementioned Franchise Agreement and Ordinance;

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

The City Council of the City of Sugar City, Idaho hereby approves the Memorandum of Understanding between Millennium Networks, LLC, and the City of Sugar City, and authorizes the Mayor to execute the aforementioned Memorandum of Understanding.

PASSED by the Council of the City of Sugar City on this 28th day of July, 2016

APPROVED by the Mayor of the City of Sugar City, Idaho, on this 28th day of July, 2016.

(Seal)

David D. Ogden
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk - Treasurer