

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, MARCH 23, 2006

Presiding: Glenn W. Dalling  
Meeting Convened at 6:00 p.m.  
Prayer: Harold Harris  
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Harold Harris, Walter Deitz, Bruce King and Brad Orme; Sharee Palmer, Planning & Zoning Commission; Jan Gallup; Vaun Waddell; and Brennan Bean.

**PUBLIC HEARING (TITLE 9, CHAPTER 13 – AMENDMENTS &**

**RECLASSIFICATION):** The Mayor welcomed everyone to the public hearing. First, we had a presentation by Jan Gallup, who had been hired and authorized to do it. Jan reported Chapter 13 of Title 9, Amendments & Reclassification, deals with annexation, rezoning, changing the comprehensive plan, and changing the ordinance. Discussion was had on the changes made. One major change is that we do not have to publish for public hearings three times in the paper. If we have to notify more than 200 people, then we just have to make the publication a certain size, according to State Statute. The title is to include annexation also. Jan turned the time back to the Mayor. The Mayor called first for those who wanted to testify in favor of approving Title 9, Chapter 13. Comments were made as follows:

**JAN GALLUP:** She wanted to go on record as being in favor of the change to Chapter 13. She feels it gives the City a little more flexibility and still allows them to work within the State Statute.

**VAUN WADDELL:** He has looked at Chapter 13 and has no comments either for or against it. He thanked the Mayor and Council and all those who have been working on the comprehensive plan and revision of ordinances. He hopes we as a citizenry and officers within the City will preserve the historic nature of our City and the population.

6:20 p.m. The public hearing ended.

6:30 p.m. The Council convened their regular meeting.

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Harold Harris, Walter Deitz, Bruce King and Brad Orme; Sharee Palmer, Planning & Zoning Commission; Jan Gallup; Garry Jeppesen; and Brennan Bean. Commissioner Ralph Robison and Kyra Anderson, Standard Journal, arrived at 8 p.m.

The Mayor asked if there were any corrections to the minutes of the regular meeting held March 9, 2006. Each council member had a copy of said minutes prior to the meeting. It was

moved by Council member Harris and seconded by Council member Deitz to accept said minutes; motion carried

**PLANNING & ZONING REPORT:** Sharee Palmer addressed the Council.

**Workshop in Pocatello:** Sharee reported there are four people going to the AIC workshop in Pocatello Saturday. She asked for and received permission for Jan Gallup, as City Planning Consultant, to attend as one of the four.

**Yellowstone Meadows:** At P&Z's last meeting they hashed out some ideas and felt like Yellowstone Meadows needs to have some definite direction. She sent Mr. Plewe a letter stating right now what our ordinances will allow and gave him some direction on open space, sidewalks, and road widths. They feel strongly that the density is a little high. A copy of said letter is attached hereto, marked "Attachment 1." Sharee said everything is negotiable. We need to follow our comprehensive plan and ordinances.

**Six-man Committee for Land Use Classifications in Rexburg & Sugar City:** Sharee reported that last Thursday she and Garry Jeppesen and Jan Gallup went to the joint six-man committee meeting. The minutes from the meeting before had problems because it was requested that they not be recorded. It came out at the last meeting that the minutes were a little off. The minutes will all be recorded from now on. She said they talked about zones, and we weren't there to discuss zones. We discussed land use designations, so we changed that. Someone made a packet that listed all the land use designations for Rexburg, Sugar City and Madison County. They discussed the land use designations and tried to make them match. The members of the committee are: Dick Dyer and Charles Anderson, for Rexburg; Jan Merrill and Tom Luthy, for the County P&Z; and Tom Luthy was elected chairman of the committee. The next thing they are going to work on is look at the comprehensive plan maps and, where the impact areas abut, that the land use designations complement each other.

**GIS Services:** Sharee reported they would like our comprehensive plan map now. We said we would go back to City Council. They want to put it on GIS. Jan wanted to make sure that was all up front and that it is on record that Sugar City is okay to use GIS and that she will be involved. The Mayor said he sat in a meeting with the County Commissioners and the issue of annexation between the two cities got very hot. The decision was that they would not furnish mapping for us in that conflicted area because the City of Rexburg is paying half the salary of Craig Rindlisbacher and the County is paying the other half. Sharee said that conflicted area is included in every one of our maps. The Mayor feels it is water under the bridge now and that we should go back and use GIS. Sharee said they want to make sure that it is up front with the county commissioners. We need to get this straightened out and on record by them that we are okay to use GIS. The Mayor said he would like to be quoted as saying that is over and done. The Council was in favor of giving the map to GIS. Sharee suggested that an agreement needs to be made with the County so that doesn't happen again.

**Joint Planning & Zoning Commission:** Sharee reported that Dick brought in a State Statute that talks about a joint planning and zoning commission. Garry Jeppesen said they included this in the papers. Then towards the end they said, "We don't have a name for this committee -- we just happened to find this little thing here that has a name. Let's name it the Joint Planning & Zoning Commission." Then they tried to move on. He feels by creating that commission, you'd give them power to make decisions. Sharee said they are just a committee that has no decision-making ability. They are to discuss things and take back to their respective City Councils. Sharee told them that they would not do anything in these meetings that hasn't been approved by the City Council. She reported the committee is going forward, and she and

Garry are holding their own. The Mayor said any good it does will be appreciated. Sharee will make copies of the documents they get in the meetings for each council member.

**JAN GALLUP:**

**Ordinance Revisions:** Jan asked the Council if they had any questions about the comprehensive plan written revision, which will go to public hearing on April 13<sup>th</sup>; the transportation map, April 13<sup>th</sup>; and special use permit, April 13<sup>th</sup>. She made the change that the Council recommended – that the map was to go back to the way P&Z had it when they submitted it to them. A discussion was had on the map. A discussion was had on the survey that was in the comprehensive plan text. Jan reported they took it out because it made the document a lot longer to have the survey in. As Chairman of the Comprehensive Plan Committee she made the statement that the survey was a part of writing the comprehensive plan. After discussion, it was the consensus of the Council to add the survey back in. She will make sure Sharon has a copy.

**DECISION ON TITLE 8, BUILDING AND SITE ORDINANCE:** The Mayor reported Attorney Lee feels the building and site ordinance is too restrictive. He was also concerned that the design review board, in some cases, can make a decision; but they can only make recommendations. Jan said the only time they can make a decision is on signage, but that can be appealed to P&Z. She said we should set aside a time to sit down and work this out and specifically discuss design review. The Council decided to meet on March 30<sup>th</sup> at 6:30 p.m. The Mayor asked Jan to specifically meet with Attorney Lee prior to our March 30<sup>th</sup> meeting. He said last meeting we tabled Title 8, Building and Site Ordinance until March 23<sup>rd</sup>, and he requested we remove it from the table and put it back on. We get it off by having the person who made the motion to table it request that it be done. Council member Deitz requested that we remove from the table Title 8, Building and Site Ordinance. **MOTION:** It was moved by Council member King and seconded by Council member Harris that we table further discussion on the Building and Site Ordinance until a week from tonight, March 30<sup>th</sup>; motion carried.

**MORATORIUM AND DISCUSSION ON SPECIAL USE PERMITS:** **MOTION:** It was moved by Council member Deitz and seconded by Council member Harris that we continue the moratorium on Special Use Permits until our April 13<sup>th</sup> City Council meeting; Council member Orme opposed; motion carried.

**DECISION ON TITLE 9, CHAPTER 13 (AMENDMENTS AND RECLASSIFICATION):**

Discussion was had on the fact that “annexation” was once included in the title. Jan said it doesn’t change any of the governing part of the ordinance if we add it to the title. **MOTION:** It was moved by Council member Harris and seconded by Council member King that we approve Title 9, Chapter 13, as amended with the word “annexation” included in the title. The Mayor called for a roll call vote.

Those voting aye: Council members Harris, Deitz, King and Orme

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

Jan will send the Council the latest version that is going to public hearing. They will be dated 4-13-06 on the bottom left-hand corner.

## DEPARTMENT REPORTS:

**COUNCIL MEMBER ORME:** Brad reported we were wondering about the Flood Run this year and whether Sugar City should do one. He supposed everyone knows the background on why we didn't do one last year. The Mayor said Rexburg moved the Teton Marathon on top of us two years ago and said we'd do it jointly, but it wasn't done jointly. Then in 2005 they didn't want us to be part of it at all. We wrote them a letter and said we feel like where we, for 16 years, have had a flood run that we should have the date of the Saturday closest to June 6<sup>th</sup> and we'd like them to have at least two weeks before they hold their marathon. Rexburg's marathon is June 10<sup>th</sup> this year. The Mayor thinks we should take an official action. A discussion was had about putting something in the monthly newsletter requesting input on the flood run. This would give people an opportunity to give their views on it. **MOTION:** It was moved by Council member Orme and seconded by Council member King that we include in the next City newsletter a request for input from the citizens concerning support for having a flood run this year; motion carried.

**COUNCIL MEMBER HARRIS:** Harold reported he attended an LHTAC meeting today with the Mayor, the Madison County Commissioners and the City of Rexburg. They discussed the proposal on rerouting State Highway 33. They want to take it off the State highway system through Rexburg and Sugar City. They want us to come up with a spreadsheet showing what we would settle with the State for if we allowed them to take that off, taking into consideration 20 years of maintenance that they would not have to do, what it would cost the City to maintain over the 20-year period. The Mayor feels further discussion would be premature at this time.

8:00 p.m. Commissioner Ralph Robison and Kyra Anderson, Standard-Journal, arrived.

**CITY-COUNTY ISSUES:** Commissioner Ralph Robison addressed the Council, in place of Commissioner Roger Muir. He asked him to address three items:

(1) Homeland security money. The Mayor said we decided to spend that money to get better security for the City Building.

(2) GIS on mapping. There has been some confusion with GIS and maps and what's available. It would probably be beneficial if we had a representative from Sugar City come to our County Commissioners meeting Monday and have GIS there and set a policy of what is available. He feels we need to avoid as much confusion as possible when it comes to the maps. There was a concern about the disputed area, the annexed area there, where GIS is partly funded through the City of Rexburg and Madison County. If maps are requested, which are available to the public, they need to have those worked into their schedule. He said we need to have a written policy so we don't have a misunderstanding there.

(3) He has a personnel issue that he needs to do in an executive session. The Mayor said we have an executive session set and asked if Commissioner Robison would mind waiting to come into that. He said he would be happy to.

## DEPARTMENT REPORTS (continued):

**COUNCIL MEMBER DEITZ:** Walter reported he is spending some City money. The main sewer lift pump went down in November. We ordered a new pump and somehow the purchase order got misplaced. He spoke directly with Marcie and got the order. He spoke with Danny. The pump was ordered and it came. The new pump was installed and it has gone down twice already. The price of that pump and installation is about \$7,900. Walter said the lift station

has gone down three times this month and he has spent a total of just short of 12 hours on the system, keeping it up and running. They are working through some of the issues. The Mayor expressed appreciation for what he does down there and that it may be beyond the call of duty.

Walter reported that the 3<sup>rd</sup> North lift station storm water pump was ordered. It came in and has been completely paid for, but the new pump doesn't fit what's there. They no longer make anything that fits, so they had to buy an adaptor piece for the new pump and that has been paid for (\$4,000), so now that pump is up to \$19,000. The check valves are bad and they are \$3,000 to \$4,000 apiece and there are two of them. So we are going to eliminate both check valves and drill a new hole in that so each pump will pump out into the canal instead of going through the check valves because we can do that much cheaper and achieve the same thing. Before we're done, we're going to have \$25,000 in that, not the \$15,000 we originally talked about.

**COUNCIL MEMBER KING:** Bruce expressed appreciation for Walter's work.

### **MAYOR'S BUSINESS:**

**Report on Negotiation Meeting with Mayor Larsen:** The Mayor met with Mayor Larsen, Richard Smith, and Dick Dyer. Dick was the engineer supplying the information. The meeting lasted 3-1/2 hours. The Mayor reported it was a good meeting. They will meet again next Tuesday at 10 a.m.

**Purchase of 3-corner property from the State:** We need \$6,900 to buy the little two-acre corner down there where we come off our half interchange. That would be part of making that whole access attractive for the entrance into Sugar City. We have the first option to buy it.

**Sale of Lot by Moon Park:** So if we were to sell the lot to the north of Moon Park which is not adequate for a lot until we take 20 feet out of our park. If we could square that up, we could probably get \$22,000 out of that lot. Then that would give us money to buy the \$6,900 three-corner piece. Plus we would have some money to spend on the three-phase remodeling of the City offices. Discussion was had on needing an easement to install the sewer line to the property. Council member Deitz reported the water line also stops there, and that there are ordinances against dead-ending a water line for a home. Those are some issues that need to be resolved. The Mayor would like authorization to proceed to purchase the property. Council member Deitz expressed he may have a conflict of interest, so he stepped away from the table.

**MOTION:** It was moved by Council member King and seconded by Council member Harris that we authorize the City to proceed with extending two lots that border Moon Park and also to proceed to arrange for the easements necessary for water delivery and sewer service to these lots; and also authorize the City to purchase the two-acre parcel at the half interchange west of Sugar City. The Mayor called for a roll call vote.

Those voting aye: Council members Harris, King and Orme

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

### **EXECUTIVE SESSION:**

8:40 p.m. It was moved by Council member King and seconded by Council member Harris, pursuant to Title 67-2345(b) and (f), that we move into executive session to discuss personnel and possible pending litigation. The Mayor called for a roll call vote:

Those voting aye: Council members Harris, Deitz, King and Orme

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

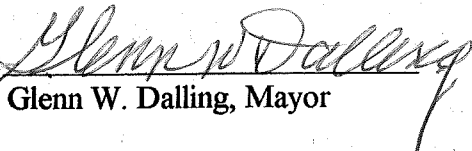
10:20 p.m. The executive session ended and the regular Council meeting reconvened.

**MOTION ON SIX-MAN COMMITTEE:** It was moved by Council member King and seconded by Council member Harris that Sugar City accommodates the request of the Madison County Commissioners to ask each of the three entities to invite their staff member not to attend the six-man joint Planning & Zoning Committee meetings for the time being. Discussion was had. The Mayor gave Jan Gallup the right to respond. Jan replied that she is not staff, and the Council gave Garry and Sharee the option to pick a consultant; so you can request that she not attend as a consultant, but you cannot request that she not attend a public meeting. It is an open meeting. As to whether or not she attends would be her decision. The Mayor said our intent is we would ask her to support the County in not attending, but she would have to make that decision. Sharee expressed an issue with the County Commissioners especially if it is on behalf of Rexburg. Council member King feels there is a broader issue here – that is appearing to be cooperative and he doesn't feel like we'll lose a lot by this action except maybe a little time. The Mayor reported we have a motion on the floor and a second, and asked for a vote. Council member Deitz opposed; motion carried.

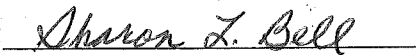
**MOTION FOR REPLACEMENT FOR DAN THOMAS:** It was moved by Council member Orme and seconded by Council member King to approve going forward with the Mayor's plan to find a replacement for Dan Thomas; motion carried.

Meeting adjourned at 10:30 p.m.

Signed:

  
Glenn W. Dalling, Mayor

Attested:

  
Sharon L. Bell, Clerk



**Sugar City Planning & Zoning Commission**

City of Sugar City  
10 E Center  
PO Box 56  
Sugar City, Idaho 83448

Date: March 16, 2006

To: Rick Plewe

Re: Yellowstone Meadows

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### DENSITY

As you are well aware, citizens and city officials are concerned about the proposed density of your development. The Commission will not set a maximum density for the master plan at this time. Density will be addressed with each phase. Maximum density in a R-2 zone is 5.5 units per acre for a single-family home, and approximately 16 units per acre for town homes. R-1 is 4 units per acre for a single family home and 6-8 units per acre for twin homes.

### OPEN SPACE

A minimum of 5% open space is required. Streets, alleys, parking areas and street right-of-ways shall not be considered open space. A decrease of minimum lot size in a planned unit development residential area may be allowed if there is an offsetting increase of the same square footage in open space.

### STREETS AND ALLEYS

The main street running west to east is a collector and the street width should be 68 feet street right-of-way and 50 feet paved.

### SIDEWALKS

Sidewalks along the collector should be a minimum of 5 foot wide with a minimum 4-foot wide boulevard strip.