

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, AUGUST 13, 2020

Presiding: Mayor Steven Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Mayor Adams

Pledge of Allegiance: Councilman Davis

Present Online: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy M. Ball, Steve Davis, Connie Fogle, and Catherine Nielsen; City Public Works Director Arlynn Jacobson; City Code Enforcement Officer Jonathan Turner; City Building Inspector Quinton Owens; Chairman Dave Thompson of the Planning and Zoning Commission; City Engineer Dick Dyer; Attorney Chase T Hendricks; Citizen Elaine King, Lawrence Nielsen, and others who joined electronically but not identified.

WELCOME: Mayor Adams conducted the meeting and welcomed everyone present. The meeting was held live over the internet and those who wished to be present were invited to attend. Social distancing guidelines were followed. No citizens attended the meeting in person. Mayor Adams, Council President Joy Ball, Planning and Zoning Chair Thompson, and City Clerk McLaughlin were present at City Hall.

PUBLIC HEARING (Proposed Sewer Rate Increase): The mayor asked if there had been any ex-parte communications or conflicts of interest from the City Council. They indicated there were no ex-parte communications or conflicts of interest.

Staff Presentation: City Clerk McLaughlin stated the \$0.13 sewer user rate increase was a pass along rate increase from the City of Rexburg due to increased sewer costs. The new sewer rate of \$3.43 from \$3.30 is less than a 5% increase.

Citizens for, against, or neutral were given the opportunity to submit written comments or testify at the hearing. There were no written comments submitted.

In Favor: None

Neutral: None

Against: None

Public hearing closed.

PUBLIC HEARING (Infraction Rates): The mayor asked if there had been any ex-parte communications or conflicts of interest from the City Council. They indicated there were no ex-parte communications or conflicts of interest.

Staff Presentation: City Code Enforcement Officer Jon Turner stated that the infraction fees are updated penalties for infraction violations.

Citizens for, against, or neutral were given the opportunity to submit written comments or testify at the hearing.

In Favor: None

Neutral: None

Against: None

Public hearing closed.

PUBLIC HEARING (Proposed City Wide Cleanup and Garbage Base Fee Increase): The mayor asked if there had been any ex-parte communications or conflicts of interest from the City Council. They indicated there were no ex-parte communications or conflicts of interest.

Cleanup Committee Chair Presentation: City Councilwoman Nielsen stated that 75% of those who responded to the clean-up survey indicated that they wanted at least one city wide cleanup in the fall and one extra dumpster.

Citizens for, against, or neutral were given the opportunity to submit written comments or testify at the hearing. There were no written comments submitted.

In Favor: None

Neutral: None

Against: None

Public hearing closed.

PUBLIC HEARING (Proposed 2020-2021 Budget): The mayor asked if there had been any ex-parte communications or conflicts of interest from the City Council. They indicated there were no ex-parte communications or conflicts of interest.

Citizens for, against, or neutral were given the opportunity to submit written comments or testify at the hearing. There were no written comments submitted.

In Favor: None

Neutral: None

Against: None

Public hearing closed.

REGULAR COUNCIL MEETING CONVENED: 6:45 PM

ADOPTION OF NEW SEWER USER RATE: The Council approved the new sewer user rate fee increase from \$3.30/thousand gallons to \$3.43/thousand gallons sewage used.

RESOLUTION NO. 2020-10: (Sewer User Rate Fee Increase) – Resolution No. 2020-10 was presented to the Council and read in full by Councilwoman Ball.

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to approve the sewer user rate fee increase from \$3.30/thousand gallons to \$3.43/thousand gallons sewage used. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

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

RESOLUTION NO. 2020-11: (City Wide Cleanup and City Wide Dumpster Fee Increase)

– Resolution No. 2020-11 was presented to the Council and read in full by Councilwoman Nielsen.

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Fogle to approve the fall citywide cleanup and extra dumpster fee increase from \$2.40/month to \$3.60/month. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

Thereupon, the Mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 2".

RESOLUTION NO. 2020-12 through 2020-15: (Resolutions to Approve Infraction Fees)

– Resolution No. 2020-12, 2020-13, 2020-14, 2020-15 were presented to the Council and read by title only by Councilwoman Nielsen.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to approve the infraction fee schedule. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

Thereupon, the Mayor declared the motion passed. A copy of said resolutions is attached hereto marked "Attachments 3-6".

APPROPRIATION ORDINANCE FOR 2020-2021: The council approved the appropriation budget ordinance for 2020-2021.

Ordinance No. 359_2020 was introduced to the council:

“AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF SUGAR CITY, IDAHO, FOR THE FISCAL YEAR OCTOBER 1, 2020, TO SEPTEMBER 30, 2021, AND APPROPRIATING TO THE SEVERAL DEPARTMENTS, OFFICES AND FUNDS OF THE SAID CITY GOVERNMENT FROM THE REVENUE DERIVED FROM TAXES LEVIED FOR SAID FISCAL YEAR, AND ALL OTHER SOURCES, SUCH SUMS AS MAY BE NECESSARY OR DEEMED NECESSARY BY THE

MAYOR AND CITY COUNCIL TO DEFRAY THE EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021.”

It was moved by Councilwoman Fogle and seconded by Councilwoman Nielsen to waive reading of the ordinance on three different days and to place it upon its final passage. Thereupon the clerk called roll upon the motion.

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

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 Councilwoman Fogle and seconded by Councilwoman Nielsen 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. 359_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. 359_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.

RESOLUTION NO. 2020-16: (A Resolution to Forgo the 2020/2021 Property Tax Levy and Approve the Forgone Amount) – Resolution No. 2020-16 was presented to the Council and read in full by Councilwoman Nielsen.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to approve the 2020-2021 property tax forgone amount. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

Thereupon, the Mayor declared the motion passed. A copy of said resolution is attached hereto marked “Attachment 7”.

CONSENT AGENDA:

Minutes 7-23-2020

Review Payment Report

Treasurer’s Report – removed from consent agenda

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to remove the Treasurer’s Report from the Consent Agenda; motion carried.

MOTION: It was moved by Councilman Davis and seconded by Councilwoman Fogle to approve the Treasurer’s Report with the additional information on the Maintenance Operations Transfer and Events and Donations line items; motion carried.

PUBLIC WORKS REPORT: Arlynn Jacobson reported on the following Items:

Garage Door Repair: The shop garage door went out and was repaired.

New Water System Well #5: Still trying to get a clean water sample. The city will save about \$22,000 by putting in the landscaping and retention pond.

Parks Grant: The city has an opportunity to be awarded a \$5,000 grant to install benches and picnic tables. The work must be done by this fall.

Teton City Sewer Meeting: City Engineer Dick Dyer and Mr. Jacobson met with Teton to discuss the replacement of the pressurized shared sewer line. Compared to the south end of the Moody line it still appears to be in good shape despite its age. The line was installed in the 1960s. However, it was abandoned in the 1980s until about 1998. The mayor would like to see the replacement of the line planned and ready for a near future project.

GIS Training: Mr. Jacobson would like GIS to show the council the capabilities of the software and how it can benefit the city at the next available council meeting.

PLANNING AND ZONING REPORT: Dave Thompson reported that because of no quorum they did not meet.

Fiber Optics for City: The mayor asked that Mr. Thompson put together a possible fiber optic plan for the city to present to the council.

MAYOR'S REPORT: The mayor reported that we are hearing less from the local health district and COVID-19. There has been a small increase in cases in Madison County but we have not reached the 40 threshold for the next phase of social restrictions. BYU-I students may have an impact when school begins in the fall. Madison County is surrounded by COVID-19 hotspots.

Committee Assignments: The mayor will revisit committee assignments during the next few council meetings.

COUNCIL REPORTS: Councilwoman Nielsen would like to work on an online city fee schedule. She will work with City Attorney Chase Hendricks, City Building Inspector Quinton Owens, and City Code Enforcement Officer Jonathan Turner.

DEPARTMENT REPORTS: Code Enforcement and the Building Department reports are updated online for the Council to review anytime.

Tree & Beautification Committee: Councilwoman Ball –

August Yard Awards:

Andrew & Kali Rammell
Brent & Jan Barrus
Bart & Sheila Andreasen
Tim & Audrey Whitworth

August Garden Awards:

Jorge & Laurie Orduno
Tyler & Deborah Andreasen
Lawrence & Catherine Nielsen
Bill & Leola Barnhill

Meeting adjourned at 8:00 p.m. Councilors Ball and Fogle motioned to adjourn the meeting.

Signed: _____
Steven Adams, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

The City of Sugar City Idaho

Resolution No. 2020-10

“A Resolution to Approve an Increase in the Sewer User Rate.”

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, the City of Rexburg will increase their sewer rate to Sugar City by \$0.13 beginning October 1, 2020 for fiscal year 2020/21;

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

Effective October 1, 2020, the sewer user rate for Sugar City residences and businesses shall be as follows:

SEWER

1. Usage rate will increase from \$3.30/thousand gallons to \$3.43/thousand gallons of sewage used.
2. Outside city limits 125% - \$4.29/thousand gallons of sewage used

PASSED by the Council of the City of Sugar City on this 13th day of August, 2020

APPROVED by the Mayor of the City of Sugar City on this 13th day of August, 2020.

(SEAL)

Steven Adams, Mayor

ATTEST:

Wendy McLaughlin,
City Clerk-Treasurer

The City of Sugar City Idaho

Resolution No. 2020-11

“A Resolution to Approve an Increase City Wide Cleanup Dumpster Fee.”

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, 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:

Effective October 1, 2020 the city wide cleanup additional dumpster fee will increase from \$2.40/month to \$3.60/month.

PASSED by the Council of the City of Sugar City on this 13th day of August, 2020

APPROVED by the Mayor of the City of Sugar City on this 13th day of August, 2020.

(SEAL)

Steven Adams, Mayor

ATTEST:

Wendy McLaughlin,
City Clerk-Treasurer

RESOLUTION 2020-12

BE IT RESOLVED by the mayor and the Sugar City Council that effective October 1, 2020 the rates for the following items for Sugar City residences and businesses shall be as follows:

A. Garbage and Refuse

<u>Violations in accordance with:</u>	<u>Penalty</u> <u>10 days*</u>
<u>3-1-8 (a-d)</u> Responsibility for disposal	\$100.00
<u>3-1-9 (a-b)</u> Refuse Containers	\$100.00
<u>3-1-10</u> Vehicle collection requirements	\$100.00
<u>3-1-11</u> Obnoxious odors from compost piles	\$50.00
<u>3-1-12</u> Incinerators	\$50.00
<u>3-1-13 (a-d)</u> Unlawful acts and activities	\$100.00

* An additional \$15.00 fee will be added per day for continued violation. All fees must be paid within 14 days of original infraction.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 13TH DAY OF AUGUST 2020.

Steven Adams, Mayor

Attest:

Wendy McLaughlin, City Clerk-Treasurer

(SEAL)

RESOLUTION 2020-13

BE IT RESOLVED by the mayor and the Sugar City Council that effective October 1, 2020 the rates for the following items for Sugar City residences and businesses shall be as follows:

<u>Violations in accordance with:</u>	<u>Penalty</u>
	<u>10 days*</u>
<u>3-2-4</u> Abatement procedures	\$100.00
<u>3-2A-4</u> Noxious weeds penalty	\$100.00
<u>5-1-2</u> Speeding regulations	\$50.00
<u>6-1-1</u> Riding machines on sidewalks	\$50.00
<u>6-1-2</u> Unlawful use of streets	\$50.00

* An additional \$15.00 fee will be added per day for continued violation. All fees must be paid within 14 days of original infraction.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 13TH DAY OF AUGUST 2020 .

Steven Adams, Mayor

Attest:

Wendy McLaughlin, City Clerk-Treasurer

(SEAL)

RESOLUTION 2020-14

BE IT RESOLVED by the mayor and the Sugar City Council that effective October 1, 2020 the rates for the following items for Sugar City residences and businesses shall be as follows:

A. PARKING VIOLATION

<u>Violation</u>	<u>Penalty</u>
<u>5-2-5-c:</u> Parking in a restricted parking zone	\$25.00
<u>5-2-6-A-1-a:</u> Parking on sidewalk area	\$25.00
<u>5-2-6-A-1-d:</u> Within fifteen feet (15') of a fire hydrant	\$35.00
<u>5-2-6-A-1-f:</u> Parking within twenty feet (20') of a crosswalk of an intersection	\$25.00
<u>5-2-6-A-1-e:</u> Parking on a crosswalk	\$25.00
<u>5-2-6-A-1-p:</u> Parking within a fire lane	\$35.00
<u>5-2-8:</u> Handicapped parking only	\$35.00
<u>6-1-2-g:</u> Unlawful use of streets	\$35.00

*An additional \$15.00 fee will be added per day for continued violation. All fees must be paid within 14 days of original infraction.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS
13TH DAY OF AUGUST 2020.

Steven Adams, Mayor

Attest:

Wendy McLaughlin, City Clerk-Treasurer

(SEAL)

Resolution 2020-14

RESOLUTION 2020-15

BE IT RESOLVED by the mayor and the Sugar City Council that effective October 1, 2020 the rates for the following items for Sugar City residences and businesses shall be as follows:

A. PARKING VIOLATION

<u>Violation</u>	<u>Penalty</u>
<u>5-2-6 (b)</u> Parking in front or within five feet (5') of a private driveway	\$25.00
<u>5-2-6 (g)</u> Parking within thirty feet (30') upon the approach of any flashing beacon or traffic-control device located at the side of a roadway;	\$35.00
<u>5-2-6 (h)</u> Parking between a safety zone and the adjacent curb, or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless authorized signs or markings indicate a different length;	\$35.00
<u>5-2-6 (i)</u> Parking within fifty feet (50') of the nearest rail of a railroad crossing	\$45.00
<u>5-2-6 (j)</u> Parking within twenty feet (20') of the driveway entrance to any fire station, and on the side of a street opposite the entrance when properly signposted	\$35.00
<u>5-2-6 (k)</u> Alongside or opposite any street excavation or obstruction, when stopping, standing or parking would obstruct or be hazardous to traffic	\$35.00
<u>5-2-6 (l)</u> Parking upon any bridge or other elevated structure upon a street, or within a street, tunnel or underpass	\$35.00

5-2-6 (m) Parking at any place where official signs or traffic markings prohibit stopping, standing or parking \$35.00

5-2-6 (n) Parking at any place in any public park, playground or grounds of any public building other than on the roads or parking lots provided for public parking and then only in accordance with provisions of any officially installed signs, such signs to be installed by the city transportation engineer, pursuant to the authority granted in this chapter \$35.00

5-2-6 (o) Parking on any footpath in any park or playground \$35.00

5-2-6 (q) Parking on any median or island, or on any dividing section \$35.00

*An additional \$15.00 fee will be added per day for continued violation. All fees must be paid within 14 days of original infraction.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 13TH DAY OF AUGUST 2020.

Steven Adams, Mayor

Attest:

Wendy McLaughlin, City Clerk-Treasurer

(SEAL)

The City of Sugar City, Idaho
Resolution No. 2020-16

"A Resolution to Reserve the Current Year's Forgone Amount."

WHEREAS, the Council of the City of Sugar City, Idaho desires to reserve the 2020 forgone or 3% tax levy increase, in the amount of \$5,764 and

WHEREAS, the City Council desires to comply with Governor Little's recommendation to reserve the 2020 tax levy 3% increase because of the COVID 19 pandemic;

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

That as part of the budget process, the City Council of the City of Sugar City, Idaho hereby approves to reserve the forgone tax levy, in the amount of \$5,764 for fiscal year 2020-2021.

PASSED by the Council of the City of Sugar City on this 13th day of August, 2020

APPROVED by the Mayor of the City of Sugar City on this 13th day of August, 2020.

(SEAL)

Steven Adams,
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk - Treasurer