

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, AUGUST 22, 2019

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

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilors Brent Barrus, Sid Purser, Connie Fogle, and Steve Davis; City Public Works Director Arlynn Jacobson; Chairman Dave Thompson of the Planning and Zoning Commission; City Building Inspector Cliff Morris; Citizens Joy Ball, Barbara Lusk, Catherine Nielsen, and Audrey Taylor.

PUBLIC HEARING (Proposed 2019-20 Appropriation Budget): Mayor Ogden introduced the 2019-20 proposed appropriation budget. Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of the proposed 2019-20 budget. No one testified.

The mayor called for those neutral to the proposed 2018-19 budget.

Joy Ball read a seven point statement and questions on the proposed budget and implored the council to be wise in their fiscal responsibility (see Attachment #1).

The mayor called for those against the proposed 2019-20 budget. No one testified.

6:50 p.m. The public hearing ended and the regular council meeting began.

RESOLUTION NO. 2019-6 (To Modify the Existing Fee for Dog Tags): Resolution No. 2019-6 was presented to the council by title only.

MOTION: It was moved by Councilman Barrus and seconded by Councilman Davis to adopt Resolution No. 2019-6; motion carried. A copy of said resolution is attached hereto marked "Attachment #2."

RESOLUTION NO. 2019-7 (To Draw the Forgone Taxes): Resolution No. 2019-7 was presented to the council by title only.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to adopt Resolution No. 2019-7; motion carried. A copy of said resolution is attached hereto marked "Attachment #3."

ORDINANCE NO. 345_2019 (2019-20 Appropriations Ordinance): The council adopted Ordinance No. 345_2019 for the city's 2019-20 operating budget after reviewing the concerns that Joy Ball expressed. The council held a public work meeting last month to review the budget in detail.

Ordinance No. 345_2019 was introduced and read by title only by Councilman Barrus entitled:

“AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF SUGAR CITY, IDAHO FOR THE FISCAL YEAR OCTOBER 1, 2019 TO SEPTEMBER 30, 2020, 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 DEFRAID THE EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020.”

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

Those voting aye: Councilors Barrus, Purser, Fogle, and Davis
Those voting nay: None

Ordinance No. 345_2019 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. 345_2019 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.

MINUTES: Mayor Ogden asked if there were any corrections to the revised minutes of the regular meeting held on August 8, 2019. Each councilor had a copy of the minutes prior to the meeting.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Purser to accept the minutes as presented; motion carried.

TAYLOR TOTS PRESCHOOL – HOME BUSINESS APPLICATION: The council approved the Taylor Tots Preschool business application for a business license. Planning and Zoning Chairman Dave Thompson reviewed the application with the council stating that the code requires a special use permit for a preschool and therefore would not make a recommendation. The council felt that the city code was, more than likely, referring to a preschool business other than a home based business for the special use permit and that Taylor Tots Preschool would be more like a daycare. However, the council agreed to relax the potential requirement for a special use permit.

MOTION: It was moved by Councilman Barrus and seconded by Councilman Davis to approve Taylor Tots Preschool business license without a special use permit and subject to

passing two safety inspections from the fire marshal and building inspector. A limit of 6 children for each teaching session was also set; motion carried.

PLANNING AND ZONING (P&Z) COMMISSION REPORT: Chairman Dave Thompson reported on the following items:

Title 9 Revisions: No report

Impact Area Expansion: Dave reported that the city is short in businesses in order to sustain growth. He hopes the city can capitalize on encouraging business growth along the freeway entrances.

TITLE 9 ADMINISTRATOR CODE REVISIONS: The council tabled the Title 9 administrator code revisions for further review. Items and ideas agreed upon include:

- Giving autonomy to planning and zoning administrator
- Facilitating the process
- Authorizing administrator to act for and in conjunction with the planning and zoning chairman

City Attorney Dylan Anderson drafted a memo to the council addressing another issue before the council from the City Code 9-1-8 which states that “the city council shall not amend this title until it has received a recommendation regarding the amendment from the planning and zoning commission”. Anderson said “this title” in the above statement is referring to the zoning ordinance and not Title 9 of the city code. Otherwise it “would make planning and zoning recommendations mandatory and prerequisite to council action for the entire Title 9 and improperly shift the role of council to the planning and zoning commission” – Dylan Anderson. Mr. Anderson suggests a revision in the wording to City Code 9-1-8 to make it clearer.

CLEAR VISION TRIANGLE CODE REVISIONS: The council agreed upon most of the clear vision triangle revisions but tabled it until an ordinance can be created for further action.

DESIGN REVIEW CODE REVISIONS: After a lengthy discussion on whether to add R3 Zone (High Density Residential) to R1 (Single Family) and R2 (Medium Density) zones that do not require a design review, the council tabled the discussion for further review.

MAYOR’S REPORT: Mayor Ogden reported on the following item:

Tree and Beautification Committee: The mayor met with the committee and reported the committee is planning ahead for next year’s Sugar Days celebration. Additional names were given to the mayor of those who might serve on the committee. Councilman Steve Davis is the liaison and will be added to the contact list.

Candidacy Applications: The mayor reminded the council that their Declarations of Petition and Candidacy are due beginning next week.

DEPARTMENT REPORTS:

COUNCILMAN BARRUS: No report.

COUNCILMAN PURSER: Asked if a porta-potty could be installed along the walking path to Rexburg perhaps at the Moody junction which is about half way.

COUNCILWOMAN FOGLE: Reported that the National Realtor’s Association is interested in extending a grant to the city for the amphitheater. All she needs is an approximate

cost of the project. Shannon from Madison County Weed Abatement would be a good resource since she was instrumental in helping with the new Madison County Fairground's amphitheater.

COUNCILMAN KING: No report.

Meeting adjourned at 9:25 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

**CITY COUNCIL PUBLIC HEARING
 THURSDAY, AUGUST 22, 2019, 6:30 P.M.
 (2019-2020 BUDGET HEARING)
 ATTENDANCE SHEET**

NAME ADDRESS PLEASE PRINT	FOR	NEUTRAL	AGAINST	WANT TO TESTIFY	DO NOT WANT TO TESTIFY
1 <i>Joy Ball</i>		X		X	
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

Points/questions concerning the proposed budget for 2019-2020

1. The draft budget offered for public inspection prior to this public hearing does not include the column showing the actual budget approved for the 2018-2019 year. This makes it difficult or impossible to see changes directly from that year's budget to the proposed 2019-2020 budget. This is a failure of transparency because the citizens should be able to make the direct comparison.
2. Last August, Vaun prepared a budget worksheet showing how administrative costs were far out of proportion with revenue increases. He listed 16 line items and showed how administrative costs have increased. This proposed budget of these same line items is down \$25,000 from 2016-17, but is still more than double what was spend in 2012-13 (81,000). How is Sugar City better for the people because of the doubled cost? How do we account for that increase?

Employee insurance rates have gone from \$300 in 2011-12 to a proposed \$2000. I addressed this in the past and continue to have the same questions. It is nice that we offer insurance for full-time employees. However, wonder if City Council members, P&Z members and other part-time employees are also having their benefits paid for. I believe the insurance should be offered to them so they can be on the group plan, but I believe they should pay their own premiums.

3. The salaries for the mayor, council, clerk, assistant clerk come from both the General fund and the Utility fund. Let's look at the percentage:

Mayor: 25% Gen. fund and 75% Utility Fund. Council: 60% Gen fund and 40% Utility fund. Clerk and Clerk's Assistant: Gen fund 50% and Utility fund 50% with a "Merit based wage increase" ---not defined. This appears to mean that 75% of the Mayor's work load, 40% of the councils work load, and 50% of the clerks work load are Utility related and that they are reimbursed accordingly. How is this accounted for? Is it legal to move money from the utility fund for these salaries if the work is not utility related?

4. Line Item—10-41-145 (p. 3) lists \$1500 for Travel and Mileage Reimbursement. But there are no specifics as to who receives this money.

5. Line item 10-41-180-----Building Inspection. \$37,000 plus \$3,300 mileage. If we divide the salary by the number of permits for the year we can see that for 2014-15 Cliff was paid \$221 per permit, in 2015-16 he was paid \$147 per permit, in 2016-17 it was \$695 per permit, in 2017-18 he was paid \$563 per permit. For this year's budget it has been estimated that there will be 40 cottage home/townhome permits applied for. With the salary and mileage, that puts the building inspectors compensation at \$1,007 per permit—more than 4 times what it was just 5 years ago. The budget says the salary was raised from \$25/hr to \$35 an hour for 2019. When I Googled the average hourly wage for building inspectors in the state of Idaho, the highest one I saw was \$30.00. Is this item an area to re-think?

6. Two budgetary black holes appear on this year's budget draft—streets and parks [streets--\$93,000 in 2017-18 to \$157,500. Parks--\$64,000 in 2017-18 to \$84,400—with only \$22,000 being spent so far this fiscal year]. Of course the amounts on the budget draft would be well spent on streets and parks, but the question is whether that is where the money allocated will actually go. As the year unfolds and expenses come up, funds can be taken from these budget items and spent elsewhere with very little awareness by the public, even by the city council.

7. Under Miscellaneous—line item 50—49—230 on page 9-----what specific maintenance and improvement are contemplated to account for the large budget increases on this year's draft? (no money has been spent this year and only \$75,000 the previous 2 years). Who will notice if invisible maintenance and improvement does not occur?

In conclusion, Idaho Code 50-1002 says the city council prepares the budget, not the mayor or even the treasurer. Obviously Wendy's assistance is indispensable, for her meticulous work and knowledgeable input, but you, the city council, are legally mandated to oversee the budget. I implore you to be wise in your fiscal responsibility.

Thank you. Joy Ball 25 East 1st North Sugar City 208-201-6563

The City of Sugar City, Idaho

Resolution No. 2019 - 6

"A Resolution to Modify the Existing Fee for Dog Tags in the City of Sugar City."

WHEREAS, the Council of the City of Sugar City, Idaho desires to modify the existing fee for dog tags;

WHEREAS, under Section XVI of Ordinance No. 288, fees and infraction penalties are to be established by resolution;

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

SECTION V. ANNUAL LICENSE FEE: The annual license fee is \$15.00 for each dog (prorated if new dog has been in the household for less than a year).

PASSED by the Council of the City of Sugar City on this 22nd day of August, 2019

APPROVED by the Mayor of the City of Sugar City on this 22nd day of August, 2019.

(SEAL)

David D. Ogden,
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk - Treasurer

The City of Sugar City, Idaho

Resolution No. 2019 - 7

“A Resolution to Draw the Forgone Taxes for Use in the 2019 - 2020 Budget Year.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to draw the forgone surplus in taxes, in the amount of \$1,601, and use it in the general account; and

WHEREAS, the city has not been contributing to the forgone account for some time, and since it is such a small amount, it could be used for other needs of the city; and

WHEREAS, the Council of the City of Sugar City, Idaho feels these funds could be used in the best interests of the city budget;

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 the draw of the forgone account surplus, in the amount of \$1,601, to be placed in the general account, to be used primarily for the parks and recreation budget.

PASSED by the Council of the City of Sugar City on this 22nd day of August, 2019

APPROVED by the Mayor of the City of Sugar City on this 22nd day of August, 2019.

(SEAL)

David D. Ogden,
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk - Treasurer