

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, AUGUST 27, 2015

Presiding: Mayor W. Lamont Merrill
Meeting Convened at 6:30 p.m.
Prayer: Bruce Bills
Pledge of Allegiance

PUBLIC HEARING (Proposed Comprehensive Plan Revisions): Mayor Merrill welcomed everyone and brought the public hearing to order. He presented a brief review of the procedure for the public hearing and reviewed the proposed Comprehensive Plan revision items. City Clerk-Treasurer Wendy McLaughlin reported that there was no prior written testimony submitted. Mayor Merrill called first for those in favor of approving the proposed revisions. No one testified.

The mayor called for those neutral to the proposal to testify. No one testified.
The mayor then called for those against the proposed revisions. No one testified.

6:35 p.m. The Comprehensive Plan public hearing ended.

PUBLIC HEARING (Proposed Budget 2015-2016): Mayor Merrill welcomed everyone and brought the public hearing to order. He reviewed the general fund and utility fund budget items. City Clerk-Treasurer Wendy McLaughlin reported that there was no prior written testimony submitted. Mayor Merrill called first for those in favor of approving the proposed budget. No one testified.

The mayor called for those neutral to the proposal to testify. No one testified.
The mayor then called for those against the proposed budget. No one testified.

6:40 p.m. The budget public hearing ended, and the council convened its regular meeting.

Present: Mayor Lamont Merrill; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Bruce Bills, Bruce Arnell, and Matt Garner; Commissioner Brent Barrus of the Planning and Zoning Commission; and Caleb Despain of the *Standard Journal*. Chairman Dave Ogden of the Planning and Zoning Commission was excused.

Mayor Merrill asked if there were any corrections to the minutes of the regular meeting held on August 13, 2015. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Bills and seconded by Councilman Garner to accept the minutes; motion carried.

MOTION TO ADOPT THE COMPREHENSIVE PLAN REVISIONS: The council noted the appropriateness of the changes to the Comprehensive Plan and the many hours of work contributed by former Councilman Waddell and others. "The Comprehensive Plan is strong and

reflects the values, goals, and vision of Sugar City,” stated Councilman Bruce King. “The plan is not only the basis for city laws and resolutions but also the foundation of all municipal governance,” King said, quoting from the first paragraph of the plan. It was moved by Councilman King and seconded by Councilman Garner to adopt the Comprehensive Plan revisions as prepared and proposed for Sugar City, and as noticed in the newspaper and posted on the city website for the public hearing tonight. The mayor called for a roll call vote:

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

Those voting nay: None

Thereupon, the mayor declared the motion passed.

MOTION TO ADOPT THE 2015-2016 BUDGET: It was moved by Councilman Arnell and seconded by Councilman Bills to adopt the fiscal year 2015-2016 budget appropriation as prepared and proposed for Sugar City, and as noticed in the newspaper and presented at the public hearing tonight. The mayor called for a roll call vote:

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

Those voting nay: None

Thereupon, the mayor declared the motion passed.

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

Randall Porter Sign Application: Has been approved. The property, which is in the impact area, is also for sale.

Agri-Service Sign Application: Has been approved, with a few modifications to adjust the lettering more toward the west side of the building.

Business Park Warehouse – Jon Gregory: Planning and Zoning reviewed the warehouse plot plans and approved the plans for a building permit. Jon Gregory may also be interested in another lot for a similar company.

Joint Commission on City Impact Area Meeting: Planning & Zoning Chairman Dave Ogden attended the first meeting of the joint Madison County, Sugar City and Rexburg Commission. The committee is formed and governed by County Ordinance No. 365, “Area of City Impact Governing Ordinance,” passed in June 2010. The county will make the deciding vote and head the meetings. Chairman Ogden reported that the county insisted that Rexburg meet the required criteria to expand their area of impact as desired and follow the guidelines set up in the governing ordinance. The committee will meet regularly once a month until the issues are resolved. The next meeting will be Thursday, September 24.

Sugar City Code Title 10 Review: Commissioner Barrus reported that the commission has been reviewing Title 10, “Subdivision and Platting,” of the city code to update and correct any inconsistencies with the revised Comprehensive Plan.

New Commission Chairs: Mr. Barrus asked the council to consider new chairs for the commission. The current chairs are old, heavy, and uncomfortable. The council gave their approval to the commission to purchase new chairs.

ROCKY MOUNTAIN POWER FRANCHISE AGREEMENT – 2ND READING: The second reading of the franchise agreement was read by title only. The third reading and possible adoption will be September 10.

Councilman King introduced the Rocky Mountain Power franchise agreement by title entitled:

“AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO ROCKY MOUNTAIN POWER”

It was moved by Councilman Arnell and seconded by Councilman Garner to waive the reading in full. Thereupon the clerk called roll upon said motion.

Those voting aye: Councilmen King, Bills, 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.

FRANCHISE AGREEMENT 3% CEILING: The council discussed the legality of assessing Rocky Mountain Power a 4% franchise fee. Previously the city adopted a 4% franchise fee effective in 2016. However, Idaho Statute 50-329A, “Franchise Ordinances,” prohibits a rate greater than 3% for a public service provider unless a greater fee is currently being paid.

MOTION: It was moved by Councilman King and seconded by Councilman Bills to rescind the previous motion of July 9, 2015, to increase Rocky Mountain Power’s franchise fee from 3% to 4%; motion carried.

WATER WELL GRANT APPLICATION: River Bend Ranch Attorney Jim Smith has suggested that a grant be applied for to help offset some of the costs associated with the storage well construction. Similar grants have been sought and obtained through Forsgren and Associates for the Toscano development. The city will carefully review the development agreement to ensure the city’s water rights are protected as well as sufficient future water rights are obtained to meet the needs of further developments. Currently the city is heading a water diversion application in behalf of River Bend Ranch to be able to divert excess water rights to other points (wells) of development. The council asked that the city attorney write a memo on the application process to help them understand the procedure. A meeting has been set for September 10 at 9:00 a.m., to which the mayor invited Councilman Arnell to attend.

URBAN RENEWAL DISTRICT: Mayor Merrill reported that the district is putting together an agreement that will need to be signed by the city and the county. However the district refused the council’s suggestion to move the proposed north interchange boundary lines back west of Highway 33 and to add Sugar City’s name to the north interchange district even though the district includes property within the city limits and area of impact. The council asked that a copy of the proposed agreement be sent to the council and Commissioner Brent Barrus, who is acting Planning and Zoning Chair until Dave Ogden is able to return.

DEPARTMENT REPORTS:

COUNCILMAN KING: No report

COUNCILMAN BILLS:

Grants: Mr. Bills reported that he has looked into pursuing grants for the city using a local engineering firm. The city will provide a list of possible projects that grants could help fund

in a proactive and forward-thinking manner. Two specific categories were identified for the list – capital needs and operational needs. The city will approach the city engineer first, but if too busy to pursue the grants in a proactive manner then the city will look at other local engineering firms. Zane Baler, public works director, Planning and Zoning, the Tree and Beautification Committee, and Dick Dyer, city engineer, will be asked for their insight and suggestions. The mayor will talk with Dick Dyer and the other committees.

MOTION: It was moved by Councilman King and seconded by Councilman Bills to prepare a list of capital and operational needs for Sugar City, with discussion on the list to be Thursday, September 24, 2015; motion carried.

Watering Truck: The Tree & Beautification Committee needs a watering truck for the summer flowers.

MOTION: It was moved by Councilman Bills and seconded by Councilman Arnell to proceed with the purchase of an additional ¾ ton pick-up to replace the “watering truck”; motion carried.

Fund Raising for Departments: Mr. Bills asked the council why the Tree and Beautification Committee needed to raise funds for the flowers instead of having a budget. The council decided the fund raising was more from tradition than from city procedure. In the future, the flowers will be funded through a submitted budget.

COUNCILMAN ARNELL:

MCCC Meeting (Madison County Community Council): Councilman Arnell attended the monthly meeting. He reported that there were many organizations present to help with needs the county or youth may have.

COUNCILMAN GARNER: No report.

MAYOR’S BUSINESS:

Old Farm Estates Update: Mayor Merrill reported that Old Farm Estates developers had submitted a new proposed restrictive covenant. The mayor reminded everyone that the city does not enforce covenants; rather, the subdivision does.

Annual Mayors’ Meeting: Mayor Merrill reported that there was good representation at the meeting from the region. Alcohol sales, state law enforcement, and sales tax changes were some of the issues discussed. A training workshop for Planning and Zoning commissioners is planned for Tuesday, September 15, 2015.

City Liability Insurance: The council suggested that a visit from the city’s property and casualty insurance provider, Idaho Counties Risk Management Program (ICRMP), would improve our understanding of insurance coverage and costs.

Syringa Franchise Update: Syringa wants to sign a month-to-month agreement for \$800 per month. The attorney will check into getting the back rent difference between \$563.07 and \$800 from January to July.

Food Bank: The monthly food bank will start meeting in the business park September 16. Over 400 patrons likely will be served. Madison County Sheriff’s Office believes using the business park will serve the flow of traffic and patrons well.

Harris Property: The owner contact for the Harris property has been identified.

Meeting adjourned at 9:25 p.m.

Signed: W. Lamont Merrill
W. Lamont Merrill, Mayor

Attested: Wendy McLaughlin
Wendy McLaughlin, Clerk-Treasurer

**CITY COUNCIL PUBLIC HEARING
 THURSDAY, AUGUST 27, 2015, 6:30 P.M.
 (COMPREHENSIVE PLAN REVISIONS)
 ATTENDANCE SHEET**

NAME ADDRESS PLEASE PRINT	FOR	NEUTRAL	AGAINST	WANT TO TESTIFY	DO NOT WANT TO TESTIFY
1 <i>No one attended</i>					
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**CITY COUNCIL PUBLIC HEARING
 THURSDAY, AUGUST 27, 2015, 6:30 P.M.
 (2015-2016 APPROPRIATION - BUDGET)
 ATTENDANCE SHEET**

NAME ADDRESS PLEASE PRINT	FOR	NEUTRAL	AGAINST	WANT TO TESTIFY	DO NOT WANT TO TESTIFY
1 <i>No one attended</i>					
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