

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, SEPTEMBER 12, 2019

Presiding: Mayor Dave Ogden
Meeting Convened at 6:30 p.m.
Prayer: Connie Fogle
Pledge of Allegiance

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

MINUTES: Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on Thursday, August 22, 2019. Each councilmember had a copy of the minutes prior to the meeting. It was moved by Councilwoman Fogle and seconded by Councilman Davis to accept the minutes; motion carried.

RECONCILIATION REPORTS: The council asked general questions to clarify items on the bank statements and financial reports.

Wendy presented the August reconciliation reports for the General Fund. It was moved by Councilman Barrus and seconded by Councilman Purser to accept the August reconciliation reports for the General Fund; motion carried.

Wendy presented the August reconciliation reports for the Utility Fund. It was moved by Councilman Purser and seconded by Councilwoman Fogle to accept the August reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$191,752.86. It was moved by Councilwoman Fogle and seconded by Councilman Barrus to pay the current bills, together with all regular September bills; motion carried.

PLANNING AND ZONING CODE TITLE 9 REVISIONS FINDINGS OF FACT AND POSSIBLE PUBLIC HEARING:

A meeting was set for public comment to be held on Thursday, October 10 at 6:30 p.m. before the city council. The council proposes revisions to City Code Title 9 Zoning Regulations specifically Chapter 1 Administration 9-1-3 Administrator, 9-1-4 Planning and Zoning Commission, and 9-1-8 Amendment. The purpose for the revisions is to:

- Promote the independence of the Planning and Zoning Administrator and the Planning and Zoning Commission
- Streamline the application process, and
- Clarify responsibilities of the commission regarding Title 9 and the Zoning Ordinance

MOTION: It was moved by Councilman Barrus and seconded by Councilman Davis to set the meeting for public comment for October 10, 2019 6:30 p.m.; motion carried.

CLEAR VISION TRIANGLE REVISIONS: The council approved the clear vision triangle revisions to the city code and adopted Ordinance 346_2019.

Ordinance No. 346_2019 was introduced by title only by Councilman Barrus entitled:

“AN ORDINANCE TO CHANGE THE PARAMETERS OF THE CLEAR VISION TRIANGLE IN 9-3-8 (5)(A), AND SOME MINOR CORRECTIONS TO THE FRONT YARD SETBACK REQUIREMENTS IN THE TRANSITIONAL AGRICULTURE (TA) DISTRICT AS DISCUSSED IN 9-3-8 (7)(A).”

It was moved by Councilman Barrus and seconded by Councilman Davis 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 Purser 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. 346_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 346_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.

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

Land Use Schedule: No report

Title 9 Revisions: Dave reported that the commission still has concerns with the proposed Title 9 Revisions recommended by the council.

Impact Area Expansion: Dave reported that the commission is working on assignments toward expanding the impact area.

Taylor Tots Preschool: Talked about the need to have the home inspected by the city building inspector and the fire marshal.

NEW APPOINTMENT TO THE TREE AND BEAUTIFICATION COMMITTEE: The council ratified the appointment of Joy Ball to the Tree and Beautification Committee.

MOTION: It was moved by Councilwoman Fogle and seconded by Councilman Davis to appoint Joy Ball to the Tree and Beautification Committee; motion carried.

MOBILE HOME NUISANCE: The council set a Show Cause Hearing for Thursday, September 26, at 6:45 p.m. to give the owner an opportunity to show why the mobile home should not be declared a public nuisance and removed. City Building Inspector Cliff Morris reported that he and City Public Works Director Arlynn Jacobson inspected the empty mobile home trailer at 109 N Fremont and found it to be inhabitable and a potential safety hazard for young adults and children who like to visit. A certified letter will be sent to the owner.

MOTION: It was moved by Councilman Purser and seconded by Councilwoman Fogle to declare the empty mobile home at 109 N Fremont Street a public nuisance set the hearing date for Thursday, September 26; motion carried.

TRANSIENT SOLICITORS: The council discussed the possibility of allowing solicitors to work in the city after a obtaining a city permit. Currently the ban on solicitation within the city is unlawful. The mayor recommended a very thorough permitting process mirrored after the City of St. Anthony that would protect the citizens and discourage fly-by-night salesmen. The council tabled the item for further review.

DESIGN REVIEW REVISIONS: The council tabled their decision for further discussion on the Design Review revisions. They would like to review each revision carefully. The council does not want to over regulate individual home color and design especially if there are already Home Owners Associations (HOAs) and Covenants, Conditions, and Restrictions (CC&Rs) that regulate developments such as cottage homes and townhomes. These types of homes are single family units but are grouped together.

USE OF CITY’S RIGHT-OF-WAY FOR POLITICAL CAMPAIGNS: The Council will continue to allow political campaign signs in the city’s property. The City Code goes by the International Sign Code which prohibits signs in public right-of-ways. Political signs can be put up 60 days prior to the election and must be taken down 10 days after.

BUILDOUT OF A PORTION OF 3RD SOUTH: The Council approved the bid award of the Third South project to the lowest bidder Hill and Son Excavating LLC of Rexburg for \$97,802.75. The project will reconstruct a part of Third South just west of the railroad tracks and running one city block and will included improvements such as ribbon curbing.

The mayor will meet again with Dickinson, Norsun, and SunGlo to discuss perhaps enlarging the project to include about a half block more of pavement leading to their scales. Other needed improvements such as drainage and the repairing the railroad crossing would be key to maintaining the road and favor more involvement from the businesses.

RESOLUTION NO. 2019-8 (A resolution to award the Third South Street Project to Hill & Son Excavation LLC) – Resolution No. 2019-8 was presented to the council by title only.

MOTION: It was moved by Councilman Barrus and seconded by Councilwoman Fogle to award the project to the lowest bidder. 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 the motion passed. A copy of said resolution is attached hereto marked “Attachment #1.”

MAYOR’S REPORTS: No report

DEPARTMENT REPORTS:

COUNCILMAN BARRUS: No report

COUNCILMAN PURSER: Asked about adding an additional porta potty on the walking path to Rexburg. It was felt that since the summer season is ending in a couple of weeks that it will wait until next spring.

COUNCILWOMAN FOGLE:

Ham Radio Class: Several beginner ham radio classes will be held starting September 21 and going through October 12 and is open to the public. The cost is \$20.

Hepatitis Migration: The bubonic plague and typhus are migrating from the Los Angeles area northward. Citizens should be made aware. Also, bats carry rabies and do not need to bite you to infect you. If you come in contact with one wash thoroughly and contact your doctor immediately.

Sugar City Pavilion: Connie reported that Sugar City has been approved to apply for a grant from the Realtors Association. However, there are many applicants. Connie will write the grant and needs a letter from the mayor selling the idea of how an amphitheater could benefit Sugar City.

COUNCILMAN DAVIS: Reported that there were areas of standing water and asked how the city could help. Mr. Jacobson said he has identified the problem areas and working at adding more storm drains.

Meeting adjourned at 9:20 p.m.

Signed: _____
Mayor Dave Ogden

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

The City of Sugar City, Idaho

Resolution No.: 2019 - 8

“A Resolution to Award a Project to Hill & Son Excavating, LLC, for the improvement of a Part of the 3rd South Road Located Just West of the Railroad Tracks encompassing One City Block.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to award a project to Hill & Son Excavating, LLC, for the purpose of improving a part of 3rd South, located just west of the railroad tracks, and running one city block; and

WHEREAS, Hill & Son Excavating, LLC was the winning bid to perform the aforementioned work, and is willing to do so as of the awarding of the project; and

WHEREAS, the Council of the City of Sugar City, Idaho feels the improvements to this part of 3rd South are critical to the interests of the city;

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 attached notice of award in the amount of \$97,802.75 to Hill & Son Excavating, LLC, and authorizes the Mayor to execute the any and all documents necessary to the project.

PASSED by the Council of the City of Sugar City on this 12th day of September, 2019

APPROVED by the Mayor of the City of Sugar City on this 12th day of September, 2019.

(SEAL)

David D. Ogden,
Mayor

ATTEST:

Wendy McLaughlin
Wendy McLaughlin,
City Clerk - Treasurer