

MINUTES OF SPECIAL MEETING  
SUGAR CITY COUNCIL  
WEDNESDAY, JANUARY 4, 2006

Presiding: Mayor Dalling  
Meeting convened at 6:30 p.m.  
Prayer: Tim Kershaw  
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Tim Kershaw, Walter Deitz, and Harold Harris; Jan Gallup; Kathy Stillman; Rick Plewe; Bob Oliphant; Bruce King; Ron Yardley; Tom Gallup; Roy Brown; Vaughn Brown; Marie Davis; Greg Preslar; Elaine Preslar; Ray Barney; and Dave Thompson. Council member Barrus was excused.

**PUBLIC HEARING (YELLOWSTONE MEADOWS ANNEXATION):** The Mayor welcomed everyone and turned the time over to Jan Gallup who showed a map indicating where the property is located. She showed the property that is already owned by Mr. Stillman and is zoned R-1. She said the property in question has been requested to be annexed into the City as R-1. Just north of that property is M-2 zone and south of it is Agricultural and is still in the impact area. Mr. Stillman owns all of the property. Jan finished her comments and turned the time back to Mayor Dalling. Several members of the public made comments as follows:

**KATHY STILLMAN:** She said she is for the annexation.

**TOM GALLUP:** He is in favor of the annexation because it brings all of the property together as a unit. A discussion was had on the zoning. It was explained to him that it doesn't have a city zoning until it is annexed, and it will go to R-1 when it is annexed.

6:40 p.m. The public hearing ended and the Council resumed their special meeting.

**EXECUTIVE SESSION:**

6:45 p.m. It was moved by Council member Deitz and seconded by Council member Kershaw to go into executive session for the purpose of discussing potential litigation. The Mayor called for a roll call vote:

Those voting aye: Council members Kershaw, Barrus, Deitz and Harris

Those voting nay: None

Thereupon, the Mayor declared the motion passed.

6:59 p.m. The executive session ended and the special Council meeting reconvened.

7:00 p.m. **PUBLIC HEARING (REVISIONS TO BUILDING AND SITE ORDINANCE):**

Present: Mayor Dalling; Sharon L. Bell, Clerk; Council members Tim Kershaw, Walter Deitz, and Harold Harris; Sharee Palmer, Planning & Zoning Commission; Jan Gallup; Kathy Stillman; Rick Plewe; Bob Oliphant; Bruce King; Tom Gallup; Brent Strong; Vaughn Brown; Roy Brown; Angela Brown, Standard Journal; Ron Yardley; Dave Thompson; Ray Barney; Elaine Preslar; Greg Preslar; Marie Davis; Ninette Galbraith; Stephanie Blackham; and Debra Thompson.

The Mayor welcomed everyone and stated that this is a public hearing for revisions to the building and site ordinance. He said P&Z and Jan Gallup have done a lot of work on this revision. He turned the time over to Jan Gallup who gave a brief explanation. Jan explained there were six citizens that were asked to be on a design review committee, which was organized by P&Z. Those six citizens were Ninette Galbraith, representing the impact area; Stephanie Blackham, representing the City; Marlene Webster, representing the City and a business owner; Bill Barnhill was the engineering consultant; Darr Holdeman is a contractor and a builder; and Lawrence Nielsen was our City planning consultant.

Jan explained that design review is found in Title 8 of the Building and Site Ordinance of our City Code. Chapter 1 deals with the general building code; Chapter 2 discusses design review; Chapter 3 is design standards; Chapter 4 is landscape standards; and Chapter 5, signage. Design review applies to stores and businesses, a business park, manufacturing and industrial areas, planned unit developments, multi-family residential, and remodel or renovation of any of these. Design review does not include single-family residential or a single unit duplex or a single twin home. The ordinance establishes a design review board consisting of five members: three from the City and two from the impact area. They review building and site plans and they approve signage. They make recommendations to the Planning and Zoning Commission. Design review can help the City maintain a small-town, family-oriented atmosphere. Jan said they have prepared a book that will be approved at a later date, which they have titled "Design Concepts." Their goal is to preserve the past while designing the future. She said the purpose of design review is to (1) recognize the interdependence of land values; (2) encourage harmonious development with the desired character of the City; (3) provide planning and design guidelines; and (4) maintain a small-town, family-oriented atmosphere. She said we haven't had design review before; and if it doesn't work, we will have to make changes. The design review board is an advisory group. They review the building and site plans, and make a recommendation to Planning & Zoning. Usually P&Z has to go through a public hearing before other things are committed.

Jan finished her comments and turned the time back to Mayor Dalling. The Mayor said Jan was employed by the City as a consultant on two major projects: the completion of the comprehensive plan and revision of the ordinances. That is why she is taking such an active role at this time. He expressed appreciation for her work. Several members of the public made comments as follows:

**TOM GALLUP:** He stated that everyone he has talked to has been in favor of design review. He feels it is good for the City and should be approved by the Council.

**STEPHANIE BLACKHAM:** She said she was part of the design review committee and it really opened her eyes. She realized the kinds of things that can come into a town if you don't have something like this in place. She feels we need design review in place and that most people would be

in favor of this. She doesn't feel the ordinances are restrictive. There is plenty of room for variety. The town needs design review to protect the atmosphere we love here.

**NINETTE GALBRAITH:** She said she was on the design review committee representing the impact area. She presented a document to the City Council signed by several members of the community who accept this. A copy of said document is attached hereto, marked "Attachment 1."

7:30 p.m. The public hearing ended and the Council resumed their special meeting.

**COMPREHENSIVE PLAN MAP:** Jan Gallup said the comprehensive plan committee is meeting with people that are potential property owners to be in our impact area. The meeting is at the high school in the commons tonight at 8 p.m. It is not a public hearing. They are doing it so they can get a feel of what property owners want. It is an information meeting. Jan will be conducting the meeting as chairman of the comprehensive plan committee.

**CONTRACTOR'S REGISTRATION ISSUES:** Harold Harris reported the State of Idaho has adopted a new Contractor's Registration Act that went into effect on January 1, 2006. He feels strongly that communities should not be the watchdogs for the Contractor's Registration Act. The AIC said, "It is important to understand that the **primary enforcement responsibility is not assigned to local government.**" The accountability for that rests primarily with the Bureau of Occupational Licenses and the Idaho Contractors Board. The AIC is saying that we should adopt a resolution stating where our position is so contractors coming into the City will know what our position is. The Mayor asked the Council to delay action on it until the January 12<sup>th</sup> meeting when we will give them more information.

**MAYOR'S BUSINESS:**

**Remodeling of Council Room:** The Mayor said there has been some donated money to take care of the materials to remodel and enlarge the Council Room, and Harold Harris has volunteered to do the work. Harold gave a presentation on a couple of suggested options on the remodeling. This will give us more space for the public to attend our meetings. Harold said if anyone has any ideas that would make things better or more appropriate, they are open for suggestions.

**Yellowstone Meadows Annexation:** Discussion was had with Rick Plewe about what he plans to do with the property. He said they are after the annexation, and then they would like to have the property be a part of a planned unit development. He is in favor of design review because that is how they envision that PUD coming together is that it will be harmonious and will work together. Sharee Palmer said right now it is strictly the annexation. She said the Council is being asked to make a decision on whether or not to approve the annexation and zone it R-1. She said P&Z had to recommend a zone to be able to consider it to come into the City.

**MOTION:** It was moved by Council member Kershaw that we annex the property on which we had the public hearing this evening. The motion died for lack of a second.

Meeting adjourned at 8:10 p.m.

Signed: Glenn W. Dalling  
Glenn W. Dalling, Mayor

Attested: Sharon L. Bell  
Sharon L. Bell, Clerk

January 4, 2006

To: Sugar City Council:

We are in favor of the revisions made to Title 8 of the Sugar City Code for the following reasons:

1. Design review does not apply to single-family houses.
2. Design review can help create a small-town, family-oriented atmosphere.
3. Design review has been approved by a committee of six citizens representing the city and the impact area, and by the planning and zoning commission.
4. The Sugar City Comprehensive Plan upholds the revisions of Title 8 and design review.

Community Design Goals and Objectives:

Goal 1. Beautify the city.

Evaluate and enhance entryway corridors.

Enforce existing landscape and maintenance standards.

Review and revise landscape and maintenance standards in the Zoning Ordinance.

Goal 2. Maintain a small-town, family-oriented atmosphere.

Develop and update standards of design for the community, which model community values.

Enforce design standards in new residential (*multifamily, townhouses, twin homes*) and commercial development.

Strive to create an aesthetically pleasing community, which will protect the unique natural beauty and small-town character of the city.

Maintain and create visual and functional similarities between city parks and open space.

Stress city maintenance and upkeep of public property. Encourage upkeep of private property to enhance the attractiveness and characteristics of the community.

- Encourage the planting of trees and bushes that will create beauty and add to the healthy environment of the city

Encourage the screening or fencing of any salvage and junkyards.

Develop a visual gateway into the city to improve citywide identity.

Encourage the creation and enhancement of landscaping throughout the city.

Discourage proliferation of visual clutter along public rights-of-way, such as billboards, signs and dumpsters.

Encourage development design that is aesthetically pleasing and that will reduce the negative impact on neighboring properties.

5. Preparing and adopting design guidelines and development standards is part of Community Design Implementation.
6. Design review will require sustainable development procedures with fencing, signs, irrigation systems, building materials and so forth, so the city does not have to try to get someone to clean up or fix-up their property.

7. Landscaping will be part of new development helping to create a small-town feel while also beautifying the city.
8. Obtrusive lighting and signage will be eliminated helping to preserve a small-town, family-oriented atmosphere.
9. Single-family residential housing will be buffered from high-density traffic.
10. Design review provides standards for a developer to follow, making the planning process easier for the developer and the city. Everyone is on the same page.
11. Design review allows for an appeal process.
12. Open space and parks will be required to have a certain number of trees, and playground and picnicking facilities.

For all of the reasons listed we ask that the city council approve the revisions to Title 8.

<u>Marlene Webster</u>	<u>225 S. Austin Sugar</u>
<u>Steve Webster</u>	<u>225 So Austin, Sugar</u>
<u>Jay Hill</u>	<u>150 E 3<sup>rd</sup> South Sugar</u>
<u>Noel Zaugg</u>	<u>10 W. 2nd S. Sugar City</u>
<u>Mit Wood</u>	<u>348 S TETON AV.</u>
<u>Bill Wood</u>	<u>348 S. Teton</u>
<u>Tom Gallup</u>	<u>509 S Austin Ave Sugar</u>
<u>Benley</u>	<u>834 S. 7th W., Sugar</u>
<u>Brent Shroy</u>	<u>375 S Avolon, Sugar</u>
<u>Ray Barney</u>	<u>945 S 7<sup>th</sup> West Sugar</u>
<u>Paul Johnson</u>	<u>848 S. 7<sup>th</sup> W. SUGAR</u>
<u>Wade Thompson</u>	<u>634 South 7<sup>th</sup> West Sugar City</u>
<u>Stephanie Blackham</u>	<u>217 N Teton Ave. Sugar City</u>
<u>Marie Daving</u>	<u>9 E 15<sup>th</sup> SO Sugar City</u>
<u>Ninette Palbrauth</u>	<u>PO Box 427 Sugar City</u>