

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, SEPTEMBER 27, 2007

Presiding: Council President Harold Harris
Meeting Convened at 6:30 p.m.
Prayer: Bruce King
Pledge of Allegiance

Present: Sharon L. Bell, Clerk; Councilmembers Harold Harris, Walter Deitz, Bruce King; and Brad Orme; Jan Gallup; Andy Millward; Vaun Waddell; Sherry Holman; Jose Nevarez; Alec Philips; Spencer Dees; Preston Dees; Brenda Millward; and Carl O'Steen. Mayor Glenn W. Dalling was excused.

Council President Harris asked if there were any corrections to the minutes of the regular meeting held September 13, 2007. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Deitz and seconded by Councilmember King to accept said minutes; motion carried. A discussion was had on the three bills from Attorney Scott Lee on the Ball, Brown, Harris and Jeppesen annexation matter. The matter will be taken care of soon.

PLANNING & ZONING REPORT: Stephanie Blackham addressed the council.

Old Farm Estates: Stephanie reported that Sharon had given her everything that Eddie Pincock had given her, and P&Z will make a decision next week. They have enough information to make a decision. She reported an impact study has been done.

Impact Area: Stephanie reported that P&Z had a work meeting Tuesday night on the impact area and will vote on that at their next meeting.

Comprehensive Plan Map: They are working on all the maps – impact, comprehensive plan and land use. One part of the comprehensive plan map will have to be changed because of a zone change.

Title 9, Chapter 2, Definitions: P&Z hopes to finish Title 9, Chapter 2 Definitions, and Title 10, Subdivision, at their next meeting and take them to public hearing.

Posting P&Z Minutes on Web Site: P&Z has no objection to posting their minutes on the city's Web site after they have been approved.

P&Z Recommendations on Title 8-3-7-B, Severability, Variance and Appeal: Stephanie presented P&Z's response to Councilmember King's recommendation of adding the following to Title 8-3-7-B: "Variances shall not be granted if deemed harmful to the health and welfare of residents or to the visual environment of the city." P&Z's recommendation is as follows: (1) the recommended amendment is not substantive; (2) need for amendment is not clear; and (3) procedure is not clear.

SPENCER DEES, EAGLE'S NEST DEVELOPMENT – STORAGE UNITS IN IMPACT AREA: Spencer Dees addressed the council. He reported that this Eagle's Nest Development would be known as the Grand Tetons Business Park. Spencer is the superintendent and Eagle

Southwest Construction is the builder. He presented a “Grading & Drainage Plan, Business & Drainage Plan, Sewerline Extension Plan,” which was drawn by Williams Engineering. They are building six separate units. Each will have a bathroom and office space with a roll-up door. Mr. Dees also presented a landscaping plan. He reported that P&Z approved the layout but has not seen the landscape plan yet. They plan to put four planters in the retention basin with two trees in each, then they will plant grass around them. He feels it will be a beautiful place and a good addition to the area. They will meter their well. Discussion was had that this is a hookup for seven to eight businesses. Councilmember Deitz feels we should charge each of the businesses a connection fee. He would like to know from an engineering standpoint if this is viable.

Mr. Dees said they want to start the project as soon as possible. He referred to a letter dated April 10, 2007, from P&Z Chairman Stephanie Blackham to Madison County P&Z Chairman Brent McFadden, which states as follows: “Our Planning & Zoning Commission listened to a presentation by Eagle’s Nest Properties last Thursday night for a business and storage center on Highway 33 between Sugar City and Rexburg. It looks like a good proposal and could be a valuable resource for the business community in the area.” Mr. Dees said P&Z had no objection to the issuance of a building permit.

Easement: Discussion was had on an easement on the south side of the property to put in an 8” sewer line. They have agreed to pay for that line from the point where they connect their building. Later, it would be available for future development. We need to find out if it is legal for the city to put in the sewer line on the south side of their property or to build infrastructure in the impact area. This matter needs to be reviewed by the city engineer and by P&Z. If it is done, the city attorney will prepare the easement agreement after it is reviewed.

ANNEXATION OF HARRIS PROPERTY: Councilmember King feels we need to annex the Harris property as soon as we can. Sharon explained that we can start the annexation process as soon as the city receives documentation from the state certifying that Sugar City has officially annexed the Jeppesen and Ball properties.

DEPARTMENT REPORTS:

COUNCILMEMBER HARRIS:

Building Permits in Impact Area: Harold reported he reconsidered and renegotiated a decision with Madison County P&Z Administrator Brent McFadden. Harold read his letter to Mr. McFadden dated September 26, 2007. Excerpts from said letter are as follows: “We feel it is important for Sugar City to review all permits written in the impact area prior to those permits being issued by the county. For residential permits, Sugar City would like five days to review. For commercial or industrial permits, we would need more time depending on the complexity of the projects.” It was the consensus of the council to approve said letter. They will negotiate the fee schedule. The building permit application will be made at Madison County, and someone at the city will be responsible to review the building permits. Harold feels the county should reimburse the city for some of the expenses, and he is negotiating with them on that.

COUNCILMEMBER DEITZ:

Title 7, Water and Sewer: Walter reported that he gave a copy of the proposed Title 7 to City Engineer Dick Dyer for review and he discussed Mr. Dyer’s recommended changes. Under the equivalent-user schedule, he recommended adding an additional classification for professional offices. It was the consensus of the council that the new classification be added. A flat rate for sewer usage was also discussed. The council deferred a

decision until Marcie is present. Under 7-4-3: Connection to Sewer, Walter would like to add that video inspection be required. Under 7-3-6, he feels private inspectors usually do the annual inspections. He said every water meter installed has a backflow check valve on it. It is the city's responsibility to notify people that the law requires them to test their backflow devices once a year, but the city is not responsible to do the testing. He suggested getting a list of people who can do the testing, then at the time of spring cleanup, we could notify them of their backflow testing.

Water and Sewer Impact Fees: Walter feels we need to form a committee to establish water and sewer impact fees. The committee could begin by studying what other cities are doing and make a recommendation to the council. He feels maybe we could reduce water and sewer hookup fees and have an impact fee. Rexburg applies eight different impact fees. It should be a user-type impact fee. The committee could gather information and bring a recommendation to the council. Councilmember Orme volunteered to research Idaho Code and bring back a recommendation. He will also check with two or three area cities and prepare preliminary information for our meeting in two weeks. Then we can decide how to proceed.

COUNCILMEMBER KING:

Title 1, Administration: Bruce reported that he changed the name for the new Chapter 8 to "Clerk, Treasurer, Attorney, Engineer, Oath and Bond." He submitted a copy of the proposed chapter to the council. Bruce said he took the existing chapter and simplified it, attempting to bring it up to date. He requested that Sharon, Marcie and Josh review it carefully and provide their input at our meeting in a couple of weeks. Walter asked Marcie to check on the cost of establishing \$500,000 bonds on the city clerk and city treasurer.

Web site: Bruce reported the domain name has been approved and will be activated as soon as it is paid, with perhaps some processing time necessary.

Placing P&Z minutes on Web site: Bruce recommended that, since P&Z is amenable to having their minutes posted on the city Web site, we start doing so. He suggested we include their minutes from this point forward.

Letter on Gravel Pits: Bruce discussed the proposed letter to the county commissioners on gravel pits in the county. This letter would be from the mayor and City Council and calls for the mayor's signature. If the mayor chooses to sign it, he can send it to Teton's Mayor Bryon Parker, who also could sign it on behalf of himself and of the Teton City Council. Bruce will get the letter to Sharon.

MAYOR'S BUSINESS:

Mr. Dees' Sewer Hookup: Harold reported the only item of mayor's business was the sewer hookup for Mr. Dees. Mayor Dalling had previously discussed with Mr. Dees the base fee, hookup fee and water meter cost.

Meeting adjourned at 8:35 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk