

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, APRIL 24, 2008

Presiding: Mayor Glenn W. Dalling
Meeting Convened at 6:30 p.m.
Prayer: Bruce King
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Councilmembers Harold Harris, Bruce King, and Brad Orme; Josh Garner, City Attorney; Dick Dyer, City Engineer; Vaun Waddell, acting chairman of Planning & Zoning; Teresa Young, Standard Journal; Don Rydalch; Randy Johnson; Julianne Bawden and Brent Bawden, Toscano owners; Dwayne Seiter, Toscano developer; Terry Mortensen; Paul Lusk; Verla Moss; and Sharee Palmer.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on April 10, 2008. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Orme and seconded by Councilmember Merrill to accept said minutes; motion carried.

PLANNING & ZONING REPORT: In the absence of P&Z Chair Brian Hawkes, Commissioner Vaun Waddell addressed the council.

Toscano Preliminary Plat Recommendation: Vaun presented a written recommendation from P&Z for approval of the Toscano preliminary plat with three conditions: (1) It still needs design review as applicable to preliminary plat; (2) It should indicate phases for developing open spaces for built-up areas; and (3) It must establish utility easements along private roads. Toscano's developer, Dwayne Seiter, reported he believes they have already complied with the three conditions. After discussion, it was the consensus of the council to add a fourth condition: (4) It needs approval of the acting city engineer. Mr. Seiter explained the phases of the preliminary plat. Dick Dyer reported the city had a public hearing on the zone change for the property last year that identified uses.

Toscano Special Use Permit Application: Vaun reported there is one additional problem regarding the Toscano development – the question of the resort area and how that works in the city plan. Developers have submitted a special use permit application, which is being considered as a separate action from the plat applications. Attorney Garner reported he has worked with Brian Hawkes, Vaun Waddell and Dick Dyer, and they are working out solutions on the resort.

Design Review: Vaun reported in our new subdivision ordinance, title 10, chapter 3, there is a list of criteria to be followed. One of them is a report from the design review committee. In title 8, chapter 4, members of the P&Z are members of that board. The city council may appoint up to five more people to serve on it. He said Brian Hawkes was elected chair of the design review committee.

Comprehensive Plan Revision: P&Z voted to set a public hearing on the comprehensive plan draft for May 15, 2008, at 7 p.m. In two separate meetings, the commission discussed each

page of the draft, applying two main tests: (1) A comprehensive plan being the city's statement of values and the desired situation – are these the right values? (2) A comprehensive plan being the document that directs policies, ordinances, and standards – will this document work for planning?

Discussion of School District Maintenance Building: P&Z met with Superintendent Alan Dunn on the school maintenance building. They would require either a variance or rezone, or the building needs to be built elsewhere. Mr. Dunn was talking about the property directly north of the present maintenance building, which is zoned R-1. The mayor asked P&Z to discuss the issue at their meeting next week. He feels the city should work with the school district. Vaun said he would relay the comments to Brian and recommend that it be on next week's agenda.

MOTION ON TOSCANO PRELIMINARY PLAT: Councilmember King expressed a perception that the council sometimes receives a P&Z recommendation and is expected to act on it that same night, without time to thoroughly review details. He feels it is important to carefully review recommendations. Discussion was had. Councilmember Orme pointed out that the materials provided during the last council meeting were sufficient for the Toscano proposal before the council tonight.

It was moved by Councilmember Harris and seconded by Councilmember Merrill that we approve the preliminary plat application for Toscano with the four conditions: (1) It still needs design review as applicable to preliminary plat; (2) It should indicate phases for developing open spaces as for built-up areas; (3) It must establish utility easements along private roads; and (4) It needs approval of the acting city engineer; motion carried. Mr. Bawden said Toscano is a dream for them and he feels the project will be one of the nicest in Idaho. He expressed appreciation for the way the council has worked with Mr. Seiter.

STATUS ON TWO GRANT PROJECTS: Don Rydalch addressed the council. He presented a document entitled "Status on Two Grant Projects" (the proposed Sugar City Gateway Project and the West Entrance Landscaping Project). A copy of said document, dated 24 April 2008, is attached hereto marked "Attachment 1."

West Entry Landscape Project: Mr. Rydalch said city officials have been busy the past several days in site preparation for this project. The mayor thanked him for his good work and expressed appreciation to the Tree and Beautification Committee for their assistance.

Proposed Sugar City Gateway Project: Mr. Rydalch asked Councilmember King to report on the status of the Gateway Project. Bruce reported there is encouraging news: Given budget shortfalls, the Idaho Transportation Board voted last week not to accept applications for enhancement grants for the 2011 period and beyond – our application was for the 2011 period. But the enhancement committee in Boise decided to review and rank ours and other applications against the time funds become available. That means we still have a shot. We are fortunate to have submitted the application when we did.

THOMAS NEIBAUR MEMORIAL – SCHEDULE OF ACTIVITIES: Councilmember Harris reported that progress is being made on the Thomas Neibaur memorial. The monument will be ready by July 20. The state of Idaho is going to bring Thomas Neibaur's medals, weaponry and memorabilia. The monument is 7 feet high, with a bust of Thomas Neibaur engraved on the front and an account of his heroics. On the back will be a list of all Sugar City veterans – past and present. The guests will be invited to our annual community breakfast, to be served 7 to 10 a.m. Then there will be a program at 11 a.m. at the high school auditorium. At 1

p.m. will be the unveiling of the monument. After the unveiling, the Neibaur family will have a lunch/reunion in the commons room of the high school at 2 p.m.

BUSINESS PARK UPDATE AND TRANSPORTATION STUDY: Randy Johnson of Forsgren Associates addressed the council.

Business Park Update: Mr. Johnson reported seven contractors submitted bids on the business park infrastructure. One contractor was not on the plan holder's list and could not be considered. Of the six, one of the contractors omitted signing the bid so was considered a non-responsive bid. Edstrom Construction was low bidder. Randy would like to move forward with Edstroms and get the sewer line installed by June 20, before sub water sets in. He reported the contractor would submit both a payment bond and a performance bond. The mayor entertained a motion to accept Edstrom Construction's bid to install the business park infrastructure.

MOTION: It was moved by Councilmember Harris and seconded by Councilmember Orme to accept (a) Edstrom Construction's base bid of \$635,773; (b) Bid Alternate #1, which is the deep line from our existing sewer manhole west to Sugar Avenue; (c) Bid Alternative #3 of \$1,455 for the additional depth of the sewer line on Sugar Avenue to the north toward the Salem Irrigation Canal; and (d) the base plus Alternative #1 and #3 for a total of \$637,670. The mayor called for a roll call vote.

Those voting aye: Councilmembers Harris, King, Orme and Merrill

Those voting nay: None

Thereupon the mayor declared the motion passed.

Transportation Study: Mr. Johnson introduced a \$50,000 Local Highway Technical Assistance Council (LHTAC) grant for a study of our transportation system in Sugar City. Brandon Harris of Forsgren Associates applied for the grant a year ago to study the city's transportation system. He said the money has been awarded but is held up until next March. He wondered if the city could front some of the money because it would be hard for them to do the study and get paid next year. They will identify the condition of the roads and show us which ones to fix under a 20-year plan. The mayor said he would like this matter to be put on another agenda.

DEPARTMENT REPORTS:

COUNCILMEMBER HARRIS:

Streets: Harold reported the city will do some seal coating on a couple of streets. We have a real problem with 3rd North, because there are some extreme frost heaves along it.

Power poles: Harold is making arrangements for new light poles. We are moving one to the southwest corner of the Thomas Neibaur Park, which will light the area where the monument is being placed. We have to buy it from the power company. We will eliminate the pole by the tennis court and set it in the green area of our west entrance project.

COUNCILMEMBER ORME: Brad reported that Arbor Day is tomorrow. The celebration will be at 10 a.m. at Smith Park.

COUNCILMEMBER KING:

Bike Path: Bruce reported that County Commissioner Bob Hansen called the Idaho Transportation Department (ITD) to offer county equipment and operators to smooth up the Sugar City-Rexburg bike path in preparation for paving, if needed. Bruce talked to ITD's Dave Walrath, who said that, to his surprise, the contract does not call for the contractor to smooth, clear or compact the pathway, so Madison County's help would be appreciated. The contract calls for the path to be 10 feet wide and for a 10-foot long concrete "apron" to be

installed across the path adjacent to First South to support trucks crossing to the grain elevators there. The bike path will not only include the 2.2-mile pavement but also approximately 10,000 feet of chain link fence and a steel bridge over the canal.

Application forms: Bruce reported that P&Z submitted drafts of several application forms. He refined two drafts – the design review ones for board and administrative review – and presented them to the council. A discussion was had on the need to set a design review fee. **MOTION:** It was moved by Councilmember Orme and seconded by Councilmember King that the council set a public hearing on reviewing the fee schedule for applications and amending fee amounts for those applications (annexation, rezoning, conditional use permit, variances, special use permit, preliminary plat and final plat applications) and on establishing fees for design review for Thursday, May 22, 2008, at 6:30 p.m.; motion carried. The mayor assigned Sharon to work with Councilmember King on the application forms and to present them at our next meeting.

COUNCILMEMBER MERRILL:

Water tower, water pump: Lamont reported he met with Pump Tech, who submitted a bid of \$3,964 to pull the main pump. He visited with the mayor and, because of time and their availability, they started to pull the pump today. They will have it in operation before next Friday. Lamont said Barry Cazier installed the pumps when the building was first built. He took pictures of the ratings and would be happy to service our pump station around the clock, as needed. The mayor entertained a motion to approve this project.

MOTION ON MAIN PUMP: It was moved by Councilmember Harris and seconded by Councilmember King that we accept the \$3,964 estimate from Pump Tech on pulling this 40-horsepower pump, on doing the necessary repairs and on reinstalling it; motion carried.

Videotaping sewer lines: Lamont reported he talked with Roto Rooter and scheduled the 12th of May for them to clean the sewer lines. With this cleaning, they will have been through the whole city once.

Painting water tower: Lamont doesn't have a bid yet. He will let the beautification committee work on it.

MAYOR'S BUSINESS:

Rexburg Wastewater Study: The mayor reported that Williams Engineering has been hired by Rexburg to evaluate the status of the existing wastewater system, including the flow from Sugar City/Teton, coupled with needed expansion.

On another matter, Councilmember King recommended the addition to the agenda of an entry such as, "Discussion of Toscano Recommendation for Possible Action," would help the council know a P&Z recommendation was to be considered that night.

Meeting adjourned at 9:35 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk

REPORT TO CITY COUNCIL

24 APRIL 2008

STATUS ON TWO GRANT PROJECTS

A. PROPOSED SUGAR CITY GATEWAY PROJECT

1. The City submitted an application in January to the Idaho Transportation Department for a Transportation Enhancement Program grant entitled the Sugar City Gateway Project. (this related to the grain elevator in a big way plus the surrounding area which included an information booth and some landscaping)
2. We were expecting to be notified early this fall about the status of that application.
3. Although the City has not received any official notification at this point, we do know that such projects will not be funded beyond FY 2010. Our proposal was for FY 2011.
4. Let me refer to a newspaper article in the April 19 edition of the Post Register then Mr. King can elaborate on the matter :

The Idaho Transportation Board , in facing flat revenues and increasing construction costs, voted 5-2 to suspend planned programs beyond 2010. That means the department will not accept applications for projects in 2011 and beyond for enhancement, congestion and planning projects. Public comment on the decision will be accepted through the summer with a final decision to be made in September.

5. Mr. King can elaborate, then the matter is turned back to the City, and I will insure that all relevant papers and documents will be on file here in the City Office.

B. THE WEST ENTRANCE LANDSCAPING PROJECT

1. City officials have been busy the past several days in Site Preparation work on this project
2. Installation of the sprinkler irrigation system is scheduled for April 26, May 3, May 10 with a daily work schedule from 8:30 a.m.---- 3:30 p.m. Citizen Volunteers are needed for each of those three days, morning and afternoon with shovels.
3. The supervisor for this part of the project is Justin Nef from the 2M Company in Idaho Falls. That company was awarded the bid for sprinkler parts, and he has volunteered to supervise the installation.
4. The Trees (70) are scheduled to be planted on May 17 and May 24 with a daily work schedule of 8:00 a.m.----5:00 p.m. Citizen Volunteers are needed for each of those two days, morning and afternoon with shovels.
5. Dean Kunz will supervise the tree planting part of this project. He was awarded the bid for this phase including the purchase and delivery of the trees which will come from Idaho Wholesale here in Sugar City.
6. Members of the Tree and Beautification Committee will purchase and plant 12 shrubs on the east end of the project.
7. This is intended to be a total cost project of \$ 37,483 including City cash, in-kind donations and a grant of \$ 21,762.