

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, MAY 22, 2008

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Councilmembers Bruce King, Brad Orme and Lamont Merrill; Josh Garner, City Attorney; Vaun Waddell, acting chairman of Planning & Zoning; Teresa Young, Standard Journal; Terry Mortensen; Paul Lusk; Sharee Palmer; Jan Gallup; Verla Moss; and Eddie Pincock. Councilmember Harold Harris was excused.

**PUBLIC HEARING (Reviewing the fee schedule for applications, amending the fee amounts for the applications, and establishing a design review fee):** The mayor welcomed everyone and brought the hearing to order. He presented a brief review of the procedure for the public hearing. City Clerk Sharon Bell presented a summary of the purpose of said public hearing, after which she reported there was no prior written testimony submitted. With the sign-up sheet in hand, Mayor Dalling called first for those in favor of approving the fee schedule. No one testified in favor.

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

Mayor Dalling called for those who want to testify against the proposal. No one testified.

Discussion was had. Councilmember Merrill said the council discussed the proposed fee schedule two weeks ago and he feels it is appropriate. Councilmember Orme is in favor of approving it. Councilmember King said the proposed fees look good and make sense. He observed that the purpose of the fees is to cover the costs to the city of processing the applications.

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Councilmembers Bruce King, Brad Orme and Lamont Merrill; Josh Garner, City Attorney; Vaun Waddell, acting chairman of Planning & Zoning; Teresa Young, Standard Journal; Terry Mortensen; Paul Lusk; Sharee Palmer; Jan Gallup; Verla Moss; and Eddie Pincock. Councilmember Harold Harris was excused.

The Mayor asked if there were any corrections to the minutes of the regular meeting held May 8, 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,

with one minor correction on page 2; motion carried.

**DECISION ON PUBLIC HEARING:** It was moved by Councilmember Orme and seconded by Councilmember Merrill to approve the fee schedule as presented at the public hearing; motion carried.

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

**Discussion of Toscano Engineering Report:** Vaun reported that P&Z reviewed the report from Randy Johnson of Forsgren Engineering and compared each item with response on notes by Vaun. There were no objections to the notes. There was no motion made. Brian approved relaying the notes to city council.

**Discussion of Old Farm Estates Development Agreement:** Attorney Garner has been working with Attorney Adam Dunn on the development agreement. The draft is now with Dick Dyer for an engineering review. The attorneys will continue working on it. Attorney Garner will put in his own wording on repayment for other people connecting to the sewer and water lines. He will e-mail the completed draft to the council for their review once they have the terms set and will give them two weeks to review it.

**Discussion of Comprehensive Plan Public Hearing:** Vaun reported that five testimonies were given in P&Z's public hearing. Later in the evening, P&Z discussed the items mentioned in testimony, which resulted in discussion of some wording in the draft. Three of the five commissioners present said they preferred to wait for a vote until the three who were absent could participate. No motion was made at the meeting on the comprehensive plan draft.

**Status of Zoning Maps:** Bruce Bills had e-mailed overlay maps to each member of P&Z in advance of the meeting. Steve Hawkes projected the land use map and the zoning map onto the wall and showed P&Z each zone or use area with the overlay function. Discussion of these maps and the transportation map will continue in future meetings of P&Z.

**ATTORNEY JOSH GARNER REPORT:**

**Business Park Sales:** Attorney Garner reported we need to set a price on the business park property, and there is a procedure for doing so. He spoke with Ted Hendricks, who said the property was appraised at \$2.10 per square foot. There are 21 acres in the business park, but only 18 acres will be developed into parcels. The other three acres are for streets, parking, etc. At \$2.10 per square foot, the appraised value of the entire parcel is \$1,646,568. Attorney Garner said the council sets the price and notices it for public hearing. With the price set, we are first required to request bids for the parcel as a whole. If no bids are received, the council may sell individual lots at an amount that would be in the best interests of the city. At the hearing, parties may bid on the park as a whole or dispute the price asked for it.

**MOTION TO SET PUBLIC HEARING ON BUSINESS PARK SALE:** It was moved by Councilmember King and seconded by Councilmember Orme to set the appraised value of the Sugar City Business Park at \$1,646,568 and to set Thursday, June 26, 2008, at 6:30 p.m. for a public hearing on this value and on soliciting bids for the park as a whole; motion carried.

**Water Line Easement (Bob Oliphant) and Electric Easement (Seferino Navarrette):** Attorney Garner reported he needs a legal description of the easements only, not the whole property. He will get the descriptions from City Engineer Dick Dyer.

## **DEPARTMENT REPORTS:**

**COUNCILMEMBER HARRIS:** In Councilmember Harris's absence, the mayor said he was going to talk about the business park contract. They meet with the contractor every two weeks to obtain a status report. Forsgren is keeping an inspection engineer on the premises every day to follow the project. The deepest part of the sewer line is now installed. Crews have set a location for the bridge.

**COUNCILMEMBER ORME:** No report.

**COUNCILMEMBER KING:**

**Application Forms:** Bruce reported he and Sharon have worked on the Application for Annexation form. **MOTION:** It was moved by Councilmember King and seconded by Councilmember Merrill to approve the May 20, 2008, Application for Annexation form; motion carried. After discussion, a few suggested changes were decided on. **AMENDED MOTION:** It was moved by Councilmember King and seconded by Councilmember Merrill to approve the Application for Annexation dated May 20, 2008, with the changes discussed; motion carried. Councilmember King will make the necessary adjustments in the master files.

**COUNCILMEMBER MERRILL:**

**Sewer Line Cleaning:** Lamont reported Ogden Sewer & Drain (John Hunter) was held up and asked to reschedule for June 16. The mayor asked him to follow through on where the line is that carries Teton's water through Sugar City to the trunk line going to Rexburg. Teton has a lift station located by Harold's shop. From this lift station the water dumps into Sugar's line that carried Sugar's wastewater to their old sewer lagoons. This line bypasses the present Sugar lift pumps and dumps into our trunk line somewhere. Our concern is that it may be leaking ground water.

**Main Pump:** When the motor was put back in, Pump Tech hit the pipe and cracked the valve. They couldn't find the shut off. This company replaced the valve and came back to check it. They didn't want to start the motor until it had dried. He reported everything is in order and running again.

## **MAYOR'S BUSINESS:**

**Tosceno Water Line:** The mayor reported that Toscano has pressure-tested the line and is ready to hook into the Sugar water line.

**Harris Annexation:** The mayor reported that he talked to Todd Harris, who wants to hold off on the annexation until some problems can be resolved in family plans.

The mayor entertained a motion to go into executive session.

## **EXECUTIVE SESSION:**

9:10 p.m. It was moved by Councilmember King and seconded by Councilmember Merrill pursuant to Idaho Code 67-2345(1)(a) and (b), that we move into executive session to discuss hiring and personnel issues. The mayor called for a roll call vote:

Those voting aye: Councilmembers King, Orme and Merrill

Those voting nay: None

Thereupon the mayor declared the motion passed.

Discussion during executive session was on hiring a public works director and on interviewing applicants.

9:25 p.m. The executive session ended and the regular council meeting reconvened.

**MOTION FOR SPECIAL MEETING:** It was moved by Councilmember Orme and seconded by Councilmember Merrill to convene a special meeting of the Sugar City Council on Tuesday, May 27, 2008, at 7 a.m. to interview another applicant in executive session; motion carried.

Meeting adjourned at 9:26 p.m.

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

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