

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, APRIL 10, 2008

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

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Brad Orme and Lamont Merrill; Josh Garner, City Attorney; Brian Hawkes, Planning & Zoning; Kyra Davis, Standard Journal; Vaun Waddell and Verla Moss. Mayor Dalling and Councilmember Orme were separately excused for part of the meeting. Councilmember King was present for the last part of the meeting.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on March 27, 2008. It was moved by Councilmember Orme and seconded by Councilmember Harris to accept said minutes; motion carried.

In the interest of time, the mayor requested that the council proceed with a few matters ahead of the reconciliation reports.

P&Z APPOINTMENT: The mayor reported that he spoke with Steve Hawkes about finishing the unexpired term of Kerry Moser on the Planning and Zoning Commission. Mr. Hawkes accepted. The mayor reported that he makes the appointment and the council ratifies it.

MOTION: It was moved by Councilmember Orme and seconded by Councilmember Merrill to ratify the appointment of Steve Hawkes to the Planning and Zoning Commission; motion carried.

BUSINESS PARK: The mayor presented an update on the business park. Eastern Idaho Railroad claims they have a 116-foot right-of-way west of the track. The city has assumed for years that the railroad has a 50-foot right-of-way, and the fence line indicates a 50-foot right-of-way. To allow the city to drive over its property, the railroad is requiring that Sugar City pay \$1,500 up front and \$250 per year, plus obtain a \$5 million dollar liability insurance policy. The mayor took the matter to Gary Archibald for his review of Eastern's demands. Randy Johnson said in his review that he is not sure whether the railroad is right about its 116-foot right-of-way claim or whether it is actually a 50-foot right-of-way. Attorney Garner said he would be happy to make some further calls regarding the demands of the railroad. The bid documents for installing infrastructure in the park will go out next Monday, April 21. Councilmember Harris had city employees dig two test holes for sub water. The deepest portion of the sewer line needs to be installed by June 20 because of the sub water.

BIKE PATH: The mayor reported that the bids came in high. The lowest bids came back at \$111,000 to \$112,000 more than estimated. David Walrath at the Idaho Transportation Department (ITD) got us \$50,000 towards this. The city signed a letter with Rexburg that the two cities would come up with the balance. The letter was sent to ITD last week. Each city's portion is approximately \$30,000.

MOTION: It was moved by Councilmember Harris and seconded by Councilmember Merrill that we continue to pursue this bike path program to completion and continue to pay our share, and pursue Rexburg to continue to pay their share and get this behind us; Councilmember Orme voted nay because he feels it was a frivolous project and a waste of taxpayer dollars; motion carried.

7:00 p.m. Mayor Dalling was excused to attend the Madison County Planning and Zoning Commission public hearing on the proposed Sugar City Impact Zone Expansion (Blair Calaway and Harris Family Trust properties). Council President Harold Harris then conducted the meeting.

Marcie presented the March reconciliation reports for the General Fund. It was moved by Councilmember Orme and seconded by Councilmember Harris to accept the March reconciliation reports for the General fund; motion carried. Marcie presented the March reconciliation reports for the Utility Fund. It was moved by Councilmember Merrill and seconded by Councilmember Orme to accept the March reconciliation reports for the Utility Fund; motion carried.

Marcie presented the current bills in the amount of \$75,223.57. It was moved by Councilmember Orme and seconded by Councilmember Merrill to pay the current bills, together with all regular April bills that have not yet been received; motion carried.

THOMAS NEIBAUR MEMORIAL: Council President Harris reported that Thomas Neibaur's family has given us permission to design a monument. He explained that a large contribution has been given by one of the relatives to pay for the memorial. The city has selected a monument and the family has agreed. The monument company can't get the stone until the first week of July and will have it finished by July 22. We will have the program on the 26th of July. On one side of the monument we will honor Thomas Neibaur and the other side will have the names of all veterans in the area.

PLANNING & ZONING REPORT: Brian Hawkes addressed the council.

Toscano Preliminary Plat Application: Brian reported that P&Z received the Toscano Preliminary Plat Application. Dick Dyer and Dwayne Seiter came to the meeting and talked about their application. P&Z will discuss it at their next meeting. He said the information was well prepared and presented. Phase 1 will start with the town homes on the west and work toward the east. They will then do the single-family homes. There are 13 phases – commercial will be last. They will use about 25% of the infrastructure that is already in place. They have indicated that they would like to get things going this summer. P&Z's findings have been favorable. Brian said the council needs to enter agreements with them about water and sewer.

City Engineer Review: Brian reported that since City Engineer Dick Dyer is Toscano's project engineer, we need to have a city engineer appointed to review the plans for this project. The city needs to contact an engineer immediately and have him review it this week so

P&Z can approve their plans. Brian wants this done as soon as possible.

Comprehensive Plan: Brian reported Vaun Waddell has been working hard on the comprehensive plan revision. P&Z is pleased with how it is turning out, and he is making good progress on it.

APPLICATION FORMS – CITY CLERK SHARON L. BELL: Sharon reported receiving feedback from Councilmember King on one of the application forms. Bruce will continue reviewing the other forms and will attempt to have them finished for approval at the next council meeting. Sharon encouraged the other council members to review them and provide their input.

DEPARTMENT REPORTS:

COUNCILMEMBER ORME:

Arbor Day: Brad reported that Arbor Day is April 25th at 10 a.m. at Smith Park. They will be planting a tree by the bleachers.

Square Dance Competition: The Idaho State Square Dance Competition will be held in Sugar City on June 14. They have scheduled the high school gymnasium for the activity.

COUNCILMEMBER MERRILL:

Painting Water Tower: Lamont reported that he has contacted three contractors to submit a bid to paint the water tower. He should have the amount ready for our next meeting. He said it would take a lot of work to do it.

Videoring Sewer System: Lamont reported he talked with John Hunter about the lines to be cleaned this year. It will cost 50 cents a foot. The videos taken earlier are located in city hall and Lamont was invited to review them.

Sewer Lift Station: Parkers cleaned the sewer lift station. Lamont reported there is grease collecting down there.

Water Pump Station: Lamont reported the chatterbox is gone and he doesn't know what happened to it. He talked to former Councilmember Walter Deitz, who said it was there. It will cost approximately \$2,300 for Bron Leishman to replace it, not including labor. He also reported the flow chart isn't working. **MOTION:** It was moved by Councilmember Merrill and seconded by Councilmember Orme that the city make the expenditure to buy the chatterbox for the main water pump station and hire Bron Leishman to install it; motion carried.

COUNCILMEMBER HARRIS:

Summer Road Work: Harold anticipates installing another four or five storm drains this year, at a cost of approximately \$7,000 each. The city will repair potholes in town. He reported the sweeper is up and running, and it was used for the first time today. We will be sweeping regularly to keep everything clean.

8:30 p.m. Mayor Dalling returned and thanked Council President Harris for conducting the meeting in his absence. He entertained a motion to go into executive session.

EXECUTIVE SESSION:

8:30 p.m. It was moved by Councilmember Harris and seconded by Councilmember Orme pursuant to Idaho Code 67-2345(1)(b), that we move into executive session to discuss personnel issues. The mayor called for a roll call vote:

Those voting aye: Councilmembers Harris, Orme and Merrill

Those voting nay: None

Thereupon the mayor declared the motion passed.

8:40 p.m. Councilmember King arrived.

8:45 p.m. Councilmember Orme was excused.

Discussions during executive session were on employing an independent engineer to represent Sugar City on Toscano and hiring a part-time P&Z administrator.

8:50 p.m. The executive session ended and the regular council meeting reconvened.

MAYOR'S BUSINESS: The mayor entertained a motion regarding obtaining an engineer to review the Toscano development.

MOTION FOR ENGINEER REVIEW ON TOSCANO DEVELOPMENT: It was moved by Councilmember Harris and seconded by Councilmember King to contact Forsgren Associates as an engineering firm to represent the city on the Toscano development, to give the mayor the opportunity to discuss whether Forsgren Associates would be available to act as the engineering firm to review the preliminary plat and to represent the city on a permanent basis over the project; if not, we authorize the mayor to talk with Williams Engineering; motion carried.

MOTION TO HIRE A PART-TIME P&Z ADMINISTRATOR: It was moved by Councilmember Harris and seconded by Councilmember Merrill that we accept the proposal of Mayor Dalling to hire Gary Leikness to assist the Planning and Zoning Commission for 10 hours a month; and after one month, we will evaluate whether to continue; motion carried.

Meeting adjourned at 8:55 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk