

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, FEBRUARY 11, 2010

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; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Lamont Merrill and Vaun Waddell; Brian Hawkes and Jesse Brown, Planning & Zoning Commission; JoAnn Peters; and Brandy Peters.

**PUBLIC HEARING (proposed dog control ordinance):** Mayor Dalling welcomed everyone and brought the public hearing to order. He presented a brief review of the procedure for the public hearing. City Clerk Sharon Bell reported there was no prior written testimony submitted. With the sign-up sheet of the public hearing in hand, Mayor Dalling called first for those in favor of approving the proposed dog control ordinance. No one testified.

Mayor Dalling then called for those neutral to the proposal to testify. No one testified.

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

6:35 p.m. The public hearing ended, and the council convened its regular meeting.

Present: Mayor Dalling; Sharon L. Bell, Clerk; Marcie A. Smith, Treasurer; Councilmembers Harold Harris, Bruce King, Lamont Merrill and Vaun Waddell; Brian Hawkes and Jesse Brown, Planning & Zoning Commission; JoAnn Peters; Angelika Gutenberger; Brandy Peters; Randi Fogle; and Nate Fogle.

**DISCUSSION AND DECISION ON PUBLIC HEARING:** Discussion was had.

**MOTION:** It was moved by Councilmember King and seconded by Councilmember Merrill to approve the recommended modifications to section XVI of the proposed dog control ordinance as discussed; motion carried. The mayor requested that the dog ordinance and the resolution making changes to the fee schedule be passed at the second meeting in February.

The Mayor asked if there were any corrections to the minutes of the regular meeting held on January 28, 2010. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Merrill and seconded by Councilmember Waddell to accept said minutes; motion carried.

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

Marcie presented the current bills in the amount of \$70,860.26. It was moved by Councilmember King and seconded by Councilmember Waddell to pay the current bills, together with all regular February bills that have not yet been received; motion carried.

**ORDINANCE NO. 287:**

Councilmember Waddell introduced Ordinance No. 287 entitled:

“AN ORDINANCE AMENDING TITLE 1 OF THE SUGAR CITY, IDAHO, CODE TO CLARIFY CERTAIN PROVISIONS THEREIN BY AMENDING CHAPTER 3, SECTION 1-3-2; CHAPTER 4, SECTION 1-4-1, 1-4-2, AND 1-4-8; CHAPTER 6, SECTION 1-6-1, SUBSECTIONS 1, 2, AND 6; CHAPTER 6, SECTION 1-6-6; CHAPTER 8, SECTIONS 1-8-3, 7, AND 8; CHAPTER 11, SECTION 1-11-1; ADDING A NEW CHAPTER 13; AND PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, FOR SEVERABILITY, AND THE EFFECTIVE DATE THEROF.”

It was moved by Councilmember Merrill and seconded by Councilmember Harris to waive the reading on three different days and in full and place it upon its final passage. Thereupon the clerk called roll upon said motion.

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

Those voting nay: none

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilmember Harris and seconded by Councilmember King to adopt said ordinance. Thereupon, the clerk called roll upon said motion.

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

Those voting nay: none

Ordinance No. 287 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council, and the clerk was instructed to publish said Ordinance No. 287 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the City of Rexburg, Madison County, Idaho.

**RESOLUTION NO. 2010-2 (Planning and Zoning fee schedule):** Councilmember Waddell read Resolution No. 2010-2 making changes to the Planning and Zoning fee schedule. One addition was suggested on the Application for PWSF Permit. It was moved by Councilmember Waddell and seconded by Councilmember King to approve Resolution No. 2010-2, with the

change regarding the PWSF Permit. Thereupon, the Clerk called roll upon said motion.

Those voting aye: Councilmembers Harris, King, Merrill and Waddell  
Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment I."

**PLANNING & ZONING REPORT:** P&Z Chairman Brian Hawkes addressed the council.

**Title 9 chapter on home business:** Brian reported that the Planning and Zoning Commission have spent a long time working on the home business ordinance. He said it addresses parking, signs, noise, etc., to keep neighborhoods nice. He discussed the three types of home businesses: (1) cottage; (2) minor; and (3) major. The proposed ordinance also provides a defined method for making complaints and getting problems resolved.

**Wind turbine application:** P&Z is continuing work on a wind turbine application.

**DEPARTMENT REPORTS:**

**2010 Goals/dates, objectives and long-term planning:** Councilmembers King and Waddell presented their lists of 2010 goals/plans to Mayor Dalling.

**COUNCILMEMBER HARRIS:**

**Report on remodeling:** Harold reported the workers have gone as far as they can with the remodeling project until finding out if the city gets the EECBG energy-efficiency grant applied for by Forsgren Associates.

**Plan for street work for this summer:** The mayor asked Harold to submit his plans on the streets for this summer. Harold said he is waiting on City Engineer Dick Dyer to meet with him. He has tried to reach him for several weeks. He asked permission to excuse our city engineer from this project and get a new engineer on line to do it.

**COUNCILMEMBER KING:** No report.

**COUNCILMEMBER MERRILL:**

**LEPC report:** The mayor expressed appreciation to Lamont for his willingness to accept the responsibilities of being our representative at the LEPC and attending their regular meetings. Lamont reviewed the items covered in this month's meeting. Jon D. Corpany is the volunteer coordinator. The city needs to identify local skills and equipment for emergencies, and identify who is certified. Shauna Ringel is the Red Cross representative. They are trying to establish Red Cross teams of six to eight people to become trained and become members of these teams. They want some teams in place by April so we can be prepared in case of emergency. Lamont will write something to be included in the March newsletter.

**Sewer system:** Lamont said the water pumps and sewer lift pumps might need some work done this year. He also wants to continue the annual project of cleaning some of the sewer lines each year.

**COUNCILMEMBER WADDELL:** No report.

**MAYOR'S BUSINESS:**

**Energy-efficiency grant:** There is optimism about receiving the grant.

**Lot by Moon Park:** The mayor said a second appraisal is needed. He has been unsuccessful in reaching Brett Robinson, who did the first appraisal. He will keep working on it.

**Business Park:** The mayor would like to see a walking path around the business park.

He talked with Joseph West of Madison County Trails, who is supportive. He said if the county would donate the materials, the city could provide the labor to complete the base of the bike path. He asked the council to think about it.

Meeting adjourned at 8:45 p.m.

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

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

**RESOLUTION NO. 2010-2**

BE IT RESOLVED by the Mayor and Sugar City Council that pursuant to the planning and zoning ordinance which has been duly adopted by the City, the City hereby adopts the following fees applicable to requests made pursuant to the planning and zoning ordinance:

**CATEGORY:**

Application for Annexation .....	\$250
Application for Re-zoning .....	Less than 1 acre \$200
.....	1 to 10 acres \$300
.....	Above 10 acres \$500
Application for Conditional Use Permit .....	\$200
Application for Variance.....	\$200
Application for Special Use Permit .....	\$200
Application for PWSF Permit (Wireless Telecommunications) with attached Special Use Permit, if required .....	\$200
Application for Wind Turbine Special Use Permit.....	\$200
Appeal fee .....	\$100


**SUBDIVISION PLATTING & DEVELOPMENT:**

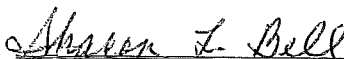
Preliminary Plat .....	\$250
(Plus \$4/lot or \$8/acre, whichever is greater)	
Final Plat .....	\$150
(Plus \$15/lot or \$30/acre, whichever is greater)	
Design Review:	
Administrative Review .....	\$50
Board Review.....	\$100
(Plus \$100 per hour, not to exceed \$1,000)	
Street & Utility Improvement Drawings.....	
(Professionals' review time for whatever expense is actually incurred)	
Construction Inspection .....	
(Professionals' review time for whatever expense is actually incurred)	
County Plat Review .....	
(Whatever costs are incurred by the County or other governmental agencies to verify the correct legal description of the entire subdivision)	

In addition to the foregoing minimum fees, the Clerk will charge the applicant the actual costs of professional fees, publication fees, filing fees, postage fees and/or other similar direct costs, which are incurred.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 11<sup>TH</sup> DAY OF FEBRUARY 2010.

ATTEST:

  
Glenn W. Dalling, Mayor

  
Sharon L. Bell, City Clerk