

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, MAY 26, 2022

Presiding: Mayor Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Mayor Adams

Pledge of Allegiance: Councilwoman Fogle

Present at City Hall and Online: Mayor Steven Adams; Councilors Joy M. Ball, Glenn Dayley, Connie Fogle, and Catherine Nielsen; Clerk-Treasurer Wendy McLaughlin; Public Works Director Arlynn Jacobson; City Building Inspector and P&Z Administrator Quinton Owens; P&Z Chairman Dave Thompson; Community Developer Kurt Hibbert; Sugar Salem Community Library Board Member Melanie Beesley; PSI Waste Systems Account Manager Jeremy Harris; Rexburg Animal Control Officer Scott Chapman; Sugar-Salem Representatives Bruce Shirley and Reese Butikofer; Citizens Cy Hepworth, Hans and Krista Meng family, Judy Oliphant, and others who may have joined electronically but not identified.

CONSENT AGENDA:

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to approve the Consent Agenda; motion carried.

PSI WASTE SYSTEMS: PSI Waster Systems Account Manager, Jeremy Harris, made his annual visit to report on company updates and ask about upcoming events they can sponsor and help the city with. The city's five-year contract will become renewable in the fall of 2023. PSI would like to bid another five-year contract. The Consumer Price Index rose to 8% this year; however PSI stayed within a 5% pass on cost to customers. Mr. Harris will work with Public Works Director Arlynn Jacobson and Councilman Dayley to bring in extra garbage cans or dumpsters and other ways to sponsor the annual Sugar Days Celebration on Saturday, July 9.

REXBURG DOG POUND AGREEMENT: Rexburg Animal Control Officer, Scott Chapman, presented an agreement between the Rexburg City Animal Shelter and Sugar City and answered questions of the council. Only approved animals will be taken in at \$30 per cat and \$65 per dog. Sugar City holds an animal up to 2 or 3 days before taking it to the Rexburg shelter. Once an animal is dropped off, the shelter follows their policies on returning the animal to the owner or taking ownership of the animal for adoption.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to approve the City of Rexburg Animal Shelter – Sugar City Memorandum of Understanding (MOU) 2022. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen

Those voting nay: None

Motion carried.

DOWNTOWN CENTER STREET: The council will wait to hear Cy Hepworth's ideas on downtown center street improvements after going through the Planning and Zoning process. He has some ideas to help improve the community as a whole. A possible work meeting with P & Z could be held to discuss the city's expectations.

PUBLIC COMMENT:

Melanie Beesley: Representing the Sugar City Library Board, Melanie Beesley introduced herself and asked if the city could help the library with community awareness. They meet four times a year. Their information can be included in the city's welcome packet and on the city website. They will send an agenda to the city each time they meet.

Krista Meng & (son): Krista Meng brought her grown son who suffers from epilepsy and explained how the dogs help alert the family when he is having a seizure. He is nonverbal and severely handicapped. The doctor has had to adjust his medication for aggressive behavior the past several weeks.

Makayla Meng (daughter): She has three dogs and explained how they are her best friends. They provide comfort and hope and help her with her anxiety.

ShyAnne Meng (daughter): She explained how the dogs keep her safe and comfort her when she feels sad or sick.

Bruce Shirley: expressed his frustration and concerns over the impact area surrounding Salem and Sugar City. He thought the city was further ahead in designating it as part of the Sugar City area of impact. Now the City of Rexburg has expressed interest in making the area a part of their city impact. A hearing will be held June 14 to discuss the matter before a 9-man committee, three from each jurisdiction – Madison County, Rexburg, and Sugar City. The public is encouraged to write a letter to the County and attend the meeting to voice their desires.

Hans Meng: Hans has noticed several out-of-town people using the park by the freeway to let their dogs run and take bathroom breaks. They are not on a leash and the people do not clean up after them.

Mark Oliphant: Mr. Oliphant requested that his letter about the dumpster and clean-up fees be read in the meeting (see Attachment #1). He is in favor of each resident taking care of his own garbage and not burden the city especially when there are other services available. The council is considering options on the dumpster and city-wide cleanup since the base fees do not cover the costs to provide both services to the community.

PUBLIC WORKS REPORT: Public Works Director Arlynn Jacobson reported on the following items:

Well #2: The parts are in and should be installed by next week.

Well #4: Repaired and running. Cost of around \$29,000 was below what was expected.

Well #5: The equipment in to fix the liner is in. Dome will complete the job in the next three weeks.

Slurry Seal: Scheduled for July.

Crack Seal: American Pavement is scheduled to do the crack seal again this year. There are several larger cracks the city will help with.

SunGlo Water Project: The water line project is installed. Testing the lines for bacteria will complete the job.

Child Safety Grant: Mr. Jacobson is just finishing the details on the grant which is due June 8.

Center Street Triangle Project: The water line is hooked up. Power and a backflow device needs to be installed. The cost estimate is \$1,500 - \$2,000. They are to proceed if within the budget. Donations will be sought at the Sugar Days Celebration to help with costs.

Summer Help: Several have applied since last meeting. Mr. Jacobson wants to hire a couple more workers for the summer.

Safety Exit: The mayor reminded Mr. Jacobson that a third exit from the city council room needs to be installed for safety.

PLANNING & ZONING REPORT: Quinton Owens reported that the meeting was cancelled last week due to lack of quorum. He reported on the following items:

Impact Area: Working on the maps and going through the process. City Attorney Chase Hendricks will be included. City Planner Kurt Hibbert asked that all four communities attend the hearing on June 14 – Sugar City, Salem, Teton, and Newdale. He has some concerns that the 9-man committee process could violate state land use laws. If the outcome of the hearing is not agreeable to the four entities, the decision should go to the property owners.

GENERAL BUSINESS:

Planning and Zoning (P&Z) Appointments and Reorganization: The reorganization of P&Z was postponed to the next meeting. Mayor Adams presented two names to appoint to the commission – Jerry Miller who will start June 11 and serve for one year, and Kurt Hibbert who will serve as P&Z Administrator and work with Quinton Owens in that capacity. P&Z Secretary Bonnie Brosius' duties will be expanded.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to appoint Jerry Miller as a P&Z commissioner and Kurt Hibbert as P&Z Administrator; motion carried.

City Dumpster and Fall Cleanup:

Proposals:

- Eliminate the dumpster or fall cleanup or both
- Provide dumpsters for two months (spring and fall) instead of seven straight months
- Provide city burn or composting site
- Outsource biodegradable waste

Mr. Jacobson has been looking at a possible burn site for the city garbage but has found little progress – it is not a good current solution. The item was tabled until the next meeting for a possible council decision.

Toyota Sugar Days Contract: Toyota will donate \$3,000 to sponsor the annual Sugar Days Celebration breakfast but must have a contract to do so. The council expressed concern about a clause that no other finance company can participate. The contract was reviewed and approved by City Attorney Chase Hendricks.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to authorize the mayor to finalize and execute the contract once the exclusivity issue is resolved by either focusing it on the breakfast alone or allowing other traditional financial institution sponsors such as banks. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen

Those voting nay: None

Thereupon, the mayor declared the motion passed.

CALENDARED ITEMS:

Recreational Vehicle Parking Revisions: The council approved Ordinance No. 375_2022:

“ON STREET PARKING”

It was moved by Councilman Dayley and seconded by Councilwoman Nielsen to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen

Those voting nay: None

Ordinance No. 375_2022 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 375_2022 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.

MAYOR AND COUNCIL REPORTS:

Community Planning Group: The mayor would like to organize a city planning group and a city business group as advisory councils for future planning.

Historic Preservation Commission: No report

Tree & Beautification Committee: No report.

4th of July Parade: Rexburg will hold the parade on Monday, July 4. Sugar City has turned in their parade application and candy has been ordered. The theme is “2022 Salutes the Red, White, and Blue”. The city will decorate one of its dump trucks and have chairs in the back for the council and mayor to sit on.

AIC Annual Training: The city has reserved 8 rooms for the annual AIC training scheduled for June 22 – 24 in Boise. Councilors Nielsen and Dayley are planning on attending. Mayor Adams, Public Works Director Arlynn Jacobson, City Clerk and Deputy Clerk McLaughlin and Jones will also attend. The annual Golf Tournament sponsored by the Rexburg Area Chamber of Commerce is also scheduled for Friday June 24.

Move June 23 Council Meeting to June 30:

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to move the June 23 council meeting to Thursday, June 30 because of the AIC training meeting schedule conflict; motion carried.

EXECUTIVE SESSION:

9:05 P.M. It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to move into executive session pursuant to Idaho Code 74-206(1)(b), “To consider evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.” Motion carried. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen
Those voting nay: None

Thereupon, the mayor declared the motion passed.

9:43 P.M. The executive sessions ended for Idaho Code 74-206(1)(b). No decisions were made and there was no deliberation.

Mayor Adams reconvened the open meeting after the executive session. Councilwoman Fogle made a motion for adjournment with the council's recommendation. Meeting adjourned at 9:43 p.m.

Signed: _____
Steven Adams, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

Submitted for review in regards to the City Dumpster considerations

May 26, 2022

From: Mark Oliphant
500 West 1st South
Sugar City, Idaho, 83448

To: The Council Members of the city of Sugar City.

Please understand it is not the responsibility of our city government; in other words, it is not 'our', the collective body of citizens, responsibility to gather and dispose of anyone else's waste except our own individual waste. This applies to yard, landscaping, and garden waste.

It behooves us as a body of citizens to pass ordinances to ensure our city remains a healthy environment by requiring all citizens to properly gather and dispose of their own waste, but not pass ordinances or enact any procedures that places work or financial burden of any citizen, in the way of subsidizing the consequences of the choices of another citizen.

Waste, all waste, including food packaging, household furnishings, hobby, and yard waste is a consequence – a byproduct of lifestyle choice of an individual citizen. And individual citizens must be responsible for their own labor and finance to gather and dispose of that waste. For example: different landscape and gardening methods produce a vast quantity difference in yard waste. From almost zero waste --like mulching grass clippings and leaves into the lawn, chipping limb trimmings, composting or utilizing Hūgeikuitur, (pronounced hūoo-gui-culture); ... or almost ALL waste, --bagging grass clippings and leaves, hauling it away, or expecting someone else to haul it away.

Therefore, it is not a just governmental act to provide a dumpster for the citizens use and charge all citizens equally. It is just, and most likely necessary for the city to have a dumpster for waste from public works and public land waste, but it is not necessary to allow access to the dumpster by private citizens. The dumpster could be locked or fenced or both, with signs stating it is illegal to dump residential waste.

Just 3 miles away is the Madison county waste transfer station, where all citizens are welcome to dump their waste at an affordable and fair price. Currently those who dump their waste in the Sugar City dumpster have already loaded that waste into a vehicle to haul it to the dumpster.... It is not much further to dump it at the transfer station.

Please discontinue allowing private citizens use of the City dumpster, this will solve the current financial and improper use dilemma. And if this is not understood then alternate ideas could be ... have citizens individually pay for each use of the dumpster... or pay for the service of hauling their waste off their property for them.

Thank you

Mark Oliphant