

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, OCTOBER 27, 2022

Presiding: Mayor Adams  
Meeting Via Internet and at City Hall Convened at 6:30 p.m.  
Prayer: Councilwoman Ball  
Pledge of Allegiance: Councilman Dayley

Present at City Hall and Online: Councilors Joy M. Ball, Glenn Dayley, and Connie Fogle; Public Works Director Arlynn Jacobson; City Building Inspector Quinton Owens; Planning and Zoning Chair Christine Lines; City Attorney Chase Hendricks; Madison County Coroner Sam Butikofer; Glen and Cammi Muir, and others who may have joined electronically but not identified. Planning and Zoning Administrator Kurt Hibbert and Councilwoman Nielsen were excused.

**CONSENT AGENDA:**

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

**MADISON COUNTY CORONER'S OFFICE BUSINESS PARK LOT PROPOSAL –  
Coroner Sam Butikofer:**

Mayor Adams will meet with Mr. Butikofer and the county commissioners on a proposal to bring to the council plans and an agreement for a coroner's and sheriff's office. The city will hold the lot until the process can be completed. The Business Park Committee and Madison County both support a coroner's office in the Business Park. The city is interested in some trade agreement or compensation for the value of the lot or some kind of donation with improved economic development and law enforcement benefits.

**MADISON COUNTY EMERGENCY TOWER SPECIAL USE PERMIT:** The Madison County Sheriff's office submitted a Special Use Permit application to use the emergency tower with the addition of a private internet carrier who would use the tower for commercial use as well. The council asked that Planning and Zoning review the application and bring a recommendation to the council. A preview of the application indicates that it is missing some information. A public hearing will be set as soon as the application is completed.

**PUBLIC COMMENTS:** Business Park Business Owner, Cammie Muir, approached the council with concerns of dogs running at large through the Business Park and ruining new landscaping. She asked that signs be posted in the Park that dogs must be kept on a leash at all times. She will purchase the signs.

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

**City Truck Proposal:** The transmission went out on the old city pickup used for watering the city flowers. Mr. Jacobson proposed that the city buy a used pickup for replacement.

**MOTION:** It was moved by Councilwoman Fogle and seconded by Councilwoman Ball to approve purchase of the city pickup up to \$10,000; motion carried.

**Child Safety Grant Sidewalk Bid:** Three of the seven contractors notified bid on the sidewalk project awarded with the Child Safety Grant. JM Concrete was the low bid at \$140,000. The city has until December 2023 to complete the project. With the crossing lights the total is about \$18,000 over projected costs. The public works department may need to do some of the work to help with the costs.

**MOTION:** It was moved by Councilwoman Ball and seconded by Councilman Dayley to approve the award to JM Concrete for the sidewalk project. Thereupon, Mayor Adams called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Fogle

Those voting nay: None

Councilwoman Nielsen was excused.

Thereupon, the Mayor Adams declared the motion passed.

**Railroad Crossing Fees:** Mr. Jacobson reported that the railroad proposed a one-time recording fee of about \$6,760 for existing railroad crossings that are missing easement agreements in lieu of prior annual fees for the crossings. Mr. Jacobson, Mr. Hibbert, and Mr. Hendricks will work with the railroad on current issues and to negotiate a proposal for future railroad crossings to bring to the council for approval.

**Final Fall Cleanup Report:** The final city wide cleanup went well. There were several residences that had bagged their leaves and grass clippings which the city took to the transfer station as an added expense. They did not understand that Ards Dump could not take bagged items.

**Intermountain Gas Line Replacement Report:** The city is working with the gas company in patching holes and cleaning up and has proposed several revisions to the Excavation Permit and fees resulting from negative impact of the gas line project.

**Well #5:** Mayor Adams proposed that the city wait for a period of time to test the tank again for leaking to see if it has slowed down.

**Disc Golf:** There is a Disc Golf App that shows the course and rules of the game available to the public.

#### **PLANNING & ZONING REPORT:**

Quinton Owens and Christine Lines reported on the following items:

**Emergency Tower:** The commission has some concerns about the proposal but will review the plans and hold a public hearing after they receive a completed application.

**Bus Tour of Proposed Impact Area:** The bus tour with the county commissioners opened conversations and understanding on the proposed impact area. Mr. Hibbert will continue to work with the county.

#### **GENERAL BUSINESS:**

**Mayoral Appointment(s):** No report.

#### **CALENDARED ITEMS:**

**Second Discussion -**

**Excavation Permit Code Revisions:** The Excavation Permit Application and fees are lacking and have not been reviewed for several years. Public Works Director Arlynn Jacobson has been working with City Attorney Chase Hendricks to revise the code, fees, and application.

**Third Discussion -**

**Street Code Designation and Width Amendments:**

**ORDINANCE NO. 377\_2022:**

“STREET CODE DESIGNATIONS AND WIDTH AMENDMENTS”

It was moved by Councilman Dayley and seconded by Councilwoman Fogle to place it upon its final passage and to adopt this ordinance. Thereupon the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Fogle

Those voting nay: None

Councilwoman Nielsen was excused.

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried.

The clerk will publish Ordinance No. 377\_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.

**Public Works Standard Code Revisions:**

**ORDINANCE NO. 378\_2022**

“PUBLIC WORKS STANDARD CODE REVISIONS”

It was moved by Councilman Dayley and seconded by Councilwoman Fogle to place it upon its final passage and to adopt this ordinance. Thereupon the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Fogle

Those voting nay: None

Councilwoman Nielsen was excused.

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried.

The clerk will publish Ordinance No. 378\_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.

**Public Works Standard and Resolution:**

**RESOLUTION NO. 2022-8: (Public Works Standard)** – Resolution No. 2022-8 entitled: “PUBLIC WORKS STANDARDS”.

**MOTION:** It was moved by Councilwoman Ball and seconded by Councilman Dayley to approve the Public Works Standard. Thereupon, Mayor Adams called roll upon the motion.

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

Thereupon, Mayor Adams declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 1".

#### **MAYOR AND COUNCIL REPORTS:**

**Treats in the Streets:** The event was well attended and exceeded expectations. The weather was perfect with 70 degree temperatures and no wind! Vendors indicated they liked the event and it was well worth their time and effort. However, the mayor was concerned that the event took too much staff time and prominence.

**Mayor Report:** The mayor introduced the idea of placing a donated piece of military equipment in Neibaur Park. He took pictures of several spots where it could be placed. Donations for a cement pad and landscaping will be sought. A resolution will be prepared for the next agenda.

**Historic Preservation Commission:** The Commission made over \$250 with their fish pond and raffle. All the gift items were donated.

**Organ:** The Historical Preservation received a donated, beautiful ornate organ.

#### **EXECUTIVE SESSION:**

8:08 P.M. It was moved by Councilwoman Fogle 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, and Fogle  
Those voting nay: None  
Councilwoman Nielsen was excused.

Thereupon, the mayor declared the motion passed.

8:20 P.M. The executive sessions ended for Idaho Code 74-206(1)(b). No decisions were made and there was no deliberation.

**PLANNING AND ZONING ADMINSTRATOR CONTRACT:** No report.

Motion was made for adjournment. Meeting adjourned at 8:21 p.m.

Signed: \_\_\_\_\_  
Mayor Steven Adams

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer