

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, MARCH 23, 2023

Presiding: Mayor Adams

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

Prayer: Councilwoman Ball

Pledge of Allegiance: Mayor Adams

Present at City Hall and Online: Mayor Adams; Councilors Joy M. Ball, Daniel Baird, Glenn Dayley, and Catherine Nielsen; City Clerk-Treasurer Wendy McLaughlin; Public Works Director Arlynn Jacobson; City Building Inspector Quinton Owens; Planning and Zoning Administrator Kurt Hibbert; Planning and Zoning Chair Christine Lines; City Attorney Chase Hendricks; School Board President Kristen Galbraith, Madison County Commissioner Brent Mendenhall, Old Farm Estates Developer Brandt Monette; Sugar RV Park Owner Andy Oliverson; Citizens Mr. Stoddard, M... Smith and others who may have joined electronically or otherwise but not identified.

WELCOME: Mayor Adams conducted the meeting and welcomed everyone present. The meetings were held at City Hall and live over the internet and those who wished to be present were invited to attend.

6:30 p.m. PUBLIC HEARING (Transfer of Real Property): If adopted the city will trade to Madison County, Idaho, Lot 3 Block 1, Sugar City Business Park for the construction of a public and safety center and a law enforcement center within 10 years.

Citizens for, against, or neutral were given the opportunity to submit written comments or testify at the hearing. There were no written comments submitted.

In Favor: None

Neutral: None

Against: None

6: 34 p.m. Public hearing closed.

EASTER BUNNY VISIT: Councilwoman Nielsen donned “rabbit ears” and bright colors as she handed out Easter Eggs at the meeting and reminded everyone of the Easter Egg Hunt on Saturday, April, 8, 2023.

CONSENT AGENDA:

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

LAND SWAP WITH SUGAR SALEM SCHOOL DISTRICT: The school district owns a small section of the west side of Heritage Park and would like to swap that for Neibaur Park to

the north. They would like to take over the two existing tennis courts and add four more. A summary of some of the concerns are listed below:

- City Well #2 and shelter buildings
- Veteran’s Memorial
- Maintenance
- Swap favors school

Another meeting for further discussion to work out concerns will be held and brought back to the council at a later date.

PLANNING AND ZONING REPORT:

Planning and Zoning Administrator and City Planner Kurt Hibbert reported on the following items:

Public Hearings: The public hearings for the Comprehensive Plan, Land Use and Zoning map revisions, and the addition of a new Regional Commercial Code held on February 28, 2023 were not well attended by the public. The 2016 survey will be included in the 2023 Comprehensive Plan.

North Rexburg Interchange: The zoning around the North Rexburg Interchange was left as is for now and will be rezoned as it develops in conformance with the Land Use Map.

Revitalization of Downtown: The goal to revitalize downtown is to make it a “Go To” downtown instead of a “Go Through” downtown.

PUBLIC COMMENTS: No report

TRANSFER OF REAL PROPERTY ORDINANCE NO. 381_2023: The council authorized the transfer of Lot 3 Block 1, Sugar City Business Park, Madison County, Idaho with revisions.

Ordinance No. 381_2023 was read by title reviewed by the council on at least two different meetings:

“AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE CITY OF SUGAR CITY, IDAHO TO MADISON COUNTY, IDAHO DESCRIBING SAID REAL ESTATE; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”

It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to waive the third reading and adopt this ordinance. Thereupon, the clerk called roll upon the motion.

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

Those voting nay: None

Ordinance No. 381_2023 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. 381_2023 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 2023-4 – (Comprehensive Plan and Associated Land Use and Zoning Maps)

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to approve the Comprehensive Plan and associated Land Use and Zoning maps with the corrections. Thereupon, the Clerk called roll upon the motion.

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

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

REGIONAL COMMERCIAL CODE ORDINANCE NO. 382_2023: The council approved a new regional commercial zoning district.

Ordinance No. 382_2023 was read by title only.

“AN ORDINANCE ADDING A REGIONAL COMMERCIAL ZONE DISTRICT OF THE SUGAR CITY, IDAHO MUNICIPAL CODE, AMENDING THE LAND USE MAP AND SCHEDULE AND ZONING MAP; UPDATING AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.”

It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to waive the three readings and adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Nielsen
Those voting nay: Councilor Baird

Ordinance No. 382_2023 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. 382_2023 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.

Councilor Baird’s objections summarized below:

- The Comprehensive Plan and Land Use Maps are connected with each other, but are not conditional on having the Zoning Map approved at the same time. They form a basis for all zoning changes in the future.
- Zoning changes move broad descriptive wishes of the city for land use to a category of prescriptive property rights. The differences warrant having distinct votes on the two very separate issues.
- The zoning map was a sweeping change that, barring intervening actions of city council, gives differing rights to many parcels of land and establishes new rights in the city that will bind decisions of Planning and Zoning and the City Council for years to come. Coming new to the issues and having seen the maps and zoning descriptions for a few days ahead of time, I felt I would need at least another couple of weeks to digest it before

feeling comfortable voting for a bypass of the normal readings before approval.

YELLOWSTONE FINAL PLAT: The final plat was reviewed and recommended for approval.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to approve the Yellowstone Townhomes Final Plat; motion carried

DIVISION #4 SURETY LIEN AGREEMENT: The Division #4 Surety Lien Agreement was reviewed and recommended for approval.

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to approve the Division #4 Surety Lien Agreement. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

Motion carried.

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

Supervisory Control and Data Acquisition (SCADA): Mr. Jacobson is waiting for an estimate to upgrade and repair the current SCADA System for the city's water and sewer systems.

Local Highway Technical Assistance Council (LHTAC) Road Scholar: Mr. Jacobson and Cody Cureton completed the training for the Road Scholar Program. They are now certified flaggers.

Flooding: Flooding on S 3rd W is due to heavy snow loads and poorly installed drain systems. The public works department had to reroute flood water from pouring into manholes and overwhelming sewer pumps in Rexburg.

Amphitheater: It is estimated that it will cost the city \$150,000 to build an amphitheater in Heritage Park. Grants are being sought. Amphitheater building "kits" are another affordable option.

Railroad Easement Agreement: Mr. Jacobson will move forward with the Easement Agreement with the railroad for pre-1976 flood utility easement agreements that cannot be found. He has found two of the five missing easement agreements. The one time cost of about \$5,000 will satisfy the railroad on the three missing agreements.

GENERAL BUSINESS:

Sugar City Recreation District: The council will continue to focus on opposing Rexburg's proposed recreation district by using tax funding and encourage citizens to vote against it.

Association of Idaho Cities (AIC) Training Meetings: Spring Training is scheduled for Tuesday, April 11 in Idaho Falls. The annual AIC Conference in Boise is scheduled for June 21 – 23. Council members, Planning and Zoning Commissioners, and department heads are encouraged to attend.

CALENDARED ITEMS:

Council Salaries: No report.

Fire Code Adoption: Building Inspector Quinton met with the Madison County Fire District and has made some revisions to district's code. It will be included in the next council packet. He is available for any questions.

MAYOR AND COUNCIL REPORTS:

Tree and Beautification:

Arbor Day Celebration: The theme for the Arbor Day Celebration scheduled for May 12, 2023 is "Spread Your Roots". An art contest, nature scavenger hunt, prizes, music from Central Elementary Choir, and remarks from Mayor Adams will be included in the celebration. The \$300 Arbor Day grant was submitted for the tree.

\$5,000 Beautification Grant for Triangle: needs to be spent by June 1.

Historic Preservation Board: The Historic Preservation Commission will be known as the Sugar City Area Historical Society Inc. Grant Johnson, president; and Donna Jean Kinghorn, secretary. Their booth at Sugar Days will be informational with games and slide show. Prizes will be sugar cookies. They will have a Fund Thermometer with a goal of \$50,000. They will meet again April 19.

Letter: Councilwoman Nielsen read a letter from the commission to use the garage area at City Hall for their museum until a permanent place can be obtained. The council will review the request at their next meeting.

Motion was made for adjournment. Meeting adjourned at 9:17 p.m.

Signed: _____
Mayor Steven Adams

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

**CITY COUNCIL PUBLIC HEARING
 THURSDAY, MARCH 23, 2023, 6:30 P.M.
 (TRANSFER OF REAL PROPERTY)
 ATTENDANCE SHEET**

NAME ADDRESS PLEASE PRINT	FOR	NEUTRAL	AGAINST	WANT TO TESTIFY	DO NOT WANT TO TESTIFY
1 <i>No report</i>					
2					
3					
4					
5					
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7					
8					
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11					
12					
13					
14					

RESOLUTION 2023-4

A RESOLUTION ADOPTING THE 2023 COMPREHENSIVE PLAN ON BEHALF OF THE CITY; AND PROVIDING EFFECTIVE DATE.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, IDAHO, THAT:

The 2023 Comprehensive Plan is hereby approved and adopted. Copies of the Comprehensive Plan shall be procured and made available on the city's website and at the office of the City Clerk during normal business hours.

This resolution shall take effect and be in full force from and after its passage and approval.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 23rd DAY OF MARCH 2023.

Steven Adams, Mayor

ATTEST:

Wendy McLaughlin, City Clerk-Treasurer

(SEAL)