

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, MAY 25, 2023

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

Present at City Hall and Online: Mayor Adams; Councilors Joy M. Ball, Daniel Baird, Glenn Dayley, and Catherine Nielsen; City Clerk-Treasurer Wendy McLaughlin; Building Inspector Quinton Owens; Public Works Director Arlynn Jacobson; Planning and Zoning Administrator Kurt Hibbert; City Attorney Chase Hendricks; Citizens Bruce Arnell, Becky Bates, Lance Bates, Jim Griggs, Matthew Ratliff, Enrique Reyes and family, Heath Stewart, and others who may have joined electronically or otherwise but not identified.

**CONSENT AGENDA:**

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

**SET PUBLIC HEARING TO VACATE UTILITY EASEMENT IN OLD FARM**

**ESTATES DIVISION 4:** City Attorney, Chase Hendricks, explained that the utility easement indicated by the attached map for Old Farm Estates Division 4 was not used but, instead moved eastward as indicated to align with existing sewer infrastructure. The developer has asked that this easement be vacated. The Council set a public hearing date for Thursday, June 29, 2023.

**SET PUBLIC HEARING TO THE VACATE A PORTION OF THE S 7<sup>TH</sup> WEST ROAD**

**BETWEEN 3<sup>RD</sup> S AND RAILROAD AVENUE:** City Attorney, Chase Hendricks, explained that the vacation of a portion of the S 7<sup>th</sup> West road next to SunGlo was incorrectly done several years ago and then mistakenly platted as a public road on a subsequent final plat which put it back in the city's name.

**MOTION:** It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to set Thursday, June 29, 2023 at 6:30 pm for the public hearing for both the vacations of the Old Farm Estates Division 4 utility easement and the portion of the S 7<sup>th</sup> West road; motion carried.

**PUBLIC COMMENTS:** Summarized below:

**Lance Bates (Rexburg):** Requested information on the proposed grant funded walking path that will be placed in the city's right-of-way. However the pathway will cut through individual yards along the north side of Third South that have been maintained by property owners for decades. Mr. Bates asked for the following:

- Engineering study
- Pedestrian count
- Design firm
- Plans
- Fill slopes on private property

- Winter usage and snow storage
- Local Highway Technical Assistance Council (LHTAC) manager  
**Becky Bates (224 S Park):** She requested information on the following:
- What obstacles need to be removed and cost
- Where the 8' wide pathway starts and stops
- Will driveways be replaced
- Work dates for the project
- Life expectancy of walkway
- Will there be cross walks and crossing guards
- Taxes will be raised to maintain the walkway
- What about property damage

**City Attorney Chase Hendricks:** Guardians are needed for Fremont and Madison County.

**Bruce Arnell (225 S Park):** He claimed that the decision for the project had already been made without the public's input. He received the notification just two days prior. He has lived at the current address for 52 years and feels that the pathway is not useful.

**Enrique Reyes (220 S Teton):** He asked that the promise that his sprinklers will be put back be put in writing.

**Matt Ratliff (566 W Dalling):** He is concerned about the new disc golf course. Many participants lose their frisbees in his yard and then retrieves them by hopping over his backyard fence without permission. He wondered if the disc golf could be remapped and signage for participants.

**James Griggs (222 S Austin):** He felt singled out and wondered why the rest of the city did not have waling paths or sidewalks. Are any of the councilors impacted by the proposed walkway? In the past, the light poles were always in the way for any improvements.

**Heath Stewart (22 W 3<sup>rd</sup> S):** He also wanted to be added to the email list to receive the additional information from Public Works Director, Arlynn Jacobson. He is concerned that he will have to park in a different location since the walk way would take up most of his driveway.

## **2023 AUDIT REPORT FOR FISCAL YEAR 2022:**

### **RESOLUTION NO. 2023-6:**

**MOTION:** It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to adopt the 2023 Audit Report for fiscal year 2022. Thereupon, the Clerk called roll upon the motion.

Those voting aye: Councilors Baird, Ball, 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".

## **PLANNING AND ZONING REPORT:**

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

**P&Z Chairman:** Chairman Christine (Sam) Lines has completed her term agreement. Derik Taylor will replace her. There are several vacancies that need to be filled.

**2022 Madison County Transportation Plan:** The 2022 Transportation Plan has been

adopted by Madison County and Rexburg and needs to be adopted by Sugar City by resolution as well after a public hearing. The Plan includes several documents that are viable to all three entities for future growth, planning, and traffic safety.

**SET PUBLIC HEARING TO ADOPT 2022 MADISON COUNTY TRANSPORTATION PLAN:**

**MOTION:** It was moved by Councilman Dayley and seconded by Councilwoman Nielsen to set the public hearing for the adoption of the 2022 Madison County Transportation Plan and Sugar City's East Parkway Corridor leg for Thursday, July 13, 2023 6:30 pm; motion carried.

A link will be provided on the city's website and a printout of the 90-page document along with maps and etc. will be available to the public at the city office.

**BURNS ZONE CHANGE APPLICATION FINDINGS:**

**MOTION:** It was moved by Councilwoman Nielsen and seconded by Councilman Baird to accept the Planning and Zoning recommendation and approve the zone change from Transitional Ag (TA1) to Regional Commercial; motion carried.

**LEGACY DANCE SPECIAL USE PERMIT FINDINGS:**

**MOTION:** It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to accept the Planning and Zoning recommendation and parking conditions and approve the Special Use Permit for Legacy Dance; motion carried.

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

**Child Safety Grant Walkway Portion:** Surprisingly the bids for the walkway portion have doubled of what was estimated from the lowest bid for an additional cost of about \$80,000 to the city to complete. An additional grant of \$50,000 is available for overage costs and has been applied for. The grant funds must all be fully expended as awarded, meaning the walkway could end before it is completed as the money runs out. The city has spent \$180,000 of the \$250,000 grant so far. The city may be able to offset the additional \$40,000 needed by buying gravel from the county and doing the traffic control for the project. Mr. Jacobson will continue to work on other possible options.

**Durapatcher Machine:** Madison County Road and Bridge has a Durapatcher machine that they would sell to the city for \$15,000. The city could save money on pothole and street maintenance which would pay for the machine. The County would allow the city to purchase oil and chips from them. Mr. Jacobson feels it would increase the annual road maintenance lane miles.

**Well #5:** Mr. Jacobson has been working with Dome and believe they have found where the water has been leaking. They will patch around the pipe connections and fix the gaskets that were epoxied in by error. The concrete floor vault will also be lined using the correct liner formula. Dome may be asked to pay the city for their help.

**GENERAL BUSINESS:**

**Sugar Salem Flyer:** No report.

**CALENDARED ITEMS:**

**First Review:**

**RV Park Code:** The council has concerns on the enforcement of permanent residency and some items that seemed confusing. They will make recommendations to Planning and Zoning at the next meeting.

**Second Review:**

**Fire District Code:** City Building Inspector Quinton Owens provided a summary of the revisions to the proposed code amendment. The proposed code revisions will be included for the council to review and possibly adopt at the next meeting.

**MAYOR AND COUNCIL REPORTS:**

**Sugar Days:** Plans are well underway for Saturday, June 17, 2023. Stone’s Town & Country will sponsor the breakfast as usual moved to 8:00 a.m. – 10:00 a.m. with the Sugar Days event following right after. A live band will perform Friday evening and at the event following the talent show. The city is looking for more talent show participants. PSI Waste Systems will be contacted for additional garbage cans.

**Impact Fees:** The council will look at possible impact fees in addition to connection fees. A discussion will be planned for the next meeting.

**Tree and Beautification:** The Arbor Day Celebration went well as planned. Forrester Gerry Bates participated as well. He offered to train the city in tree pruning. The commission will meet again at the end of the month to award the June yard awards.

**Historic Preservation Commission:** They are looking forward to the Sugar Days event and have finalized their plans.

**Fiber Optic Backbone:** Mr. Thompson will be asked to give a report at the next meeting.

Motion was made for adjournment. Meeting adjourned at 8:45 p.m.

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

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

**RESOLUTION 2023-6**

**A RESOLUTION ADOPTING THE 2023 AUDIT REPORT FOR FISCAL YEAR 2022.**

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

The 2023 WIPFLI Audit Report for the fiscal year 2022 for the City of Sugar City is hereby approved and adopted. Copies of the Audit Report shall be made available at the office of the City Clerk during normal business hours.

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND MAYOR THIS 25<sup>th</sup> DAY OF MAY 2023.

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Steven Adams, Mayor

ATTEST:

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Wendy McLaughlin, City Clerk-Treasurer

(SEAL)