

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, FEBRUARY 22, 2024

Presiding: Mayor Adams
Meeting Via Internet and at City Hall Convened at 6:34 p.m.
Prayer: Councilman Stanford
Pledge of Allegiance: Councilman Dayley

Present at City Hall and Online: Mayor Adams; Councilors Joy M. Ball, Glenn Dayley, Catherine Nielsen, Carter Stanford; City Clerk-Treasurer Wendy McLaughlin; Public Works Director Arlynn Jacobson; Planning and Zoning Administrator Kurt Hibbert; City Attorney Chase Hendricks; Building Inspector Quentin Owens; Sugar Salem Citizens Reese Butikofer and Bruce Shirley, and others who may have joined electronically or otherwise but not identified.

CONSENT AGENDA:

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

SUGAR SALEM DISTRICT REVISED DEVELOPMENT AGREEMENT: Tabled until the next regular council meeting in March for the District's legal review.

TOSCANO SUBDIVISION DEVELOPMENT: City Attorney Chase Hendricks and Council President Nielsen drafted a City Letter of Intent for developers and land owners on revising the outdated Toscano Development Agreement for current best use of land and existing infrastructure. The letter was not available for review or a motion.

PLANNING AND ZONING REPORT: Kurt Hibbert reported on the following items:

City Area of Impact County's Ruling: Rick Robison can now be appointed to the Planning and Zoning Commission with the County's Area of Impact approval east of the Salem Highway. The County also gave the city 1000 feet on either side of Highway 33 for a growth corridor toward Teton A new zone for Rural Ranchette will need to be added to Sugar's City's zone to incorporate Salem's zone.

Toscano Development: this area has the possibility for a great development center. The Toscano pre-plat map gives rights to developers and the city. A new development agreement will improve development flexibility and also protect the city's interests.

Sugar City Hardware Store: the Sugar City Furniture and Hardware store has a new owner. They are working with the city to renovate the store.

CITY AREA OF IMPACT MAP ADOPTION: Although the ruling was a huge disappointment leaving the city without an area of impact in several locations and no area of impact west the Salem Highway, the city will move forward with the decision. City Attorney Chase Hendricks said Idaho Code 67-6526 governs areas of impact. The County did not follow the state statute in their decision-making process. Two cities can have overlapping areas of impact. Annexation is the only remedy for another city grabbing land.

MOTION: It was moved by Councilman Dayley and seconded by Councilman Stanford to approve with prejudice the County approved City Area of Impact map; motion carried.

Those voting aye: Councilors Dayley and Stanford.

Those voting nay: Councilors Ball and Nielsen

Mayor Adams broke the tie in favor.

PUBLIC COMMENT:

Reese Butikofer Salem Resident: he was very disappointed in the County's decision. He was concerned that the map didn't even include part of the City's boundary west of the Salem Road. He also felt that the 97 plus letters from residents who wished to be a part of Sugar City were ignored. Rexburg made two unsuccessful attempts last year to grab the land west of the Salem Road.

Bruce Shirley Salem Resident: he felt very frustrated that Salem residents didn't have a voice in the County's decision and had little faith in the process to correct any errors or vindicate Salem resident's wishes. He wondered if taxes could be deferred from the city since taxes seemed to be a big deterrent to annexing into the city. Mr. Hibbert will create a brochure to help residents understand the negligible impact of city taxes in rural areas without city services. He will also work with City Attorney Hendricks for viable legal options.

EXECUTIVE SESSION: the Council voted to move the Executive Session toward the beginning of the meeting to accommodate City Attorney Hendricks schedule.

7:30 P.M. It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to move into executive session pursuant to Idaho Code 74-206(f) "Conferring with legal counsel for the public agency to discuss pending or imminently likely litigation, not merely when legal counsel is present." Motion carried. Thereupon, the clerk called roll upon the motion.

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

Those voting nay: None

Thereupon, the mayor declared the motion passed.

7:50 P.M. The executive session ended for Idaho Code 74-206(f) No decisions were made and there was no deliberation

PUBLIC WORKS: Mr. Jacobson reported on the following items:

South Lift Station: the variable frequency drives or VFDs have been removed from the south lift station. There have been no more emergency calls and the pumps are running better.

Teton Island and Old Farm Lift Station: up and running with generators while they wait for transformers.

Well #4 Water Tank: a cleaning and inspection are scheduled for May or June. In five years, both well #4 and #5 will be cleaned and inspected.

GENERAL BUSINESS:

Grant Writing: the city is in need of a grant writer to take advantage of all the grants possible. A proposal is coming.

P&Z and Council Communications: the Council would like more direction from the attorney on how much information they can when a matter is scheduled for a public hearing. Council President will work with Mr. Hendricks on how and when information can be disseminated. Regular joint P&Z and Council work meetings will be held as needed.

MAYOR AND COUNCIL REPORTS:

AIC Spring Conference – April 9, 2024 – 8:30 – 3:00 pm Idaho Falls – Mayor Adams, Council President Nielsen and Councilwoman Ball plan to attend. Other department heads are also invited to attend. The city pays per diem and mileage.

AIC Annual Conference - June 19 – 21, 2024 Boise (first day starts at noon) – Mayor Adams, Council President Nielsen, Councilors Dayley and Stanford, and Public Works Director Arlynn Jacobson plan to attend. Other department heads are also invited to attend. The city pays per diem, mileage, and hotel expenses.

Joint County, Rexburg, and Sugar City Work Meeting: the Council was invited to a joint meeting to plan for the 50th Anniversary of the Teton Dam Flood in two years. The County is working on improving the Dam site with restrooms and better road access for busses. A memorial for those who died during the flood will also be erected. Minutes from both cities during the aftermath of the flood is also being sought. A committee of four elected from the Sugar City Area Historical Society Inc will be chosen to serve on the planning committee.

Easter Egg Hunt: all bikes, prizes, and candy have been purchased for the event. 1,600 eggs donated and purchased from last year will supply the event.

Sugar City Area Historical Society Inc: the Sugar City Area Historical Society currently has \$42,500 in the bank. \$40,000 will be put in a high interest yielding certificate of deposit. They are applying for a grant from Walmart and setting up a Venmo account with the QR code on business cards for an easier way to donate. Martha Arnell was voted in as assistant treasurer to Josh Bingham. They plan on touring the Mud Lake Museum sometime in April this year. They have asked Sugar Salem School District Superintendent Jared Jenks if they can rent one of the school’s mobile classrooms for storage. They are still working on a Depot Museum on the original town site. Richard Lawson’s family has many pictures of the depot he will share since he and his family lived there. A work meeting is scheduled for March 21. They are also looking for help with grants.

Motion was made for adjournment. Meeting adjourned at 8:25 p.m.

Signed: _____
Mayor, Steven Adams

Attested: _____
Wendy McLaughlin, Clerk-Treasurer