

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, DECEMBER 12, 2024

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, Glenn Dayley, Catherine Nielsen, and Carter Stanford; Clerk-Treasurer Wendy McLaughlin; Public Works Director Arlynn Jacobson; Planning and Zoning Administrator Kurt Hibbert; Building Inspector Quinton Owens; Altura Manager Rick Miller Altura Director; Planning and Zoning Commissioner Spencer Haacke; and others who may have joined electronically or otherwise but not identified.

PUBLIC HEARING: Mayor Adams brought the meeting to order at 6:30 p.m. and introduced Rick Miller of Altura. Mr. Miller was asked to provide information to the public on the application being filed with the Idaho Department of Commerce. Mr. Miller proceeded to explain the following:

- **General Description of the Proposed Project:** This funding opportunity will allow for improvements to the city road and water infrastructure in connection with the development occurring on the north side of the city, particularly the areas adjacent to the SunPro and Ancient Grant developments. The grant funds are accessible through the job creation eligibility criteria.
- **Proposed Budget:** \$498,147 – RCIF/CDBG \$450,000 and \$48,147 from private investment
- **Proposed Schedule:** If awarded, the City plans to begin design and construction immediately, as grant funds allow.
- **Proposed Beneficiaries:** Beneficiaries include Sugar City residents, SunPro Development and Ancient Grain.
- **Questions & Comments:** Mr. Miller noted for the record that comments would be taken for five days following the hearing, and that the grant application handbook and the grant application were both available for review.

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

Public Hearing closed 6:35.

CONSENT AGENDA:

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

RURAL COMMUNITY INVESTMENT FUND (RCIF) APPLICATION:

RESOLUTION NO. 2024-7: (RCIF Authorizing Resolution)

Resolution No. 2024-7 was introduced to the council and read by title only:

“A RESOLUTION TO SUBMIT AN APPLICATION FOR A RURAL COMMUNITY INVESTMENT FUND (RCIF) GRANT TO ASSIST IN THE CONSTRUCTION OF JOB CREATION PROJECTS.”

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to authorize Altura to submit an application for a Rural Community Investment Fund Grant. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

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

FYBERCOM CONTRACT AGREEMENT: After much discussion the city approved the Fibercom contract after a split vote with the mayor breaking the tie. Some concerns are summarized below:

- Contract review from a fiber knowledgeable attorney
- Possible hijacking or hacking into system
- City having sole control or ownership
- Piggyback off of County contract
- Middle mile and open access

RESOLUTION NO. 2024-10: (Fibercom Contract Agreement Resolution)

“A RESOLUTION OF THE CITY OF SUGAR CITY, IDAHO, AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE CITY OF SUGAR CITY, IDAHO, SUGAR-SALEM SCHOOL DISTRICT #322, MADISON COUNTY, AND FYBERCOM TO PROVIDE CERTAIN SERVICES TO THE CITY; AUTHORIZING THE MAYOR OF THE CITY OR OTHER DESIGNATED OFFICERS OF THE CITY TO EXECUTIE AND DELIVER THE SAME; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.”

MOTION: It was moved by Councilman Stanford and seconded by Councilman Dayley to approve the Fibercom Contract. Thereupon, the Clerk called roll upon the motion.

Those voting aye: Councilors Dayley and Stanford

Those voting nay: Councilors Ball and Nielsen

The mayor declared the motion passed after breaking the tie vote in favor of the Fibercom Contract stating that the fiber network will be of benefit to the community and the city at an affordable cost. A copy of said resolution is attached hereto marked "Attachment 4".

PUBLIC COMMENT: No report

GENERAL BUSINESS:

Sweeper Truck Lease Purchase Agreement Resolution:

Resolution No. 2024-8 was introduced to the council and read by title only:

"A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF SUGAR CITY, IDAHO TO ENTER A SEVEN-YEAR LEASE PURCHASE AGREEMENT WITH LEASING 2, INC. TO FINANCE THE PURCHASE OF A SWEEPER TRUCK AND VACUUM ATTACHMENT IN THE AMOUNT OF \$320,000 PURCHASED FROM ENVIRO-CLEAN EQUIPMENT."

MOTION: It was moved by Councilman Dayley and seconded by Councilman Stanford to authorize the mayor to enter into a seven-year lease purchase agreement. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

Thereupon, the Mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 2".

Survey Costs for County/City Road Swap and Property Transfer to the Sugar City Area Historical Society: Mr. Jacobson reported that the city needs to survey the road and adjacent lots for the County/City road swap on Railroad Avenue and Front Street. The city will also pay for a survey to transfer the property to the Sugar City Area Historical Society. The cost will be about \$2,400.

5th S and Railroad Intersection Street Lights: Lights for the intersection on 5th South and Railroad are needed. Mr. Jacobson will check to see if a grant will cover those costs. A five-year lighting plan is needed.

PUBLIC WORKS REPORT:

2026 TAP Grant Contract and Resolution:

MOTION: It was moved by Councilwoman Ball and seconded by Councilman Dayley to approve the Federal Aid Highway Project A023(919) for connecting city sidewalks. Thereupon, the Clerk called roll upon the motion.

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

Those voting nay: None

The mayor declared the motion passed

Resolution No. 2024-9 was introduced to the council:

MOTION: It was moved by Councilman Dayley and seconded by Councilman Stanford to authorize the mayor to execute TAP State/Local Agreement Project No. A023(919). Thereupon, the Clerk called roll upon the motion.

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

Thereupon, the Mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 3".

ARPA Grant of \$300,000 for Sewer Project Resolution: Tabled. Funds were used to buy fiber infrastructure for the city. See above.

PLANNING AND ZONING REPORT: Planning and Zoning Administrator Kurt Hibbert reported on the following items:

Yellowstone Townhomes: the first phase of the Yellowstone Townhomes has begun which includes three buildings.

Rink 99: The Rexburg Area Chamber of Commerce sponsored a ribbon cutting for the rink. The rink is a popular spot in town. Hockey Leagues are being considered.

Eating Establishment: There is interest of an eating establishment going in on the south side of town.

Teton Island Estates: They have applied for a zone change to change the density to allow for smaller lots. The public hearing went well with some objections. The findings will be brought to the council at the next meeting.

Teton Impact Area: Teton would like to negotiate their own impact area with Madison County although most of the city lies in Fremont County.

Ancient Grants: New business in town. Need to be moved out of Teton by end of the month.

Stillwater Old Farm Estates: Part of the Old Farm Estates Subdivision. The Stillwater Development next to Well #5 will be a mixture of twin homes and townhomes within the Master Plan for density.

ADU Units in Residential Zones: A new Accessory Dwelling Unit Code is being considered by the city (see below). A new definition for residential unit may need to be updated.

8' Foot Fence: A code change for taller fences is being considered. Those currently violating the 6' Fence will be cited and penalized.

January Joint Meeting: The council will a joint Planning and Zoning work meeting during their second meeting in January. Thursday, January 23, 2025.

CALENDARED ITEMS:

Second Reading:

Tiny Home Subdivision:

TINY HOME SUBDIVISION ORDINANCE NO. 401_2024

“AN ORDINANCE CREATING A SECTION 7 WITHIN TITLE 10 “SUBDIVISION AND PLATTING” AND CHAPTER 5 “SPECIAL SUBDIVISIONS” ENTITLED “TINY HOUSE SUBDIVISIONS” FOR CREATING PLANNED UNIT DEVELOPMENTS FOR TINY HOMES ON PERMANENT FOUNDATIONS THAT SUPPORT A HIGHLY VEGETATED, PARK-LIKE ENVIRONMENT, WHERE THE EMPHASIS IS PLACED ON MINIMALIST LIVING.”

It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to waive reading of the ordinance on three different days and to place it upon its final passage. Thereupon the clerk called roll upon the motion.

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

Those voting nay: None

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

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

Those voting nay: None

Ordinance No. 401_2024 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. 401_2024 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.

Accessory Dwelling Unit (ADU) – a new state law allows for ADUs in residential zones. The city can regulate health and safety only. It was moved to next meeting to allow for a better definition for residential zoning.

Third Reading:

Non-Conforming Animal Use Code Revisions: tabled. Planning and Zoning may bring it to the council again since it involves land use.

MAYOR AND COUNCIL REPORTS:

Christmas Tree Lighting: the city has received many compliments from the citizens and a News 8 interview about the city lights. Councilman Stanford helped purchase more Christmas lights for the city and helped install over 13,000 feet of new lights. A citizens will be nominated each year to turn on the Christmas lights.

Christmas Dinner: the Christmas dinner was held in Idaho Falls this year at TCh Brazilian Grill. Everyone seemed to enjoy the evening.

Boise Meetings: Mayor Adams attended two meetings last week in Boise. The Associated Taxpayers of Idaho (ATI) and the Association of Idaho Cities (AIC) Legislative Summit. He felt both meetings were worth attending.

State of Cities Meeting Scheduled: scheduled for Tuesday, January 21, 2025 at 7 a.m. The mayor is working with Kurt Hibbert to present Industry in Sugar City.

Teton Dam Celebration: Councilman Dayley reported that his University English class is helping with the Teton Dam Celebration walking tour information signs.

EXECUTIVE SESSION:

8:25 P.M. It was moved by Councilwoman Nielson seconded by Councilwoman Ball to move into executive session pursuant to Idaho Code 74-206(a) "Hiring a public officer, employee, staff member or individual agent, whose qualities are to be evaluated in order to fill a particular vacancy or need; not to fill a vacancy in an elective office or deliberate staffing needs in general." Motion carried. Thereupon, the deputy 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.

9:08 P.M. The executive session ended for Idaho Code 74-206(a) No decisions were made and there was no deliberation.

COMMUNITY DEVELOPMENT SERVICES CONTRACT:

MOTION: It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to approve the Community Development and Planning Assistance Contract and Position Specification. Thereupon, the Clerk called roll upon the motion.

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

Thereupon, the Mayor declared the motion passed.

Motion was made for adjournment. Meeting adjourned at 9:15 p.m.

Signed: _____
Mayor, Steven Adams

Attested: _____
Wendy McLaughlin, Clerk-Treasurer