

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

SEPTEMBER 12, 2006

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg, John Lent, Charlotte
Fredrickson
Police Chief: Alan Dial (absent)
Public Wks Dir: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: B.J. Driscoll (absent)
Police Supervisor: Rod Mohler

PLEDGE OF ALLEGIANCE: Dawn Lloyd

PRAYER: Charlotte Fredrickson

Lorin moved, Charlotte seconded to approve the following consent agenda:

Minutes of August 22, 2006 Council Meeting

Minutes of August 31, 2006 Special Meeting

Building Permits:

Tom Lavorato - shed
Rick Thompson - demolition
Romaines - sign
Delwin Killpack - remodel
Basic American Food - roofing
Rogelio Caudillo - re-roof
Chuck Higham - fence
Christopher Nordsieck- remodel

A roll call vote was called for – Lorin – aye, Charlotte – aye, and Steve – aye, John – aye.

Motion carried, approved unanimously.

Mayor Christensen conducted a public hearing for consideration of rezoning four parcels of property owned by Alva Harris from Single Family Dwelling to Multiple Family Dwelling. The property is located on the west side of the Rowley Subdivision. Sandy said the Planning and Zoning Commission held a public hearing on August 16, 2006, and recommend denying the rezone request due to public testimony in opposition, traffic congestion spot zoning and safety issues. She presented several pieces of written comments, and said all notification, publications and postings have been completed. Mary Hoskinson residing in the Rowley Subdivision addressed the Mayor and Council as a spokesperson for those in opposition of the rezone. She said her property is adjacent to the proposed property and she is concerned that if a multiple level building is constructed near her, she will lose her privacy. Ms. Hoskinson said she built her home herself and has no opportunities to move in the near future. She said she is concerned about the safety of her children, the traffic congestion, and the unsightliness of apartment buildings near a residential subdivision. Ms. Hoskinson asked the Mayor and Council to please deny this rezone request. Justin Baron who also resides in the Rowley Subdivision felt an apartment complex would decrease the resale value of the homes in the area. John said there is a lot of written and verbal testimony in opposition of this rezone. He said he feels the Council

should accept the P&Z Board's recommendation and deny the rezoning application. Steve felt the residents have raised their concerns regarding the safety of their children by reviewing their public testimony. Lorin said he is concerned about what can be done with these four lots due to the lack of access to a public right-of-way. He said it may always just be a weed patch. Mr. Harris said he has a few options; rezone the property, build single family dwellings, or leave the property baron. He said a developer approached him about constructing apartments on the property, but if he is unable to get it rezoned he will have to look at his other options. John moved, Steve seconded to deny the request presented by Alva Harris to rezone four lots in the Rowley Subdivision from Single Family Dwelling to Multiple Family Dwelling based on traffic congestion, safety issues, and public testimony. Approved unanimously.

Vincent Wray, a teacher from the Shelley School District addressed the council regarding a project some of his students would like to do. He said they have a desire to raise chickens for approximately two months to research nutrition values. Mr. Wray said they would purchase approximately 100 baby chicks, feed them, and they would be gone by the end of November. He said they would like to do this project every year. Mr. Wray said they did this project last year not knowing they needed permission from the city. He said they kept the chicks in the green house last year, but this year they would keep them outside. Mayor Christensen said he is concerned about setting a precedence regarding animals being kept and raised in the city limits. He asked if the school could use the Bingham County Park to do this project. Mr. Wray said that might be possible, but it causes some problems with a daily feeding schedule. Steve suggested that Mr. Wray talk to the neighbors adjacent to where the chicks would be kept to see if there would be a problem. John moved, Steve seconded to give approval for the School District to raise baby chicks for a period of two months if permission is obtained by the bordering property owners. This approval is good for 2006 only, and will be re-addressed next year if the school would like to continue this project. Approved unanimously.

Dawn introduced Mike Trubee and James Simpson who are interested in designing and painting a mural at the handball court in Brinkman Park. Mr. Trubee presented some of their designs to the city council for review. Rick said he is concerned if the council approves the mural to be painted, then would it encourage unauthorized graffiti to be drawn at the park. A citizen in attendance suggested that there be a sign posted stating that permission was obtained for the mural. Dawn said she will get a price quote for the type of paint and sealer that should be used. John suggested that funds from the River fest be used. The Council felt the mural is a good idea and instructed Dawn to proceed with the quotes, and work with these young men on the project.

Lorin moved, Steve seconded to approve the following itinerant licenses:

Tap Enterprises	- September 14, 2006
Bread, Baskets & Beyond	- September 16, 2006
Cookie Lee Jewelry	- September 16, 2006
American Legion Post 93	- September 16, 2006

Approved unanimously.

Sandy said four of these itinerant licenses were for Spud Day because the vendors wanted to sell their wares on private property near the park. The vendors could not afford liability insurance to

have a booth space through the Kiwanis due to the Kiwanis By-Laws. The Council said something would need to be worked out before next Spud Day to either limit the itinerant licenses or to see how it may be more feasible for liability for the vendors to set up at the city park. The Mayor asked John to try and come up with a resolution.

Brandon, a representative from Forsgren presented the preliminary transportation plan for the city. He presented documents showing the condition of the city's streets, sidewalks, and signs. Brandon said once input has been received from the Public Works Director, the final adjustments will be made and the plan should be finished in the next few weeks. Brandon discussed various maintenance plans and budgets that should be planned for the streets, sidewalks and signs. He asked the Mayor and Council to review the draft and give comments or changes to Sandy. Mayor Christensen asked Rick and Steve to review the plan.

Husk said the next target date for 30% completion of the design for the wastewater treatment plant should be done by the end of October. He said at that time everyone will be invited to give comments. Husk said it is projected that the construction of the plant will go out to bid in September of 2007. He said the pilot equipment at the lagoon site is working well. Husk said Zenon would like to have an open house for everyone to review this pilot equipment sometime in the near future. He said he would come up with a tentative date.

Sandy said she received a request for comments on a rezone of a parcel of property in the impact area. The property is owned by Steve Nielson and is currently zoned as Agricultural. The request is to rezone the property to Single Family Dwelling to facilitate a future subdivision. Sandy said the property is farther than ¼ mile from the city limits so the impact area agreement mandating city subdivision standards cannot be used. The comments that the council requested be sent to the county were; the area near the proposed zone change/subdivision will be home to a regional wastewater treatment facility, and if municipal services are requested by the developer, city standards must be followed for the subdivision.

Rick said he has received some brochures for an emergency siren to be erected in the city. He said he will give the brochures to Charlotte for her review, and then will contact the Fire Chief to look for an appropriate site to place the siren.

Rick discussed the progress that is being made at Centennial Park. He said the area has been excavated for the flag poles, trees, etc. Rick said some of the foundation has been poured, and the he intends to order the trees and tree grates. Rick said he is aware that the project has to be done by the end of September to utilize the grant from the Idaho State Parks and Recreation Department that has been extended for the past two years.

Sandy said she has gotten the paperwork ready to send to Forsgren for a legal description to proceed with the annexation of a portion of the New Sweden Highway. She said there is a slight problem since Sharon Dial will not give consent to annex the front 25 feet of her property. Sandy said this means there will be two approximately ten foot stretches of the west side of the

road that will not be in the city limits. She said Alan did not feel this would create a problem for police enforcement and jurisdiction. The Mayor and Council instructed Sandy to proceed with the annexation documents without the Sharon Dial property included.

Sandy said Bingham County sent a comment sheet for a special use permit that Doug and Tandra West was requesting for boarders in their home in Greenfield Acres. She said the county clarified that the request is for two borders even though the state has approved four boarders. The Mayor and Council had no comments for the county.

Sandy indicated that she had given some information to the Mayor and Council for review on Proposition #2 regarding land use.

Rick said the city crew has the new shelter at Dawn Lloyd Fields almost done. He said the shelter should be finished by Spud Day.

Rick said he is going to advertise a bid notice for a snow loader to be purchased during the next fiscal year. He said he will be traveling to Billings, Montana to look at a snow loader to get an idea what might suit the city's needs.

Mike Carter complimented the city on the new shelter that is being constructed at Dawn Lloyd Fields.

Mike Carter said the Fire Department would like to construct a new station. He said they have a few sites in mind, but would appreciate any suggestions the city may have. John said there is a site near the transfer station that would be right next to the east connector road when it is constructed. Mike said the access may be a little bit difficult there due to Spud Alley. He said they need a location need a street with good access.

Dawn said Grid Kid Football and Flag Football are going strong. She said these programs are filling up the park and more space is needed. Dawn said the pool has been closed for the season.

Steve said he appreciates the opportunity to travel to Australia to visit the US Filter Wastewater Facility. He said he learned a lot about the plant, and got a better understanding of the different methods that are available for treatment.

Steve said he has had several people contact him about painting a crosswalk between Main Street Exxon and Movie Gallery. He said he knows this was discussed a few months ago, and there were some safety issues brought up, but possibly the crosswalk could be painted further to the west a ways. Rick said he would paint a crosswalk at the Edwards Avenue crossing. Rod was asked to instruct the police department to watch the crosswalk for violations for a while.

Mayor Christensen said he was contacted by several people wanting a crossing guard on State Street. He said the crosswalks on State Street are dangerous because of the four lane highway

and visibility issues. Charlotte was asked to work with the school on this matter for the school children's safety, and Rick with the Idaho Transportation Department and Alan should work with the Police Department.

Adjourned: 9:32 p.m.

ATTEST: Sandy Baydusak APPROVE: Emm R. Chetani

AUGUST CLAIMS

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
3-Aug-06	Comdata	1,005.53	30016
8-Aug-06	Regional Waste Water Trust Fund	250,000.00	30017
15-Aug-06	Advanced Business Systems	158.00	30018
15-Aug-06	All American Sports	425.00	30019
15-Aug-06	American Linen	539.76	30020
15-Aug-06	B&L Flags	342.90	30021
15-Aug-06	Bateman Brothers	245.00	30022
15-Aug-06	BMC West Shelley	1,950.14	30023
15-Aug-06	Broulim's	58.72	30024
15-Aug-06	Central Transfer Station	30.00	30025
15-Aug-06	Circular Butte Landfill	4,974.90	30026
15-Aug-06	Eagle Rock Sanitation	3,448.00	30027
15-Aug-06	Electrical Wholesale Supply Co Inc	59.87	30028
15-Aug-06	First Responders	151.50	30029
15-Aug-06	Forsgren Associates/P.A.	1,875.00	30030
15-Aug-06	H-K Contractors Inc	8,203.71	30031
15-Aug-06	Hammon Teton Delivery	45.00	30032
15-Aug-06	IAS-Envirochem	480.00	30033
15-Aug-06	Idaho Business Systems	69.08	30034
15-Aug-06	International Code Council Inc	100.00	30035
15-Aug-06	Les Schwab Tire Center	121.78	30036
15-Aug-06	McGrath Meacham and Smith PLLC	3,104.40	30037
15-Aug-06	National Waterworks Inc	1,570.76	30038
15-Aug-06	Pacific Steel	46.37	30039
15-Aug-06	Sams Club	1,455.46	30040
15-Aug-06	State Insurance Fund	2,690.00	30041
15-Aug-06	Steve Cederberg	276.00	30042
15-Aug-06	United States Welding Inc	79.30	30043
15-Aug-06	Utah Power and Light	12,932.19	30044
15-Aug-06	Watson Roto Rooter/Thayne Watson	375.00	30045
15-Aug-06	2m Company Inc	40.26	30046
24-Aug-06	AC&SS	129.94	30047
24-Aug-06	Alltel	216.45	30048
24-Aug-06	Rick Anderson	67.73	30049
24-Aug-06	BISCO	68.10	30050
24-Aug-06	Cable One	155.90	30051
24-Aug-06	Daniel Acevedo	1,500.00	30052
24-Aug-06	Eagle Rock Hydraulic Service	243.77	30053
24-Aug-06	Exxonmobil Fleet/Gecc	328.33	30054
24-Aug-06	First Responders	43.25	30055
24-Aug-06	IAS-Envirochem	56.00	30056
24-Aug-06	Idaho Asphalt Supply	86.10	30057
24-Aug-06	Intermountain Gas Co	1,989.61	30058
24-Aug-06	Jim Cotterell	4,785.00	30059
24-Aug-06	Kings No.21	29.13	30060
24-Aug-06	Mathews Plumbing & Heating	225.00	30061
24-Aug-06	Matthew Gardiner	12.56	30062
24-Aug-06	Metroquip Inc.	675.17	30063
24-Aug-06	Montana-Idaho Chapter	220.00	30064
24-Aug-06	OK Trailer Sales	9.27	30065
24-Aug-06	Peggy Russell	885.00	30066
24-Aug-06	Stanley J Petersen	288.73	30067
24-Aug-06	Phillips 66 Co	972.57	30068
24-Aug-06	Pioneer Publications	327.16	30069
24-Aug-06	Pro Power	20.49	30070
24-Aug-06	Shelley/Firth Rural Fire District	4,220.00	30071
24-Aug-06	Steve Cederberg	307.30	30072
24-Aug-06	T & M Construction	1,723.00	30073
31-Aug-06	Bonneville Blue Print Supply	18.95	30074
31-Aug-06	Circular Butte Landfill	4,464.18	30075
31-Aug-06	Davies Aqua Chem Supply Co	956.20	30076
31-Aug-06	Eagle Rock Hydraulic Service	207.01	30077
31-Aug-06	Electrical Wholesale Supply Co Inc	64.39	30078
31-Aug-06	Ellis Automotive	312.64	30079
31-Aug-06	Hit Pit Inc	1,007.49	30080
31-Aug-06	IAS-Envirochem	288.00	30081
31-Aug-06	Kirkham Auto Parts Service Co. #8	195.50	30082

31-Aug-06	Lamont Weist	1,000.00	30083
31-Aug-06	Chuck Lloyd	49.76	30084
31-Aug-06	Lora Miller	35.51	30085
31-Aug-06	Mathews Plumbing & Heating	1,000.00	30086
31-Aug-06	McGrath Meacham and Smith PLLC	2,591.10	30087
31-Aug-06	McLeodUSA	480.91	30088
31-Aug-06	Pioneer Publications	630.45	30089
31-Aug-06	Cheryl Simmons	350.00	30090
31-Aug-06	US Post Office	302.64	30091
11-Aug-06	City of Shelley Payroll	46,399.36	
25-Aug-06	City of Shelley Payroll	43,723.09	
	Total	420,516.37	