

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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JANUARY 12, 2010

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

PLEDGE OF ALLEGIANCE: Rick Anderson

PRAYER: Mayor Christensen

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

Minutes of December 08, 2009 Council Meeting  
December 2009 Expenditures  
December 2009 Overall Treasurer's Rpt.  
Building Permits:

Kelton Larsen - new home  
Kelton Larsen - new home  
Gables Mgt. - living home center

A roll call vote was called for: Steve – aye, Charlotte – aye, John – aye, Lorin - aye. Approved unanimously.

Previously Sandy telephoned the council regarding the adoption of an amendment to Ordinance #514 due to an incorrect legal description. Sandy said the State Tax Commission said the ordinance had to be amended and recorded by December 31, 2009. She said this amendment was due to the legal description that was used to reform the boundaries of the Urban Renewal District from 2008. Apparently the legal description did not close correctly. Steve moved, Lorin seconded to ratify the amendment to ordinance #514 regarding the legal description for the Urban Renewal District boundary. Approved unanimously.

Mayor Christensen praised the current council and thanked everyone for working together to make local government work. He thanked Lorin and Steve for their years of service to the community and welcomed the two new officials aboard.

Sandy administered the Oath of Office to Eric R. Christensen as Mayor for another four-year term beginning in 2010.

Sandy administered the Oath of Office to Earl A. Beattie as Councilman for Seat #1 for a four-year term beginning in 2010.

Sandy administered the Oath of Office to Kurt G. Russell as Councilman for Seat #4 for a four-year term beginning in 2010.

Mayor Christensen stated that the Council should elect a President. Charlotte moved, Earl seconded to elect John Lent as Council President. Approved unanimously.

Sandy presented Ordinance #533 regarding the franchise renewal with Cableone for fifteen years. She said all publications and comment periods have been completed as required by law. Sandy said there were no public comments regarding this matter. Mayor Christensen asked if there was anyone in attendance who would like to comment on this matter. There was no public comment at this time. John moved, Charlotte seconded to suspend the reading of Ordinance #533 and read the title of Ordinance #533 once. Approved unanimously. Sandy read the Title of Ordinance #533 in full. John moved, Charlotte seconded to adopt Ordinance #533 granting a renewal for a franchise agreement between the City of Shelley and Cableone. Approved unanimously.

Ken Hopkins, Idaho Bench Inc. had made a proposal to the council at an earlier meeting regarding the placement of benches on some of the city streets that would provide seating for the public as well as advertising for businesses. BJ said he reviewed and drafted some revisions to the agreement between the city and Idaho Bench Inc. The agreement states at least ten benches will be placed in the city at the discretion of the city and Idaho Bench Inc. and not more than fifty benches. John moved, Earl seconded to approve and execute the contract between Idaho Bench Inc and the City of Shelley for benches that will be used for advertising in the city. Approved unanimously.

Joy Porter of UCMC addressed the council to discuss her business that provides service to the community as utility consultants. She introduced Floyd Rigby from her home office in Utah. He said they currently have a contract to audit for the entire State and most of the cities and School Districts in Utah. He said they audit utility bills to check rates, effectiveness of meters, etc. Mr. Rigby said they could formulate an agreement with the city to look back three or four years if desired. He said their company does not collect any funds unless a refund is due to the city based on their audit. At that time they would collect fifty percent of the refund. Mr. Rigby said they could set it up so a copy of the billing is mailed directly to their company for the audit. He said they would give recommendations on what plans would be good for the city, if any refunds should be applied for, etc. Mr. Rigby said he is willing to give the city attorney names to use for references. He said typically a customer will see a fifteen to thirty percent savings. Mr. Rigby said his company also offers services for cell phones, telephones, metering, etc. The council said they will review his information and consider his proposal.

Steve Nielsen said he would like to discuss potential future planning regarding land he owns in the Impact Area. He said he owns the property surrounding the new wastewater treatment facility that is being constructed. Mr. Nielsen commended the Mayor on the new facility. He said it has been nicely done. Mr. Nielsen said he is interested in annexing his property into the city

and wondered what steps need to be taken. He said he has been working with the city on the easements that were need for the wastewater treatment plant. Mr. Nielsen said he also has land between the plant and the river that he may be able to help the city acquire for recreational activities. He said he is aware of Rick's idea to make this area into a recreational park. Mayor Christensen said that is correct, the city would like to have a recreational facility there in the future, however Mr. Nielsen's property is not contiguous to the city limits, which is a requirement of annexation. Mr. Nielsen asked if the two landowners between his property and the city consent to annexation, would that be helpful. He said he would like to develop his property and have streetlights, sidewalk, curbs, and gutter, etc. Sandy asked if water would be an issue if annexation occurs. She said there have been other properties asking about annexation, but are unable because there are no water connections available. John asked Mr. Nielsen if he has any deep water rights available. Mr. Nielsen said no. It was unsure whether a community well could be drilled in the area for a potential subdivision. BJ said he could review this matter. BJ also discussed the reuse water that may be available from the wastewater treatment plant. The Council said they were open to the concept Mr. Nielsen has presented, however the first step would be to talk to the property owners that must consent to annexation also so all of the property will be contiguous to the city. John offered his help to work with Mr. Nielsen on this matter.

Sandy presented a list of city business license applications for 2010. There were twenty-nine general licenses, and three special licenses. Kurt moved, Charlotte seconded to approve the attached list of business licenses for 2010. Approved three in favor, Earl abstained since his business license was being considered. Motion carried.

Charlotte said she asked Sandy to check with other cities regarding general business licenses and renewal fees. Sandy said Idaho Falls and Blackfoot only requires licenses for beer, wine, second hand stores, etc. She said Ammon requires licenses for any business and charges \$25 per year for a home occupation and \$125 for all other businesses. Sandy said Rigby is considering business licenses for all businesses also. Charlotte felt it may be beneficial to reduce the renewal fees for general business licenses to \$5 per year, however still charge \$25 for the first application for a license. She felt since the requirement of a business license was to gather information for all of the businesses in the city, the renewal fee should not be as high as the initial fee. Charlotte recommended amending the ordinance for next year to charge \$5 for any general business license renewal. BJ will make the necessary amendments.

Sandy presented a comment sheet she received from Bingham County for Jon Holbrook to have a park model mobile home as a caretakers residence in the county. There were no comments or concerns from the Mayor and Council. John felt any new subdivisions should be required to have sidewalk, curb and gutter.

Earl said he had reviewed the Police Policy Manual, but would like some questions answered before adoption. He asked if this matter could be tabled until the next meeting.

BJ said the resident of Kelley Acres filed an appeal to the annexation of their property. He said one of the arguments was that the annexation ordinance was never published. BJ said the ordinance was published, and we tried to submit this record to the Supreme Court, but now their attorney is objecting to the city adding this to the Clerk's record. He said he also received the Appellants Brief. BJ said at some point the Supreme Court will schedule this case for oral argument. He said it will probably be sometime after May.

BJ said he talked to the School's attorney regarding the gate that was placed on Robald Avenue. Their attorney asked what the city is using as a basis to put up the gate. BJ said he informed him, and has not heard anything back from the School or their attorney.

BJ publicly thanked Lorin and Steve and welcomed the new council members.

BJ said there was no appeal filed by the Protestants regarding the city's application for water rights and the mitigation plan. He said the IDWR Officer made the final decision and order on this matter.

Sandy presented the Building Permit Report for 2009. She said there was a valuation of \$2,602,405 for the year, and \$19,680 was collected in fees.

Dawn said the Jazz program is up and running.

Mike Carter welcomed the two new council members as Fire Chief, and offered his services.

Mike asked Sandy if the property taxes were taken care of for the Fire District and the City. Sandy said yes, she contacted the County Clerk to make sure the Fire District would be levying the citizens in the City this fiscal year. Mike explained that having the city limits in the Fire District would allow the residents to vote on bond issues, etc.

Alan said on Christmas Eve a dog was run over by a car, and he instructed his officer to take the dog to a vet. The vet cared for the dog and the bill ran \$300, however Alan said the dog's owner did not step forward, and the dog was put to sleep after a number of days.

Rick said the dog pound is almost done, and the city snow removal is going quite well.

Earl said he appreciates the crew's snow removal efforts and the extent the city goes to help its citizens.

Charlotte said she looks forward to working with the new council members.

John thanked Lorin and John for their years of service to the community and surrounding area. He commended the Department Heads and the employees of the city. He said they are the ones

that make the Board look good, and deal with the citizens. John encouraged the new members to ask questions, and communicate with everyone.

Mayor Christensen said this was a very productive meeting tonight. He said he will give out council assignments at the next meeting. In the interim he asked John to work with Rick, Charlotte to work with Sandy, Kurt to work with Dawn, and Earl to work with Alan.

Mayor Christensen said he and John will be going to the Legislative Committee meeting in Boise on January 28<sup>th</sup> to meet with our legislators.

Mayor Christensen said he met with DEQ yesterday to see if there were any more funds available or interest rate reductions for the continuing construction of the regional wastewater treatment plant. He said it appears this will not happen as even the State is trying to manage with limited funds. Mayor Christensen said even the cities must manage with available funds, and that is why freezes on wages and capital spending was initiated last year.

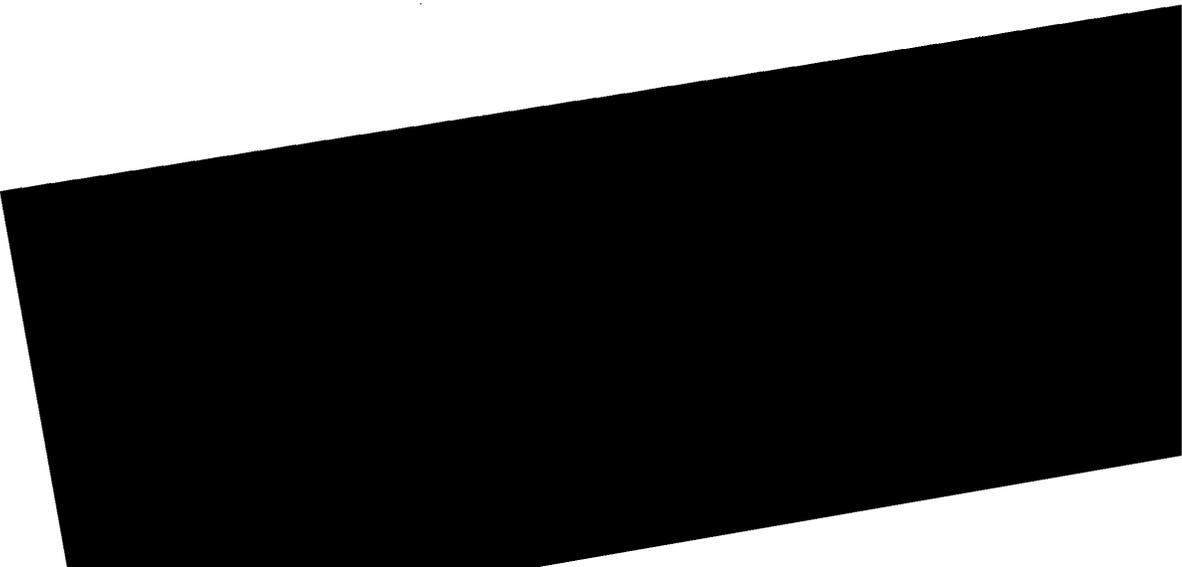
Charlotte said the City will be honored for their Tree City USA participation. She suggested a member of the Tree Committee be sent to Boise to receive this award. She said the Tree Committee has done an awesome job.

Adjourned: 9:00 p.m.

ATTEST: Sandy Haglund APPROVE: Eric R. Christensen

**CITY OF SHELLEY**

**BUSINESS LICENSES  
TO BE APPROVED  
JAN 12, 2010**



**SPECIALIZED LICENSES:**

**SIEMS ENTERPRISES  
178 S EMERSON AVE  
SHELLEY, ID 83274  
\$30 SECOND HAND GOODS**

**BOB CUMMINS  
TAP ENTERPRISES  
343 N MAIN ST  
FREMONT, NE 68025  
\*193 W PINE ST  
\$25.00 ITINERANT MERCHANT**

**RONNIE JAYNES  
VIRGINIA THEATER  
PO BOX 127  
SHELLEY, ID 83274  
\*186 S STATE ST  
\$40 LIVE THEATER**

**\* PHYSICAL ADDRESS IN SHELLEY  
IF DIFFERENT THAN MAILING  
ADDRESS**

**3 SPECIALIZED LICENSES**

**GENERAL BUSINESSES:**

**ACCRA MACHINE**  
730 S MILTON AVE  
SHELLEY, ID 83274  
\$25 JOB/MACHINE SHOP

**ALVA A HARRIS**  
PO BOX 479  
SHELLEY, ID 83274  
\*171 S EMERSON AVE  
\$25 OFFICE

**BEATTIE ENTERPRISES**  
PO BOX 531  
SHELLEY, ID 83274  
\*174 E CENTER ST  
\$25 RETAIL/WHOLESALE OF  
COLLECTABLES

**BUDDY BEAR DAYCARE**  
165 OPAL CT #A  
SHELLEY, ID 83274  
\$25 CHILD CARE (LESS THAN 6)

**CAROLYN'S CUTS AND CURLS**  
170 S MILTON AVE  
SHELLEY, ID 83274  
\*120 N EMERSON AVE  
\$25 BEAUTY SALON

**DON ALDERSON TILE**  
292 S BYRON AVE  
SHELLEY, ID 83274  
\$25 TILE INSTALLATION

**DOUG'S MEATS**  
PO BOX 511  
SHELLEY, ID 83274

\*907 ½ S STATE ST  
\$25 RETAIL & WHOLESALE MEATS

**ILLUSIONS, LLC**  
156 SHORT ST  
SHELLEY, ID 83274  
\$25 HOME OFFICE

**LAZY D'S**  
190 S STATE ST  
SHELLEY, ID 83274  
\$25 RESTAURANT

**LC INSULATION & SUPPLY CO**  
606 N STATE ST  
SHELLEY, ID 83274  
\$25 INSULATION, DOORS,  
WINDOWS, AWNINGS & WIND  
TURBINESALES, SERVICE &  
INSTALLATION

**MERCURY PLASTICS**  
PO BOX 2264  
IDAHO FALLS, ID 83403  
\*518 N STATE ST  
\$25 AGRICULTURAL PACKAGING

**MICK'S HOMECOOKING**  
398 S STATE ST  
SHELLEY, ID 83274  
\$25 RESTAURANT

**MOUNTAIN STATES CABINET & MILL  
WORK, INC**  
PO BOX 296  
SHELLEY, ID 83274  
\*270 S PARK AVE  
\$25 CABINET MANUFACTURING &  
INSTALLATION

**MOUNTAIN VIEW SALES &  
SERVICES**  
458 N STATE ST  
SHELLEY, ID 83274  
\$25 OUTDOOR POWER EQUIPMENT  
SALES & SERVICE

**NORTH AMERICAN POTATO MARKET  
NEWS, INC**  
PO BOX 135  
SHELLEY, ID 83274  
\*975 OCTOBER COVE  
\$25 POTATO MARKET NEWSLETTER  
PRODUCTION

**NOTFORGOTTEN GIFTS &  
COLLECTABLES**  
404 S BYRON AVE  
SHELLEY, ID 83274  
\$25 HOME CRAFTS

**OH-MAN MOTOR SPORTS**  
PO BOX 453  
SHELLEY, ID 83274  
\*404 S STATE ST  
\$25 AUTO/ATV SALES & AUTO  
DETAILINNG

**OVER THE TOP DESIGN**  
8072 S 45<sup>TH</sup> W  
IDAHO FALLS, ID 83402  
\*326 N STATE ST  
\$25 INTERIOR FASHION/DESIGN &  
RETAIL SALES

**PHYSICIANS AND SURGEONS  
CLINIC OF SHELLEY**  
275 W LOCUST ST

SHELLEY, ID 83274  
\$25 MEDICAL CLINIC

**PROTECH FENCE CO**  
543 S PARK AVE  
SHELLEY, ID 83274  
\$25 FENCE SALES & SERVICE

**S & S ENTERPRISE STORAGE PLUS**  
280 HUMMINGBIRD LN  
SHELLEY, ID 83274  
\*401 BLUEBIRD AVE  
\$25 RENTAL STORAGE UNITS

**SHELLEY ACOUSTICS, INC**  
PO BOX 535  
SHELLEY, ID 83274  
\*170 S SPUD ALLEY  
\$25 ACOUSTICAL CEILING  
INSTALLATION

**T & C STORAGE**  
594 DICKSON AVE  
IDAHO FALLS, ID 83402  
\*128 E MAPLE ST  
\$25 STORAGE UNITS

**TAYLOR MOUNTAIN GRAPHIC**  
209 E CENTER ST  
SHELLEY, ID 83274  
\$25 DRAFTING

**TETON STRUCTURAL ENGINEERS,  
PC**  
136 S STATE ST  
SHELLEY, ID 83274  
\$25 STRUCTURAL ENGINEERING

**U-COPY PLUS  
838 E 800 N  
SHELLEY, ID 83274  
\*104 S EMERSON AVE  
\$25 COPY CENTER**

**USBANK  
201 W PINE ST  
SHELLEY, ID 83274  
\$25 FINANCIAL INSTITUTION**

**VICKI JOHNSON REAL ESTATE  
132 S STATE ST  
SHELLEY, ID 83274  
\$25 REAL ESTATE AGENCY**

**WINDERS' FUNNEL CAKES  
389 S HOLMES AVE  
SHELLEY, ID 83274  
\$25 SEASONAL CONCESSIONS**

**\* PHYSICAL ADDRESS IN SHELLEY  
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**29 GENERAL LICENSES**