

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

AUGUST 22, 2006

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg, John Lent (absent), 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: Travis Maynard

PRAYER: BJ Driscoll

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

Minutes of August 08, 2006 Council Meeting
Minutes of August 15, 2006 Special Meeting
Approval of July 2006 Expenditures
Approval of July 2006 Overall Budget & Treasurer's Rpt.
Building Permits:
Mountain View Mortgage - new storage units
Kathleen Judy - shed
Kathleen Judy - remodel

A roll call vote was called for – Lorin – aye, Charlotte – aye, and Steve – aye. Approved three in favor, one absent.

Morrell Hampton addressed the Council to request municipal water access to Division Two of his proposed subdivision, Willow Estates. Mr. Hampton previously connected to city water on Division One of this subdivision. He presented a drawing of the subdivision depicting where the fire hydrants will be located. Mr. Hampton said there are nine lots that are planned for Division Two. He said construction is planned to commence sometime this winter and will be finished in the spring. Mr. Hampton said he intends to use a six inch line and tap twice into the main line. Rick asked that the water line be buried deep enough to insure against any freezing. Lorin moved, Steve seconded to approve the connection of nine lots in Division Two of the Willow Estates Subdivision to the city water system. All construction and materials will be at Mr. Hampton's expense plus any tap fees. Approved three in favor, one absent.

Travis Maynard addressed the Council to request approval for an Eagle Scout Project that he is considering. He would like to paint the street numbers on the curb in front of each property. Mr. Maynard said this will be at no cost to the home owners. He said all of the supplies will be donated. The Council gave permission and asked Mr. Maynard to work with Rick on this project. Rick said he has the stencils that Mr. Maynard can use.

Dawn recognized Sgt. Maynard, Travis's dad. She said Sgt. Maynard provided a flag to be laid to rest at girl's camp that had been previously flown in Iraq. Dawn thanked Mr. Maynard for his help. Mayor Christensen expressed appreciation to Sgt. Maynard for his services to our country.

Sandy presented a letter from Leland and Betty Ricker requesting annexation of their property on the New Sweden Highway. She said if approved this annexation will be done at the same time as the joint annexation of some other properties along the New Sweden Highway. Sandy said once the legal description is obtained and an ordinance is drafted, she will present them to the Council.

Kurt Rolland, an engineer for Schiess and Associates was in attendance representing Rockwell Homes on a preliminary plat for a proposed subdivision known as Pebblecreek Subdivision. Mr. Rolland said a public hearing was held by the Planning and Zoning Commission last week regarding this matter. He said the subdivision consists of 111 lots and will be done in several phases. Mr. Rolland said the Planning and Zoning Board suggested that one of the two accesses onto the New Sweden Highway be moved to 1400 North based on the Fire Department's recommendation. He said there were other items that will also be addressed on the final plat as specified by the City Engineers. Sandy said there was a section in our ordinance that specifies any bend in a street that does not intersect another road must have at least 150 foot radius. She said there is one bend in this subdivision that only has a 56 foot radius. Sandy said this can either be redrawn, or Mr. Rolland can request a variance from the city ordinance. Mr. Rolland said they will probably request a variance to eliminate any excess speed a larger radius may attract. Alan discussed the access being considered onto 1400 North. He said according to the documentation regarding neighborhoods that John presented at Riverfest you should avoid placing access streets in locations that cut corners from main streets. There was no further discussion on this matter. Mr. Rolland said there are about 25 lots planned for the first division, and he will present separate final plats for each division. Sandy said the Planning and Zoning Commission did not make a decision regarding the need for an open space or park as allowed by our ordinance. Mr. Rolland said they would like to make the lot set aside for a drainage pond into a park. He said they would place sod on the property and install a sprinkler system, and then they would like to turn the property over to the city. The Council discussed whether or not the drainage pond lot is big enough for a park. Steve suggested that the developer combine lot 18 with the drainage pond lot to make a big enough lot for a park. Mr. Rolland said he would have to discuss this with the developer. Steve said if the developer agrees, the city would maintain the park and eventually place playground equipment there. Mr. Rolland said they intend to install a pressurized irrigation system for the subdivision to use, instead of using culinary water to irrigate with. The Council discussed the requirement for a 20 foot planting strip to form a barrier between the New Sweden Highway and the Subdivision. Mr. Rolland said they intend to put a berm along the highway. Brent Johnson, the developer said it would be up to the individual property owners to install a fence. Sandy said John would like an asphalt walking path along the highway instead of sidewalk, curb, and gutter. This way the children would have a walkway to the City Park. Mr. Rolland asked permission to put the walk path in the right-of-way. The Council gave permission. Mr. Johnson said he would be willing to give up lot 18 and combine it

with the drainage pond for a park. Steve moved, Charlotte seconded to approve the preliminary plat for the Pebblecreek Subdivision with the following conditions: 1) All corrections be completed as listed by Forsgren, the City Engineer. 2) Lot 18 be combined with the drainage pond to create a park. 3) The park have sod and a sprinkler system installed by the developer, and the city will maintain as a park and eventually place playground equipment there. 4) The accesses to the subdivision will be changed to have one accessing 1400 North, and the other accessing the New Sweden Highway. 5) Brentwood Street be renamed to eliminate any emergency services confusion. 6) The developer request variances for the requirement of a 150 foot radius on Deercreek Street, and a variance for the planting strip with the walk path being in the right-of-way. Approved three in favor, one absent.

Mr. Johnson asked if the city would be willing to maintain the pressurized irrigation system. Mayor said the city might possibly contract with a home owners association to maintain the system, but ultimately the system would belong to the homeowners association.

Steve moved, Lorin seconded to call for a public hearing to consider rezoning a parcel of property owned by Alva Harris on the west side of the Rowley Subdivision to Multiple Family Dwellings. The hearing is to be scheduled for September 12, 2006, at 7:30 p.m. Approved three in favor, one absent.

Sandy said the Shelley Exxon is under new management and now called Main Street Exxon. She said the wine and beer licenses need to be transferred to the new owners. Sandy said they have received the transfer approval from the State of Idaho, but are waiting for Bingham County to approve of it. Lorin moved, Steve seconded to transfer the beer license and the wine license from Shelley Exxon/Mark Dabb to Main Street Exxon/Ron Berry conditional upon Bingham County's approval. Approved three in favor, one absent.

Sandy said she contacted Farrell Steiner regarding the new audit contract and the price increase. Farrell said they are willing to negotiate down to \$8500 for the contract price instead of \$10,000. Steve moved, Charlotte seconded to ratify the approval for the audit contract in the amount of \$8500 with Searle, Hart, and Associates for fiscal year 05-06. Approved three in favor, one absent.

BJ said he would not be in attendance at the next council meeting.

Sandy presented an Itinerant License for Neilson Farms/Doug and Karin Arone to operate a fresh peach stand in the Kirkham's parking lot on State Street. Charlotte moved, Steve seconded to approve an Itinerant License for Neilson Farms to sell fresh peaches out of the Kirkham's parking lot. Approved three in favor, one absent.

Sandy said she received a request for comments on two special use permits being considered by Bingham County. One is for a commercial kennel license to raise and train hunting dogs at 774 E. 1200 N. owned by Cheryl Matthieson. Mayor Christensen and Lorin felt the kennel would be okay if noise, and odor were controlled. Steve and Charlotte felt the kennel is too close to a

potential subdivision and should not be located there. The other request for comments is for a boarding house that will be located in a residence in Greenfield Acres owned by Douglas and Tandra West. Sandy said she did not have any other information regarding this special use permit. The Mayor and Council tables making any comments until Sandy could obtain more information.

Dawn said sign ups for flags football are beginning, and the pool will be closed for the season on Labor Day.

Rick said the crew will be working on placing an emergency siren in the city. He said he is looking for an adequate location and if may be beneficial to place the siren on the water tower at the Butte or on the Fire Department Building. Charlotte said Mike Carter, the Fire Chief said he wasn't sure if there building would be high enough. Rick said he is looking to purchase a smaller version of the siren because the city's old siren is obsolete. Charlotte said Mr. Carter said there may be grants available for this type of purchase. Rick was instructed to look on the internet for a new siren.

Alan said he will not be in attendance at the next two council meetings.

Charlotte said the School District had 2063 children enrolled in school last year. This year they have 2130. She said they will be hiring a firm to study the enrollment trend to see if a new school is needed. Charlotte said Mrs. Dixon expressed thanks to the great community she lives in.

Charlotte said the members of the police department will be honored at the council meeting scheduled for October 12, 2006.

Charlotte said she had a great time at Riverfest. She said there was a profit of approximately \$2,000 made for improvements to the walk path and business district. Charlotte said next year the committee would like to hold Riverfest sometime in June.

Steve asked Rick how the Centennial Park construction was progressing. Rick said he spoke with Jim Cotterell and he intends to do the concrete work at the Park sometime next week. He will be installing stamped colored concrete. Sandy said fifteen pavers and four benches have been sold.

Mayor Christensen said he and Rick visited the Zenon Membrane Plant in Toronto Canada last week. He said they learned a lot and visited several sites. Mayor Christensen said tomorrow he will be meeting with the Regional Manager for Zenon at 11:00 a.m. He invited the council members to attend the meeting if they could. Mayor Christensen said Steve will be leaving on the 28th for Australia to visit a U.S. Filter Plant.

Steve moved, Lorin seconded to adjourn into executive session to discuss possible litigation.
Approved three in favor, one absent.

Lorin moved, Steve seconded to reconvene into regular session. Approved three in favor, one absent.

Mayor Christensen said during executive session potential litigation was discussed.

Adjourned: 9:33 p.m.

ATTEST: Sandy Baydual APPROVE: Eric R. Christensen