

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JULY 22, 2008

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: Dawn Lloyd

PRAYER: Charlotte Fredrickson

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

Minutes of July 08, 2008 Council Meeting
Approval of June 08 Expenditures
Approval of June 08 Overall Budget & Treasurer's Rpt.
Approval of Building Permits:
Leroy Scott - new pole barn
Vern Muir - foundation
Dr. John Stohl - sign
Dr. John Stohl - remodel
Lisa Dye - fence

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

Sandy said she telephone polled the council regarding the acceptance of the Wind River Subdivision infrastructure. It was determined at a prior council meeting that the developer had not installed the sidewalk running along Cheyenne Drive to Hanson Avenue, and he must do so before the subdivision is fully accepted. Kelton Larsen, the developer presented the city with a cashiers check in the amount of \$8500 that would pay to have the remaining sidewalk installed if Mr. Larsen failed to do so. The sidewalk along Cheyenne Drive will not be able to be installed for a few weeks, but Mr. Larsen has two lot sales on the line, and needs the city to accept the infrastructure. Lorin moved, Charlotte seconded to ratify the acceptance of the infrastructure for phase one of the Wind River Subdivision based upon the city receiving a cashier's check to install the sidewalk along both sides of Cheyenne Drive if the developer does not install the sidewalk himself. Approved three in favor, one absent.

Sandy presented Resolution 08-04 to file the petition for judicial confirmation for 2 million dollars to be added to the 6 million dollars bond that has been approved. Mayor Christensen asked for any public comment on this matter. There was none. Steve moved, Lorin seconded to adopt Resolution 08-04 allowing a petition to be filed with the courts for judicial confirmation of 2 million dollars to be added to the 6 million dollar bond to construct the waste water treatment plant that will be used as a regional plant. Approved three in favor, one absent.

Mayor Christensen stated that Kathy Curnutt has served the city for many years as a police reserve officer. Jed Lewis presented a certificate of appreciation to Kathy and Alan thanked her for her dedication to the city. Mayor Christensen presented Kathy with a Plaque containing her police badge for her service from 1998 to 2008.

Steve moved, Charlotte seconded to approve a mobile food vendor license for 2008 for Stacci Lawson to sell ice cream. Approved three in favor, one absent.

BJ presented an amendment to the non-conforming use ordinance adding language regarding the state statute 67-6538 regulating non-conforming uses. Lorin moved, Steve seconded to suspend the reading of Ordinance #519 on three different days and read the title of Ordinance #519 once. Approved three in favor, one absent. Lorin read the title of ordinance #519 in full. Lorin moved, Steve seconded to adopt Ordinance #519 regarding non-conforming uses and state statute 67-6538. Approved three in favor, one absent.

The City employee picnic was set for August 13, 2008. Sandy said John suggested that hamburgers and hot dogs be served to stay within budget. The Mayor and Council felt steaks should still be served to show appreciation for the employees.

Sandy telephone polled the council regarding the advancement of personal leave for Jim Brimhall. Rick requested the advancement unknown the Mr. Brimhall who had vacation scheduled when he was hired by the city. Steve moved, Charlotte seconded to ratify the advancement of 30 hours of personal leave for Jim Brimhall. Two in favor, Lorin opposed, motion carried.

BJ said Rick, Sandy and he met with the CEO and the Attorney for MSW regarding the city's municipal waste. MSW is a company interested in taking the city's waste for \$20 per ton, and give the city a fuel allowance. BJ said he and Rick will follow up with MSW and a proposal will be made to the Mayor and Council at a later dated.

Sandy said there are a few items that need to be discussed for the fiscal budget year 08-09. She said there is a 29% increase in health insurance which results in a \$48,000 increase in expense to the city. Sandy said Ken Anderson, the city's agent is getting applications from our employees to try and find a more competitive rate. The council scheduled a work meeting for July 31, 2008, at 7:30 p.m.

Sandy said Lorin and her are working on a draft ordinance to regulate residential windmills. Once an ordinance is drafted it will be sent to the P&Z Board for their comments.

BJ said he is working with Husk on a base contract between the city and Forsgren.

BJ said there is a company offering the service of dispensing public information by means of text messaging. He said if the city is interested he can provide more information.

BJ said the annexation of Merlin Dial's property and Ball Developments property is dead for now. However, the school and Ball Development may be able to access city water through an outside user agreement. He said this would allow the proposed mitigation plan to still be used. BJ said this plan is still moving ahead, however the hearing for the city's water rights application has been pushed back until the end of October.

There will be a barbecue to kick off the groundbreaking ceremony for the construction of the wastewater treatment facility on July 31, 2008 at 11:30 p.m. Directly after the barbecue, there will be an open house for the public to attend where cookies and punch will be served.

Dawn said there will be a blood drive on July 30, 2008. She said there will also be a Little League Baseball Tournament on August 1st and 2nd.

Alan said he will not be at the budget work meeting on July 31, 2008. He said he would like to get the employees a cost of living raise due to the high cost of fuel and everything else. Alan suggested that he could cut any frivolous costs to accomplish this.

Charlotte said this year's theme for Spud Day is "Potato Lovers Paradise". She said the Kiwanis would like to close the portion of Maple Street that runs between State Street and North Park to be used for a large trailer where the Lions Club will be provided eye exams, blood pressure checks, etc. Rick said he will make a spot for the trailer without having to close the street.

Charlotte asked about porta-pottys at the Demolition Derby. It was determined that the Kiwanis should pay for the porta-potties at the Demolition Derby and at the City Park during the Spud Day festivities. *possibly split the cost for the porta potties*

Charlotte said the Tree Committee planted trees around the city last week. She said the trees look really great and appreciated Rick for cleaning up after the activity.

Steve said at the end of Hummingbird Lane at the corner of Hansen Avenue there is some property that needs to be cleaned up. He said there is a vehicle that needs to be removed because of the safety and visibility at the intersection, and some tree branches need to be trimmed and cleaned up. Alan said he has already spoken with the owner of the vehicle, and he is not willing to move it because the vehicle is on his property and not in the right-of-way. Alan said he looked at the plat, and due to the design of the intersection it appears the property is privately owned. Alan said he contacted the Sheriffs office concerning the trees since they exist in the county. He said the Sheriff said he would see what he could do about it.

Steve moved, Lorin seconded to adjourn into executive session to discuss pending 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 pending litigation was discussed.

Adjourned: 9:25 p.m.

ATTEST: Sandy Hyduk APPROVE: Eric R. Christensen