

CITY OF SHELBY
COUNCIL MEETING
MINUTES

JANUARY 13, 2004

PRESENT: Mayor Eric Christensen (absent)
Council Members: Bruce Crockett, Lorin Croft, Chad Landon (mayor pro-tem),
Steve Cederberg, John Lent
Police Chief: Alan Dial
Public Wks Dir.: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: Scott Hansen

PLEDGE OF ALLEGIANCE: Justin Stanger

PRAYER: Steve Cederberg

Bruce moved, Steve seconded to approve the consent agenda as follows:

Approval of the minutes of December 09, 2003 Council meeting
Approval of December 2003 Expenditures
Approval of December 2003 Overall Budget & Treasurer's Report
Approval of the building permits:

Ty Swenson - new home

Approved three in favor, Chad abstained from voting as Mayor Pro-tem.

Chad said Councilman Bruce Crockett has served the city for many years. He thanked Bruce for the great job he has done. Bruce said it has been a privilege to represent our community. Chad turned the time over to Sandy to swear in the newly elected and re-elected members of the Governing Board.

Sandy swore in Chad Landon as a re-elected councilman that will serve a term of four years. She then swore in John Lent as a newly elected councilman that will also serve a term of four years. Both took their seats and the meeting proceeded.

Farrell Steiner of Searle, Hart and Associates presented the city's annual audit for the fiscal year 2002-2003. Mr. Steiner said this year an extensive audit was performed. He explained what items are reviewed during the audit. Mr. Steiner presented graphs depicting the expenses, revenue, and cash balance of each fund. He said all of the funds look good, and have adequate cash balances, except the sanitation fund. Mr. Steiner said the sanitation fund has dropped substantially in cash balance mainly due to the construction of the transfer station. He said

hopefully this fund would begin to accumulate cash balance during the new fiscal year. Mr. Steiner said next year the city will need to change the way the fixed assets are recorded to meet the General Accounting Standards. He recommended that the city set the capitalization limits, and then begin inventorying those items. Mr. Steiner said he would be available to help the city with this process. He discussed the various funds and obligated debt that the city has at the present. Mr. Steiner said the city is in good financial shape, and the records have been kept very clean. He said he is not aware of any regulations that the city is not in compliance with. Mr. Steiner said it has been a pleasure to work with the city staff.

Mr. Jeff Doherty was not in attendance. Sandy said he originally asked to be placed on the agenda to discuss the speed limit in the Rowley Subdivision.

Chad invited the Boy Scouts in attendance to discuss any city matters. There was no discussion.

The next item on the agenda was to elect a Council President. Scott discussed the duties of the President of the Council. Lorin moved, Steve seconded to elect Chad Landon as the Council President. Approved three in favor, Chad abstained from voting as Mayor Pro-Tem.

There were two business licenses reviewed for 2004. Steve moved, John seconded to approve a mobile food vendor license for Linda Phillips to operate during 2004. Approved three in favor, Chad abstained from voting as Mayor Pro-Tem. Steve moved, John seconded to approve a Commercial Kennel License for Katherine Butchardt for 2004. Approved three in favor, Chad abstained from voting as Mayor Pro-Tem. Mrs. Butchardt previously held a county license before being annexed into the city, making her grandfathered for this use.

Steve said he has received some complaints regarding the vehicles that are being parked on Locust Street in front of L&M Body. He said the vehicles are being parked on the street until Mr. Fowler has time to repair them. Steve said the complaints he has received have come from the snow removal proclamation. He said some residents don't understand why they have to move their personal vehicles from the street or be towed, when Mr. Fowler can leave vehicles on the street for months at a time. Scott said the police could give Mr. Fowler a warning to move the vehicles, and then cite him if he fails to do so. Steve suggested that the vehicles be towed if they are not removed from the street. Alan said the police would have to notify the owner of the

vehicle before it could be towed according to the city's parking code. However, if the vehicles were towed due to the snow removal proclamation being in effect, the owners would not have to be notified. Alan said this same problem was addressed several months ago, and some of the vehicles in front of L&M Body were either moved or towed. He said the number of vehicles just continue to compound though. The Mayor and Council asked Sandy to draft Mr. Fowler a letter to attend the next council meeting to resolve this problem.

Scott said at the last council meeting, Brent Christensen discussed a small triangular piece of property that he wants to deed to the city. He said the property is next to the New Sweden Connector Road. Scott said the city does not have a legal description of the piece of property, and will need one if a deed is to be made. He said more than likely Brent Christensen does not own the entire piece of property that was once a right-of-way. He asked if the city has to own the property to be able to beautify it. Scott said there is less liability and costs if the city does not take ownership. Rick said he will go ahead and plant grass on the property and if a problem arises it can be addressed then.

Monte Barnett was in attendance to discuss the LID on his mother's property at 404 Edwards Avenue. Sandy explained that Mr. Barnett is residing in the home at the present. She said Medicaid has a lien against the property as well as Bingham County. Sandy said after an LID is one year delinquent, a delinquency certificate is issued which must be redeemed within two years, or the city can file a tax deed on the property. She said she spoke with Monte about the delinquency on the LID in September, but agreed to wait until December before proceeding with the filing of a tax deed since; Monte was attending a court hearing regarding a settlement that he might receive and pay the LID. She said Monte contacted her in December, and it will be another sixty or more days before he will know about his settlement. Mr. Barnett said he feels Medicaid should pay the LID since the house will be turned over to their agency once his mother passes away. Scott said if the city does not act on these delinquencies and waits for Medicaid to sell the property, we might lose some of our rights to collect the LID. Scott said the city needs to force Medicaid, Bingham County, or Mr. Barnett to pay the LID. He said some other agencies do not have time limits to collect assessments, however the city does. Scott said the council has an obligation to the community to collect the LID. The Council asked Sandy and Scott to review and report what the city's options are. Mr. Barnett said an appraiser is scheduled to appraise the

property, and he intends to seek financing to buy the property. Scott said he will contact Medicaid Recovery and see what steps need to be taken to resolve this situation.

Chad said he will not be in attendance at the council meeting on January 27, 2004.

Chad said he has formed a Public Drinking Water Protection Plan Committee. He said those that have agreed to serve on the Committee are Rick Anderson, Gene Wright, Doug Dredge, Seth Cannon, Kirk Dooley, Dustin Park, and Gavin Mathews. He said their first meeting will be scheduled before the end of the month. Sandy said she received some video and CD presentations from AIC that are meant to assist cities in establishing a drinking water protection plan. She said this information may be beneficial to the Committee.

Scott said his office has been working on "housekeeping" on the city code. He said he will have the code on disk for future amendments.

Sandy said the Centennial Committee met last week and chose Shirley and Ron Lundquist to be in charge of the Centennial Ball, which will be held on April 12, 2004. She said the Committee has a lot of great ideas such as purchasing banners for the light poles on State Street with the Centennial Logo on, and then selling them after Spud Day as memorabilia. Sandy asked if a member of the council would like to serve on the Committee. John said he would like this appointment. Sandy asked John to be the public relations person on the Committee. He accepted.

Sandy said Thomas Mannschreck drafted a letter to the city stating Thomas Development is planning the second and third phase of the Carnoustie Apartments. He asked for a letter of support from the city that he can submit with his financing package. The Council agreed to allow Sandy to draft a letter to Mr. Mannschreck stating the property is correctly zoned in the city limits, and the city supports the development.

Sandy presented a Building Permit report that Beth completed for 2003. She said the city had \$11,000,000 of new construction in the city. Sandy said approximately \$5,000,000 was from the school additions and new elementary school, but the valuation was still increased by about \$3,000,000 from last year.

Sandy said she has sent letters to Mike and Lisa Hillman (LID12) and Manual Vasquez (LID 11) regarding the delinquency on their LID's. She said she notified them that to avoid filing a tax deed their delinquency certificate must be redeemed by January 31, 2004.

Sandy said she notified Neil Birch that she was made aware that he has failed to remove his animals from his property when his rezoning request was denied. She asked Mr. Birch to appear before the council to discuss this matter.

Sandy said she received a dividend check from the State Insurance Fund for 2003 in the amount of \$2,413. She said in the past the city has rewarded the employees for being safe in the work place by granting a safety day to be used during the calendar year, and a bonus in their paycheck or placed in their 457b account. Sandy said the past few years the dividend check has been somewhat larger than this year. She asked the council to study this item, and she would place it on the next meeting's agenda.

Neil said he has been working on two grants. He said the first grant is to seek funds to construct a restroom facility at Brinkman Park. Neil said he is submitting a grant to the Idaho State RV Fund, because a State representative told him that this would be the best agency to submit the grant through. He said he faxed the first draft to the State, and the final draft is due January 30, 2004. Neil said he needs the council to determine how the funds will be used to benefit RV use at the park if the grant is awarded. He asked if camping would be allowed at the Park. Steve said he spoke with Jill Murphy at the State, and she said dry camping should be allowed by the city if the grant is awarded, however the city does not have to advertise such. The Council determined that it would be made a matter of record that dry camping will be allowed at Brinkman Park if a grant is awarded by the State of Idaho RV Fund to construct a public restroom facility.

Neil said the second grant he is working on is to provide 50% funding to purchase property to construct a new city park. He said he has found three pieces of property that range from \$8,000 to \$10,000 per acre. Neil said the three parcels of property are owned by Merlin Dial, Steve Oler, and Gail Hampton. He said once a parcel of property is selected, it must be appraised for the Idaho Parks and Recreation Agency. Neil said there is still a lot of work to be done before this grant can be submitted.

Rick complimented his crew on the job they did removing the snow from the streets. He said between Christmas and New Years the crew worked eight days straight.

Steve said he has been working with the County Commissioners on renegotiating the Impact Area. He said the County Commissioners said they should have something to report to the city by the end of the month.

Steve said Kirk Dooley has agreed to serve on the Planning and Zoning Board.

Lorin said last year was a very good year for building and growth in the city. He felt this new year will be just as good. Lorin said West River Acres filling up fast with new homes.

Lorin said he has been working with Dawn and Jay on goals and objectives for the new year. He said Jay plans to continue working as building inspector for the city. He does not intend to retire as previously expected.

John felt the city staff is doing a great job in their departments. He asked if the city has ever considered charging higher fees for recreational activities for the participants that reside outside of the city limits. The other council members said this idea has been explored, and we are working on a way to establish and enforce the policy.

Adjourned 9:22 p.m.

ATTEST: Sandy Gayduck APPROVE: Eric R. Christman