

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

APRIL 27, 2004

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Chad Landon, 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: Collin Anderson

PRAYER: Lorin Croft

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

Approval of the April 13, 2004 Council Meeting Minutes

Approval of the Following Building Permits:

Lorin Croft - remodel
Regal Construction - new home
Regal Construction - new home
Dean Hancock - new home
Donna Tanner - addition

Approved three in favor, with Lorin abstaining since he had a building permit up for consideration.

Lynn Seymour of Targhee Regional Transit Authority addressed the council to see if there is any interest in providing public transportation between Shelley and Idaho Falls. She introduced Russell Swenson from their Board of Directors. Ms. Seymour said her organization receives a federal grant to operate, however it is a 20% local match. She said if the city is interested in participating in this program, maybe we could meet with the County Commissioners, and the Board of Directors to discuss the details. Ms. Seymour said there would need to be a bus obtained to provide the transportation, and she estimated the cost for the local match would be approximately \$10 to \$12 an hour for operating costs. She said a workable plan could be explored if the city wanted to participate. Lorin said this matter should be discussed with the Senior Citizen Center to see if there would be an interest in the program. Steve asked if a feasibility study had been done. Ms. Seymour said no, not at this point. Steve felt it would be nice to do a study and find out the needs of the community for transportation between the city and Idaho Falls. Ms. Seymour thought perhaps a college intern could be used to help provide a study. The Council felt there might be an interest, but wanted more details regarding the needs of the community.

Mayor Christensen said April 23rd he attended a meeting in Boise with the Governor's Advisory Committee. He said he flew to Boise with a group from Melaleuca regarding the proposed first phase of the Regional Wastewater Project, which will be known as the Melaleuca Project.

Mayor Christensen said the group presented plans to the Advisory Committee hoping to obtain a

\$500,000 grant from the Department of Commerce. He said they should know by the end of the month if the grant is awarded to this project. Mayor Christensen said the meeting went very well. He said he noticed in the rotunda of the Statehouse that the City of Shelley Centennial Banner was hanging. Sandy said the banner was sent to the Capital Building, and will be hanging for a month or two. Mayor Christensen said if the grant is awarded to this project the Governor will be in the area for a press release.

Sandy said the city received a Congressional Record dated April 21, 2004 given by Representative "Butch" Otter. He stated in the record that the city is celebrating its 100th anniversary this year, and that he had many fond memories of this area. The Congressional Record will be framed and hung in City Hall.

Trent Dye and Daren Moulton addressed the council regarding a parcel of property they are purchasing from Don Zufelt at the corner of West Pine and Hansen Avenue. Mr. Moulton said they intend to construct two new homes on the property, which will face Hansen Avenue. He said they intend to construct a sidewalk on Pine Street, but on Hansen Avenue there is no sidewalk to join to and there has been no grade established for street improvements. Rick agreed that there has not been any grade established, and it would not look right if they tried to construct sidewalk, curb, and gutter at this point. Sandy said city code allows a property owner to ask for council permission to have the requirement waived to install sidewalk, curb, and gutter if no grade has been established or there is no sidewalk to join to. Rick said if the sidewalk is constructed on Pine Street, they might be required to install the improvements once grade has been established. Chad said there might even be some upgrades done on Hansen Avenue because the walking path may be extended north from Brinkman Park. Mr. Moulton said there will not build on the property for approximately two years. He said at this time there is animals on the premises and he would like to keep them there to keep the weeds and grass down. The Council agreed that the animals would not be allowed to remain on the premises once ownership changes as stated in the city code. Lorin moved, Steve seconded to waive the requirement of sidewalk, curb, and gutter to be constructed on Hansen Avenue when the Moulton and Dye homes are constructed since no grade has been established. Approved unanimously. Scott reminded them that even though their request has been approved, it does not preclude them from having to install these improvements at a later date, possibly in the form of an LID.

Richard Williams introduced himself as running for County Commissioner. He stated he would like to be firm, but get along wells where zoning matters are concerned. Mr. Williams said he served as a County Commissioner from 1985 until 1989. He asked for the city's support in this matter.

Errol Covington thanked the Mayor and Council for their past support, and said he is running for County Commissioner. He said he has worked hard to bring economic development of the North Bingham County Park. He said currently a barn and corals are being built to provide travelers that have animals, accommodations. Mr. Covington said there would also be more RV spaces added to the park to hopefully bring in more visitors. He felt the historical portion of the park

would continue to grow, and be a great attraction to visitors. Mr. Covington said there is fifty-five acres to be utilized at the North Bingham County Park. He said one of the items he will work on if he is elected as County Commissioner will be to foster a good working relationship between the city and the county.

Jim Pearson introduced himself and said he will also be running for County Commissioner. He said he enjoyed watching the children participate in tonight's meeting. Mr. Pearson said he believes the city is going to continue to grow, and he wants to promote controlled growth in the area to accommodate it.

Chad moved, John seconded to ratify the placement of "no parking between the hours of 8:00 p.m. and 6:00 a.m." signs on Locust Street on each side of L&M Body's property. Approved unanimously. Rick said the signs have been posted, and one has already been torn down. Lorin said he is concerned about vehicles being towed late at night. Alan said there is really no other way to enforce this. He said usually the police officer would begin calling at 8:00 p.m. and notify the owner that the vehicle must be moved or it will be towed.

Rick said the bridge has been constructed in the West River Acres Subdivision. He said we have received a set of plans and the bridge was constructed very nicely. Rick said he could see no problems with the bridge, and recommended the city accept it as is. Scott said once the city accepts the bridge, we assume all liability. Chad moved, Steve seconded to accept the bridge and authorize the Mayor to sign a letter stating the city has formally accepted the bridge, which will be sent to Boyd Grover. Approved unanimously.

Sandy said the Tree Committee would like to add Krista Ball as a member. Chad moved, Lorin seconded to appoint Krista Ball to the Tree Committee. Approved unanimously. Neil said Krista has also agreed to serve as Arbor Day Chairperson.

Sandy telephone polled the council members regarding the appointment of two new Planning and Zoning Commission members. John recommended Cindy Rivers and Casey Sponenburgh be appointed to fill two vacancies on the Commission. Cindy Rivers resides in the impact area, and Casey Sponenburgh resides within the city limits. Chad moved, Steve seconded to ratify the appointment of Cindy Rivers and Casey Sponenburgh to the Planning and Zoning Commission. Approved unanimously. John said we need one more member residing in the impact area to serve on the Commission. He said he is reviewing potential candidates, and will present some names at the next meeting.

Sandy said the city has applied for a grant through CHC for pavers at the newly dedicated Centennial Park. She said Tony Hill said one concern CHC has, is the lack of funding support by the residents. Therefore, he would like to sell engravings on the bricks and pavers at the park to help fund its construction. Sandy said this would help the city's criteria to be considered for the CHC grant also. The Council gave permission to sell engravings on the bricks and pavers at the park. Sandy said she would inform Tony Hill.

Sandy said when the city charges a utility deposit it has always been a set amount which is usually two months billings. She said since the utility fees have been increasing over the past few years, the deposit amount is short of the two months billings. Sandy asked that the Mayor and Council resolve to charge a two-month deposit rather than a set dollar amount. Chad moved, John seconded that any utility deposit charged will be two months of the current billings, such as if the rate is \$46.50 the deposit shall be \$93.00. Approved unanimously.

Alan said Lorin and he ran some traffic on Highway 91 to see if it is necessary to move the speed limit sign to the north past the Higham Dance Studio. He said it appears most of the traffic is traveling at 35mph. Alan felt it would create good feelings, and help with the traffic safety to move the 35 mph speed limit sign to the north. He said he would measure the footage the sign should be moved, and get the information to Scott so an ordinance could be drafted. Chad said there is poor visibility at the corner of Oak and Highway 91 due to the vehicles that are parked on Highway 91 near the intersection. He suggested some of the Highway be posted as "No Parking". The council agreed that there should be no parking allowed for approximately three vehicles lengths at the intersection of Oak Street and Highway 91. Alan said he would follow up on this matter, and have Scott add this to the ordinance also.

Sandy said there have been four streetlights installed in the West River Acres Subdivision. She said there are another eight streetlights that need to be installed. Sandy said our city code requires the developer to pay for the installation of streetlights. She said she paid for the first four lights in error. The Mayor and Council felt the developer should be required to pay for the street light installation in the West River Acres Subdivision. Sandy was instructed to draft Boyd Grover a letter asking him to pay for the installation of the streetlight. John said he is concerned about the storm water drainage in this subdivision. Rick said the county approved the plat for the subdivision and it was grand fathered into the city. He felt the city should follow up with Bingham County's regulations for storm water drainage.

Sandy said the Planning and Zoning Commission held Tyler Lind's public hearing last week. She said he was granted a six-month special use permit to allow his family to reside in an RV while his home is being reconstructed after a fire occurred. Sandy said there were some conditions placed on the permit, such as the RV must be located in the back yard, it must adequately be maintained to not generate any complaints from the neighbors, etc. John said there were a few neighbors that were concerned about the Lind's living in the RV during the winter months with their baby, however there were no objections. Sandy said there was a public hearing called for to consider issuance of a special use permit to allow Cameron Armstrong to continue a multi-family residential use in a single-family dwelling zone once a change of ownership occurs for his property.

Scott presented the amendments to two ordinances regarding the responsibility for the fees for sewer and sanitation usage. He said the ordinance amending the water fees was adopted prior to tonight's meeting. These ordinances would require the landlord (property owner) to be responsible to place all utility usage fees in his/her name. Scott read ordinance #472 in full

regarding the amendment to the payment responsibility for sewer fees. Chad moved, Steve seconded that the provisions of Idaho Code 50-902 requiring all ordinances to be fully read on three separate days be dispensed with. Approved unanimously. Chad moved Steve seconded to adopted the amendment to ordinance #472 regarding sewer usage fees. Approved unanimously. Scott read ordinance # 473 in full regarding the amendment to the payment responsibility for sanitation fees. Chad moved, Steve seconded that the provisions of Idaho Code 50-902 requiring all ordinances to be fully read on three separate days be dispensed with. Approved unanimously. Chad moved Steve seconded to adopt the amendment to ordinance #473 regarding sanitation usage fees. Approved unanimously.

John said he was approached by a concerned citizen about the decision that had been made at the last council meeting to charge the Lind's for utility rates for their apartment that was used for approximately eight months without the city's knowledge. He said the Lind's were very upset also. Sandy said she spoke with Mr. Lind about a letter she had sent him billing him for eight months worth of utility services. She said Mr. Lind said they did not have renters for eight months, so she adjusted the billing for six and a half months, plus gave them credit for one month for their home usage. Sandy said the citation for violating zoning laws had not been served yet. John said he spoke with the Lind's regarding this matter, and said he would bring this issue back to the council to see if it could be written off or if it would stand. The Mayor and Council determined the billing should stand, and the citation should be issued. John said he would inform the Lind's.

Sandy asked if anyone would like to attend the AIC pre-conference workshop on June 15th in Boise regarding terrorism management. There was nobody who could attend the meeting.

Chad said there are several horses being kept on the property at the corner of Byron and Oak Street. Sandy said the property owner is John Katri, however he does not rent out the pasture separately. He informed Sandy that the pasture is rented to the homeowner, and he did not know who owned the horses. Sandy said the home is being rented to Diane Burgess, and to Mr. Katri's knowledge there have been animals on the premises for as long as he could remember. Chad said the neighbors in the area are complaining about the odor and the appearance. He asked the other council members to look at the property so this could be discussed at the next meeting.

Sandy said she received some paperwork regarding the Youth Conference that will be held in conjunction with the AIC Conference in Boise. She said the city has never sent a youth to the conference because Mark Cowley has so many conferences the youth attend through the Bingham County Youth Coalition. Chad said if a youth approaches the city and asks to go to the conference then it will be placed back on the agenda for consideration.

Dawn said Rick finished placing the new topsoil and pumice on the baseball diamonds and they look great. She said the pumice would be roto-tilled into the topsoil by Bob Drollinger at no cost. She said the Baseball Tournament would be held July 24th in Shelley.

Dawn said the pool managers have been working on the pool and she hopes to have the pool opened for school use by May 10th.

John said concerned citizens have talked to him about the debris that is blowing from the construction being done at the West River Acres Subdivision. Dawn said there is a Boy Scout troop that will be picking up the trash for a service project. John said he has had several complaints about this, and hopefully we can keep on top of this.

Lorin said Tony Hill and the other members of the Tree Committee have some excellent ideas for Arbor Day, however they are having some problems with funding. Chad suggested the Committee approach Bectel, the Kiwanis, and the Chamber of Commerce for some donations. Steve said 20th Century Ford might be willing to help also.

Lorin said Kings would begin constructing their new building and have it done by fall. He said they extended the water and sewer to the west side of their property for further development.

Mayor Christensen said Rick would be working on the David B. Bleak Memorial Park this spring. He said they have obtained a rock that a plaque honoring Mr. Bleak will be mounted on.

Sandy presented the Post Register Press Plates and a laminated front page of the Post Register with the city's Centennial Story placed on it. She said she intends to have this memorabilia framed and mounted at the city office.

Chad said he spoke with Paige Hall regarding the loss of her bicycles during "Spring Clean Up". He informed her that our insurance company would be handling this matter as quickly as possible.

Chad moved, Steve seconded to adjourn into executive session to discuss personnel matters. Approved unanimously.

Chad moved, Steve seconded to reconvene into regular session. Approved unanimously.

Mayor Christensen said personnel matters were discussed during executive session.

Adjourned 10:00 p.m.

ATTEST: Sandy Gayduk APPROVE: Eric R. Christensen

APRIL CLAIMS

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
1-Apr-04	US Post Office	270.02	27425
6-Apr-04	Comdata	2,097.73	27460
12-Apr-04	Ron Lundquist	172.60	27462
12-Apr-04	Dougs Sales	2,568.00	27463
15-Apr-04	Idaho State Tax Commission	9.03	27464
16-Apr-04	Airgas Intermaountain Inc.	1.04	27465
16-Apr-04	Albertson's #188	35.94	27466
16-Apr-04	American Linen	588.50	27467
16-Apr-04	Architectural Building Supply	400.00	27468
16-Apr-04	Avenet LLC	105.00	27469
16-Apr-04	Bearing & Ind. Sales Inc.	8.54	27470
16-Apr-04	BISCO	146.00	27471
16-Apr-04	Sorensen & Hansen Chartered Blaser	920.00	27472
16-Apr-04	Boyd Jolley	1,290.16	27473
16-Apr-04	Cable One	150.06	27474
16-Apr-04	Cal Ranch	29.99	27475
16-Apr-04	Central Transfer Station	15.00	27476
16-Apr-04	Computer Arts Inc.	115.12	27477
16-Apr-04	Daniel Acevedo	1,500.00	27478
	Void		27479
16-Apr-04	Fastenal	159.78	27480
16-Apr-04	First Responders	605.98	27481
16-Apr-04	Forsgren Associates/P.A.	75.00	27482
16-Apr-04	Frontier Cleaning Inc.	205.00	27483
16-Apr-04	IAS - Envirochem	136.00	27484
16-Apr-04	ICRMP	19,006.00	27485
16-Apr-04	Idaho Asphalt Supply	78.40	27486
	Void		27487
16-Apr-04	Jim Cotterell	500.00	27488
16-Apr-04	Jolley Building Supply Inc.	339.01	27489
16-Apr-04	Kings No. 21	58.36	27490
16-Apr-04	Korner Service Auto Repair	27.74	27491
16-Apr-04	Les Schwab Tire Center	29.45	27492
16-Apr-04	Merlin Stoddard	236.59	27493
16-Apr-04	Michael Todd and Co.	478.26	27494
16-Apr-04	Mr. Pizza	52.00	27495
16-Apr-04	National Waterworks Inc.	103.20	27496
16-Apr-04	Pacific Steel	77.88	27497
16-Apr-04	Petty Cash	74.09	27498
16-Apr-04	Phillips 66 Co.	884.35	27499
16-Apr-04	Pioneer Publications	266.92	27500
16-Apr-04	Pocatello Ready Mix Inc	420.00	27501
16-Apr-04	Qwest	341.86	27502
16-Apr-04	RN Network Inc.	80.50	27503
16-Apr-04	Shelley/Firth Rural Fire District	3,975.00	27504
16-Apr-04	Southeastern Dist. Health Dept.	50.00	27505
16-Apr-04	State Insurance Fund	2,235.00	27506
16-Apr-04	Steve's Radiator Shop	50.62	27507
16-Apr-04	Suburban Propane 1371	77.36	27508
16-Apr-04	Tonya Weeks	4.85	27509
16-Apr-04	United States Welding	82.25	27510
16-Apr-04	Utah Power and Light	5,636.80	27511
16-Apr-04	Yost	7.25	27512
19-Apr-04	Eagle Rock Sanitaiton	2,875.31	27513
16-Apr-04	Steve's Radiator Shop	24.38	27514
16-Apr-04	Sams Club	292.63	27515
16-Apr-04	Sandy Gaydusek	46.49	27516
23-Apr-04	Idaho Buisness Systems	294.00	27518
27-Apr-04	Post Register	66.00	27519
30-Apr-04	A & B Transmission & Service CTR.	24.22	27521
30-Apr-04	Advanced Business Systems	399.90	27522
30-Apr-04	All Occasion Floral & Gift LLC	103.50	27523
30-Apr-04	Bloomin Acres	72.00	27524
30-Apr-04	Brett Nelson	135.00	27525
30-Apr-04	Brian Cox	20.77	27526

30-Apr-04	Buiness Phone Specialists Inc.	60.00	27527
30-Apr-04	Circular Butte Landfill	3,957.66	27528
30-Apr-04	Dorothy Snarr	13.84	27529
30-Apr-04	Hach Company	75.25	27530
30-Apr-04	HJ Sanders	18.83	27531
30-Apr-04	HJ Sanders	9.32	27532
30-Apr-04	Holly Kartchner	240.00	27533
30-Apr-04	Idaho Traffic Safety Inc.	838.00	27534
30-Apr-04	Idaho Transportation Dept.	51.00	27535
30-Apr-04	Intermountain Gas Co.	330.94	27536
30-Apr-04	Just Sports	1,110.00	27537
30-Apr-04	Kirkham Auto Parts Service Co. #8	65.52	27538
30-Apr-04	Kregg Mickelson	788.00	27539
30-Apr-04	McLeod USA	401.68	27540
30-Apr-04	Metroquip Inc.	158.94	27541
30-Apr-04	Miles Quick Lube and Off Road Center	10.00	27542
30-Apr-04	Petty Cash	50.00	27543
<u>30-Apr-04</u>	Pioneer Publications	92.00	27544
30-Apr-04	Scott Schneider	863.50	27545
30-Apr-04	Shelley Police Officers Association	35.00	27546
30-Apr-04	Shelley Police Officers Association	20.00	27547
30-Apr-04	Southeastern Dist. Health Dept.	30.00	27548
30-Apr-04	Staples Credit Plan	73.20	27549
30-Apr-04	United States Cellular	217.95	27550
30-Apr-04	Viking Office Products	180.16	27551
9-Apr-04	City of Shelley Payroll	35,192.03	27461
22-Apr-04	City of Shelley Payroll	37,798.98	27517
	Total	133,814.23	