

CITY OF SEELBY
COUNCIL MEETING
MINUTES

MARCH 11, 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: Matt Wells

PRAYER: Mayor Christensen

Lorin read a document that Senator John McCain wrote regarding his captivity as a Vietnam Prisoner of War. Senator McCain describes how soldier Mike Christian crafted an American Flag from scraps of fabric to which he and the other soldiers said the Pledge of Allegiance to everyday before a meal. When the Vietnamese find out, they take the flag and beat Mike severely as an example. The other captive soldiers clean Mike up as best as they can, and later that night he is back under a corner light bulb, with eyes partially swollen shut from the beating he took sewing another flag. Lorin then asked Scout Matt Wells to lead us in the Pledge of Allegiance.

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

Minutes of February 26, 2008 Council Meeting
Approval of February Expenditures
Approval of February Overall Budget & Treasurer's Rpt.
Building Permits:
Dave Stewart - 4-plex apartments

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

Shane Wootan, one of the co-managers of Ag Parts Inc. addressed the council to discuss municipal water and sewer access for his business. Mr. Wootan presented brochures of Arcadia, the wholesale furniture business they are placing in the new building behind the Ag Parts building. He said Max Ririe could not be in attendance because he is out of the country. Mr. Wootan said when the building permit was issued to construct the new building, Max stated the building would not need to have access to the city's water and sewer system, however during the construction, lines were stubbed into the building for future use. Sandy said when Ag Parts was relocated from Utah the city drafted a letter to the Health Department stating there was no city sewer services available to Mr. Ririe's property. The letter stated that the city had no objections to a septic system being installed, however Ag Parts would be the only business allowed to access the septic system, and no other private septic systems would be allowed on the property. Also, the letter stated that city sewer services must be accessed for any other business in the

industrial park. Sandy said when Mr. Ririe obtained the building permit he stated the new building was an extension of the existing Ag Parts building, however the building is actually a furniture manufacturing facility. She said the Health Department has not been contacted for a permit for additional flow into the current septic system, nor for a new septic system. Mr. Wootan said they would like to get city sewer services to their property, and he discussed the system design with Bob Butler. Sandy said there may be some Urban Renewal funds available for this project since the sewer line would also benefit future growth, however that decision would be up to the Urban Renewal Board. Mr. Wootan said he received a letter from the city stating that city water could not be accessed until the sewer issue was resolved. He said he needs to access city water for fire suppression with a six inch line. Mr. Wootan said he would like to get the business in operation, and is willing to provide porta potties for the workers in the furniture building. Mike Carter said they tried to find plans in the code to delay the installation of a fire suppression system, but the code does not allow this. Mr. Wootan said he will continue to work with Butler Engineering on the sewer design. Rick said there is water available in the area. Mr. Wootan said he and his partner would like to work with the city and have direct communication between the two. He asked he be included in any correspondence sent to Mr. Ririe by the city. Mr. Wootan said he would be interested in any grant that may be available to assist businesses also. He said he expects to have fifteen employees employed at the furniture manufacturing building. Sandy said she would give Mr. Wootan Kathleen Lewis's telephone number at SICOG. She said the city will probably need to sponsor the grant if there is one available. The council agreed to allow access to Mr. Wootan for the fire suppression system at the new manufacturing building. Mr. Wootan said he will obtain porta-potties for the employees to use while he is working towards accessing city sewer. He said the restrooms in the new building will not even be framed in until city services can be utilized. Lorin moved, Charlotte seconded to approve Ag Parts Inc. (furniture manufacturing business) to access the city water with a six inch line for fire suppression services, with the condition that Mr. Wootan and his partners continue to work towards obtaining city sewer services. Approved three in favor, one absent.

Sandy presented an entire list of the known non-conforming uses within the city limits. She said these property owners could be notified that they have a non-conforming use which the grandfather clause is lost upon change of ownership. BJ said the language of the ordinance could be changed to allow a property owner to show undo hardship upon them if the non-conforming use is lost when the property is sold. The Mayor and Council determined the ordinance should be amended to allow a petition for an undo hardship case, and the property owners should be notified that they have a non-conforming use which has been grandfathered in, however the grandfather clause will be lost upon change of ownership unless undo hardship is proven. BJ suggested that each property that has a non-conforming use which will be lost upon change of ownership be recorded so a when a title search is done there is a record of the city's ordinance.

Mayor Christensen stated Diane Mickelson was nominated as one of Idaho's "Brightest Stars". He said Diane has been invited to attend the Brightest Star ceremony held in Boise on March 27,

2008 by the Governor, and the city would like to pay for her lodging and mileage. Mayor Christensen presented Diane with flowers and thanked her for the time she has spent serving the community by organizing events such as Riverfest, Tree Lighting Ceremony, etc., and serving as Chairperson for the Urban Renewal Agency. Diane said she would like to attend the ceremony in Boise. Charlotte moved, Steve seconded to pay for mileage and lodging expense for Diane Mickelson to attend the Brightest Star Ceremony in Boise on March 27, 2008. Approved three in favor, one absent. Cookies and punch was served.

Shirley Thompson, Pioneer columnist was given a plant by the city to recognize her for her great coverage of city events and meetings in the Pioneer.

BJ said he has not finished reviewing the business license ordinance completely. He said he would finish the review and send his comments to Sandy.

BJ said he and Sandy are still working on the water ordinance amendment.

BJ presented Ordinance #516 amending the zoning ordinance to clarify the time limit for the council to make a decision on a zone change after receiving recommendations from the Planning and Zoning Commission. He said this allows more flexibility to the city code. Lorin moved Steve seconded to suspend the reading of ordinance #516 on three different days and read the title of ordinance #516 once. Approved three in favor, one absent. Lorin read the title of Ordinance # 516 once in full. Lorin moved, Steve seconded to adopt Ordinance # 516 amending the zoning ordinance 10-18-7 by clarifying the time limit for a council decision on a rezoning issue once the P&Z Board has given their recommendation. Approved three in favor, one absent.

BJ said he has been working on a mitigation plan with Ball Development and Snake River Valley Irrigation. He said he has a meeting with Rob Harris and a representative of Ball Development tomorrow, and needs direction from the council regarding expenses, administration, etc., for water rights, a new well, and the mitigation plan obligations. Lorin suggested a written agreement be provided by Ball Development stating they will give the city a lot for a new well, and a new well will be drilled within a specified time. Steve agreed that Ball Development needs to drill a new well when they begin Phase One of their project.

BJ said he has reviewed the Logtite contract for disposing of city waste at the Mooreland transfer station, and he needs to rework some of the contract.

BJ said he reviewed the Agreement for outside city limits water users. He said the agreement explains that the city has the right to turn off water for those residing outside of city limits if we cannot provide water adequately for those residing inside of city limits. However, water use must be curtailed by order of priority date; such as contract with the newest signing date would be shut off first.

Sandy said Bingham County sent a comment sheet for a public hearing to rezone property to be utilized by Ridgeline Energy to construct windmills. Lorin felt it is a great idea. Sandy will submit that comment.

Dawn said the Youth Committee received a \$250 grant from Basic American Foods. She said the funds are to be used for the "Dare to Dance" event.

Alan said at the last council meeting he was directed to contact Rich Eaton about the lube shop he recently purchased next to Broulims on South State. Alan said Eaton's intend on repairing vehicles at the lube shop, and body work will be done at the body shop on Emerson Avenue. He said there will be junk cars stored on the premises that will be waiting for pick up or repair. Alan said there is a sight obscuring fence between the lube shop and the residential property to the west. Lorin said he also spoke with Mr. Eaton and he is willing to install a compound if necessary.

Rick said he will be gone part of next week to attend a water and waste water conference in Boise.

Charlotte said she attended the Kiwanis meeting today. She said Superintendent Jolley had questions for Rick about the water drainage around the backstops at the City Park.

Lorin said Rocky Mountain Power will be donating a pole and installing it near the river for an Ospreys nest.

Mayor Christensen said he will be retiring from Valley Wide Co-op on March 15, 2008.

Adjourned: 9:45 p.m.

ATTEST: Sandy Dapdush APPROVE: Eric R. Christensen