

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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FEBRUARY 22, 2011

PRESENT: Mayor Eric Christensen  
Council Members: John Lent, Charlotte Fredrickson, Earl Beattie, and Kurt Russell  
Police Chief: Alan Dial  
Public Wks Dir: Chuck Lloyd  
Recreation Dir.: Dawn Lloyd  
City Clerk: Sandy Gaydusek  
City Attorney: B.J. Driscoll

PLEDGE OF ALLEGIANCE: Officer Bob Tincher  
PRAYER: Charlotte Fredrickson

Charlotte moved, Earl seconded to approve the following consent agenda:  
Minutes of February 08, 2011 Council Meeting

A roll call vote was called for: Earl – aye, John – aye, Charlotte – aye, and Kurt – aye.  
Approved unanimously.

Cody Johnson, the President of the Mayor's Youth Committee said the Youth Group would like to suggest the name "Help Line" for the telephone line in the police vestibule. He said they understand that the line is to be used for emergency situations, as well as police assistance, fingerprinting, etc. Cody said the Youth Group would help get the information out to the other kids. He said the Youth Group is preparing to help at the Community Preparedness Fair.

Amy Goc, 273 N. Byron Avenue said at a prior council meeting she asked for the city's ordinance to be amended so she could have her own laying hens. She said she has a large lot and would have an enclosed chicken coop with poultry netting. Ms. Goc said at the last meeting there was a concern that chickens could attract skunks and other rodents. She said her father lives in Salmon and has chickens, and has not encountered that type of problem. Ms. Goc said she is very much in favor of being allowed to have chickens in the city limits. She said the eggs are healthier, and would allow her to be a little more self sufficient. Ms. Goc said six hens would be enough, and there should be no roosters.

Jacqueline Wittwer said she is in support of having chickens. She said she had some when she moved into the city not knowing she couldn't have them. However, the cats in the neighborhood killed all of the chickens within one week. Mrs. Wittwer suggested the chickens be kept in an enclosed pen so the cats cannot get to them. She said she would like to have some chickens so her children would be able to participate in 4H activities. She said she also paints and decorates eggs. Mrs. Wittwer presented some of the eggs she has painted.

Sandy said she received two comments in favor of having chickens. She read comments from Ginger Durbin and Brenda Wies that will be kept as a matter of record.

Eric Wittwer said he has a deep lot that would accommodate chickens very well. He said if there are problems with having chickens, then it should be worked out with the neighbor. Mr. Wittwer said he would like his children to have connections with agricultural type activities, and learn to be self reliant. He suggested that some of the new subdivisions could have restrictions regarding chickens.

Amber Bateman said she would like to teach her son responsibility by gathering eggs for pay. She said having chickens would also help reduce food costs in this tight economy.

Kathy Hayes said she lives on Rimrock Canyon and would like the option of having chickens in the future.

Cody Johnson said he feels there are more pros than cons about having chickens. He said dogs are allowed and they get loose, and the only con is that chickens may get loose. Mr. Johnson suggested starting out small by allowing only three chickens, and then if it would well, the number could be expanded.

McKay Anderson said he feels it is a little strange that there is an ordinance prohibiting having chickens, and being able to feed your family.

Bob Jemtrud said he walks a lot and has problems with dogs running loose. He said a lot of people have three dogs when they should only have two. Mr. Gentry said the cost of raising chickens is prohibitive. He said chickens are filthy birds and he is against allowing them in the city.

Terri Wilde on West Center said she is against having chickens in the city. She said her neighbors have had chickens in the past, and they were over run with skunks, stray cats, and stray dogs. She said chickens smell, and they are very noisy when they are being chased by cats or dogs. Ms. Wilde said then roosters appeared and kept her awake all hours of the night. She said a lot of farmers near the city sell white or brown eggs at a very reasonable cost. She said there are already enough problems with animals running around the city, and chickens should not be allowed in the city.

Jason Gallegos, 191 North Milton said his neighbors currently have chickens that have been "grandfathered" in. He said he has never had any problems with the chickens next door. He said the chickens are kept contained, and he never hears them.

Judy Sensabaugh said she lives on Holmes Avenue. She said she moved into the city from the country and she misses her chickens. She asked if there are any problems health wise from having chickens. Ms. Sensabaugh said she could feed her chickens scraps from her home, and produce healthy food for her family. John said if chickens are not properly taken care of, such as cleaning up the feces, it could produce blow flies, etc. He suggested Mrs. Sensabaugh contact the health department for any potential health problems that could arise. Mrs. Wittwer said she

already contacted the extension office and the feces can be composted. She said the only feces that cannot be composted is from dogs and cats.

Bob Jemtrud asked who would patrol and enforce the number of chickens that could be kept, etc.

Crystal Alexander, 307 W. Center suggested a volunteer chicken master be appointed.

Peggy Russell said chickens will depreciate property values in the city.

Sandy read three written comments against having chickens received from Beth Williams, Audrey and Doug DeRoche, and an anonymous resident. These letters will be kept as a matter of record.

Cody Johnson asked how much trouble Idaho Falls has encountered since allowing chickens. Sandy said the ordinance was just adopted, so problems have not had time to manifest yet,

Craig Hudman said he is neither for nor against having chickens, however he would not like someone having chickens next to his business. He said the City of Idaho Falls has its own animal control officer to take care of enforcement issues. He said chickens will decrease property values. Mr. Hudman said there are other ways of being self sufficient, such as growing a garden. He said it will cost quite a bit to raise and maintain chickens.

Officer Bob Tincher said the biggest problem the police have is handling and holding the animals. He said only a year ago the city started taking in cats. Officer Tincher said we have a strapped budget, and we must have a humane facility. He said there will be problems with noise because there is no way to quite a chicken like you can a dog. He said police already have a hard time transporting the animals in their police vehicles. He said each time a dog or cat is transported, the vehicle has to be cleaned out so no disease is transmitted to anyone else. Officer Tincher said Shelley's facility is temporary only, and Bingham County does not take chickens. So, what would the city do with the chickens if they are not claimed. Officer Tincher said in his option the city is not able to take on the responsibility to enforce chicken regulations.

Amy Goc said there is a city building inspector. She said each person who wants chickens could purchase a building permit and have it inspected to code. She said she has already talked to all of her neighbors and was met with support.

John said he spent twenty five years of his life living with chickens next to his home. He said his family had a lot of issues with them. He said they were very loud and noisy. John said if a building permit is required, a coop could cost around \$500 to meet code and be structurally sound. He said maybe there could be a community chicken coop. He asked Mrs. Goc why she wants chickens. Mrs. Goc said because she had chickens growing up and enjoyed them. She said the eggs are fresher and healthier. She said she also has a large garden, and with the economy the way it is she needs to be more self supporting.

John asked Mr. Jemtrud why he did not want chickens. Mr. Jemtrud said he was raised on a farm. He said chickens are flea ridden, filthy and dirty. Mr. Jemtrud said he doesn't think people realize how much chickens will cost to raise.

Dawn Lloyd said Mrs. Goc has a large lot, but her and her neighbors have small lots. She said if chickens were allowed in her neighborhood, it would infringe on her lot.

Charlotte said when her children were small, they had cats and dogs for them to take care of to learn responsibility. She said as children get older and their life's become busier they lose interest.

Kurt asked what happens if an egg is missed and a rooster is hatched. Amy Goc said her proposal is to get first year laying hens. She said you would need a rooster to produce more chickens.

Earl said people have had good and bad experiences. He agrees about the rising food costs, however people live in the city for a reason. Earl said the city already has problems with dogs and cats, and we do not have the manpower to enforce, chase chickens, and check chicken coops. He said he doesn't feel comfortable with every resident being able to have chickens under a blanket policy. Earl felt this matter would need to be worked on quite a bit more.

Amber Bateman asked what if they were able to get volunteers and institute a chicken committee to help. John said nobody likes to be the bad guy, and the city does not have the funds or the manpower to enforce new chicken regulations. John said the people in attendance tonight would probably do a great job of taking care of their chickens, but others in the city may not.

Alan said the ordinance was created because with livestock comes debris, and what happens to it. He said what will happen in three years when the hens quit laying. He said animals cause smell, insects, etc. and cause too many problems. Alan said raising chickens is a lot harder than it appears. He said it takes a lot of dedication, and chickens need warmth to be able to lay eggs in the winter.

Charlotte asked for a count of how many in attendance were opposed and how many were in favor of having chickens: Sixteen in favor, and seven opposed.

Crystal Alexander said she is in favor of having chickens, but feels there needs to be lot size restrictions, setbacks, etc. She asked about the possibility of those who want chickens applying for a special use permit. Sandy explained the procedure. BJ said he likes the idea of having this issue regulated on a case by case basis, but a P&Z Committee must look at special use permit criteria. BJ said he did not feel this type of issue could be looked at objectively. Sandy suggested applying restrictions like a city kennel license. Such as surrounding property owner approval, etc. Earl said that may work, but the city still have no funding for enforcement.

Amy Goc said there was a statement made regarding chickens running loose and nobody knows who they belong to. She said feed stores have metal bands that fit around a chicken's leg to identify the owners.

Sandy said there are subdivisions that have restrictive covenants that do not allow livestock in the subdivision. She said the city cannot enforce restrictive covenants. She said this has to be done by the property owners.

John said he cannot see chickens in the city as a possibility at this time.

Earl moved, John seconded to leave the ordinance as it currently is prohibiting livestock due to enforcement constraints. Approved unanimously.

Charlotte felt she would like to meet with the citizens here tonight and discuss other options, John agreed.

Earl said his concern is how to enforce an ordinance allowing chickens, and where the manpower will come from to do so.

McKay Anderson asked why if there are problems with cats and dogs that they are not in a dumpster somewhere.

Mayor Christensen said we have an animal owner problem in the city, and if chickens are allowed we will have the same problem with them.

Alan said all animals have to be treated humanely. He said each animal impounded has to be kept a certain number of days and fed, and then they are sent to the County where they're kept for a certain number of days before they are euthanized.

Sandy asked the Council to review the proposed Investment Policy presented at the last council meeting. She asked if the Council would like Deb Moretto from US Bank to attend the next meeting to ask any questions. The Council felt she would not need to attend, and they would review the policy and make a decision at the next council meeting.

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

Sandy said she is still working on purchasing a new telephone system for the office.

Sandy said the court date for Alva Harris has been set for April 13, 2011 at 1:15 p.m. in the Bingham County Court House.

Dawn said this Saturday will be the last Saturday in the Jazz Basketball program this season. She said she will be starting a Co-Ed program, and the Fun Shot is coming up.

Dawn said a Blood Drive will be held at City Hall on March 1, 2011.

Chuck said the new sanitation truck has been delivered.

Chuck said he met with the Bingham County Public Works Director Dave Babbitt and was shown the County GIS mapping program that will locate manholes, street signs, water lines, etc. Chuck said the city could access the county's GIS program information through a microwave service. He said this information would show property ownership, values, etc. and the city could add information also. He said the city could purchase equipment to utilize the county's program for under \$5000. Alan said the police department can access county information through the internet. Chuck will look into this further.

Charlotte thanked everyone who helps the community.

Sandy presented some information she received from Susan Helton regarding her services to paint murals, paintings, etc. The council will review the information.

Mayor Christensen said there will be a Regional Wastewater meeting on February 24, 2011 at 10:00 a.m.

Adjourned: 9:12 p.m.

ATTEST: Sandy Gydusek APPROVAL: Eric R. Christensen

**FEBRUARY CLAIMS**

<u>DATE</u>		<u>AMOUNT</u>	<u>CHECK #</u>
15-Feb-11	AAA Giles Cleaning and Restoration	675.00	34668
15-Feb-11	AC&SS	75.51	34669
15-Feb-11	All American Sports	23.76	34670
15-Feb-11	All Occasion Floral & Gift LLC	31.00	34671
15-Feb-11	American Linen	507.82	34672
15-Feb-11	Association of Idaho Cities	45.00	34673
15-Feb-11	Bearing & Ind. Slaes Inc.	108.60	34674
15-Feb-11	Benchmark Garage Doors LLC	105.00	34675
15-Feb-11	Broulim's	27.95	34676
15-Feb-11	Burke Davis	29.39	34677
15-Feb-11	Business Phone Specialists Inc	66.50	34678
<b>15-Feb-11</b>	<b>Circular Butte Landfill</b>	<b>5,676.32</b>	<b>34679</b>
15-Feb-11	Columbia Paint Co	205.76	34680
15-Feb-11	Comdata	439.12	34681
15-Feb-11	Computer Warehouse	126.00	34682
15-Feb-11	Crystal Dial	872.00	34683
<b>15-Feb-11</b>	<b>Daniel Acevedo</b>	<b>3,300.00</b>	<b>34684</b>
<b>15-Feb-11</b>	<b>DBS Inc</b>	<b>3,231.94</b>	<b>34685</b>
15-Feb-11	Diversified Inspection/Indep Labs Inc	360.50	34686
<b>15-Feb-11</b>	<b>Eagle Rock Hydraulic Service</b>	<b>1,311.12</b>	<b>34687</b>
<b>15-Feb-11</b>	<b>Eastern Idaho Regional WasteWater Auth</b>	<b>13,639.50</b>	<b>34688</b>
15-Feb-11	Eastern Idaho Water Rights Coalition	125.00	34689
15-Feb-11	Electrical Wholesale Supply Co Inc	61.72	34690
15-Feb-11	Hammon Teton Delivery	25.10	34691
15-Feb-11	IBM Corporation	832.16	34692
15-Feb-11	Idaho Business Systems	35.00	34693
15-Feb-11	Idaho Rural Water Association	400.00	34694
15-Feb-11	Idaho Traffic Safety Inc	288.00	34695
15-Feb-11	Jory Deuel	39.50	34696
15-Feb-11	Kings No. 21	8.44	34697
<b>15-Feb-11</b>	<b>Mathews Plumbing &amp; Heating</b>	<b>2,270.00</b>	<b>34698</b>
15-Feb-11	Mel's Lock and Key	25.00	34699
15-Feb-11	Pacific Steel	885.31	34700
15-Feb-11	Petty Cash	37.40	34701
15-Feb-11	R&S Distributing	99.98	34702
<b>15-Feb-11</b>	<b>Rocky Mountain Power</b>	<b>4,301.13</b>	<b>34703</b>
15-Feb-11	Rush Truck Center	22.17	34704
15-Feb-11	Sams Club	96.64	34705
15-Feb-11	Shelley Pioneer	335.18	34706
<b>15-Feb-11</b>	<b>Smith Driscoll &amp; Assoc</b>	<b>1,059.00</b>	<b>34707</b>
15-Feb-11	Steam Store Rocky Mt. Inc.	12.95	34708
15-Feb-11	U & I Kiwanian	45.00	34709
15-Feb-11	United States Welding Inc	185.41	34710
15-Feb-11	Valley Office System	129.00	34711
15-Feb-11	Verizon Wireless	444.75	34712
<b>22-Feb-11</b>	<b>Boise Peterbilt</b>	<b>96,276.00</b>	<b>34713</b>
22-Feb-11	Bonneville County Extension Office	83.00	34714
22-Feb-11	Jordan Johnson	15.00	34715
22-Feb-11	Justin Johnson	15.00	34716
22-Feb-11	Stanley J Peterson	57.92	34717
22-Feb-11	Shaun Robinson	15.00	34718
22-Feb-11	A & B Transmission & Service CTR	27.02	34719
22-Feb-11	Advanced Industrial Supply	114.72	34720
22-Feb-11	Beatties Guns	45.95	34721
22-Feb-11	Cable One	166.95	34722
<b>22-Feb-11</b>	<b>Eagle Rock Sanitation</b>	<b>2,767.06</b>	<b>34723</b>
22-Feb-11	Void		34724
22-Feb-11	Exxonmobil Fleet/GECC	151.99	34725
22-Feb-11	First Responders	244.25	34726
<b>22-Feb-11</b>	<b>Sandra Gaydusek</b>	<b>1,055.64</b>	<b>34727</b>
<b>22-Feb-11</b>	<b>Home Depot</b>	<b>1,448.17</b>	<b>34728</b>
22-Feb-11	las - Envirochem	241.00	34729
<b>22-Feb-11</b>	<b>Intermountain Gas Co.</b>	<b>1,149.95</b>	<b>34730</b>
22-Feb-11	Dawn Lloyd	33.92	34731
22-Feb-11	Mountainland Communications Inc	33.00	34732
<b>22-Feb-11</b>	<b>Phillips 66 Co</b>	<b>1,087.51</b>	<b>34733</b>

22-Feb-11	Qwest	13.51	34734
22-Feb-11	Rush Truck Center	17.14	34735
22-Feb-11	Snake River Supply Inc	58.80	34736
22-Feb-11	Staples Credit Plan	57.94	34737
22-Feb-11	TIFCO Industries	49.95	34738
22-Feb-11	U.S. Post Office	350.84	34739
22-Feb-11	Zee Medical Service	59.38	34740
<b>4-Feb-11</b>	<b>City of Shelley Payroll</b>	<b>47,497.79</b>	
<b>18-Feb-11</b>	<b>City of Shelley Payroll</b>	<b>49,201.40</b>	
	Total	<u>244,957.43</u>	