

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

FEBRUARY 24, 2009

PRESENT: Mayor Eric Christensen  
Council Members: Lorin Croft, Steve Cederberg, John Lent, 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 February 10, 2009 Council Meeting  
Approval of January 2009 Expenditures  
Approval of January 2009 Overall Budget & Treasurer's Rpt.  
Building Permits:  
none

Lorin stated that there was a check paid to Brent Christensen that should have been held until he completed the sidewalk, curb, and gutter on the south side of the North Shelley Business Park.

Sandy said she did not remember that being a condition of payment. Steve said he also remembered that the check should have been held. Rick said that the sidewalk could not be installed until building has been completed on the lot; this way the sidewalk does not get broken up by the construction equipment. Lorin said the curb and gutter should have been done. Sandy apologized and stated that she did not remember the stipulation and it was her fault that the check was paid out.

A roll call vote was called for: Steve – aye, Charlotte – aye, Lorin – aye, John - aye. Approved unanimously.

Shawna Wardrip was not in attendance. Sandy explained that Mrs. Wardrip has an outstanding balance of over \$400 on her utility account, including a bad check along with the associated fees. She said her bishop, Arden Anderson came into city hall and asked if the fees could be waived and he was told no. Sandy said Mrs. Wardrip called her and asked to be placed on the agenda to ask for the fees to be waived as her bishop suggested. Sandy said this is the second bad check Mrs. Wardrip has written the city, and she recommended not waiving the associated fees for the bad check, orange tag, and shutting off fee. The council determined that no fees would be waived.

Lorin moved, John seconded to approve the following General Business Licenses for 2009:

Connie Hanson – 206 N. Emerson Avenue

AG Parts – 487 N. State St.

The Computer Shop – 131 S. Holmes Ave.

Shelley Dental – 530 S. State St.

Kings – 600 N. State St.

Stacy Pascoe – 650 n. State St.

Look Electronics – 359 S. Milton

East Idaho Credit Union – 418 W. Fir St.

Approved unanimously.

Alan said he has obtained the title for the 1999 Crown Victoria that is no longer needed by the police department. He said the last 2009 Impala replaced this vehicle. He asked that this car be declared surplus property so it can be sold at auction. Rick said he has two 16-foot cargo boxes, two hydraulic lift tailgates, and a 1970 Ford Flatbed Truck labeled at #14 that should be declared as surplus property also. Steve moved, Lorin seconded to declare the 1999 Crown Victoria Vin#2FAFP71W4XX124937, two 16 foot long cargo boxes, two hydraulic lift tailgates, and one 1970 Ford Flatbed Truck (#14) as surplus property to be sold at auction. Approved unanimously.

Sandy said Arcadia Furniture has water service for fire suppression only. She said they are being charged a monthly rate for a light business for water only. Sandy said the officer manager has asked if they have to pay a monthly rate whereas they are not using any water. The Council felt there is a value for fire suppression only, such as insurance in case of a fire, and by having a fire suppression system it would reduce the insurance the property owner pays. The Council determined to table this matter, and asked Sandy to check with other cities to see what they charge for fire suppression only.

Sandy presented three comment sheets she received from Bingham County Planning and Zoning regarding a special use permit and two short plats. The Mayor and Council had no comments or concerns on the RT Mini Farm, Green Acres Subdivision, or the special use permit for a wholesale nursery greenhouse.

BJ said he spoke with Rob Harris regarding the Surface Water Agreement with Snake River Valley Irrigation and Ball Development. He said this agreement was put together to show IDWR that our mitigation plan is viable. He said there are several contingencies in this agreement. 1) IDWR is to determine how much water will be used for mitigation. 2) The property owner can use the surface water to irrigate with until the mitigation is final. 3) If the property is not annexed, the agreement is void. BJ said the agreement also specifies that everyone should work together on any matter that is unforeseen. BJ said the hearing will be at the IDWR office on March 12<sup>th</sup> and 13<sup>th</sup>. John moved, Charlotte seconded to approve the Surface Water Agreement as written between Snake River Valley Irrigation, the City, and Ball Development. Approved unanimously.

Mike Carter said he and the Fire Marshall met with the contractor for the new elementary school. He said the contractor wants to start construction of the school prior to the water line being

installed. Mr. Carter said this is okay, since most of the building is masonry and steel. He said they will need water services when the roof is constructed.

Sandy presented the past minutes regarding the easement needed at the new wastewater treatment plant site. She said there was no actual agreement for who was responsible to pay for any expense associated with moving the prescriptive easement for the city. Sandy said the minutes state the owner of the Riverbend Estates agreed to give the city a new easement. The Council felt the city should pay for half of the expense even though it was the property owner that requested the work be done by Harper Leavitt Engineering. Sandy said the invoice she received from Harper Leavitt was for \$1025. The council stated that the property owner should be drafted a letter stating the city is willing to pay for half of the invoice as an act of good faith. Sandy was instructed to pay for half of the invoice only if the property owner agrees to pay for the other half. Rick said the easement has only been graded at this point.

BJ thanked those that attended the hearing requesting dismissal regarding Kelley Acres. He said Judge Simpson will be considering this matter under advisement and will notify the city of his decision within thirty days or less.

Sandy said Robin Dunn, the attorney for the residents of Kelley Acres had stated in his presentation to Judge Simpson that the city had not published the annexation ordinance in this matter. Sandy said this ordinance was published December 17, 2008.

Rick said he is working towards moving the ice along the streets so the water can flow smoothly.

Dawn thanked Mike Carter for helping her to try and remove the snow from the baseball diamonds at the City Park. She said their efforts didn't work, but she appreciated Mike trying to help her.

Mike said the Fire Department is still working with Kent Carlson, Bob Butler and an Architect on a new fire station. He said there is suppose to be some money available for fire stations in the new stimulus package being considered.

Charlotte said she will be attending a Planning and Zoning Workshop Saturday, February 28<sup>th</sup> in Pocatello. She said Joyce Killpace, Bruce Rudd, and Brian Covert will also be attending this workshop.

John said there is a vacancy on the Urban Renewal Board. He said Shane Wooton, the manager of Ag Parts would like to represent the Board. John said there is a project being considered that will extend the sewer line over to Ag Parts and the other businesses that are in that Industrial Park. He asked if it would be a conflict to have Mr. Wooton on the Board. BJ said he is the manager and not the owner, but the by-laws of the Urban Renewal Board should be reviewed for any potential conflicts. He said he would recommend that Mr. Wooton abstain from voting and not participate in any matter involving the property he is associated with. John said he would

wait until the next council meeting to ask for Mr. Wooton's appointment since this matter was not placed on the agenda. John said Max Ririe would like to expand his business in the Industrial Park. He said he directed Mr. Ririe to the Urban Renewal Board.

John said he would like to see permanent pooper-scooper stations placed at all the city parks. He said there may be grants available for this.

John said he is working on getting some recycling bins to be placed in the city.

John said he spoke with the Chapman's in Firth. He said they are willing to give easements to join the two walking paths.

John suggested a mass email be sent to all of the businesses on the city web site suggesting if they are hiring employees to notify the city so it can be placed on our site.

John said he enjoyed watching BJ in court; he did a great job. John commended Rick on the appearance and cleanliness of the city shop. He also commended Alan and Dawn regarding their departments.

Steve said on March 12<sup>th</sup> he will have the opportunity to present a grant application to the Idaho Department of Parks and Recreation for a restroom at the City Park. He said this restroom will have two separate stalls and having running water. Dawn said there was some vandalism at the restroom at Brinkman Park over the past weekend. Rick said this restroom is in very poor condition. He said it is very dirty and should be locked up. Rick suggested moving the restroom closer to the gazebo and away from the High School, however since the restroom utilized grant funds it probably must remain at that park. He said the cigarette butts can be swept up, but it is the garbage and debris that the kids are throwing down inside the vault that is creating a problem. Steve suggested placing a fence around the park/restroom and locking it up. John said the kids causing the problem probably wouldn't care. He suggested placing a security camera near the restroom. Steve still felt the bathroom should be locked up. Charlotte suggested making the Superintendent and the School Board aware of the problems the city is having with the school kids during their lunchtime. BJ asked if the kids causing the problems could be cited. Alan said yes, for smoking, but it's harder for the police to catch who is throwing the litter down inside the vault. Alan said he could have the school resource officer sit and watch the restroom during the High School lunch hour. Frank Hawkins suggested using peer pressure. He said have the Youth Council spread the word regarding all the city has done at Brinkman Park, and that their peers are destroying it.

Mayor Christensen said there will be a Regional Wastewater Board meeting on Thursday the 26<sup>th</sup> at 10:00 a.m. He said the wastewater treatment plant is approximately 30% complete. Mayor Christensen said the plant must be operational by April 28, 2010 or the contractor will be penalized. John suggested that when the weather gets better, setting up some tours of the facility under construction, such as the Senior Citizens.

Mayor Christensen said he is always concerned about fiscal responsibility in the city. He said the cost of operating the pool always exceeds the revenue. Mayor Christensen suggested in these hard economic times that the city pull their horns in a bit. He said the pool usually goes in the red by \$30,000 each year. Mayor Christensen said this matter is just food for thought, and could be an option to save money in case it is needed.

Adjourned: 8:45 p.m.

ATTEST: Sandy Haglund APPROVE: Eric R. Christensen

**FEBRUARY CLAIMS**

<u>DATE</u>		<u>AMOUNT</u>	<u>CHECK #</u>
5-Feb-09	Comdata	621.99	32630
5-Feb-09	Mike Johnson	51.49	32631
17-Feb-09	AAA Giles Cleaning and Restoration	675.00	32632
17-Feb-09	Advanced Business Systems	162.94	32633
17-Feb-09	Alltel	152.12	32634
17-Feb-09	American Linen	528.63	32635
17-Feb-09	Associated Business Forms & Systems	380.70	32636
17-Feb-09	Auto Body Paint and Supply	100.42	32637
17-Feb-09	BISCO	67.32	32638
17-Feb-09	Broulim's	34.68	32639
<b>17-Feb-09</b>	<b>Daniel Acevedo</b>	<b>1,650.00</b>	<b>32340</b>
<b>17-Feb-09</b>	<b>DBS Inc</b>	<b>3,095.45</b>	<b>32341</b>
17-Feb-09	Eagle Rock Hydraulic Service	895.60	32342
<b>17-Feb-09</b>	<b>Eagle Rock Santitation</b>	<b>3,153.88</b>	<b>32343</b>
17-Feb-09	Electrical Wholesale Supply Co Inc	10.60	32344
17-Feb-09	Fastenal	616.49	32345
17-Feb-09	Galls Inc	34.30	32346
17-Feb-09	Hammon Teton Delivery	54.00	32647
17-Feb-09	Hunter upholstery	327.00	32648
17-Feb-09	IAS - Enivrochem	392.00	32649
17-Feb-09	IBM Corporation	791.91	32650
17-Feb-09	Idaho Business Systems	32.00	32651
17-Feb-09	Idaho Falls Peterbilt	50.69	32652
17-Feb-09	Les Schwab Tire Center	96.95	32653
17-Feb-09	Dawn Lloyd	77.87	32654
17-Feb-09	Mountain View Sales	4.77	32655
17-Feb-09	Musselman Equipment and Drive Line	38.69	32656
17-Feb-09	Pacific Steel	150.51	32657
17-Feb-09	Pro Power	109.46	32658
17-Feb-09	Qwest	45.08	32659
17-Feb-09	R&S Distributing	379.25	32660
17-Feb-09	RDJ Specialties	1,212.33	32661
<b>17-Feb-09</b>	<b>Rocky Mountain Power</b>	<b>5,765.32</b>	<b>32662</b>
17-Feb-09	Rossiter Electric Motor	24.00	32663
<b>17-Feb-09</b>	<b>Salt Lake Wholesale Sports</b>	<b>5,578.14</b>	<b>32664</b>
17-Feb-09	Sams Club	30.91	32665
<b>17-Feb-09</b>	<b>Scott Machinery Co</b>	<b>15,436.32</b>	<b>32666</b>
17-Feb-09	Shelley Pioneer	252.43	32667
17-Feb-09	Shelley Quick Lube and Auto Center	30.00	32668
<b>17-Feb-09</b>	<b>Shelley/Firth Rual Fire District</b>	<b>5,033.00</b>	<b>32669</b>
<b>17-Feb-09</b>	<b>Smith Driscoll &amp; Associates PLLC</b>	<b>2,487.76</b>	<b>32670</b>
<b>17-Feb-09</b>	<b>State Insurance Fund</b>	<b>3,346.00</b>	<b>32671</b>
17-Feb-09	Stephenson Computer Consulting	132.35	32672
17-Feb-09	Teton Communications Inc	134.00	32673
17-Feb-09	The Radar Shop	413.00	32674
17-Feb-09	United States Welding Inc	178.18	32675
27-Feb-09	A & B Transmission & Service CTR	68.00	32676
27-Feb-09	Alltel	150.82	32677
27-Feb-09	Associated Business Forms & Systems	87.00	32678
27-Feb-09	BISCO	16.20	32679
27-Feb-09	BMC West Shelley	195.25	32680
27-Feb-09	Cable One	164.95	32681
27-Feb-09	Cal Ranch	252.96	32682
<b>27-Feb-09</b>	<b>Circular Butte Landfill</b>	<b>3,816.05</b>	<b>32683</b>
<b>27-Feb-09</b>	<b>Columbia Paint Co</b>	<b>1,057.25</b>	<b>32684</b>
27-Feb-09	Exxonmobil Fleet/GECC	133.43	32685
27-Feb-09	First Responders	393.02	32686
<b>27-Feb-09</b>	<b>Forsgren Associates/P.A.</b>	<b>95,682.80</b>	<b>32687</b>
27-Feb-09	Hunter upholstery	94.50	32688
27-Feb-09	IAS - Enivrochem	344.00	32689
27-Feb-09	Idaho Falls Peterbilt	37.41	32690
27-Feb-09	Idaho Traffic Safety Inc	80.00	32691
<b>27-Feb-09</b>	<b>Intermountain Gas Co</b>	<b>1,601.45</b>	<b>32692</b>
27-Feb-09	Lake City International	90.62	32693
27-Feb-09	Les Schwab Tire Center	72.32	32694
27-Feb-09	LexisNexis Matthew Bender	67.92	32695
27-Feb-09	Mountainland Communications Inc	150.00	32696

27-Feb-09	Mr. Pizza	40.00	32697
27-Feb-09	PAETEC	500.59	32698
27-Feb-09	Stanley J Petersen	23.29	32699
27-Feb-09	Petty Cash	77.88	32700
27-Feb-09	Phillips 66 Co.	723.92	32701
27-Feb-09	Post Academy	10.00	32702
27-Feb-09	R&S Distributing	289.00	32703
<b>27-Feb-09</b>	<b>Regional Waste Water Trust Fund</b>	<b>95,088.60</b>	<b>32704</b>
<b>27-Feb-09</b>	<b>RSCI</b>	<b>652,595.40</b>	<b>32705</b>
27-Feb-09	Rud Chain Inc	704.44	32706
27-Feb-09	Shelley Police Officers Association	250.00	32707
27-Feb-09	Shelley Quick Lube and Auto Center	584.69	32708
27-Feb-09	Stephenson Computer Consulting	127.19	32709
27-Feb-09	US Post Office	337.50	32710
<b>6-Feb-09</b>	<b>City of Shelley Payroll</b>	<b>51,644.09</b>	
<b>20-Feb-09</b>	<b>City of Shelley Payroll</b>	<b>50,544.59</b>	
	<b>Total</b>	<b>1,012,932.66</b>	