

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JANUARY 25, 2005

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft (absent), Steve Cederberg, John Lent, Charlotte Fredrickson
Police Chief: Alan Dial
Public Wks Dir.: Rick Anderson
P.W. Foreman: Chuck Lloyd
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: B.J. Driscoll

PLEDGE OF ALLEGIANCE: Scout Layne Stillwell
PRAYER: John Lent

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

Approval of the minutes of January 11, 2005 Council meeting with several corrections
Approval of the December 2004 Expenditures
Approval of the December 2004 Overall Budget & Treasurer's Rpt.
Building Permits
Romaines - remodel

Approved three in favor, one absent.

Grant Thorsen, Butler Engineering addressed the Council to discuss a final plat that he had submitted for the North Shelley Business Park Subdivision. Grant said there were some concerns that Sandy spoke with Bob Butler and him about previously, however he felt some clarification was needed. One of the concerns addressed was the ability for the city to provide water to the subdivision. Sandy said the estimated number of connections that are available for new hook ups is approximately 110 based on the information provided by the city engineers on a brief study that was conducted. She said the study shows 276 residential connections were available as of the 2000 census, however over half of those connections have been used over the past four years. Dave Noel, one of the city engineers said the plat specifically said that no water rights are to be transferred to the city for this development. He said the developer needs to submit calculations for the projected water, storm sewer, and sewer flow that will be needed in the proposed subdivision pursuant to the city code. John explained why the city must know the approximate water usage the subdivision will demand due to DEQ requirements for a "will serve" letter. Grant said there are a lot of variables to be considered on what type of businesses will locate in the proposed subdivision, but he could provide some projections. It was determined that only surface water rights are available on this property. BJ asked if the water rights were owned by the Irrigation District or a private individual. It was not known. Grant said the concerns of the city on the final plat have been addressed, and he will make changes on the next draft of the final plat. BJ said that if Grant needs more clarification from the city's ordinances to please make the city aware. John said there have been a lot of reviews done on this particular plat, and hopefully all the changes will be done this time. He said each review is very costly to the city, and the review fees charged to the developer covers a normal number of

reviews, not excessive reviews. Rick said the final plat that was submitted shows the water being accessed off of State Street, and not from North Park as stated on the preliminary plat that was approved. He said it is not known yet if the city has the funds to loop the water line. Grant said he will make the change on the final plat to show the water will be accessed off of North Park. Sandy presented a letter she received from Tony Perkins of Utah Power and Light regarding the easements that are needed for the utility lines. The letter stated a fifteen foot easement would be needed if the sidewalk was included in the easement, and if not then a ten foot easement would be sufficient. Grant said he spoke with Mr. Perkins, and since the sidewalk is not included in the easement, ten feet would be fine. Rick said he is also concerned about the temporary turn arounds that are shown on the plat. He said the storm water run off will make the turn arounds muddy if they are not paved. Grant said where the cul-de-sacs are currently, the storm water will run off into a temporary ditch. He said it will be mainly road run off. Brent Christensen, the developer asked if the final plat could be approved tonight conditional upon the changes discussed being made. Mayor Christensen said the changes should be made first. He said this matter could be addressed at the next council meeting in two weeks, which should be sufficient time to make the corrections to the final plat. Grant said he will meet with Dave Noel to get any clarification he needs regarding the concerns of the city.

Sandy said Brent Christensen submitted a proposed preliminary plat for the Sunset Meadows Subdivision located south of Basic American Foods. She said this subdivision has 110 residential lots. Sandy said there may be a problem providing water to this many lots with our existing water rights. Brent said there are no ground water rights on this land, there are only surface water rights. John suggested that Brent look for ground water rights that he could buy and bring into the city to furnish water to his proposed development. Sandy there are also some other problems with the proposed preliminary plat, which is why she did not accept it. She said the right-of-ways are listed as 62 feet, when 66 feet are required. She said that one of the access right-of-ways is listed as 50 feet, when 66 feet is required. Sandy said there are two zones listed on the plat, and our city code does not allow mixed uses. She said one of the zones is listed as Two Family Dwelling, and the provisions of our subdivision code do not list that as an allowed use. Steve said there are several issues that need to be taken care of, and he suggested that Mr. Christensen wait to submit another plat until the water matter has been cleared up. He said the city is in the process of having a water planning study done that will tell us exactly what our position is. Mr. Christensen does have the option of bringing water rights to serve his development with him. Mr. Christensen did not understand why a subdivision could not have mixed uses, and why a Two Family Dwelling use was not allowed. Dave Noel said the city's subdivision ordinance does not allow it. He said the ordinance could be amended if the council chooses, but at the present the subdivisions are being reviewed by our current code. Dave said that Sandy and he are reviewing the subdivision code and would like to make some clarifications, and other amendments could be done at that time also. He suggested including the Planning and Zoning Commission for their comments on any revisions to the code. Mr. Christensen said it appears that the city has some water connections available, and he asked if he could develop the first phase of the subdivision which would include seven or eight homes. Sandy asked how the sewer would flow into the city's sewer system since the first phase of his

development was on the east side of the property and the sewer lift station is on the west side of the property. Mr. Christensen said the first phase will be able to pump into the existing line onto Fir Street. Rick asked if Mr. Christensen has obtained an easement from Basic American Foods to be able to run the sewer to Fir Street. Mr. Christensen said he only spoke with them about a year and a half ago, but had not gotten anything in writing. However, he said he would get the easement or he would construct the lift station to serve the first phase of the development. The Mayor and Council suggested Mr. Christensen wait to proceed with his development until the subdivision ordinance has been amended and the water planning study has been developed.

Michael Croft was not in attendance. Sandy said Mr. Croft asked what the possibility would be to access the city water system. She said Chuck measured the approximate distance to where Mr. Croft's home is on West Fir outside of city limits. Chuck said it is approximately 2500 feet to get to the property. Rick said the Crofts and the Kites share a well, and they both want to use city water. He said this would be very costly (approximately \$30,000 for just the line), and would probably be more cost effective to the property owners to drill new wells. However, if the property owners want to pursue this project they would have to transfer their ground water rights to the city, and pay for all expenses to get the water line to them, plus the meter and tap fees.

Tory Dehlin withdrew from the agenda. He wanted to discuss the possibility of selling hard liquor by the drink in the city, however he was not prepared and will reschedule.

Sandy said she telephone polled the council members requesting approval to purchase two 2004 Ford 4x4 trucks to replace the two vehicles that were damaged in the fire on January 8, 2005. The two trucks will be purchased on a lease/purchase program with a payment of \$13208.31 due at the time of possession, and two additional payments of \$13,208.31 due over the next two years. At the end of the lease both trucks will be the city's for the final sum of \$1.00. Sandy said the city received a check from the insurance company for the two destroyed vehicles in the amount of \$14,014. She said that will pay for the first year's payment. Sandy said the next two payments can be paid out of the State Revenue Sharing Fund. She said Rick usually spends about \$25,000 to \$30,000 each year for new equipment out of this fund, therefore he would be limited to \$12,000 to \$16,000 each year over the next two years. John moved, Charlotte seconded to ratify the approval of the purchase of two Ford 4x4 trucks on a lease purchase program based on the above payment plan to replace the vehicles that were damaged in the fire. Approved three in favor, one absent.

Sandy received a request from Qwest to bury and maintain cable near Longhurst Lane. Rick said he could not see any problem with their request. Steve moved, Charlotte seconded to approve Qwest's request to bury and maintain this cable. Approved two in favor, John opposed, motion carried.

Alan said the city painted a crosswalk on Birch Street to Sunrise Elementary and there is also a crosswalk sign that has been planted. He said a crossing guard is stationed at the crosswalk, but if the city is going to enforce the laws of a crosswalk there needs to be an approval in the matter

of record. Charlotte moved, John seconded to approve a crosswalk to be placed on Birch Street going into Sunrise Elementary. Approved three in favor, one absent.

Sandy said she received an application for a grant for a water planning study from DEQ. She asked permission to proceed with the application. Council granted permission.

BJ asked if there has been any payment received from the Taylors regarding the sidewalk project on South Park Avenue. Sandy said she has not receiving any payment. Steve moved, John seconded to table this matter. Approved three in favor, one absent.

The Mayor and Council tabled the matter regarding establishment of a city property use policy until the next meeting.

BJ said he would like to discuss the lien on the Lefevre property, and the Taylor debt in an executive session due to potential litigation. He said there is also a personnel issue that should be discussed in executive session.

Sandy said the audit for the 03-04 fiscal year is currently being conducted, and she needs the council to establish a dollar limit for the fixed asset schedule that now has to meet new GASB regulations. She said many cities and counties have chosen that all equipment, vehicles, etc with a value of \$10,000 and above will be listed on the fixed asset report. Steve moved, Charlotte seconded that the city will list all fixed assets valued at \$10,000 and above. Approved three in favor, one absent.

Sandy said she has researched what money the city could save if we refinanced our water and sewer revenue bonds. She said she contacted our current underwriter, US Bank, and with the refinancing fees and an interest rate of approximately 4.5%, the city could save about \$27,000. The Mayor and Council felt if the city could save money then we should refinance the bonds. John moved, Steve seconded to proceed with refinancing the water/sewer revenue bonds. Approved three in favor, one absent.

Sandy presented the 2004 Building Permit report. She said during the year there were nineteen new homes, two apartment buildings, and twelve additions built. Sandy said the total valuation of the new construction is \$2,691,000 which brought \$14,537.00 in fees to the city. She said the total building permit fees collected for the entire year is \$36,354.00

Sandy said she gave a copy of the proposed City Computer Policy to BJ, John, and Charlotte for their review. She said once the review is done, the changes can be made and it will be presented to the entire council.

Dawn said there will be a blood drive at city hall on February 28, 2005. She said the Mayor will receive his gallon pin for all of the donations he has given.

Dawn said Jazz basketball is moving on with minimal problems.

Chuck said the crew has been working on the clean up at the shop after the fire on January 8, 2005. He said they have sandblasted and painted the mid-section of the building. Chuck said he spoke with Scott McLeish of ICRMP, and they have received on bid for the restoration of the front part of the building and are waiting for the second bid to come in. He said the bid that was received from Tobin's came in at a \$120,000 + range to restore the building as it exists now. Chuck said he made ICRMP aware that the city would like to tear the front of the building down and replace it with a new metal building. He said Scott said once both bids have been reviewed the council can make a decision on how to proceed.

Chuck said the Idaho Rural Water Association will be holding their annual conference in Boise on March 6th, 7th, and 8th. He said he will get the associated costs to send Rick, Dave and himself so they can keep up on their credits to keep their water certification.

Neil said he sent two grant applications in the Idaho Department of Parks and Recreation. He said Dawn helped him with the grant, and he really appreciated her.

Charlotte said she attended the School Board meeting last week as representative of the city. Dawn said she will be approaching the school about using Sunrise Elementary for her Jazz program based on the patron's recommendations.

John said he would really like to get the ball rolling for the construction of Centennial Park this spring. He said we need to advertise for the engraving of the pavers, and hopefully we'll be able to construct a kiosk.

John said he has received a few complaints about the appearance of the property located behind Hidden Treasures. He asked the other members of the council to review the location.

John said he has noticed that when Blue Mule Auctions holds their auctions on Saturday's that the place is packed. He said this is very good for the city.

John said the new Wal-Mart will be opening tomorrow in Idaho Falls. He encourages everyone to try and support our local businesses.

Steve said the two new trucks that the city has agreed to purchase will be ready after the bed liners are installed. He said the liners should arrive tomorrow.

Steve moved, John seconded to adjourn into executive session to address personnel issues and probable litigation. Approved three in favor, one absent.

Charlotte moved, Steve seconded to reconvene into regular session. Approved three in favor, one absent.

Mayor Christensen said during executive session, personnel matter and potential litigation was discussed.

Adjourned: 10:43 p.m.

ATTEST: Sandy Waples APPROVE: Eric R. Christensen

JANUARY CLAIMS

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
3-Jan-05	Association of Idaho Cities	30.00	28274
3-Jan-05	Comdata	729.68	28275
3-Jan-05	US Post Office	277.61	28276
7-Jan-05	Advanced Business Systems	2,889.00	28306
7-Jan-05	Compusmart	18.00	28307
7-Jan-05	Decals	231.00	28308
7-Jan-05	Marsha Passino	700.00	28309
7-Jan-05	Stanley J. Peterson	21.83	28310
7-Jan-05	Smith Chevrolet Co. Inc.	18,438.00	28311
18-Jan-05	A-1 Rental	88.00	28312
18-Jan-05	Alchem Laboratories Inc.	177.25	28313
18-Jan-05	All American Sports	157.50	28314
18-Jan-05	American Linen	537.50	28315
18-Jan-05	Associated Buisness Forms & Systems	122.50	28316
18-Jan-05	Auto Body Paint And Supply	64.85	28317
18-Jan-05	Avenet LLC	105.00	28318
18-Jan-05	Broulim's	2.00	28319
18-Jan-05	City of Idaho Falls	250.00	28320
18-Jan-05	Custom Canvas	60.00	28321
18-Jan-05	Daniel Acevedo	1,500.00	28322
18-Jan-05	Eagle Rock Hydraulic Service	2,693.28	28323
18-Jan-05	Eagle Rock Sanitation	2,713.52	28324
18-Jan-05	First Responders	32.00	28325
18-Jan-05	Galls Inc.	446.89	28326
18-Jan-05	Holly Kartchener	240.00	28327
18-Jan-05	IAS-Envirochem	105.00	28328
18-Jan-05	ICRMP	1,350.37	28329
18-Jan-05	Idaho Dept of Employment	26.76	28330
18-Jan-05	Idaho Irrigation Pumpers Association	30.00	28331
18-Jan-05	Jolley Building Supply Inc.	271.87	28332
18-Jan-05	K & K Blacksmith	25.25	28333
18-Jan-05	Karl Noah	37.50	28334
18-Jan-05	Kings No. 21	31.80	28335
18-Jan-05	L & S Metal Products LLC	13.90	28336
18-Jan-05	Dawn Lloyd	13.77	28337
18-Jan-05	McGrath Meacham and Smith Pllc	2,174.00	28338
18-Jan-05	Rod Mohler	37.50	28339
18-Jan-05	Mr. Pizza	50.00	28340
18-Jan-05	Pacific Steel	1,415.30	28341
18-Jan-05	Pioneer Publications	190.58	28342
18-Jan-05	Post Academy	395.00	28343
18-Jan-05	RDJ Specialties	562.10	28344
18-Jan-05	Jay Rowley	138.60	28345
18-Jan-05	Searle Hart and Associates PLLC	3,500.00	28346
18-Jan-05	Shelley/Firth Rural Fire District	4,095.00	28347
18-Jan-05	Siems Enterprises	955.74	28348
18-Jan-05	State Tax Commission	149.40	28349
18-Jan-05	Teton Communications Inc.	341.40	28350
18-Jan-05	US Post Office	74.00	28351
18-Jan-05	United States Welding Inc.	185.61	28352
18-Jan-05	Utah Power and Light	5,596.46	28353
18-Jan-05	Watson Roto Rooter/Thayne Watson	75.00	28354
18-Jan-05	Western States Equipment	45.95	28355
24-Jan-05	Eric Christensen	251.13	28356
24-Jan-05	Steve Cederberg	251.13	28357
31-Jan-05	Advanced Diagnostics Inc.	170.00	28358
31-Jan-05	All Occasion Floral & Gift LLC	40.00	28359
31-Jan-05	Amcor Inc.	35.70	28360
31-Jan-05	Associated Buisness Forms & Systems	105.25	28361
31-Jan-05	Auto Trim	498.00	28362
31-Jan-05	Bateman Brothers	3,187.50	28363
31-Jan-05	Business Phone Specialists Inc	60.00	28364
31-Jan-05	Cable One	99.95	28365
31-Jan-05	Columbia Paint Co.	463.95	28366
31-Jan-05	Computer Arts Inc	2,100.00	28367

31-Jan-05	Dales Repair-Dale Clark	76.09	28368
31-Jan-05	DBS Inc.	1,300.14	28369
31-Jan-05	Exxonmobil Fleet/Gecc	608.30	28370
31-Jan-05	Fastenal	198.70	28371
31-Jan-05	First Responders	419.13	28372
31-Jan-05	Forsgren Associates/P.A.	7,384.50	28373
31-Jan-05	Galls Inc.	389.99	28374
31-Jan-05	Holly Kartchener	240.00	28375
31-Jan-05	IAS-Envirochem	54.00	28376
31-Jan-05	Idaho Rural Water Association	300.00	28377
31-Jan-05	Idaho Transportation Dept.	13.00	28378
31-Jan-05	Intermountain Gas Co.	1,208.54	28379
31-Jan-05	Keith Gardner Agency	120.00	28380
31-Jan-05	Kirkham Auto Parts Service Co. #8	450.09	28381
31-Jan-05	Korner Service Auto Repair	41.99	28382
31-Jan-05	Chuck Lloyd	20.63	28383
31-Jan-05	Magstar Technologies	2,544.73	28384
31-Jan-05	Mcleodusa	445.67	28385
31-Jan-05	Miles Quick Lube and Off Road Center	10.00	28386
31-Jan-05	Mountainland Communication Inc.	592.00	28387
31-Jan-05	Mr Driveline Inc.	1,675.00	28388
31-Jan-05	Mr. Pizza	57.00	28389
31-Jan-05	OK Trailer Sales	9.43	28390
31-Jan-05	Pacific Steel	327.73	28391
31-Jan-05	Stanley J. Peterson	493.46	28392
31-Jan-05	Petty Cash	46.82	28393
31-Jan-05	Phillips 66 Co.	665.65	28394
31-Jan-05	Pioneer Publications	228.93	28395
31-Jan-05	R & S Distributing	108.00	28396
31-Jan-05	Jay Rowley	104.63	28397
31-Jan-05	Shelley Kiwanis Club	500.00	28398
31-Jan-05	Stapels Credit Plan	12.83	28399
31-Jan-05	State of Idaho Buteau of Occupational LI	225.00	28400
31-Jan-05	Superior Lamp Inc.	364.62	28401
31-Jan-05	Teton Communications Inc.	212.00	28402
31-Jan-05	The Radar Shop	343.00	28403
31-Jan-05	US Post Office	275.31	28404
31-Jan-05	U-Copy Plus	7.48	28405
31-Jan-05	United States Cellular	221.05	28406
31-Jan-05	US Bank CM-9705	16,022.50	28407
31-Jan-05	Viking Office Products	291.05	28408
31-Jan-05	20th Century Ford	12.71	28409
14-Jan-05	Transfer of Payroll Account	42,982.07	
28-Jan-05	Transfer of Payroll Account	41,829.45	
	Total	185,109.10	