

CITY OF CHELLEY
COUNCIL MEETING
MINUTES

JUNE 08, 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: Sandy Gaydusek

PRAYER: Scott Hansen

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

- Approval of the May 25, 2004 Council Meeting Minutes
- Approval of May Expenditures
- Approval of May Overall Budget and Treasurer's Rpt.
- Approval of the following building permits:
 - Gavin Mathews - new townhouse
 - Gene Mathews - new townhouse
 - Ryan Show - new home
 - Keith Drollinger - re-roof

Approved unanimously.

Mayor Christensen conducted a public hearing to consider amending a Planned Unit Development submitted by Tom Manschreck for phase two of the Carnoustie Apartments. Sandy said she has received the plans from Mr. Manschreck and both she and Rick have reviewed them. Sandy said the plans include the water, sewer, and storm drainage which will be owned and maintained by the property owner. She said the Fire Chief, Mike Carter said there was a problem with the access for the fire truck, but this matter had been resolved by Mr. Mannschreck agreeing to install a fire sprinkler system in the buildings which will be constructed in phase two and phase three. Mr. Mannschreck said he submitted the plans outlined in our city code, all legal notices have been published and he believes he has complied with all requirements. He said there have been no matters of opposition voiced to him. Mr. Mannschreck said he had an open meeting with the current residents of the Carnoustie Apartments to discuss the proposed phases. He said there were two residents that attended the meeting that were concerned about the traffic increase. Mr. Mannschreck explained that he likes to have only one point of egress and ingress for security purposes. He said he may install some speed bumps to reduce traffic speed if it is approved with the fire chief. Mr. Mannschreck said he spoke with Kent Carlson who intends on developing his property west of the Carnoustie Apartments. He said he may purchase some property from Mr. Carlson to develop the fourth phase of the Carnoustie Apartments in the future. Sandy said the building plans that Mr. Mannschreck submitted did not include the fire sprinkler system. Mr. Mannschreck said the plans were submitted before he spoke with the Fire Chief about this matter. He said new plans will be submitted which will include the NFP 13R Sprinkler System for phase two and three.

Mr. Mannschreck said according to the Fire Chief there is also a problem with the hammerheads used for fire trucks to turn around in. He said this matter will be worked out. Mr. Mannschreck said the City Fire Chief along with the State Fire Marshall agreed that additional accesses would not be needed as long as the sprinkler systems were installed. Scott said the Mayor and Council need to consider several items regarding this request for approval to amend this PUD. He said the items are listed as follows: 1) The project must be initiated within two years. It was determined that phase two of the project will be completed within two years, however phase three may not. Scott said if phase three has not been completed, Mr. Mannschreck may need to request an extension and may be required to hold another public hearing. 2) Each individual unit can be independent of the other units. 3) The proposed use for the PUD which is residential fits into the surrounding areas. 4) The streets adjoining and in the PUD can handle the anticipated flow of traffic. 5) No commerce development is anticipated. 6) There is no deviation from any requirements. 7) The PUD is in conformance with city code. 8) The utility services that provide services to the PUD are adequate. Scott said this is an amendment to the original PUD which exists on seven acres. Mr. Mannschreck said he will make sure the PUD is recorded once it is accepted. Chad moved, John seconded to approve the amendment to the Planned Unit Development known as the Carnoustie Apartments to include phases two and three which will be built within two years, however if phase three has not been constructed during that time, the developer will need to readdress the council and could be required to hold an additional public hearing. All other items as specified in city code to be considered appear to meet our requirements. Approved unanimously. Sandy was instructed to draft a resolution outlining the findings and facts of the city council regarding the approval of this PUD. Tom said bids will be solicited to local firms.

Sandy said the AIC Conference will be held next week. She said payroll is due Friday, and only the Mayor will be available to sign checks. Sandy asked for permission to add Beth to the Payroll account to sign the checks. She said she checked with the auditor and this does not seem to be a problem, however both she and Beth should not sign checks together. John moved, Steve seconded to approve the addition of Beth as a payroll check signer to the city's U.S. Bank account. Approved unanimously.

Sandy presented the following business license applications:

Fireworks – Keith Flowers/290 S. State Street

Fireworks – Brenda Pollard/510 S. State Street

Itinerant Business – Tap Enterprises/tool sale at the Senior Citizens Center

Chad moved, John seconded to approve a fireworks license for Keith Flowers to operate from June 20th to July 5th. Approved three in favor, Steve opposed. Motion carried.

Chad moved, John seconded to approve a fireworks license for Brenda Pollard to operate from June 20th to July 5th. Approved three in favor, Steve opposed. Motion carried.

Chad moved, Lorin seconded to approve an itinerant business license to Tap Enterprises to conduct a tool sale. Approved unanimously.

Dawn said the Army Band would like to perform in the city on June 16, 2004. She would like permission to close the intersection at South Emerson and West Pine at noon so the Senior Citizens Center along with the entire community can enjoy the performance. Dawn said she checked with Margo Billman, the Senior Citizen Center Director and she felt this would not be a problem. Alan could not see a problem either. The Mayor and Council granted permission.

Alan said we went to court on the Tammy Golder case regarding horses being kept on her property. He said the complainant Meldean Whitmill was not in attendance at court and the case was dismissed. Alan said the original court date in May was continued and Mrs. Whitmill was informed. He said she came in a few days before court and said she would be out of town and did not know if she would be back in time for the hearing on June 2nd. Sandy said she spoke with Dan Acevedo, our prosecuting attorney and he said he made it perfectly clear that Mrs. Whitmill was needed at the hearing. Sandy presented a letter stating from Mr. Acevedo stating why the case was dismissed, and his recommendation for amending our ordinance to clarify our non-conforming use regulations. Scott said he will follow up on this matter.

Scott said it has been brought to our attention that several ordinances in our city code may have some errors. Sandy said she was notified that there are two contradicting ordinances regarding bicycle use on city sidewalks. She said one ordinance states that no bicycles are allowed on city sidewalks, and the other ordinance states that no person over fourteen years of age may ride a bicycle on a city sidewalk. The Mayor and Council discussed this matter and determined that no bicycles will be allowed in the business district on State Street from East Center to South Emerson, however bicycles will be allowed on the other sidewalks in the city if ridden by persons fourteen years of age or younger. Scott said he will draft the amendment to this ordinance. Sandy said there is also a conflict regarding the dates which fireworks can be sold. She said a few years ago, the dates were changed, however once section of the code was overlooked. Scott said he will delete the section of the ordinance that is incorrect. Sandy said the correct date fireworks should be sold is from June 20th to July 5th.

Sandy said the AIC Conference is next week and the travel packets will be done by Friday so the council members can pick them up.

Sandy said she has not received an LID payment from Mike and Lisa Hillman for May. She said the agreement was that the Hillman's must make a payment of at least \$100 by the 25th of each month or a tax deed would immediately be filed without further notice. The Mayor and Council instructed Scott to proceed with filing a tax deed. Scott said he will draft a letter to the Hillman's and follow up on this matter with a tax deed.

Rick said the fence has been completed around the transfer station according the DEQ requirements. He said he is also working on replacing the storage shed that was blown down.

Rick said he is getting Milton/Sugar Avenue to Fir Street ready for a scrub coat to be laid down.

Rick said his crew is repairing the man hole covers throughout the city. He said there have been a lot of problems with the street sinking around the man holes.

Rick said there are still several trees that need to be staked that were planted on Arbor Day. He said the rock has been set at the David B. Bleak Memorial Park and is ready for the plaque to be mounted. Sandy said she will get the plaque ordered. Rick said he would like to plant shrubs around the rock and place curbing around the area.

Alan said there are two pit bulls in the city owned by Shawn Moore who resides in Tucson Arizona. He said these dogs have attacked two different dogs in the city. One of the dogs was owned by Shawn's brother and was being kept on the same premises as the pit bulls. Alan said Mr. Moore was notified that the pit bulls must be removed from the city limits or he will receive a vicious dog citation for every day the dogs remain here. Scott said the police department could take the animals and impound them as vicious dogs and the owner must get a court order to get them back. Alan will follow up on this matter.

John said the Centennial Picnic will be held on June 26th at the City Park. He said this event will be a lot of fun and will include a car show, old engine display, pie baking contest, pie eating contest, horse shoe throwing contest, and lots of food.

Steve said he had someone lined up to remove the graffiti at the Skate park but he had an equipment malfunction and cannot do the job. Alan said Greg Austin contacted him and will be here Saturday to do the sandblasting. He said a sealer will need to be painted on once the sandblasting is done. Steve said Julie Dooley has some kids lined up to seal the surface for a service project.

Steve thanked Alan and his officers for the job done on the vicious dog issue, it was his dog that was also attacked by the pit bulls. He also thanked the other department heads for the great job done.

Steve said we need to follow up on the signs that were to be placed on the baseball diamonds honoring Dawn Lloyd.

Lorin said southeastern Idaho is still in a drought. He felt the city should ask it's residents to help with this problem such as conserving water and using mulchers on their lawns. The Mayor and Council decided to ask residents to only water every other day as in the past several years. Odd numbered houses should only water on odd numbered calendar days and even numbered houses on even calendar days, and do not water during the heat of the day. Sandy will publish this request to conserve water.

Chad said the staff has been doing a great job in the city. He said he has received a lot of compliments regarding the city and the employees.

Rick said he spoke with the general contractor for the new Kings building. He said they discussed placing sidewalk curb and gutter along the property that will adjoin future development. Rick said he said the city would pay for the engineering on this project to set the grade. He said the contractor intends to approach the city council at a later date to discuss this project further.

Mayor Christensen said he has written letters to several resident soldiers that are serving in Iraq. He said he received a letter back from Lance Corporal Mark Hill who is serving in the Marine Corp. Mayor Christensen read the letter.

Mayor Christensen echoed the thoughts of the council members regarding the great job our staff, counsel and engineers have been doing. He said he appreciates how the city is perceived by other people.

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

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

Mayor Christensen said potential litigation was discussed in executive session.

Adjourned 9:15 p.m.

ATTEST: Sandy Doydusch APPROVE: Eric R Christensen