

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JULY 13, 2010

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

PLEDGE OF ALLEGIANCE: Alan Dial

PRAYER: Mayor Christensen

Charlotte moved, Kurt seconded to approve the following consent agenda:

Minutes of June 22, 2010 Council Meeting
Building Permits:
Kelton Larson - new home

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

Approved unanimously.

Sid Page said he would like to make a proposal to the city for liability insurance and workman's compensation insurance. He asked permission to meet with Sandy and obtain the necessary documents and information to work up a quote. Mr. Page said he does not currently carry any municipalities, but he does have experience with insurance companies that have written cities before. The Council granted permission for Mr. Page to obtain the documents and make a proposal to the city for liability and workman's compensation insurance.

Bryon Moore, 170 N. Byron said he would like the council's help in resolving a problem with an inaccessible alley between West Maple and West Center Streets. He said the entrance to the alley on West Center is blocked by shrubbery and West Maple has become a mud bog. Mr. Moore said he would like the alley reopened for use. Earl said Chuck and he looked at the alley and the sprinkler system that the Cedar Apartments have placed on the east side of the alley. He said the Cedars Apartments do not have a distinct property line and grass has been planted where the alley exists for beautification purposes. Sandy said she researched this matter with the Bingham County Assessor's Office and has reviewed the ordinances and minutes of the city and cannot find where any alley has been vacated. She said the original plat of the city shows that alley exists. Sandy said in 1999 Jack Jones came to the city and asked that a temporary fence be installed in the alley to try and alleviate problems the property owners were experiencing with pedestrian traffic in the alley. He was granted permission to place a temporary fence closing off the south end of the alley, but was instructed to leave the alley accessible. Mr. Moore said when the Cedars run their sprinkler system, it makes the ground too wet to get his RV or boat back to his property via the alley. Mr. Moore said the Cedars Apartments have tried to be helpful, but when new management comes in the sprinklers go back on. Earl said he feels the city needs to

have the alley surveyed to see where it really belongs. Monica Wright said they and the Jones share a driveway and the alley. Mrs. Jones asked if part of an alley could be vacated. Mr. Moore said he would like the alley opened up for use, but he would not be opposed to having a temporary gate installed to control the traffic on the south end of the alley. Mrs. Jones asked if she found in the minutes where the vacation of the alley was approved, could it be followed through. Sandy said if an ordinance was created and adopted, but not recorded, it could be recorded now to vacate the alley. She said if the council decided to vacate the alley, but the proper procedures were not followed, this council would have to consider the vacation and adoption of the ordinance again. Monica Wright said she is opposed to opening the alley because of the amount of vehicular traffic that will be coming past her shop and home all hours of the night. Alva Harris said the residents of the Cedar Apartments will be using the alley all the time. He said they have another access platted, but have never been made to construct it. Mr. Harris suggested that the alley be vacated, and to discuss access with the Cedars. Monica Wright said she moved here from Kansas, and didn't know there was an alley there. She said this will affect her property value. Mrs. Wright said her front door and her shop faces the alleyway. She said she is also worried about her safety. Earl said he has to look at the big picture. He said if the alley has not been vacated, then it is still an alley. He said people have the right to access an alley. Mr. Moore said he would like access to the alley, and there should be access for emergency vehicles. He said he would also like the water shut off at the Cedar's sprinkler system. Mr. Moore said he is willing to compromise, but they have been able to use the alley for the past twenty years. Earl said the city will try and do everything possible to make the Wrights and Jones comfortable. He said we need to research this matter further. Earl said the police used this alley in the 1970's, so he knows there was an alley at that time. He said he understands the concerns some have, but people have a right to access their property through an alley too. Earl said he would like to table this matter until the next council meeting. Earl moved, John seconded to table the issue regarding the alley between West Maple and West Center until the next council meeting. Approved unanimously.

Earl said at the last council meeting he had asked for email and telephone comments regarding the Robald Gate solution. He said he believes the previous council did not have a lot of input when the gate was put in. Earl said there have been issues regarding the control and coordination of opening and closing the gate. He said the Scotts paid for the gate, and the city was going to control the gate, however the coordination and control is not possible. Earl said there is not enough dedicated manpower to handle this. He said the city tried, but failed to control the gate. Earl said his recommendations are to open and leave the gate locked open, to have the police set up the speed trailer to make drivers aware of their speed, to have more police enforcement, to possibly place another speed bump in the area, and to work with the school to possibly impose sanctions with them, such as when a child gets a ticket, they would also receive detention. He also recommended reimbursing the Scotts for the amount they spent on the gate. There was no discussion accepted from the attendees, except Jacqueline Wittwer suggested constructing a speed bump that has a dip on one side of the bump. Earl moved, John seconded to open the gate and lock the gate open year round twenty hours per day, seven days per week, to reimburse Leroy and Barbara Scott for the amount they paid to the city for the gate, to place

another speed bump on the road, to provide additional police enforcement on Robald, and to work with the school regarding the establishment of sanctions. Approved three in favor, Charlotte opposed.

Charlotte said Eric Scarr will no longer be able to serve on the P&Z Board. She said she would like to recommend Stan Peterson, who is willing to serve, be appointed to the Board. Charlotte moved, Kurt seconded to release Eric Scarr from the Planning and Zoning Commission. Approved unanimously. Charlotte moved, Kurt seconded to appoint Stan Peterson to serve on the Planning and Zoning Commission. Approved unanimously.

Sandy said Jefferson County sent a renewal agreement for the new fiscal year. The tipping fees are being raised to \$31.46 per ton from \$30.55 per ton. She said this will increase this expense approximately \$2000 annually. The council instructed Sandy to look at the budget and recommend if a rate increase will be needed to cover this additional expense.

Sandy said she received a comment sheet from Bingham County regarding a short plat for a two lot subdivision known as Trainers Acres. The council had no comments or concerns.

Sandy discussed the budget for the 2010 – 2011 fiscal year. She said last year all capital expenditures and wages (both merit and COL) were frozen. Sandy said there were no rates increases and the property tax levy was not raised. She asked the Mayor and Council to be considering what should be done this year. Sandy said she would not have the insurance quotes back for another few weeks. She said she would put together some different scenarios and looked at what would be needed to operate in the New Year.

Sandy presented the final audit she received from Farrell Steiner. She said there were some changes made to the graphs regarding the ending cash balance in a few of the funds. John moved, Earl seconded to accept the audit for the fiscal year end of 2008-2009 that was presented by Searle, Hart and Associates. Approved unanimously.

Sandy presented a new contract for the audit for 2009-2010 fiscal year from Searle, Hart, and Associates. She said the cost was not increased by the firm, and will remain at \$9000. Earl moved, Kurt seconded to approve the audit contract with Searle, Hart, and Associates for the fiscal year end of 2009-2010. Approved unanimously.

BJ said he will not be in attendance at the next council meeting on July 27, 2010.

Sandy said Rick Anderson spoke with her about the noise complaint with Basic American Foods. She said Rick indicated that BAF had taken care of the problem with new pipes and mufflers.

Sandy said the Booster Club and Kiwanis are sponsoring a Community Barbecue to wish Dwight Richins well with his deployment. She said Craig Geary is helping with the event and asked if the city would be willing to donate the condiments. Mr. Geary indicated that approximately 400

-500 people are expected to attend. Sandy said there are some other citizens in the city that is to be deployed also. Earl felt the city should not donate for this type of cause, which is honoring only one of those who are serving in the military. He suggested that they check with the Lions Club for a possible donation.

Justin said the motor on Well#3 burnt up, but is not fixed and working again. He said the paving on the walk path has been completed and is ready for use.

Alan said Jed Lewis will be deployed to Iraq soon. He said there was a Board that interviewed those interested in serving as a temporary supervisor in the police department while Jed is away. Alan said it was determined Kent Swanson will assume the duties of supervisor in Jed's absence. He said he and Alan sat in on the Board interviews.

Kurt said the American Legion is planning a community cookout on August 7, 2010, to honor the National Guard. He said this event will be at the City Park.

Charlotte said we are waiting on the camera which will be placed in the Police Department vestibule so a telephone can be accessed in an emergency.

John said he toured a nice sports complex in Twin Bridges, Montana. He said he will discuss long range plans for something similar with Dawn, Chuck, and Forsgren.

John said he will not be in attendance at the next council meeting on July 27, 2010.

Mayor said he has three weddings between now and the first of August to perform. He said this makes a total of almost sixty marriages he has performed during his terms.

John moved, Earl seconded to adjourn into executive session pursuant to Idaho Code 67-2345(b) to discuss the evaluation of a public official, employee, or staff member at 8:43 p.m. John – aye, Charlotte – aye, Earl – aye, and Kurt – aye. Approved unanimously.

John moved, Kurt seconded to reconvene into regular session from executive session at 9:12 p.m. Approved unanimously.

Mayor Christensen said during executive session the evaluation of a public employee was discussed pursuant to I.C. 67-2345(b)

John moved, Earl seconded to increase the Public Works Foreman monthly stipend to \$175 from \$75. Approved unanimously.

Adjourned: 9:16 p.m.

ATTEST: Sandy Stephens APPROVE: Eric R. Christensen
ADJOURN:

| <u>DATE</u> | <u>June Claims</u> | <u>AMOUNT</u> | <u>CHECK #</u> |
|------------------|---|------------------|----------------|
| 17-Jun-10 | A & B Transmission & Service CTR | 482.12 | 34018 |
| 17-Jun-10 | AAA Giles Cleaning and Restoration | 675.00 | 34019 |
| 17-Jun-10 | All American Sports | 29.00 | 34020 |
| 17-Jun-10 | American Linen | 516.47 | 34021 |
| 17-Jun-10 | Association of Idaho Cities | 510.00 | 34022 |
| 17-Jun-10 | Bearing & Ind. Sales Inc | 127.45 | 34023 |
| 17-Jun-10 | BMC West | 213.48 | 34024 |
| 17-Jun-10 | Broulim's | 108.02 | 34025 |
| 17-Jun-10 | Business Phone Specialists Inc | 66.50 | 34026 |
| 17-Jun-10 | Cal Ranch | 99.94 | 34027 |
| 17-Jun-10 | Cate-Idaho Equipment Co | 3,050.00 | 34028 |
| 17-Jun-10 | Circular Butte Landfill | 7,618.85 | 34029 |
| 17-Jun-10 | Comdata | 104.53 | 34030 |
| 17-Jun-10 | Daniel Acevedo | 1,650.00 | 34031 |
| 17-Jun-10 | Davies Aqua Chem Supply Co | 4,041.65 | 34032 |
| 17-Jun-10 | DBS Inc | 2,809.99 | 34033 |
| 17-Jun-10 | Dwayne Swearingen | 1,200.00 | 34034 |
| 17-Jun-10 | Eagel Rock Hydraulic Service | 86.75 | 31035 |
| 17-Jun-10 | Eagle Rock Sanitation | 4,188.34 | 31036 |
| 17-Jun-10 | Eastern Idaho Regional Wastewater Auth | 13,639.50 | 31037 |
| 17-Jun-10 | Electrical Wholesale Supply Co Inc | 51.46 | 31038 |
| 17-Jun-10 | Falls Plumbing Supply co | 140.00 | 31039 |
| 17-Jun-10 | Ferguson Enterprises Inc | 31.15 | 31040 |
| 17-Jun-10 | Fire and Securiti Systems | 1,175.00 | 31041 |
| 17-Jun-10 | First American Title Co | 100.00 | 31042 |
| 17-Jun-10 | First Responders | 459.47 | 31043 |
| 17-Jun-10 | Forsgren Associates/P.A. | 13,764.05 | 31044 |
| 17-Jun-10 | H-K Contractors Inc | 31,714.41 | 31045 |
| 17-Jun-10 | Hammon Teton Delivery | 54.00 | 31046 |
| 17-Jun-10 | IAS-Envirochem | 1,360.00 | 31047 |
| 17-Jun-10 | Idaho Business Systems | 51.76 | 31048 |
| 17-Jun-10 | Industrial Hose and Fittings | 60.50 | 31049 |
| 17-Jun-10 | Intermountain Gas Co | 1,312.90 | 34050 |
| 17-Jun-10 | Jim Cotterell | 7,815.00 | 34051 |
| 17-Jun-10 | Kings No.21 | 105.07 | 34052 |
| 17-Jun-10 | Kirkham Auto Parts Service Co. #8 | 117.03 | 34053 |
| 17-Jun-10 | KROGER | 66.98 | 34054 |
| 17-Jun-10 | Les Schwab Tire Center | 47.00 | 34055 |
| 17-Jun-10 | Mathews Plumbing & Heating | 234.00 | 34056 |
| 17-Jun-10 | Mountain View Sales | 37.66 | 34057 |
| 17-Jun-10 | Pacific Steel | 308.28 | 34058 |
| 17-Jun-10 | Petty Cash | 62.80 | 34059 |
| 17-Jun-10 | Pro Power | 36.33 | 34060 |
| 17-Jun-10 | Qwest | 46.59 | 34061 |
| 17-Jun-10 | Rocky Mountian Power | 6,239.85 | 34062 |
| 17-Jun-10 | Sams Club | 708.83 | 34063 |
| 17-Jun-10 | Shelley Pioneer | 304.00 | 34064 |
| 17-Jun-10 | Shelley Police Officers Association | 150.00 | 34065 |
| 17-Jun-10 | Shelley Quick Lube and Auto Center | 118.50 | 34066 |
| 17-Jun-10 | Smith Driscoll & Associates PLLC | 1,216.00 | 34067 |
| 17-Jun-10 | State Insurance Fund | 3,768.00 | 34068 |
| 17-Jun-10 | Town and Country Gardens | 11.69 | 34069 |
| 17-Jun-10 | US Post Office | 88.00 | 34070 |
| 17-Jun-10 | United States Welding Inc | 83.64 | 34071 |
| 17-Jun-10 | Valley Office System | 79.99 | 34072 |
| 17-Jun-10 | 2M Company Inc | 524.32 | 34073 |
| 30-Jun-10 | A & B Transmission & Service CTR | 86.59 | 34074 |
| 30-Jun-10 | Airgas Intermountain Inc | 114.69 | 34075 |
| 30-Jun-10 | All American Sports | 56.00 | 34076 |
| 30-Jun-10 | Bateman Brothers | 2,240.00 | 34077 |
| 30-Jun-10 | Bingham County Sheriffs Office | 26,358.00 | 34078 |
| 30-Jun-10 | BISCO | 204.88 | 34079 |
| 30-Jun-10 | Cable One | 164.95 | 34080 |
| 30-Jun-10 | Circular Butte Landfill | 6,716.41 | 34081 |
| 30-Jun-10 | Columbia Paint Co | 726.05 | 34082 |
| 30-Jun-10 | Davies Aqua Chem Supply Co | 573.95 | 34083 |
| 30-Jun-10 | Dougs Sales | 189.00 | 34084 |

| | | | |
|------------------|--|------------------|--------------|
| 30-Jun-10 | Eastern Idaho Water Rights Coalition | 125.00 | 34085 |
| 30-Jun-10 | Exxonmobil Fleet/GECC | 241.34 | 34086 |
| 30-Jun-10 | Ferguson Enterprises Inc | 767.76 | 34087 |
| 30-Jun-10 | Sandra Gaydusek | 84.58 | 34088 |
| 30-Jun-10 | H-K Contractors Inc | 606.12 | 34089 |
| 30-Jun-10 | Jakes Mountain View Sales and Service | 696.62 | 64090 |
| 30-Jun-10 | Kirkhams | 52.37 | 34091 |
| 30-Jun-10 | Lexisnexis Matthew Bender | 383.32 | 34092 |
| 30-Jun-10 | Mel's Lock and Key | 9.06 | 34093 |
| 30-Jun-10 | Phillips 66 Co. | 1,017.46 | 34094 |
| 30-Jun-10 | Pro Wrech | 76.00 | 34095 |
| 30-Jun-10 | Qwest | 482.19 | 34096 |
| 30-Jun-10 | R & J Machine Shop | 100.00 | 34097 |
| 30-Jun-10 | R & S Distributing | 47.80 | 34098 |
| 30-Jun-10 | Searle Hart and Associates PLLC | 9,000.00 | 34099 |
| 30-Jun-10 | Sherwin Williams | 197.90 | 34100 |
| 30-Jun-10 | U & I Kiwanian | 45.00 | 34101 |
| 30-Jun-10 | US Post Office | 359.80 | 34102 |
| 30-Jun-10 | Verizon Wireless | 423.69 | 34103 |
| 30-Jun-10 | Watson Roto Rooter | 150.00 | 34104 |
| 30-Jun-10 | 2M Company Inc | 100.80 | 34105 |
| 11-Jun-10 | City of Shelley Payroll | 62,004.87 | |
| 25-Jun-10 | City of Shelley Payroll | 51,570.47 | |
| | Total | 279,634.52 | |