

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

---

MARCH 28, 2006

PRESENT: Mayor Eric Christensen  
Council Members: Lorin Croft (absent), 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: Alan Dial

PRAYER: Mayor Christensen

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

Approval of the minutes of March 11, 2006 Council meeting  
Approval of the minutes of March 22, 2006 Special Work meeting  
Approval of the following Building Permits:  
Jeremy Sneddon - remodel  
Derek Fowers - new home

A roll call vote was held. Charlotte voted aye, Steve voted aye, and John voted aye. Three in favor, motion approved.

Mayor Christensen said he would like to recognize the members of the Shelley/Firth Rural Fire Department for their diligent service to our city. He said the consolidation of the city and county fire service took place in May 1993, and created a great fire department to serve our community. Mayor Christensen said Charlotte has compiled a list of names that have served their organization valiantly. He said the city has pins and/or certificates that they would like to award each member of the fire department to thank them for their service and express our great appreciation to them. The following fire department volunteers were honored for their years of service to the community: Mike Sorensen – 2 years, Travis Pearson – 1 year, Jordan Millar – 1 year, Derick Dooley – 2 years, Blake Carter – 2 years, Les Devries – 3 years, Tom Baird – 4 years, Travis Adams – 2 years, Bob Foster – 5 years, Shaun Eaton – 5 years, Isaac Eaton – 5 years, John Bradley – 5 years, Cheyenne Smith – 8 years, Ed Harlow – 9 years, Mike Balmforth – 9 years, John Russell – 11 years, Trevor Drollinger – 9 years, Jared Dye – 11 years, Randy Adams (captain) – 11 years, Doug Wooton (head EMT) – 14 years, Manuel Pena – 16 years, Bubba Ricker – 19 years, Mike Carter(Chief) – 21 years. Mike Carter thanked everyone for the recognition and awards on behalf of the entire department. He said this makes the volunteers appreciate the association with the city. Mayor Christensen thanked Charlotte for putting this presentation together, and invited everyone to have some refreshments.

Jason Jaynes appeared before the council to discuss his property, the Virginia Theater. Steve said he has done some research, and there may be some grants available to help renovate the Theater. He said he does not have any firm answers yet, but feels there are a lot of possibilities

for Mr. Jaynes. Mr. Jaynes said the Theater has done great the past two weekends with their live performance of Pirates of Penzance. He said they would like to be able to replace some of the chairs in the theater with more comfortable ones. Mr. Jaynes said their next production would be "The Butler Did It". He said he appreciates any help he and his wife can get, and thanked everyone for their support. Mayor Christensen instructed Steve to continue working with Mr. Jaynes on this matter.

John moved, Charlotte seconded to call for a public hearing to consider rezone and annexation for property that is being developed by Rockwell and owned by Jay Johnson. This hearing will be held at 7:30 p.m. on April 25, 2006. Approved three in favor, one absent.

The preliminary plat for Division 1 for Sunset Meadows Subdivision was presented to the Mayor and Council. Sandy said the Planning and Zoning Commission held a public hearing on March 15, 2006, where they received public testimony regarding this matter. Sandy said a few concerns were expressed from the residents of Ash Street that may have an LID imposed for improvements to one of the access streets for the subdivision. Also, there is an increased traffic concern to Baseline Road, and written permission is needed from Union Pacific Railroad to bore underneath the railroad tracks to extend the municipal sewer line. Sandy said the city engineer sent his comments on the re-submitted preliminary plat that she just received earlier today. She said the engineer had addressed some of the deficiencies earlier, and Mr. Christensen's engineer had made some of the corrections and resubmitted it to Forsgren. John felt all of the concerns should be addressed, and felt that when the sewer is installed to Robald Avenue that a T should be placed in the line so the Shelley Trailer Park can access it in the future. Mr. Christensen felt Ash Street should have had an LID imposed on it in the past since it is one of the last streets in the city that has not been paved. He felt this road would have eventually been paved whether his property was developed or not. Mr. Christensen said these improvements will increase the value of the property and improve the city's appearance overall. John said he really doesn't have a solution at this time, but the resident's comments must also be considered. He said he drove over the road and it is in very bad condition. Mr. Christensen asked when Ash Street would have been mandated to be paved. Mayor Christensen said it is a stub street and probably would not have been improved without Mr. Christensen's subdivision being developed. Steve asked about the progress towards constructing the subdivision once it is approved. Mr. Christensen said the roads will be cut first, then the water and sewer lines will be installed. Lynette Birch said she lives on Ash Street and is in favor of the improvements to the street. She said she knows it will cost her, but feels it is well worth it. Sandy said one of the deficiencies listed by the city engineer was that there is a discrepancy in the subdivision name. Mr. Christensen said the name has been changed to Sunset Vista Subdivision. Lorelee Browning commented that some of the street names should be changed to classier names. The Council instructed her to discuss this matter with Mr. Christensen. John moved, Steve seconded to approve the preliminary plat for Division 1 of the Sunset Vista Subdivision conditional upon receiving written permission for encroachment upon Union Pacific Railroad property, and the deficiencies be corrected as specified by the city engineer. Approved three in favor, one absent.

Max Ririe addressed the Mayor and Council to discuss annexation of a parcel of property he is purchasing from Alva Harris and Kent Carlson. He said he intends on moving his business, Ag Parts Mfg. to the location and then selling off parcels to other businesses to make an Industrial Park. Mr. Ririe said this parcel of property is adjacent to the transfer station, and zoned as Manufacturing. He said he is moving his business back from Utah to Idaho where he manufactures potato rollers. Mr. Ririe said he would like to access the city water and sewer system once his property is annexed. The water is available, however a sewer line will need to be ran underneath the railroad tracks. Mayor Christensen said the developer is responsible for the costs to get the municipal services to their property. Mr. Ririe said the sewer will benefit the city as well as other businesses, so he would like them to help participate in the cost. He said once the survey has been done on the property and the sale transaction is complete, he will submit a formal letter of request to the city for annexation. John said he would like to work with Mr. Ririe on this endeavor because he is currently working on an economic development grant.

Sandy said the Planning and Zoning Commission discussed the discrepancy in the city code pertaining to the reduction in a size of a lot in an RA (residential agricultural) if community water and sewer was accessed. Sandy said Mrs. Butler is present to see if she must rezone a parcel of property before proceeding with a preliminary plat for a subdivision. Steve said he did not feel animals belong in the city limits, and if this property is annexed and allowed to remain as RA then animals are allowed according to our city code. John felt the subdivision should be uniform with the other subdivisions in the area, which is R1 (single family dwelling). BJ said if the only concern is about animals in an RA zone, the ordinance could be amended to not allow animals in this type of instance. The Council felt the size of the lots should not be reduced in an RA zone. John moved, Steve seconded to amend the ordinance in Title 10-8-2 by removing the note allowing the reduction of a size of a lot in an RA zone if city water and sewer is accessed. Approved three in favor, one absent. This amendment will be placed on the agenda for the next council meeting.

Sandy said she received a request for comments for the Windy River Estates Subdivision that Brent Christensen is proposing along the East River Road. She said the name of the subdivision is being changed since there is already a Wind River Acres Subdivision in the city of Shelley. Sandy said this proposed subdivision may be within ¼ of a mile from the city limits via the West River Acre Subdivision. She said Mr. Christensen has also requested and received permission to access the city's sewer system. Sandy said this subdivision is approximately 171 lots and appears to have only one access. Mike Carter said the Fire Department has sent in their comments, and the proposed development needs some type of access from Baseline Road or along the side of the North Bingham County Park for fire protection. He said it is preferable to have an exit at the top and the bottom of the subdivision. Mike said the roads that are the accesses also need to be maintained. The Council directed Sandy to return the comments sheet stating the proposed development is within ¼ mile of the city limits and we would like the city subdivision regulations followed regarding streets, sidewalk, curb, gutter, drainage, fire hydrants, etc. Mr. Christensen said he would like to have this property annexed into the city when annexation becomes possible.

Sandy presented a list of public records that she recommends be destroyed. She said there are new regulations regarding the destruction of public records, which mandates her to get approval from the City Council, the City Attorney, and the State Archival Office. Sandy asked the Mayor, Council, and BJ to review the list, and she will place this matter back on the agenda. She said the city also needs to create a specific retention policy by January 2007. Sandy said AIC is creating a model policy to send to each of the cities.

Sandy said she needs to notify Bingham County of the date of our Budget Hearing for fiscal year 2006-2007 by April 30, 2006. The Mayor and Council set the date of the 06-07 Budget Hearing for August 31, 2006, at 7:30 p.m.

Sandy said she received some information from other cities regarding vicious animal ordinances. She said Jerry Mason also responded and stated it is not a good idea to have specific breed banning ordinances because any breed can be taught to be vicious. Sandy said some of the cities have made stricter regulations for the animal's owner if the animal is deemed vicious. Alan said right now the judge determines and regulates vicious animals according to our ordinance, and it has been working just fine. BJ agreed with Alan and felt it is best to allow a judge to make this type of determination. The Council discussed this matter further and felt our ordinance should be left as it is at the present. Alan said this type of event could also be handled as a civil matter between property owners.

Sandy received a request from Qwest to replace 357 feet of buried cable on West Oak Street. Rick said he reviewed the request and could see no problem. John moved, Steve seconded to approve a request made by Qwest to replace buried cable between 325 and 335 West Oak Street. Approved three in favor, one absent.

Sandy presented a water right objection she received from the State. The Shoshone Bannock Tribes have objected to each of the city's water right permits. Sandy gave the paperwork to BJ for his review, and this matter was tabled for two weeks.

Sandy presented copies of documents she received from Glen Pond regarding the purchase of Pacific Corp by Mid American.

Sandy said Lorin ask her to discuss the change of the name of the New Sweden Highway to Anderson Road. The Mayor and Council will consider this and discuss this further when Lorin is present.

Dawn said the Fun Shot was held last Saturday. She said she is hosting the next level for the Fun Shot this coming Saturday.

Rick said Chuck and Dave received their certification for wastewater treatment. He said they should be given their raise for the certification. Sandy said she needs clarification for the wage

increase for each certification. She said at one point it was \$50 for certification, and then it was \$25 for Merlin's weed spraying certification. The Mayor and Council discussed this and felt every certification should be a \$50 increase per month in the employee's wage. Sandy said she would change Merlin's pay schedule and increase Dave and Chuck for their new certification.

Rick said "Spring Clean Up" is set for April 17, 2006 through April 28, 2006.

Alan said he rode with Officer Jeff Hintze and Officer Bret Jones over the weekend. He said he worked through the big storm on Saturday night. Alan said there was a call for help on the interstate from a woman who had become stranded, and he sent city officers to help her.

Alan said he would like to present Officer Rod Mohler for consideration for permanent Police Department Supervisor. The Council agreed with Alan and gave permission to give Officer Mohler this promotion.

Charlotte said she and Alan attended a Emergency Management Training meeting taught by Ann Christensen. She said this class was very informative.

John said he was in Boise over the weekend, and seen some great subdivision layouts. He suggested Mr. Christensen try and add some walk paths and various buffers created with foliage, etc. in his proposed developments. He also suggested that Mr. Christensen make sure cable and other high tech utilities are installed in the developments.

John said the city has been awarded \$150 Arbor Day grant. He said the city will need to match the grant funds. John said the Tree Committee has purchased a Champion Tree, which is a Red Maple to be planted at the David B Bleak Memorial Park on Arbor Day. He said this will keep the city line as a Tree City USA.

John said he will be gone at the April 11, 2006 meeting.

Steve said it is nice to see the Virginia Theater is working order. He said it looks really nice to see the lights going and the people patronizing. Steve said he will continue looking for the best available grant to help renovate the Theater.

Dawn said she received a \$2000 grant from Basic American Foods to purchase new snow fence to be used for baseball, Spud Day, etc.

Mayor Christensen said David B. Bleak was laid to rest in Arco today. He said Mr. Bleak was awarded the Congressional Medal of Honor and the David B. Bleak Memorial Park was dedicated to him two years ago. Mayor Christensen said Governor Kempthorne ordered the flags to be flown at half-mast in remembrance of him today.

BJ said it is great to see people from the community in attendance tonight. He said it is nice to have residents attend the meetings to give comment.

Shirley Browning expressed thanks to the city for the work that was done on South Park Avenue last year. She said the street looks great and has definitely improved the quality and appearance of the property.

Steve moved, Charlotte seconded to adjourn into executive session to discuss possible litigation. Approved three in favor, one absent.

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

Mayor Christensen said during executive session possible litigation was discussed.

Adjourned: 9:40 p.m.

ATTEST: Saug Daymusek APPROVE: Eric R. Christensen

**MARCH CLAIMS**

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
6-Mar-06	Comdata	528.63	29563
7-Mar-06	Dawn Lloyd	62.45	29564
10-Mar-06	Rick Anderson	90.00	29565
<b>15-Mar-06</b>	<b>A &amp; B Transmission &amp; Service Ctr.</b>	<b>1,410.72</b>	<b>29566</b>
<b>15-Mar-06</b>	<b>Action Motor Sports</b>	<b>7,976.00</b>	<b>29567</b>
15-Mar-06	Avenet LLC	105.00	29568
15-Mar-06	Bonita's	15.42	29569
15-Mar-06	Broulim's	30.67	29570
<b>15-Mar-06</b>	<b>Circular Butte Landfill</b>	<b>2,772.00</b>	<b>29571</b>
15-Mar-06	Columbia Paint Co	215.59	29572
<b>15-Mar-06</b>	<b>DBS Inc</b>	<b>1,815.36</b>	<b>29573</b>
15-Mar-06	District Seven Health Dept	55.00	29574
15-Mar-06	Eagle Rock Hydraulic Service	228.38	29575
<b>15-Mar-06</b>	<b>Eagle Rock Sanitation</b>	<b>2,566.78</b>	<b>29576</b>
15-Mar-06	Electrical Wholesale supply Co Inc	164.36	29577
15-Mar-06	Fastenal	81.55	29578
15-Mar-06	First Responders	16.80	29579
15-Mar-06	Forsgren Associates/P.A.	75.00	29580
15-Mar-06	Hammon Teton Delivery	45.00	29581
15-Mar-06	High Country RC & D	45.00	29582
15-Mar-06	IAS-Envirochem	152.00	29583
15-Mar-06	Idaho Business Systems	266.68	29584
15-Mar-06	Imperial Drywall	702.00	29585
15-Mar-06	Industrial Hose And Fittings	47.33	29586
15-Mar-06	John Lent	800.00	29587
<b>15-Mar-06</b>	<b>Jolley Building Supply Inc.</b>	<b>3,722.37</b>	<b>29588</b>
15-Mar-06	Kirkham Auto Parts Service Co. #8	263.89	29589
15-Mar-06	Les Schwab Tire Center	736.99	29590
15-Mar-06	McGrath Meacham and Smith PLLC	672.00	29591
15-Mar-06	Metroquip Inc.	645.45	29592
15-Mar-06	Mountainland Communications Inc.	68.00	29593
15-Mar-06	NEVCO	237.24	29594
15-Mar-06	Pacific Steel	665.89	29595
15-Mar-06	Pioneer Publications	261.12	29596
15-Mar-06	Jay Rowley	78.12	29597
<b>15-Mar-06</b>	<b>Shelley/Firth Rural Fire District</b>	<b>4,220.00</b>	<b>29598</b>
15-Mar-06	Siems Enterprises	138.88	29599
15-Mar-06	Standard Plumbing	4.40	29600
<b>15-Mar-06</b>	<b>State Insurance Fund</b>	<b>2,709.00</b>	<b>29601</b>
15-Mar-06	State of Idaho Bureau of Occupational Li	60.00	29602
15-Mar-06	Steve Cederberg	236.25	29603
15-Mar-06	Sure Signs LLC	30.00	29604
15-Mar-06	Teton Communications Inc.	60.00	29605
<b>15-Mar-06</b>	<b>TNT Masonry LLC</b>	<b>4,800.00</b>	<b>29606</b>
<b>15-Mar-06</b>	<b>Utah Power and Light</b>	<b>3,949.57</b>	<b>29607</b>
15-Mar-06	Valley Wide CO-OP	15.00	29608
16-Mar-06	Watson Roto Rooter/Thayne Watson	150.00	29609
16-Mar-06	Petty Cash	28.58	29610
16-Mar-06	Sams Club	510.14	29611
<b>27-Mar-06</b>	<b>TEP Pace Plastering</b>	<b>1,300.00</b>	<b>29612</b>
30-Mar-06	BISCO	66.00	29613
30-Mar-06	Blackfoot News- Morning News	101.25	29614
30-Mar-06	Business Phone Specialists Inc	60.00	29615
30-Mar-06	Cable One	155.90	29616
30-Mar-06	Cal Ranch	32.97	29617
<b>30-Mar-06</b>	<b>Carpet One</b>	<b>2,283.38</b>	<b>29618</b>
<b>30-Mar-06</b>	<b>Circular Butte Landfill</b>	<b>3,483.06</b>	<b>29619</b>
30-Mar-06	Clearwater RC & D Council Inc	50.00	29620
<b>30-Mar-06</b>	<b>Daniel Acevedo</b>	<b>1,500.00</b>	<b>29621</b>
30-Mar-06	Dwayne Swearingen	800.00	29622
30-Mar-06	Electrical Wholesale Supply Co Inc	52.42	29623
30-Mar-06	Exxonmobil Fleet/GECC	216.49	29624
30-Mar-06	First Responders	211.57	29625
30-Mar-06	Galls Inc.	182.51	29626
30-Mar-06	IAS-Envirochem	159.00	29627
<b>30-Mar-06</b>	<b>Intermountain Gas Co</b>	<b>1,357.19</b>	<b>29628</b>
30-Mar-06	International Code Council Inc	155.00	29629

<b>30-Mar-06</b>	<b>JRW and Associates</b>	<b>1,607.40</b>	<b>29630</b>
30-Mar-06	Ken Johnson	105.00	29631
30-Mar-06	Kent Swanson	105.00	29632
30-Mar-06	Kirkham Auto Parts Service Co. #8	179.46	29633
<b>30-Mar-06</b>	<b>LC Insulation and Supply Co</b>	<b>1,271.30</b>	<b>29634</b>
30-Mar-06	Dawn Lloyd	37.76	29635
30-Mar-06	McLeodusa	502.05	29636
30-Mar-06	Metroquip Inc.	578.73	29637
30-Mar-06	Mid-American Research Chemical Corp	47.20	29638
<b>30-Mar-06</b>	<b>Mountain State Cabinet &amp; Millwork Inc</b>	<b>5,952.50</b>	<b>29639</b>
30-Mar-06	Mountainland Communications Inc.	175.00	29640
30-Mar-06	Stanley J Petersen	22.26	29641
30-Mar-06	Phillips 66 Co	888.93	29642
30-Mar-06	Shelley Police Officers Association	20.00	29643
30-Mar-06	Cheryl Simmons	350.00	29644
30-Mar-06	Southeastern Dist. Health Dept	50.00	29645
30-Mar-06	US Post Office	296.40	29646
30-Mar-06	United States Cellular	253.80	29647
30-Mar-06	United States Welding Inc	262.90	29648
<b>10-Mar-06</b>	<b>City of Shelley Payroll</b>	<b>40,678.34</b>	
<b>24-Mar-06</b>	<b>City of Shelley Payroll</b>	<b>44,041.92</b>	
	<b>Total</b>	<b>154,123.30</b>	