

CITY OF ABELETT
COUNCIL MEETING
MINUTES

AUGUST 12, 2008

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: Rick Anderson

PRAYER: John Lent

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

Minutes of July 22, 2008 Council Meeting

Minutes of July 31, 2008 Special Meeting

Approval of Building Permits:

Mark Cox	- fence
Reanna Park	- fence
Kris Carlisle	- fence
Wally Swenson	- re-roof
Jerry Johnson	- new house
Scott Briscoe	- new house
Richard Ottley	- re-roof
Scott Briscoe	- new house
Vern Muir	- new apartments
Rolland Allen	- new house

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

Shane Wooton said production is up and running at Arcadia Furniture. He said AG Parts is also doing great and they have purchase a custom playhouse business also. He said they have 31 full time and 2 part time employees. Mr. Wooton said they would like to focus on extending the city sewer service to that area of the city to furnish municipal sewer to his businesses. He said he will be the point person on this project and is ready to move forward and help with the project. John said they would be working with the Urban Renewal Agency to help fund the project. He suggested Shane meet with the URD Board to discuss the project and possibly invite everyone on a tour of his facilities. Mr. Wooton said he would like to have more businesses locate in the Industrial Park however he needs the sewer first. He said there is nineteen acres that could be developed for potential businesses. The Mayor and Council discussed how much the developer should contribute to the sewer extension project. They determined the city would get the sewer line across the railroad property, and the developers should pay the expense to run the line to their property. Mr. Wooton invited everyone to visit his facilities.

Sandy said she has received some complaints regarding the appearance of a property owner on State Street. She said the business has merchandise stacked outside of his business on a daily basis from corner to corner of his building. Sandy said the sidewalk ordinance states there may

be sidewalk sales in the business district, but all merchandise must be placed on rollers, coasters, or tables. Sandy said Mr. Young has been informed of this ordinance. She said the ordinance could be amended to designate the length of time a sidewalk sale could be held, or a permit could be filed to hold a sidewalk sale. Frank Hawkins commented on the safety issues inside of this building. Steve felt the ordinance should be amended, however Sandy was asked to contact other cities to see how this handle this type of situation.

Steve asked who has the responsibility of the recycling bin in front of Hidden Treasures. It was unknown who owns the bin, who is profiting, and if the bin can be moved. Sandy will contact the number on the side of the bin for the information.

Sandy presented a proposed plat that was sent by Bingham County Planning and Zoning regarding Spring Creek Estates. The plat consists of one 8.63-acre lot. The Mayor and Council had no comments since the plat was not in close proximity to the city.

Sandy presented an un-collectible account of \$163 owed by James Bleak. She said the account had been turned over to the Credit Bureau, however Mr. Bleak is now deceased and there is no estate. Lorin moved, Steve seconded to write off the account owed by Mr. James Bleak in the amount of \$163 as un-collectible. Approved unanimously.

Bob Butler addressed the Council to discuss the Juniper Court Subdivision. Mr. Butler said the city approved the design for the water line installation and curb stops. He said the city requested DEQ to review the plans and they said there must be a meter vault and a lockable valve to meet requirements. Therefore, that is the way he installed the curb stops. Rick said all other curb stops are on top of the curb. He felt the design Mr. Butler used was problematic since if any freezing occurred it would make it very hard to locate the valve and turn it off. Rick said it was discovered that two of the meter boxes and one fire hydrant was in the sidewalk. He requested that all of the meter boxes be relocated and curb stops installed. Mr. Butler said the city inspected and accepted the infrastructure prior to his final payment to the contractor. He said the plans showed the change in the "as built" and it would be expensive to move the meter boxes now. Steve said DEQ does not run the city, he felt the curb stops should be installed as per the approved drawings by the city engineer. Rick felt the meter boxes could be moved for about \$75 each and each valve would cost about \$25 each. Mr. Butler said everything was staked properly and it was not his fault that the boxes and the fire hydrant were not where they should be. He said there are other lines in the easement immediately behind the city's right-of-way; such as the cable lines, gas line, electricity, etc. Mr. Butler did not feel there would be any freezing issues due to the way the meter vaults were installed. He said he did not try to hide anything in the subdivision; he said he built a top quality subdivision. Mr. Butler said the city crew was on site quite frequently and should have good knowledge of what was going on when the infrastructure was built. Mr. Butler said he did not feel he should have to put in the curb stops; he estimated the cost to be \$5000 if H-K was hired. He said back in late fall he asked for acceptance of the subdivision. He said the infrastructure was accepted by the city. Mr. Butler feels the subdivision should have been inspected before it was accepted, however he is not criticizing the city. Mr.

Butler said payment was withheld from H-K until the city accepted the infrastructure assuming everything was okay. Mr. Butler said he felt he made a good effort to comply with all the city has asked and now this surfaces. John asked if the city could go on private property to turn off water. Sandy said the city is not supposed to. Mr. Butler said the meter box is in the right-of-way, and he will make it right if the city wants him to. The Council felt the city should have been notified if DEQ changed the plans. Steve said Mr. Butler has invested a lot and the subdivision looks great. However, he felt we should stick with what was approved by the city. Lorin said DEQ should not set our standards, and feels H-K should make it right because three of the meter boxes are not in the right place. John agreed that the curb stops should be in the place approved by the city. Charlotte felt the city should have been notified if DEQ changed the plans, and we should stick with what was approved by the city. She felt the contractor should somehow make it right. Mr. Butler said H-K has a one-year warranty, but will not pay for the installation of the curb stop. Mr. Butler said the fire hydrant is also 8 inches into the sidewalk. The Council determined that three meter vaults and the fire hydrant need to be moved out of the sidewalk and all eight lots need to have curb stops placed before the meter bases as approved in the original plans.

Mr. Butler said he appreciates the minutes being on the city's web page. He felt the web page is under a lot better control than other cities, and feels it is an asset to have this information on line. Mr. Butler said he read about Logite/MSW's proposal and did some research on the matter. Mr. Butler said starting a few years ago Logite was a one-man operation, based in a home in Sandy Utah. He said he researched and discovered this company has never built anything before. Mr. Butler said the ^{County} ~~city~~ has signed a 23-year agreement to provide solid waste to Logite/MSW. He said the company proposed to create bio fuel from the waste, however ash is create and will still need to be disposed of at a landfill. He cautioned the city to make sure the company has the resources to follow through on its commitment before the city signs any contract with them. Mr. Butler commended the city for their leadership and not transporting their waste to Bingham County several years ago because they could save the citizens money by transporting to Jefferson County. Mr. Butler asked the city leaders to please continue on with their good leadership.

BJ said he talked to Rob Harris about the city's water rights application. The new hearing dates are set for October 28, and 29, 2008 in Idaho Falls at the IDWR office. BJ said Mr. Harris stated Ball Development still wants to move forward with an outside water user agreement unless the annexation can occur before the hearing so the mitigation plan can still be used. BJ said the matter could be settled before the hearing. He said both parties are exchanging information.

BJ discussed his contact with the head of Logite/MSW. He said the city cannot and should not enter into a 25-year contract with this company. He said if the contract must extend beyond one year then voter approval would need to be obtained. BJ said he would continue to proceed with Logite/MSW cautiously.

Sandy said the hearing for Judicial Confirmation for the sewer treatment plant would be September 16, 2008, at the Bingham County courthouse.

Sandy presented the North Bingham County guide that was created by the Shelley Pioneer. She said she would retain a few copies at city hall.

Sandy asked if the city is interested in having a booth at Spud Day. John did not believe it was necessary unless the Comprehensive Update Committee would like one to do a survey with the citizens. He suggested a booth set up near the Spud Tug area. Sandy said she would contact the Comprehensive Plan Committee for their input.

Dawn said the summer pool season is winding down. She said she would begin cutting down operating hours. She has begun accepting applications for flag football, and has been asked to start a girls flag football program.

John discussed charging fees for park shelter reservations. He felt there should be a \$25 fee. Sandy said this has been considered before, but was worried that the city would be obligated to clean the shelters and place reservation signs up during the week including weekends. John said he did not feel the city would be obligated to do those things and the fee would be to cover park maintenance. He asked for thought to be given to this matter. John said maybe there could be a package for pool and shelter rental.

Charlotte said the Tree Committee met tonight prior to Council meeting. She said she appreciates Mr. Clark and the members of the committee. Dawn inquired about the replacement of the trees at the City Park where the old ones were removed. Charlotte said she would bring this up to the Tree Committee.

John said he would like to have a work meeting to discuss the Highway 91 annexation over the next few weeks.

Lorin discussed the restrooms at Brinkman Park. Steve said the city was approved for a vault system. He said he will order the system, but prior to delivery the city must dig the hole for the vault. Steve said the city needs to pave a handicap accessible path to the restroom also. Lorin discussed installing a fence around Brinkman Park and keeping the park locked at night to deter vandalism. The Council asked Rick to obtain a bid for the fence before they decide to expend the funds. Rick suggested the fence be only installed around the Skate Park area and not the entire park. He said he took down the old existing fence several years ago because it was in such disrepair. The Council will consider this further.

Lorin discussed the water rights the city has applied for. He felt the city should begin annexing the properties that are contiguous and using city water services. Lorin felt Kelley Acres should be annexed. He said they city has allocated a lot of money to try and gain more water rights, and the tax base is needed to help this cause. The Council determined a letter should be written to the property owners in Kelley Acres informing them of the intentions to annex their property,

and that they will be informed of the first public hearing when it has been scheduled. Sandy said she will need to obtain the legal description before it could be published.

Shirley Thompson said the Cedar Creek Windmills were approved by Bingham County. She said they encountered several problems throughout the zoning procedures, and the County Commissioners made the final decision. Shirley said another hearing will be set up to discuss the height of the tower and the property lines where the windmills can be set.

Mayor Christensen said he received a telephone call from Cheryl and Craig Cutler stating they are willing to help the city in anyway they can. He said he discussed this issue with Dawn and felt they would be good mentors to help with the Mayor's Youth Council.

Adjourned: 10:03 p.m.

ATTEST:



APPROVE:



<u>DATE</u>	<u>JULY CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
7-Jul-08	Comdata	2,049.85	32017
15-Jul-08	Advanced Business Systems	769.95	32018
15-Jul-08	All Occasion Floral & Gift LLC	65.00	32019
15-Jul-08	Alltel	163.64	32020
15-Jul-08	American Linen	552.41	32021
15-Jul-08	Bama Bay Equities	88.51	32022
15-Jul-08	BMC West Shelley	366.13	32023
15-Jul-08	Circular Butte Landfill	7,171.40	32024
15-Jul-08	Colt Defense LLC	750.00	32025
15-Jul-08	Davies Aqua Chem Supply Co	11,646.55	32026
15-Jul-08	Fastenal	242.37	32027
15-Jul-08	Ferguson Enterprises Inc	463.98	32028
15-Jul-08	Forsgren Associates/P.A.	3,135.00	32029
15-Jul-08	H-K Contractors Inc.	18,908.42	32030
15-Jul-08	Hammon Teton Delivery	45.00	32031
15-Jul-08	HD Supply WaterWorks LTD	918.42	32032
15-Jul-08	IAS-Envirochem	736.00	32033
15-Jul-08	IBM Corporation	1,300.00	32034
15-Jul-08	Idaho Business Systems	32.00	32035
15-Jul-08	Idaho Dept of Employment	1,536.37	32036
15-Jul-08	Intrnat'l Inst. Of Municipal Clerks	140.00	32037
15-Jul-08	Jennifer Burton	60.69	32038
15-Jul-08	Kings No. 21	45.25	32039
15-Jul-08	Lynk3 Technologies	43.75	32040
15-Jul-08	McGrath Meacham and Smith PLLC	3,500.00	32041
15-Jul-08	Moore Smith Buxton & Turcke CHTD	1,653.47	32042
15-Jul-08	Mountain River Mechanical Services	531.45	32043
15-Jul-08	Mountainland Communications Inc.	500.00	32044
15-Jul-08	Oldcastle Precast Inc	370.50	32045
15-Jul-08	Stanley J Petersen	50.00	32046
15-Jul-08	Petty Cash	33.98	32047
15-Jul-08	Qwest	44.71	32048
15-Jul-08	Riverbend Communications	614.32	32049
15-Jul-08	Rocky Mountain Power	11,913.35	32050
15-Jul-08	Sams Club	1,766.36	32051
15-Jul-08	Shelley Pioneer	1,272.15	32052
15-Jul-08	Shelley/Firth Rural Fire District	4,886.00	32053
15-Jul-08	Standard Plumbing	41.49	32054
15-Jul-08	State Insurance Fund	3,266.00	32055
15-Jul-08	Territorial Supplies	390.67	32056
15-Jul-08	Town and Country Gardens	594.85	32057
15-Jul-08	United States Welding Inc.	77.00	32058
15-Jul-08	Valley Wide Co-op	627.50	32059
15-Jul-08	Watson Roto Rooter/Thayne Watson	600.00	32060
15-Jul-08	2M Company Inc	547.40	32061
18-Jul-08	Idaho Tax Commission	3.95	32062
31-Jul-08	A & B Transmission & Service CTR	857.46	32063
31-Jul-08	A Core	476.00	32064
31-Jul-08	AAA Giles Cleaning and Restoration	675.00	32065
31-Jul-08	Alltel	148.51	32066
31-Jul-08	Associated Business Forms & Systems	369.66	32067
31-Jul-08	Association of Idaho Cities	25.00	32068
31-Jul-08	B's Portable Toilet	70.00	32069
31-Jul-08	Bingham County Sheriffs Office	26,098.00	32070
31-Jul-08	Business Phone Specialists Inc	66.50	32071
31-Jul-08	Cable One	164.95	32072
31-Jul-08	Columbia Paint Co	636.00	32073
31-Jul-08	Eagle Rock Hydraulic Service	2,076.72	32074
31-Jul-08	Eagle Rock Sanitation	3,687.94	32075
31-Jul-08	Electrical Equipment Co Inc	1,180.70	32076
31-Jul-08	Exxonmobil Fleet/Gecc	297.55	32077
31-Jul-08	Hunter Upholstering	136.00	32078
31-Jul-08	IAS-Envirochem	344.00	32079
31-Jul-08	Idaho Rural Water Association	440.00	32080
31-Jul-08	Idaho Transportation Dept	10.00	32081
31-Jul-08	Intermountain Gas Co	2,263.05	32082
31-Jul-08	Kenny Buttars	650.00	32083

31-Jul-08	Lake City International	1,877.30	32084
31-Jul-08	Liquid Engineering Corp	4,385.00	32085
31-Jul-08	Mathews Plumbing & Heating	38.50	32086
31-Jul-08	Michael Curnutt	180.00	32087
31-Jul-08	PAETEC	455.23	32088
31-Jul-08	Paramount Supply Co	169.94	32089
31-Jul-08	Penny Mckelley	20.00	32090
31-Jul-08	Phillips 66 Co	2,246.80	32091
31-Jul-08	Protech Fence Co	6,900.00	32092
31-Jul-08	Qwest	88.15	32093
31-Jul-08	Richard Christensen	100.00	32094
31-Jul-08	Stephenson Computer Consulting	37.50	32095
31-Jul-08	US Post Office	341.55	32096
31-Jul-08	Wells Fargo Brokerage Services LLC	81,970.00	32097
11-Jul-08	City of Shelley Payroll	54,429.89	
<u>25-Jul-08</u>	<u>City of Shelley Payroll</u>	<u>54,291.26</u>	
	Total	332,720.00	