

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

MAY 13, 2014

PRESENT: Mayor Stacy Pascoe
Council Members: Earl Beattie, Jeff Kelley, Kim Westergard, and Adam French
Police Chief: Rod Mohler
Public Wks Dir: Chuck Lloyd
Recreation Dir.: Dawn Lloyd
City Clerk/Treasurer: Sandy Gaydusek
City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Chuck LLOYD

PRAYER: Mayor Pascoe

Mayor Pascoe opened the meeting at 7:31 p.m.

Earl moved, Kim seconded to approve the following consent agenda:

Approval of April 22, 2014 Council Meeting Minutes with two corrections

Approval of April 2014 Expenditures

Approval of April 2014 Overall Budget & Treasurer's Rpt.

Building Permits:

GVN Leverage Lender	- Commercial Building
Winn Oakey	- re-roof
Net Prophet Properties	- re-roof
Rod Mohler	- fence
Shelley High School	- press box/concession stand
Lona Mathie	- fence
Keith Anderson	- sign

Roll Call Vote: Jeff – aye, Adam – aye, Earl – aye, and Kim -aye. Approved unanimously.

Leah Rigby introduced herself to the Mayor and Council and stated she is a candidate for the Bingham County Clerk. She said she is running on the republican ticket. Ms. Rigby said she feels her background and experience would be very beneficial in the Clerk's Office. She said she would like to implement stronger customer service and convenience.

Tammie Peterson and Ron Barnes discussed the Shelley Youth Baseball Program. Mr. Barnes said their program is a non-profit program and going into its third year. He said they are just in the process of getting incorporated. Mr. Barnes said when his son turned fourteen and no longer to play in other programs he started another team. He said they are a National League under Cal Ripken and Babe Ruth. He said there are currently eight teams, and they would like support from the city. Mr. Barnes said they are trying to raise funds for the program by staffing a fireworks stand each year. He said there are some grants available to them once they get incorporated that will help they purchase a facility. He said they are non-traveling teams. Mr. Barnes said there are a lot of people going from the Shelley program to Cal Ripkin because it is more competitive. He said it is not their intent to destroy the Shelley program. He said the fees for Babe Ruth are \$80, and \$12 per game that helps pay for umpires, etc. Mr. Barnes said he just wanted to inform the Council they do not want to compete with the Shelley program. Jeff said

he understands. He said the city does not have the funds to purchase and construct a new facility at this time, however we do put a portion of funding away to build a new park in the future; he said we ~~have~~^{need} a long term plan. Mr. Barnes said he would love to be involved in any projects the city may pursue.

Myler MacCormack was not in attendance.

Trent Armstrong was not in attendance, however Tammie Peterson said they were working on a project at the Shelley High School. She said they are building a press box/concession stand behind home plate. She said most of the materials are being donated. Mrs. Peterson said her son is helping with this project for his senior project. Sandy said Mr. Armstrong paid for the building permit for this project, however would like to request that the fee be waived and his check in the amount of \$124.75 returned. Adam moved, Jeff seconded to waive the building permit fee for the press box project and return Mr. Armstrong's check in the amount of \$124.75. Approved unanimously.

Dustin Armstrong said for his Senior Project as well as an Eagle Scout Project he would like to build approximately ten bird houses along the walking path. The Council felt this is a good project, but requested that the bird houses be kept a ways back from the path.

Dawn said the Mayor's Youth Council went to the Goodsell Elementary yesterday and painted the playground equipment. She said they also had a great assembly that involved the Police Department and the drug dog.

Brian Bird said he lives on the New Sweden Highway and would like to look at the plans for the new meat packing facility. Sandy said she has a conceptual design. Jeff explained there will be a buffer zone with a berm and a walk path along the New Sweden Highway. Mr. Bird said the Contractor has moved the residents mail boxes along the street to one area during the construction period. He said this has a lot of residents walking to retrieve their mail. The council encouraged Mr. Bird and his neighbors to discuss this with the post office.

Jeff moved, Earl seconded to approve the following business licenses for 2014:

Nuclear Care Partners – General License

Snow Shack – Itinerant License

Bevanda – General License

Approved unanimously.

Jeff moved, Earl seconded to approve the following licenses for 2014:

Hard Times II Beer License - 646 S. State St.

Hard Times II Wine License - 646 S. State St.

Food Plaza Beer License - 174 N. State St.

Food Plaza Wine License - 174 N. State St.

Approved unanimously.

Sandy said it is time for the annual review of the City's Investment Policy. She said the last time the policy was amended was in November of 2012. She said at that time the policy was amended to allow 50% of the portfolio to be invested in Corporate Bonds, and \$250,000 minimum to be left in the money market account. The Council determined there should be no changes at this time.

Jeff discussed the annual contribution to Bingham County Economic Development. Sandy said last year we contributed \$2000, and the year before that \$1000. She said in 2009 and 2010 the city contributed \$4000 each year. Jeff said he would recommend that the city contribute \$4000 this year due to the relationship we currently have with the BEDC Board. He said the Board is also looking at incorporating into a Regional Board. Kim moved, Adam seconded to contribute \$4000 this fiscal year to Bingham Economic Development Committee. Approved three in favor, Earl abstained. Motion Carried.

Chuck said he would like to recommend hiring Cameron Waite to fill the seasonal groundskeeper position. Jeff moved, Adam seconded to hire Cameron Waite as groundskeeper for the 2014 season. Approved unanimously.

The Mayor and Council discussed the protocol for issuing a temporary certificate of occupancy. Currently the city code allows the Building Inspector to use discretion when issuing a temporary c.o. Jeff said he feels the city need some type of assurance that the work will be completed in a timely manner; such as an escrow or a bond. BJ felt we could state that a bond must be issued at 125% of the project bid to finish the rest of the work needed for a certificate of occupancy. He said because we cannot anticipate every circumstance, we might use discretion in the language. Doug Keele said it would be difficult to require every temporary certificate of occupancy to have a bond issued. He said for instance when OK Trailer was rebuilding after their fire, they needed to use a portion of the service center before the entire building was completed, so Doug issued a temporary c.o. for this. The Council felt the ordinance should be amended to allow three different options; to obtain a bond, to place the money in escrow, or to provide adequate assurance that the work will be completed in a timely manner. BJ will draft an ordinance and present it at the next meeting.

Doug said he spoke with Alan Jensen, the Bingham County Building Inspector regarding the Patricia Judy property. Whereas, they have had a temporary c.o. for so many years he suggested that they be cited every four to eight weeks until the work is done. The Council determined since the last temporary c.o. is expired, Mrs. Judy should be cited as a misdemeanor, and re-cited every four weeks until the project is complete and a certificate of occupancy is obtained. Sandy will send a letter to Mrs. Judy stating this information.

Sandy said a local business person discovered a loop hole in our door to door salesman ordinance. She said the ordinance currently allows any business holding a valid business license to go door to door. Sandy said BJ drafted an amendment to the ordinance to close this loop hole and require anyone applying for a door to door license to pay the fee and have their background

check completed prior to obtaining the license. Kim moved, Jeff seconded to suspend the reading of Ordinance #567 on three different days and read the title of Ordinance #567 once. Approved unanimously. Kim read the title of Ordinance #567. Kim moved, Earl seconded to adopt Ordinance #567 regarding an amendment to the door to door salesman ordinance. A roll call vote was taken: Adam – aye, Kim – aye, Earl – aye, and Jeff – aye. Approved unanimously.

Mayor Pascoe said he and Earl attended a meeting in Bingham County regarding the SUSA program. He said this would fund a special attorney that would handle federal drug cases. Mayor Pascoe felt more information will be needed before the Council could make a decision whether or not to join this group and contribute to the cause. Earl said he has asked for more information from the group.

Mayor Pascoe said DEQ is reviewing the plans for the North Water Line Loop Project, and then it will be put out to bid.

Sandy said she is happy to report that Madrigales have paid their account in full and so has the new owner of the apartments at 245 Opai Court.

Sandy said she received some information from the City of Meridian regarding how they handle their utility accounts. She said they have a Utility Billing Directive form which allows the property owner to designate a tenant to pay the monthly utilities, however if they are not paid the property owner is responsible to pay the account in full before another tenant moves in. Also, there is a section which they agree to a voluntary lien if the account is not paid. The Council instructed Sandy to create a form for the City of Shelley using Meridians form as a template. She will present the form at the next council meeting.

Sandy said there will be a water re-use conference in Boise on May 21st and 22nd. She said there will be a Flood Threat meeting in Blackfoot on May 14th. Sandy also confirmed that the Mayor and all of the Council Members with the exception of Earl will be attending the AIC Conference in Boise June 18th through the 20th.

Dawn said they are gearing up for the pool season. She said swimming lessons will begin May 27th.

Chuck said the playground equipment is almost installed at Pillsbury Park. He said the concrete will be poured next week.

Rod said there is a week and a half left of school. He asked Shirley to get the word out to be careful around the parks, pool, etc. and anywhere children may be playing.

Kim said she has received some complaints regarding the recycling bins. She said the bins are too full and the trash is blowing around. The Council thought maybe placing a sign on the bins

stating boxes should be folded might help. Sandy will contact the vendor and ask if the city can place these signs on their bins.

Jeff said the Supreme Court made a decision that public prayer would be allowed in city meetings if the governing board approves.

Stacy said Rocky Mountain Power would like the assignment of the contract for the new well given to the city. He said he does not intend to sign the contract until the well is up and running. Chuck said there needs to be a VFD filter installed and a UL listing taken care of. He said Toshiba will be here tomorrow to take care of the UL listing. Chuck said once the UL listing is done the State Electrical Inspector can be called. He said DEQ will need a final testing also. Jeff said in the future the city should put a time line to complete the project with penalties in place. Chuck said yes, if we needed the water desperately we should have this done. He said the bid we awarded was actually \$100,000 under the next bid. Chuck said the well could be up and running in two weeks or two months, he did not know.

Adjourned: 9:35 p.m.

ATTEST: Sandy Lydell APPROVE: 