

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

AUGUST 24, 2004

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Chad Landon (absent), 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: Dawn Lloyd

PRAYER: Mayor Christensen

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

Approval of the minutes of August 10, 2004 Council meeting
Approval of the minutes of August 17, 2004 Special meeting
Approval of the following building permits:

Jay Rowley	- fence
Marsha Passino	- re-roof
Marion Oak	- re-roof
Vaughn Anderson	- shop/garage
Gavin Mathews	- new home
Basic American Food	- re-roof

Approved three in favor, one absent.

Kathleen Lewis, a representative from SICOG addressed the council to discuss the Shelley Urban Renewal Agency (URA). She said the Agency was created in 1998 to revitalize our downtown area, and has a twenty year life span. Ms. Lewis presented a summarization explaining the objectives of the URA Board, and some of the projects that have been identified in the city. She said there are currently five members on the URA Board whose terms will expire in October 2004; Gene Kelley, Bruce Crockett, Merlin Dial, Neil Andreason, and Ron Lundquist. Ms. Lewis said when the new Board members are appointed, she would like to meet with the group to discuss the objectives, where the funds come from, etc. Mayor Christensen asked Ms. Lewis to work with Sandy to continue this effort.

Scott presented an ordinance to de-annex a portion of property as requested by Cheryl Matthiesen at the last meeting. Scott said the ordinance would de-annex a 50 foot by 218 foot piece of property. He read ordinance #480 in full. Lorin moved, John seconded that the provisions of Idaho Code 50-902 requiring all ordinances to be fully read on three separate days be dispensed with. Approved three in favor, one absent. Lorin moved, Steve seconded to adopt Ordinance #480 de-annexing a parcel of property from the city that is owned by Cheryl Matthiesen as read. Approved three in favor, one absent.

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Kevin Murray residing at 898 E. 1200 N. in Shelley addressed the council to request permission to access the city water system. Mr. Murray said he lives at Baseline and Butte Road and would like to utilize city water. He said he has been told that all expenses would be his and he would be on a water meter. Sandy said a service agreement would also need to be signed by him at the time the tap fees are paid. She said tap fees are proposed to rise to \$1800 as of October 1, 2004 for residents outside of the city limits. Lorin moved, John seconded to give permission for Kevin Murray at 898 E. 1200 N. to access the city water system with all construction and associated expenses to be his responsibility as well as paying a tap fee, installing a meter, and signing a service agreement. Approved three in favor, one absent.

Ray Carlson was not in attendance. Sandy said he was going to request that he be exempt from paying for sanitation services at his business on Pine Street since there is no back access to be able to get to a sanitation can. The council was not agreeable to this, and felt Mr. Carlson should attend the next meeting to discuss this further.

Sandy said she had responses from four property owners who would be involved in the sidewalk, curb, and gutter project on South Park Avenue. She said Merlyn Browning, Ray Fillmore, and Sid Page were in favor on the project, and Terry Taylor was not in favor of the project. Sandy said Mr. Taylor stated that he was on a fixed income, and could not get a loan to pay for his portion of the project. He also said that the property has existed this way for many years, and he didn't think there was anything wrong with not having sidewalk, curb, and gutter. Sandy said the only resident she has not heard from is Dr. Clinger. Lorin felt this project would improve the appearance and property value for these residents. The Mayor and Council discussed how this could be financed. Sandy was instructed to work with Rick and draft a letter to each property owner stating the cost of everyone's portion of the project. Scott recommended that the cost be paid up front, or it be assessed through the property owner's property taxes. Sandy was also instructed to invite the property owners to the next council meeting to discuss this further if they choose. The Mayor and Council felt the project should be pursued. Mr. Fillmore stated he is excited for the project to commence. He felt it would improve the appearance of everyone's property. Lorin said he doesn't want to hold up development, and the project should be done this year if the weather permits.

Sandy said she drafted a letter to Newel Morris regarding the appearance of his property at 144 S. Holmes. She said there appears to be weeds, debris, and vehicles located in the yard. Sandy said she spoke with Patricia Morris over the telephone, and she stated that the weeds were an herb garden and the vehicles on the premises were all operable. She said she instructed Ms. Morris to write her comments down and send them to the city. Sandy said she has given the Mayor and Council copies of the comments received from Ms. Morris, and also two letters she had received from Mr. Morris. Diana Boldman (Morris) discussed the letters her father had sent to the city. She said her father makes fertilizer and is experimenting with compost and has supplies on the property. Mrs. Boldman discussed the purchase of one of the vehicles and its intended use. She said all of the vehicles are registered, but not currently being used. Mrs. Boldman said there are bricks, boards, and sheet metal on the property that her father wants to

use to fix the back porch, but is having trouble due to his physical condition. Scott discussed the city code and city policy. He said the letter was sent because it appears a nuisance exists on the Morris property. Scott asked what level of co-operation the city can expect to get the property cleaned up. Patricia Morris spoke to the council regarding the letter she received from the city. She assumed the letter was referring to the weeds and debris on the property. However, the weeds are actually an herb garden that is used for medicinal purposes. Patricia felt her sister and she have cleaned up the property a lot over the past few weeks. Sandy presented pictures of the property that were taken just this morning. John viewed the area Ms. Morris was stating was an herb garden and felt it was just weeds. Ms. Morris objected, and stated her other sister was very upset to think she might have to get rid of her herb garden. Mayor Christensen said the council is being responsive to a violation of city ordinances and needs some action taken. Patricia was not sure what the city wants. Scott suggested they look at other properties in the city and try and clean up their property the same way. Lorin suggested someone from the city come to their property and show them what needs to be taken care of. Mayor Christensen asked what time frame the Morris's need to clean up their property. The Morris's could not commit to a specific time period, but will try to the best of their ability to clean up the property when they can.

Sandy said she sent two letters to Alva Harris regarding his property next door to the Morris's. She said the property has a lot of dry weeds and some debris on it. Sandy said it appears Mr. Harris tried to mow some of the weeds down, however there are still a lot of tall weeds around the premises. Sandy was instructed to draft Mr. Harris another letter and state if the property is not cleaned up by the next council meeting, he will be issued a citation.

Lisa Geary and Julie Fielding appeared before the council to discuss the need for an auditorium in the city. Mrs. Geary said she and Julie are the Ms. Russett pageant directors and since the Junior High burnt down there is no where in the city to hold the pageant. She said the past two years they have held the pageant at the Idaho Falls auditorium, but this becomes very costly. Mayor Christensen said the council has discussed exploring the opportunity of an auditorium district in the past. He said Bruce Crockett had led the discussion in the past, and suggested they speak with him. Mrs. Fielding asked if the city supported the idea. Mayor Christensen said yes, and Neil may be able to help with obtaining grants for this purpose. John suggested Northern Bingham County also be included in this district. Mrs. Geary said they would like to start the ball rolling on this project. John said he would also help with this project. Mrs. Fielding said this year the Ms. Russett pageant will be based on the city's 100th anniversary.

Sandy said the Planning and Zoning Commission held a public hearing to consider annexing and rezoning a parcel of property that Marvin Keele intends to develop on the west side of the city. She said pursuant to Idaho Code another public hearing must be held. John moved, Steve seconded to call for a public hearing on September 14, 2004, at 7:30 p.m. to consider annexing and rezoning a parcel of property. Approved three in favor, one absent. Lorin said he is concerned about the amount of time it takes to develop in the city. He said Mr. Keele will not be able to start his development until the middle of December. Sandy said Mr. Keele requested

rezoning to his property which accounted for an additional three months of work. The Mayor and Council discussed the procedure to develop, and felt it meets the city's needs.

Alan said he spoke with John Katri the owner of the property at 296 N. Byron regarding the horses on the premises. He said Mr. Katri is working with his tenant and the man who owns the horses to get the property cleaned up. Alan said Mr. Katri left word with the tenant that if the property is not cleaned up, she will be evicted and the horses will be auctioned off. Alan said Mr. Katri felt the property would be cleaned up by the next council meeting.

Scott said he spoke with Chad regarding the LID on the Hillman property. He said the city has the treasurer's deed on the property due to a delinquent LID. Scott said the Hillman's are in the process of refinancing their home, but are having trouble because of the treasurer's deed. He said he is going to notify the financier that the city will release the deed when we have confirmation that the delinquencies owed will be paid in full.

Scott said he sent a copy of the Development Agreement for the North Shelley Business Park to Brent Christensen which should be signed when the final plat is approved. Sandy said she has not received the final plat yet.

Scott said that at a previous council meeting he presented an ordinance pertaining to water rights, and the transfer of water rights by the developer when development occurs. He asked the Mayor and Council to review the document and discuss it at the next council meeting.

Sandy said Chitta Lynch at 570 South Park has several five gallons cans filled with oil on her property. She said the oil is being stored uncovered, and the rain and wind are making it overflow onto her ground and the neighbors ground. Sandy said she notified Ms. Lynch twice that it needed to be removed, but it has just been placed in a different area of the yard. The Council determined that EPA and DEQ should be contacted regarding this matter.

Sandy said there is a tree on the corner of Pine Street and Hansen Avenue that is obstructing the view of traffic. She said she drafted the property owner a letter asking that the tree be trimmed, however the tree may be partially in the city right-of-way. The Council directed Sandy to draft the property owner a letter stating that the tree is a hazard, and it will be cut down if they have no objections.

Sandy said she drafted Donald Luce a letter regarding the appearance of his property. She said this is the second or third letter that has been sent this year. Sandy said Mr. Luce will clean up his property a little when he receives a letter, but not to the extent as it should be. The Council instructed to have Mr. Luce cited for a violation of city ordinance.

Sandy presented copies of the flyers that will be sent out to all city residents regarding the informational meeting that is scheduled for August 31, 2004, concerning the bond issue for a sewer treatment facility.

Sandy said there have been some issues regarding the encroachment of setbacks. She said if a property owner has an existing encroachment, such as a porch and wants to replace the porch with another structure that does not have an additional encroachment, does the property owner have to apply for a variance. Sandy said Jay Rowley, our building inspector has been reviewing each case and making that determination. The Mayor and Council felt Jay has the experience to make that call, and we will allow him to carry on that way.

Sandy said Glen Pond of Utah Power and Light met with Rick to discuss the electricity that was set up for a new well in the West River Acres Subdivision. She said when electricity is stubbed in, the city has one year to utilize this service. After that first year if the service is not being used, Utah Power and Light begins charging a guarantee rate. Sandy said that Utah Power and Light gave the city an additional year, but now they are going to begin charging us approximately \$200 per month. Rick said Mr. Pond said they would begin charging in approximately sixty days. Sandy said the reason the electricity was stubbed in was because the trenches were opened and it would make the job easier for Utah Power and Light.

Sandy said there was a centennial meeting held last week, and we will try and place a float in the Spud Day parade. She said the Centennial Committee would also like to have a closing ceremony such as lighting the Christmas lights the day after Thanksgiving. Sandy said the Committee felt a fundraising breakfast is a great idea to help construct Centennial Park. John said spring time may be a good time to have this event. Sandy said we did not receive the grant from the State for the water fountains and the flag poles for the new park. She said there are some funds available that needs to be spent on the park before the end of the fiscal year. John said Tony and Rick will be getting together to see what part of the project can be done this year.

Dawn said flag football is going strong. She said the Skate Park has been painted because it could not be sandblasted.

Neil suggested that everyone visit the North Bingham County Park to see what new developments have been happening. He said it looks great.

John said at the Planning and Zoning meeting Marvin Keele talked about having a leach pond for the city in his proposed development. He wondered who would own and maintain the pond, and asked the council to review this matter. Scott suggested implementing a Home Owners Association.

John said at the west end of the City Park there are some trees that will be dying out soon. Dawn said they've looked at removing the trees, but it cost \$500 per tree, and they also provide great shade during the baseball season. Rick said some of the trees are starting to lift the streets and curb. John suggested some of the trees be removed, and new ones planted. Dawn said it is really hard to remove every other tree because it's hard for the tree company to get in between them. She said Tony Hill has discussed this problem with the Tree Committee, and they will try to have this for a project next year.

John suggested that when the council is considering names for new Urban Renewal Agency Board Members that we try and add some business owners.

John said he is really pleased with the Planning and Zoning Commission. He said they are all very concerned and involved with their appointment. Mayor Christensen thanked John for his help with the Planning and Zoning Commission.

Steve said he was invited to a Bingham County Development Corporation meeting last week. He said the committee has a lot of good ideas to generate money to improve and generate new businesses. Steve said he will continue working with this committee.

Mayor Christensen said he attended a fundraiser at the Blackfoot golf course. He said he had a great time, and was able to talk to Congressman Mike Simpson. Mayor Christensen said earlier that day he had the opportunity to meet with Larry Craig and Mike Simpson to discuss the Regional Waste Water Treatment Facility. He said the meeting was favorable, but the best way to get Congressional support is to show the community is behind the project by passing a bond for our portion of the project.

Adjourned 9:25 p.m.

ATTEST: Sandy Baydusech APPROVE: Eric R. Christensen

August Claims

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
2-Aug-04	US Post Office	276.69	27851
4-Aug-04	RWWC Trust	24,100.00	27852
4-Aug-04	Kim Wilde	2,000.00	27853
17-Aug-04	Advanced Business Systems	98.00	27855
17-Aug-04	Amcor Inc.	75.00	27856
17-Aug-04	American Linen	443.12	27857
17-Aug-04	Avenet LLC	105.00	27858
17-Aug-04	Bearing & Ind. Sales Inc.	71.28	27859
17-Aug-04	Sorensen & Hansen Chartered Blaser	1,395.00	27860
17-Aug-04	Boyd Jolley	1,912.47	27861
17-Aug-04	Briggs Roofing	147.25	27862
17-Aug-04	Business Phone Specialists Inc.	60.00	27863
17-Aug-04	Columbis Paint Co	248.25	27864
17-Aug-04	Custom Curb	166.85	27865
17-Aug-04	Daniel Acevedo	1,500.00	27866
17-Aug-04	Alan Dial	76.93	27867
17-Aug-04	Dougs Sales	164.00	27868
17-Aug-04	Eagle Rock Sanitaiton	3,615.11	27869
17-Aug-04	First Responders	64.79	27870
17-Aug-04	Forsgren Associates/P.A.	75.00	27871
17-Aug-04	H-K Contractors Inc.	1,869.18	27872
17-Aug-04	Holly Kartchner	540.00	27873
17-Aug-04	IAS-Invirochem	136.00	27874
17-Aug-04	Idaho Asphalt Supply	14,316.29	27875
17-Aug-04	Intermountain Gas Co.	1,926.55	27876
17-Aug-04	International Code Council	100.00	27877
17-Aug-04	Jim Cotterell	855.00	27878
17-Aug-04	John Lent	220.75	27879
17-Aug-04	Jolley Building Supply Inc.	222.16	27880
17-Aug-04	K & K Blacksmith	52.44	27881
17-Aug-04	Kings No. 21	23.77	27882
17-Aug-04	Korner Service Auto Repair	129.15	27883
17-Aug-04	LC Insulation and Supply Co.	2,000.00	27884
17-Aug-04	Les Schwab Tire Center	53.17	27885
17-Aug-04	Merlin Stoddard	200.00	27886
17-Aug-04	Mountain States Cabinet & Millwork Inc.	600.00	27887
17-Aug-04	MPH Industries Inc.	1,417.00	27888
17-Aug-04	National Waterworks Inc.	2,590.35	27889
17-Aug-04	Petty Cash	61.73	27890
17-Aug-04	Phillips 66 Co	783.96	27891
17-Aug-04	Pioneer Publications	88.72	27892
17-Aug-04	Pro Power	1,961.99	27893
17-Aug-04	Pro Rentals and Sales Inc	2,085.02	27894
17-Aug-04	R & S Distributing	21.34	27895
17-Aug-04	Roker Materials Co Inc	220.29	27896
17-Aug-04	Jay Rowley	185.40	27897
17-Aug-04	Sams Club	925.02	17898
17-Aug-04	Scott Machinery Co.	193.91	27899
17-Aug-04	Shelley Police Officers Association	30.00	27900
17-Aug-04	Shelley/Firth Rural Fire District	3,975.00	27901
17-Aug-04	State Insurance Fund	2,235.00	27902
17-Aug-04	United States Welding Inc	82.25	27903
17-Aug-04	Utah Power and Light	11,239.98	27904
17-Aug-04	Watson Roto Rooter/Thayne Watson	225.00	27905
17-Aug-04	2M Company Inc	19.78	27906
26-Aug-04	Advon Distributors	429.30	27907
27-Aug-04	Bingham County Recorder	9.00	27909
31-Aug-04	A & B Transmission & Service Ctr	252.66	27910
31-Aug-04	Ace Boiler and Heating	320.00	27911
31-Aug-04	Adolph Kiefer and Associates	45.95	27912
31-Aug-04	Advanced Diagnostics Inc.	240.00	27913
31-Aug-04	Rick Anderson	600.00	27914
31-Aug-04	Bisco	46.73	27915
31-Aug-04	Business Phone Specialists Inc.	60.00	27916
31-Aug-04	Cable One	154.90	27917