

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

APRIL 11, 2006

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg, John Lent (absent), 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: Will Huntsman
PRAYER: BJ Driscoll

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

Approval of the minutes of March 28, 2006 Council meeting
Approval of March 2006 Expenditures
Approval of March 2006 Treasurer's & Overall Budget Rpt.
Approval of the following Building Permits:
Betty Ritter - move on home
Ritter Family Trust - move on home
Duke Arave - fencing
Aimee Goc - fencing

A roll call vote was held. Charlotte voted aye, Steve voted aye, and Lorin abstained. Motion carried.

Deputy Gordon Simmons from the Bingham County Sheriff's office addressed the council to report the quarterly crime statistics for the county. Officer Simmons said he is the resident officer for the Shelley/Firth area. He said there was a total of seventeen incidents in the city the Sheriff's office responded to in the city between January 1st and March 31st. Officer Simmons said there was a total of 211 incidents in the surrounding area to the county line. He discussed some of the types of the incidents that occurred.

Mayor Christensen discussed the improvements to Ash Street and a solution to how these improvements are going to be funded. Brent Christensen, the developer of a subdivision which will use Ash Street as one of the accesses said that he felt sooner or later Ash Street would have been paved, curbed, etc. He felt it is not the fault of the developer that Ash Street needs to be paved now. Mr. Christensen said these improvements that will be done will increase the value of the property. He said other streets in the city have been improved by imposing an LID. Mr. Christensen said he would offer his equipment to prepare the street for the improvements and possibly lay the pavement down. Darren Cook, a resident of Ash Street said he didn't understand why he should have to take money out of his savings account to pay for improvements that will allow a developer to make money on a development. Mayor Christensen said most improvements that improve property appearance are viably funded through an LID.

Mr. Cook said he could not see any benefit he is getting from the improvements. Mayor Christensen said each property owner is getting an increased value of their property when improvements such as these are done. Mr. Cook felt these improvements are also benefiting the city as well as the developer, so they should share in these costs. He said he would be willing to pay one third of the cost for these improvements, but he did not feel he should have to pay the entire amount. Lorin asked Mr. Christensen what his timeline is for developing the property. Mr. Christensen said about three months. He said he intends on cutting the road just as soon as the plat is approved. Ed Conn, a representative for Basic American Foods said he did not think his corporate office would be in favor of financing developer's endeavors. He said Basic American's property would not be developed, and he did not understand why sidewalk would be needed where their property is adjacent to the proposed development. Gordon Simmons said he has lived on Ash Street for thirteen years and never knew of any plans to pave the street. Mayor Christensen said he did not believe there were any plans formulated in the past, and this is development driven. He said when development occurs in the city, the city is responsible to accept the new infrastructure and maintain it, and therefore we need to insure it is done right. Ed Conn asked how LID's are assessed. Sandy said they are assessed on a yearly basis with interest. She said an LID is usually for a ten year term. Mrs. Watson, a resident of Ash Street requested that the sidewalk be constructed adjacent to the curb, instead of having a planting strip between the two. Mr. Christensen said street improvements such as sidewalk, curb and gutter will increase a parcel of property by \$15,000 to \$22,000. He said if this property is later sold it is the property owner that benefits. He said not everyone that Mr. Cook is requesting help pay for these improvements will share in the profit. Mayor Christensen felt that the property owners will not be burdened with the entire cost of the improvements, that the developer will help pay also. Loralee Browning felt the property owners should pay their share, and nobody else be responsible for these improvements. She said all other LID's have been paid by the property owners, and this is just part of living in the city. Again, Mr. Cook stressed that he is willing to pay one third of the costs for the improvements, but he did not feel he should be responsible for the entire amount. Steve said since he has lived in the city he has also incurred costs such as this, but in the end it's good for the entire community. Mr. Christensen, the developer said that by using his equipment and helping with the improvements it should reduce the cost by 30 to 40 percent. Rick said during the construction of the improvements, the water and sewer lines will need to be upgraded to serve the new development. Robert Johnson, a resident of Ash Street said he lives on a corner, and there will probably need to be a retaining wall constructed to hold his property up. Rick said he will speak with the engineers and see what could be done about this corner. He said the grade may be established so a retaining wall is not needed. Mayor Christensen assured all that the improvements to Ash Street will be a joint effort between the residents, the city and the developer, but could not give an estimate of everyone's share at this time. Sandy said for an LID to be created it takes about 3 or 4 months with several public hearings. She said public notification will be sent out once the costs and assessments have been figured.

Scott Reese assured the residents that development and the associated costs are a statewide issue. He said LID's are not very popular but necessary for a city to grow. Mr. Reese commended the

Mayor and the Council for their planning. He said he intends on running for the legislature and understands the issues that cities are having. Mr. Reese said he is well versed in these matters and can offer his help.

Krissy, of Schiess and Associates appeared before the council to discuss the grants that are available to help with the construction and placement of Industrial Parks. Lorin said he met Krissy at a Rural Forum and asked her to talk to the council about how she can help the city. Krissy said the State offers a Community Development Block Grant that can be used for infrastructure. She said new jobs must be created to receive funds, and each job could generate about \$10,000 in funding. Krissy said Max Ririe is interested in developing an Industrial Park and the more jobs that are created; the more funding the city is eligible for. She said grant applications are submitted four times per year. Krissy said she has spoken with Boise and the city would be a good candidate for a Block Grant. She said this grant is a matching grant and is paid by the city and/or the developer by monetary means or in-kind labor. Krissy said she did not write the City of Blackfoot's grant for their Industrial Park; SICOG did. However, she is administrating this grant which is her first. Mr. Reese said there is also a \$3500 training incentive for employees. He said there is a web site with all of the criteria at www.community.id.us. Max Ririe asked if the east connector road could be built with these grant funds. Krissy said yes, because a road is considered infrastructure. She said it is always looked upon favorably if a business can be expanded by constructing a road.

Dave Johnson, the Bingham County Sheriff said he would like to update the Mayor and Council of the upgrade to the county's emergency radio system. He said by 2012 everyone is mandated to be on a 700 megahertz system. Sheriff Johnson said Bingham County is ahead of schedule. He said the county received a grant for the new system which will pay for 2/3 of the entire cost. He said this system will be used for all of Bingham County, and will not cost the city any money. Sheriff Johnson said the city has not been charged for any dispatch service in the past. However, he is concerned about everyone being able to use the new radio system. He said the city's current radio phone system is not adaptable to the county's new system. Sheriff Johnson said the city will have three options: 1. Have a new free system with all dispatching done by the county. 2. Purchase a new repeater and run off the city's own system. 3. Create their own dispatch center. Sheriff Johnson said the city's current radio system is not secure; anyone with a scanner can hear the calls. Lorin said if the city eliminates their radio phones then we lose calls from the public that are non-emergency. Alan said 50% of the city's calls are not dispatched through the county. Also, every resident pays for 911, so the county is getting paid for dispatching. Alan said the county does run DMV checks for the city. He said he is concerned about being in the same boat as the City of Ammon of having absolutely no control over costs that may be associated with these services. He said the City of Ammon is billed by Bonneville County and pays whatever the county deems necessary. Alan said if the city chooses to go with Bingham County on their new system the police department will not be accessible via the radio system to city hall or the public works department. He said our city radios will work inside the new 700 megahertz system, but he is not sure of the cost until Clark Electronics figures out the update. Mike Carter said the Fire Department has a number that people use to call to report trash

burning, etc., and then dispatch is called. He felt the number could not be taken out of service until the public has been made aware of it. Sheriff Johnson said Bingham County's new radio system will be on line this fall. He said he is offering the city a free dispatch center. Alan introduced Thad from Mountainland Communications. Thad said by 2012 everyone has to be on a narrowband system, not necessarily 700 megahertz. He said Bonneville County is presently doing a study on this matter. Thad said he talked with Motorola and the system Bingham County is getting has the capability to work with the city's current system. He said it may be used as a patch system or a cross band repeater. Thad said Don Clark is doing the infrastructure for Bingham County. Sheriff Johnson said the equipment will be owned by the county in their building. Mr. Clark is being used as a vendor. Alan will research this matter further.

Dawn recommended hiring Jennifer Burton as the pool manager for this season. She said an assistant manager has not been chosen yet. The Council gave permission to hire Jennifer Burton as the pool manager.

BJ presented ordinance #493 regarding the elimination of a note in 10-8-2 of the city code concerning the reduction of the lot size for parcels in an RA zone that access community water and sewer. Lorin moved, Steve 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 #493 amending 10-8-2 of the city code by removing the "note" that states a lot in an RA zone that accesses community water and sewer could be reduced from one acre to ½ acre in size. Approved unanimously.

Lorin said about six years ago the council discussed renaming the New Sweden Highway that was constructed in the city limits and known as the connector road. He felt since the New Sweden Highway extends out to the interstate, the portion in the city limits should be renamed. Lorin recommended renaming the portion of the street from Highway 91 to the curve at North Park Avenue where it intersects the connector road as Anderson Street. Steve felt the street should not be known as the New Sweden Highway. Mike Carter felt it is a good idea to rename the street to Anderson Street and to honor Rick for what he has done for the city. Steve moved, Charlotte seconded to rename a portion of the New Sweden Highway that lies within the city limits from Highway 91 running west to the intersection of North Park Avenue as Anderson Street. Approved three in favor, one absent.

Sandy said she presented a list of old public records that she recommended be destroyed at the last council meeting for review. BJ said he reviewed the list of documents and could see no problem with destroying these records. Sandy said the records listed have a retention time of two to five years and many are past that period. Lorin moved, Steve seconded to resolve to destroy the records that will be listed in the resolution as presented. Approved three in favor, one absent. Sandy will send a copy of the resolution to the State Historical Society.

Dave Noel, Forsgren and Associates said the water computer model is finished and will be presented to Rick for his review of pipe sizes and lines. He presented the drawings to the Mayor

and Council for their review also. Dave encouraged the Mayor and Council to consider implementing the use of the computer model in the city's subdivision ordinances when they are amended. He said this will insure that there is adequate fire flow to each development, even if the lines have to be upgraded by the developer to do so. Dave said as an example this model shows there may not be enough flow through the system to provide adequate fire flow to the Sunset Meadows Subdivision unless the size of the lines are upgraded. This will be determined after Rick has had time to review the model.

Sandy presented the purchasing policy for the Mayor and Council members to review. She said she will place this matter on the next agenda.

BJ updated the Mayor and Council on the water rights objections that the Shoshone Bannock tribe filed against the city's water rights claim. He said the water rights were reviewed last summer and filed with the Idaho Water Resource Department. BJ said a month ago the Tribe filed an objection because the description of the water right did not include a volumetric measurement. He said he will continue working on this matter.

Sandy presented the proposed impact area agreement that she and Melodee created. Sandy said the agreement does not adopt the city's ordinances but instead has used the city's standards such as street lights, ROW, sidewalk, curb and gutter, etc. She said Melodee would like to hold joint public hearings which would be a great idea. Sandy asked the Mayor and Council to review the agreement so joint hearings could be scheduled. Loralee Browning said she does not agree with the concept of an impact area because those residents cannot vote on the policy makers. BJ said the city and the county make an agreement together and she votes for the county commissioners.

Brent Christensen said he has been studying the water rights issues. He said there may be a re-charging procedure to the aquifer implemented. Mr. Christensen said this can be accomplished by having storm water run off pool on residential property instead of having curb and gutter remove the run off. He suggested this be taken into consideration when reviewing the ordinances. BJ said the city is using this type of system by having drainage ponds in some of the most recent subdivisions. That way you can still have curb and gutter too and receive the benefits of both.

Sandy said she received word from ITD that the signed railroad agreement is enroute to ITD for the signalization at Center Street and Highway 91. She presented a copy of an agreement between the city and the state for maintenance of the light, cost, etc. Sandy said Mark from ITD indicated the project would go out to bid soon, and should be done by the end of the year.

Husk discussed the progress on the design for the treatment plant. He said the Army Corp of Engineers has allotted \$542,000 in funds that have to be spent before the end of September 2006. He said these funds are allocated to the design of the plant. Husk said he anticipates another funding allocation coming through next year from congressional funding. He said DEQ and the Army Corp of Engineers have reviewed the engineering contract for the design of the plant.

Husk said he will meet with BJ to go over the scope of the work, and have him review the financial section of the contract. He said funding will not be available until a contract has been executed. Husk said he will send copies to the city council for review also.

Husk said there will be a press conference on April 14, 2006, at 4:30 p.m. at the Bonneville County Courthouse where the congressional funding for the regional project will be announced by Senator Craig and Representative Simpson.

Sandy said there will be an AIC Spring District seminar in Idaho Falls on April 21, 2006, if anyone is interested in attending.

Sandy said she received a letter from EPA stating the city is in violation of our NPDES permit. Husk said a compliance agreement was issued, but we have not met the dates since the city is designing a new treatment plant for construction. He said Chuck Ketterman from DEQ suggested a letter be sent to EPA with a new time schedule for compliance. Sandy said she will send a copy to Husk tomorrow so the city can send a response.

Sandy said Jim has completed the needed computer work at city hall. She said he worked on the new system on Beth's desk, installed a hard drive and reloaded the system on Belva's desk, reloaded the Mayor's system, and worked on the laserfische. Sandy said he has a total of seven hours. BJ said he reviewed this matter and there is no conflict in paying Jim for his time. The Mayor and Council gave permission to expend city funds for this purpose.

Sandy said Heidi Martinez mentioned that she and her family have been living in their camp trailer on their property at 140 West Locust for the last couple of weeks while their home is being repaired from a fire that occurred several months ago. She will need to occupy the trailer for about another month. The Mayor and Council granted permission.

Sandy said John wanted her to discuss several items. She said the Tree Committee is planning to survey the trees at the City Park and determine what trees need to be removed and replanted. Sandy said Arbor Day festivities are being planned and John would like to add two more members to the Tree Committee; one from the Planning and Zoning Commission, and one from the Urban Renewal Committee. Sandy said John would like the council to consider adding landscaping requirements to the subdivision regulations, and he definitely feels the city should require sidewalk, curbs, and gutter on every new development.

Rick said the shed at the city park is under construction. He said the new shed will be able to hold the new Quad Runner.

Rick said the addition at city hall is almost done. He said the roofing and the remaining brick work is being done at the present.

Alan said last week Officer Rod Mohler and his wife went with their church group to help with the clean up in New Orleans after Hurricane Katrina. The Mayor and Council asked Alan to invite Rod to the next council meeting to tell his experience there.

Dawn said the city's four-wheeler sold at auction last week for \$2900.

Dawn said six of her Fun Shot participants went to the Delta Center to compete. She said four out of the six won awards.

Dawn said baseball sign ups are beginning. She said she is looking for coaches.

Charlotte said John and Melinda asked her to be a member on the Tree Committee. She said Arbor Day will be May 20, 2006, and would like everyone's support.

Charlotte said she will continue working on the city flag that is being designed by a community youth.

Steve said spring clean up seems to be a great success by the appearance of the city sidewalks. He said this will continue for two weeks, but is a good time to clean up the city.

The Mayor and Council discussed John's condition. Our thoughts will be with him during his medical procedure and recovery period.

Adjourned 10:35m p.m.

ATTEST: M.B. Williams

APPROVE: Eric R. Chilton