

CITY OF CHELSEA  
COUNCIL MEETING  
MINUTES

AUGUST 13, 2013

PRESENT: Mayor Eric Christensen  
Council Members: Earl Beattie, Kurt Russell, Stacy Pascoe, Jeff Kelley  
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: Ericson Wittwer

PRAYER: BJ Driscoll

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

Minutes of July 23, 2013 Council Meeting

Minutes of August 6, 2013 Work Meeting

Approval of the following Building Permits:

April Kleven	- fence
Keri Payne	- commercial remodel
Randy Haywood	- addition
Hidden Treasures	- commercial remodel
Derek Dye	- move on home

Roll Call Vote: Earl – aye, Kurt – aye, Stacy – aye, and Jeff – aye. Approved unanimously.

Miss Russett was not in attendance. Dawn said Miss Russett has completed her “Move It Community” project.

Amy Goc, 273 N. Byron Avenue said she received a letter stating she is violating ordinance 5-3-10 by keeping chickens on her property. She said she understands the Council is trying to do what is best in the city’s interest, but she would like to amend the ordinance banning chickens in the city limits. Mrs. Goc said she meets the stipulations of section C of ordinance 5-3-10. Sandy said section C only applies to properties in a Residential Agricultural (RA) zone, and Mrs. Goc lives in a R1 zone. Mrs. Goc said she wished to continue on anyway. She said she meets the requirements of Section C. Mrs. Goc said she has a petition which her neighbors have signed, and she has obtained 795 signatures in favor of having chickens. Bobette McIssac said she lives at 225 N. Byron, just one house down from Amy. She said Amy has a healthy environment, keeps her property clean, and her hens produce eggs. Crystal Alexander, 307 W. Center said she has 1/2 acre of property and thinks it is preposterous that you can’t have chickens. She said this makes Shelley a laughing stock in the area. Ms. Alexander said Amy has a clean area, and takes care of her chickens. She said she would also like to see Ronnie Christensen to be able to keep her chickens. Mrs. Goc said her coop is 5x5x7. She said she has six laying hens that lay two to three eggs per day which feed her family efficiently. Jacqueline Wittwer, 423 S. Park read a statement written by Devon Kerbs who is currently in North Dakota. The letter stated there once was a need during war time for every household to have chickens to be able to provide food for their families. He said now we have food stamps, etc. He said most have not had a chance to live on a farm. He said while living in a city, raising eggs may show children where food comes

from, how to raise food, and how to help themselves. Judy Sensabaugh, 483 S. Holmes said she has been home schooling a grandson who has special needs. She said they have taken on this issue as an assignment. She said they had to move from the country into Shelley. She said she called the Idaho Falls Police department to see what problems they have had with chickens, and they really haven't had any. She said she discussed any issues that may have happened with their animal control officer. Mrs. Sensabaugh said she was concerned about any potential health issues while raising chickens so she talked to vet who said health property rarely happen unless the chickens are not taken care of, or they come into contact with other chickens that have bacteria. Andrea Goc, 350 W. Maple #37 said she works almost eighty hours and is going to school. She said her parents raised her to be dependable and to take care of herself, and not to receive hand outs. Ms. Goc said she has learned a lot when visiting a farm that her father occasionally takes her to. She said she helps her mother gather eggs, and has never seen any issues. A woman residing at 1335 Cameron Avenue said she moved from San Diego County in California to Idaho. She said they were allowed to have chickens in San Diego County because it was determined to be safe. She said if the chickens got out of their pens their property owners were cited. Jacqueline Wittwer, 423 S. Park said she is an egg artist. She said the last time this issue was discussed a gentleman in the audience said it is easy to find white eggs. She said it is not easy. Mrs. Wittwer said people will keep coming back to the city on this issue because they want chickens. She said the last time it was denied because there was not animal control officer for the city;. She said she has barking dogs around her and cannot sleep, but she does not bother the police because she knows they are busy. Mrs. Wittwer said this issue is more than just chickens. She said this city needs an animal control officer, or an officer that takes partial responsibility for animal control. She suggested paying the officer more when he is on animal control duty. Stacy said he moved into the city four years ago and had chickens before moving. He said when his chickens pooped on his sidewalk he was mad and cleaned it up, however if it happened on a neighbors sidewalk who is going to clean it up. Stacy said there are irresponsible pet owners. He said he understands where Amy is coming from, but we need to look at this as an entire community and fix it. Jeff said he agrees, we need to have an animal control officer, whether it is part time or they are paid a per diem, etc. Jeff said he is in favor of chickens, but he will not have them. He said he cannot see allowing chickens in the city unless we have an animal control officer. Jeff said he called some other communities, and the main complaint is the smell from the properties whose owner does not take care of the chickens. Mrs. Goc said she is in favor of the ordinance, but would like chickens to be considered as fowl. The city does consider chickens as fowl per their ordinance. Stacy said there are two big challenges; if we decide to have chickens in the city, we have to come up with the resources to pay for an animal control officer. He said nobody wants to raise property taxes to do so. He said even a part time officer would be about \$13,000 plus providing a vehicle for them. Casey Derby, 307 W. Center asked how the police deal with dogs. Earl said the police cite owners for dogs at large. Jeff said dogs are already a problem, and by allowing chickens we would be compounding the problem. He said he does not want to open Pandora 's Box and add more to it. Jeff Stafford, 360 W. Center said this is a bigger issue than chickens. He said the problem is cash flow for an animal control officer. Earl said he has received many calls from citizens who do not want chickens in the city. Jeff Stafford asked if the city could raise funds for an animal control officer from the

finer and fees received from dog tags, etc. Sandy said the city raises very little from pound fees and dog tags. Andrea Goc said these chickens can provide eggs, and the chickens could be slaughtered for food when they discontinue laying. She said this can feed your family. Earl said some cities such as Blackfoot regrets allowing chickens in the city because they do not have a place to keep the chickens that are running loose and picked up by police officers. Stacy said before any decision can be made the city would have a public hearing so both sides on this issue could be heard. Jacqueline Wittwer said the police are very busy and she would be willing to pay more in taxes to have an animal control officer. Earl said we need a full time code enforcement officer that is available at all time. Sandy said a full time officer would cost approximately \$60,000 including wages and benefits. Mrs. Goc said she is willing to pay more on taxes for an animal control officer also. Sandy said the city cannot raise property taxes over 3% without an election. She said 3% will generate approximately \$24,000 in additional tax revenue in one year. Bob Jemtrud, 395 Berrett said the city has an ordinance saying you can't have chickens in the city, and he asked why Mrs. Goc has the chickens. Crystal Alexander said the school does not have a resource officer. She suggested hiring an officer to be a resource officer during the school year, and use this person as an animal control officer in the summer. BJ said Mrs. Goc has a few options; she can apply for a rezone, remove the hens from her property, receive a citation, or the council to set this issue for a hearing to amend the ordinance. Jeff requested that the city look at hiring an animal control officer immediately. Earl said we cannot look at hiring an animal control officer due to budget constraints. Kurt said he felt we should look at hiring an officer in the future. BJ said he needed to correct one of the options he mentioned. He said Mrs. Goc could not apply for a rezone to RA because she did not have the required acre of land for that zoning. Jeff said the city cannot deal with the issues that chickens will create unless we have an animal control officer. Mayor Christensen said we have some irresponsible pet owners, and unfortunately that penalizes the responsible pet owners also. The Council member agreed with Jeff that the city should hire an animal control officer before amending the ordinance to allow chickens. Leland Ricker, 1378 N. 800 E. said his neighbors have chickens that run loose. He said they dig out the bark around his trees, and can make a lot of damage in a little bit of time. This matter will be looked at when the city has funds to hire an animal control officer.

Sandy presented the Tentative Budget for Fiscal Year 2013-2014. She said the city's valuation rose approximately \$ 204,556 this year up to \$126,889,812 (this is an estimate only until the public utilities value is received). \$272,515 was from new construction. The levy rate last year was .006351417, and this year is proposed to be .006359777. The city's ad valorem taxes will increase by \$1731 for new construction only. The total amount of property taxes we will levy for is \$806,991. An example of property taxes is property valued at \$75,000 **after the homeowners exemption** will pay \$476.98 (An increase of \$.62 from last year). Legislature passed a bill last year that exempts businesses from paying personal property taxes on the first \$100,000 of personal property (equipment). This has lowered a portion of the city's valuation. However, the State will be sending funds to replace the revenue that will be reduced to the city each February. An amount will be set and will be the same each year. The proposed fee increases planned for this year will raise the recreation program fees by \$5 for each participant. There are no proposed fee increases for the pool. The employee's medical insurance will be increasing by 2%. The city

has elected to continue to “buy down” from a \$3000 deductible, which was implemented two years ago. We have chosen to continue to waive maternity coverage that saves us approximately \$12,000 annually; however we would have to self fund maternity if the need arises. We are proposing a 1.0% cost of living raise across the board for all of the employees, and merit raises will be considered per the wage scale. This year there are fourteen out of eighteen employees that will be eligible for raises based on their performance. Persi increased their rates in July of 2013. Class 1 went from 10.39% to 11.32 %, and class 2 (police) went from 10.73% to 11.66%. The increase for payroll raises totals approximately \$51,000. I anticipate paying for the close out of the wastewater treatment plant this year. This will cost approximately \$400,000 to \$500,000. We are to be credited for the trees that we replaced near the walking path that died after Segment A was complete (\$3807) and the water line extension at the plant (\$77,000). Carry over’s and contingency increased in the water, sewer, and sanitation funds. Kurt moved, Jeff seconded to adopt the tentative budget for 2013-2014 as presented. Approved unanimously. The Budget Hearing will be September 4, 2013 at 7:30 p.m.

Sandy presented the Tentative Budget for the Urban Renewal Agency for Fiscal Year 2013-2014. Jeff moved, Earl seconded to adopt the Tentative Budget as presented. Approved unanimously. The Budget hearing will be September 4, 2013 at 7:30 p.m.

BJ presented Ordinance #560 regarding violation of building codes. He said this ordinance amendment will allow the city to deny a building permit or certificate of occupancy for any violation by the person who is applying for the permit or certificate of occupancy that has an unresolved violation. Earl moved, Kurt seconded to suspend the reading of Ordinance #560 on three different days and read the title of Ordinance #560 once. Earl read the title of Ordinance #560 in full. Earl moved, Stacy seconded to adopt Ordinance #560 as presented. A roll call vote was taken: Earl – aye, Kurt – aye, Stacy – aye, and Jeff – aye. Approved unanimously.

Jeff moved, Stacy seconded to adopt a resolution to dissolve the current Urban Renewal Area and maintain the Urban Renewal Agency. Approved unanimously.

The Mayor and Council determined the Annual City Employee Picnic will be held August 29, 2013 at 6:30 p.m. at Pillsbury Park.

The discussion regarding driveways and easements was deferred until the next council meeting.

The discussing regarding the water line loop east of New Sweden Highway was deferred until the next council meeting.

Sandy said the Fire Department needs a “will serve” letter from the City regarding the capacity to provide water and sewer services to the new fire station. She said the property has not formally been annexed into the city yet, however the sewer line that will be tied into is in the city limits and is city property. Sandy said they are still working on obtaining a legal description so

the property can be annexed into the city. The Mayor and Council directed Sandy to prepare the "will serve" letter for the Fire Department.

Sandy said she received a complaint regarding the pine trees along the Union Pacific tracks at the intersection of State Street and Locust Street. She said the complaint was that the trees blocked the view of an oncoming train in the case that the stop arms were not working. Sandy asked each of the council members to review the tracks at this intersection.

Mike Carter thanked the Mayor and Council for agreeing to provide a "will serve" letter to the Fire Department. He said their plans are moving along. Mike said the plans are under review at this time and once approved they will go out to bid.

Chuck said Bingham County will be chip sealing tomorrow in the city. He said the two streets that were improved last year will be chipped, as well as a few other streets. Chuck said Union Pacific intends on replacing the railroad crossing near Bernard Hunter's home. He said the crossing will not be concrete, but they will be widened to twenty four feet.

Chuck said the pump is in the ground at Well #5. He said they will be starting on the building that surrounds the well soon.

Dawn said there is a young man looking for an Eagle Scout Project. She said she has asked Corbin Hansen to build a new sign at Brinkman Park. His mother was concerned that this may not be enough work on the project. Dawn said she told her that he could repair the shelter also.

Rod said School will be starting on Thursday. He reminded everyone to be careful, slow down and watch the cross walks.

Jeff said on South Park during the evening and there is a terrible smell coming from Basic American Foods. He felt the city should ask Basic American what could be causing this problem. Jacqueline Wittwer said the plant is closed for two weeks for clean up right now. Kurt said there is a pile of rotten potatoes in the back lot.

Stacy thanked Sandy for the work she has done on the budget. He thanked each of the department heads for their efforts. Earl and Kurt echoed those thoughts.

Earl thanked Office Tincher and Rod for the research and documents they provided regarding chickens.

Mayor Christensen thanked Sandy for the work on the budget.

Adjourned: 9:40 p.m.

ATTEST: Sandy Gajarsch APPROVE: Eric R. Christensen

JULY CLAIMS

<u>DATE</u>		<u>AMOUNT</u>	<u>CHECK #</u>
9-Jul-13	<b>Comdata</b>	<b>2,490.02</b>	<b>46913</b>
16-Jul-13	A & B Transmission & Service CTR	115.82	46914
16-Jul-13	AAA Giles Cleaning and Restoration	675.00	46915
16-Jul-13	Airgas Intermountain Inc	18.56	46916
16-Jul-13	American Linen	526.33	46917
16-Jul-13	Associated Business Forms & Systems	529.20	46918
16-Jul-13	Ball Storage and Ice	45.00	46919
16-Jul-13	<b>Bonneville County Solid Waste</b>	<b>7,772.14</b>	<b>46920</b>
16-Jul-13	Brand X Equipment LLC DBA	51.68	46921
16-Jul-13	Broulim's	80.10	46922
16-Jul-13	CCI Transport and Crane Inc	725.00	46923
16-Jul-13	Central Transfer Station	47.65	46924
16-Jul-13	<b>Davies Aqua Chem Supply Co</b>	<b>8,983.20</b>	<b>46925</b>
16-Jul-13	<b>DBS Inc</b>	<b>3,308.75</b>	<b>46926</b>
16-Jul-13	<b>Eagle Rock Sanitation</b>	<b>5,900.31</b>	<b>46927</b>
16-Jul-13	Ferguson	63.53	46928
16-Jul-13	<b>Forsgren Associates/P.A.</b>	<b>2,697.00</b>	<b>46929</b>
16-Jul-13	Frank Edwards Co #17	71.46	46930
16-Jul-13	H-K Contractors Inc	942.85	46931
16-Jul-13	Hammon Teton Delivery	12.55	46932
16-Jul-13	HD Supply Waterworks LTD	966.50	46933
16-Jul-13	Hunter Upholstering	202.00	46934
16-Jul-13	IAS - Envirochem	70.00	46935
16-Jul-13	<b>IBM Corporation</b>	<b>1,944.00</b>	<b>46936</b>
16-Jul-13	Idaho Business Systems	38.00	46937
16-Jul-13	Idaho Dept of Employment	43.26	46938
16-Jul-13	Idaho Falls Peterbilt	630.26	46939
16-Jul-13	Idaho Transportation Dept.	23.00	46940
16-Jul-13	IDEACOM ESCI	189.54	46941
16-Jul-13	IF Key Line Automotive WHSE	120.10	46942
16-Jul-13	Industrial Hose and Fittings	79.66	46943
16-Jul-13	<b>Intermountain Gas Co</b>	<b>2,133.80</b>	<b>46944</b>
16-Jul-13	Bret G. Jones	251.55	46945
16-Jul-13	Joni Matson	25.00	46946
16-Jul-13	Kings No.21	90.55	46947
16-Jul-13	Dawn Lloyd	79.42	46948
16-Jul-13	Mathews Plumbing & Heating	10.00	46949
16-Jul-13	McGuire Bearing Company	39.82	46950
16-Jul-13	Mitch Johnson	42.79	46951
16-Jul-13	Mountain West Bark Products Inc	251.25	46952
16-Jul-13	Mountainland Communications Inc.	94.00	46953
16-Jul-13	<b>Phillips 66 Co.</b>	<b>1,818.88</b>	<b>46954</b>
16-Jul-13	<b>Rocky Mountain Power</b>	<b>14,889.87</b>	<b>46955</b>
16-Jul-13	<b>Sams Club</b>	<b>1,713.06</b>	<b>46956</b>
16-Jul-13	<b>Shelley Auto Care</b>	<b>1,920.10</b>	<b>46957</b>
16-Jul-13	Shelley Pioneer	784.08	46958
16-Jul-13	Sherwin Williams	855.44	46959
16-Jul-13	<b>Smith Driscoll &amp; Associates PLLC</b>	<b>1,972.05</b>	<b>46960</b>
16-Jul-13	Stephenson Computer Consulting	18.75	46961
16-Jul-13	Tifco Industries	19.95	46962
16-Jul-13	Town and Country Gardens	405.98	46963
16-Jul-13	Void		46964
16-Jul-13	United States Welding Inc	92.43	46965
16-Jul-13	Valley Agronomics LLC	389.40	46966
16-Jul-13	Valley Brake & Truck Parts LLC	367.28	46967
16-Jul-13	Verizon Wireless	417.01	46968
16-Jul-13	2M Company Inc	31.32	46969
31-Jul-13	Ball Storage and Ice	42.00	46970
31-Jul-13	Betty Huntsman	25.00	46971
31-Jul-13	Cable One	170.00	46972
31-Jul-13	Centurylink	226.50	46973
31-Jul-13	Christine/Remax	32.20	46974
31-Jul-13	Civil Air Patrol Magazine	100.00	46975
31-Jul-13	David Stewart	8.45	46976
31-Jul-13	Davis Aqua Chem Supply Co.	717.35	46977
31-Jul-13	Doug Keele	424.60	46978

31-Jul-13	Falls Plumbing Supply Co	20.78	46979
31-Jul-13	Ferguson	100.00	46980
31-Jul-13	First Class	200.00	46981
31-Jul-13	Grant Writing USA	425.00	46982
<b>31-Jul-13</b>	<b>H-K Contractors Inc</b>	<b>195,598.54</b>	<b>46983</b>
31-Jul-13	HD Supply Waterworks LTD	28.76	46984
31-Jul-13	Home Depot	249.04	46985
<b>31-Jul-13</b>	<b>Idaho Falls Peterbilt</b>	<b>1,171.30</b>	<b>46986</b>
<b>31-Jul-13</b>	<b>Mark Anderson</b>	<b>1,000.00</b>	<b>46987</b>
31-Jul-13	Mathews Plumbing & Heating	78.00	46988
31-Jul-13	Matkin Auto Parts	858.35	46989
31-Jul-13	Mel's :Lock and Key	24.50	46990
31-Jul-13	Petty Cash	51.49	46991
<b>31-Jul-13</b>	<b>Phillips 66 Co.,</b>	<b>2,064.60</b>	<b>46992</b>
31-Jul-13	Porter's	276.03	46993
31-Jul-13	Safariland LLC	157.21	46994
31-Jul-13	Snoshack	117.05	46995
<b>31-Jul-13</b>	<b>State Insurance Fund</b>	<b>4,025.00</b>	<b>46996</b>
31-Jul-13	Steel Design LLC	500.00	46997
31-Jul-13	US Post Office	705.64	46998
31-Jul-13	Valley Office System	82.95	46999
<b>5-Jul-13</b>	<b>City of Shelley Payroll</b>	<b>57,527.00</b>	
<b>19-Jul-13</b>	<b>City of Shelley Payroll</b>	<b>57,889.99</b>	
	<b>Total</b>	<b>392,973.58</b>	