

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

APRIL 12, 2005

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: Charlotte Fredrickson

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

Approval of the minutes of March 22, 2005 Council meeting
Approval of the March 2005 Expenditures
Approval of the March 2005 Overall Budget & Treasurer's Rpt.
Approval of the Following Building Permits:
Kim Pascoe - new home
Richard Street - new shop
Kirk Jolley - new home
Gary Godfrey - re-roof
Charles Higham - re-roof
Tina Orme - fence
Kim Wilde - fence
Jeremy Wray - fence

Approved unanimously.

Jackie Moulton addressed the council on behalf of her mother, Joann Winston who represents I.D.E.A.S, a non-profit organization. The IDEAS organization is very active in the historical portion at the North Bingham County Park. Mrs. Moulton turned the time over to Jamie Gregory. Ms. Gregory discussed the activities that have been held at the park, and the number of people who have passed through the park. She invited everyone to visit the park, and come to one of the many activities that are being planned. Ms. Gregory asked for permission to hang five to seven signs on the walk path advertising the events that are taking place at North Bingham County Park. She presented a sample of the type of sign that would be permanently mounted near the walking path in cement circles with sleeves. Ms. Gregory said this project will be no cost to the city. John asked if other advertising can be done besides the park events. Mrs. Moulton said yes, the signs would be available for other advertising. She said they are trying to get magnetic writing that can be changed on the signs. The Council gave permission to the IDEAS organization to hang signs near the walking path advertising the events that will be taking place.

Brent Christensen was not in attendance. Sandy said he was originally going to be here to discuss the fire flow that is needed for his subdivision off of the New Sweden Connector Road. She said the State Fire Marshall performed a fire flow test yesterday on both fire hydrants

leading into each side of the subdivision where the water will be accessed, and determined the pressure is more than adequate.

Debby Evans, the chairperson for the Urban Renewal Board addressed the Council to discuss the projects that the Board would like to do with Urban Renewal Funds. Mrs. Evans said they would like to do a project to improve the façade on the businesses located in the Urban Renewal District. She proposed that the Urban Renewal Plan be changed to include this project, with 75% of the funds coming from Urban Renewal Funds and each business owner paying 25% of the project. Mrs. Evans said there will be a cap of \$5000 paid for each business from the Urban Renewal Funds with a total of \$100,000 being spent. She said the funding would be allocated to the businesses on a first come, first served basis. Mrs. Evans felt this project would make the downtown area much more eye appealing and hopefully draw in more business. She presented several examples of similar designs that could be used on the Shelley businesses. John moved, Lorin seconded to call for a public hearing on May 24, 2005, at 7:30 p.m. to consider amending the Urban Renewal Plan to include a business façade improvement project. Approved unanimously.

Maxine Hanks was not in attendance. Mayor Christensen said she contacted him, and said she would email her reports regarding the Virginia Theater and downtown revitalization to the city. Debby Evans said her brother-in-law recently purchased the Virginia Theater and intends to make the building into a retail store. She felt the Theater has been a long standing icon in the city, however it is just sitting and rotting and will probably never be used as a theater again. Mrs. Evans said at least as a retail store the building will be used and taken care of.

Lorin introduced Johnny Watson and Brenton Carlson from JRW Associates. Mr. Watson discussed the plans for an addition to city hall. He said he figured the addition would cost approximately \$80,000, however he is willing to put together a cost estimate and work schedule for the project. Lorin said there is a problem with the set up of the DMV Department in city hall. He said there is a shortage of space and staff. Lorin said instead of an addition, it may be more feasible to construct a new police station. That way the DMV could be moved to the former police department. Lorin asked Alan if Bingham County may be willing to share in the cost for a new police station. Alan said he did not think so. Also, if the DMV is moved to the other side of the city building, another full time employee would need to be hired to staff the department. Mr. Watson said he would draw up some different options for the city based on their current needs.

Lorin moved, John seconded to ratify the approval for water access to be used for a drip irrigation system outside of the city for trees that will be planted near the walk path on Kent and Carolee Carlson's property. The Carlson's will be responsible for all costs for the irrigation system, the meter, and maintenance of the trees, as well as required to sign a water user agreement and pay for monthly user fees. Approved unanimously. The Carlson's obtained a grant to help with the trees, and will be required to own and maintain the trees for ten years.

Alan said there have been several problems with open burning in the city this year. He said the city should clarify the ordinance on what types of debris can be burnt, or start enforcing the statute requiring a burn permit from the Fire Marshall. Alan suggested that the residents contact the police department for permission to burn based on what types of material they will be burning. He said if permission to burn is not obtained the residents will be warned once before being cited. Alan also suggested changing the ordinance to make the penalty an infraction instead of a misdemeanor with a bond option. The Council agreed that the matter should be handled by the police department, and asked Alan to generate a list of what will be allowed for open burning. The Council directed BJ to amend the penalty portion of the ordinance to be an infraction instead of a misdemeanor.

Alan said he spoke with Steve about hiring Joshua Fielding as a part time police officer. He said Josh graduated from ISU and is certifiable. Alan said he hired Josh with Steve's approval. Steve moved, Charlotte seconded to ratify the approval to hire Joshua Fielding as a part time police officer beginning at entry level wage and six month probation. Approved unanimously.

Sandy said pursuant to Idaho Code each city must notify the county by April 30th of each year of when their budget hearing will be held. Sandy recommended September 6, 2005 at 7:30 p.m. The Council agreed to set the date as September 6th, 2005, at 7:30 p.m. Sandy will notify the county.

Lorin moved, John seconded to ratify the approval of a temporary Itinerant License for Carolyn Ross for twelve days, which expired today. Approved unanimously.

Sandy said she made an error on the minutes dated August 10, 2004. She said in the paragraph discussing the water line that will be installed for the North Shelley Business Park Subdivision she stated the city would upgrade from a six inch water line to an eight inch water line. Sandy said the paragraph should have read the city would upgrade from a six inch water line to a twelve inch water line with a cap of \$17,000 for the expenses to upgrade the line. The Mayor and Council okayed the correction for a matter of record.

BJ said there was a situation that came up involving a non-conforming use, however the conflict has been resolved.

Dawn said she would like to hire Monica Seward as pool manager this season, and Amber Searle as the Assistant Manager. The Council gave permission.

Alan said Lorin spoke with him regarding the dangers of the crosswalks at Locust and State Street, and Center and State Street. Since State Street is a four lane highway it makes it very difficult to see from all lanes if someone is in the crosswalk. Alan said in Rexburg they use flags that are carried by the pedestrians while crossing the road to make them more visible. Lorin said tubes are placed on each side of street with bright orange flags that are carried from one side to the other. The Council discussed the possibility of theft and vandalism, but felt it will provide

safety to the pedestrians. Rick said he will place the tubes and flags at the intersections of Locust and State Street and Center and State Street. The Council asked that the police monitor the flags to make sure they are being used properly.

Sandy said she notified Gaylen White that he is in non-compliance with the city kennel license ordinance. She said Mr. White has had a kennel license in the past because he has more than two dogs, and he resides in a Commercial Business zone. However, this year Mr. White did not renew his license. Sandy said she drafted a letter to Mr. White asking that he apply for a new license, or inform her if a license was not needed anymore. She said Mr. White came into the office and filled out an application for another kennel license. Rick, who lives near Mr. White said he has seen some problems with Mr. White's dogs running at large, and even his elderly mother is afraid to go outside because of the animals. Rick said the dogs also bark a lot, and he has previously talked to Mr. White about all of these problems. The Council did not approve the kennel license, and asked Sandy to request Mr. White's presence at the next council meeting to discuss this further.

Sandy presented the Impact Area map and agreement that has been approved by the County Commissioners. She said the boundaries of the map were reduced because of the large number of residents protesting being in the Impact Area. The west side of the New Sweden Highway was not included in the new boundaries. After further discussion it was determined that the map was fine at this point, but there needed to be a few changes made to the agreement. The changes included the addition of any subdivision within one quarter mile of the impact area would be required to install sidewalk, curb, and gutter, the word substantive should be changed to complete, etc. Lorin moved, Steve seconded to approve the map as approved by the County Commissioners for the Impact Area, and the agreement with several words and meanings changed. Approved unanimously. Sandy will follow up with Sue Betty to see what the next step is to proceed with the re-negotiation of the Impact Area.

BJ presented the amended ordinance regarding the width of street right-of-ways. Sandy read the ordinance amending the width required to 62 feet for Collector and Minor/Local right-of-ways, and 80 feet for arterial right-of-ways. Steve moved, Lorin seconded that the provisions of Idaho Code 50-902 requiring all ordinances to be fully read on three separate days is dispensed with. Approved unanimously. Steve moved, Lorin seconded to adopt the amended ordinance changing the width of the right-of-ways to 62 feet and 80 feet as read. Approved unanimously.

Sandy said BJ, Charlotte, and John have had the opportunity to comment on the draft for the Computer Policy for the City, and with their comments she is presenting the policy for the rest of the council members to review. She said she will place this item back on the agenda for consideration at the next council meeting when everyone has had the opportunity to review it.

Sandy presented copies of the Purchasing Policy to BJ, Charlotte, and John for review. Once their comments have been received it will be presented to the rest of the council.

Sandy said Neil contacted her and could not be in attendance tonight due to his health, but he wanted to greatly express his appreciation for the flowers that were sent to his wife by the city.

Dawn said the library would like to give pool passes for their reading program again this year. The Council gave permission to let the library use pool passes for their reading program.

Dawn said four of her Jazz participants will be competing at the Fun Shot in the Delta Center.

Dawn said she has started draining the pool to get it ready to open for the season.

Rick said he received four bids for the new addition to the city shop. The bids were received as follows: WM Construction - \$83,750, Jeff Crezee - \$84,500, Coleman Home Improvements - \$85,750 and Steel Systems - \$91,876. Lorin said he and Rick reviewed the bids to make sure everyone was bidding on the same specifications. Lorin moved, Steve seconded to accept and award the bid to construct the new portion onto the city shop to WM Construction in the amount of \$83,750. Approved unanimously. This project did not need to be legally bid due to the declaration of a critical use by the Mayor and Council since the front portion of the shop was destroyed by fire in January.

Rick said the crew is busy working on "spring clean up" that will be ongoing from April 11th until April 22nd.

Charlotte thanked the city crew for the great job they are doing during the "spring clean up" period.

John said Eric Call has given his resignation from the Planning and Zoning Commission. He said Jordan Smith has expressed interest in filling the vacancy on the Commission. John said Jay Rowley also expressed interest, but he felt it may be a conflict of interest because Jay is the City Building Inspector. John moved, Charlotte seconded to appoint Jordan Smith as a member of the Planning and Zoning Commission. Approved unanimously.

John said during the budget process this year the city should consider implementing a higher user fee for those residing outside of city limits to use our pool and participate in our recreation programs. Dawn said she spoke with the manager of the Idaho Falls Aquatic Center, and they have developed a plan to issue cards to the city residents that must be presented when paying the admission fees.

John said he had a great time at the Easter Egg Hunt. He said while he was over at the city park he noticed that some of the items at the park are looking a little shabby. John suggested that when the city crew has time that they may possibly do some painting to make the park look nicer. John said it may be possible to find an eagle scout looking for a project that could do some of the work too. He said a new shed is also needed at the park for some of Dawn's supplies. John said money has been budgeted for this purpose.

Steve said he spoke with the Idaho Department of Parks and Recreation regarding the grant for the restrooms at Brinkman Park. He said this matter has not gone before the Board of Directors for approval yet, but the project looks really good for obtaining the grant.

Steve said he really appreciates working with Alan on the problems in the Police Department. He said there seems to be a more positive attitude in the department overall.

Lorin said he is still very concerned about the dead trees adjacent to the walk path. He said they are a fire and a safety hazard. Sandy said Marlene in the Assessor's office indicated that it appears Bingham County owns the property the trees are located on. Lorin said the trees need to be removed before someone gets hurt. He said if there is a concern regarding the wildlife habitat, we can replace the old trees with eagle or osprey nesting poles. John and Tony Hill agreed to meet Lorin so the dead trees can be marked and removed.

Lorin said the speed limit on West Fir needs to be reduced to 35 m.p.h. He felt the speed limit sign should be moved to at least the edge of the city limits. Alan said he has reviewed this area, and feels there is definitely a speed problem. Steve moved, Lorin seconded that a traffic study provided by the Police Chief has deemed it necessary to move the 35 m.p.h speed limit west on West Fir to the edge of the city limits. Approved unanimously. John moved, Steve seconded to also place a 35 m.p.h. speed limit sign on Longhurst Lane based on the same traffic study. Approved unanimously.

Mayor Christensen said over the past several years he has written numerous letters to Union Pacific Railroad regarding the condition of their tracks. He said the tracks on West Fir are in pretty good condition, but the tracks on Center and on Locust still need some work. Mayor Christensen said when the light is installed at the intersection of Center and State Street we have been assured that the tracks will also be redone.

Mayor Christensen said earlier today Mrs. Cummings 8th grade class gave a presentation regarding the city's centennial year. He said a quilt was presented that was made by the 8th grade class, and it will be displayed at the city building for a few months before being given back to the school to display. Mayor Christensen said after the presentation, the students released two hundred balloons into the air. One hundred of the balloons represented the past one hundred years, and the other one hundred balloons represented the next one hundred years.

Mayor Christensen said Husk Crowther from Forsgren Engineers invited Rick and him to go to Hyrum, Utah to review a working waste water treatment plant. He said he will be unable to go, but Rick will be going this Friday.

Adjourned: 9:50 p.m.

ATTEST: Sandy Hayward APPROVE

Eric R. Christensen