

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

FEBRUARY 08, 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: Alan

PRAYER: Steve Cederberg

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

Approval of the minutes of January 25, 2005 Council meeting
Approval of the January 2005 Expenditures
Approval of the January 2005 Overall Budget & Treasurer's Rpt.

Approved unanimously.

Rick introduced Glen Burcham who handles the water and waste water training in Boise. Rick said there will be a workshop in Boise on March 7th, 8th, and 9th sponsored by the Idaho Rural Water Agency. He said that Chuck, Dave, and he would like to attend this workshop which will allow them to obtain the necessary credits to retain their water and waste water certifications. Rick said the approximate expense is \$1200 for the three of them to attend. Lorin moved, Steve seconded to approve the expenditure of approximately \$1200 to allow Rick, Dave, and Chuck to attend the IRWA Workshop in Boise on March 7th, 8th, and 9th to retain their certification. Approved unanimously. Mr. Burcham said the City of Shelley has been nominated for the most aggressive small community in the State of Idaho. He said the staff is doing a great job in the city, and the award will be announced at the IRWA Workshop.

Mayor Christensen said Bruce Crockett contacted him regarding the proposed Auditorium District. He said as the formation of an Auditorium District progresses the Committee will need some legal counseling. Mayor Christensen said Mr. Crockett wondered if the city attorney could be used for this purpose at the city's expense since the Auditorium District has no funding yet. BJ felt he could provide his services to the Auditorium District, but if he should feel uncomfortable in handling some of the legal counseling that may come up he would direct them to another attorney. Neil said one of the first things that will be needed, is to file for a non-profit status so they can become incorporated. BJ felt he could handle that, and estimates that the fee for that service would be about \$500 or less. The Council felt they should place a limit on the amount of money that will be expended for legal services for the Auditorium District. John moved, Lorin seconded to authorize the expense of up to \$1000 for legal services for the formation of an Auditorium District provided by the city attorney. Approved unanimously.

The Mayor and Council discussed what type of policy should be established for the use of city property. Alan felt nobody should be allowed to use city property except for city employees. Steve agreed. Sandy said at the present the council chambers and the training room are used for meetings, and may not always be used by city employees only. Further discussion was held, and everyone felt when city employees want to use city property, it must be with the department supervisor's approval. The only exception would be city hall when the council room or training room is being used to conduct meetings. BJ suggested that the city contact ICRMP regarding this matter. Sandy said she spoke with Scott McLeish of ICRMP and he said it was up to the city to make the policies. He said any accident is covered by the city's liability insurance. BJ suggested that there may be a discount for our insurance if we established a property use policy. Sandy said she would contact ICRMP and check into it. The Mayor and Council asked the Department Heads to think this matter over, and it would be readdressed at the next council meeting.

Grant from Butler Engineering presented the final plat for phase one of the North Shelley Business Park. Dave Noel from Forsgren as well as their surveyor reviewed the proposed final plat. Dave said every issue in the city code has been addressed, and he signed off on the plat for phase one. Grant said it is anticipated that the first phase of the development will need the equivalent of 15 residential water connections. He said they based their projections on the construction of a car wash, fast food restaurant, offices, etc. Sandy said the only other issue that needs to be addressed as a matter of record is whether or not the temporary cul-de-sacs that will be constructed should be paved. Rick said the specifications for the street are being met with the exception of asphalt in the temporary turn arounds, therefore he did not feel that they should be paved. The Mayor and Council agreed, and determined paving would not be required in the temporary cul-de-sacs as long as all other street specifications are met. Lorin moved, John seconded to approve the final plat for phase one of the North Shelley Business Park Subdivision which conforms to the city code and the city comprehensive plan and should be constructed as specified. Approved unanimously.

Brent Christensen discussed the water rights that the city has. He said he realizes that the city intends to do a water planning study, but he did a small study on his own. Mr. Christensen said he spoke with several surrounding cities that use meters, and found that most people use approximately 60 to 65 gallons per day for potable water. He said the water rights that the city has pertain to potable water and not irrigation water. Mr. Christensen felt the city could double its population and still have enough water rights to provide service to everyone, however he is not taking fire protection services into account. He knows the water planning study will show accurate figures, but he felt he should share this information with the council. Mr. Burcham said to keep in mind that there are two thirds more water rights than water. He said at the present there are several pieces of legislation going on that may effect irrigation. Husk said there are some communities in Utah that are mandating separate secondary irrigation systems for subdivisions.

Husk from Forsgren Engineering discussed the proposed waste water treatment facility. He said the City of Ammon's bond passed by 78%. Husk said he has been working on congressional funding applications to assist this regional project. He said he has also been working on a contract for the preliminary design of the treatment facility, which DEQ and the Regional Authority has reviewed. Husk said the Northern Interceptor design was also listed in the contract under the various tasks that should be completed. He suggested that some pilot testing be done on some of the different types of waste water treatment equipment to see what would benefit everyone. Husk said these decisions need to be made by the involved entities and the Regional Board. He demonstrated several ideas, and what types of new technology may be used for aeration. Husk said he attended a meeting with the Pocatello DEQ office regarding the city's current NPDES permit. He said he has no answers about the current violations yet. Husk suggested that the city keep DEQ and EPA very updated on all of our progress towards the construction of the waste water treatment facility. Husk said the city wants to show these agencies that we are very pro-active. Mayor Christensen said the city depends on Forsgren for their experience in waste water. He asked Husk to attend the appropriate council meetings to keep everyone updated on this matter. Mayor Christensen said there will be a Regional Waste Water Authority meeting on February 18, 2005, at 10:00 a.m. to discuss the regional facility. Husk said there is still a shortage of funds to complete the Northern Interceptor line of about \$500,000. He said there have been some other developers interested in the pre-sale of hookups, but not enough to cover the entire shortage. Husk said there may be some other options with DEQ that could help with the shortage also. Ted said the design may have to be altered, and then the project taken back out to bid to see if the cost could be reduced. Ted said the City of St. Anthony is being fined for waste water violations by EPA and they are currently under construction of a treatment facility. He discussed EPA regulations, and stated that EPA is reviewing Southeastern Idaho more than they ever have right now. That is why it is so important for the city to keep EPA updated on the progress of our treatment facility. Ted said they have been working on the congressional funding applications. Mr. Burcham suggested that a packet be given to Don Lunkers of the Department of Idaho Water so he may take the packet to Washington with him. Ted said he will send a packet to Mr. Lunkers tomorrow. John suggested that the city also include some centennial pins in the packets.

Dave Noel, Forsgren Engineering said he will be meeting with Sandy on February 10th to go over the city's subdivision regulations, and see what needs to be amended and clarified to make the ordinance clearer to the developers. He said Sandy and he will then meet with the Planning and Zoning Commission on February 16th for their input.

BJ said no payment has been received from the Taylor's for the sidewalk project on South Park Avenue. He said according to city code he drafted a Notice of Delinquency that should be served to the Taylor's upon the Council's declaration. John moved, Steve seconded to declare a delinquency pursuant to Idaho Code 50-1008 for the payment of the sidewalk project on South Park Avenue owed by Mr. and Mrs. Terry L. Taylor in the amount of \$3768.75. Approved unanimously.

BJ presented a newspaper article to the Mayor and Council regarding water right issues for their review.

BJ said he did some research on the matter of the city issuing licenses to sell hard liquor by the drink. He said Troy Dehlin was on the agenda at the last council meeting to discuss this matter, but then withdrew because he was not prepared. BJ said if the city chooses to allow licensing for the sale of hard liquor by the drink, he could prepare an ordinance to address this. He presented some of the criteria that should be considered before issuing a license for this purpose. BJ recommended some type of ordinance be drafted showing a structure for the issuance of the license before being approached again. The Council discussed this matter, and felt our existing ordinances did not allow for the licensing of hard liquor by the drink and it should remain that way at the present.

BJ said he reviewed the city's outside user water service agreement, and felt there were no deficiencies and it looked fine.

Sandy said Qwest has requested approval to bury and maintain cable on Quigg Street north of Oak Street. The Council had several questions regarding the availability of DSL from Qwest in the city. Sandy was asked to contact Qwest in regards to when DSL would be available to our residents. This matter was tabled until the next meeting when more information was available regarding DSL.

Rick said ICRMP received two bids to renovate the destroyed portion of the city shop. He said Tobin's bid was \$129,000 and RE Beck's bid was \$109,800. Rick said he is in the process of getting estimates to see what it would cost to tear down the destroyed portion of the shop and reconstruct the front portion of the building. ICRMP has basically said they would pay \$109,800 for the renovation or reconstruction, but any amount over that would be the city's responsibility.

Alan said the new police vehicle arrived, and he is having the lights and a kick screen installed. He said the 1999 Crown Victoria has already been declared as surplus property, and would be sold at auction on March 5, 2005.

Charlotte asked if the crosswalk on Birch Street could be painted diagonally so it can be seen better when it snows. Rick said he would take care of this matter.

John said Chris Sheetz, a PTA representative will be having a walk-a-thon as a fund raiser and will co-ordinate this event with Arbor Day.

John said it might be a good time to begin planning a "Mayor's Breakfast" to raise funds for the construction of Centennial Park. He felt a good time to hold this event would be sometime in June.

Steve said he attended the Legislative Luncheon in Boise last week. He said it was a very good meeting where he had the opportunity to meet with several senators and representatives. Steve said it was advised that each city have a no tolerance policy for graffiti. Alan said the best deterrent is to cover the graffiti as soon as it is put up. Charlotte was asked to let the school know that they should also try and cover graffiti as soon as it is discovered.

Lorin said he has been looking at signs for the new "Welcome to Shelley" sign that will be installed at the entry to the Connector Road. He asked Rick to meet with him to review some of the possible signs that may meet the city's needs.

Lorin said the city has the plans for the addition to city hall, but the project is progressing slowly. He said the architect, Dale Petty has had some personal set backs, and he will talk to him to see if his workload will permit him to finish the job.

Steve moved, John seconded to adjourn into executive session. Approved unanimously.

Steve moved, Charlotte seconded to reconvene into regular session. Approved unanimously.

Mayor Christensen said while in executive session personnel issues and potential litigation was discussed.

Adjourned 10:18 p.m.

ATTEST  APPROVE 