

CITY OF CHELSEA
COUNCIL MEETING
MINUTES

December 11, 2007

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: Dawn Lloyd

PRAYER: Mayor Christensen

Steve moved, Charlotte seconded to approve the following consent agenda:

Minutes of November 27, 2007 Council Meeting
Approval of November 2007 Overall Budget & Treasurer's Rpt.
Approval of November 2007 Expenditures
Building Permits:
Stacey Pascoe - new office building

A roll call vote was called for: Steve – aye, Charlotte – aye, John - aye. Approved three in favor, one absent.

George Donnahue, American Legion Post 93 addressed the council to discuss the possibility of obtaining a 17 foot access easement for the property where they are proposing to construct a building southwest of Bleak Memorial Park. Mr. Donnahue introduced several members of the American Legion, and stated they intend to keep the Post active. Mayor Christensen paid a special tribute to Legion member James Croft who is a survivor of Pearl Harbor. Mr. Donnahue presented pictures showing where the needed easement is located, and where the proposed building will be constructed. He said there is already a curb cut existing. Mr. Donnahue said there is already an existing fourteen foot easement for the Croft property on the south end of Bleak Park. He said all of the city's lot requirements and setbacks can be met however, a rezone will be needed to construct an office building. Mr. Donnahue asked if there could be a caretaker that would reside on the premises in the future. Sandy said a special use permit would be needed to do so. Mr. Donnahue agreed that the easement/driveway would be fenced, or a barrier would be erected to provide safety for the children playing in the park. Sandy asked for clarification of whether the Legion is asking for an easement or a deed for the property. Mr. Donnahue said they would like an access easement. Sandy asked if there would be a fifty foot radius maintained from the pump house. Mr. Donnahue said yes. Lorin and the other council members could not see any problems with allowing the easement. Lorin moved, Steve seconded to grant a seventeen foot in gross easement on the south end of Bleak Memorial Park exclusively to the American Legion, Post 93. Approved three in favor, one absent. The petitioner will provide an access easement for the city attorney to review, and if the property ever changes ownership the in gross easement will be dissolved. Lorin asked Mr. Donnahue to communicate with the public about the development as much as possible so they are aware of what is going on.

Merrill Hanny said he is representing Jeanne Stonley who is requesting an easement for an irrigation line underneath the former railroad spur now owned by the city. He said there has been an existing irrigation line running underneath the spur for many years. Mr. Hanny said a new irrigation line must now be installed to support a new pivot system. Sandy said she received copies of two easements; one for Jeanne Stonley and the other for Jeanine Stoddard. She said she sent these easements to BJ for review. Sandy said she is concerned over a statement in the easement specifying the easement is "over and upon" the city owned property. She felt this should be changed to "underneath" the city owned property. The Council members said they would be in favor of an easement for the Stonley's and the Stoddard's, however the paperwork should be cleaned up. BJ suggested to Mr. Hanny to have an attorney prepare the easement and specify the actual location of the easement, and specify the access easement also. Mr. Hanny said in the future the property will probably be developed and the easement will no longer be needed. The Mayor and Council agreed that this should be an in gross easement exclusive to the Stonley and the Stoddard families; meaning if the ownership of the property is ever transferred the easement will be dissolved. Lorin moved, Charlotte seconded to approve an in gross easement exclusive to Jeanne Stonley (Stonley Farms) and Jeanine Stoddard. Approved three in favor, one absent. New easement documents will be submitted for BJ's review and recommendation for execution.

Wes Cook, Forsgren expressed him and his company's gratitude for the great working relationship they have with the city, and wished everyone a Happy Holiday.

The following licenses were approved for 2008:

Steve moved, Lorin seconded to approved beer license #1394(carry out) for Food Plaza for 2008. Approved three in favor, one absent.

Lorin moved, Charlotte seconded to approved beer license #1395 (carry out) for Food Plaza for 2008. Approved three in favor, one absent.

Charlotte moved, Steve seconded to approve a cabaret license for the Elite Retreat (Senior Citizens Center) for 2008, and to waive the associated fee of \$75. Approved three in favor, one absent.

Steve moved, Lorin seconded to approve Live Theater license #1396 for the Virginia Theater (Jason Jaynes) for 2008. Approved three in favor, one absent.

Charlotte moved, Steve seconded to approve a Kennel License for Katherine Butchart for 2008. Approved three in favor, one absent.

Lorin moved, Charlotte seconded to approve a Second Hand Goods license for Blue Mule Auctions for 2008. Approved three in favor, one absent.

Sandy asked for approval to call in the bonds for LID #12 early. She said by calling the bonds in early the city would save approximately \$4100. Sandy said she would need to use remaining funds left by LID #11 until LID #12 payments have been paid in full which will be completed in 2011. The total due to pay off the bonds for LID #12 is \$45,623.00 which must be paid by January 21, 2008. Sandy said she must notify the bond holder at least thirty days in advance. Steve moved, Charlotte seconded to authorize Sandy to call the remaining bonds in for LID #12

in the amount of \$45,623.00 and use funds remaining in LID #11 and LID #12 to pay the redemption. Approved three in favor, one absent.

John was not in attendance, but asked Sandy to present the names of Brian Covert and Bruce Rudd to fill two of the vacancies on the Planning and Zoning Commission. Lorin moved, Steve seconded to appoint Bruce Rudd and Brian Covert to the Planning and Zoning Commission. Approved three in favor, one absent.

Sandy presented a comment sheet from Bingham County in regards to a subdivision being developed by LJ LLC off of Klinger Road. The Council agreed that the county should be informed that this development is approximately one-half mile from the proposed eastern collector line of the regional sewer system. The Council also wanted to reiterate that the best place for a county having severe drought conditions to grow is within the city limits.

BJ said he sent his comments regarding the draft for the sewer regulations to Husk. He said he will continue to work with Husk on this matter.

BJ said he is still waiting for USDA to finish the lease for the transfer station property.

Sandy said City Officials Day at the Capital will be January 31, 2008. She asked who will be attending this event. Mayor Christensen said he would be attending, and Charlotte said she would also like to go if she is able to. Lorin will be an alternate in case Charlotte cannot go. Sandy will make arrangements for both persons to fly out on the morning of the 31st, and return that evening.

Sandy said she received an Assessment Notice from the Bingham Groundwater District for 2008. She said the assessment fee for four water rights is \$628.69, and the mitigation fee is \$5444.06 making a total of \$6072.75. Sandy said the mitigation portion of the assessment is used to fight for water right issues and curtailments as a whole for the District. Sandy said last year the fees were just over \$3000, so the total has increased by double. She said she checked with the Groundwater District and their attorney is working on the A&B Irrigation curtailment. Sandy said she and BJ discussed this matter and wanted to make sure the city wasn't paying for two attorneys to do the same work. BJ said he has also spoken with the District's attorney. He said it is always good to support a group effort such as this one, and if he had to represent the city on a water issue he could use up \$6,000 in a short time. Lorin felt the city should not pay for the mitigation portion of the assessment. He felt it is wasted money. Charlotte agreed that while the fees are high, if the city should need representation this would be the most feasible. Steve agreed. Steve moved, Charlotte seconded to pay the Assessment to the Bingham Ground Water District in the full amount of \$6,072.75 which includes assessment fees and mitigation fees. Two in favor, Lorin opposed, one absent, motion carries.

Dawn said the first meeting of the Mayor's Youth Committee was held last week. She said officers were elected and Cindy Searle was chosen to attend council meetings. Dawn said the

Committee is reviewing several different projects such as walk path improvements on Hanson Avenue, construction of a Bike Park, an after school program, an additional marquee, etc. Dawn said the Committee has received a \$500 grant to be used for alcohol education.

Dawn said there will be a Blood Drive on December 18, 2007, at the city building. She said she is short of participants and to spread the word for needed donors.

Alan said the city crew is finishing one of the rooms in the basement for police department use. He said it would be nice if the bathroom could be finished downstairs. Alan said the area has been plumbed for two restrooms. The council felt it would be a good idea and to present some cost estimates at a future meeting.

Charlotte said Rick and she need to pay their dues to the Kiwanis for next year. The council agreed both people should remain members of the Kiwanis, and agreed to expend the funds for membership.

BJ said he contacted Forsgren regarding the hearing concerning the water right at the sewer lagoon. He said he will be attending this hearing next week.

BJ said his hourly rates will be increasing by \$10 an hour beginning January 1, 2008.

Steve said it appears Wind River Acres Subdivision will begin construction of the infrastructure soon. He said there is heavy equipment on location to begin the work.

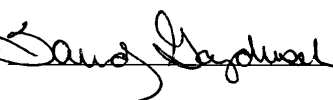
Lorin discussed the establishment of business licenses for the city. He asked Sandy to proceed with developing an ordinance, fee schedule, and a plan to implement this.

Lorin said he received a call from a citizen who was very angry with the police department. He said Chief Dial and himself met with this citizen to discuss his concerns. Lorin expressed thanks to Alan for the manner he handled such a tough situation.

Mayor Christensen said he will be absent at the January 8, 2008 meeting. Lorin will be conducting the meeting. Mayor Christensen said on January 22, 2008, he will make the appointments and assignments for the year. He asked that if any council members would like voice their comments regarding this matter they should do so prior to the meeting.

Adjourned: 9:47 p.m.

ATTEST:

 APPROVE: 