

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

NOVEMBER 08, 2016

PRESENT: Mayor Stacy Pascoe

Council Members: Earl Beattie, Jeff Kelley, Kim Westergard, and Adam French

Police Chief: Rod Mohler (absent)

Public Wks Dir.: Justin Johnson

Recreation Dir.: Mikel Anderson

City Clerk/Treasurer: Sandy Gaydusek

City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Justin Johnson

PRAYER: Adam French

Mayor Pascoe opened the meeting at 7:32 p.m.

Kim moved, Jeff seconded to approve the following consent agenda:

Minutes of October 25, 2016

Building Permits:

Liberty Homes – New Home

A roll call vote was taken: Earl - aye, Kim – aye, Jeff – aye, and Adam-aye.

Approved unanimously.

A Public Hearing was scheduled to consider increasing the connection fee for Fire Suppression. The current fee is \$500, however it costs the city approximately \$1850 to install the connection. Mayor Pascoe turned the time over to BJ to conduct the public hearing. BJ said the city needs to increase this fee to cover the city's costs for installation of a fire suppression line. The Public Hearing was opened and BJ asked if there was any written correspondence received regarding the increase of this fee. Sandy said no, there was not. BJ asked if there were any comments in opposition, in favor, or neutral regarding this matter. There was no public testimony. BJ closed the public hearing. The Council deliberated, and felt this fee should be increased to cover the city's expense to install this type of connection. Jeff moved, Adam seconded to increase the Fire Suppression fee to \$1850 effective immediately, and to approve Resolution 16-06 stating such. Approved unanimously.

Sandy presented Ordinance 585 regarding the rezone of property owned by Carl Hansen and Ritter Trust off of West Oak. Kevin Murray submitted the request as their acting agent. The Planning and Zoning Committee recommended approval at their public hearing, and the city council approved this request at the last Council meeting. Adam moved, Kim seconded to suspend the reading of Ordinance 585 on three different days and read the title of Ordinance 585 once. A roll call vote was taken: Adam – aye, Kim – aye, Earl – aye, and Jeff – aye.

Approved unanimously. Adam read the title of Ordinance 585 in full. Adam moved Kim seconded to adopt Ordinance 585 as read rezoning a parcel of land off of approximately 207 W. Oak Street owned by Ritter Trust and Carl Hansen from Multiple Family Residential (RM) to Three to Eight Attached Single Family Residential (R2A). A roll call vote was taken: Kim – aye, Adam – aye, Jeff – aye, and Earl – aye. Approved unanimously.

Ted Hendricks from ECIPDA discussed the proposed water project and grant. He discussed the project to construct a new water storage tank, install a 16 inch distribution line from Well #5 to Fir Street, and to provide “Standby Power” (generators). The total cost is \$1,598,000. Mr. Hendricks said the city has indicated it could come up with 1.1 million in a combination of city and Urban Renewal Funds. He said the city has discussed raising the water rates by \$3 per month to pay back this capital improvement cost in about 7 years. Mr. Hendricks said a public hearing has been advertised for November 15, 2016 at 6:00 p.m. regarding a submittal of a block grant requesting \$500,000 for this project. Mr. Hendricks said he will bring the authorizing resolution for the grant application. Sandy said there is \$165,000 in the Water Reserve Account, however this would deplete this fund. She said there is \$335,000 in capital improvement in the Water Fund that could be used, however that would leave only \$85,000 for any unexpected capital improvement expenses. Sandy said there is \$600,000 in the Urban Renewal Account, however the URA Board would need to approve any expenditure from this account. She said she will schedule a meeting with the Board for consideration of approval. Sandy said if the Mayor and Council are willing to consider an increase to the water rates of \$3 per month this will generate about \$70,000 annually for capital improvement projects. Jeff moved, Earl seconded to move forward with the scope of work and budget for the block grant which will include three phases of the project as discussed previously. Approved unanimously.

Sandy said she had received a complaint regarding the sidewalk at 316 E Locust abutting Rick Betzer’s property. She said the sidewalk is raised up a couple of inches creating a safety hazard to pedestrians. She said Mr. Betzer is aware of the safety hazard on the sidewalk, but the complainant was concerned the sidewalk would not be repaired before winter. Sandy said according to city code the Mayor and Council must order repair of the sidewalk which must be recorded in the minutes. If the sidewalk is not repaired the city could obtain bids and repair the sidewalk. Then the city would assess the property the expense through property taxes. Kim moved, Jeff seconded to order the repair of the sidewalk at 316 E. Locust owned by Rick and Christina Betzer. Approved unanimously. Sandy said she will have the order served.

Bryce Jolley, Harper Leavitt Engineering was in attendance to discuss the Sunset Vista Subdivision. He said he has made the corrections to the preliminary plat as discussed at the last council meeting in regards to the City Engineers review. He said he did not show a buffer zone between Basic American Foods property and the residents since the closest commercial building is 240 feet away. Mr. Jolley said there is also not enough room for a 20 foot planting strip as required in the subdivision regulations. Sandy said there is a buffer zone shown on the plat which is on the far west side of the subdivision next to the railroad and Highway Council Meeting –NOVEMBER 08, 2016

91. Mr. Jolley said the Developer's Restrictive Covenants will require a fence between the subdivision lots and the Basic American property. He said there could be a Development Agreement stating a Certificate of Occupancy will not be obtained until a fence is constructed. Mr. Jolley said the storm water basins have been corrected as well as showing the street lights on the plat, etc. He said they may want to change some of the zoning to R1A so they can construct twin homes. Sandy said they will need to rezone and remove that section from the plat, since they cannot have multiple zones on a plat. Mr. Jolley said they may need 218 feet with French drains for adequate drainage. Jeff said they may want to address this in the Development Agreement. Sandy said Dave Noel, our engineer has been off work for surgery, so the corrected plat has not been reviewed yet, since it was not emailed to him until last Friday. She said she has not received any comments back from the reviewing agencies either, but the thirty day comment period has not ended yet. Jeff discussed the improvements to Ash Street. He said there are six property owners who do not want to pay to put street, sidewalk, curb and gutter in. He said if this should be put into an LID, everyone benefitting from the improvement would be required to pay a portion of the expense including the 94 lots in the subdivision. Mr. Christensen, the Developer said there are two or three different issues regarding Ash Street. He said when a development is put in, it has to tie into a road. So as each of the homes were built on Ash Street, the sidewalk, street, etc. should have been extended. Mr. Christensen said he talked to four owners after the P&Z Hearing on this matter and they didn't have a problem with paying a share to improve Ash Street, but they did not want to pay for the entire street. He said there were also two different times the residents said they remembered the city was going to pave the street. Sandy said it was not in any of the minutes stating the city would pave the street, however it may be possible that the Public Works Director at that time could have made this statement. Mr. Christensen said there is 548 lineal feet from Park Avenue to the end of Robert Johnson's property, plus 200 feet past one other home that was built. He suggested the city pay one third, he pay one third, and the property owners pay one third of the project. Mr. Christensen said to install curb and gutter, not including sidewalks it would cost \$19,000, and the preparation and the asphalt would cost \$46,000 which is a total of \$65,000. Jeff said he did not feel the city should pay one third. Mayor Pascoe said he felt as each owner built they should have had to put the improvements on their property. He said when he builds he has to run the improvements such as water, sewer, and street to the end of his property, even though he may not need it that far. This is so the next developer is able to hook on. Jeff said typically this has been done with an LID, but he still has a problem with the city paying any of this improvement. He said he want to see all who are benefiting pay for the improvement to Ash including the subdivision lots. Kim said she understand both sides of this. Adam said he feels the road should have been paved years ago, and feels the city should bear some of the cost as well as the homeowners, however he did not like the one third split. Mr. Christensen said these improvements will increase the value of everyone's property. Jeff said he feels there will be some very upset people if the city pays any on this street. Earl said Jeff has a point and does not feel the city should pay for any of the development. Mayor Pascoe suggested this matter be tabled until the December 13, 2016 council meeting when the reviewing agency comments and the engineer's recommendation should be available.

Nick Fawcett, 700 Aspen Avenue said when Birch Street was redone; the crosswalk marking running to Sunrise was covered. He said there is no way for the kids to cross to the school. He said the city was told the school didn't want a crosswalk there, but he feels there should be something there for the kids. Justin said some of the crosswalks have not been repainted yet due to the weather and the paint not sticking. He said they can go ahead and paint the crosswalk on Birch so they kids have a way to cross and if it doesn't last he can do it again next year.

Kim said fourteen people were interviewed for the Recreation Program Director position. She said she would like to recommend that Mikel Anderson be hired for this position. Kim moved, Adam seconded to appoint Mikel Anderson as Recreation Program Director at a level 18 (\$3950 monthly) with a one year probation as an exempt salaried employee. Approved unanimously.

Sandy said she would like to request to have 80 hours of her personal leave be bought out. She said she has reached to maximum carry over and has not been able to use any personal leave due to the turnover in the office. Jeff said there has been a lot of transition. Earl moved, Jeff seconded to approve the 80 hour buy out for Sandy. Approved unanimously.

Kim presented a draft of a Tree Ordinance she obtained from Gerry Bates that would amend our existing ordinance. She asked the council to review the ordinance for the next meeting. Kim said she will invited Mr. Bates to attend the next meeting to go over the draft with us.

Adam moved, Jeff seconded to approve the monthly expense of two street lights on Fir Street that will illuminate the crosswalks. Approved unanimously.

BJ said Title Ten is being reviewed by the Planning and Zoning Commission in regards to storage units in residential zones, as well as the definitions and uses for R1A and R2A in the District Regulations.

Sandy said the Veteran's Memorial Ceremony will be held Friday, November 11th at 10:00 a.m. at the Hillcrest Cemetery. She said Bingham County is also having a service at the Patriot Field in Blackfoot at noon on Friday. Sandy also gave the Mayor and Council a memo to review regarding water management.

Justin said they have received the new Sewer Vactor Truck.

Adam said Sandy has been working relentlessly in the office and was glad her request for the PL buyout could be approved. He said all is going well in City Hall.

Kim seconded Adam's sentiments and said she also appreciates all of Dawn Lloyd's help with the Veterans Memorial and the Mayor's Youth Committee.

Jeff said he has been asked why the new police car has not been striped yet. Earl said they are waiting on the decal vendor, but thought it should be finished soon.

Jeff said there are a couple of pine trees that are not decorated because we are out of supplies. He said he was approached by some residents about adopting

trees to decorate them. Justin said they can do a few more trees this year with LED lighting, but they still have a few trees they cannot reach because there is no power. Jeff said he will work more with Justin on this.

Earl thanked Kim, Adam, Mayor Pascoe, and Sandy for being able to conduct the interviews for the Recreation Program Director. He said there are several issues going on right now that are moving rapidly, such as the proposed developments. He said he is glad to see everyone is working on these projects, and not rushing them and seeing things are done right. Earl gave his thanks to all.

Mayor Pascoe asked Charlie, from the Shelley Pioneer to put in the paper that the city would be going through a transition right now, but a new Recreation Director has been hired and will be working to get the Basketball Program started.

Adjourned: 9:25 p.m.

ATTEST: Earl A. Deatrick APPROVE: Sandy Pascoe