

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

OCTOBER 27, 2009

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 Dial

PRAYER: Charlotte Fredrickson

John was telephone conferenced into the meeting after the consent agenda was approved.

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

Minutes of October 13, 2009 Council Meeting
September 2009 Expenditures
September 2009 Overall Budget & Treasurer's Rpt.
Building Permits:

A roll call vote was called for: Steve – aye, John – absent, Lorin – aye, Charlotte - aye.

Approved three in favor, one absent.

Sandy and BJ read Ordinance #527 amending the dog control ordinance for the third time. BJ said changes were made to the text of the first and second reading of this ordinance clarifying the language and changing the violation of not placing a tag on the dog's collar to an infraction instead of a misdemeanor. This ordinance will not allow non-commercial kennel licenses in the city, only commercial kennel licenses will be allowed based on the zoning of the property, and surrounding property owner's approval. Steve moved, John seconded to suspend the reading of Ordinance #527 on three different days and read the title of Ordinance #527 once. Approved unanimously. Steve read Ordinance #527 by title only. Steve moved, John seconded to adopt Ordinance #527 regarding dog control in the city. Three in favor, Lorin opposed, motion passed.

Barbara Scott, 480 Robald Avenue said the area used for the High School Homecoming Bon Fire has become a landfill also. She said the city has dumped trees, branches, etc., and everyone else has been dumping debris there also. Mrs. Scott said someone dropped a couch there. Rick said the city removed the couch prior to the Bon Fire. Mrs. Scott asked that in the future the Fire Department with a Fire Truck be on site before the Bon Fire is started in case of an accidental explosion.

Devrie Hanson from the Mayor's Youth Council discussed the organization of the group this year. She said the Youth Council has a Highway cleanup planned for November 7, 2009.

Devrie said the workers will need garbage bags and vests for this project, and wondered if the city could provide them. Rick said yes, the city has these items for the group to use. Devrie asked if there are any other fall service projects. John said the city may need some help at the annual Tree Lighting/Chili Cook Off Ceremony. He asked that they contact Diane Mickelson. Devrie said the group is looking for sponsors this year, and will be asking a few businesses for help. The Council had no objection. John suggested the Youth Council get a list of city businesses from the city office. Devrie said the Youth Group will be serving at the Senior Citizen's Center again this year.

Lorin moved, Steve seconded to approve an Itinerant Business license for Tap Enterprises to conduct a one-day sale at the Senior Citizen's Center building on November 7, 2009, conditional upon the fee for the license paid prior to the sale. Approved unanimously.

Rick said the city has been renting a backhoe from Scott's Machinery for the past three years. He said Honnen's Equipment bought Scott's Machinery and they have chosen not to continue the equipment rental program. Therefore, the city has no backhoe and is in need of one. Rick said he obtained prices for a backhoe from Honnen Equipment, Western States Caterpillar and Case. He said Case and Caterpillar both have a lease/purchase program for a new backhoe for \$10,000 per year with a buy out of \$47,500. Rick said Honnen Equipment will sell the city the backhoe we currently have on a three-year lease purchase program of \$20,000 per year with a \$1 buy out. He said all of the attachments fit this backhoe, and the city would not need to purchase new attachments. Rick said the loader, which is on a lease purchase program, will be paid off next year. Sandy said the council froze all capital outlay for new equipment this budget year. She said however she recognizes the city needs a backhoe, and the council could chose to expend the purchase out of the State Revenue Sharing Fund or the Street, Water and Sewer Emergency Fund. She recommended using the State Revenue Sharing Fund since the fees and taxes were not increased this year in the other funds. Rick said the current lease is up in November. Steve moved, Lorin seconded to approve the purchase of a backhoe from Honnen Equipment in the amount of approximately \$20,000 per year for the next three years on a lease/purchase program, and to expend the funds from the State Revenue Sharing Fund. Approved unanimously.

Alan said copies of the Police Policy Manual were given to BJ and each of the council members for review. Lorin said he has not had time to review the policy. The Council determined this matter will be deferred to the next meeting to allow more review time of the new policy.

The Mayor and Council discussed the Robald Avenue traffic issue. A meeting has been scheduled with the city and the school on Thursday, October 29, 2009 to try and resolve the issue of the high volume of traffic using Robald Avenue and Russet Way. BJ said he did some research and the city has broad powers to control the streets in the city limits. He said the city has the right to block off Robald Avenue if they choose. Mayor Christensen said if the school chooses to do nothing, then the city will be forced to be reactive. The Council agreed. John said if he remembers correctly, the School built Russet Way, however Robald Avenue was not built for the manner it is being used for. Barbara Scott asked if the city can see the problem that exists

or if the city feels it must abide by the law. BJ said he believes Mrs. Scott is asking if the city feels there needs to be something done to protect the health and safety of its citizens, and if so what should be done.

BJ said he spoke with Steve Nielsen regarding the ownership of the Riverbend Subdivision and who has the authority to grant easements on that property. BJ said Mr. Nielsen has had the property deeded back to him, and he has the authority to grant any easements. He said he will honor the easement that was granted for access into the wastewater treatment plant, but in the future he has asked that there be better communication between him and the city.

BJ said he reviewed the Cableone Franchise Agreement. He said everything looks okay. Sandy said she will proceed with the franchise renewal process, and set up the proper hearings.

Sandy said she received the signed Supplemental Lease Agreement from USDA. She said the property has been released to build a dog pound on.

Dawn commended the Mayor's Youth Council.

Rick said Fall Clean Up went along nicely. He said the dog pound footings will be poured on Friday.

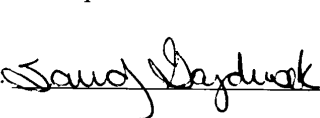
Steve said he received a telephone call from Craig Rolland. He thanked the city for the use of their backhoe at the Bingham County Park.

The Mayor and Council scheduled a special meetings on November 4, 2009, at 7:00 p.m. to canvass the votes from the November 3, 2009 election.

Mayor Christensen said there will be a RWWC meeting on Thursday at 10:00 a.m. He said there will also be a meeting that same night at the Idaho Falls Council Chamber for the Idaho Water Coalition at 7:00 p.m.

Adjourned: 8:58 p.m.

ATTEST:



APPROVE:

