

CITY OF CHELSEA
COUNCIL MEETING
MINUTES

APRIL 22, 2008

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg (absent), 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: Scout Zane Wilmont

PRAYER: Lorin Croft

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

Minutes of April 08, 2008 Council Meeting
Approval of Building Permits:

Sherri Murdoch	- fence
Kurt Russell	- deck
Robert Jemtrud	- window
Commercial Metal Works	- addition

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

Nick Montana of Big Bear Construction said he is the contractor for Gables Management. He said the assisted living center is almost complete, and would like permission to create a landscape berm along the property adjacent to West Fir. He said he would also like permission to access city water to irrigate the landscape year round, instead of using irrigation water during the time the water is available in the canal. Sandy said the Development Agreement states that city culinary water is only to be used when there is no irrigation water available, and their backflow prevention device must be certified annually. BJ said the city is trying to show the State that we are taking steps to conserve water. In his opinion he would not recommend allowing the use of culinary water for landscape irrigation year round. The council determined that Gables Management would not be allowed to use culinary water for irrigation purposes year round. They will be allowed to used culinary water for irrigation only when there is not water in the canal due to the season. Rick said regarding the berm, that is a landscaping issue and he did not see any problem with it. The council agreed and said as far as the city is concerned there is no problem with putting a landscape berm on their property. Mike Carter said in behalf of Rocky Mountain Power they cannot bury a power pole in a berm because the wood is only treated so far up. Mr. Montana said they would like to begin construction on the town homes planned for the development soon. He said the water and the sewer lines have been tied into the city system, and the street paving should begin next week. Rick said he gave Mr. Montana permission to reduce the asphalt to 3 inches, the crushed rock to 6 inches, and the pit run to 10 inches for the street construction. Sandy reminded Mr. Montana until the infrastructure has been completed and accepted by the city, they cannot begin construction on the town homes.

Sandy said Carol Garrison from DEQ contacted her regarding the grant for the Water Facility Planning Study. She said the grant states that an environmental study may be needed for the water facility planning study. Sandy said the city has to agree that they are willing and able to pay a 50% grant match of approximately \$10,000 to \$30,000 for the environmental study portion. John moved, Charlotte seconded to approve an expenditure of approximately \$10,000 to \$30,000 for an environment study for the Water Facility Planning Study. Approved three in favor, one absent.

Sandy said according to State Statute, the city must provide the date of the new fiscal budget hearing to the County Clerk by April 30th. Appropriate dates were discussed. John moved, Lorin seconded to set the 2008-2009 Fiscal Year Budget Hearing for September 2, 2008, at 7:30 p.m. Approved three in favor, one absent.

BJ said the city's water right application has been protested, and the mitigation plan was not accepted by the protestors. He said the next stage is to set a hearing with the Idaho Department of Water Resources (IDWR). BJ said at the last council meeting he was directed to obtain some information regarding the cost estimates concerning the hearing. He said the approximate cost to obtain an attorney who specializes in water issues and a hydrologist is \$10,000 to \$20,000. BJ said he discussed the hearing with Rob Harris, and Jerry Rigby who feel the signs at this point are pretty positive at the likelihood of success, but there has been no commitment from IDWR. BJ recommended the city hire Rob Harris as the attorney to represent the city during the water rights hearing since he is already familiar with the issues. He said Ball Development has indicated that they will pay Mr. Harris's attorney fees and the Easter Idaho Water Coalition has also pledged support in this endeavor. BJ said if the hearing goes in the city's favor there may be a chance that the protestors will appeal. He said there will be a pre-hearing scheduled before the actual hearing, and the tentative hearing date has been set for May 28, 2008 at the IDWR office in Idaho Falls. John recommended that AIC be contacted regarding this matter and asked for financial support as well as looking for any other additional support available. Lorin moved, Charlotte seconded to proceed with a hearing regarding the city's water rights application and to retain Rob Harris as the attorney that will be representing the city in this matter. Approved three in favor, one absent.

Wes Cook, Forsgren discussed the application to transfer the city's water rights diversion points to one point. He said this is taking all of the existing water rights and creating one new diversion point that will be known as well #5. This means all of the water rights could be pulled from any well. Wes said this will allow the city to drill a firm capacity well without going through the procedure to obtain more water rights. He said this will allow the city to begin drilling a new well, and if new water rights are obtained after the IDWR hearing then this new well could be used in that capacity. Wes felt it may be a good idea to talk to the senior water right holders before the application is submitted so they fully understand that the city will not be pulling more water from the aquifer. Lorin moved, Charlotte seconded to submit the application to IDWR to change the city's water right diversion points to one well. Approved three in favor, one absent.

Dave Noel said the bid opening for the Oxbow Treatment Plant was held today, however approval of the design is still needed from the Army Corp of Engineers. He said hopefully approval will be given this week. Dave said the low base bid came in at \$17.3 million. He said the budget information was approximately 16 million which was for a 2 million gallon per day treatment train. He said this included some of the infrastructure that the City of Ammon needs. Dave said the low bidder is RSCI out of the Boise area. The other two bids came from Alder and Bodell, both out of Salt Lake City. Dave said the dredging will begin on Monday the 28th of April. He said EPA has approved the draining of cells B and C. He said approximately 1 million dollars were saved by being able to drain both cells at this time. Dave said he will have a bid recommendation for the Regional Authority on Thursday at their meeting.

Ralph Powell introduced himself as running for the District Seat #2 in the Bingham County Commissioners race. He gave a brief biography of his life which included farming and working as an accountant. Mr. Powell said he has experience in budgets and financing. He said his goals are to build a State Veteran Cemetery in Bingham County and to be more active in the fight against meth.

There was a brief discussion regarding overnight parking on the streets in the Central Business zone. Lorin said he has received some complaints. Currently there is only two hour parking on State Street from Center Street to Emerson and no overnight parking. Alan said the only person that is violating this ordinance is Debbie Evans who has a special use permit to live in her business on State Street. No other further action was taken on this item.

Sandy said Bingham County sent two comment sheets for the city's review. The first is for a special use permit for Eduardo and Candy Gonzalez to have a temporary second dwelling on their lot in an A zone. The second is for Gil Putnam in Hallmark Estates to split his two acre lot into two one acre lots. The Mayor and Council have no comments on these issues.

BJ clarified the proposed water ordinance amendment regarding water meters. It is determined that all new development and properties that have water valve repairs or replacements will be required to install water meter bases, and the ordinance will be amended as such.

Sandy presented a base engineering contract for Forsgren engineering. This base contract specifies obligations of each party for certain engineering services, such as subdivision review, inspections, mapping, etc. BJ will review the contract and return his comments at the next council meeting.

Dawn said the "Dare to Dance" event was held April 19, 2008. She said it was a great success and there was a lot of youth attendance. Everyone had a lot of fun.

Dawn said she is beginning the baseball program.

Rick said he and his crew are preparing for Arbor Day which will be held May 17, 2008. He said they are working on the triangle park so trees can be purchased and planted. Rick said they intend on seeding the park, and may possibly install a water feature during the next budget cycle.

Alan said the police department is in the middle of the Aggressive Driving Task Force week. He said the cities, counties, and state are participating in this task force. Alan said he has received a few telephone calls from upset citizens regarding police stops.

Alan said there was an incident with a dog at Brinkman Park last Saturday night. He said Officer Tincher received a complaint about a dog chasing children at Brinkman Park and responded. Officer Lewis was off duty and returning from running at the High School with his children when Officer Tincher asked for his assistance to catch the dog. The dog went after Officer Lewis's children and Officer Tincher tasered the dog. When Officer Lewis went to grab the dogs collar it turned and bite his hand. Officer Tincher then tasered the dog once again which caused the dog's jaw to clamp shut. Alan said currently Officer Lewis has a finger broken in two places that will be pinned on Friday. He said the dog belonged to Mike Hillman and he has been served a notice of intent to euthanize, and given a "dog at large" citation. It is unknown how long Officer Lewis will be unable to return to work.

Charlotte said she appreciates the city crew for picking up the garbage along the streets and the work they have been doing to clean up the Butte.

Charlotte said the Key Club will be picking up trash along a five mile stretch on the Interstate.

John said he met with Diane Mickelson regarding Riverfest. He said he would like to have a city booth at the event staffed by members of the Tree Committee and others individuals that would work on community involvement with the update to the comprehensive plan. John said he has heard concerns from the public over the growing number of multi-family dwellings in our community. He wondered if there could be a ratio formulated to the number of multi-family dwellings compared to the number of single family dwellings that could be used as a policy. Sandy said there are not that many areas left inside the city limits that are zoned as multi-family dwellings. She said this matter could be reviewed when an application for annexation and rezone is submitted.

John said a Jet Boat and Wake Board competition are being considered as an event at Riverfest. He asked if the city should have a waiver for liability drafted. BJ said yes, if the city is sponsoring the event. Dawn said she would send BJ a copy of the Skateboard competition waiver to see if it could be used for the water competitions.

Lorin introduced his son, Jared Croft who has just returned from serving in the Navy for six years.

BJ discussed the workshop that he had with the Planning and Zoning Commission. He said he needs to provide the P&Z members with a list of criteria to use when they are reviewing non-conforming use application for undue hardships. BJ said he will create some guidelines for the Board to use.

Lorin said he appreciates the city for the flowers that were sent to his brother who was in the hospital.

Lorin said there will be a SICO meeting in Aberdeen on Thursday night that he will be attending.

Lorin said Brent Christensen has sold some property to the church who would like to access city water and sewer. This property could possibly be annexed and there may be a number of water rights that could be transferred to the city.

Lorin said the poles have been installed along the river that will be used for habitat nesting. He said they have not been occupied by birds yet.

Mayor Christensen said there will be a regional waste water meeting held Thursday, April 24, 2008, at 10:00 a.m. He invited all to attend.

Adjourned: 9:08 p.m.

ATTEST: Sandy Lygdon APPROVE: Eric Christensen

APRIL CLAIMS

<u>DATE</u>		<u>AMOUNT</u>	<u>CHECK #</u>
1-Apr-08	John Lent	800.00	31727
3-Apr-08	Dwayne Swearingen	800.00	31728
7-Apr-08	Comdata	867.86	31729
7-Apr-08	Searle Hart and Associates PLLC	3,500.00	31730
16-Apr-08	A & B Trasmission & Service CTR	123.81	31731
16-Apr-08	Advanced Business Systems	95.00	31732
16-Apr-08	Alltel	147.28	31733
16-Apr-08	American Linen	528.02	31734
16-Apr-08	Autowash	465.05	31735
16-Apr-08	Beatties Guns	61.50	31736
16-Apr-08	BMC West	638.70	31737
16-Apr-08	Broulim's	4.99	31738
16-Apr-08	Business Phone Specialists Inc	66.50	31739
16-Apr-08	Circular Butte Landfill	5,020.78	31740
16-Apr-08	Columbia Paint Co	28.95	31741
16-Apr-08	D & S Electrical Supply Co	236.00	31742
16-Apr-08	DBS Inc	3,164.60	31743
16-Apr-08	Diane Mickelsen	419.67	31744
16-Apr-08	Dougs Sales	281.00	31745
16-Apr-08	Electrical Wholesale Supply Co Inc	162.19	31746
16-Apr-08	Fastenal	258.01	31747
16-Apr-08	Forsgren Associates/P.A.	75.00	31748
16-Apr-08	Hammon Teton Delivery	45.00	31749
16-Apr-08	IAS - Envirochem	462.00	31750
16-Apr-08	Idaho Business Forms	117.19	31751
16-Apr-08	Idaho Business Systems	60.74	31752
16-Apr-08	Idaho Dept of Employment	1,978.74	31753
16-Apr-08	Idaho State Tax Commission	5.85	31754
16-Apr-08	Kimball Midwest	66.30	31755
16-Apr-08	Kings No. 21	50.65	31756
16-Apr-08	Kirkham Auto Parts Service Co. #80	145.61	31757
16-Apr-08	LC Insulation and Supply Co	52.27	31758
16-Apr-08	Les Schwab Tire Center	1,110.96	31759
16-Apr-08	Dawn Lloyd	303.56	31760
16-Apr-08	Masterpiece Tile and Stone	4,139.13	31761
16-Apr-08	McGrath meacham and Smith PLLC	4,098.76	31762
16-Apr-08	Metroquip Inc	857.24	31763
16-Apr-08	Mid-American Research Chemical Corp	193.50	31764
16-Apr-08	Pacific Steel	491.37	31765
16-Apr-08	Petty Cash	27.23	31766
16-Apr-08	Polk Directories	370.00	31767
16-Apr-08	Post Register	132.00	31768
16-Apr-08	Qwest	44.63	31769
16-Apr-08	R & S Distributing	94.98	31770
16-Apr-08	Rocky Mountain Power	5,855.63	31771
16-Apr-08	Sams Club	296.19	31772
16-Apr-08	Shelley pioneer	351.10	31773
16-Apr-08	Shelley Police Officers Association	300.00	31774
16-Apr-08	Shelley/Firth Rural Fire district	4,886.00	31775
16-Apr-08	Sportsmans Warehouse	298.87	31776
16-Apr-08	Staker Floral	34.80	31777
16-Apr-08	State Insurance fund	3,266.00	31778
16-Apr-08	Teton Communications Inc	13,725.00	31779
16-Apr-08	United States Welding Inc	190.70	31780
16-Apr-08	Watson Roto Rooter/Thayne Watson	225.00	31781
30-Apr-08	A & B Trasmission & Service CTR	875.97	31782
30-Apr-08	Alltel	147.43	31783
30-Apr-08	Association of Idaho Cities	60.00	31784
30-Apr-08	B's Portable Toilet	55.00	31785
30-Apr-08	Big 5	332.74	31786
30-Apr-08	Bisco	20.00	31787
30-Apr-08	Business Phone Specialists Inc	66.50	31788
30-Apr-08	Cable One	164.95	31789
30-Apr-08	Circular butte Landfill	4,298.20	31790
30-Apr-08	Corbin and Assoc	385.00	31791
30-Apr-08	Eagle Rock Sanitation	3,106.54	31792
30-Apr-08	Electrical Equipment Co Inc	1,624.34	31793

30-Apr-08	Electrical Wholesale Supply Co Inc	168.29	31794
30-Apr-08	Exxonmobil Fleet/GECC	221.67	31795
30-Apr-08	First Responders	125.00	31796
30-Apr-08	Hearing Zone	30.00	31797
30-Apr-08	IAS - Envirochem	344.00	31798
30-Apr-08	Idaho Asphalt Supply Inc	225.70	31799
30-Apr-08	Imperial Asphalt	11,871.00	31800
30-Apr-08	Intermountain Gas Co	1,080.10	31801
30-Apr-08	Jim's Trophy Room	5.25	31802
30-Apr-08	Kirkham Auto Parts Service Co. #80	232.27	31803
30-Apr-08	Kristan Sparks OD	75.00	31804
30-Apr-08	LC Insulation and Supply co	800.00	31805
30-Apr-08	Mathews Plumbing & Heating	435.00	31806
30-Apr-08	Mcleodusa	424.36	31807
30-Apr-08	Mid-American Research Chemical Corp	24.87	31808
30-Apr-08	Mountain Valley Plumbing	3,410.00	31809
30-Apr-08	Mountain View Sales	39.60	31810
30-Apr-08	Mountainland Communications Inc	604.50	31811
30-Apr-08	Oldcastle Precast Inc	65.00	31812
30-Apr-08	Petty Cash	30.86	31813
30-Apr-08	Phillips 66 Co	1,632.66	31814
30-Apr-08	Post Register	132.00	31815
30-Apr-08	Qwest	86.77	31816
30-Apr-08	Shelley Quick Lube and Auto Center	45.95	31817
30-Apr-08	Cheryl Simmons	350.00	31818
30-Apr-08	Standard Plumbing	6.38	31819
30-Apr-08	Stephenson Computer Consulting	93.75	31820
30-Apr-08	Steve Cederberg	215.22	31821
30-Apr-08	Tanys Howells	43.63	31822
30-Apr-08	Territorial Supplies	124.00	31823
30-Apr-08	TJ Coneveras Inc	216.00	31824
30-Apr-08	Tyree Mackey	13.47	31825
30-Apr-08	US Post Office	326.30	31826
30-Apr-08	United Laboratories	2,415.38	31827
30-Apr-08	Wheeler Electric Inc	65.00	31828
30-Apr-08	2M Company Inc	1,059.86	31827
18-Apr-08	City of Shelley Payroll	45,823.27	
4-Apr-08	City of Shelley Payroll	44,850.86	
	Total	190,871.55	