

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

SEPTEMBER 13, 2005

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg, John Lent, Charlotte Fredrickson
Police Chief: Alan Dial (absent)
Acting Chief: Officer Bret Jones
Public Wks Dir: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: B.J. Driscoll

PLEDGE OF ALLEGIANCE: Rick Anderson

PRAYER: Mayor Christensen

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

- Approval of the minutes of August 23, 2005 Council meeting
- Approval of the minutes of September 06, 2005 Budget Hearing
- Approval of August 2005 Expenditures
- Approval of August 2005 Overall Budget & Treasurer's Rpt.
- Approval of the following Building Permits:
 - Madrigals - facade
 - Movie Gallery - sign
 - Debbie Evans - facade & ceiling
 - Jr. Pena - demolition
 - Basic American Food - re-roof
 - Jeremy Sneddon - new home

Approved unanimously, as Lorin voted aye, Charlotte voted aye, Steve voted aye, and John voted aye.

Brandon Bird updated the Mayor and Council on the economic developments that might be happening around the area. He said there may be an ethanol plant locating in Bingham County. Mr. Bird said Bingham County has the advantage due to the lower population. He said the ethanol is made from straw and should not have an offensive odor. Mr. Bird said if an ethanol plant is constructed, it will provide eight to ten jobs. He said there are two other companies that have looked at Bingham County, one is Premier Technologies that located in Bingham County several months ago. Mr. Bird said there is also a Wind Farm being constructed in the north that will sell their power to PacifiCorp. He left some literature with the Mayor and Council discussing the developments, and the annual report for the Bingham County Economic Development Council.

Brent McFarlane from JRW discussed the addition to City Hall. He presented another option he developed for the DMV section in the city office. Mr. McFarlane asked Sandy to show the office staff the new drawings and get their feedback. He said he discussed the contracts for the specifications and construction with BJ. Mr. McFarlane said since no funding will be provided by the State or Federal Government, the plans do not need to be reviewed by the State, just the

local jurisdiction. Mr. McFarlane will work with these plans further with Lorin and Sandy so the project can be put out to bid.

Debbie Evans discussed the Urban Renewal Façade projects that have been occurring on State Street. She asked the council if they would consider waiving the fees for the building permits for the projects. The Mayor and Council discussed what items should be considered structural and what should not. Mr. McFarlane said all brick fronts or veneers should be inspected in the case of a seismic event, however stucco does not need to be inspected. They determined that all of the façade projects should have a building permit issued for safety purposes, but only the structural portion of each project should be required to pay for the building permit. Debbie asked if the city would fix the water lines that feed the Virginia Theater, since they were damaged when the Lefevre building was being demolished. Rick said it is the property owner's responsibility to fix their lines from the curb stop on. Mayor Christensen said the city does not go onto private property to fix utility lines, and if they did they would be setting precedence. Debbie said she is concerned about being able to open the theater for Spud Day. She said she did not think she would be open, but would continue working on the project. Brent Christensen was in attendance, and said he would be willing to bring his backhoe over and help her out on Friday.

Brent Christensen said he has submitted phases two and three of the North Shelley Business Park Subdivision, but the city engineers are not quite done with their survey review. Sandy said she spoke with Dave Noel, and their surveyor should be done by late Monday or Tuesday of next week. Mr. Christensen asked if a special meeting could be called when the review is finished so he can proceed with his development. The Mayor and Council agreed, and instructed Sandy to set up the meeting. Brent discussed the sewer lines on three lots in the subdivision. He said he would like to connect to the regional line that will be coming through. Mayor Christensen instructed him to work with H-K Contractors and Rick on this matter.

Jose Yanez said he was sent a letter regarding the appearance of his property at 239 West Locust. He said all but three vehicles have been removed from his property. Mr. Yanez said two of the vehicles are operable, and he is waiting for a new head to fix the third vehicle. Mr. Yanez said he has set up a large tarp on his property due to the vehicles using the night deposit at the Bank of Commerce. He said he mother just had eye surgery, and the lights shine through her bedroom window and bother her. He asked if the city could request the Bank of Commerce to install a privacy fence so the lights do not bother anyone. The council informed Mr. Yanez that a fence that is placed on two-property owner's property line could be the financial responsibility of both parties. Rick said Karla at the Bank of Commerce is planning to place a fence on the north end of her property, and he would talk to her about extending it to the west side of the property also.

Sandy said the development agreement for the Wind River Acres Subdivision states that the grass must be planted and a sprinkler system must be installed within eighteen months from the final approval of phase one of the development. She said Marvin Keele, one of the developers for the Wind River Acres Subdivision asked when the eighteen-month time period begins, if it is when the development agreement is signed, or the plat has been recorded. Sandy said she

remembered talking about the date when the council voted and approved the first phase of the development, and it was determined that the eighteen months would begin that night which was November 23, 2004. The Mayor and Council agreed that was their intentions, and the lawn and sprinkler system should be done by the first of June 2006. If the lawn and sprinklers have not been installed by that date, Mr. Keele may request an extension, but it will depend on the circumstances whether or not it will be granted.

Maxine Hanks asked if the Mayor and Council could update her on the master plan that was presented a few weeks ago. John said the council and the Urban Renewal Board have approved to proceed with the master plan. He said he will work with Maxine on what the council might expect to see and accomplish with the master plan.

Sandy presented the Bond Ordinance #489 she received from our Bond Counsel, Mike Moore so the water and sewer revenue bonds can be refinanced. John moved, Steve seconded to suspend the rules that require the ordinance be fully read on three separate days, and to read the ordinance by title only three times tonight. Approved unanimously. Mayor Christensen read Ordinance #489 by title only. BJ read Ordinance #489 by title only. Sandy read Ordinance #489 by title only. Steve moved, Lorin seconded to adopt Ordinance #489 regarding the water and sewer revenue bonds. A roll call vote was called for. Charlotte voted aye, Lorin voted aye, John voted aye, and Steve voted aye. The motion was approved unanimously.

BJ commented on the wonderful article in the Post Register regarding the façade project, and the revitalization of the downtown area.

Sandy said the Mayor received a letter from the Blackfoot Community Players inviting everyone to attend the play "Steel Magnolia" on September 22, 2005 at the Nuart Theater in Blackfoot.

John moved, Charlotte seconded to approve an itinerant license for Tap Enterprises to hold a public sale at the Senior Citizens Center on October 13, 2005. Approved unanimously.

Sandy discussed the parade for Spud Day. The Mayor and each Council member intend to ride in the parade.

Dawn said the pool has been repaired since the water flooded the pit and the boiler, but they did not know where the water came from. She said the pool will be open for another week or so.

Dawn said she has had ten teams register for flag football.

Rick said the crew has been preparing for Spud Day. He said the stage should be completed before that time, and will be ready for use on Spud Day.

The council discussed the fountain that was installed at Centennial Park, and how great it looks. Lorin said he talked to an electrician who may be able to install a wind switch on the fountain at a reasonable cost.

Bret said the police department is running very smoothly. He said Alan is on vacation for about another week. Lorin complimented the police department for the way they responded to a call at his home recently.

Charlotte asked if a booth will be set up to promote Centennial Park on Spud Day. Sandy said she has already reserved a space, and they would have paver applications, T-shirts, and aprons for sale. Charlotte, John and the other council members said they would be able to help at the booth.

Charlotte asked about creating a city flag that can be flown with the state and federal flag on city property. The Council discussed this matter and determined a contest should be held for a design that would be used on the flag. Mayor Christensen asked Charlotte to take charge of this matter. Rick said there is a new design on the city vehicles, and asked Charlotte to try and incorporate the same emblem on the flag if possible.

John invited everyone in attendance to the events on Spud Day.

John said he was in Jackson Hole for several days and their city looks nice, but it cannot even be compared to the look and feel of our city.

Rick said the new portion of the shop is nearly complete. He said some taping still needs to be done.

Steve said he has received a lot of positive comments from the citizens of Shelley regarding the appearance and the growth of the city.

Lorin said he appreciates Rick and his crew for all the work they do for Spud Day. He felt this event should be well attended.

Lorin said a sign has been constructed and will be installed at Centennial Park showing the layout of the proposed park, and stating that the city is accepting donations. He asked Rick if he thought it would be possible to purchase some property from the school to make Centennial Park larger to hold the pavers and additional landscaping. Rick said he did not place the fountain in the area where the pavers and trees were intended to be placed, but it may be possible to purchase more property.

Mayor Christensen said he appreciates this council and the appointed officials that the city has. He stated that this is an election year for him and three council members. He encouraged everyone to run in the election.

Justin Russell, 685 Aspen Avenue, and Brandon Cox, 765 Aspen Avenue said they were in attendance tonight for the 1st class of their scouting rank. They asked the Mayor several questions regarding what challenges a city office has, what rewards there are, constitutional rights, why he chose to run as Mayor, and how they could help their community. He said the challenges are to prepare for growth, the rewards are service to his community, and he ran because he held a council position for several years and then decided to run for Mayor. Mayor Christensen said the boy scouts could help, by serving their community such as picking up litter in the park, etc. He said constitutional rights are the right for everyone to get involved and run for a government office.

Sandy said several years ago the Council vacated the street known as Mallard Avenue so Blake Johnson's daughter could place a home on a piece of his property and they would not have to install street, curb, gutter, and sidewalks for one home. She said now Mr. Johnson is interested in selling four lots on the two parcels of property he has left. Sandy said she explained to Mr. Johnson that he would need ingress and egress easements for each property owner, and he would be responsible to get water and sewer lines to each home. She said Mr. Johnson understands that if he installs a six-inch line to service these four homes that the line will be on private property and the homeowners will be responsible for all maintenance. Sandy said a manhole will also need to be installed by Mr. Johnson, and the city will need written permission to go on the property to use the manhole and turn off the water when necessary. Sandy said this is a very different situation, but Mr. Johnson knows he will be responsible to take care of all necessary easements and such.

Lorin moved, John seconded to adjourn into executive session to discuss possible litigation. Approved unanimously.

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

Mayor Christensen said during executive session possible litigation was discussed.

Adjourned 9:50 p.m.

ATTEST: MB Williams APPROVE: Em R Christensen