

CITY OF GAITHERSBURG  
COUNCIL MEETING  
MINUTES

MARCH 26, 2013

PRESENT: Mayor Eric Christensen  
Council Members: Earl Beattie, Kurt Russell, Stacy Pascoe (absent), Jeff Kelley  
Police Chief: Rod Mohler (absent)  
Public Wks Dir: Chuck Lloyd  
Recreation Dir.: Dawn Lloyd  
City Clerk/Treasurer: Sandy Gaydusek  
City Attorney: Doug Bowen

PLEDGE OF ALLEGIANCE: Sandy Gaydusek

PRAYER: Kurt Russell

Earl moved, Kurt seconded to approve the following consent agenda:

Minutes of March 12, 2013 Council Meeting  
Approval of February Expenditures  
Approval of February Overall Budget & Treasurer's Rpt.  
Approval of the following Building Permits:

Larena Zamora - sign  
Robert Johnson - addition

Roll Call Vote: Earl – aye, Kurt – aye, and Jeff – aye. Approved three in favor, one absent.

Mayor Christensen said the Mayor's Youth Council did a great job at the Preparedness Fair. He said they handed out surveys, and then picked up the completed forms.

At the last council meeting Daniel Borrup's advanced art students presented three designs of mural artwork drawn by Aerial Smith, Dakota Bingham, and Deidre Wilson, and asked the council to choose one of the designs to be painted in the city. Jeff said Stacy was not in attendance, but he let him know which design he favored. Earl said all of the designs are great, but the best design for the city was painted by Aerial Smith which has a train with the children drawing as she grew up. All of the council concurred, but stated the students would be responsible for finding a place to paint the mural and obtain the property owners permission. Dawn mentioned she would have Deidre Wilson paint her design at the pool since she was a former lifeguard.

Debbie Wilson asked if the Preparedness Fair is held during spring break every year. She said there may not be good attendance during spring break because of everyone leaving town. Dawn said this year the morning time was quite busy, but it slowed down during the afternoon. Earl said there were a lot of different activities going on this past week end.

Debbie Wilson said they are doing well on the plans for a community center. She said Jim Archibald is the attorney that will work on the Auditorium District. She said they are looking at plans, cost estimate and grants for this project.

Shirley asked about the community meeting that Alva Harris held last week. Jeff said he attended that meeting and they discussed looking into the acquisition of Goodsell Elementary for

a new library. He said everyone should be encouraged to come out and voice their opinion and get involved. Jeff said he appreciates Mr. Harris for doing so.

Kurt moved, Earl seconded to approve a Mobile Food Vendor License to Tacos El Primo/Juan Luis Garcia. Approved three in favor, one absent.

Mayor Christensen issued a proclamation proclaiming May 11, 2013 as Arbor Day in the City of Shelley. There will be an Arbor Day event held that day at the City Park.

Sandy presented a permit submitted by Century Link Communications to bore along the City Park from State Street west to approximately North Park. Chuck said he has reviewed the plans and does not see any problems. Jeff moved, Kurt seconded to approve the permit for Century Link to bore along the right-of-way on Oak from N. State Street to N. Park Avenue. Approved three in favor, one absent.

Sandy said since Belva is retiring, the signature cards for the DMV accounts at the Bank of Commerce need to be changed. Jeff moved, Earl seconded to approve the signature cards for the DMV accounts to be changed to allow Sandy, Stacie, Mayor Christensen, and Councilman Pascoe to sign on both of the DMV accounts. Approved three in favor, one absent.

Sandy said she talked to Alan Jensen, the Building Inspector for Bingham County. She asked him how the county handles empty buildings that are purchased for a business with a new use that may require updates to the building to meet building codes. Sandy said Mr. Jensen said they place placards on the empty buildings stating the building is vacant and if the building is going to be occupied to make sure and check with the building officials for any building updates that may be needed depending on the new use for the building. She asked the Mayor and Council if this is something that they may want to pursue. She said this would also help with any additional parking spaces that may be needed depending on the type of new business. The Council said they would like to pursue obtaining placards that would assist the city in notifying occupants of any regulations that may affect their business.

Sandy said a few years ago the State changed the requirements of a zoning amendment. The state code requires only one public hearing to be held by the Planning and Zoning Commission when considering an amendment to the zoning code. However, the final denial or approval is done by the City Council. Sandy asked if the Mayor and Council would like to initiate the amendment to the city code to be consistent with the state code. She said two public hearings would be needed for this amendment. The Council directed Sandy to move forward and place this matter of the P&Z agenda to call for the first public hearing.

Sandy presented the summary of changes for the proposed Sewer Ordinance amendment for the Mayor and Council to review. This matter will be continued at the next meeting, and the council would like the engineer to attend that meeting to give his input.

Jeff said he discussed the water right exchange with DJC Investments. He said the owner has asked that he contact the tenant of the farm to discuss this matter. Jeff said he intends to have our city engineer participate in this discussion with the tenant.

At the last council meeting BJ was asked to obtain some information regarding constitutional rights and the limitation of door to door sales. Doug Bowen who was in attendance in place of BJ said for Commercial purposes it is a possibility of limiting door to door sales but to be very careful the way it may be worded. He said he may need to research this matter a little more. Jeff asked if the city could restrict sales by persons only living in a certain geographical area. Sandy said some cities charge up to \$250 for a door to door salesman license. Earl suggested this matter be tabled until more research can be done.

Sandy presented copies of the letters sent by the Building Inspector and the Fire Chief to Odell Young the owner of Hidden Treasures. She said the city is still citing Mr. Young each day he continues to occupy the new section of his building without a certificate of occupancy. Mike Carter said he personally spoke with Jed Young regarding the violations and gave him a thirty day time period to fix the violations. Mike said they discussed the maximum occupancy, the egress aisle width, exit signs, sprinkler systems, etc. Mike said he wouldn't push the 24,000 square foot ruling for sprinkler systems if Mr. Young fixed the other violations. He said he will address the system in the new addition since it is over 5000 square feet at a later time after the other violations are taken care of. Sandy said BJ had sent this issue out to the Attorney list through AIC, and Jerry Mason recommended amending our ordinance to terminate city services in these cases.

The Mayor and Council set an Open House to honor Belva Poulsen for her years of service on April 9, 2013, from 6:00 p.m. until 7:00 p.m.

Sandy said she wrote a letter to Teresa Tolman regarding the weeds on her property located on West Pine Street. This is a vacant lot, and the letter stated she must comply with city ordinance within twenty days from the date of the letter or receive a citation. Sandy said Mrs. Tolman contacted her regarding this letter and said it has been too wet to cut down the weeds, but she intended to do so when they dried out enough. She also indicated that the Fire Department may burn the pasture for a training exercise. Mike said the Fire Department did not usually assist in such a manner for liability reasons. Sandy asked the council how strict they would like her to be on the property letters that are going to be issued this year. The council said to be consistent and fair. They felt if any recipient of a non-compliance letter failed to comply a citation should be issued. If the owner complies several days before the court date it may be possible to dismiss the citation.

Dawn said she is beginning baseball signups.

Dawn said the Easter Egg Hunt will be March 30, 2013, at 11:00 a.m. at the City Park.

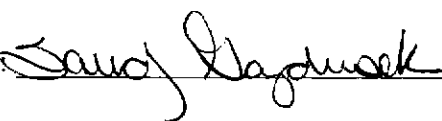
Jeff discussed the condition of the railroad tracks across from Basic American. He wondered if the third track is one BAF owns or if it is owned by the railroad. Jeff said this track is getting quite bad and needs to be redone. Chuck said he has contacted Dave Kula from Union Pacific regarding this matter. He said Mr. Kula will find out and let him know.

Jeff said the city has contributed annually to the Bingham County Economic Development Council in the past. He asked if the city would like to contribute this year and if so, how much. He said they have sent some businesses this way this past year and he appreciates what they have done. Jeff recommended contributing \$2000 this year. Jeff moved, Earl seconded to contribute \$2000 to the Bingham County Economic Development Council for 2013. Approved three in favor, one absent.

Spring Clean Up will be held April 15<sup>th</sup> through the 10<sup>th</sup> this year.

Adjourned: 8:47 p.m.

ATTEST:



APPROVE:

