

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

NOVEMBER 14, 2017

PRESENT: Mayor Stacy Pascoe

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

Police Chief: Rod Mohler

Public Wks Dir.: Justin Johnson

Recreation Dir.: Mikel Anderson

City Clerk/Treasurer: Sandy Gaydusek

City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Mikel Anderson

PRAYER: Earl Beattie

Mayor Pascoe opened the meeting at 7:30 p.m.

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

Minutes of Council Meeting on October 24, 2017

Building Permits:

| | |
|-----------------|----------------|
| Roger Beers | - demolition |
| Robert Tincher | - solar panels |
| Joseph H Servel | - fence |

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

Mike Spencer of the David B. Bleak Post 93 of the American Legion came before the Mayor and Council to tell them they will be holding their Annual “Wreaths Across America” program. He said this is not affiliated with any religion or politics. Mr. Spencer said they will hold a ceremony on December 16, 2017 at 10:00 a.m. at the Hillcrest Cemetery. He said this is a nation- wide ceremony. Mr. Spencer explained how the “Wreaths Across America” program was organized as a non-profit organization. He asked the Mayor and Council to get the word out about the ceremony. Jacqueline Wittwer said they have participated in this wonderful program for several years and encouraged everyone to support it. Sandy will get this information on the website.

The Mayor and Council discussed the results of the city survey that had been sent out to some of the residents of the city. Mayor Pascoe said there will be no public comment accepted at this time. Adam said he tabulated the results of the survey and put the results in a power point presentation. He said the biggest trend is that the city is doing a good job, however there were some things we could improve on. Adam said 1109 surveys were sent out and there were 222 surveys

returned to the city. He said just about every neighborhood of the city sent some of the surveys back. Jeff said we needed to be within 90 to 95% of a confidence rating. He said there are calculations to come up with the figure and at least 219 of the surveys needed to be returned. Adam discussed the various sections of the survey. He said it appears that most of the residents received their communication from the city billing, marquee, Pioneer and social media. Adam said the city may be able to make the city website more user friendly when using a smart phone. He said regarding Public Safety, overall the citizens were satisfied with our law enforcement, their patrol, and overall safety. Adam said people would like to see more patrol in their neighborhoods, but they are not necessarily dis-satisfied. He said they are mostly satisfied with the SRO in the schools. Adam said the section regarding Public Works was supposed to exclude the maintenance on State Street which is a State of Idaho maintained street. However, people commented negatively on the pot holes on this street. He said there were a lot of comments about snow plowing also, but mostly everyone was satisfied overall. Adam said the appearance and maintenance of the parks and pool resulted in residents being mostly satisfied, but there were a few dis-satisfied with the tennis courts. He said most residents were satisfied with their water service however some were dis-satisfied about their water pressure. He said most of those dis-satisfied with their water pressure failed to give their address so this could be investigated. Adam said most were satisfied with their water and garbage billing, however there were some negative comments on the cost of the sewer bill. Jeff said our city bill is not as high as it could be. He said when we built the wastewater treatment plant we knew it would cost about \$40, and if it was not regionalized it would have cost us about \$60 per ERU. Jeff said we have three partners that have ownership with us. He said this council has saved our residents about 3.5 million regarding phosphorus treatment. He said we may have some revenue returned to us by re-charging the aquifer. He said we are trying to help our citizens. Adam said everyone was mostly satisfied with Spring and Fall Clean Up. He said a lot of residents want to pay on line without a fee, and we are looking at this issue currently. He said in regards to contacting any of the city departments mostly were satisfied. Adam said in the section regarding owning laying hens there were 153 stating they would not own laying hens and 68 stating they would. However, if they answered no to owning laying hens would they allow their neighbors to own hens. He said when adding the neutral comments there were 67% in favor. Jeff said there 46 that answered adamantly they do not want their neighbors to have laying hens. He said this is a polarized group, and if this is ever addressed both groups would need to be satisfied. Adam said with a permit to have hens there was about 64% in favor. He said regarding beehives the response was similar to the laying hens. He said about 62% were in favor. Jeff said there are a large number of people saying not only no, but heck no to taxes being raised. About 92% said very unfavorable to this. Adam said there were 72% in favor of a Recreation District, and 28% opposed. Jeff said the city is trying to save the citizens some tax money. He said those that were opposed felt we are trying to build a Recreation Center, etc. and we are not. He said not one person in town should be opposed to this since it will not raise the city resident taxes. Adam said there are the results, and there were no further questions of comments from the Mayor or other Council members.

Dave Noel, Forsgren Engineering said the bid opening for the Water Tank Project was November 6th. He said pursuant to I.C. 67-28 any project over \$200,000 must be bid out. He said the city can only consider three things; the amount, the administration requirements, and that the contractor must be licensed with the State of Idaho. Dave said he was notified that the second bidder is protesting the bid. They have requested a copy of the bid documents; however, they must request these records from the city once they are in the city's possession. Dave said when the bid documents are in the engineer's possession they are being reviewed before submitting to the city. He said that Idaho Code states that after the notice of the awards, the bidders have seven days that they may protest the bids. He said if the contract is awarded, and then a protest is received we must suspend moving forward until it is resolved. Dave said he has received two letters from one of the bidders, but he notified the bidder that he must send any protest to the city. Dave said the primary complaint one of the bidders has is that another bidder doesn't meet the technical requirements for the project. Dave said the second reason is that the bidder felt it was unfair that the engineer didn't allow opinions regarding his competitor's bid. Dave said he is hired by the city, and provided the evaluation as he believes he was asked to do. Dave passed out the bid documents. He said two bids were submitted, and he submitted his recommendation to the Mayor and Council. He said he went through the bids as specified in Idaho Code. He said when he was reviewing the Administrative requirements, D&N Tanks did not provide a Qualification Statement, and did not provide an accurate Subcontractors list. Dave said the wrong name and number was listed. He said he submitted a question to the State regarding an opinion on this, and the State replied that their response was inaccurate and non-responsive. Dave said they also did not provide their preliminary designed drawings that were stamped. Dave said these items may seem minor and trivial, however based on the state requirements; Dome Technologies are compliant and D&N Tanks are not compliant. Dave said he listed the areas in the bid documents so the Mayor and Council members could verify the American Water Works Standards. Dave said his opinion states that Dome Technologies is in compliance based on the review of the Sr. Structural Engineer at Forsgren. Dave said his recommendation is to consider the award of the bid in the amount of \$709,515.00 that was submitted by Dome Technologies. Dave said the Mayor and Council can consider his recommendation or can reject all of the bids and start over. He said he has spoken with the grant funding agency and they do not intend to hold up the funding due to a protest. Dave said if the city receives a public records request they have three days to provide the documents. Jeff moved, Adam seconded to accept and award the bid submitted by Dome Technologies in the amount of \$709,514.00 for the Water Tank Project. Approved unanimously.

Sandy presented the Business Licenses for 2018:

Jeff moved, Earl seconded to approve a Beer and Wine License – Carry Out Only to Food Plaza, also a Beer License – Carry Out Only to Hardtimes II, and a Firearms License to South East Idaho Preparedness. Approved unanimously.

Earl moved, Jeff seconded to approve the attached list of business license renewal for 2018. Approved unanimously.

Jeff moved, Earl seconded to approve a Door to Door Salesman License to Christopher Cushing who is selling for Blue Raven Solar. Approved unanimously.

Mikel asked if he could dispose of fifty-eight baseball bats which are no longer any good. Kim moved, Jeff seconded to declare fifty-eight baseball bats as surplus property to be disposed of. Approved unanimously.

Adam moved, Kim seconded to approve \$30 Broulim's gift cards for the employees of the city, and \$15 to \$20 food gifts for the volunteer Committee members. Approved unanimously.

Justin said Dave submitted a new street light specification design which will amend the old specification to use a LED bulb instead of a standard bulb. Jeff moved, Adam seconded to adopt the amendment to our street light specifications requiring LED bulbs. Approved unanimously.

Sandy presented three comments sheets from Bingham County for the Mayor and Council to review:

Jon and Jill Lott – 2 lot replat

Ray Christensen – rezone

Bob Butler – Preliminary Subdivision

The Mayor and Council has no concerns regarding these matters.

The Mayor and Council discussed the MOU that was presented to Bingham County regarding the street maintenance and utilities in the Copper Meadows Subdivision. This subdivision is in our Impact Area, and will utilize city water and sewer services. Bingham County is unable to plow snow in this subdivision due to the sidewalk, curb, and gutter being installed to city standards. Mayor Pascoe said the Developer installed the main water line from the city limits to the Riverview School and Copper Meadow Subdivision and is requiring no reimbursement. Jeff said it is highly unlikely that this subdivision will remain outside of the city limits for a long period of time, and the city will mainly be plowing snow, and cleaning the drains. He said the city will be plowing to county standards since this subdivision is outside of the city limits. Jeff said the driveways will not be cleaned and the snow will not be hauled off.

Kim moved, Adam seconded to approve \$75 to purchase trivia prizes for the Chili Cook Off and Tree Lighting. Approved unanimously.

Mayor Pascoe discussed the expenditure for the engineer drawings in the amount of \$15,000 so the city can apply for a grant to repair West Fir Street. He said he is concerned that the city might not rank high enough to be awarded a grant. Dave said the LTACH and LRIP grants are highly competitive. He said the rating sheets are online and are based on appoint system. He said he and the Mayor did some preliminary scoring and came up with 300 points, and 550 points is competitive. Mayor Pascoe felt the city should only go with the two grant applications that will not cost the city anything and forego this one at this time.

BJ reviewed and presented a draft of the Social Media Policy to consider for adoption. Kim moved, Adam seconded to adopt the Social Medial Policy

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conditional upon the removal of section 3b and 5 and to re-number the remaining sub-sections. Approved unanimously.

Sandy said the Mayor and Council received an invitation to the Bingham County Christmas Tree Fantasy from November 29th to December 1st.

Justin said everything is going well in the Public Works Department.

Mikel said Basketball practices are starting and he has begun to schedule the games.

Dave said since the Water Tank Project bid came in under budget, the city may be able to add additional components to the project. He said the bid is about \$500,000 under the budgeted numbers, however we are receiving about \$100,000 less from the grant than expected, so we are really \$400,000 under budget. Mayor Pascoe said the city may be able to purchase a generator, or upgrade Well #4. Dave said we cannot add to the approved scope of work, we can only use what is current.

Kim said Mikel has just passed his one-year anniversary and probation period. She said when Dawn retired, the pay scale was changed, and based on Mikel's current level he is not eligible for a merit raise for five years. Kim said she would like to discuss amending the pay scale for the Recreation Director. This will be added to the next agenda.

Jeff said he appreciates Dave and the work he has done for the city. He said Dave designed the plant and serves the city well. Jeff said we are lucky to have Forsgren as our engineering firm.

Earl said he appreciates the explanation of the bids for the Water Tank Project. He said he appreciates the work Dave does for the city.

Mayor Pascoe congratulated Kim for her success in the election, and appreciates the work Adam and Jeff did on the city survey.

Kim moved, Adam seconded to adjourn into executive session pursuant to I.C. 74-206 (1)(f) regarding pending or potential litigation. A roll call vote was taken: Kim – aye, Adam – aye, Jeff – aye, and Earl – aye. Approved unanimously.

Jeff moved, Earl seconded to reconvene into regular session. Approved unanimously.

During executive session pending or potential litigation was discussed. Adam moved, Jeff seconded to make a counter offer to Josh Eaton regarding satisfaction of the judgement against him, that the balance due must be paid in full within twenty-four months, and he must make payments each month no less than \$400 per month. If he defaults, then the current garnishments will go back into place. Each payment is due on the 1st day of the month and will be considered late on the 5th day of the month. Approved three in favor, Earl was opposed. Motion carries.

Adjourned: 10:33 p.m.

APPROVE: Paul A. Deeth ATTEST: Sandy Hagman

CITY OF SHELLEY
 BUSINESS LICENSE
 APPLICATIONS
 SUBMITTED ~~April 25, 2017~~
 FOR 2018

NAME

ADDRESS

TYPE OF BUSINESS

SPECIALIZED LICENSES

RENEW

S.E. Idaho Preparedness Store
 FOOD PLAZA
 HARDTIMES 2

136 Maple St
 174 N STATE ST
 644 S STATE ST

Pawn, Firearm Sale, Food Storage, Preparedness
 BEER CARRYOUT ONLY AND WINE CARRYOUT ONLY
 BEER CARRYOUT ONLY

GENERAL LICENSES:

NEW: \$25

*NINE M EXPRESS LLC (2017)

1242 N 900 E

TRUCKING COMPANY

RENEW: \$5

*NINE M EXPRESS LLC

1242 N 900 E

TRUCKING COMPANY

THE ULTIMATE THRIFT STORE

190 S STATE

THRIFT STORE

SNAKE RIVER EYE ASSOCIATES

357 W FIR ST

OPTOMETRIST

WOODY'S INC.

730 S. MILTON

RETAIL SPORTING GOODS AND FIREARMS

INTERMOUNTAIN DIVING

127 KIRKHAM CIRCLE

SCUBA INSTRUCTION AND RETAIL

WINDER FUNNEL CAKES

389 S HOLMES

SEASONAL CONCESSIONS

LOST ART EDITING

714 S MILTON AVE

EDITIN

EMPIRE MASONRY INC

1100 OCTOBER COVE

MASONRY

ECHOS DESING SALON

761 S PARK AVE

COSMETOLOGY

SHELLEY LAUNDROMAT

255 W LOCUST

LAUNDROMAT

ALL4BALANCED

155 KIRKHAM CIRCLE

HOLISTIC

G-TECH DEFENSE LLC

136 S STATE ST

RETAIL STORE

LIFETIME WELLNESS DBA SHELLEY CHIRO

528 N STATE ST

CHIROPRACTIC OFFICE

COUMERILH MANAGEMENT SEERIVES

141 S HOLMES AVE

TAX PREPERATION/ INSURANCE

HOBO BUSTERS

370 W LOCUST

PEST CONTOL

TETON STRUCTURAL ENGINEERS

136 S STATE ST

PROFESSIONAL

REHLES ART STUUIO

370 N STATE

ART STUDIO

HIGHAM VETERINARY CLINIC

370 N STATE ST

VETERINARY

VALLEY COLLISION AND TOWING

335 1/2 EMERSON AVE

AUTOBODY AND TOWING

NALDERS FUNERAL HOME

110 W OAK ST

FUNERAL HOME

MATHEWS PLUMBING AND HEATING

342 S STATE ST

PLUMBING AND HEATING

ROMAINES SOFA KING

140 S STATE ST

RETAIL

SHELLEY VETERINARY HOSPITAL

614 N STATE ST

VETERINARY CLINIC

SHELLEY DENTAL

530 S STATE ST

DENTAL CLINIC

JENCO 76

216 BIRCH ST

INTERNET AND MAILING SERVICE

HAIR TO "DYE" FOR

483 N PARK

HAIR SALON

COUMERILH MANAGEMENT SERVICES

141 S HOLMES AVE

TAX PREPARATION/ INSURANCE

| | | |
|---------------------------------------|-------------------|---------------------------------------|
| DIAMOND B SPECIALTIES | 1131 OCTOBER COVE | SCREEN PRINTING/ PROMOTIONAL PRODUCTS |
| BEATTIE ENTERPRISES & AUCTIONS | 174 E CENTER ST | AUCTION SALES / RETAIL |
| COVERY COMPANY SCALES | 103 S SPUD ALLEY | SALE AND SERVICE OF SCALES |
| MUTUAL OF OMAHA | 410 N PARK | INSURANCE SALES |
| RICHARDSON CONCRETE | 494 E CENTER | CONCRETE CONSTRUCTION |
| KLM PHOTOGRAPHY | 550 JUNIPER CT | PHOTOGRAPHY |
| UNITED SERVICES INC | 518 C N STATE ST | HARDWOOD FLORRING |
| ADRENALINE PERFORMANCE | 606 N STATE ST | MECHANIC |
| DOUGS MEATS | 907 ½ S STATE ST | RETAILK WHOLSAL MEATS |
| THE RIBBON RETREAT | 650 N STATE ST | INTERNET RIBBON SALES |
| SHELLEY SENIOR CITIZEN | 393 S MILTON AVE | SENIOR CITIZEN CENTER |
| KAIRN SHELTIES | 680 LOMGHURST LN | DOG TRAINING, GROOMING, KENNEL |
| VICKI JOHNSON REAL ESTATE | 132 S STATE ST | REAL ESTATE |
| BLUE MULES AUCTIONS | 195 S SPUD ALLEY | AUCTIONS |
| GOLF CARTS UNLIMITED/BAREFOOT STORAGE | 650 N STATE ST | RENTALS |
| EPIC IRON POTTERY | 174 S STATE ST | YARD ITEMS AND FLOWER POTS |
| ASPEN COUNSELING | 753 ASPEN AVE | ASPEN COUNSELING & ASSESMENTS |
| RIVER VALLEY DENTAL CARE | 371 W FIR | DENTAL OFFICE |
| DAYLE'S BEAUTY SALON | 134 BIRCH ST | BEAUTY SALON |
| MTS PROPERTIES LLC | 640 S STATE ST | STORAGE UNIT RETAL |
| DEERAYS AUTO BODY | 428 E CENTER | AUTO BODY AND RESTORATION |
| STONE RIDGE DENTAL | 755 ANDERSON RD | DENTIST |
| MR FIXIT | 338 S MILTON | HANDY MAN |
| THE BANK OF COMMERCE | 270 D EMERSON | BANK |
| ELITE STUDIOS | 270 S PARK AVE | DANCE, CHEER , GYM INSTRUCTION |
| ANYTIME FITNESS SHELLEY | 301 SNDERSON ST | FITNESS CENTER |
| EL JALICIENSE #3 | 374 S STATE ST | MEXICAN RESTURANT |
| BUSY BOBBY'S CLEAN. SER. | 225 N BYRON | CLEANING SERVIICE |
| EDWARD JONES | 124 S STATE | STOCKBROKER AND DEALER |

TOTAL LICENSES: 60

| Date | October | Amount | Check # |
|-------------------|--|-------------------|--------------|
| 10/13/2017 | Allied Business Solutions | 50.29 | 50994 |
| 10/13/2017 | Association of Idaho Cities | 1,736.80 | 50995 |
| 10/13/2017 | Eastern Idaho Reginal Wasterwater Auth. | 20,953.92 | 50996 |
| 10/13/2017 | IAS- Envirochem | 80.00 | 50997 |
| 10/13/2017 | ICRMP | 19,448.00 | 50998 |
| 10/13/2017 | Idhao Dept of Environmental Quality | 5,304.00 | 50999 |
| 10/13/2017 | RDJ Specialties | 756.31 | 51000 |
| 10/13/2017 | Sams Club | 370.85 | 51001 |
| 10/13/2017 | Southeast Idaho Council Gov. | 793.62 | 51002 |
| 10/23/2017 | First Reponders | 418.75 | 51003 |
| 10/23/2017 | Lisa Hurt | 39.50 | 51004 |
| 10/23/2017 | International Code Council | 619.02 | 51005 |
| 10/23/2017 | Jacob Johnson | 62.50 | 51006 |
| 10/23/2017 | Kent Swanson | 62.50 | 51007 |
| 10/23/2017 | Rons Tire and Motosports | 100.56 | 51008 |
| 10/23/2017 | Corrin Wilde | 37.34 | 51009 |
| 10/31/2017 | A & B Transmission | 142.44 | 51010 |
| 10/31/2017 | Advacnced Diagnostics Inc | 230.00 | 51011 |
| 10/31/2017 | Airgas USA | 28.26 | 51012 |
| 10/31/2017 | Blue Cross of Idaho | 955.80 | 51013 |
| 10/31/2017 | Diversified Control Solutions | 675.00 | 51014 |
| 10/31/2017 | Eastern Idhao RegionalWasterwater Auth. | 7,700.00 | 51015 |
| 10/31/2017 | Ferguson Enterprises Inc. | 557.76 | 51016 |
| 10/31/2017 | First Responders | 1,271.90 | 51017 |
| 10/31/2017 | H-K Contractors Inc. | 708.94 | 51018 |
| 10/31/2017 | Home Depot | 66.25 | 51019 |
| 10/31/2017 | IDEACOM ESCI | 190.74 | 51020 |
| 10/31/2017 | Law Enforcement Policy Center | 1,500.00 | 51021 |
| 10/31/2017 | Mission Communications | 347.40 | 51022 |
| 10/31/2017 | Mountainland Communications | 23.00 | 51023 |
| 10/31/2017 | Phillips 66 | 1,599.28 | 51024 |
| 10/31/2017 | R & S Distributing | 242.88 | 51025 |
| 10/31/2017 | RDJ Specialties | 814.78 | 51026 |
| 10/31/2017 | Shelley Kiwanis Club | 650.00 | 51027 |
| 10/31/2017 | Solid Waste Systems Inc | 228.29 | 51028 |
| 10/31/2017 | State Insurance Fund | 3,059.00 | 51029 |
| 10/31/2017 | U.S Post Office | 488.24 | 51030 |
| 10/31/2017 | Valley Office System | 54.45 | 51031 |
| 10/6/2017 | Payroll | 48,322.13 | |
| 10/20/2017 | Payroll | 52,531.36 | |
| | Total | 173,221.86 | |