

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

---

APRIL 14, 2015

PRESENT: Mayor Stacy Pascoe

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

Police Chief: Rod Mohler

Public Wks Dir.: Chuck Lloyd

Recreation Dir.: Dawn Lloyd

City Clerk/Treasurer: Sandy Gaydusek

City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Scout Bryce Jensen

PRAYER: Adam French

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

Minutes of March 24, 2015

Approval of March Expenditures

Approval of March Overall Budget & Treasurer's Rpt.

Building Permits:

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

Approved unanimously.

Louise Street of Searle, Hart, and Associates presented the audit for fiscal year 2013-2014. Louise said the Urban Renewal Area audit will be separate this year since the expenditures for the year was over \$250,000. She said the Financial Statements are in good condition and there were no exceptions with their testing. Louise said the North Water Line Loop project is still listed as in progress. She said currently the project is complete and the line will be donated to the city. Louise said the management report recommends that the bank reconciliations be done on QuickBooks and also the budget done in QuickBooks. She said these reports should be reviewed by the URA Board as well as the accounts payable. Louise said in regards to the City of Shelley audit she found very few exceptions, and the opinion is clean. She said the financials are fairly stated for 2013-2014. Louise discussed the audit report, and the transfer of the North Water Line Loop. She also discussed the funds being set aside for the bond payment. She said these were moved to dedicated funds to meet the bond covenant requirements. She said next year PERSI will go onto the books pursuant to GASB 68. Louise said the future pension must be shown on the books. Louise discussed the investments and the state requirement that the purchase of Corporate Bonds must have a minimum rating of A or higher at the time of purchase. She said she noticed some of the city's investments dropped after the initial purchase. She said this creates a larger risk, and the city may want to look at the investment policy in regards to this. Louise discussed the management report. She said their recommendations

are to do a fraud risk assessment each year and mitigate. She said there are two fund balances that need to be adjusted that were closed out last year, but are still showing under the Auditorium and LID Guarantee Funds. Louise discussed the status of each of the funds with graphs. In closing she said the city appears to be in great financial condition. Adam moved, Earl seconded to accept the audit for the City of Shelley for fiscal year 2013-2014 as presented. Approved unanimously. Earl moved, Kurt Coates seconded to accept the Urban Renewal Area audit for fiscal year 2013-2014 as presented. Approved three in favor, Shane Wooton absent.

Earl said the current Urban Renewal Board has exceeded their terms. He said the Board needs to be re-appointed or new members appointed. Mayor Pascoe asked if all were willing to continue serving and each said yes with the exception of Shane Wootan who was not in attendance. Earl moved, Kim seconded to appoint Shane Wootan, Earl Beattie, Becky Coates and Kurt Coates for a four year term to the Urban Renewal Board. Approved unanimously.

Rick Betzer, 316 E. Locust discussed vacating a 260 foot section of a partially vacated alley running east and west from Milton Avenue. Mr. Betzer said from Milton Avenue running east 130 feet of the alley has already been vacated years ago. He said by vacating another 260 feet, it will leave 260.30 feet of the alley for the other three property owners to use it. The Council did not feel there would be a problem with vacating another portion of this alley as long as those who need the alley for access still have access. This matter will be referred to the Planning and Zoning Commission to hold the appropriate hearings.

Gary Gillins, 290 S. State Street said he is opening a Mr. Mower at the former Frank Edwards store. Mr. Gillins said he mainly deals in fireplaces and small equipment repairs. He said he realizes this location is the face of Shelley. He said he will have some things stored outside during the summer, but in the winter people will mainly see fireplaces inside. Mr. Gillins said he received a sixty day conditional business license, but has ran out of steam and wasn't sure he wanted to continue pursuing the opening of his business. Mr. Gillins said he spoke with Sandy, and she said he had been sent a letter regarding the RV and the vehicle on jacks in his parking lot. He said he never received the letter, but Sandy informed him of it. Mr. Gillins said Sandy said the location was not zoned correctly for RV or auto sales and service. He said the RV and the vehicle were his personal vehicles, and he was repairing them. Mr. Gillins said he spoke with Frank Edwards and he is still able to get out of his lease, however he has paid two months of rent. He said he does not plan on repairing any RV's on his lot. He said he knows he mentioned it when obtaining his license, but he does not intend to do so. Mr. Gillins said he may have to store some of his equipment behind a temporary fence, but it will look decent. He said there may be professional looking signs place there also. Mr. Gillins said he may have his motor home on the premises cleaning it, but it will not limit the parking. He said he may have his car parked there for sale also, but it will not hamper parking. Mr. Gillins said he would like the council to consider issuing his business license for one year. Jeff said he gets the impression from Mr. Gillins that the city is making the decision if he can be here to do business or not, but that is not the case. He said we welcome all businesses. Jeff said the bank and a new commercial development is on each side

of Mr. Gillins and because of former city violations, that area used to look fairly bad. He said the city requires businesses to conform to city regulations. Earl said he would like Mr. Gillins here, but a fence with lawnmowers stored inside would be a problem, and a vehicle on jacks in the parking lot would be a problem. Earl said he is not sure if that particular location will hold his inventory and be suited for the business Mr. Gillins is describing. Mr. Gillins said he would have to have some outside storage for inventory. Earl said this should be out of sight, possibly on the side of his business. Kim said people are excited for a Mr. Mower to come into the city, but he will need to keep his business inside of the building. BJ said if Mr. Gillins has a plan but doesn't know if it conforms to the ordinances, to come and talk to the Council first. Mr. Gillins said Mr. Mower is a fix it all business, mostly small stuff and nothing will be fixed in the parking lot. He said there will be no RV's or cars. Mr. Gillins asked if it would be okay to wash his motor home on the premises. Mayor Pascoe said that would be okay, but he cannot leave it in the lot. He said it cannot be a mechanics shop in the parking lot, and the RV cannot be left in the lot overnight, and cannot be stayed in overnight. Mayor Pascoe said he can park a car in the corner of the lot to sell, but not the motor home due to obstruction of vision at the corners. Jeff moved, Adam seconded to remove the conditional business license and issue an annual business license to Mr. Gillins for his business. Approved unanimously.

Kong Khamone of 190 E. Pine Street addressed the council regarding the letter he received about the appearance of his property. Mr. Khamone said he has been ill and needs more time to clean up his property. Mayor Pascoe said he has been working on his yard and building since 2001. He said some of the sections are finished and some are not. Mayor Pascoe said if the condition of Mr. Khamone's property is bringing down his neighbor's property value there is a problem. He said he needs to finish projects so his property looks clean. Mayor Pascoe suggested Mr. Khamone pick a project and finish it before bringing in more construction items. Mr. Khamone said he hauled off three loads of debris last week. Mayor Pascoe asked if more can be hauled off. Mr. Khamone said yes. Earl said the building looks nice, but the outside looks like a construction yard. Jeff suggested he take a section of the property and landscape it, and then move to another section. Mr. Khamone asked the Council to give him until May 5<sup>th</sup> to clean up the yard. He said he intends on moving some of the material to property on State Street that he is negotiating to buy from Gary Ohman. Sandy said if that property appearance looks like his current property she will have to write him a non-conformance letter for that property as well. Jeff said Mr. Khamone needs to work on his yard over the next few months with city personnel's help to conform to the city ordinance. BJ said Mr. Khamone doesn't have enough room on his property for all his stuff and still comply with ordinances. Jeff said he needs to remove the debris and clean up the property or he will be fined. He said Mr. Khamone needs to sell some of the debris or find a larger piece of property to keep it on. Chuck said if the clutter is removed the yard should look alto better. Mayor Pascoe asked Chuck and Earl to work with Mr. Khamone on what needs to be cleaned up on the property.

Kim moved, Jeff seconded to approve business licenses for ABC Preschool for 2015 and a renewal for Laura's Hair Square for 2015. Approved unanimously.

Sandy said pursuant to Idaho Code the City must notify the County of the date of the Budget Hearing. Sandy suggested September 8, 2015 since it will be a regular Council meeting. Jeff moved, Earl seconded to set the Budget Hearing for Fiscal Year 2015-2016 as September 8, 2015, at 7:30 p.m. at the Shelley City Hall, 101 S. Emerson Avenue, Shelley, Idaho. Approved unanimously.

Kim said she has been approached by some citizens regarding the prohibition of Beer and Wine sales on Sunday. She said the last time this ordinance was reviewed was May of 1993, and it appears the ordinance was put in place in 1971. Kim said she would like to review this ordinance again. She said the citizens that approached her said this ordinance is not stopping sales on Sunday, the patrons are just going somewhere else to buy these items and the city businesses are losing revenue. Jeff said he thinks this is a stupid law; it has no reason or basis. He felt the city should have a public comment meeting to discuss this further. Kim agreed that a public meeting is needed. Mayor Pascoe said this council is elected to make these kinds of decisions for the public. He said you can look at the minutes from May of 1993 and see two thirds of the testimony are for Sunday Beer sales and only one third is against. Sandy said this is not a title 10 ordinance and does not require a public hearing. Jeff moved, Earl seconded to move forward with amending the ordinance to allow the sale of beer and wine on Sunday. Approved unanimously. This ordinance will be presented at the next council meeting on April 28, 2015, for review and consideration of adoption.

Sandy said it was brought to her attention that the legal description of the lease recorded with Crown Castle regarding the cell tower on the Butte is incorrect. She said this can be fixed by providing an accurate legal description or by a description of the approximate location. The Council felt it would be beneficial to provide an approximate location and not a full legal description. Mayor Pascoe said he will provide an approximate location based on the corner point.

Sandy read a proclamation regarding Kids to Parks Day. Mayor Pascoe proclaimed that May 16, 2015 be regarded as Kids to Parks Day.

Mayor Pascoe asked to Council to consider approval of purchasing some sewer ERU's for future growth. Adam moved, Earl seconded to approve the expenditure of up to \$68,000 for the purchase of sewer ERU's for future growth. Approved unanimously.

BJ drafted an ordinance for consideration of adoption regarding the prohibition against smoking in a city park shelter, building, or restroom or within fifteen feet. This will amend ordinance 5-8-8 regarding alcoholic beverages. Kim moved, Earl seconded to suspend the read of Ordinance #575 on three different days and read the title of ordinance #575 once. Approved unanimously. Kim read the Title of Ordinance #575 in full. Kim moved, Adam seconded to adopt Ordinance #575 regarding the amendment to Ordinance 5-8-8 prohibiting alcoholic beverages in any city park and smoking in and within fifteen feet of any city park shelter, building, or restroom. A roll call vote was taken: Kim – aye, Earl – aye, Jeff – aye, and Adam – aye. Approved unanimously.

Bids for the four street projects to be done this summer were reviewed.

Berrett Street Project – Jeff moved, Earl seconded to accept the low bid from H-K Contractors in the amount of \$59382.18. Approved unanimously.

Shelley Street Project – Jeff moved, Earl seconded to accept the low bid from H-K Contractors in the amount of \$60236.44. Approved unanimously.

Quigg Street Project – Jeff moved, Earl seconded to accept the low bid from H-K Contractors in the amount of \$33628.33. Approved unanimously.

Cedar Street Project – Jeff moved, Adam seconded to accept the low bid from H-K Contractors in the amount of \$43519.036. Approved unanimously.

Sandy asked who will be going to the AIC Conference in Boise June 10<sup>th</sup> through the 12<sup>th</sup>. Kim, Jeff, and the Mayor will be attending the conference.

Sandy said Forsgren informed the Urban Renewal Board that they were chosen for a grant to update to the Water Feasibility Study in the amount of \$25,000. This is a matching grant that URA will be funding.

Sandy said John Lent came into her office and wanted to voice his concern about the traffic from Country Club Road going north onto Highway 91. He said the employees of Golden Valley Natural will be using this route to and from work. Mr. Lent also stated his concern regarding the traffic from York Road and Loves. He said you cannot get out onto the road in the mornings. He said there is also a problem coming off of the Interstate and trying to go onto New Sweden Road. Sandy said she would make Bonneville County Commissioner Roger Christensen aware of this.

Dawn said she has started taking applications for the softball program and has been working at the pool.

Dawn said she received a plaque from the Jr. Jazz Association for her years of service. The Association reported that Dawn increased the participation in the program by 9%.

Chuck said Spring Clean Up has begun. He said it will run from April 13<sup>th</sup> to the 17<sup>th</sup>.

Chuck said there is a Highway Coalition meeting on Thursday. He said they will be discussing the reconstruction of Highway 91 going north to be done in 2016 or 2017.

Rod said Officer Gunderson is doing well at the Academy. He said two other officers will be going to the Academy in June.

Adam asked about street light repair. Sandy said street lights that are out can be reported to city hall or you can go online to Rocky Mountain Power to report an outage.

Kim said Arbor Day has been tentatively moved to June 6<sup>th</sup> this year.

Kim said the Tree Committee will be taking nominations for Best Yard of the Year until August. Sandy said she would put this information on the city's web page.

Jeff thanked Chuck and the crew for all their help with the REDI kick off. He said he would like to expend the budgeted funds for North Bingham County Economic Development to REDI this year. He said there is \$4000 that has been budgeted. Earl moved, Kim seconded to pay REDI the budgeted \$4000 in place of North Economic Development. Approved unanimously.


Earl thanked everyone for a job well done, with a special thanks to Jeff for all his work with REDI.

Mayor Pascoe thanked Jeff for putting together the REDI kick off.

Mayor Pascoe said last Saturday the Mayors of Blackfoot, Firth, Aberdeen, etc. had a fundraiser for a scholarship program. He said there was a dinner and an auction. Mayor Pascoe said over \$30,000 was raised for scholarships. He said Shelley will be hosting next year's fundraiser at the Blackfoot Elks Lodge.

Adjourned: 9:50 p.m.

APPROVE:



ATTEST:

