

CITY OF HEBBLET
COUNCIL MEETING
MINUTES

MAY 14, 2013

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

PLEDGE OF ALLEGIANCE: Kayden Pierce

PRAYER: Earl Beattie

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

Minutes of April 23, 2013 Council Meeting

Approval of the following Building Permits:

Kristy Beal – fence

Romaines Furniture – re-roof

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

Dawn said the Mayor's Youth Council held an assembly at Hobbs Middle School to stress team building. She said they did an excellent job. Dawn said they also went to Gables and did hand massages and nails. She said next year, the President of the Mayor's Youth Council will be Madison Kohler.

Mayor Christensen turned the time over to BJ to conduct a public hearing to consider implementing a fee of \$250 per registrant per year for Door to Door Salesman. BJ opened the public hearing and invited testimony in favor of the fee establishment. There was no testimony. There was also no testimony for neutral comments or opposition. Sandy said she had not received any written testimony either. She said all publications and notifications have been completed as required by law. BJ closed the public hearing for public testimony, and turned the time back over to the Mayor and Council for deliberations. Stacy explained that the fees are being established for Door to Door Salesman for the protection of the citizens. He said this will not limit any children for participating in any fundraisers or selling Girl Scout cookies. Jeff agreed that each salesman should be registered for public protection. Stacy moved, Earl seconded to adopt Resolution 13-01 establishing a fee of \$250 per registrant per year for Door to Door Salesman. Approved three in favor, one absent.

Terry Riley addressed the Council to request permission to access the city water line with a one inch service line. He said he is considering purchasing property at the intersection of 1000 E. 1000 N. Rick Anderson said he is helping Mr. Riley with this project. He said several years ago Basic American Foods constructed this line along 1000 East because the residents with deep water wells had contaminated water. Rick said the line ends at 1000 North and Mr. Riley's property is kitty corned from the line and he has no well, sewer or electricity on it at the present.

There is a manufactured home sitting on the property but not set up for use. Mr. Anderson said if a well is drilled it will probably have contaminated water also. He said they will need to cross both roads and will need to get permission from the County to bore under the roads. He said there is approximately 1.2 acres that Mr. Riley is looking to purchase. Earl said in the past the city has denied access to the city water system because of the water shortage. He didn't know if he could justify allowing this request. Jeff asked if there are other homes on the street that are not using city water. Rick said there are further south. He said those who have been denied access are not downstream from the contaminated water and can dig a well. Stacy said he feels like Earl does. He said the city has turned down three requests for access to the city water already. He said he would like to research this matter further, and see what wells are actually contaminated before making a decision. Rick said they will check and see how far the contamination actually is and will return to the next council meeting to share the information.

David Frei addressed the Council to discuss the city's fireworks display application process. He said last year the Council approved a firework's display application for some residents in Juniper Court. Mr. Frei said according to the State code, the Fire Department has jurisdiction in this matter. He also discussed the location of the display site and the fall out area. He said he is concerned that his property is within that fall out area from Juniper Court. Mr. Frei said he has picked up debris in his pasture. He said it also threatens the safety of his animals when the fireworks have made them charge the fence. Mr. Frei also quoted the State code regarding the storage, disposal, etc. of the fireworks. He said the code also requires the owners of the property in the fall out area to give permission for the display, and he was never contacted. Mr. Frei said he would like the city to adopt the State Code to provide safety for the citizens. Stacy said the Fire Chief attended the meeting were the city gave approval for the fireworks display. He said he was under the impression that the only fireworks being discharged were to be safe and sane fireworks. Earl said he was under the same impression. Sandy said the minutes do not reflect that. Mike said he did have staff on site for safety purposes, but the fireworks being discharged were aerial fireworks. The Council felt if this were the case it will be looked at differently in the future. Stacy said it is probably the city's fault because we were under another impression. Jeff said it was his understanding that the fireworks were going to be aerial, but he was unaware of the State Code that Mr. Frei has been stating. He said he will need to take additional time to look into the law if a display is applied for again.

Kurt arrived at 8:05 p.m.

Mike Carter updated the Mayor and Council on the violations that Hidden Treasures had been notified about. He said the State Fire Marshall visited the business, and felt they have improved quite a bit, but there is still some work to be done on the exits, and temporary lighting. Mike said he visited the business also. He said Mr. Young will be given another thirty days to finish the necessary corrections. Mike said they will need to have a sprinkler system in the front addition of the building, or they will need to move the upholstered furniture out. Mike wondered how new merchandise can be brought in for a fire sale. Stacy said the city does not have an ordinance prohibiting that. Mike said the Fire Marshall would like to get a list from the City

Building Inspector of what still needs to be done as far as he is concerned. Mike said they are still concerns about the parking area being cluttered and the railroad ties on the property sticking out.

Earl said he has been approached by a citizen regarding the number of children that play near Berrett Avenue. He suggested that a "Children At Play" sign be erected on the street and he even volunteered to pay for the sign. Earl said there is a day care center in the area. He said it will require two posts and two signs. He said they are about \$50 each. Stacy said he is concerned if these signs are put up, residents everywhere that have children would also want the same signs. Kurt said possibly, but he didn't think so. He suggested that the area be watched and see how many children there are, and how many speeding vehicles. Jeff said he is concerned if there are a lot of vehicles on this narrow street, the speeders may not pay attention anyway. Earl said he will have the police watch the area for the next few weeks and then report back.

Earl moved, Stacy seconded to approve the following Fireworks Permits:

Family Fun Entertainment – 510 S. State Street

TNT Fireworks – 570 S. State Street

Approved unanimously. Rod said they have never had any problems with any of the vendors selling fireworks. Mike agreed that they are only selling safe and sane fireworks.

Dawn reported that the seasonal employees for 2013 are: Casey Messick as Pool Manager, and Deidre Wilson and Kade Walters will be Assistant Managers. Justin said the Groundskeeper will be Carl Ottley.

Earl said he would like to recommend Donna Higley, Adam French, Eric Scarr, and Clayton Ward for the Planning and Zoning Commission. Earl moved, Kurt seconded to appoint Donna Higley, Adam French, Eric Scarr, and Clayton Ward to the Planning and Zoning Commission. Approved unanimously.

Chuck said we have applied for a waiver from DEQ to locate the restroom at Brinkman Park closer to the well than the required 100 feet. He said the restroom will be approximately 85 feet from the well. Chuck said as soon as DEQ responds we can continue to relocate the restroom.

Jeff said he is continuing to work towards utilizing the reclaimed water from the treatment plant. He said he will need to go before the EIRWWA Board to discuss using the water. The next EIRWWA meeting is Thursday, May 23, 2013.

Sandy said the first 45 citations that were issued to Odell Young went before the Bingham County Court. Mr. Young plead down to 15 counts and the Judge sentenced him with a fine of \$600. Any citation issued after April 30, 2013 will be a new case.

BJ said he sent the P&Z members information regarding the Title 10 amendments coming before them in a Public Hearing. He said he will create an ordinance regulating Door to Door Sales and

present it at the next meeting. BJ said he will create some information packets for the new P&Z members that were appointed tonight.

Dawn said the Grid Kid Football Coach approached her regarding the size of the shed, building a new shed, replacing the lighting, etc. Dawn said she explained other avenue the coach might seek to help them out such as asking the school if they can use one of their fields that is larger.

Rod said the surplus property of the city's went for auction last Saturday. Sandy said the police vehicle sold for \$1400.

Stacy said he is looking for funding to fix some of the city streets again this year. He said he will work with Kurt on this project.

Adjourned: 8:40 p.m.

ATTEST: Sandy Baydusel APPROVE: Em R. Cotton

APRIL CLAIMS

<u>DATE</u>		<u>AMOUNT</u>	<u>CHECK #</u>
8-Apr-13	Comdata	624.43	46684
8-Apr-13	Bret G. Jones	90.00	46685
15-Apr-13	AAA Giles Cleaning and Restoration	675.00	46687
15-Apr-13	All Occasion Floral & Gift LLC	35.00	46688
15-Apr-13	American Linen	526.33	46689
15-Apr-13	Bonneville County Solid Waste	5,961.44	46690
15-Apr-13	Brand X Equipment LLC DBA	66.85	46691
15-Apr-13	Cal Ranch	461.92	46692
15-Apr-13	Crystalized Designs	884.00	46693
15-Apr-13	DBS Inc	3,118.83	46694
15-Apr-13	Ferguson Enterprises Inc	155.29	46695
15-Apr-13	H & N Construction LLC	11,000.00	46696
15-Apr-13	Hammon Teton Delivery	17.55	46697
15-Apr-13	IAS - Envirochem	70.00	46698
15-Apr-13	ICRMP	17,656.70	46699
15-Apr-13	Idaho Buisness Systems	69.14	46700
15-Apr-13	Idaho Irrigation Pumpers Association	135.00	46701
15-Apr-13	Ideacom Esci	180.00	46702
15-Apr-13	Industrial Hose and Fittings	40.04	46703
15-Apr-13	Intermountain Gas Co	428.46	46704
15-Apr-13	Jim Gaydusek	17.99	46705
15-Apr-13	Jim's Trophy Room	37.50	46706
15-Apr-13	Karl Bowcutt	62.20	46707
15-Apr-13	Kings No. 21	9.30	46708
15-Apr-13	Mathews Plumbing & Heating	12.50	46709
15-Apr-13	McQuire Bearing Company	107.23	46710
15-Apr-13	Mountain States Cabinet & Millwork Inc	50.00	46711
15-Apr-13	Mountainland Communications Inc	290.00	46712
15-Apr-13	Phillips 66 Co	1,722.51	46713
15-Apr-13	Belva Poulsen	41.40	46714
15-Apr-13	R & S Distributing	27.39	46715
15-Apr-13	Rocky Mountain Power	5,628.89	46716
15-Apr-13	Sams Club	61.67	46717
15-Apr-13	Shelley Quick Lube and Auto Center	18.30	46718
15-Apr-13	Smith Driscoll & Associates PLLC	2,980.15	46719
15-Apr-13	Solid Waste Systems Inc	501.71	46720
15-Apr-13	Teton Communications Inc	1,962.00	46721
15-Apr-13	United States Welding Inc	95.22	46722
15-Apr-13	Valley Office System	168.86	46723
15-Apr-13	Verizon Wireless	415.20	46724
30-Apr-13	A & B Transmission & Service CTR	32.70	46725
30-Apr-13	April Boyce	30.52	46726
30-Apr-13	BECO Construction Inc	16,077.06	46727
30-Apr-13	BISCO	13.14	46728
30-Apr-13	Brand X Equipment LLC DBA	491.68	46729
30-Apr-13	Cable One	170.00	46730
30-Apr-13	Centurylink	153.71	46731
30-Apr-13	Delila Griffin	25.00	46732
30-Apr-13	Eagle Rock Sanitation	2,204.60	46733
30-Apr-13	Electrical Equipment Co Inc	10,000.00	46734
30-Apr-13	First Class Portable Sanitation	50.00	46735
30-Apr-13	First Responders	59.99	46736
30-Apr-13	Home Depot	352.99	46737
30-Apr-13	Howard's Tru Value Hardware	11.75	46738
30-Apr-13	Idaho Ashphalt Supply	194.75	46739
30-Apr-13	Ideacom Esci	189.54	46740
30-Apr-13	Lance Bodrero	38.85	46741
30-Apr-13	Oldcastle Precast Inc	3,730.16	46742
30-Apr-13	Petty Cash	49.86	46743
30-Apr-13	Phillips 66 Co	3,590.24	46744
30-Apr-13	Pro Power	80.15	46745
30-Apr-13	R & S Distributing	79.28	46746
30-Apr-13	Repco Marketing Inc	237.50	46747
30-Apr-13	State Insurance Fund	4,025.00	46748
30-Apr-13	Tifco Industries	106.38	46749
30-Apr-13	US Post Office	438.90	46750

12-Apr-13	City of Shelley Payroll	50,177.22
<u>26-Apr-13</u>	<u>City of Shelley Payroll</u>	<u>48,112.26</u>
	Total	197,129.23