

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JANUARY 27, 2004

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Chad Landon (absent), Steve Cederberg, John Lent
Police Chief: Alan Dial
Public Wks Dir.: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: Scott Hansen

PLEDGE OF ALLEGIANCE: Brett Morrison

PRAYER: Lorin Croft

Mayor Christensen gave the State of the City Address. He reported the accomplishments and activities of 2003. Mayor Christensen discussed the construction of the Skate Park, the dedication of the David B. Bleak Memorial Park, the Regional Waste Water Feasibility Study, the repair of the railroad crossing at Fir Street and the growth of the city. He commended the police department, public works department, parks and recreation department and the office staff. He commented on the good financial condition the city is in. Mayor Christensen discussed the 100th year anniversary the city will be celebrating in 2004, and the plans to continue to grow and develop economically. He thanked the city staff and the elected officials for the job they are committed to, and the services they provide to our community.

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

Approval of the minutes of January 14, 2004 Council meeting

Approved three in favor, Chad absent.

David Johnson, 720 Aspen Avenue addressed the Mayor and Council to introduce himself as running for Bingham County Sheriff in the next election. Mr. Johnson said he has been in law enforcement for thirty seven years, and has worked with cities, counties and state agencies during this time. He said he understands how important it is for all entities to work together, and felt the entire county should have police coverage. Mr. Johnson asked for the support of the Shelley Governing Board for him as Bingham County Sheriff.

Neil Birch, 126 Kirkham Circle addressed the council to discuss a letter he received regarding the animals he is keeping on his pasture property. Mr. Birch said he came before the council last fall to request that his property be rezoned to allow him to keep animals, such as livestock on his property which is zoned as Single Family Residential (R1). He said the Council denied his request. Sandy said some of the council members, as well as herself have received some complaints because Mr. Birch has not removed the animals from his premises. Mr. Birch said Jerry Higham intends to remove his horses from the pasture, but asked that he be able to leave the horses there until the weather permits him to build a fence. Mr. Birch said he would like to keep the calves on his property until next fall when he can butcher them. He said he has no other place to put the animals at this time. Lorin said if the calves are kept on his property until fall, it will have been a year since the decision was made to remove the animals. He felt a year was too long to let this matter go. Steve felt if the council allowed Mr. Birch to leave the animals on the property until spring (May or June) that should be sufficient time for him to find another place for them. He told Mr. Birch that the council has an obligation to the citizens in the community to uphold the decision that was made last fall. John said the council is not trying to single Mr. Birch out, but if he is allowed to keep the animals more than six months on his property, it will become an issue and a precedence will have been set. Scott said the Mayor and Council are on the right track, and they need to set a date for Mr. Birch to remove the animals from his property. The Council determined Mr. Birch must remove the animals off of his premises by April 1, 2004. Mr. Birch acknowledged their decision.

Dennis Thurston addressed the council to discuss a residential subdivision that he is considering developing near the sewer lagoon. Mr. Thurston said Bud Anderson and he are looking at property currently owned by Steve Nielsen. He said the residential lots will be no less than one acre in size, and they will begin selling lots closest to the rivers edge first. Mr. Thurston said by selling those lots it will raise capital to develop more of the lots. Mr. Thurston said they also intend to build twin homes intended for a retirement community in the vicinity. He said he would like to utilize the city's sewer system for this development. He said water will be provided to the development by means of a community well. Mr. Thurston was made aware that there is the possibility of a proposed waste water treatment facility planned to be built where the city's sewer lagoon now exists. The Council agreed to give Mr. Thurston and Mr. Anderson a letter from the city supporting the concept of their plans to develop a residential subdivision in that area.

At the last council meeting, Sandy was asked to invite Monte Fowler, owner of L&M Body Shop to the meeting tonight to discuss the vehicles parked on the public street in front of his business on Locust Street. Mr. Fowler was not in attendance tonight, however he had submitted his written comments to the council. Mayor Christensen read Mr. Fowler's comments regarding his intentions to remove the vehicles off of the street. Mr. Fowler's letter stated he is repairing the vehicles parked in front of business which are all owned by his customers. He stated he removed six vehicles from his premises last Friday, only to return on Monday and have three more damaged vehicles parked in front of his shop. Mr. Fowler stated he will focus on repairing and removing the vehicles over the next fourteen days. Lorin suggested Mr. Fowler be given fourteen days to repair and remove the vehicles, and he also suggested establishing a policy of how many vehicles can be parked in front of the business at any one time. John asked how many vehicles can be stored in Mr. Fowler's shop. Alan said approximately four. Alan felt there should be no more than five or six left on the street. After further discussion the Mayor and Council determined that Mr. Fowler may keep no more than six vehicles on the public street in front of his business on Locust Street at any one time. Furthermore, the vehicles kept on the street must be being actively worked on (such as waiting for parts). Mr. Fowler will be drafted a letter by Sandy stating he has fourteen days to remove all but six vehicles from the street in front of his premises, and that he must adhere to the above state policy or the vehicles in violation will be towed.

Scott said he discovered that Medicaid has a lien on the Barnett home on Edwards Avenue. He said Bingham County also has a tax lien on it. Scott said the city has a delinquency certificate on the property that has not been redeemed yet. He said he is working with Medicaid to find out how the city can collect on the LID assessment.

Mayor Christensen made the following Council assignments for 2004:

Chad Landon – Public Works Department, Public Relations and Negotiations, and the City Engineer.

Lorin Croft – Police Department, City Attorney, and SICOG liaison.

Steve Cederberg – Parks and Recreation Department, Building Inspector

John Lent – City Hall Budget & Finance, Grant Writer, Planning and Zoning liaison, and School District liaison.

Each councilman accepted their assignments, with the exception of Chad who was not present.

Mayor Christensen made the following appointments upon the Council member's approval:

Lorin moved, Steve seconded to appoint **Rick Anderson** as **Public Works Director** for 2004.

Approved three in favor, Chad absent. Lorin moved, John seconded to approve **Forsgren Associates** as **City Engineer** for 2004. Approved three in favor, Chad absent.

Lorin moved, Steve seconded to appoint **Alan Dial** as **Police Chief** for 2004. Approved three in favor, Chad absent. Lorin moved, Steve seconded to appoint **Scott Hansen** as **City Attorney** for 2004. Approved three in favor, Chad absent. Steve moved, Lorin seconded to appoint **Dawn Lloyd** as **Parks and Recreation Director** for 2004. Approved three in favor, Chad absent.

Steve moved, John seconded to appoint **Jay Rowley** as **Building Inspector** for 2004. Approved three in favor, Chad absent. John moved, Steve seconded to appoint **Sandy Gaydusek** as **City Clerk/Treasurer** for 2004. Approved three in favor, Chad absent. John moved Steve seconded to appoint **Neil Andreason** as **City Grant Writer** for 2004. Approved three in favor, Chad absent.

Sandy said we have used the same janitorial service for the past ten years. She requested permission to advertise for bids to provide janitorial service based on an outlined scope of work. The Mayor and Council gave permission to advertise for janitorial service bids.

Sandy said the city received the dividend check in the amount of \$2413 from the State Insurance Fund. She said last year the dividend check was approximately \$2600, and the city gave the employees a safety day to be used during the calendar year, and a \$75 bonus. After some discussion John moved, Steve seconded to grant each full time employee a safety day to be used in the same manner as personal leave during the calendar year, and a jacket bearing the Centennial Logo. Approved three in favor, Chad absent. Sandy and the other department heads will find some possible vendors to provide the jackets and report back to the Council.

Sandy presented the following delinquent accounts that have been turned over to the Credit Bureau and deemed uncollectible: Brad & Jeanna Crofts - \$394.63/Sidewalk Construction (statute of limitations expired), Annette Griffin - \$52.01/City Services and Kevin Wells - \$11.30/City Services (both have no assets or income). Lorin moved, Steve seconded to write off the accounts owed by Brad and Jeanna Crofts in the amount of \$394.63, Kevin Wells in the amount of \$11.30, and Annette Griffin in the amount of \$52.01 as uncollectible. Approved three in favor, Chad absent.

Farrell Steiner presented the audit for fiscal year 2002-2003 at the last council meeting. Steve moved, John seconded to accept the audit as presented. Approved three in favor, Chad absent.

Scott presented Ordinance #469 regarding the width of the street right-of-way, and width of street asphalt. He also presented Resolution 2004-01 and a diagram regarding the standard street design. Scott read ordinance #469 designating the width of the street right-of-way as sixty six feet for minor/local and collector streets, and eighty feet for arterial streets. The ordinance also states the pavement must be at least forty four feet width from one edge of the asphalt to the other. Lorin moved, Steve seconded that the provisions of Idaho Code 50-902 requiring all ordinances to be fully read on three separate days be dispensed with. Approved three in favor, Chad absent. Lorin felt this amendment was necessary to increase traffic safety in our city. Lorin moved, John seconded to adopt Ordinance #469 regarding street width in the city. Approved three in favor, Chad absent. John read Resolution 2004-01 regarding the standard street design. Steve moved, John seconded to adopt Resolution 2004-01 as read. Approved three in favor, Chad absent. Sandy was instructed to publish the ordinance as required.

Scott said his staff has updated the city code to reflect all of the amendments that have been made over the past several years. He said none of the amendments or code was changed, but merely cleaned up. Scott presented a new ordinance book and a diskette so we can manage the new amendments.

Sandy thanked the Mayor and Council for her appointment for 2004. She said the AIC Conference is being held in Boise June 16th through the 18th. Sandy asked the council to check their schedules and see if they will be attending so she can make room reservations. John said he will be attending.

Dawn thanked the Mayor and Council for her appointment for 2004. She said the Jazz game will be held in Salt Lake City on March 27, 2004 where the Jazz will play against Denver. Dawn said this is the game she will be taking her jazz participants to. Dawn said she has been working on a grant for baseball.

Lorin felt Dawn needs more help in the Parks and Recreation Department. He thought maybe Rick could spare one of his crew for Dawn to help her whenever necessary. Lorin said maybe

the groundskeeper could help Dawn on a more regular basis also. John suggested a college intern be sought that is majoring in parks and recreation.

Neil thanked the Mayor and Council for his appointment. He said the Tree Committee met last week. Neil said the Tree Committee has received a \$7500 grant to be used for Centennial Park. He said they anticipate the need for \$50,000 to complete the new park, and are trying to come up with ways to finance it. Neil said he will work with CHC for a grant to install the water fountains at the park, and through Idaho Department of Commerce for a flag pole and flags. Neil said they are also seeking funds to help finance the 100 trees that will be planted on Arbor Day to commemorate the Centennial. He said at this time they only have financing for twenty nine trees.

Alan thanked the Mayor and Council for his appointment for 2004. He said he attended a luncheon at which Patricia Kempthorne spoke about Juvenile Alcohol Consumption.

Rick thanked the Mayor and Council for his appointment for 2004. He said his crew is just trying to keep ahead of the snow.

John said he plans to attend the AIC Spring District Workshop that will be held April 13, 2004, in Idaho Falls.

John said he will be working with the Centennial Committee concerning this year's events. He said he would like to make this celebration a regional event. Mayor Christensen said to work with the Committee towards this.

John felt the city should promote businesses in the area. He suggested a Kiosk be located in the new Centennial Park. Mayor Christensen asked John to talk to the Civic Organizations such as the Chamber of Commerce or Kiwanis to discuss any participation they may have in this project.

Steve said he spoke with Commissioner Shipley regarding the re-negotiation of the impact area. He said the direction the Commissioner's are leaning is towards adopting the city's code to be enforced in the area of impact. Steve said Commissioner Shipley said they will try to have more details on this matter worked out by the end of the month so a meeting can be called between the

two entities. Steve felt the city is heading in the right direction, and is proud of the staff and the way the city is run.

Lorin thanked the Mayor for his assignment and for the State of the City Address that he gave. He said he intends to work on future goals and objectives.

Steve moved, Lorin seconded to adjourn into executive session pursuant to Idaho Code 67-2345 (a). Approved three in favor, Chad absent.

Steve moved, John seconded to reconvene into regular session. Approved three in favor, Chad absent.

Mayor Christensen said during executive session personnel matters were discussed.

Adjourned 9:22 pm.

ATTEST: Sandy Dayduck APPROVE Eric R. Christensen

JANUARY CLAIMS

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
2-Jan-04	Mike Curnutt	600.00	27188
2-Jan-04	US Post Office	266.18	27189
6-Jan-04	Comdata	98.07	27210
13-Jan-04	Idaho State Tax Commission	29.21	27211
16-Jan-04	Kim Day	400.00	27213
20-Jan-04	A & B Transmission	340.54	27214
20-Jan-04	All American Sports	141.00	27215
20-Jan-04	All Occasion Floral & Gift LLC	35.00	27216
20-Jan-04	American Linen	581.12	27217
20-Jan-04	Auto Body Paint and Supply	465.86	27218
20-Jan-04	BISCO	44.50	27219
20-Jan-04	Sorensen & Hansen Chartered Blaser	700.00	27220
20-Jan-04	Cable One	159.90	27221
20-Jan-04	Central Transfer Station	15.00	27222
20-Jan-04	Circular Butte Landfill	3,732.75	27223
20-Jan-04	D & S Electrical Supply Co.	238.48	27224
20-Jan-04	Daniel Acevedo	1,500.00	27225
20-Jan-04	Davies Aqua Chem Supply Co.	201.00	27226
20-Jan-04	DBS Inc.	255.02	27227
20-Jan-04	Eagle Rock Sanitation	2,662.89	27228
20-Jan-04	Ellis Automotive	96.38	27229
20-Jan-04	First Responders	109.99	27230
20-Jan-04	Forsgren Associates/P.A.	525.00	27231
20-Jan-04	Frontier Cleaning	205.00	27232
20-Jan-04	IAS-Envirochem	169.00	27233
20-Jan-04	Industrial Hose and Fittings	63.06	27234
20-Jan-04	J & J Chemical Inc.	33.00	27235
20-Jan-04	Void		27236
20-Jan-04	Jolley Building Supply Inc.	662.02	27237
20-Jan-04	K & K Blacksmith	70.70	27238
20-Jan-04	Kings No. 21	45.83	27239
20-Jan-04	Lake City International	86.90	27240
20-Jan-04	Les Schwab Tire Center	55.00	27241
20-Jan-04	Dawn Lloyd	25.41	27242
20-Jan-04	Mountainland Communications Inc.	150.00	27243
20-Jan-04	Napa Auto Parts	203.90	27244
20-Jan-04	National Waterworks Inc.	719.95	27245
20-Jan-04	Pioneer Publications	66.00	27246
20-Jan-04	Searle Hart and Associates PLLC	6,200.00	27247
20-Jan-04	Shelley/Firth Rural Fire District	3,975.00	27248
20-Jan-04	Siems Enterprises	151.97	27249
20-Jan-04	US Post Office	796.00	27250
20-Jan-04	United States Welding Inc.	261.59	27251
20-Jan-04	Utah Power and Light	5,687.65	27252
20-Jan-04	Valley Office System	739.20	27253
20-Jan-04	Watson Roto Rooter/Thayne Watson	335.00	27254
20-Jan-04	Sams Club	67.55	27255
27-Jan-04	Mike Curnutt	47.52	27256
27-Jan-04	Phillips 66	2,519.06	27257
28-Jan-04	State of Idaho	180.00	27258
30-Jan-04	A & B Transmission	208.37	27260
30-Jan-04	AC&SS	197.20	27261
30-Jan-04	AdvancedDiagnostics Inc	205.00	27262
30-Jan-04	Association of Idaho Cities	80.00	27263
30-Jan-04	Association of Idaho Cities	35.00	27264
30-Jan094	Business Phone Specialists	60.00	27265
30-Jan-04	Circular Butte Landfill	3,081.75	27266
30-Jan-04	Coach and Athletic Director	17.95	27267
30-Jan-04	District Six ICCFOA	50.00	27268
30-Jan-04	FEDEX	33.70	27269
30-Jan-04	First Responders	15.10	27270
30-Jan-04	Frances Hobbs	43.80	27271
30-Jan-04	Frances Hobbs	21.70	27272
30-Jan-04	Intermountain Gas Co.	1,346.76	27273
30-Jan-04	Jim's Trophy Room	50.00	27274

30-Jan-04	Johnson Brothers	10.41	27275
30-Jan-04	Kenworth Sales Co. Inc	97.31	27276
30-Jan-04	Kirkham Auto Parts Service co. #8	366.51	27277
30-Jan-04	Les Schwab Tire Center	31.04	27278
30-Jan-04	Dawn Lloyd	5.30	27279
30-Jan-04	McLeod USA	387.99	27280
30-Jan-04	Metroquip	325.42	27281
30-Jan-04	Mr. Pizza	28.00	27282
30-Jan-04	Pacific Steel	52.79	27283
30-Jan-04	Paramount Supply co.	60.96	27284
30-Jan-04	Petty Cash	67.13	27285
30-Jan-04	Pioneer Publications	180.00	27286
30-Jan-04	Shelley Police Officers Association	25.00	27287
30-Jan-04	United States Cellular	208.14	27288
30-Jan-04	US Bank Trust National Association	17,395.00	27289
30-Jan-04	Vincent Bevidqua	24.46	27290
2-Jan-04	City of Shelley Payroll	40,616.66	27187
16-Jan-04	City of Shelley Payroll	35,008.62	27212
<u>30-Jan-04</u>	<u>City of Shelley Payroll</u>	<u>35,224.24</u>	<u>27259</u>
	Total	172,275.51	