

CITY OF SHELLY
COUNCIL MEETING
MINUTES

FEBRUARY 10, 2004

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Chad Landon, 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: Alan Dial

PRAYER: Mayor Christensen

Steve moved, Lorin seconded to approve the following consent agenda:

Approval of the January 27, 2004 Council Meeting Minutes
Approval of January 2004 Expenditures
Approval of January 2004 Overall Budget and Treasurer's Report

Approved unanimously.

Sandy said at the Planning and Zoning Commission meeting held January 28, 2004, the Commission granted approval for a variance for Derek Fowers. Mr. Fowers intends to build a home at 300 Meadowlark. He purchased the property from Homestead Construction, and discovered that the lot was only 6875 square feet. Sandy said the City Code requires at least 8000 square feet for a lot in a residential zone. She said Mr. Fowers can meet all of the area setbacks, but just does not have the required lot size. Sandy said the P&Z Board granted approval because all of the setbacks could be met, and the lot has been vacant for several years and has been a weed nuisance. Sandy said the P&Z Board also approved a temporary and conditional special use permit for Mark Petersen to live at 185 W. Pine, formerly known as D&L Cleaners for a period of two years. The conditions of the Special Use Permit state Mr. Petersen may not alter the business appearance inside or outside, must not hold any events, such as parties that might warrant a complaint from a neighbor, and must report back to the P&Z Board within one year with a progress report. The Mayor and Council did not have any concerns regarding the P&Z Board's decision.

Sandy said she received two accounts back from the Credit Bureau due to bankruptcy with no assets. She asked that the account of Doug Wooton in the amount of \$67.52 and the account of Sandra Pineda in the amount of \$45.11 be written off as uncollectible. Chad moved, John seconded to write off the Wooton account and the Pineda account because bankruptcy was filed and neither party has assets. Approved unanimously.

Sandy said there seem to be a lot of uncollectible delinquencies as well as delinquencies being turned over to the credit bureau. She said she contacted the Credit Bureau and asked what type of information is helpful to them in collecting accounts. They said beneficial information to have

is the person's social security number, date of birth, closest relative, employer, and spouse's name. Sandy said she spoke to Scott about asking for someone's social security number. Scott said the city is allowed to ask for a social security number, but cannot refuse service if the person refuses to give their number. Sandy said there are several options that might help reduce the amount of delinquent accounts. She said the city could start asking for deposits on all new accounts, we could ask for deposits on rental accounts only, we could be stricter and not allow people who are delinquent to carry over balances every month, or we could request all landlords to pay for utility services instead of the renters. Sandy said approximately 75% to 80% of the accounts that are sent to the Credit Bureau are from renters. She asked the Mayor and Council to think about this matter, and she would place it back on the agenda for the next meeting. The Council asked Sandy to contact the City of Rexburg and see how they handle renter accounts.

Sandy said she drafted two letters regarding delinquent LID's. She said one letter was sent to Manuel Vasquez for his assessment on LID #11, and the other letter went to Mike Hillman for his assessment on LID #12. Sandy said she gave notice to each party that their LID delinquency certificate had not been redeemed by the due date, and the matter had been turned over to our attorney. She recommended that Scott draft a letter to Mr. Hillman and Mr. Vasquez regarding this matter before the procedure to file a tax deed is started. Scott explained the procedure for filing a tax deed. The Council asked Scott to draft letters to both individuals explaining that the city will be forced to file a tax deed if the delinquency certificate is not redeemed.

Sandy said the AIC Conference will be held in Boise June 16th through the 18th this year. She asked who will be attending the conference, so she can get room reservations. Chad, John, Steve, Rick, Alan, Sandy and Lorin will be attending the conference. Scott said he will need a room for Friday night.

Sandy presented a letter she received from Monte Fowler, the owner of L&M Body Shop. The letter stated that Mr. Fowler has received a lot of comments regarding Pioneer Publications article on the council meeting that was held January 27, 2004. The article stated the city was going to allow Mr. Fowler to have a maximum of four vehicles in his shop and six vehicles on the public street. Sandy said she drafted Mr. Fowler a letter stating the city was regulating the amount of vehicles he could have on the public street, not in his shop. Mr. Fowler's letter stated he did not feel it was right that the city could mandate how many vehicles he could have in his shop. Alan said he drove by Mr. Fowler's business tonight just before Council meeting and there were five vehicles parked on the street. The Council felt Neil should write a correction in the Pioneer stating the city did not mandate how many vehicles Mr. Fowler could have in his shop, but did mandate that he could have no more than six vehicles on the city street. The Council also asked Neil to express thanks from the council to Mr. Fowler his willingness to remove the vehicles from the street. Neil said he would take care of this matter.

Dawn said she has started seventh and eighth grade Jazz basketball.

Neil said he conversed with the Hampton family regarding the property they own which could be utilized as a city park. He said there is approximately twenty acres that the city could purchase for \$4500 per acre (total \$90,000). Neil said the property is adjacent to the city limits and could be annexed. The Council discussed this matter and was not sure if twenty acres would be large enough for the type of park they have in mind. They also discussed any liability the city might have if the canal between the property and the city was annexed. Scott said there may be some liability. Sandy said the city has approximately \$25,000 ear marked for a new park. She said the city would need approximately \$45,000 for their grant match. John said there may be other grants available for this purpose. Neil asked if the council wanted him to continue pursuing this grant for park property. The Council determined Neil should continue pursuing property for a park, but to keep in mind the budget that is available.

Rick said most of the snow has been removed that was brought by the last storm. He said they are ready for the next one. Chad said he received a complaint from a resident on Edwards Avenue regarding the snow, but it was prior to the last storm.

John discussed the new city web site. He said he would like to find some software that would provide our web site to the various search engines. John said he will look into this matter further. He said he notified the Pioneer about our new site, and asked them to publish our web address. John asked Dawn to place the web address on the marquee also. He complimented Sandy on her work on the web page, and suggested that a citizen or business of the month be posted on the site.

John said he met with the Centennial Committee last week. He said the Centennial Ball will be held April 12, 2004 at 7:00 p.m. at the Shelley High School. John said some of the kids at the high school are going to decorate the gym for the ball. He said there will be various dance groups that will demonstrate a dance every half hour. John said the picnic is scheduled for June 26, 2004, at the City Park. He said the city may need to charge a small fee for the picnic, but that matter is still be researched. John said it may be possible to have fireworks at the picnic also, but the city will need to contact ICRMP regarding the city's liability. John said Arbor Day is scheduled for some time in May.

Chad said the city needs an updated aerial photo to hang in the council room. Sandy said the last two aerial photos we have got, were from Forsgren. She said she will contact Husk and see how new of photo they have on hand and what the cost will be.

Chad discussed what towing services are used when a vehicle needs to be removed from the street. Alan said normally Rich Eaton is called since he is local. Chad said Sunkist Towing would like to be placed on the rotational list. Alan said usually when a tow service is called it is due to an arrest and not just because a vehicle has become disabled. Alan said the local towing service complained when other towing services were used by the city too. Sandy said Sunkist Towing came before the council several years ago and a policy was set for towing service. She

said the towing service provider must not be located more than five miles from the city limits, must have an office open during operating hours, and must have a fenced secure compound to store the vehicles in. Sandy said Sunkist was supposed to contact the city when they could meet those requirements, but never did. Chad said Sunkist Towing needs to provide a letter stating they meet the requirements of the city to provide towing services, and then they can be placed by on the rotational list at Alan's discretion.

Sandy said she is looking into centennial jackets for the employees. She said Dawn has a source that may be able to provide the jackets and the logo. Sandy said she will bring the choices back to the council at the next meeting.

Sandy complimented Scott and his secretary, Julie for the nice job they did on organizing the ordinances. She said she will have the ordinances on the web site within the next week or so.

Chad moved, John seconded to adjourn into executive session. Approved unanimously.

Chad moved, Steve seconded to reconvene into regular session. Approved unanimously.

Mayor Christensen said personnel issues were discussed during executive session.

Adjourned at 8:50 p.m.

ATTEST: Sandy Bayduska APPROVE: Eric R. Christensen

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	