

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JUNE 14, 2011

PRESENT: Mayor Eric Christensen
Council Members: John Lent, Charlotte Fredrickson, Earl Beattie, and Kurt Russell
Police Chief: Alan Dial
Public Wks Dir: Chuck Lloyd
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: B.J. Driscoll

PLEDGE OF ALLEGIANCE: Connor Bateman
PRAYER: Mayor Christensen

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

Minutes of May 24, 2011 Council Meeting
Approval of May Expenditures
Approval of May Overall Budget & Treasurer's Rpt.

A roll call vote was called for: Earl – aye, Charlotte – aye, John – aye, and Kurt – aye.
Approved unanimously.

Louise Street from Searle, Hart and Associates presented the annual audit for 2009-2010. She said the audit was conducted according to the General Auditing Standards. Mrs. Street said there were a lot of interesting changes within the Sewer Fund due to the debt incurred for the construction of the wastewater treatment plant, yet the assets were transferred to EIRWWA. She discussed the grant that was received from the Army Corp of Engineers and the single audit that was completed for that grant. She said the City of Shelley complied with the terms. Mrs. Street said there was no single audit needed for the SRF Loan. She presented a management report with graphs showing each fund and their trend over the last several years. Mrs. Street said the city is financially sound and the records are in order. Charlotte moved, John seconded to accept the fiscal audit for the City of Shelley for 2009-2010 as presented. Approved unanimously.

Robert and Stacey Hall addressed the Mayor and Council to discuss the current Skateboard Ordinance. Mr. Hall said they would like to have the ordinance amended to allow non-motorized scooters on the park. He said they have no sharp edges and are not able to damage the concrete. He said they have a razor scooter and their small children ride it. Mr. Hall said his children ride on his concrete by his house all of the time and do not damage it. Sandy said the problem with the city ordinance is there are no definitions regarding a scooter, skateboard, and skateboard with a handle. There was discussion regarding a small child riding on a scooter versus a fifteen or sixteen year old riding the same scooter and what damage may occur. Alan said whatever the law specifies is what can be done no matter the age. He said a fifteen to thirty year old may do damage whereas a small child won't. Earl said this is a matter of just using common sense, and the larger kids should be kept off of the skate park on scooters. Mr. Hall said he does not feel the skate park is being damaged, but if he did he would support the concept that scooters should not be allowed on the park. BJ said possible damage to the Skate Park has been discussed before, and the idea is that a skateboard is made of fiberglass usually and has no

pointy or sharp edges. He said when a kid crashes on a skateboard they usually roll off and the skateboard keeps going. BJ said a razor scooter is not a skateboard. Earl felt it is best to leave the ordinance as it is due to the damage that can occur. He felt to change it would be opening up a can of worms. Earl told the Hall's that if an issue with their children comes up using the skate park to discuss the matter with him or the police chief. Mr. Hall said he just wanted clarification, because it should be either right or wrong to use a scooter at the skate park. BJ said enforcement is always an issue. He said an officer has some amount of discretion, but in the long run the council may want to look at this ordinance; we don't want to have an ordinance that we don't enforce. BJ said he is just giving advice to the Mayor and Council since this may be a potential problem. Earl said if there is a problem we just won't allow scooters to be on the park at all. He said the officers have better things to do than sit at the skate park. The council determined that the Hall's children could ride their scooters at the park, but in the mean time Earl will talk to other cities regarding their skate parks. Earl asked the Hall's to come back to the next council meeting for clarity on this issue.

Sandy said Dave will not be in attendance tonight, but he submitted the Notice of Award for the Well Upgrade Project for the Mayor and Council to review. She said Dave obtained three bids for the project, however only one was responsive. Dave had reported at an earlier council meeting that three bids were obtained, but after reviewing them, two of the bids included a 3600 rpm pump when the specifications sited at 1800 rpm pump. Earl moved, Kurt seconded to approve the Notice of Award to Pump Tech with a bid of \$49,716.13. Approved unanimously.

Dawn asked that Connor Bateman who was in attendance, be recognized for saving his little brothers life during an explosion. Mr. Bateman received a round of applause.

Dr. Gary Hammer expressed appreciation for the way the Mayor and Council run the city. He said this is sometimes a thankless job.

Dawn said she met with representatives from Water Designs out of Salt Lake City and Mrs. Foster. She said the plans include having the spray park enclosed by a fence and free to the public. The spray park will be next to the swimming pool, but there will be no admission fee unless the pool is being used too. Dawn said the spray park will not be heated, and there will be no lifeguard since there is no depth to the spray park. Dawn said they are still working on the design and the details. She said there will be some of the \$350,000 funding by Mrs. Foster left in an account to help with the operations costs for a few years.

Earl moved, John seconded to approve the following business licenses for 2011:

Busy Bobby's Cleaning Service – General License

Mark's Auto Sales – General License

Durbin's Food Cart – Mobile Vendor

Approved unanimously.

John moved, Charlotte seconded to approve the following fireworks permits for 2011:

Kings – 600 N. State St.

Flowerworks – 890 S. State St.

Acme Discount Fireworks – 580 S. State St.

TNT Fireworks – 570 S. State St.

Family Fun Fireworks – 305 S. State St.

Approved unanimously.

Sandy said the property where the wastewater treatment plant is located is still owned by the city. She said there are members on the EIRWWA Board who are eager to have a lease agreement. The Mayor and Council discussed the matter and instructed BJ to draft a lease agreement charging EIRWWA \$1 annually with a year to year renewal. Shane Wooton suggested a map be included with the lease agreement showing the area that EIRWWA is leasing. Chuck suggested the area be defined as cell areas. BJ said he will draft an agreement and bring it back to the council for consideration.

Sandy said the city needs to designate a voting delegate and an alternate for the AIC Conference in Boise this year. The Mayor will be the Voting Delegate and Charlotte will be the alternate.

Dawn said she has someone interested in using the City Park to set up a SnoCone Hut. She said they will need to use the city's electricity, but is willing to pay the city a percentage of the proceeds from the business. Kurt said he talked to Trevor Goodenough, the vendor and he said they could use a generator. Earl said he is not in favor of making it a habit of placing vendors on city property unless it is a major city wide event. Charlotte said she is concerned about the liability insurance and how that can affect the city. Kurt said he thought the vendor was going to move the hut each night. Charlotte asked if the vendor could be curbside and be a mobile food vendor. Kurt said he would talk to Mr. Bateman and get clarification. Alan suggested that the vendor may check to see if the hut could be placed in the parking area between Food Plaza and the church.

Sandy said she has received notice that Jefferson County will be increasing their tipping fee effective October 1, 2011, from \$31.46 to \$32.40 which is a \$.94 increase per ton. She said this will increase the annual expense by approximately \$2100. Sandy said this increase is county wide, and she will review it during the budget process to see if the resident's sanitation rates need to be raised.

Sandy presented a request for a permit to lay buried cable by Qwest north of Kirkham Circle for new services into a house that is being built at approximately 483 N. Park Avenue. Sandy said Chuck has reviewed the plans and could see no problem. Kurt moved, Earl seconded to approve the permit to lay buried cable at 483 N. Park Avenue. Approved unanimously.

BJ said he has received the decision from the Idaho Supreme Court regarding Kelley Acres. He said the Judges ruled in favor of the city for the annexation of Kelley Acres.

Sandy said and Alan she attended a meeting at the City of Ammon Council Chambers regarding a Health Care Joint Powers Authority for cities and districts. The organization is the Idaho Independent Intergovernmental Authority (III-A). She said the intent is to not have our current rates reduced, but to try and control the percentage of the annual increase. Sandy said with a large insurance pool, there is the leverage to demand proof of what constitutes an increase. She said to join the group would cost the city \$9.06 per employee monthly which is approximately \$218 per month. Sandy said this monthly rate would be until January 1, 2011, and then each city would pay the monthly rate they are currently paying now. Sandy said the group would provide its own administration therefore eliminating the middle man. She said anyone wanting to join needs to by August 3, 2011, or they will have to wait until January 1, 2012 and then be subject to Board approval. Sandy asked the council to review the documentation she has presented, and she will put this matter on the agenda for the first council meeting in July to discuss if our city will be participating.

Mayor Christensen said he appreciates the city, council, staff, and citizens. He briefly discussed the passing of his grandson, and said he thanks the city for the flowers that were sent to the burial, and appreciates the support his family has received.

Adjourned: 9:17 p.m.

ATTEST: Sandy Egdeworth APPROVE: Eric R. Christensen