

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

MAY 22, 2007

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Steve Cederberg, John Lent, Charlotte
Fredrickson
Police Chief: Alan Dial
Public Wks Dir: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: B.J. Driscoll

PLEDGE OF ALLEGIANCE: Charlotte Fredrickson
PRAYER: Mayor Christensen

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

Minutes of May 08, 2007 Council Meeting
Building Permits
Malene Bridges - fence
Lyle Freeman - shop
City of Shelley - remodel

A roll call vote was called for: Steve – aye, Charlotte – aye, Lorin – aye, John – aye, approved unanimously.

Dave Noel, a Forsgren representative discussed the establishment of the Regional Wastewater Authority. He said the monthly user rate should consist of three components; a debt service fee, a capital outlay, and an operation and maintenance charge. Dave said the debt service fee is a regional fee and should be charged uniformly. Dave said the total project cost is \$48 million at this time. He said Phase 1 and 2 have been combined, and will construct a 4 million gallon per day plant. Dave said currently \$3 million dollars have been spent. He said the plant was designed to include Shelley, Ammon, Bonneville County and Bingham County. Dave said each ERU is worth about \$3600 based on the total cost of the project divided by the total ERU capacity. Dave said DEQ has lowered the interest rate of the loan for the project which increased the City's ERU capacity to 1944. He said this will increase the city's bond to \$7 million without having to increase the monthly user rates. Dave discussed the connection fees; currently the cities charge \$1300 for connections inside the city limits, and all other connection fees are \$2600. He said the Regional Authority and the cities should review these fees and consider increasing the regional portion to at least \$3600 per ERU, and then each entity should collect an appropriate fee for future upgrades to their infrastructure. Steve asked Dave why construction of the plant has not been started. Dave said the design of the plant is 60% complete. He said the project has been held up for many reasons, such as DEQ approval of the Tech memos and pre-selection of some of the equipment. The Mayor and Council expressed their concern over the River Bend Estates not being required to access the municipal sewer system. Dave said there was a 300 foot buffer requirement that had been ignored on the project. He said DEQ may still be able to require this property to access the municipal system. Dave said the rules state any

property within 300 feet of a municipal system should connect; this is the entire parcel of property, not just the first phase of the development. He said this subdivision could possibly increase the cost of the regional wastewater treatment plant due to additional odor control equipment. Dave said Forsgren will be sending a letter to the Bingham County Commissioners stating that their approval of the subdivision may cost the Regional Authority more for the proposed regional plant. BJ suggested an injunction be filed for. He will work with Dave and DEQ to see what rights the Regional Authority may have.

Dave said the Water Facility Planning Study for the city is about half done, and the city was notified that they will receive funding from DEQ for half of the project. He said the study will look at the city's current water rights. Dave said 4513 gallons per minute is allowed to be pumped out of the ground by our existing water rights. He said during a peak month we are currently pumping 13.5 million gallons sixteen hours per day. Dave said the addition of Pebblecreek will increase the city's pumping during a peak month to 18 hours per day. He said water rights are normally based on a 12 hour per day pumping regimen. Dave said the city will need a new well to get back to 12 hours per day. Dave said Forsgren recommends that the city be conservative and require developers to bring water rights with them, or to install water meters. He said currently each person is using approximately 1100 gallons of water per day. Dave said this is mainly so high because of irrigation. He said Forsgren sent a letter to the Idaho Department of Water Resources on February 14, 2006, to ask what they needed for the city to get a drilling permit. DWR said the city would need a water facility planning study. Dave said the city is requiring secondary irrigation systems through the developer's development agreement; however he recommended that this requirement be set up in the ordinances. The Council felt the city should start planning by conserving water, and possibly look at obtaining a grant for meters to help the city prepare for mitigation.

Dave said he spoke with Bob Butler who is having a problem getting the Health Department's approval for the Juniper Court Subdivision plat. Mr. Butler, who was in attendance said he has had a lot of interest in purchasing his lots, but he cannot record the plat unless the Health Department signs off on the plat. He said the Health Department will not sign off until DEQ has approved the plat. Mr. Butler said I.C. 39-118 that was recently passed by the legislature removed the requirement for DEQ approval on water and sewer line extensions. He said the city can have a qualified licensed professional engineer give approval and send a letter of approval to DEQ with a set of the plans. Mr. Butler said the city does have the discretion to request DEQ review the subdivision plans; however it is not their jurisdiction. He said he does not want to wait for DEQ approval; legally they have 42 days to review a plan. Dave said DEQ has a different interpretation of the law; there are two parts to the approval process. He said they feel a qualified licensed professional engineer can review the engineering portion of the plat and send a letter giving approval, but DEQ still has to give their approval also. Dave said the city engineer reviews a plat to make sure it meets city ordinance requirements. He said some of the requirements overlap with IDAPA rules, but the DEQ review is more in depth and reviews IDAPA rules. Dave said Forsgren can do an in depth review for IDAPA regulations, but they will need to charge an additional fee to do so because of the liability Forsgren will be assuming.

Dave said the minimum charge for an in depth review will be \$500. Mr. Butler agreed to pay this additional fee. Lorin moved, John seconded to not refer the plans for the Juniper Court Subdivision to the director of DEQ for review. Approved unanimously. John moved, Steve seconded to direct the city engineer, Forsgren to complete the additional in depth review of IDAPA requirements for the Juniper Court Subdivision at a minimum fee of \$500 to be paid by the developer, Bob Butler. Approved unanimously.

Dave said the final review for Division One of the Pebblecreek Subdivision has been turned in with the corrections requested in October 2006, however the boundaries of Division One are not the same as the plat that was approved. He said some of the lot sizes and the number of lots have decreased also. Dave said he reviewed the plat for the second time. He said back in October 2006 there were a few primary issues that needed to be corrected such as the storm drains, pressurized irrigation system, and some required calculations. Dave said there also seems to be a problem with the retention pond design; it is eleven feet deep which could be a safety hazard. He said the plans also show the subdivision is connecting onto a 12 inch water line, and there is only a 2 inch water line available. The Council agreed that the new developer will need to go back to the October design that was approved and make the necessary corrections, or begin at the preliminary platting stage again.

Brandon Bird said in the past eight months he has had nine leads for industry development in Idaho. He said Idaho has a lot of land available for development, but no plans on how to utilize it. Mr. Bird said the Iogen development is advancing very slowly due to the wait for a government loan guarantee. However, Iogen has been approved for \$80 million in grants to develop in Idaho. He said Iogen has not made a final decision if the plant will be located in Idaho or Canada.

Sandy presented two business licenses. Lorin moved, Charlotte seconded to approve a fireworks license for Broulims for 2007. Approved three in favor, Steve opposed. Motion carried. John moved, Lorin seconded to approve a mobile food vendor license for Stacci Lachi for 2007. Approved unanimously. Dawn said she intends to draft a letter to Mr. Lachi asking him not to sell his goods around the pool area.

Sandy said she received an advisory bulletin from AIC regarding the adoption of the 2006 International Building Codes. Due to some concern on the adoption of part of 2006 regulations and part of 2003 regulations, the AIC has advised cities that automatically adopt the new building codes as adopted by the Idaho Build Council to adopt a resolution to make the new 2006 International building codes effective January 1, 2008. BJ said there could be some litigation either way; whether the 2006 is used now or after the 1st of the year. Steve moved, John seconded to pass a resolution to delay implementing the 2006 International Building Codes until January 1, 2008. Approved unanimously.

Alan said he has received complaints regarding the recreational vehicles that are being parking on the city streets. He said the present city ordinance is not very clear, and technically a resident

can park their RV on the street and move it a few feet every forty eight hours and still comply with the code. Alan recommended that RV's not be parked on a city street except for loading and unloading. The City Council agreed and directed BJ to amend the city ordinances to be considered at the next meeting.

Sandy presented the development agreement for Juniper Court that she previously telephone polled the council for approval. She said this is a basic agreement except there is a section that would allow Mr. Butler, the developer to sell lots and building would commence, but no certificate of occupancy will be issued until all improvements have been completed by the developer and accepted by the city. John moved, Steve seconded to ratify the approval of the development agreement for Juniper Court Subdivision being developed by Bob Butler. Approved unanimously.

Sandy said she needs to submit the voting delegates for the AIC Conference in June. Lorin will be the voting delegate, and Charlotte will be the alternate voting delegate.

Sandy presented a request for comments on a rezoning issue before Bingham County Planning and Zoning. The proposal is to change property owned by Wayne Curtis from Agricultural to Residential Agricultural to facilitate a subdivision. The proposed site for his subdivision is on the east side of the Butte. The Mayor and Council instructed Sandy to submit the comment sheet stating city standards should be followed and a walk path should be constructed when the subdivision is developed.

Dawn said the blood drive was held today and went well.

Rick said Merlin Stoddard would like to return to work on a part time basis for the city. He said he will utilize Merlin to spray and mow the weeds. Rick said before he retired he presented a doctors note stating he could not work for an indefinite period of time, however he presented another doctors note stating he could now return to work. The council agreed to hire Mr. Stoddard back on a part time basis for the season.

Charlotte thanked everyone for helping with Arbor Day. She said she recently attended the Kiwanis Breakfast meeting. Charlotte said part of the discussion was to find a solution for parking for Spud Day. She said the Kiwanis have also asked if they could use the city letterhead to inform people about the events at Spud Day. Sandy asked Charlotte to please make sure they list the appropriate telephone contacts for the Spud Day events if they are going to use the city letterhead.

Charlotte said the Shelley High School has hired a new principal, assistant principal, and athletic director.

John said the city should begin a summer water conservation schedule. The Mayor and Council agreed, but everyone felt an ordinance should be created to handle this matter instead of just

requesting everyone to maintain an every other day water schedule. BJ and John will work on establishing an ordinance.

John thanked the Mayor, Dawn and Rick for attending Arbor Day. He said he heard there were some complaints about where the trees were planted at Brent Way Park. John said there were notices and plenty of time for people to get more involved in regards to planting the trees.

John suggested that developers who are constructing new subdivisions might want to consider a zero landscaping approach to conserve water.

Lorin said he spoke with Odell Young regarding his fence that was supposed to be constructed around the back of his property by today. He said Mr. Young has a contractor lined up and just waiting for the contractor to be able to do the job.

Charlotte, John, and Lorin will not be in attendance at the next council meeting. Charlotte and John agreed to be telephoned conferenced into the meeting.

Adjourned: 10:24 p.m.

ATTEST Sandy Lydman APPROVE: Eric R. Christman

MAY CLAIMS

<u>DATE</u>	<u>CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
17-May-07	Advanced Business Systems	313.00	30787
17-May-07	Advanced Diagnostics Inc	180.00	30788
17-May-07	AG Parts	72.62	30789
17-May-07	Alltel	229.42	30790
17-May-07	American Linen	434.80	30791
17-May-07	Bearing & Ind. Sales Inc	62.70	30792
17-May-07	BMC West	294.53	30793
17-May-07	Broulim's	81.24	30794
17-May-07	Bug Busters Inc	86.00	30795
17-May-07	Central Transfer Station	30.00	30796
17-May-07	Chad Brooks	21.92	30797
17-May-07	Circular Butte Landfill	6,098.91	30798
17-May-07	Columbia Paint Co	75.25	30799
17-May-07	DBS Inc	3,149.80	30800
17-May-07	District Six ICCFOA	50.00	30801
17-May-07	Eastern Idaho Public Health District	110.00	30802
17-May-07	Electrical Equipment Co Inc	87.00	30803
17-May-07	Fatenal	358.55	30804
17-May-07	Forsgren Associates/P.A.	2,075.00	30805
17-May-07	Great Northern Bark Co	111.96	30806
17-May-07	H-K Contractors Inc.	751.24	30807
17-May-07	Hammon Teton Delivery	45.00	30808
17-May-07	HD Supply Waterworks LTD	25.00	30809
17-May-07	IAS - Envirochem	672.00	30810
17-May-07	Idaho Business Systems	32.00	30811
17-May-07	Idaho Traffic Safety Inc	140.00	30812
17-May-07	Industrial Hose and Fittings	159.68	30813
17-May-07	Jim's Trophy Room	9.50	30814
17-May-07	Just Sports	1,212.00	30815
17-May-07	Kings No. 21	60.19	30816
17-May-07	Kirkham Auto Parts Service Co. #8	170.80	30817
17-May-07	Les Schwab Tire Center	120.01	30818
17-May-07	Dawn Lloyd	265.83	30819
17-May-07	McGrath Meacham and Smith PLLC	1,041.35	30820
17-May-07	Metroquip Inc.	399.71	30821
17-May-07	Rod Mohler	172.50	30822
17-May-07	Ok Trailer Sales	19.97	30823
17-May-07	Pacific Recycling	789.04	30824
17-May-07	Pacific Steel	172.59	30825
17-May-07	Pipeco Inc	38.17	30826
17-May-07	Belva Poulsen	56.00	30827
17-May-07	Qwest	125.82	30828
17-May-07	R & S Distributing	164.34	30829
17-May-07	Rocky Mountain Power	5,847.30	30830
17-May-07	Sams Club	121.29	30831
17-May-07	Shelley Police Officers Association	125.00	30832
17-May-07	Shelley/Firth Rural Fire District	4,347.00	30833
17-May-07	State Insurance Fund	2,956.00	30834
17-May-07	Stephenson Computer Consulting	547.75	30835
17-May-07	TJ Coneveras Inc	1,372.00	30836
17-May-07	Town and Country Gardens	251.95	30837
17-May-07	Troy Harris	35.12	30838
17-May-07	US Post Office	151.00	30839
17-May-07	United States Welding Inc	284.75	30840
17-May-07	Voorhees Sanitation LLC	3,120.00	30841
24-May-07	Compliance Service Inc	500.00	30842
30-May-07	Comdata	410.78	30843
31-May-07	All American Sports	35.76	30844
31-May-07	Alltel	157.41	30845
31-May-07	Amcor Inc	110.00	30846
31-May-07	American Red Cross	510.00	30847
31-May-07	Rick Anderson	75.00	30848
31-May-07	Business Phone Specialists Inc	132.00	30849
31-May-07	Cable One	161.90	30850
31-May-07	Cal Ranch	96.99	30851
31-May-07	Charlotte Fredrickson	560.00	30852
31-May-07	Circular Butte Landfill	5,209.24	30853

31-May-07	Davies Aqua Chem Supply Co	3,782.22	30854
31-May-07	Diamond B Specialties	390.00	30855
31-May-07	Dougs Sales	1,997.00	30856
31-May-07	Eagle Rock Sanitation	3,101.26	30857
31-May-07	Electrical Wholesale Supply Co Inc	127.05	30858
31-May-07	Exxonmobil Fleet/Gecc	359.73	30859
31-May-07	Great Northern Bark Co	193.21	30860
31-May-07	HD Supply Waterworks LTD	483.10	30861
31-May-07	IAS - Envirochem	1,015.36	30862
31-May-07	Intermountain Gas Co	368.89	30863
31-May-07	Jim's Trophy Room	26.50	30864
31-May-07	John Walker	4.74	30865
31-May-07	Kirkham Auto Parts Service Co. #8	239.95	30866
31-May-07	Lindsay Truck and Towing	1,409.30	30867
31-May-07	Lorin Croft	949.94	30868
31-May-07	Mathews Plumbing & Heating	119.50	30869
31-May-07	McleodUSA	512.44	30870
31-May-07	Metroquip Inc.	923.76	30871
31-May-07	Petty Cash	94.23	30872
31-May-07	Phillips 66 Co	1,007.37	30873
31-May-07	Post Register	135.85	30874
31-May-07	Pro Power	1,080.21	30875
31-May-07	Qwest	43.33	30876
31-May-07	Scott Machinery Co	59.31	30877
31-May-07	Shelley Pioneer	794.77	30878
31-May-07	Cheryl Simmons	350.00	30879
31-May-07	Staples Credit Plan	71.85	30880
31-May-07	Taser International	434.75	30881
31-May-07	US Post Office	326.30	30882
31-May-07	Ultramax Ammunition	627.00	30883
31-May-07	United Laboratories	292.39	30884
31-May-07	US Toy Co/Constructive Playthings	271.41	30885
31-May-07	Watson Roto Rooter/Thayne Watson	225.00	30886
4-May-07	City of Shelley Payroll	42,630.48	
18-May-07	City of Shelley Payroll	44,086.88	
	Total	156,218.76	