

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

MARCH 14, 2006

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

PLEDGE OF ALLEGIANCE: Kadee Mickelson
PRAYER: Lorin Croft

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

- Approval of the minutes of February 28, 2006 Council meeting
- Approval of February 2006 Expenditures
- Approval of February 2006 Overall Budget & Treasurer's Rpt.
- Approval of the following Building Permits:
 - Jason Jaynes - remodel
 - Lyle Freeman - remodel
 - Doug Briscoe - basement

A roll call vote was held. Lorin aye, Charlotte absent, Steve voted aye, and John voted aye.
Three in favor, motion approved.

Mayor Christensen read a proclamation proclaiming March 12, 2006, as the 94th anniversary of the Girl Scouts of America. The Girl Scouts in attendance presented cookies to the Governing Board.

Robert Butler submitted a formal letter of request for annexation into the city limits. Linda Butler presented a copy of the intended subdivision plat once the property is annexed. She said there is 5.04 acres, and they intend to access city water and sewer. Sandy said this is a consensual annexation, and category A annexation requirements would be followed. Sandy said there is a discrepancy in our title 10 code regarding the minimum size lot required for a RA (residential agricultural) zone. She said one section of the code states the minimum lot size can be reduced to ½ acre if a community water and sewer system is accessed. The chapter regarding subdivisions states the minimum lot size in an RA zone shall be one acre. Depending on interpretation it is unclear whether or not Mr. Butler will need to rezone his property before it can be platted. BJ said he reviewed the discrepancy, and felt this matter should be fixed. BJ said at this point chapter 16, the subdivision code is considered the most restrictive and requires a minimum lot size of one acre. BJ said as this property is currently platted it would need a rezone unless the ordinance is amended. Lorin suggested this matter be presented to the Planning and Zoning Commission for their comments. Steve and John agreed. Sandy will present this matter to the P&Z Board tomorrow night at their scheduled meeting.

Wayne Griffin introduced Kirk Sheppard who is seeking election to the District 28 State Representative seat left vacant by Joe Cannon. Mr. Sheppard discussed his objectives and values. He asked for any comments and issues that should come up on a city level.

Krishna Marker addressed the council to discuss an unfortunate event that took place over the weekend. She said her children were out playing in the yard when two pit bulls entered her property. Ms. Marker said the two younger children were immediately brought in the house for their safety. She said her older son went back outside to try and rescue the family cat that had climbed up the wall of the house. When the cat fell, the dogs attacked and proceeded to maul the cat to death for about 30 minutes. During this time her son tried to get hold of the cat and was bitten by one of the dogs. Ms. Marker asked about an ordinance that might be created to ban pit bulls from the city limits. She said this was a very terrible experience for her family, and hopes something can be done so nobody else has to experience such an event. The Mayor and Council expressed their concern for the Marker family, and asked Sandy to check with other cities about breed specific banning.

Sandy said she received a letter from the Idaho Transportation Department regarding the proposed Sunset Meadows Subdivision. The letter stated there may be an adverse impact on the intersection at Baseline Road and Highway 91 since approximately 500 vehicles have the potential of using this intersection once the subdivision has been fully developed. Sandy said the letter suggested a meeting be held to discuss this matter further, and the developer would also like to be invited. The Mayor and Council directed Sandy to arrange a meeting.

Alan said Marshall Lafayette Hampton was killed in the line of duty while trying to stop a bank robbery in the village of Shelley. He said Marshall Hampton will be inducted into the Police Officers Memorial on May 15, 2006. Alan said Marshall Hampton's name will be placed on a memorial wall in Washington D.C. and Boise. He said once he receives more information he will let everyone know what time the ceremony will be held in Boise.

Mayor Christensen read an Arbor Day Proclamation proclaiming May 20, 2006 as Arbor Day for the City of Shelley's celebration.

The Bingham County Commissioners were in attendance to discuss the impact area agreement between Bingham County and the City of Shelley. Commissioner Brower said the impact area is in the county, and the residents need to be treated as county residents. Sandy asked what the purpose of an impact area is. Commissioner Brower said to control growth in an orderly manner for property that could be annexed into the city in the future. Alan Jensen said some of the city's code has been included in the county's ordinances, however there are not any regulations regarding manufactured housing. The Mayor and Council discussed the number of subdivisions that are being constructed in and around the city. They felt the need for sidewalk, curb, and gutter are great in subdivision within ¼ mile of the city limits. Commissioner Jolley said he was reluctant to require subdivision with acre lots to install sidewalk, curb, and gutter. Sandy said

the city has experienced problems with subdivisions that are approved in the county and then annexed into the city before construction commences. Such as the requirement of sidewalk, curb, and gutter, and streetlights. Mike Carter said he has seen a problem with drainage in the West River Subdivision because it does not have curb and gutters. Sandy said most of the subdivisions within ¼ of a mile of the city limits will request to access municipal sewer and water, therefore if possible they will be annexed prior to approval of a plat. Commissioner Covington introduced Melodee Halstead, the new Planning and Zoning Administrator. The Mayor, Council and Commissioners felt Sandy and Melodee should work together to complete an agreement that will fit the needs of the city and the county, and then the agreement will be presented to both boards for their input. Sandy will meet with Melodee next week to work on this matter. John suggested the county be very aware of the new development that is occurring and accessible to the new regional sewer line. The Commissioners discussed the west side of the New Sweden Highway. The new regional sewer line runs down the east side of the highway, however anyone who applies for a sewer permit will have to dig under the road and access the new line.

Sandy said there is a problem with annexing the portion of the New Sweden Highway to 1400 North. She said the road has not been established as a public right-of-way, therefore the property owners on each side of the road own to the middle of the road. Sandy said the east side of the road will be annexed when the Rockwell property is annexed, but there are several property owners on the west side of the road that should consent to annexation before proceeding. The Council instructed Sandy to notify each of the property owners, and ask for consent to annex the front 40 feet of their property so the roadway will be included in the city. Alan suggested contacting the County Assessor to see if these owners' property taxes will change.

Sandy presented a rough draft of a proposed Town Home Ordinance. She said she will also present this to the Planning and Zoning Commission for their review.

BJ discussed the agreement between ITD, the Railroad, and the city regarding the traffic light at the intersection of Highway 91 and Center Street. BJ discussed several items in the agreement that he was concerned about.

Sandy presented two accounts that should be written off due to bankruptcy. Eric Hatch has an outstanding balance of \$212.79 and Shane Sommerville has an outstanding balance of \$115.50.

Sandy presented an application for an itinerant license for Tap Enterprises to conduct a tool sale at the Senior Citizens Center on March 27, 2006. Lorin moved, John seconded to approve this itinerant license for March 27, 2006, for Tap Enterprises. Approved unanimously.

Sandy said Marvin Keele contacted her regarding the Wind River Acres Subdivision. Mr. Keele said he received the letter from the city asking when construction was going to commence due to the requests received by the city for municipal water. He said he spoke with Kelton Larsen, and he intends to move forward with the Wind River Acres Subdivision in the next month or two.

Sandy said there have been some developers that have requested to meet one-on-one with the city engineer to discuss a preliminary plat that has been submitted and is being reviewed. She said the developers pay a review fee for their proposed subdivisions and that is what the city engineer bills the city for, however an additional meeting with the developers will be charged by the hour. The Mayor and Council agreed that one-on-one meetings requested by the developer with our city engineers should be billed to the developer by the engineer.

Alan said he rode with Officer Swanson last Friday and Saturday and felt he is doing a great job. He said Officer Swanson is looking for particular behavior patterns before he makes a traffic stop.

Mayor Christensen thanked Alan for spear heading the induction of Lafayette Hampton into the Police Officers Memorial who served the city in 1914.

John moved, Lorin seconded to declare the Yamaha Warrior Big Bear ATV and its attachments as surplus property to be sold at auction. Approved three in favor, one absent.

Dawn said she has twelve Co-Ed High School Jazz teams participating in her program this season.

Dawn said a blood drive was held last Wednesday and there was a really good turn out.

John said he applied for a \$150 Arbor Day grant through the Idaho Department of Lands. He said there is a 50% match if the grant is awarded to the city. John said a Champion Tree is being purchased to be planted at the David Bleak Memorial Park on Arbor Day. There will also be a dedication ceremony. John said the main Arbor Day project will be at Brinkman Park where approximately 35 mulch rings will be placed around the already planted trees.

John said he will be gone on April 11, 2006, and possibly April 25, 2006 for medical reasons.

Steve said it was good to have the County Commissioners in attendance to discuss the impact area, and to start moving on this project again.

Lorin said the walking path should be seal coated soon. He said to try and budget for this project.

Lorin said Greg Gemar is working with the Red Cross on emergency preparedness. He would like to give a presentation on this matter at the next council meeting.

Lorin said he attended a SICO meeting last week. He said the traffic signal at the intersection of Highway 91 and Center Street is listed on the State project list for 2006. Lorin said there is grant money available for beautifying the entrances into cities that should be looked into. He

said Kristy, a representative for Schiess and Associates is working to help Blackfoot regarding grant availability for Industrial Parks, and would be available to help our city also.

Sandy said she sent out questionnaires to all of the businesses listed on the city's website. Once she receives a portion of the questionnaires back she will set up a business spotlight of the month. Sandy said she also placed an on-line poll regarding the speed limit on Highway 91 from Locust to Center Street. She said approximately 81 people responded and about 75% felt the 35 mph speed limit is too high.

Lorin said he rode with Officer Hintze and Officer Mohler to see how the police department is functioning. He said he also plans to ride with the other officers.

Adjourned: 10:12 p.m.

ATTEST: Sandy Hayward APPROVE: Eric R. Christman