

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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JULY 10, 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 (absent)  
City Clerk: Sandy Gaydusek  
City Attorney: B.J. Driscoll

PLEDGE OF ALLEGIANCE: Sandy Gaydusek

PRAYER: John Lent

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

Minutes of June 26, 2007 Council Meeting  
Approval of June 2007 Expenditures  
Approval of June 2007 Overall Budget & Treasurer's Rpt.

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

Senator Bair said he received a copy of a letter that was addressed to the Governor regarding the struggles the City of Shelley is having with providing water for future growth. He said he also received a copy of David Tuthill's response from the Idaho Department of Water Resources (IDWR). Senator Bair said he thought this issue had been taken care of after he met with Mr. Tuthill several months ago in Boise. Sandy said the staff at IDWR stated the city must have enough water rights to be able to drill a new well. Senator Bair said Mr. Tuthill could not find a drilling permit application on file for the city. He said he was told a city was exempt from the moratorium for domestic water use. Senator Bair said the city does not need water rights to be able to drill a well, however the well will have a late priority date. He said if there is curtailment irrigation water will be restricted, but potable water will not. Senator Bair suggested the city put together documentation with an application and submit it to IDWR. BJ said he spoke with Representative Dennis Lake who indicated there may be some legislation separating ground water and surface water. BJ said he thought the moratorium included cities, but submitting an application is certainly worth a try. Senator Bair said he will re-confirm his information with David Tuthill tomorrow. He said if the city has any trouble with this matter, to please contact him. Mayor Christensen asked for his support if this issue is brought before Legislature. Senator Bair said he would.

Ted Hendricks, ECIPDA said there are some economic development opportunities for cities on city owned property. He discussed some projects that have occurred north of the city, and said if the city owns land that could be developed into an Industrial Park there could be grant money to

help fund this project. Ted said these grants can be used to aid in the construction of infrastructure. He felt the city is going to see substantial growth come from the north due to the regional sewer transmission line project. Ted said if the city is interested in developing a project ECIPDA and SICOG would like to help.

Ted said there has been no final commitment on congressional funding for the regional sewer project. He said the applications have been filed, but there has not been any approval yet. Ted said the design of the project is moving forward, and there will need to be a discussion regarding a contract with the city for administration.

Mark Steveneson a representative for River Pointe Subdivision submitted a preliminary plat. Sandy said the Planning and Zoning Commission held a public hearing on June 20, 2007 and recommended approval of the plat conditional upon a few engineering items be corrected; such as water flow data, and the design of an irrigation system. Sandy said the monetary obligation has been fulfilled. Sandy said there was a problem with the lot where the assisted living center is being constructed. She said Gables Management chose not to include this lot in the plat so construction would not be held up. However, in laying out the subdivision a portion of this particular lot is needed for the right-of-way. Therefore, Gables Management is undergoing the rezoning process with a special use permit so the lot the assisted living center will be located on will be included on the plat. Wes Cook, Forsgren said there is a water line that dead ends on the plat. He and Rick felt it would be beneficial to loop the water system to avoid future problems. Mr. Steveneson agreed the water line would be looped. John moved, Charlotte seconded to approve the preliminary plat for River Pointe Subdivision condition upon the water flow data, irrigation system and other engineering requirements be fulfilled and corrected on the final plat. Approved unanimously.

Mayor Christensen opened and continued a hearing to receive testimony on the condition of the Herbert Newel Morris property at 144 S. Holmes. Sandy presented documents showing she notified Mr. Morris on April 25, 2007, that he was not in compliance with the city ordinance 5-9-11 regarding the keeping and storage of junk. He was given thirty days to clean up his property. The property was not cleaned up to comply with city ordinance so Mr. Morris was notified on May 29, 2007 that a hearing would be held on June 12, 2007 to discuss the condition of his property, and determine if the city would clean it up and assess the cost to Mr. Morris. At the last council meeting the Morris's were asked to work on moving the two vehicles located on the property, removing the refrigerator in the back yard, and cleaning up the overgrown vegetation. John said he drove by the Morris property last night, and they have made some progress on the property by cleaning up some of the vegetation. Steve said he drove by the property and didn't notice much change. Patricia Morris read a statement she had prepared to the Mayor and Council explaining how her family's mental illnesses have caused some of their problems, and how things regarding this matter have not been perceived correctly. She discussed how their need for help has been misunderstood. Ms. Morris said the green refrigerator will be picked up by this Thursday, the copper colored car is gone, and the blue car is scheduled to be removed from the premises. She said the other car was her Grandmothers, and her father would like to

restore the vehicle when financially able. Ms. Morris said her family will continue to work on their property but cannot handle the stress that this problem is placing on them. Charlotte said it appears that some of the items are being taken care of, and a shed is being worked on to hold some of their property. John said the Morris family is not being singled out and picked on, but this project appears that it will be a summer long effort. He suggested that the Morris's come back to the council meeting in a month or so to discuss their progress. Ms. Morris asked that the Council be specific in what needs to be cleaned up and it will. Steve assured Ms. Morris that her family is not being singled out, but there are several places on their property that need attention. Lorin said Ms. Morris's written statement did not fall on deaf ears. He said nobody is being picked on, but we are trying to beautify the city. Sandy said she spoke with Jeff Morgan and he said there is some progress being made on the Morris property, but it is not quite finished yet. Mayor Christensen asked Noal Messick to contact Sandy occasionally regarding the progress of the Morris's clean up efforts. The Mayor and Council requested the Morris family to attend the council meeting scheduled for August 28, 2007 to continue this hearing.

Sandy presented a comment sheet from Bingham County regarding the Woodson Heights Subdivision. It was determined that the proposed development is within ½ mile of the proposed regional sewer line. The Council stated the following comments to be reported to Bingham County. 1. To follow the Fire Chief's recommendations regarding accesses to the development. 2. To access the regional sewer transmission line. 3. To install sidewalk, curb, and gutter, and adequate drainage. 4. To install street lighting. The Council stated that they appreciate the commissioner working with the city on development matters.

Lorin discussed the possibility of requiring city business licenses, and contractor licenses. He felt more regulation should take place regarding the type of business that is occurring in the city. Sandy said she would obtain information such as sample licenses, fees, and ordinances and bring back to the council. She said this would be a major project, but the office should be able to work on it during November and December.

Sandy said there are individual residences accessing the regional sewer line. She said before a connection can be made, the engineers must review the connection to make sure will work correctly. Sandy said a fee has been proposed to the Regional Authority of \$200 plus \$25 per lot. The Regional Authority is unable to adopt this fee at this time, because there have been no ordinances developed. Sandy said the city's ordinances and fees have been utilized since the city is administering the project. Sandy asked for a public hearing to adopt the new fee. The Mayor and Council set a public hearing for August 14, 2007, to establish a new fee for sewer connection review.

Lorin moved, Steve seconded to ratify the approval to hire Michael Johnson as a full time police officer at entry level with a one year probationary period. He will also be required to sign an employment agreement, since he will need to attend the POST Academy. Approved unanimously.

BJ discussed the water issues the city is facing, and the involvement of Senator Bair, Representative Lake and Representative Marriott.

BJ discussed a Planning and Zoning Land Use workshop that will be held in Boise in September. He gave Sandy the registration form, and the council gave permission for BJ to attend the meeting at the city's expense for the registration and per diem. Sandy will check the budget and see if the city would like to send another person to the workshop also.

Sandy said the remodeling of the office is nearly complete. She said the carpet still needs to be installed.

Sandy said the Pioneer has changed its publication day to Wednesdays. She said this delays any legal publications the city may have after a council meeting until the next week. Sandy said this also changes when the tentative budget will be published. She said a work meeting will need to be held August 13, 2007, to consider adoption of the tentative budget. The Mayor and Council said to schedule the special meeting, and check into the requirements for an official newspaper.

Alan thanked the council for the approval to hire a new officer. Steve asked if there is a necessity for another new officer. Alan said not at this time, but maybe in the future. He said it takes quite a bit of new growth to pay for one officer.

Charlotte said the Kiwanis is busy working on Spud Day. She asked Rick to make sure there are enough bleachers for all the stages. Charlotte asked Alan to provide the Kiwanis with some parking recommendations. Sandy said she checked with the city's liability insurances and the vendors are not covered even if the city is a co-sponsor for the event. The insurance will cover city specifics such as property issues, etc. The Mayor and Council determined there will be no itinerant merchant licenses issued during this event.

Mayor Christensen said Steve will be attending a Youth Coalition dinner in Island Park Friday night.

Steve said he met with the County Commissioners and discussed Riverbend Estates. The developers are trying to convince the Commissioners that there are no provisions for an access road for the City of Shelley. BJ said there are recording and admittance from the engineer of the development that there is a prescriptive easement for the city. Steve said he intends to meet with the Commissioners again tomorrow.

Lorin discussed the city employee picnic. The Council directed Sandy to work with John to set up a date sometime the third week of August. The picnic will be held at the Pillsbury Park.

Rick discussed the progress being made at the North Shelley Business Park. He said some of the curbing has been installed.

Adjourned 9:58 p.m.

ATTEST: MB Williams APPROVE: Em R. Chilton