

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

AUGUST 10, 2004

PRESENT: Mayor Eric Christensen
Council Members: Lorin Croft, Chad Landon, Steve Cederberg, John
Lent(absent)
Police Chief: Alan Dial
Public Wks Dir.: Rick Anderson
Recreation Dir.: Dawn Lloyd
City Clerk: Sandy Gaydusek
City Attorney: Scott Hansen

PLEDGE OF ALLEGIANCE: Rick Anderson

PRAYER: Lorin Croft

Steve moved, Chad seconded to approve the consent agenda as follows:

Approval of the minutes of July 27, 2004 Council meeting
Approval of July 2004 Expenditures
Approval of July 2004 Overall Budget & Treasurer's Rpt.
Approval of the following building permits:

Debbie Benedict	- re-roof
Tony Hill	- re-roof
Gayla Coombs	- fence
Kristi Trent	- re-roof
Jose Gonzalez	- porch

Approved three in favor, one absent.

John Katri, 296 N. Byron was not in attendance to discuss the animals on his rental property. Alan said he spoke with him today about this matter, and Mr. Katri indicated that he gave a copy of the city letter to his tenant. Alan said the tenant was given until tomorrow to clean up the property or she would be evicted. He said the people who own the horses would also be responsible to clean up the property or be evicted too. Alan said Mr. Katri would like to retain his grandfather clause, and intends to move other animals onto it if the horses that are currently there are removed. Alan said Mr. Katri said as long as he could remember, even when there were previous owners, there have always been horses in the pasture area. Chad felt if the property is cleaned up and kept cleaned so there is no odor, it may be okay to leave horses there. Alan said he will follow up with Mr. Katri on this matter.

Sandy said Cheryl Matthiesen has submitted a written request to be de-annexed from the city. She said Mrs. Matthiesen purchased the property at 774 E. 1200 N. from Grant Lundgren. Sandy said Mrs. Matthiesen has three parcels of property in her name, and when she contacted Bingham County to see about getting the parcels incorporated they told her that her fifty foot driveway was in the city limits, and she could not incorporate the parcels until it was de-annexed. Sandy said the driveway was originally annexed into the city when Brent Christensen requested his proposed subdivision just north of Baseline Road be annexed in. The driveway was a right-of-way for the subdivision. Sandy said Mr. Christensen traded Mrs. Matthiesen for another fifty

foot strip of property on the west side of her property. She said when the subdivision is accepted we need to make sure the new right-of-way is annexed into the city, and that is it sixty six feet to meet city code. Scott said there is no problem to de-annex this property but he would need a better legal description than what was provided. Sandy said she would contact Mrs. Matthiesen and get a better legal description so Scott could draft the ordinance.

Rick said he measured the distance that the proposed sidewalk, curb, and gutter would cover on the south end of South Park Avenue. He said there is a total of 721 feet and it is broken down as follows: Merlyn Browning – 180', Ray Fillmore – 117', Terry Taylor – 180'', Steven Clinger – 157', and Sid Page – 87'. Rick said he talked to Jim Cotterell and he said it will be approximately \$11 a lineal foot for the curb and \$5 a lineal foot for the flat work. He said the total per lineal foot will range between \$16 and \$20. Rick said it will cost \$8 per cubic yard for fill and he estimates it will cost about \$1000. He said it will probably take about 100 ton of asphalt which will cost about \$2000. Sandy was instructed to draft letter to each of the home owners that will be involved in this project, and inform them of the approximate cost. She was also instructed to notify them that the city is interested in pursuing this project if they are, and this item will be discussed again at the next council meeting.

Sandy said she contacted Dale Petty again regarding the cost to expand city hall, but he has not gotten back to her with a price. Lorin said there was a death of a close friend of Mr. Petty's, and he has probably been pre-occupied. The Mayor and Council discussed how much this project might cost. Sandy said she budgeted \$40,000 this year for the project, but didn't know if it would take another year to build up enough funds. Lorin felt it would cost more than that, maybe \$50,000 for the job. The Mayor and Council instructed Sandy to budget \$50,000 this year out of the State Revenue Sharing Fund, and if the project can be done for that must then it will be completed this year.

Sandy discussed several items in the budget she needed direction on to be able to finish the tentative budget. She said Jay is retiring in April 2005, and she wondered if the city intends on hiring someone new for the same rate of pay. The Council determined that someone would be hired part time at the same rate of pay. Sandy asked about budgeting for a new park. She said available funds are very limited for this purpose. Sandy said it would need to come out of the State Revenue Sharing Fund or the General Fund. The Council directed Sandy to begin budgeting \$25,000 per year out of State Revenue Sharing to construct a new park sometime in the future. Brent Christensen arrived, and the North Shelley Business Park discussion began.

Scott said there was a work meeting that was held August 9th to discuss the proposed North Shelley Business Park. He said there were several items clarified so Mr. Christensen and his engineer Grant Thorsen could present the preliminary budget for consideration tonight, and one item is that Mr. Christensen will subdivide by divisions instead of the entire plat. Scott presented a Development Agreement that he drew up as discussed at the work meeting. He discussed the obligations of the developer listed in the agreement. These obligations are 1) the developer is required to submit all preliminary and final plats for processing and approval or denial by the

city. 2) That the developer will participated in any required public hearings or meetings required for the approval or denial of the proposed plans. 3) That the current plan is for the development to proceed in three phases, and although the city may approved the overall concept of the project, the developer will still be responsible to obtain approval of each phase of the project before commencing the development of the land. 4) That the developer shall keep the city informed of who the owners of the land are during the development process, who the developers are on the project, and any other ownership issues. 5) That the developer will not allow any residential development in a commercial portion of the development. 6) The developer shall meet or exceed the fire access requirements as identified by the appropriate fire district . For example, phase 1 is accessible to the fire department from the New Sweden Connector Road, however as the development on phase 2 and 3 progresses, the developer will need to either leave an access pen or provide a roadway with the approval of the governing officials. 7) That the final plat will required all information required by city code, including, but not limited to, the placement of street lights, electrical access, sewer lines, water lines, boundary lines of lots, etc. The City's engineers must give final approval and recommendations. 8) That the drainage areas may be developed by the developer dedicating a lot to a drainage area and planting the lot to grass and installing a sprinkler system after the development is completed. 9) That the developer will put ten foot turn lanes along the highway for safety as recommended by the police chief. 10) That the developer will install a six foot privacy fence between the residential and commercial areas to be constructed fro safety and privacy. 11) A projective fence shall be installed between the canal and the development. 12) The access to lot 20 in block 2 shall be negotiated between the parties at such time as the development of that lot proceeds. 13) No lots in the development shall be sold until the plat has been recorded by the county recorder. Scott said several items were not completely ironed out, but Mr. Christensen could address these issues when he presented each division. Scott said he must also comply with all city ordinances. Sandy said our engineer presented his comments regarding the proposed preliminary plat, and most of his concerns have been taken care of. She said the biggest concern was the second access for emergency purposes, however this issue will be addressed when Mr. Christensen presents the plat for Division Three. Chad moved, Steve seconded to give continent approval of the preliminary plat based on the final plat being presented in separate divisions and with the necessary corrections. Approved three in favor, one absent. Sandy said since Mr. Christensen originally was going to develop the entire plat and not in divisions, he has been charged the review fees based on the number of lots in the plat. She said he has paid for several reviews, and asked that the survey review be paid for in full also. Mr. Christensen agreed. Sandy said once the final plat for Division One is submitted there will be a twenty day comment period for our city engineer to review it, as well as herself. Sandy discussed the water fund and the cost to upsize the lines in Mr. Christensen's subdivision. She said she has a limited amount of funds for capital outlay, and she was told that depending on the size of line installed it could cost the city \$12,000 to \$17,000 plus another \$7,000 for the portion the city intends on installing to loop the line. Mr. Christensen said he intends to install the water lines. Sandy said she thought the city was going to require that an eight inch line be installed, but the preliminary plat shows a six inch line. Mr. Christensen said his engineer felt a six inch line would be sufficient. Mayor Christensen asked Mr. Christensen when he thought the line would be constructed. He indicated that it would be a minimum of

thirty days. Sandy asked that if the city was going to pay to upsize the line that a cap be placed on the amount to be expended. Chad felt it would be fair for the city to upsize the line from a six inch line to an eight inch line if Mr. Christensen is going to do all of the excavation. He also felt the city should place a \$17,000 cap on any expense that the city will pay, besides the \$7,000 for our portion of the line. Mr. Christensen said he would like to verify the cost of the bedding that will surround the line to upgrade the size. He said there may be some cost for the additional bedding, but it would be included in the \$17,000 cap.

Sandy continued the discussion of the budget. Sandy discussed the water, sewer and sanitation funds. She asked if there would be any increase this year due to inflationary costs and the proposed waste water treatment plant. The Council proposed to raise the water fees by \$.25 per month for a residential home, sewer fees by \$2.25 per month for a residential home, and sanitation fees by \$.50 per month for a residential home. All increases are to cover inflationary costs with the exception of \$2.00 in the sewer fee; it would be used for the proposed waste water treatment plant. The Council proposed to raise the water tap to \$900 and the sewer tap to \$1200 for a standard one inch line. Sandy discussed the medical/dental insurance for the employees. She said the premiums are going up approximately 14%. Sandy said the city could raise its deductible which is supplemented by the city, but she recommended not to because of the increased liability. The Council determined the insurance would be left as is and we would absorb the increase. Sandy said the sewer lift station is now in operation in the West River Acres. She said in the past, when a lift station was needed to service the Meadowpark Subdivision, those residents were charged a hire rate to cover the additional cost. The Council determined that the residents of West River Acres who need the lift station to pump their waste water should be charged an additional fee for the increased expense. Sandy and Rick were instructed to find out how many residents would be using the lift station, and present a fee that would adequately cover the expenses. Sandy said the proposed expenses for the State Revenue Sharing Fund are a new police vehicle, a used dump truck, a new printer, software, upgrades, and supplies, the Senior Citizens contribution, Public Transportation contribution, partial expense of a new well, a new ATV for parks, and an addition to city hall which will house a Mayor's office, storage area, and small break room for the employees. She said she only had \$40,000 budgeted towards this expense and wasn't sure if that would cover it. However, as earlier discussed she would raise it to \$50,000 for the job to be done this year. Sandy said this year she could cut enough expenses in the general fund and street fund to how the levy rates the same as last year. She said last year the levy rate went down, but it was mainly due to the city wide re-assessment that occurred. Sandy said \$27,000 was cut to keep the same levy rate, however this amount goes into a foregone category which could be used in a future year if necessary. Sandy said Dawn has recommended increasing some of the pool fees this year by about 33%. Those fees include swimming lessons, and family punch passes. Sandy said she would finish up the budget with these directions. She said we would need a special meeting to adopt the tentative budget for publication. Chad moved, Steve seconded to call for a special meeting on August 17, 2004, at 7:30 p.m. to review the tentative budget so it can be published for the upcoming budget hearing on September 7, 2004. Approved three in favor, one absent.

Alan asked Scott if it is mandatory to provide record checks. Scott said no.

Lorin said Sid Page spoke to him about a triangular piece of property in front of his home at the end of South Park. He would like to donate this property to the city. The Mayor and Council discussed this matter, and felt this parcel of property is located in the county and would be no advantage to the city.

Sandy said Dave Noel, one of our engineers who is working on a well drilling permit told her that the city would not be able to obtain any more water rights from the Idaho Department of Water Resources unless a twenty year planning study is done. She said then it will be determined if more water rights are a priority at this time. Sandy said the water study will cost approximately \$50,000, however DEQ has available grants to fund half of the cost. Ted Hendricks said a water planning study is a very good investment, and it has a six to ten year shelf life. Husk said this is why it is very important for the city to require all developers to give the city their ground water rights when developing a subdivision.

Mayor Christensen said he was asked to put together a "Fly By" for the Spud Day Parade. He said he has lined up an A1 Skyraider and a WWII P51 to fly over the city to begin the parade.

Chad moved, Steve seconded to adjourn into executive session. Approved three in favor, one absent.

Steve moved, Chad seconded to reconvene into regulation session. Approved three in favor, one absent.

Mayor Christensen said during executive session potential litigation was discussed.

Adjourned: 9:55 p.m.

ATTEST: Sandy Hayward APPROVE: Eric R. Christensen