

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

DECEMBER 13, 2016

PRESENT: Mayor Stacy Pascoe

Council Members: Earl Beattie, Jeff Kelley, Kim Westergard, and Adam French

Police Chief: Rod Mohler

Public Wks Dir.: Justin Johnson

Recreation Dir.: Mikel Anderson

City Clerk/Treasurer: Sandy Gaydusek

City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Mikel Anderson

PRAYER: Jeff Kelley

Mayor Pascoe opened the meeting at 7:35 p.m.

Kim moved, Adam seconded to approve the following consent agenda:

Minutes of November 22, 2016

Minutes of the Special Public Hearing on November 15, 2016

Building Permits:

none

A roll call vote was taken: Earl - aye, Kim – aye, Jeff – aye, and Adam-aye.

Approved unanimously.

Ty and Telisa Swenson were not in attendance.

Mayor Pascoe opened the discussed regarding the Sunset Vista Subdivision. He said there were several citizens on the agenda who wished to give comments on this matter.

Toni Keele, 115 Ash Street said yes, there have been decisions made in the past that are coming back to haunt the city. She said she feels the Developer should be responsible to put in all of the improvements on Ash Street so he can access his subdivision.

Robert Johnson, 120 Ash Street echoed Mrs. Keele's comments. He said he feels the Developer should pay for all or at least most of the development of Ash Street. He said if the Developers does not pay for all of it, then the city should help pay for it. Mr. Johnson said taxes have been paid into the city for 42 years to help pay for the street. He suggested if the residents are to pay for the sidewalks in front of their properties to be installed, possible they could utilize the city's sidewalk program to pay for half of it. He also discussed the road width; his driveway may not be accessible with a sixty foot right-of-way.

Darren Cook, 700 South Park Avenue said from the beginning it is wrong to reach out from a business and ask people to help pay so his business can be successful. He said he will not receive anything back if he helps fund this development. Mr. Cook said originally the power poles on Basic American Foods property was going to be moved to align the road. He said just because you can develop doesn't mean you should.

Daniel Watson, 688 S. Park Avenue agreed with all that has been said tonight. He said the more this is bantered around, the higher the price goes that each property owner is supposed to pay. Mr. Watson said he feels the Developer needs access to his property, and he should fund the improvements needed; not the individuals that live there. Mr. Watson said he is concerned about the water line going down Park Avenue. He said it is the oldest in the city, and wonders how this development will affect it. He asked if this will cause the cost to go up. Dave Noel said there will actually be better circulation of the water system when looking at the hydraulic analysis. He said the pressure will still be the same, and this will actually make it a better system. Dave said in regards to the sewer, it is proposed to be a gravity flow from the subdivision to a lift station which will be pumped up to Park Avenue. He said this will not affect the pressure, and should not be too much of a problem.

Alva Harris said he owns property at 110 Ash Street and feels if the Developer makes the improvements to Ash Street he should probably pay some since it benefits his property too. Mr. Harris said the question is, what is fair and equitable. He said Basic American Foods has property there also, and should pay their share. Jeff said access from the Basic American property can be restricted. Mr. Harris said he feels they should still pay their share. He said the city should furnish water, sewer, etc., and the Developer of a subdivision should pay for all of the improvements and then those improvements should be dedicated to the city. Mr. Harris said the Developer will sell the lots as he set out to do.

Brent Christensen said he wants to do what's fair and works for everyone. He said each Developer should take the improvements to the end of their property lines, and there are ordinances for that. He said however, this didn't happen on Ash Street. He said this Development will benefit everyone. He said the talked to three Realtors, and this Development will increase everyone's property value by \$10,000 to \$15,000.

Mayor Pascoe said he feels this is a good investment for the city to pay some of the improvements to Ash Street. He said this will increase the tax base and bring in more tax revenue. Mayor Pascoe said you have to have growth or eventually raise taxes. He said he feels it is fair for the city to pay about \$15,000 on the improvements to Ash Street, and the remaining portion should be divided among the property owners. Jeff said he is in favor of this subdivision, and we've worked very hard to bring growth in to our community. Jeff said he feels the Developers should put the streets into their Developments, and not the city. He said there are some exceptions such as the streets done with the roto-milling such as Spud Alley and Lincoln. Jeff said if the city pays money towards Ash Street it is a direct payment to the Developer. He said there will be 100 lots that benefit from these improvements to Ash Street. He said if an LID was created it would be an

assessment to every lot. He said the city is not going to do an LID, but the improvements will benefit all. Jeff said he feels the 100 lots should split the cost of the improvements. He said based on the cost, it would be approximately \$718 per property owner if split equally, however the sidewalk cost would be each property owners responsibility. Jeff said he would like to recommend the city delay the construction of the sidewalk for each of the individuals on Ash Street for ten years if the residents are willing to share in the cost of the street, curb and gutter. He said another choice would be if the Developer puts in the streets, curb and gutter, the residents must install the sidewalk immediately. He said there are other citizens that have had LID's they have had to pay themselves. Kim said she agrees with the people; they may not benefit now even if their property value goes up. She said if we offer this Developer this solution, what will we offer the next Developer. Mayor Pascoe said he has met with some of the other Mayors in the surrounding areas. He said the City of Blackfoot does not help in any Development. He said Idaho Falls does help unofficially. And the City of Ammon invests in the Developments so they can have growth. Jeff said he doesn't have a problem with investing, as long as it benefits multiple residents, and not just one. Kim said she feels it should all be paid for by the Developer. Jeff said the options are: 1. All of the property owners pay for the improvements to Ash Street by the number of lots which would be about 1%. Then they forgo the construction of the sidewalks on Ash Street for ten plus years unless they sell their property. 2. The Developer pays for the improvements to Ash Street, and the residents install their sidewalks now. Adam agreed with Jeff but said he feels the city should pay some of the improvements; maybe \$10,000.

Robert Johnson suggested that the city allow the residents to use the sidewalk replacement program when it comes time to put the sidewalks in. Kim said this program is to replace the sidewalks, not new installation. Mr. Johnson said there could be an exception made. Jeff said possibly. BJ suggested that any agreements be put in writing. Mr. Cook said when he attended the Planning and Zoning meeting he thought they said Ash Street was 50 feet. Bryce Jolley said a portion of the Street drops to 50 feet, but with the sidewalks it is increased to 60 feet of right of way. Jeff moved that if the property owners bordering Ash Street agrees with the Developer to pay 1% of the cost of the Ash Street improvements the city will forgo the construction of the sidewalks for ten years unless the property is sold during that time. The motion was rescinded for lack of a second. BJ said he is concerned about tracking this for a ten year period. He said he supports the concept, however the complexity may be difficult to manage, and it really isn't the Council's position to negotiate between the Developer and the residents. The Council felt they like the way this could be handled and would like to move forward. Jeff said he recommends that all agreements be recorded. Toni Keele said she did not feel she would like to be in business with Brent Christensen.

Mr. Christensen said he does not agree with this, but wants to move forward with his project. He said he would eliminate the residents paying 10% and he will put the improvements to the street in and the residents can put the sidewalks in.

Mayor Pascoe said the four major issues on the list of problems submitted by our engineer have been discussed in the work meeting. He said the Baseline access

must have a recorded permanent easement for Phase one of the projects. Jeff said since this property is not annexed the permanent easement must be filed with the plat. Bryce Jolley said the access will be a 55 foot right-of-way with a 7 foot permanent easement. Jeff said he wants to protect the city and get the required 62 foot right-of-way. He said the permanent easement must be filed for phase two and then annexed and re-plat that portion. He said this must be done before the preliminary plat is approved, and it must be recorded before the final plat is approved. Dave said this can be satisfied with a statement on the plat instead of an easement. Jeff said the water line proposed to be installed where the temporary access comes in off of Baseline needs at least a 30 foot access and utility access easement. He said this will run down on property line so there is not a problem with a fence being installed in the middle of the easement and required to be removed if any maintenance is done on the line. Jeff said the temporary access must be a gravel based road. Jeff said between lots 3 and 4 and lots 13 and 14 there must be a 20 foot alley, and utilities will also run through it. He said in the future we need to remake our subdivision application and process. He said all of the access for the entire subdivision must be defined in a preliminary plat. Adam moved, Earl seconded to approve the preliminary plat for the Sunset Vista Subdivision. Approved unanimously.

An Ordinance to rezone 154 E. Center Street was presented. Kim moved, Jeff seconded to suspend the reading of Ordinance 586 on three different days and read the title of Ordinance 586 once. Approved unanimously. Kim read the title of Ordinance 586. Kim moved, Jeff seconded to adopt Ordinance 586 rezoning 154 E. Center owned by Jed Young to Heavy Commercial to allow retail sales. A roll call vote was taken: Adam – aye, Earl – aye, Jeff –aye, and Kim – aye. Approved unanimously.

An Ordinance to 483 N. State Street was presented. Jeff moved, Earl seconded to suspend the reading of Ordinance 587 on three different days and read the title of Ordinance 587 once. Approved unanimously. Jeff read the title of Ordinance 587. Jeff moved, Kim seconded to adopt Ordinance 587 rezoning 483 N. State Street owned by Jed Young to Heavy Commercial to allow retail sales. A roll call vote was taken: Adam – aye, Earl – aye, Jeff –aye, and Kim – aye. Approved unanimously.

Mayor Pascoe called for a five minute recess at 9:10 p.m. Meeting reconvened at 9:15 p.m.

At the last council meeting the RFP's were discussed for the engineering services for the water tank project. The Council awarded the RFP for administrative services, but needed more time to review the RFP's for the engineering services. The Mayor and Council reviewed the RFP's and submitted their criteria selection sheets to the Mayor. The Mayor tallied the points between Keller Engineering and Forsgren Engineering with the following results: Forsgren – 482 points, and Keller – 472 points. The points were based on four criteria's: Capability, Relevant Project Experience, Qualifications of Project Team, and Project Approach and Schedule.

Adam moved, Earl seconded to accept and award the RFP for engineering services for the water tank project to Forsgren Engineering. Approved unanimously. The Mayor and Council thanked Keller Associates for their presentation.

Kim moved, Adam seconded to approve the attached list of business licenses for 2017 as presented. Approved unanimously.

Jeff moved, Kim seconded to ratify the approval and acceptance of the improvements to the North Shelley Business Park off of Ruby Circle. Approved unanimously. This portion of the North Shelley Business Park had du-plexes built by Jeff Steadman.

Kim moved, Adam seconded to ratify the hiring of Kaylynn Grestad to fill the position open in DMV based on a one year probation period at entry level wage. Approved unanimously.

Adam moved, Kim seconded to cancel the council meeting scheduled for December 27, 2016. Approved unanimously.

Justin said he has been in contact with Bannock County Solid Waste and the city can save approximately \$8100 annually if we have our garbage hauled to the Bannock County Landfill. He said right now we are paying \$53.40 per ton to haul and dump our waste at the Bonneville County Landfill. Justin said we can save \$3.40 per ton by changing Landfills. He said it costs a little more to haul the waste, but the tipping fee at the landfill is much less. He presented a contract for the council and BJ to review. Jeff moved, Adam seconded to approve the contract based on the terms presented after BJ reviews the contract. Approved unanimously.

Earl moved, Kim seconded to add more 25 mph speed limit signs on South Park Avenue. Approved unanimously.

The Mayor and Council discussed the parking on the south side of West Fir Street in front of the High School. It seems there is a safety hazard after school when parents are picking up their children. This matter was tabled until the next meeting.

Sandy said the City received a dividend check in the amount of \$3190 from the State Insurance Fund for safety in the work place.

Sandy thanked the Mayor and Council for the new hire, and said she appreciates everyone's help in the office.

Mikel said the Jazz Basketball program is going great. He said he has lined up all of the coaches and everything is working well. Mikel said he has been looking at the pool in regards to what should be done next year.

Justin said the crew has been replacing water lines and sewer lines. He said everything is going great.

Dave Noel presented a Christmas bucket filled with goodies to the Mayor and Council. He said he appreciates working with the city and personally wished everyone Merry Christmas.

Dave said there was a letter received from DEQ regarding the Water FPS. He said he has worked with DEQ on their comments and a new letter was submitted to them.

Adam said City Hall has been running smooth. He said the staff is cross training and Kaylynn is doing well.

Kim commended Mikel for his work with the Mayor's Youth Council. She said the kids love the activities that are being planned. She also commended Justin for the lights and the way the city looks.

Jeff asked about the lights for the cross walks on Fir Street. Justin said Rocky Mountain is scheduling the installation of the lights.

Jeff said he intends to be gathering signatures for the Recreation District so the formation of the District can be placed on the ballot.

Jeff discussed the water tank project. He said he would like to continue this discussion at the next council meeting.

Earl said Officer Morgan will be graduating from POST, and Officer Eaton will be going to the academy in January.

Earl said he had a great time at the Chili Cook Off.

Mayor Pascoe thanked Earl for filling in for him at the last meeting and the Chili Cook Off.

Mayor Pascoe said on December 14th, Bingham County Planning and Zoning will hold a Public Hearing at 7:00 p.m. to discuss the Copper Meadows Subdivision. He said he will be attending this hearing.

Mayor Pascoe said on December 14th the City Officials are invited to the City of Idaho Falls to discuss the event of the solar eclipse in the next few years.

Mayor Pascoe said he met with officials from the Idaho Transportation Department and they indicated if the city wants State Street fixed next summer, they can do it, but there will only be two lanes in each direction with no turning lane, or one lane in each direction with a turning lane and bike lane. He said they intend to roto-mill the road and then overlay it next summer if we agree to one of the options.

Jeff moved, Kim seconded to adjourn into executive session pursuant to Idaho Code 74-206 (1) (f) regarding pending litigation, or controversies not yet being litigated but imminently likely to be litigated at 9:52 p.m. A roll call vote was taken: Earl – aye, Jeff – aye, Adam – aye, and Kim – aye. Approved unanimously.

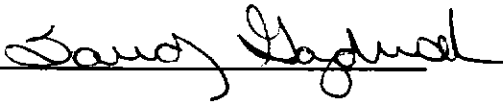
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Jeff moved, Earl seconded to reconvene into regular session at 10:16 p.m.
Approved unanimously.

During executive session pending litigation, or controversies not yet being litigated but imminently likely to be litigated was discussed.

Jeff moved, Earl seconded to have legal counsel initiate enforcement action to disconnect sewer service to Golden Valley Natural for their processing waste water. Approved unanimously.

Adjourned: 10:17 p.m.

APPROVE:  ATTEST: 

**CITY OF SHELLEY
BUSINESS LICENSE
APPLICATIONS
SUBMITTED December 13, 2016
FOR 2017**

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE OF BUSINESS</u>
<u>SPECIALIZED LICENSES</u>		
<u>RENEW</u>		
<u>GENERAL LICENSES:</u>		
<u>NEW: \$25</u>		
<u>RENEW: \$5/15</u>		
Kim Westergards Hair Salon	812 W. Fir St	Hair Salon
Hair to DYE for	483 N Park Ave	Hair Salon
Epic Iron and Pottery	176 S State St	Iron, Pots, Ornamental Lawn and Garden Sales
Look Electronic Service LLC	359 S. Milton Ave	Computer Repair and Data Recovery Services
Higham Veterinary Clinic	370 N State St	Veterinary Clinic
Shelley Artic Circle	606 S State St	Fast Food Restaurant
Valley Collision and Towing	355 ½ S Emerson	Auto Body Repair and Towing
Rehle's Art Studio	370 N State St	Art Studio
Adrenaline Performance	606 N State St	Auto Repair and Accessories Sales
M Keith Gardner Agency INC.	114 S. State St	Insurance Agency
The Shelley Pioneer	650 N State St #1	Newspaper Publishing and Print Shop
Protech Fence Co.	1112 N 1290 E	Fence Sales and Services
Snake River Prospecting	252 S Holmes Ave	Gold Prospecting equipment and Jewelry
Anytime Fitness	1265 Parkway Dr	Fitness Center
Edward Jones	124 S State St Suite B	Stockbroker and Dealer
The Bank of Commerce	2700 S Emerson	Financial Institution
The Ribbon Retreat Inc	650 N State St Suite 5	Internet Sales
Audacity Dance School	300 Meadowlark Dr.	Dance School
Starlite Maintance LLC	618 W. Fir St. #104	Handyman Service
Doug's Meats	907 ½ S. State St	Wholesale, Retail Meat
Shelley Dental Inc	530 S State St	Dental Office
Commercial Metal Works INC	612 N State St	HVAC Sales and Service
Baseline Contractors Inc	985 Rimrock Canyon	Construction and Land Surveying
Shelley Auto Care	606 N Sate St	Auto care and repair
Shelley Chiropractic	528 N State St	Healthcare and Chiropractic Clinic
River Valley Dental Care	371 W Fir St	Dental CLINIC
Kings Variety Store	600 N. State St	Retail Store
Carisle Custom Woods Inc	260A Spud Alley	Sales of Stairwells, Door, Moldings, Etc
Beattie Enterprises and Auctions LLC	174 E Center St	Retail/Whole Sales and Auctions
Shelley Eye Care	524 N State St	Optometry
Patters of Renewal	765 Rimrock Canyon	Online/Health Services
Landons Customers Cabinets LLC	346 N State St	Cabinet Shop
El Jaliciense #3	374 S State St	Restaurant

China King Inc
United Service Inc
TOTAL LICENSES: 35

196 N State St
518 a N State St

Restaurant
Flooring

Date	November Clams	Amount	Check #	Date	November Clames	Amount	Check #
11/4/2016	Amanda Ashbocker	45	50065	11/29/2016	Mikel Anderson	40	50124
11/4/2016	Comdata	2140.78	50066	11/29/2016	Associated Business Forms & :	193.5	50125
11/4/2016	Idaho Transportaion Dept.	5	50067	11/29/2016	Bigham County Sheriffs Office	26,400.00	50126
11/15/2016	Justin Hegstrom	122	50068	11/29/2016	Cable One	186.5	50127
11/15/2016	Idaho Bureau of Occupationa	92	50069	11/29/2016	Carlsons Custom Concrete Inc	149.5	50128
11/18/2016	A&B Transmission & Service I	1715.81	50071	11/29/2016	Centurylink	164.13	50129
11/18/2016	Active Network LLC	5	50072	11/29/2016	Doug Keele	192.78	50130
11/18/2016	Adadvanced Diagnostics INC.	250	50073	11/29/2016	Earl Beattie	100	50131
11/18/2016	American Linen	593.6	50074	11/29/2016	Electrical Wholesale Supply Cc	509.74	50132
11/18/2016	Association of Idaho Cities	70	50075	11/29/2016	Garret H Shandow	1,650.00	50133
11/18/2016	Auto Trim	549	50076	11/29/2016	Sandra Gaydusek	10	50134
11/18/2016	Blackfoot Morning News	576	50077	11/29/2016	H-K Construction Inc	411.29	50135
11/18/2016	Bonneville County Solid Wast	9,034.00	50078	11/29/2016	HD Supply Waterworks LTD	2,051.82	50136
11/18/2016	Broulim's	91.12	50079	11/29/2016	Home Depot	191.98	50137
11/18/2016	Central Transfer Station	154	50080	11/29/2016	Honnen Equipmentco of Utha	119.04	50138
11/18/2016	Digline INC.	11.27	50081	11/29/2016	Jim's Trophy Room	39	50139
11/18/2016	Eagle Rock Sanitation	2,946.44	50082	11/29/2016	Johnson Supply	429.75	50140
11/18/2016	Eastern Idaho Regional Wastc	20,550.24	50083	11/29/2016	Keith Gardner Agency	60	50141
11/18/2016	Fire Services of Idaho	561.28	50084	11/29/2016	Kenworth Sales Co Inc	85.14	50142
11/18/2016	First Class Portable Sanitation	150	50085	11/29/2016	Knife River	1,110.00	50143
11/18/2016	Forsgren Associates	1,695.00	50086	11/29/2016	Les Schwab Tire Center	2,159.70	50144
11/18/2016	Hammon Teton Delivery	16.00	50087	11/29/2016	Mathews Plumbing & Heating	50	50145
11/18/2016	Hard Times Sales and Distribu	2,395.58	50088	11/29/2016	Phillips 66 Co	1,621.09	50146
11/18/2016	IAS Envirochem	176.00	50089	11/29/2016	Porter's	274.17	50147
11/18/2016	Idaho Business System	57.84	50090	11/29/2016	Sherwin Williams	275.68	50148
11/18/2016	Idaho Chapter of Prima	35.00	50091	11/29/2016	U.S Post Office	477.36	50149
11/18/2016	Idaho Falls Peterbilt	9.39	50092	11/29/2016	Valley Office System	54.45	50150
11/18/2016	Idaho Peace Officers Associat	145.00	50093	11/29/2016	2M Company Inc	130.00	50151
11/18/2016	Ideacom ESCI	190.74	50094	11/30/2016	Blue Cross Of Idaho	3,551.13	50152
	Total	44,383.09				42,687.75	

Date	November Clames	Amount	Check #	Date	November Clames	Amount	Check #
11/18/2016	Idustrial Hose and Fittings	120.35	50095	11/30/2016	First Responders	241.5	50153
11/18/2016	Intermountain Gas Co.	20.12	50096	11/30/2016	Shelley Kiwanis Club	650	50154
11/18/2016	Jack Cushman Drilling	750	50097	11/4/2016	Payroll	54,076.81	
11/18/2016	Jim's Trophy Room	37.5	50098	11/18/2016	Payroll	51,806.50	
11/18/2016	Kings No. 21	11.23	50099	11/23/2016	Payroll	16,041.08	
11/18/2016	Lott Contractors Inc.	400	50100		Total	122,815.89	
11/18/2016	Matkin Auto Parts/ A1 Mowe	4,121.95	50101				
11/18/2016	Mid-American Research Chen	430.96	50102				
11/18/2016	National Auto Part Warehous	249.73	50103				
11/18/2016	Oldcastle Precast INC.	100	50104				
11/18/2016	Oreilly Auto Parts Tax Dept	161.16	50105				
11/18/2016	Pacific Steel	228	50106				
11/18/2016	Partsmaster A Div of NCH Cor	430.01	50107				
11/18/2016	RDJ Specialties	808.91	50108				
11/18/2016	Rhodehouse Construction INC	1,962.00	50109				
11/18/2016	Rocky Mountain Power	8,045.20	50110				
11/18/2016	Sams Club	719.12	50111				
11/18/2016	Schell Distributing Inc.	1,101.18	50112				
11/18/2016	Shelley Ace Hardware	89.30	50113				
11/18/2016	Shelley Pioneer	626.34	50114				
11/18/2016	Sherwin Williams	7,750.00	50115				
11/18/2016	Smith Driscoll and Associater:	4,473.00	50116				
11/18/2016	United States Welding Inc.	100.45	50117				
11/18/2016	Valley Office System	165.78	50118				
11/18/2016	Valley Ready Mix	760.00	50119				
11/29/2016	A & B Transmission & Service	720.00	50120				
11/29/2016	A-1 Rental	30.00	50121				
11/29/2016	Advanced Diagnostics Inc	45.00	50122				
11/29/2016	American Construction Suppl	58.00	50123				
		34,515.29			Grand Total	244,402.02	