

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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FEBRUARY 26, 2019

PRESENT: Mayor Stacy Pascoe

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

Police Chief: Rod Mohler

Public Wks Dir.: Justin Johnson (absent)

Recreation Dir.: Mikel Anderson

City Clerk/Treasurer: Sandy Gaydusek

City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Rod Mohler

PRAYER: BJ Driscoll

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

Jeff moved, Earl seconded to approve the following consent agenda:

Minutes of Council Meeting on February 12, 2019

Building Permits:

Greg Johnson - new home

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

Junean Stoddard addressed the Mayor and Council to ask what the city's intentions are with the former railroad spur. She said she would like to possibly to develop her farm. Mayor Pascoe said the right-of-way between the existing concrete company and the Rocky Mountain sub-station is only 32 feet wide for about 2640 feet then the width changes to 60 feet. He suggested that it might be possible to obtain a portion of the land that the concrete company owns to make the right-of-way larger. For a road you need more than 32 feet; our existing specifications require 62 feet. Jeff discussed the depth of the sewer line in that area. He said the city was informed that a neighbor to the north of Mrs. Stoddard's property may be developing and could share in the cost of the sewer system. Mayor Pascoe said the Searle's own property to the east that they may be developing also. Mrs. Stoddard thanked the Mayor and Council for their information. Mayor Pascoe invited her to contact the city if there are further questions.

Mayor Pascoe discussed the consideration of amending the code to require a minimum of a two car garage on all new residential construction. Currently we require a garage, but the size is not defined. Sheri Cole said she would like to comment on this matter. She said due to all of the regulations, people feel they do not have control over their own property. Mayor Pascoe said during the P&Z public hearing on this matter she made comments at that time. He said those minutes have been provided and reviewed by the Council and himself. Mrs. Cole said she feels the fewer the restrictions produces more prosperity. She recounted her personal experience when she moved from Utah to Shelley. She said she

moved into a home without a garage which they could afford and have independency. Mrs. Cole said to require a two car garage could be pricing some people out of buying a home. Mayor Pascoe said when he was elected, apartments were required to have one and a half parking spaces, then it was changed to two. He said most people have two cars and the question is where are they going to park that is off street. He said the Board is looking towards the future; such as every home that is being constructed now must have a meter pit. He said we do not meter in the city, but we are looking toward the future for when meters will be required. Mayor Pascoe discussed the regulations in the city versus the county that helps protect the land owners. Mrs. Cole asked if the city could require off street parking instead of a two car garage; such as a parking pad. Mayor Pascoe said then people would park the vehicles on their front yard which could affect any resale values. He said the city needs to try to protect everyone. Jeff said the laws are only as good as the Judges that enforce them. He said most people demand two car garages, and most developments have that requirement in their CCR's, however there may be some that do not. Jeff said if we did not have these types of ordinances people could build homes without garages and driveways hypothetically. He said someone may build between two homes that have two car garages with the intentions to build a garage and driveway later. Then also hypothetically they could lose the home to the bank, so a garage and driveway never get built. He said the lack of uniformity undermines the value of those homes that have the two car garages. He said the homes weren't built to the same standard in that example. Jeff said in the county you can do more, but in the city you have smaller lots which need uniformity. Kim said this amendment that is being considered only applies to new construction. Mrs. Cole said she likes the idea of a two car garage but does not feel it should be so specific in the ordinance. Mayor Pascoe said he appreciates her coming in with her comments on this matter. He said the Planning and Zoning Commission had a split vote on this issue. He asked for the Council's comments on this matter. Adam said he understands the logistics of having off street parking, but feels it is hard to require a two car garage and force someone to build that. Adam said he would not be in favor of enacting this amendment. He said most new subdivisions will require a two car garage, and there will be some people who would not build at all if a two car garage is required. Jeff said on street parking creates more congestion. Adam said he doesn't feel government should dictate this. Earl said this was an advertised issue, and there has been only one complaint. He felt to keep uniformity he would like to move forward with the adoption of the amendment to this code to require the minimum of a two car garage on new residential construction and moved as such. Jeff seconded this motion. Approved three in favor, Adam opposed. Motion carried.

Kim introduced Kerrie Winder and Debbie Servel as new Tree Committee members. She thanked them for their service to the community.

Jeff moved Earl seconded to approve the following business licenses:

Not Forgotten Gifts & Collectibles/404 S. Byron Ave.  
Kairn Shelties & Kennel/680Longhurst Ln.

Approved unanimously.

Earl moved, Adam seconded to re-appoint Leif Watson to his second term on the Planning and Zoning Commission. Approved unanimously.

Kim moved, Adam seconded to approve the final payment of \$36,358.20 to Mountain West Electric for the Hawk Light Project. Approved unanimously.

Sandy said she received the review from Forsgren for Wind River Subdivision Phase 4, and there are a few items that need to be corrected or added. Also, BJ has sent some clarifications regarding the Development Agreement from his review.

Sandy said she has not received the Development Agreement for the All Star Homes PUD yet.

BJ asked if the Mayor and Council would like him to review the proposed revised Policy Manual. Sandy said this is still in the review phase with the Department Heads, but she will get him a copy when the changes have been made.

Sandy presented a summary of the building permits that were issued in 2018. She said the valuation went up to \$1,838,977 and the revenue is up to \$15,516. Last year the revenue was \$1749.

Mikel said this is the last week for Jazz Basketball, and the pool passed the electrical inspection.

Mikel said Stephanie Pena will not be running the soccer program this year. He said Firth has started their own program. After some discussion it was determined that the city will pursue running the soccer program. Jeff suggested including Firth in the games. Sandy said to establish the fees a public hearing would be needed. Mikel said he would find out what the past fees have been so we can begin advertising for the hearing process.

Rod said one of the vehicles in the fleet has lost its engine. He said to replace the engine will cost \$6000 since there is no warranty left. Mayor Pascoe said he is concerned about the price to replace the engine. Rod said he could have the engine rebuilt for \$4000 but the parts are on a national back order from the dealership which could take until June to get. The Council discussed this further and suggested that Rod shop around for a cheaper price. Earl said the city will get a three year warranty on a brand new engine from the dealer. He said it has to be a Chrysler engine with the police package to work in this vehicle. Rod said he will try and get some more numbers and come back to the Council.

Rod said he has received twelve applications for a new employee. He said he will continue taking applications up to February 28<sup>th</sup>, and then begin testing in mid-March. Rod said on another note, our current officers have solved some of the bigger crimes that have occurred in Shelley. He said the officers have put a lot of work into solving these crimes.

Rod said Shaney Swanson is having a hard time receiving any benefits for Kent's death through the State Insurance Fund. He said she and some people who are trying to help her are looking for any support or help they can get.

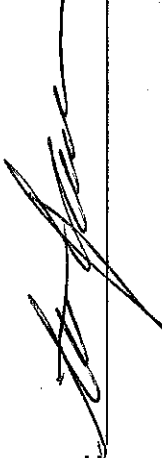
Adam said everything is running well at City Hall and he felt the meeting with Ammon last week went very well.

Kim said on March 8<sup>th</sup> there will be a Buddies for Breakfast event at Sunrise Elementary at 7:20 a.m. for those who would like to attend.

Earl said he was contacted by a person who is lobbying for Shaney. He said he doesn't understand why this claim is not being covered by workman's compensation. Earl said some legislators have been contacted and they will be meeting in Boise with the State Insurance Fund on March 8<sup>th</sup> to discuss this further. Earl said Kent was in uniform and on duty when his death occurred. He said he feels police officers need to know their families will be covered if something happens to them while on duty. Jeff suggested that Shaney may be better off to obtain a workman's comp lawyer. Earl said he would like the city to stand behind Shaney with a letter of support. He said he will be writing one personally also.

Mayor Pascoe said he appreciates everyone including all staff, volunteers, etc. He said he appreciates Sheri Cole for coming in to make comments also.

Adjourned: 9:10 p.m.

APPROVE: 

ATTEST: 