

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

NOVEMBER 22, 2022

PRESENT: Mayor Stacy Pascoe (zoom)

Council Members: Jeff Kelley, Kim Westergard, Adam French, and Leif Watson

Police Chief:	Chad Purser
Public Wks Dir.:	Justin Johnson
Recreation Dir.:	Mikel Anderson
City Clerk/Treasurer:	Sandy Gaydusek
City Attorney:	BJ Driscoll
City Building Insp/Plann.:	Jordon Johnson

PLEDGE OF ALLEGIANCE: Justin Johnson

PRAYER: BJ Driscoll

The meeting was opened at 7:32 p.m.

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

- Approval of the Minutes of Council Meeting on November 08, 2022
- October Expenditures
- October Overall Budget and Treasurer's Rpt.
- Building Permits: none

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

Kate Driscoll, William Anderson, and Claire Driscoll all members of the Mayor's Youth Advisory Council requested a \$500 donation from the City to help with the service projects they are planning to complete. Kim said she is excited and proud of this group and Mikel is doing a great job as their advisor. Kim moved, Jeff seconded to approve the donation of \$500 to the MYAC for service projects for this fiscal year. Approved unanimously.

Flint Christensen was not in attendance. The property near the walking path that he would like to place flags on during certain holidays does not belong to the city. It is believed to belong to Kent and Carolee Carlson.

Mike Hicks, with the Anderson Hicks Group wanted to discuss the requirements for the proposed Fox Crossing Subdivision. Mr. Hicks said the contract for the land was completed in December 30, 2020. He said during that time they looked at the ordinances and tried to follow all of the city's requirements. He said there were multiple meetings and they thought they had a clear understanding of what was required. On June 15, 2021 a preliminary plat for the Fox Crossing Subdivision was submitted. Mr. Hicks said they have offered a number of things that probably no other developers have done. He said the changes that the Mayor and Council made to the ordinances in September of 2021 were a big thing to their development. He made a formal request for the studies that were done before the Mayor and Council changed the ordinances. He said these changes were made very fast and could have big impacts on Developers. Mr. Hicks said the final plat is done and ready for signatures but they are waiting to get the

Development Agreement approved. He said they have provided house plans to show the impact these changes have had on their plans. Mr. Hicks said after the last meeting when they presented some house plans, he was contacted by Jordon stating when he looked at the plans it showed the side setbacks as 10 feet, but the city measures 10 feet from the drip edge not the base of the house. He said their subdivision has been designed for 10 feet from the base of the house. Sandy said when she met with Mr. Hicks one of the first times, he wanted to change the side setbacks to 7.5 feet. She said she told him that probably would not be approved due to access to emergency vehicles per the Fire Chief. She said at that time she told him the setbacks were measured from the drip edge. This has been the policy for over 32 years, but recently made as a note to the ordinances. Mr. Hicks said there is room for a fireman to pull a hose to the back of the house. Sandy said it was for any emergency vehicles to be able to get back there. Mr. Hicks said there should not be a need for an emergency vehicle to get to the back of the home. Mr. Hicks said Jeff made a suggestion about installing parking pads next to the garage which might reduce the garage size. Mr. Hicks said they would be willing to do this. He said a new Development Agreement has been sent to BJ regarding the parking pads. Kris Bertagnolli said it's been almost two years that this development has been on going. He said they have tried to make this the type of subdivision to be the type the city would want. MR. Bertagnolli asked the Council specifically what was changed in the ordinances and why it was changed. He told Sandy to not answer these questions, he wanted the council to answer. He asked the Council about the changes to the garage sizing, the setbacks, etc. The Council discussed why the changes were made and what the changes were. He asked that the Council please look at the elevations with a 20 x 20 garage and see what fabulous homes they could be. Mr. Bertagnolli said they cannot remove a couple of lots to make the other lots bigger because it would cost a million dollars which will be passed on to the home owners. He said to please allow them to build to the former ordinances and have a third-party HOA. What do they need to do? He said the investors are wondering what is going on. He said they are saying to sue, but that is not what they are about; they are part of this community. Aaron Johnson, representing Bateman Hall said he has been working for the past one and a half years with the Anderson Hicks Group. He said most developments require that the grass be done in one year, or the sidewalks, etc. after occupancy. He said under this arrangement all of this is done before occupancy. He said they will have an irrigation system, sidewalk running down the street, full finished basement, fence, etc. He said if the garage have to be shifted out front to accommodate the 24 by 24 garage it will push the house back twelve feet; making the back yard smaller. Mr. Hicks presented his proposal to change the Development Agreement to allow smaller garages with a parking pad. Kim feels the Hicks Group have been very open. She said about 70% of young people are living with their parents. She said she feels Jeff's suggestion is very beneficial. Jeff said he feels if a parking pad is put down next to the garage to provide the space needed that it should be created. Leif discussed the possibility of creating another ordinance. BJ recommended if the council is going to allow anything different that the minimum requirement of a 24 x 24 garage that the ordinance should be amended. Mayor Pascoe said he found under coolhouseplans.com House Plan #75278 that is 39 feet by 51 feet that has a garage with the inside measurements of 20.4 x 21.8. He said he found several that are very nice. M. Hicks said they cannot go above 1100 square feet of living space. He said they spoke with the lender and going from \$375,000 to \$395,000 would cost an additional \$300 per month in house payments. He said at \$375,000

before the changes were made, the minimum income to qualify for a home at \$375,000 was a \$68,000 annual income. Mr. Bertagnolli said it is great that the Mayor and Council looked for other plans but they are so tight in the envelope and the cost will push up the payments so people can't afford them. He said it wasn't consider that the full yard and landscaping will be done. Jordon suggested if the drip edge wants to be addressed and amended to make sure the minimum is 12" eaves and the maximum is 24 inches. That way it could be measured from the base of the foundation. Leif recommended that this matter be tabled for the next meeting to review the changes to the Development Agreement. Jeff said he feels that we need to pursue the changes to the ordinance; Kim and Adam agreed. Mayor Pascoe recommended a work meeting the first week of December. Leif moved, Jeff seconded to table this agenda item and schedule a work meeting on December 6, 2022 at 6:00 p.m. Approved unanimously. Mike Hicks commended Jordon and said he is great to work with.

Mike Robbins, the Developer for Kimberly Pines Subdivision presented the preliminary plat to the Planning and Zoning Commission at their last meeting. Sandy said the Commission has recommended approval of the subdivision. Mr. Robbins said this will be a four-lot subdivision off of South Milton Avenue. There are three new lots and one house that already exists. Jordon said the Preliminary Plat has meet requirements. He said the back lot behind the existing home will have a thirty-foot private driveway. Mr. Robbins said the property on each side has not been developed with sidewalk, curb and gutter installed. He said since it is required, he would prefer to install it now. However, Harper Leavitt Engineering was taking the elevations and found that the road doesn't have enough slope for drainage, and he really doesn't want to replace the entire road. Mr. Robbins said he would like to put the costs together and give the funding to the city to use for the installation when future development occurs. He said this could be part of the Development Agreement. Jeff said this may run the risk of an LID and he doesn't want to do that. He felt Mr. Robbins should develop his half of the street and felt the curb and gutter need to be installed. Justin recommended a small French drain be put in the help with the drainage. He will look at the plans that HLE engineered. This would be presented with the improvement drawings. Leif moved, Kim seconded to approve the Preliminary Plat for Kimberly Pines Subdivision. Approved unanimously.

Jacqui Sullivan said she is exploring the idea of putting an ice-skating rink at the Bingham County Park. She said if so, she would need the city to help with the water for the rink. She said this would be placed in an enclosed area near the garden. The County still owns this park currently. Ms. Sullivan said the proposed rink would fall under the county liability insurance. Justin said it will be tough to take the water out that will be needed. He said when the city tried to do a rink the water has to be sprayed multiple times during the day to build up the ice base. He said with plowing and other projects it will be hard to get the water truck out there that many times plus you have to worried about the water freezing in the equipment on the truck.

Leif moved, Kim seconded to approve the following Beer and Wine licenses for 2023:

Hard Times II – Beer – carry out only
Hard Times II – Wine – carry out only
Food Plaza – Wine – carry out only

Food Plaza – Beer – carry out only
Broulins – Beer – carry out only
Broulins – Wine – carry out only
Good to Go – Beer – carry out only
Good to Go – Wine – carry out only

Approved unanimously.

Leif moved, Kim seconded to approve the attached General Business licenses for 2023. Approved unanimously.

Sandy said she received the contract to update the Comprehensive Plan and the fee is \$10,000. She said she did not budget that much and have talked to some other cities who have paid over \$50,000 to update their plan. Sandy said she is waiting for a call from the Clerk in Rigby to see who they may use so if we choose to send out for RFP's we can. She will report back.

Leif said he is still waiting for the survey regarding the property near the Senior Center and what could be made into a parking lot.

Mayor Pascoe said he is working with Mr. Christensen and IDWR to see how many inches of water are available to purchase near our farm. He said we originally bought 52 inches and there may be 53 or 55 inches left. Leif moved, Kim seconded to table this matter until more information is obtained. Approved unanimously.

Sandy said there are two meetings coming up. There is a Bingham Ground Water meeting on November 30, 2022 and an Eastern Idaho Water Rights Coalition meeting on December 08, 2022.

Mikel said he has been working with the Mayor's Youth Advisory Council and the Kiwanis to prepare for the Chili Cook Off on November 25, 2022.

Mikel said the MYAC will be doing a service project at the Gables in December.

Jordon said there are two empty lots at 185 and 195 Anderson road. He said the owner would like to put retail building ups front and apartments above or behind. He said or the owner may want to put Independent Living Units there. This would require a zone change. Jordon asked the Mayor and Council to think about this.

Jordon said there are approximately 13 acres at 355 N. State Street that are east of the storage units. He said this is owned by the Sargent's and it is zoned as RA/Residential Agricultural. The owners are considering putting Single Family units or Multi-Family units. Mr. Sargent also owns two lots at the end of the cul-de-sac in the Rowley Subdivision which could be used as access. The Council felt they are really not in favor of Multi-Family in this area. Jordon asked the Council to review this matter.

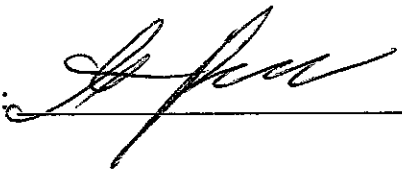
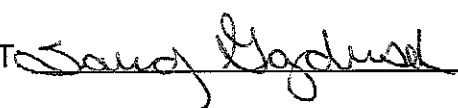
Justin said the Hawk Light has not been repaired yet. He is hoping the installers will be able to do it soon. He said the paving is being done in Division 2 of the Sunset Vista Subdivision. Justin said there is a meeting with the HK personnel

regarding the East Fir Sewer Project to discuss the change orders. Also, Dave is working on the next pay application.

Justin said there have been about forty applications for his job opening and he has been doing interviews. He said there are a lot of good candidates. Justin said the requirements to get a CDL have changes. He said there is a lot of time and some money involved to obtain one. He asked if the Mayor and Council might consider an employment contract with the employee to obtain there CDL.

Chad said there is a seat belt task force going on right now. He said Officer Buono will be resigning on December 3, 2022. Chad said he has found two applicants that will be able to fill that position and the other open position. He said conditional offers have been made pending evaluations and council approval.

Adjourned: 9:50 p.m.

APPROVE:  ATTEST 

City of Shelley

Business License Applications

New Application/ Renewal Application	Date Submitted	Expire Date	Business Name	Address	Business Type	License Type	Amount	Comments
Renewal	11/9/2022	12/31/2023	Lisa's Daycare	294 W Pine	Daycare	General	\$ 5.00	
Renewal	11/9/2022	12/31/2023	TJ's Auto Detailing & Supplies	230 S State St	Auto Reconditioning	General	\$ 5.00	
Renewal	11/9/2022	12/31/2023	Commercial Metal Works, Inc	612 N State St	HVAC	General	\$ 5.00	
Renewal	11/9/2022	12/31/2023	Mutual of Omaha - Merrill Price	410 N Park	Sales	General	\$ 5.00	
Renewal	11/9/2022	12/31/2023	Elite Studios	270 S Park Ave	Dance/Gymnastics Instruction	General	\$ 5.00	
Renewal	11/9/2022	12/31/2023	River Valley Dental Care	371 W Fir	Dental Office	General	\$ 5.00	
Renewal	11/10/2022	12/31/2023	Snake River Eye Associates of Shelley	357 W Fir St	Optometric Office	General	\$ 5.00	
Renewal	11/10/2022	12/31/2023	Aspen Counseling	753 Aspen Ave	Mental Health Counseling	General	\$ 5.00	
Renewal	11/10/2022	12/31/2023	Outlaw Barbershop	210 S State St	Barbershop	General	\$ 5.00	
New	11/10/2022	12/31/2022	Amonara	148 S State St	Tattoo/Piercing/Motorcycle Build	General	\$ 15.00	
Renewal	11/14/2022	12/31/2023	Cox Honey Farms	456 N State St	Retail	General	\$ 5.00	
Renewal	11/10/2022	12/31/2023	Hardtimes Sales & Distribution	646 S State St	Retail Fuel & Oil	General	\$ 5.00	
Renewal	11/10/2022	12/31/2023	Hardtimes II Quick Stop	644 S State St	Gas Station	Beer & Wine	\$ 250.00	Carry-out Only
Renewal	11/10/2022	12/31/2023	Hardtimes Quick Stop - Food Plaza	174 N State St	Gas Station	Beer & Wine	\$ 250.00	Carry-out Only
Renewal	11/14/2022	12/31/2023	Ag Parts Manufacturing	485 N State St	Manufacturing-Agricultural	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Nalder Funeral Home	110 W Oak St	Funeral Home	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Embroidery In Design Inc	585 Flamingo Ave	Embroidery	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	All4Balanced	155 Kirkham Cir	Holistic Services	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	East Idaho Credit Union	418 W Fir St	Financial Institution	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	The Bank of Commerce	290 S State St	Financial Institution	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Idaho Mercantile Distillers	480 N State St	Distillery	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Eaton Towing & Recovery	335 S Emerson	Towing & Recovery Services	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Shelley Eye Care	524 N State St	Optometry	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Adrenaline Performance	606 N State St	Auto Mechanic	General	\$ 5.00	
Renewal	11/14/2022	12/31/2023	Stone Ridges Dental	295 Anderson Rd	Dental Office	General	\$ 5.00	
Renewal	11/15/2022	12/31/2023	Hair To "Dye" For	483 N Park Ave	Hair Salon	General	\$ 5.00	
Renewal	11/15/2022	12/31/2023	All Access Therapy	650 N State #5	Medical Therapy	General	\$ 5.00	
Renewal	11/15/2022	12/31/2023	Custom Canvas	526 N State #2	Fabrication	General	\$ 5.00	
Renewal	11/15/2022	12/31/2023	Dominio's Pizza	570 Taylor Way	Restaurant	General	\$ 5.00	
Renewal	11/15/2022	12/31/2023	On The Hook Fish and Chips	225 N Byron	Mobile Food Truck	Mobile Food	\$ 20.00	North Salt Lake, UT
Renewal	11/15/2022	12/31/2023	Busy Bobby Cleaning Service	118 S Emerson	Detailing Commercial/Residential	General	\$ 5.00	
Renewal	11/15/2022	12/31/2023	Hair It Is and Tanning 2	140 N Byron Ave	Hair Salon & Tanning	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	Lang Ventures	205 E Locust	Log furniture	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	Schwarzenbart Music	985 Rimrock Cyn	Music Lessons	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	Baseline Contractors, Inc	130 Anderson Rd	Construction and Land Surveying	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	Carlisle Custom Woods, Inc	127 Kirkham Cir	Door, Molding, Stair Part Sells	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	Intermountain Diving	114 S State St	Scuba Diving Instruction and Sales	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	ZZ Consulting	183 E Center St	Engineering	General	\$ 5.00	
Renewal	11/16/2022	12/31/2023	A & B Transmission and Service	494 E Center St	Auto Repair	General	\$ 5.00	
Renewal	11/17/2022	12/31/2023	Richardson Concrete	530 S State St	Concrete Contractor	General	\$ 5.00	
Renewal	11/17/2022	12/31/2023	Mooso Orthodontics	301 Anderson St	Orthodontic Practice	General	\$ 5.00	
Renewal	11/18/2022	12/31/2023	Anytime Fitness	580 N State St	Fitness Center	General	\$ 5.00	
Renewal	11/18/2022	12/31/2023	Rustic Rock Coffee		Coffee Stand	General	\$ 5.00	

New Application/ Renewal Application	Date Submitted	Expire Date	Business Name	Address	Business Type	License Type	Amount	Comments
Renewal	11/21/2022	12/31/2023	ABC Supply Co, Inc	570 N State St	Wholesale distribution of big mat.	General	\$ 5.00	
Renewal	11/21/2022	12/31/2023	Shelley Ace Hardware	572 S State St	Hardware Store	General	\$ 5.00	
Renewal	11/21/2022	12/31/2023	Good 2 Go Stores	510 S State St	Gas Station	Beer & Wine	\$ 250.00	Carry-out Only
Renewal	11/21/2022	12/31/2023	Elevated Life Family Chiropractic PLLC	120 N Emerson	Chiropractic Office	General	\$ 5.00	
Renewal	11/21/2022	12/31/2023	Ironwood Cabinets and Millworks	104 S Emerson	Cabinets	General	\$ 5.00	
Renewal	11/22/2022	12/31/2023	Diamond B Specialties	1131 October Cove	Promo products & Screen Printing	General	\$ 5.00	
Renewal	11/22/2022	12/31/2023	Broullin's	570 S State St	Supermarket	Beer & Wine	\$ 250.00	Carry-out Only
Renewal	11/22/2022	12/31/2023	Mr. Pizza	164 S State	Restaurant	General	\$ 5.00	
Renewal	11/22/2022	12/31/2023	The Corner Cup	169 W Pine	Coffee Shop/Bistro	General	\$ 5.00	