

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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FEBRUARY 09, 2016

PRESENT: Mayor Stacy Pascoe

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

Police Chief: Rod Mohler

Public Wks Dir.: Chuck Lloyd

Recreation Dir.: Scott Williams

City Clerk/Treasurer: Sandy Gaydusek

City Attorney: BJ Driscoll

PLEDGE OF ALLEGIANCE: Rod Mohler

PRAYER: BJ Driscoll

Mayor Pascoe called the meeting to order at 7:30 p.m.

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

Minutes of January 26, 2016

Building Permits:

Lorena Zamora - re-roof

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

Approved unanimously.

Sergio Elizondo addressed the Mayor and Council to ask permission to park his food truck on the end of North Park where the cul-de-sac is. He said he would be there from 11:00 a.m. until 4:30 p.m. each day. He said he would be parked on the city street behind the propane tanks at Food Plaza. Mayor Pascoe said if the city allows him to park on a street all day, we would have to allow all food vendors to do so. Mr. Elizondo said he would be willing to pay for city utilities. He said he was parked next to China King, but needed to be fifty feet away from her building. Jeff said the city has a law to only allow on street parking for mobile food vendors for two hours, if we allow one to not follow the law then we should not have the law. Adam said there are brick and mortar businesses that pay property taxes and utilities and we do not want to take away from this. He said Mr. Elizondo would need permission from any property owner to park on their private property. Mayor Pascoe said he could park and serve from the street on the sidewalk for a two hour period. Chuck said the area Mr. Elizondo is requesting to use is used by the State in the summer months for motorcycle testing. The Mayor and Council denied permission for Mr. Elizondo to park in the cul-de-sac on North Park for more than two hours.

Jason Yorgensen was in attendance to discuss amending the R1A/Twin Home Ordinance. He discussed his proposal to have more than two units on a lot in an R1A zone. He would like the Mayor and Council to amend the ordinance at this

time. Mr. Yorgensen discussed utilizing the property on West Oak and the private road of the mobile home park as an emergency access. He said they could use a break away gate between the two properties. Jeff said that would not be compliant with city code; properties more than 400 feet deep must have two accesses to a city right-of-way. He said this is a safety issue in case a street is blocked off, not maintained, etc. Mr. Yorgensen asked what the revenue stream to the city is for this land. He said the land is just sitting there not being utilized. Jeff said to request a variance from city code there must be a hardship proven; not just a financial hardship. Mr. Yorgensen said you must have a variance to utilize this land. Mayor Pascoe said the intention to sell off the twin home units to individual owners is good and he likes the idea personally. Jeff said he doesn't feel the city should spend the money to amend the ordinance until the items such as a second access to the proposed development are corrected. Mr. Yorgensen said Steve Cederberg was approached about using some of his property to the north to access Hummingbird Lane, but he was reluctant because he felt it would diminish the use of his storage units that currently exist. He said maybe he could talk more to Mr. Cederberg and explain the street would not bother his buildings. It was mentioned that there may be a possibility to purchase a home on Quigg Street to use the property as a second access. Jeff asked how many units are proposed for the development. Mr. Yorgensen presented a conceptual plan that was reviewed by the council. This plan has a roundabout included that has units proposed in the center of it. Mr. Yorgensen said the plan could be modified to thirty six units to meet the right-of-way if needed. He said he would like to place storage units on the north end of the property. Jeff said a special use permit would be required for storage units. BJ said a proper variance must show there is a hardship; that basically the property is worthless. He said the Council could consider amending the ordinance, but there is no guarantee of a subdivision being approved. There would need to be public hearings held to consider rezoning the property and then platting the property. Kim said she felt the city needs to have an area with twin homes. Mayor Pascoe said if Mr. Yorgensen can obtain a second access to the property the Council would be willing to look at amending the R1A ordinance. Jeff said he wants to make sure Mr. Yorgensen understands this would not be a guarantee for approval of a subdivision; there must be public hearings to make the determination. Mayor Pascoe said he felt the city need this type of development in our area.

Tracy Barnes said she is concerned about people cutting through the Food Plaza parking lots from Maple Street. She said they cut through all the time and treat it like a road. Rod said he is unsure what can be done, unless the owner of Food Plaza wants to post no trespassing signs. Jeff said maybe the property owner need to put in a speed bump.

Tracy Barnes said she is concerned about the traffic on North Park Avenue. She said she and her husband can sit on their porch and see people run the stop sign at North Park and West Oak all the time. She said there are also kids on ATV's that ride up and down the street. She said they don't stop at the stop sign and slide down the street almost hitting parked cars. Earl said they need to contact the police when this is happening. He said they may have to sign the citation unless the police witness the violation. Rod said he will address this matter with his officers.

Sandy said there are no business licenses to present at this time.

The Mayor and Council discussed the parking and snow removal ordinances. Mayor Pascoe said he felt if we cannot enforce the changes we should not change the ordinance. Jeff said we could amend the ordinances so on certain days of the year people can on park on certain sides of the street. Earl said he talked to Rod about this and he feels he, Rod, Chuck and Jeff should meet and come up with an idea and then obtain public input. Chuck said it is hard to move snow on one side of the street and then come back the next day to do the other side of the street. He said it is a waste of fuel, time, etc. Ron Barnes said there is already a snow ordinance and why is it not being used. He said if it is not being enforced, the city should get rid of it. He said if it is changed to limited twenty four hour period a car can be parked on the street as suggested in the last council meeting; then everyone is going to get a ticket. Mr. Barnes said if a car is moved and then parked in the exact same spot how can they be ticketed for that. The Council will continue considering an amendment to this ordinance at a future meeting after public input is obtained.

Dave Noel presented a model pre-treatment ordinance he obtained from EPA. He said he has only spent thirty minutes on this task, and he felt this is a good sample but would require some modifications to fit the city's need. Dave said he has not read clear through the ordinance yet, but would like the Council to look through it and see what is important to our city. Mayor Pascoe asked Dave to spend the rest of his allocated time as specified at the last meeting and go through the model and see what he feels our city needs. Dave said he gave the table of contents to the Council so they could choose what is important to address for our city since the ordinance is sixty five pages long. The Mayor and Council feel they would like Dave to have this ordinance ready for review at the next Council meeting.

Sandy said Garrett Sandow, our city prosecutor met with her regarding the Kong Khamone property case. Sandy and Mr. Sandow met with Mr. Khamone and his attorney Alva Harris the day before the scheduled court hearing. Mr. Khamone through his attorney agreed to have several specified areas cleaned up on his property by May 1, 2016 with an option to request a one month extension due to weather conditions. Also, he must remove all block from the premises within one year from the date. Mr. Sandow indicated to Sandy that he will still schedule a court date in July in the instance that the property is not cleaned up by the deadline, and documents on this agreement will be drawn up.

Earl said he has been thinking about the snow removal ordinance and felt it may be beneficial to limit parking on the street during the winter months during daytime hours. BJ said he will check into this and see if it needs to be posted. Chuck said there are home businesses that have people parked on the street during the day, such as home beauty salons. Jeff felt some exceptions could be made. The Council will consider this at the next council meeting.

The Mayor and Council thanked the Mayor's Youth Committee members for supplying cookies and decorating the council room and Mayor's office for Valentine's Day.

Adjourned: 9:20 p.m.

APPROVE:  ATTEST: 

CITY OF SHELLEY  
 BUSINESS LICENSE  
 APPLICATIONS  
 SUBMITTED FEBRUARY 23, 2016  
 FOR 2016

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE OF BUSINESS</u>
<u>SPECIALIZED LICENSES</u>		
<u>RENEW</u>		
\$30 ODELL YOUNG, HIDDEN TREASU	238 S EMERSON AVE	SECOND HAND SALES
\$30 ODELL YOUNG, HIDDEN TREASU	487 N STATE ST	SECOND HAND SALES
\$40 RONNIE JAYNES, VIRGINIA THEA	186 S STATE ST	LIVE THEATER
<u>GENERAL LICENSES:</u>		
<u>RENEW: \$5/15</u>		
BRAD MILLER, A & B TRANSMISSION	183 E CENTER ST	AUTO REPAIR
ADAM WATKINS, EAGLE ROCK FLOOR	485 N STATE ST	FLOOR COVERINGS & SALES
LISA SCARR, LISA'S DAYCARE	294 W PINE ST	CHILD CARE
DAVID AVERETT, MARK'S AUTO SALE	648 S STATE ST	AUTO SALES
SAFE HAVEN HOMES OF SHELLEY	183 E OAK ST	ASSISTED LIVING CENTER
SUSAN HANSEN	449 BRENT WAY	SEWING LESSONS
9 TOTAL LICENSES		

<u>DATE</u>	<u>JANUARY CLAIMS</u>	<u>AMOUNT</u>	<u>CHECK #</u>
15-Jan-16	Blue Cross of Idaho	774.86	49275
15-Jan-16	AAA Giles Cleaning and Restoration	675.00	49276
15-Jan-16	Advanced Diagnostics	80.00	49277
15-Jan-16	All American Sports	50.73	49278
15-Jan-16	American Linen	640.75	49279
<b>15-Jan-16</b>	<b>Bonneville County Solid Waste</b>	<b>7,211.60</b>	<b>49280</b>
15-Jan-16	Broulms	159.46	49281
15-Jan-16	East ID Law Enforcement Firearms Range	500.00	49282
15-Jan-16	Edward Jones	20.00	49283
15-Jan-16	First Class Portable Sanitation	100.00	49284
15-Jan-16	First Responders	275.97	49285
15-Jan-16	Hammon Teton Delivery	28.00	49286
15-Jan-16	HD Supply Waterworks	699.48	49287
15-Jan-16	Honnen Equipment of Utah/Idaho	198.46	49288
15-Jan-16	IAS - Envirochem	80.00	49289
15-Jan-16	Idaho Business Systems	36.00	49290
15-Jan-16	Idaho Fall Peterbuilt	338.89	49291
15-Jan-16	Idaho State Tax Commission	81.78	49292
15-Jan-16	Industrial Hose	427.18	49293
<b>15-Jan-16</b>	<b>Intermountain Gas Co</b>	<b>1,061.67</b>	<b>49294</b>
<b>15-Jan-16</b>	<b>Interstate Billing Service</b>	<b>10,976.26</b>	<b>49295</b>
15-Jan-16	Keyline Automotive	150.96	49296
15-Jan-16	Les Schwab Tire Center	583.70	49297
15-Jan-16	LexisNexis Matthew Bender	47.44	49298
15-Jan-16	Mcguire Bearing Company	137.24	49299
15-Jan-16	National Auto Parts Warehouse	557.83	49300
15-Jan-16	NCPersi Group Life	40.00	49301
15-Jan-16	O'reilly Automotive	839.10	49302
15-Jan-16	Stacy Pascoe	332.40	49303
15-Jan-16	Petty Cash	35.30	49304
<b>15-Jan-16</b>	<b>Proforce Law Enforcement</b>	<b>2,652.85</b>	<b>49305</b>
<b>15-Jan-16</b>	<b>Rocky Mountain Power</b>	<b>5,514.07</b>	<b>49306</b>
<b>15-Jan-16</b>	<b>Senior Citizens</b>	<b>2,000.00</b>	<b>49307</b>
15-Jan-16	Shelley Ace Hardware	568.23	49308
15-Jan-16	Shelley Police Officers Association	940.00	49309
15-Jan-16	Steam Store Rocky MT. Inc.	138.56	49310
15-Jan-16	Stephenson Computer Consulting	93.75	49311
15-Jan-16	Tactical Design Labs	169.17	49312
15-Jan-16	Taser International	200.00	49313
15-Jan-16	Teton Communication	36.00	49314
15-Jan-16	United States Welding	197.95	49315
15-Jan-16	Utility Trailer Sales of Boise	311.52	49316
31-Jan-16	Blue Cross of Idaho	774.86	49317
31-Jan-16	Cable One	186.50	49318
31-Jan-16	CenturyLink	185.85	49319
<b>31-Jan-16</b>	<b>Computer Warehouse</b>	<b>1,281.99</b>	<b>49320</b>
<b>31-Jan-16</b>	<b>Eastern Idaho Regional Wastewater Auth.</b>	<b>18,957.12</b>	<b>49321</b>
<b>31-Jan-16</b>	<b>Eastern Idaho Water Rights Coalition</b>	<b>1,575.00</b>	<b>49322</b>
<b>31-Jan-16</b>	<b>Garrett Sandow</b>	<b>1,650.00</b>	<b>49323</b>
<b>31-Jan-16</b>	<b>Idaho Department of Employment</b>	<b>2,373.30</b>	<b>49324</b>
31-Jan-16	Justin Johnson	25.00	49325
31-Jan-16	Chuck Lloyd	25.00	49326
<b>31-Jan-16</b>	<b>Phillips 66</b>	<b>1,631.75</b>	<b>49327</b>
<b>31-Jan-16</b>	<b>REDI</b>	<b>4,000.00</b>	<b>49328</b>
31-Jan-16	Shelley Pioneer	215.94	49329
31-Jan-16	Smith Driscoll @ Associates	420.00	49330
<b>31-Jan-16</b>	<b>State Insurace Fund</b>	<b>2,998.00</b>	<b>49331</b>
31-Jan-16	US Post Office	598.40	49332
31-Jan-16	Zee Medical Service	73.60	49333
<b>15-Jan-16</b>	<b>City of Shelley Payroll</b>	<b>53,598.33</b>	
<b>31-Jan-16</b>	<b>City of Shelley Payroll</b>	<b>43636.74</b>	

Total 174,169.54