

CITY OF SHELLEY
COUNCIL MEETING MINUTES

MAY 28, 2026

PRESENT: Mayor Westergard

Council: Councilman Kress, Councilman Watson, Councilwoman Street, Councilman West was absent.

Public Works Director: Justin Johnson

Building Inspector: Jordon Johnson

Police Chief: Chad Purser

Parks & Recreation Director: Mikel Anderson

City Clerk/Treasurer: Lisa Ybarra – absent

Public Works Clerk: Sandy Gaydusek

Pledge of Allegiance: Jordon Johnson

Prayer: Councilman Kress

The meeting was called to order at 7:33 p.m.

Leif moved, Louise seconded to approve the following consent calendar:

Approval of Minutes of May 13, 2026

Approval of April 2026 Expenditures

Approval of April 2026 Overall Budget & Treasurers Report

Approval of Building Permits

A roll call vote was taken: Leif – aye, Louise – aye, and Sean – aye. Three in favor, Don absent. Approved.

NANCY BEALS (ZOOM ATTENDANCE)- REQUESTING TURN OFF FEE AND ORANGE TAG FEE BE WAIVED:

Nancy Beals appeared before the Mayor and Council via Zoom to ask that orange tag fees and turn off fees in the amount of \$75 be waived from her account. Her current balance is \$620.20. She has had multiple promises to pay and been behind on her account for many months. Ms. Beals currently resides in LA Connor Washington but owns a home on 224 East Center Street. She said her son has been very ill, her vehicle was not running, and she became unemployed. Ms. Beals said she intends on coming to Idaho and putting her property up for sale and ask for assistance from Community Action to help her get her account caught up. She said she is hoping to get at least half of her account paid if not all of it. Sean said her account has been delinquent for a very long time. He said he is not in favor of waiving any fees at this time, but it could be addressed later depending on her catching up her account. Sean moved, Leif seconded to deny Ms. Beal request to have \$75 in late fees removed from her account. Approved three in favor, one absent.

UPDATE REGARDING BUSINESS DISTRICT PLANTERS

Robyn Longhurst said the 27 planters will be set out this week and she presented a watering schedule to the Mayor and Council asking for their assistance. The Mayor and Council scheduled the shifts they could water, and thanked Robyn for all of her time spent on the beautiful planters. Justin was thanked for his and his crews time as well.

LSLR PROJECT – PAY REQUEST APPLICATION #2

Spence presented Pay Request Application #2 for the Lead Service Line Replacement Project in the amount of \$126,640.17. Dave and Justin both reviewed the application and have no problems with it. Louise moved, Sean seconded to approve Pay Request Application #2 in the amount of \$126,640.17. Approved three in favor, one absent.

COPPER MEADOWS SUBDIVISION METERING

Copper Meadows Subdivision has been annexed into the city limits. This is being discussed for clarification. Sean moved, Leif seconded to temporarily discontinue reading the water meters in Copper Meadows Subdivision in accordance with how the other residential meters will be treated. Approved three in favor, one absent.

CALL FOR PUBLIC HEARING TO CONSIDER SUBSTITUTE WATER FLOW RATE

The Mayor and Council have discussed the proposed temporary flat water flow rates that Spence drafted. The chart bases the flat rate on the size of the property owners' lot and will be used during the interim of having all of the meters installed. All of the businesses that currently have meters will still be read but the businesses based on light, medium, or heavy usage will follow the chart being proposed. Some residents will have approximately four years of usage but other may only have one year to see how much water they are actually using. Sean said the metered rates should begin being billed one year after the last meter is installed. However, the businesses that do not currently have meters should be billed metered rates 30 days after the meter is installed. It was discussed that the flat usage rates are very comparable to the current existing rates. A public hearing is needed to establish this new fee. At the public hearing this table will be considered for adoption for a temporary substitute usage rate will be considered in lieu of the actual flow rates. Leif moved Sean seconded to call for a public hearing on June 24, 2026 at 7:30 p.m. to consider adoption of the substitute flow rate in lieu of actual flow rates as discussed. Approved three in favor one absent. The meter rate of \$1.75 per thousand was previously adopted but will not be effective until August 1, 2026.

COPPER MEADOWS #2 SUBDIVISION FINAL PLAT AND DEVELOPMENT AGREEMENT

Jordon said the final plat has been submitted by Rockwell Homes. He said he, BJ, and Sandy worked on the Development Agreement. Jordon said a Development Agreement template was created that will be used for future developments as well. Jordon said Rockwell has signed the Development Agreement, however the performance bond is being held at the County until the next Commissioners meeting when it can be released. Their meeting will be held next Tuesday. Jordon said the final plat has been reviewed and everything has been complied with except the performance bond. He asked for approval of the final plat conditional upon receiving the performance bond once Bingham County releases it. Louise moved, Sean seconded to approve the Copper Meadows #2 final plat and Development Agreement conditional upon Bingham County releasing the Performance Bond as soon as possible and then be put in place with the city. Approved three in favor, one absent.

SALE OF AERIAL FIREWORKS

The Mayor and Council discussed the sale of aerial fireworks. Kim said the State Statute does not allow everyone to sell them. However, firework wholesalers can follow State Statute and are allowed to sell them. BJ presented Ordinance 670 amending the code section regarding the sale of fireworks to allow the sale of aerial fireworks in the City of Shelley as specified in State Statute. Leif moved, Sean seconded to suspend the reading of Ordinance 670 on three separate days and read the title of Ordinance 670 once. Approved three in favor, one absent. Leif read

the title of Ordinance 670. Leif moved, Louise seconded to adopt Ordinance 670 amending the sale of fireworks as read. A roll call vote was taken: Louise – aye, Leif – aye, and Sean – aye. Don was absent. Motion approved.

DECLARATION OF SURPLUS PROPERTY AND DISPOSAL

Justin said the city no longer needs the Ingersol Drum Roller since ours has been upgraded. He said the City of Firth is in need of one and he would like to donate ours to them. Leif moved, Louise seconded to declare the city’s Ingersoll Drum Roller as surplus property and donate this piece of equipment to the City of Firth. Approved three in favor, on absent.

2026 MOVIES IN THE PARK SCHEDULE

The following schedule for movies in the park was set as follows:

July 9, 2026	Goat
July 23, 2026	Zootopia 2
August 13, 2026	Goonies
August 27, 2026	Miracle

CALL FOR PUBLIC HEARING FOR TENNIS COURT/PICKLE BALL COURT RESERVATION FEES

Hailey Hill thanked the City for allowing the Shelley High School to use the tennis courts for their program. She said some of the students went to State, and the kids are doing amazing. She presented a gift to the Mayor and Council. Melanie from the Idaho Tennis Association said Hailey has done a tremendous job. She said the Idaho Tennis Association provides adult and youth programming. They partner with Idaho Falls, Pocatello, and other surrounding agencies. She said they would like to use the Shelley courts for their programs. They are a nonprofit organization and only charge what is needed to cover their fees. Melanie said Hailey is a paid employee. She said the use of the Shelley courts would be very beneficial. She said they have youth programs that are more of social program and a cardio program that benefits the adults. Melanie said Idaho Falls typically charges them \$3 per hour as a nonprofit, and they are definitely willing to pay fees for the use of the courts. Melanie said they would need the courts on Mondays, Saturdays and Tuesday evenings. She said the cardio classes would be in the morning for exercise and the other programs would be later in the day for the youth. She said they have their own insurance and there are also grants available to improve the area such as benches, wind screens, etc. Sean asked if they were not charged to use the courts where that additional money would be spent. Melanie said she does not control that, but she assumes it would be used to provide additional classes. Sean moved, Leif seconded to call for a public hearing to establish fees to reserve the tennis court and pickleball courts at \$15 per hour on June 24, 2026. Approved three in favor, one absent. Sean felt the Idaho tennis Association, a non-profit organization should not be charged to use the courts and maybe they could provide a free clinic in lieu of any fees.

PLATINUM REAL ESTATE INVESTEMENTS/ANNEXATION AND REZONE

Documents were provided to the Mayor and Council regarding the public hearing to consider annexing and rezoning some parcels of property owned by Platinum Real Estate Investments. The parcels of property are located off of West Fir behind the Shelley High School and north of Baseline Road. Jordon said the P&Z held a hearing and recommended approval of the annexation and rezoning. One parcel of property will be zoning as Residential Office (RO) and the one parcel will be zoned as Single Family Dwelling (R1), and one parcel as Two Attached Dwellings (R1A). Two of the parcels need annexed and one parcel was already in the city. Leif moved, Louise seconded to approve the recommendation of the P&Z Board and annex two

parcels of property and zone as R1 and R1A and to rezone one parcel of property as RO. Approved three in favor, one absent. BJ will draft the ordinance to be considered for adoption.

CANCELLATION OF COUNCIL MEETING ON JUNE 10, 2026

Louise moved, Leif seconded to cancel the Council meeting scheduled for June 10, 2026 since most of the council will be attending the AIC Conference in Boise. Approved three in favor, one absent.

BUSINESS LICENSES

Sean moved, Louise seconded to approve the following business licenses:

Bun Barn

Fewnyx Art

Marco Mallo

Transylvania Treats

Way off Broadway Farm and Fiber

Clay & Crumble

Sage & Needle

Tabby's Breads

6 C's Confection and Crafts

Lunar Apothecary

Marina Dooley Advisory

Approved three in favor, one absent.

FIREWORKS LICENSES

Sean moved, Leif seconded to approve a Firework License to sell for Flowerworks. Approved three in favor, one absent.

BUSINESS LICENSES

Sean moved, Louise seconded to approve a business license for Simply Delicious and 502 Crepes conditional upon a background check for 502 Crepes. Approved three in favor, one absent.

CITY VEHICLE USEAGE POLICY

Leif discussed the Police Department Vehicle Use Policy and the changes that were made.

Louise said whereas the vehicles are allowed for personal use as stated in the policy that portion may be taxable. BJ said he will need to review this. Each of the Department changes were discussed individually and what the Department Heads would like to see added or deleted from the existing policy. Each Department will have their own policies regarding vehicle use. BJ was asked to look over and also draft a separate policy for gas card usage that will apply to all of the departments. Louise moved, Sean seconded to table this matter until BJ can create a final draft. Approved three in favor, one absent.

DEPARTMENT HEAD REPORTS

Chad said a Seat Belt Task Force will be in effect until May 31 2026. He said they have been busy with search warrants the last few weeks. He said Dare Day was held last Tuesday.

Justin said everything is going well in the Public Works Department.

Jordon said everything is going well in the Building Department.

Mikel said all is going well in the Recreation programs.

Sandy said Lisa wanted her to pass along the information regarding the holiday hours for Juneteenth. She said the office will be open for 9 hours Monday, Tuesday, Wednesday, and 5 hours on Thursday, and closed on Friday.

BJ said he briefly reviewed Conflicts of Interest, Nepotism, etc. He said there are two or three sections in Idaho Code and the City Code that covers this.

BJ said typically to call for a public hearing is placed on the agenda, but not always necessary. Sandy said it does give each governing body an insight to what will be on the agenda.

BJ said an executive session will be needed tonight under I.C. 74-206 (1) (b) and (f).

COUNCIL REPORTS

Sean asked if the policy for water service included being billed even if the water is off and the home is empty. Yes, because the billing includes maintaining the system whether there is usage or not.

Sean asked about the fencing that will be installed along the Fox Crossing development. Jordon said he discussed this with the Developer and the bottom three feet of the fence will be sight obscuring (privacy) and the top three feet will be non-sight obscuring.

Leif thanked the police department for keeping us all safe. He also thanked Justin and his crew as well.

Mayor Westergard said she will be out of the country for two weeks, during which time they will be holding the first Farmers Market. She said there will be various vendors and she is excited about the market.

EXECUTIVE SESSION

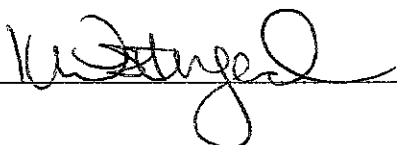
BJ said an executive session would be needed pursuant to I.C. 74-206 (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee staff member or individual agent, and (1) (f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. A roll call vote was taken: Louise – aye, Leif – aye, Sean – aye, and Don was absent. Three in favor one absent.

Sean moved, Louise seconded to reconvene into regular session. Approved three in favor, one absent.

During executive session evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee staff member or individual agent, and to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigate was discussed.

Adjourned: 11:20 p.m.

APPROVE: _____



ATTEST: _____

