

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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NOVEMBER 22, 2016

PRESENT: Mayor Stacy Pascoe (absent)

Council Members: Earl Beattie (Mayor Pro-Tem), 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: Connor Johnson

PRAYER: Kim Westergard

Mayor Pro Tem Beattie opened the meeting at 7:31 p.m.

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

Minutes of November 8, 2016

October Overall Budget & Treasurer's Report

October Expenditures

Building Permits:

none

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

Approved unanimously.

Russell Jensen of Next Construction Solutions came before the Council to request permission to access the city water system outside of the city limits. He said there are two homes being constructed in the Willow Estates Subdivision. Sandy presented a plat of Willow Estates. Mr. Jensen said he would like to access the city water for homes at 902 E. 1230 N. and 904 E. 1230 N. This plat was previously approved for city water several years ago. Jeff said the property owner will need to install a meter, sign a user agreement, and pay \$2600 for each connection. Jeff moved, Kim seconded to approve the requests for water service at 902 E. 1230 N. and 904 E. 1230 N. conditional upon a user agreement being signed, connection fees being paid, and a water meter installed at each location. Approved unanimously.

Sandy said the Planning and Zoning Commission held a public hearing to take public testimony on a rezone request made by Jed Young/Hidden Treasures for property at 154 East Center Street. Mr. Young has requested the property to be rezoned from Manufacturing to Heavy Commercial to he can have a retail sale use. Sandy said there was no public testimony and no written testimony; the P&Z Commission recommended approval of this rezone request. Sandy said there is really no off street parking available since this is an older section of town, and there are other retail businesses in the area. She said the former business did not

have off street parking either at this address. BJ said when he looks at the surrounding neighborhood, this use appears to be compatible. Jeff moved, Adam seconded since the Heavy Commercial Use is compatible to the area to approve the rezoning from Manufacturing to Heavy Commercial so Mr. Young can provide retail sales in his business. Approved unanimously.

Sandy said the Planning and Zoning Commission also held a public hearing to take public testimony on a rezone request made by Jed Young/Hidden Treasures for property at 483 North State Street. Mr. Young has requested the property to be rezoned from Manufacturing to Heavy Commercial to allow him to operate retail sales. Sandy said there was no public testimony and no written testimony; the P&Z Commission recommended approval of this rezone request. Jeff said he would like to look at the comprehensive plan. Sandy presented the Comp Plan for the Council to review. Jeff requested that when ITD widens Highway 91 that our Public Works Director talk to them about adding an approach to this property from the Highway. Adam moved, Jeff seconded since the Heavy Commercial Use is compatible to the area to approve the rezoning from Manufacturing to Heavy Commercial so Mr. Young can provide retail sales in his business. Approved unanimously.

The Council received two proposals for engineering for the Water Tank Project and one proposal for Administration of the Project. Dave Noel explained the process to review and rank the proposals. He said he cannot give any other recommendations since his firm has submitted a proposal. The Council reviewed the proposal for the Administration of the Project. Jeff moved, Kim seconded to accept and award the Administration proposal submitted by ECIPDA. Approved unanimously. Jeff moved, Kim seconded to table the acceptance and awarding of the engineering services proposal until the December 13, 2016 meeting to give the council more time to review both proposals; one was submitted by Forsgren Engineering and the other submitted by Keller Engineering. Approved unanimously.

There were several groups of Scouts in attendance. One of the Scouts asked what seconding a motion means. BJ explained the roles of the Mayor and Council, and how decisions are made. He also explained what an RFP means, and who votes for the Mayor and Council. Earl thanked the Scouts for their questions.

Jeff moved, Adam seconded to approve the applications for Business Licenses for 2017 as listed on the attached list dated November 22, 2016. Approved unanimously.

Rod said he would like to amend the police policy to allow each officer whether they live inside city limits or outside, to take their police car home. He said this aids in response time especially when there is only single coverage, and back up is needed. Rod said the furthest officer away from the city at the present is about fifteen miles. He said he has estimated high, and feels the additional cost for fuel would be no more than \$3000 annually. Rod said we have the infrastructure in place, and we have had a policy for years allowing those officers inside the city take their cars home. Sandy said she checked and there will be no change in liability insurance premiums if the officers take their cars home. Rod said another

reason to allow the officers to take their cars home is retention of employees. He said we have been losing officers to bigger agencies with more benefits, and feels the city can afford this and should allow this amenity as a thank you, and to show the officers we care. Rod said all of the counties allow their officers to take their cars home. Earl said he feels this is a great system, and it will help with response time. He said this gives more protection to the community. Earl said we can have more officers on the scene when they are needed, and they can have access to information by radio when in route to a call. Rod said the officers will not run code until they are inside city limits, and the vehicles will be used strictly going to and from work. Kim said she feels this is a good idea for retention of our officers, and \$3000 is nothing if it saves a life. Adam moved, Kim seconded to allow the police officers to take their vehicles homes both inside and outside of city limits, as long as the vehicles are used going to and from work only. Approved unanimously. Rod personally thanked the Council for their decision, and feels we are taking ourselves into the future.

Sandy discussed Christmas gifts for the employees and Committee members. Jeff moved, Kim seconded to approve \$30 gift certificates to Broulims for all of the city employees, and a \$15 gift for each of the volunteers serving on city appointed committees. Approved unanimously.

Sandy presented a comment sheet she received from Bingham County regarding the Copper Meadows Subdivision proposal. She said the County is holding a Public Hearing to consider a rezoning request to Residential, and to accept the preliminary plat. The first public hearing will be held December 14, 2016 by the Bingham County Planning and Zoning Commission. Sandy said she contacted the Bingham County Planning and Zoning Department to make sure they intended to follow the Impact Area Agreement with the City. She said Allen Jensen will be reviewing the agreement, and she will follow up with him on this matter. The Council said they recommend approval of the rezoning request.

Kim asked that the draft of the amended Tree Ordinance be tabled until January so Gerry Bates could attend the council meeting.

Sandy said all is going well in the office. She said she and Adam are reviewing the job applications that are on file for the position that will be open in DMV. Stacie Crockett is accepting a position with Bonneville County.

Justin said the crew just finished hanging Christmas lights, and setting up for the Chili Cook-off next Friday.

Rod said he has received ongoing traffic complaints on South Park. He said he would like to add a few more speed limit signs to make people more aware of how fast they are going. The Council agreed. He said there are also some people who would like to close off parking in front of the High School on the south side of Fir Street during school hours. He said too many people are parking there to drop kids off in the morning and picking up in the afternoon which is causing a traffic hazard. Rod said he would need to sign it stating there is no parking during certain hours only. He said people would still be able to park there during games and other events. This will be placed on the next council agenda for approval.

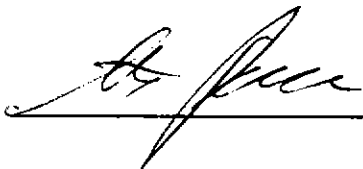
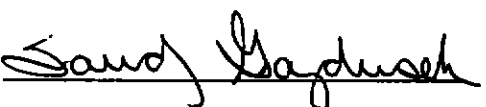
Dave said he would like to discuss the preliminary plat that was submitted for the Sunset Vista Subdivision. He said the cost to review this plat just keeps going up because the plats being submitted are not right. He said some of the problem is partially because we are not following our own ordinance. Dave said Sandy should review the preliminary plat for all the parts and pieces, and then she should send it to the Engineer for further review. He said then once the preliminary plat meets the city requirements it is sent to the Planning and Zoning Commission along with any variances to the ordinance that the Developer is requesting. Once the P&Z hold a public hearing, it then goes back to the City Council. Dave said this plat has been done backwards. Dave said this plat was reviewed ten years ago, and reviewed again this time with changes to the sewer lines. He said ten years ago the same comments were returned by the engineer and the same comments are being returned now with only six of the comments responded to by the Developers engineer. Dave said we are doing multiple reviews when it is not necessary. He said one of the comments pertains to green space in the subdivision. He said this should have been determined if any green space is needed by the Planning and Zoning Commission. Jeff asked why the plat was handled this way. Sandy said the Council directed her to send the plat to the Planning and Zoning Commission for a public hearing before the preliminary plat was accepted and before the thirty day comment period by various reviewing agencies. Dave discussed some of the other items on his review that have not been corrected. He said they are proposing R2 on the plat with R1 zoning, and you cannot have multiple zones on a plat. Sandy said she has informed the Developer and his engineer that you cannot have mixed zones on a plat at least twice. She said she has told them they will need to remove the R2 zoning from the plat, especially since there is no land that has been zoned R2. She said they will need to first rezone the property if they intend to put R2 which is two family dwellings; not twin homes, and then resubmit a new plat with only this zoning on it; two separate plats are needed. Dave said there is also a retention pond outside of the city limits, and not included in the subdivision, but is suppose to be storm water drainage for the subdivision. Typically, once accepted by the city, it is maintained by the city. He said there is also an access road that is not in city limits, and partially not included in the plat onto Baseline Road. Dave said there is also no buffer area between the residential subdivision and the commercial property owned by Basic American Foods. The Council said this has been discussed by the Developer, and there will be a fence installed between those two properties. Dave said this should be listed as a variance with the subdivision application then. Dave recommended that this be sent back to P&Z so all of these bugs can be worked out. Jeff asked if the Council could give clarification regarding Ash Street before the P&Z reviews it again. Jeff said he felt the council should talk about Ash Street at the December 13<sup>th</sup> Council meeting, and then send it back to P&Z. He said that way they will have the Ash Street recommendation, and Dave will have his letter with the response to the preliminary plat. Jeff said this subdivision plat has been an anomaly, and this won't happen again.

Adam said Stacie Crockett has given her notice that she will be leaving the city's employment. He said he and Sandy will be interviewing applicants to fill this position.

Kim said she has received a lot of complaints about the condition of State Street. She said it is not calendared until 2020 for ITD to fix the road. Kim said she has informed citizens to call ITD about this problem. Jeff feels we need to hold a community meeting to discuss this further with the citizens.

Kim said Mikel Anderson, the new Recreation Program Director is doing a great job. She said he has cleaned up the program and is very organized.

Adjourned: 9:20 p.m.

APPROVE:  ATTEST: 

**CITY OF SHELLEY  
BUSINESS LICENSE  
APPLICATIONS  
SUBMITTED November 22, 2016  
FOR 2017**

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE OF BUSINESS</u>
<u>SPECIALIZED LICENSES</u>		
<u>RENEW</u>		
S.E Idaho Preparedness	641 Holley St	Pawn /FoodStorage/Preparednesssales/Firearms Sales
<u>GENERAL LICENSES:</u>		
<u>NEW: \$25</u>		
Lurchmod	369 W Locust St	Gunsmithing
<u>RENEW: \$5/15</u>		
Busy Bobby's Cleaning Service	225 N Byron Ave	Detail./Org./Deep Cleaning Houses, Commercial
Intermountain Diving	127 Kirkham Cir	Scuba Instructions and Sales
Covert Company Scales	103 S. Spud Alley	Sales and Service of Scales
The Ultimate Thrift Store	190 S State St	Thrift Store
Diamond B Specialties	1131 October Cove	Screen Printing/ Promotional Products
Snake River Eye Associates of Shelley	351 W Fir St	Optometrist/ Eye Doctor
Nalder Funereal Home	110 W Oak St	Funeral Home/ Mortuary
ABC Academy	447 Quigg Ave	Preschool
Mathews Plumbing and Heating Inc.	342 S. State St	Plumbing and Heating
AG Parts Manufacturing Inc.	485 N State St	Manufacturing and Wholesale
Stone Ridge Dental	295 Anderson Rd	Dentist
Empire Masonry Inc.	1100 October Cove	Masonry
All4balance	115 Kirkham Cir	Holistic Services
G-Tech Defense	136 S. State St	Retail Sales
Romaine's Sofa King	140 S. State St	Furniture and Retail Sales
Flipr	226 S. State St	Online Education and Marketing
Wedding and Party Exchange	774 E. 1400 N	Wedding and Party Sales and Rentals
Blue Mule Actions	195 S Spud Alley	Auction Service
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
TOTAL LICENSES: 31		