

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JUNE 25, 2019

PRESENT: Mayor Stacy Pascoe

Council Members: Earl Beattie, Jeff Kelley, Kim Westergard (absent), 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: Justin Johnson

PRAYER: Mayor Pascoe

The meeting was opened at 7:34 p.m.

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

Minutes of Council Meeting on June 11, 2019
Building Permits:

Gary Cox - new fence

A roll call vote was taken: Adam – aye, Earl -aye, and Jeff - aye. Approved three in favor, one absent.

Derreck Dye addressed the Mayor and Council on behalf of Scott Searle who would like to develop in the impact area on the former Crystal Lake Golf Course. The property is zoned as Residential Agricultural in Bingham County, but it is within one quarter mile of the city limits which mandates that they follow the impact area agreement. Mr. Dye said they would like to develop larger lots up to one acre. He said they would like to obtain a variance for complying with some of the regulations in the impact area agreement. He said it doesn't make it feasible to develop the subdivision with larger lots and have to install sidewalk, curb and gutter, street lights, etc. Mr. Dye said the city water runs along the southern border of the property and they would access it, but there is no sewer near. Mr. Dye said they intend to develop 5/8 to 3/4 acre lots with about 1600 square feet of road. He said they would like to go with thirty feet of asphalt and use a geo tech report to reduce the pit run, thickness of asphalt, etc. He said they intend to construct a swale to handle the storm water drainage, and they would construct a five foot wide sidewalk on the inside of the swale. Mr. Dye said they would like to present this concept to Bingham County. BJ said the impact area agreement should be updated due to growth and circumstances. However, the purpose of the impact area is to insure that the fringe areas outside of the city in the impact area once annexed meets city standards. Jeff asked if the comprehensive plan should be updated. Earl said we are growing in the direction of the proposed development and doesn't feel a variance would be a good thing. Mr. Dye said he is concerned about all of the smaller lot subdivisions that are popping up all over, when some people are wanting large lots so they are leaving the city. Jeff said Bonneville County now requires ten acre lots. He said if we make an exception for

this, then all developers will be requesting the same thing to save costs. He said he understands as a developer, but as a city and looking towards the future, he cannot support this. Adam agrees that we would need to accommodate every Developer if this is allowed. Kim was not in attendance, but left comments to be read. She stated that she is against any variance, and we should follow the impact area agreement. Mr. Dye said each lot would have its own pressurized irrigation with their water rights for surface water. The discussion compared what Mr. Dye was proposing with the existing West River (Grover) Subdivision. Adam said he would not be opposed if the subdivision was like the Grover Subdivision with bigger roads. Justin said October Cove is a little easier to plow the snow because there are no cars on the street, but it is still a tight area to get the plows down. He said he is also concerned about using a swale for storm water runoff. Justin said there are complaints in the Grover Subdivision and the Rowley Subdivision because of the flooding when there is a major storm or winter run off. He said then we have to explain to the upset homeowners that this is the way it was designed as a swale. Mayor Pascoe said there is not going to be any vote on this tonight, but gave the Developers some ideas.

Kaylee Clegg, 715 S. Park Avenue said a noise complaint was received about her dogs while she was on vacation and someone was taking care of them. She said when she returned home she was given notice by a Police Officer that they would need to rehome one of their three dogs. She said she wasn't aware of the two dog limit. Mrs. Clegg said it should not be the number of dogs you have, but how well they are taken care of. She said when she went on vacation she should have boarded the dogs, or gotten bark collars, etc. Mrs. Clegg said there are many people in Shelley that have more than two dogs. She said she admits her faults for not knowing about the ordinance, but if the ordinance cannot be changed she would like to request more time than the three weeks she was given by the officer in order to sell her home and relocate. She said she would like to keep her dogs with them until they can move. She said she takes care of her dogs; they are up on shots, etc. Mrs. Clegg said one of the dogs is less than four months old so technically she is not in violation of the ordinance at this point. Mayor Pascoe said he is in favor of having a limit of two dogs, but we could give her a little more time to take care of this matter. Jeff said this is a heartbreaking issue and understands that someone who has three dogs that never barks versus someone who has one dog that barks all the time isn't fair. He said as a council member his hands are tied in changing the ordinance, but felt some time could be given to her to take care of things. A neighbor said she lives next to the Cleggs and there has never been a problem with the dogs. Mrs. Clegg said she will need three to four months to relocate and will keep the noise down; if not she will rehome one of the dogs until they move. Earl said the ordinance isn't going to change, and he is sorry that they have to go to the extreme of selling their home. Kim left comments that she did not feel the ordinance should be changed. The council felt the ordinance should not be changed to allow a kennel license in a residential zone. This was changed many years ago because that is what the people wanted at that time. The neighbor asked about support animals. BJ said there is a gray area and certain regulations are spelled out for this. He said there are different categories for service dogs and therapy/emotional support animals. The Mayor and Council asked Mrs. Clegg to return to the meeting on July 23, 2019 to discuss her plans before any time limit is set. Approved three in favor, one absent.

Bingham County sent two comments sheets for the following review:

CUP – Kris Kelley 550 E. 1500 N. to transfer six division rights.
CUP – Thomas Les Brinkley – 1171 N. 1350 E. to operate a vehicle repair shop with limited outside storage. The Mayor and Council had no concerns or comments regarding either CUP.

Justin said the sewer line running down the alley to the Martinez home has been completed and needs to be considered for acceptance by the city. He said he has cameraed the line, etc. and everything looks okay. Jeff moved, Earl seconded to accept the sewer line running down the alley from Holmes to Lincoln Avenue. Approved three in favor, one absent.

Earl moved, Adam seconded to approve the following licenses:
Broulim's – Fireworks Permit
Sno-Shack/Broulims – Itinerant License.
Approved three in favor, one absent.

Justin said Austin Mohler is having surgery and will be off of work for about two weeks to recover. He said he will be a little short on Personal Leave and Long Term Sick Leave, and Rod would like to donate 40 hours of Personal Leave to him. Earl moved, Adam seconded to approve the donation of 40 hours of Personal Leave from Rod Mohler to Austin Mohler as allowed by Policy. Approved three in favor, one absent.

The Mayor and Council discussed amending the Truck Traffic Resolution to prohibit farmers from using Hanson Road to turn their farm equipment around on. Kim's comments were her concern about how the resolution would read so it does not inconvenience property owners when they are farming. She said there is only one way to get the diggers onto the field which would be from Hanson Road. She said the owners are willing to work with the city to place gravel or dirt up to the asphalt so there is not a lip from the asphalt to the field. Jeff said maybe we could just discuss this with the two farmers that utilize those particular fields. He wondered how the city would enforce this. Mayor Pascoe said if the farmers pull their equipment up onto Hanson Road, they will be cited. The Board felt we could send a letter to the property owners putting them on notice, and if there is some objectable, observation damage a civil suit will be filed. This could also be added to the resolution. BJ will work on this to be discussed at the next meeting.

Sandy said she talked to a couple of cities about the language they use regarding chip sealing on a new development. She said a lot of cities require that the chip sealing be done within one year, but the date is specified in the Development Agreement. Sandy suggested that we do the same. She will send the street specifications sheet back to our city engineer for the language to be added.

Rod presented the documents from the original presentation for the police vehicle leasing program. He said he talked to the representative of BanCorp who is willing to come and discuss this further. Mayor Pascoe said he is concerned about locking ourselves in to this program; if we need another officer, etc. the budget isn't there when growth occurs. Adam asked if we can switch what type of vehicle we are leasing at any time. Rod said yes. Earl said a Durango is an all-purpose vehicle. It has room for the equipment, etc. Earl said he feels we need to take advantage of this program this year; the vehicle comes with everything

they need in it. BJ discussed the master lease agreement; it is very one sided, areas that are vague, etc. He said he is very disappointed in this master lease agreement. He said there is also a section that states that the vehicles must be garaged. Rod said he will have Mike Peterson of BanCorp contact BJ to discuss the lease agreement. Earl moved, Adam seconded to table this matter until July 23, 2019. Approved three in favor, one absent.

Sandy said she will begin working on the budget, and hopefully a work session can be set up sometime the end of July.

Mikel said Connections Credit Union will be holding an appreciation barbecue on July 27, 2019 as the swimming pool. They have invited the Mayor and Council to attend.

Mikel said he spoke with the new Superintendent regarding the MOU between the city and the school. He said we did not have a signed copy and would also like to update the MOU. Mikel said this will need to go before the School Board, and also asked BJ to review it.

Justin said thanks for opportunity to attend the AIC Conference in Boise. Also, everything is going great. He said while he was in Boise there was a break in a water line just off of Highway 91, but the crew took take of it and did great. Justin thanked Officer Purser for his help with traffic control.

Rod thanked the Board for the opportunity to attend AIC. He said everything is going well in the Police Department and he will be on vacation for three weeks beginning June 28th.

Bingham County said there will be an upcoming DUI saturation beginning on July 4th.

Adam said he attended a workshop called Community Review Action that was very informative. He said they have had great success with the program in other states and found funding for skate parks, etc. Adam said he will look into this further.

Jeff said there are solar flashing speed signs available for \$2000 - \$4500 that may be beneficial to our city. He said we should look into purchasing two.

Jeff said we need to consider whether or not the city will take anonymous complaints. Sandy said some past Boards said we wouldn't and some past Boards said we would. Jeff said we need to think about this.

Adjourned: 10:12 p.m.

APPROVE:  ATTEST: 

Date	May	Amount	Check #
5/3/2019	Comdata	\$ 1,343.95	52442
5/3/2019	Doug Keele	\$ 302.50	52443
5/15/2019	A & B Trans	\$ 1,723.27	52444
5/15/2019	aaa Giles	\$ 675.00	52445
5/15/2019	AirGas	\$ 182.37	52446
5/15/2019	American Linen	\$ 678.55	52447
5/15/2019	Army surplus	\$ 27.96	52448
5/15/2019	Blackfoot Morning News	\$ 167.00	52449
5/15/2019	Boof Barn	\$ 1,183.73	52450
5/15/2019	Broullim's	\$ 14.12	52451
5/15/2019	Burns Concrete	\$ 50.00	52452
5/15/2019	Carman's MVP	\$ 200.00	52453
5/15/2019	Carlson Custom Concrete	\$ 1,400.00	52454
5/15/2019	Corin Wilde	\$ 22.55	52455
5/15/2019	Eastern Idaho Reg. Wastewater	\$ 22,218.03	52456
5/15/2019	Falls Plumbing	\$ 99.00	52457
5/15/2019	Forsgren Asso.	\$ 6,062.50	52458
5/15/2019	H-K Contractors	\$ 28,527.54	52459
5/15/2019	Hardtimes	\$ 4,505.35	52460
5/15/2019	Holst Truck	\$ 1,815.00	52461
5/15/2019	Honnen Equipmentco	\$ 832.84	52462
5/15/2019	IAS-Envirochem	\$ 100.00	52463
5/15/2019	IDEACOM ESCI	\$ 189.54	52464
5/15/2019	Industrial Hose & Fittings	\$ 309.81	52465
5/15/2019	Intermountain Gas	\$ 413.80	52466
5/15/2019	Les Schwab Tire	\$ 157.99	52467
5/15/2019	Mathews Plumbing	\$ 256.50	52468
5/15/2019	O'Reilly	\$ 193.45	52469
5/15/2019	Petty Cash "Pool"	\$ 170.00	52470
5/15/2019	Positive Promotions	\$ 521.73	52471
5/15/2019	Protech Fence	\$ 1,115.00	52472
5/15/2019	PSI Environmental	\$ 10,375.30	52473
5/15/2019	Riverside Sale	\$ 4,500.00	52474
5/15/2019	Rocky Mountain Power	\$ 5,801.01	52475
5/15/2019	Sams Club	\$ 178.34	52476
5/15/2019	Schows Truck Center	\$ 60.06	52477
5/15/2019	Shelley Ace Hardware	\$ 533.59	52478
5/15/2019	Shelley Auto Care	\$ 20.90	52479
5/15/2019	Smith Sriscoil & Asso.	\$ 2,640.00	52480
5/15/2019	Stolz Equipment	\$ 98.86	52481
5/15/2019	Tacoma Screw Products	\$ 80.89	52482
5/15/2019	Txtwire Technologies	\$ 350.00	52483
5/15/2019	Uniforms 2 Gear	\$ 171.00	52484
5/15/2019	Valley Office System	\$ 395.72	52485
5/15/2019	Verizon Wireless	\$ 49.99	52486
5/15/2019	Wilbur-Ellis	\$ 3,188.04	52487
5/15/2019	2m Company	\$ 403.20	52488
5/17/2019	State of Idaho Bureau of Occup	\$ 62.00	52489
5/21/2019	Blue Cross of Idaho	\$ 60.60	52490
5/21/2019	Earl Beattie	\$ 393.80	52491
5/21/2019	Adam French	\$ 367.80	52492
5/21/2019	Sandra Gaydusek	\$ 367.80	52493
5/21/2019	Weston Hayman	\$ 152.00	52494
5/21/2019	Justin Johnson	\$ 77.00	52495
5/21/2019	Jeff Kelley	\$ 367.80	52496
5/21/2019	Kim Westergard	\$ 367.80	52497
5/21/2019	Austin Mohler	\$ 1,200.00	52498
5/21/2019	Rod Muhler	\$ 77.00	52499
5/21/2019	Stacy Pascoe	\$ 367.80	52500
5/21/2019	Rodney Mohler	\$ 204.00	52501
5/30/2019	A & B Trans	\$ 144.67	52502
5/30/2019	Adams Manufacturing	\$ 1,055.00	52503
5/30/2019	Allied Business Solutions	\$ 96.36	52504
5/30/2019	Blackfoot Morning News	\$ 138.86	52505
5/30/2019	Cable One	\$ 219.51	52506
5/30/2019	Carman's MVP	\$ 250.00	52507
5/30/2019	Century Link	\$ 3.12	52508
5/30/2019	City of Shelley	\$ 67.79	52509
5/30/2019	Diamond B Specialties	\$ 3,466.00	52510
5/30/2019	Eagle Rock hyd.	\$ 748.59	52511
5/30/2019	H-K Con.	\$ 238,064.60	52512
5/30/2019	Hammon Teton Delivery	\$ 16.00	52513
5/30/2019	Home Depot	\$ 33.44	52514
5/30/2019	IAS-Envirochem	\$ 20.00	52515
5/30/2019	Lisa Hurt	\$ 746.75	52516
5/30/2019	Pacific Steel	\$ 217.85	52517
5/30/2019	Petal and Bloom Floral Design	\$ 40.00	52518
5/30/2019	R & S Distributing	\$ 123.82	52519
5/30/2019	Repro Marketing Inc.	\$ 110.40	52520
5/30/2019	Shelley Auto Care	\$ 108.49	25521
5/30/2019	Solid Waste Systems	\$ 3,733.00	52522
5/30/2019	State Ins. Fund	\$ 3,906.00	52523
5/30/2019	Tate's Excavation	\$ 500.00	52524
5/30/2019	U.s. Post Office	\$ 507.15	52525
5/30/2019	United Service & Sales	\$ 289.11	52526
5/30/2019	Valley Office System	\$ 229.30	52527
5/30/2019	2m Company	\$ 144.00	52528
5/31/2019	Carlsons Custom Concrete	\$ 1,100.00	52529
5/31/2019	Doug Keele	\$ 356.75	52530
5/3/2019	Payroll	\$ 54,146.08	
5/15/2019	Payroll	\$ 51,716.05	
5/31/2019	Payroll	\$ 49,104.90	
	Total	\$ 519,773.97	

Date	June	Amount	Check #
6/15/2019	Comdata	\$ 2,231.16	52531
6/15/2019	AAA Giles	\$ 675.00	52532
6/15/2019	Allied Business	\$ 51.65	52533
6/15/2019	American Linen	\$ 179.87	52534
6/15/2019	Blackfoot Morning News	\$ 259.32	52535
6/15/2019	Brannon & Brannon Psychological	\$ 400.00	52536
6/15/2019	Centurylink	\$ 323.33	52537
6/15/2019	Chief Supply	\$ 165.24	52538
6/15/2019	Core & Main	\$ 503.31	52539
6/15/2019	David McMurrey	\$ 500.00	52540
6/15/2019	Diamond B Specialties	\$ 339.00	52541
6/15/2019	Doug Keele	\$ 221.65	52542
6/15/2019	Eastern Idaho Regional Wastewater Aut	\$ 22,218.03	52543
6/15/2019	Ferguson Waterworks	\$ 968.83	52544
6/15/2019	Garrett H Sandow	\$ 1,650.00	52545
6/15/2019	H-K Contractors	\$ 346.90	52546
6/15/2019	Hammon Teton Delivery	\$ 16.00	52547
6/15/2019	Hard Times	\$ 6,419.65	52548
6/15/2019	HD Fowler	\$ 175.09	52549
6/15/2019	IAS-Envirochem	\$ 100.00	52550
6/15/2019	IBM Corporation	\$ 578.08	52551
6/15/2019	ICOPA	\$ 225.00	52552
6/15/2019	Idaho Traffic Safety	\$ 5,095.00	52553
6/15/2019	IDEACOMESCI	\$ 189.54	52554
6/15/2019	Intermountain Gas	\$ 1,292.23	52555
6/15/2019	Justin Johnson	\$ 45.00	52556
6/15/2019	Kaminsky Sullenberger	\$ 375.00	52557
6/15/2019	Mastercraft Pool	\$ 2,516.98	52558
6/15/2019	Metroquip 2388.67	Void	52559
6/15/2019	O'Reilly Auto Parts	\$ 453.18	52560
6/15/2019	Pacific Steel	\$ 200.00	52561
6/15/2019	Partsmaster	\$ 187.12	52562
6/15/2019	PSI Environmental	\$ 13,768.20	52563
6/15/2019	Ricks Electric Motor	\$ 78.53	52564
6/15/2019	Rocky Mountain Boiler	\$ 247.50	52565
6/15/2019	Rocky Mountain Power	\$ 8,311.22	52566
6/15/2019	Sams Club	\$ 2,041.85	52567
6/15/2019	Shelley Ace Hardware	\$ 767.59	52568
6/15/2019	Sirchie Fingerprints lab	\$ 469.60	52569
6/15/2019	Smith Driscoll & Assoc.	\$ 2,618.00	52570
6/15/2019	Solid Waste Systems Equipment	\$ 203.90	52571
6/15/2019	Stephenson Computer Cons.	\$ 80.00	52572
6/15/2019	Tadd Jenkins Auto	\$ 176.99	52573
6/15/2019	Tyson Fackrell	\$ 80.35	52574
6/15/2019	Uniforms 2 Gear	\$ 1,516.38	52575
6/15/2019	Verizon	\$ 428.95	52576
6/15/2019	Wilbur-Ellis Company	\$ 1,687.76	52577
6/15/2019	2M Company	\$ 53.28	52578
6/30/2019	A & B Trans.	\$ 140.54	52579
6/30/2019	Airgas	\$ 158.16	52580
6/30/2019	All American Sports	\$ 224.00	52581
6/30/2019	Allied Business	\$ 20.90	52582
6/30/2019	Cable One	\$ 219.51	52583
6/30/2019	Century Link	\$ 2.73	52584
6/30/2019	Centurylink	\$ 276.41	52585
6/30/2019	Core & Main	\$ 186.00	52586
6/30/2019	Doug Keele	\$ 226.09	52587
6/30/2019	Electrical Equipment	\$ 381.43	52588
6/30/2019	Garrett H Sandow	\$ 1,650.00	52589
6/30/2019	H-K Contractors	\$ 496.79	52590
6/30/2019	Home Depot	\$ 112.63	52591
6/30/2019	IBM Corporation	\$ 578.08	52592
6/30/2019	Idaho Peace Officers Asso.	\$ 155.00	52593
6/30/2019	Industrial Hose	\$ 583.16	52594
6/30/2019	Life Assist Inc.	\$ 102.00	52595
6/30/2019	Mastercraft Pool	\$ 1,503.96	52596
6/30/2019	Metroquip	\$ 1,190.17	52597
6/30/2019	Petty Cash	\$ 60.61	52598
6/30/2019	Salt Lake Wholesale Sports	\$ 4,258.35	52599
6/30/2019	Shelley Auto Care	\$ 48.00	52600
6/30/2019	Sherwin Williams	\$ 1,053.50	52601
6/30/2019	State Insurance Fund	\$ 3,906.00	52602
6/30/2019	U.S Post Office	\$ 542.85	52603
6/30/2019	Uniforms 2 Gear	\$ 194.00	52604
6/30/2019	Valley Office System	\$ 64.30	52605
6/30/2019	Victor Sutherland	\$ 306.12	52606
6/30/2019	2M Company	\$ 57.94	52607
6/17/2019	Payroll	\$ 58,808.50	
6/28/2019	Payroll	\$ 67,961.82	
	Total	\$ 226,900.81	