

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

APRIL 11, 2023

PRESENT: Mayor Stacy Pascoe

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: Mikel Anderson

PRAYER: Leif Watson

The meeting was opened at 7:30 p.m.

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

Approval of the Minutes of Council Meeting on March 28, 2023

Building Permits:

Dee Armstrong	- Re-roof
Bryan Lawless	- Accessory Building

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

Approved unanimously.

**Vacation of Alley/446 and 448 W. Pine St.**

Jose Gonzalez who resides at 446 W. Pine Street said an alley has been between his home and 448 W. Pine Street for a very long time. He said this has never been used as an alleyway and he would like the nine feet that was given to the city for an alley back. Sandy said on the city map it doesn't show an alley, but on the county plat it shows a nine-foot strip of property along lot 17 that was given to the city. She said it appears to have been done in 1987. Sandy said she talked to a person by the name of Carlos about this and said according to Idaho Code if the city vacates an alley, half goes to the property owner on each side. He indicated to her that the city asked for the property and was given the entire nine feet by the property owner. He said he has documentation. Carlos was not in attendance. Mr. Gonzalez said he will get the paperwork and Sandy said she will get a copy of the Quit Claim Deed from the County.

**Basic American Foods/Water Access**

John Kirkpatrick, BAF said they are currently in negotiations to sell their associated farm acreage. He said they have shut down some of the production at the plant and no longer need the farm. Mr. Kirkpatrick said BAF is submitting a closure plan for the site to DEQ. He said there is a groundwater monitoring well #6 that has historically high nitrate levels on the property they are proposing to sell. He said BAF contends that the impacts to this well are from offsite operations and is proposing to complete an additional year of sampling to verify this claim. However, the process is slow and the buyer would like to be assured of the water quality. There fore BAF would like to request two future drinking water

connections from the city to serve two homes on two five acre lots to be used sometime in the future. He said this is not intended to be used in developing the farm. He said there is about four hundred acres and all of it lies outside of the city limits. Kim said the city has denied others water access in that are on this same road. She feels the city has set a precedence. Adam agreed. Leif said this is a request of something someone may need in the future to be able to sell the property and feels the city should not set a precedence with that. He felt this could be the purchaser's burden to ask for access when they may need it. The request for two water connections was denied.

### **Concessionaire License**

Kim Davidson/208 Eggs was not in attendance

### **Tammy Rowbury – Cat Control**

Tammy Rowbury said she knows the council has a lot on their plates, but something needs to be done about the cats in the city. She discussed the dog ordinance and what is expected of the owners. She said we need the same regulations for cats. She said they leave a stench, even more so than dogs. Ms. Rowbury said she understands there could be civil suits, however she would like the pet owners to be responsible for their pets and the damage that their pets cause as listed in the ordinance for dogs. She said this has become a mental issue with her. She said mental stability goes out the window when you're not at peace in your own home. Ms. Rowbury said in regard to feral cats the TNR program is the humane thing to do, however who shelters the cats when they're released. She said people just need to be responsible for their animals. Ms. Rowbury said there is a Humane Rights Act that protects life, liberty, and security. She said she has been attacked by a cat on her own property as well as her dogs being attacked. She said cat feces are hazardous to people's ability to breathe. Mrs. Rowbury said animal cruelty is based on perception. She said she has had problems for two years. She said she tried talking to her neighbor and was told a cat can roam and she doesn't have to keep her cat home. Ms. Rowbury said the city should have a leash law and limit the number of cats and other animals that a person can own. Mayor Pascoe said he has been involved with the city for about ten years and we don't have a problem with animals, but we do have a problem with pet owners. He said there should be stiff fines for all animals that get out, and the owners need to clean up the poop at the park with they have their animals there. He said he would like to see the city's money spent on streets, etc. rather than people's pets. Ms. Rowbury said she feels cats should be licensed and have a leash law. She said if you love your pet then keep them. Home. Jeff said there are feral cats that people take care of and that is a problem. He said the city must also follow due process. Tina Butler said the cats' feces that are in the ground stay there forever. She said her mom is outside working on the flower beds a lot. She said a few years ago her memory started to fail. She said the Doctors don't know why. Ms. Butler said feces are linked to Alzheimer's. Mayor Pascoe said he knows there is a problem, and the city will continue to work on this matter.

### **Weston Hayman – School Lunch Program**

Officer Hayman asked if any of the council members and mayor would be able to serve lunch to the kids during the summer lunch program. He said it would be from 11:15 a.m. until 12:30 p.m. on June 20, 2023 at the Sunrise Elementary.

### **Public Comments**

Hailey Hill said she is a tennis instructor and has been researching if there is any interest in playing tennis in Shelley. She said she has found that there is a lot of interest, but she cannot find a suitable court to play on. She said she would like to advocate for proper tennis courts in the city. Mayor Pascoe said he talked to Josh Wells, the Sports Director for the School, and the Superintendent about how this could be done. Mayor Pascoe said the school seems to want a tennis program but possibly when the new school is built. He said we want to fix ours, but it would be with asphalt and not stress concrete. Ms. Hill said the problem with asphalt is that it breaks down in a few years. She said there is a grant for \$25,000 through the state but it would need to be built with concrete not with asphalt. Kim said it may help if the school and the city applied for a grant together. She said we have \$85,000 to put towards the project. Mayor Pascoe said to use stress concrete it will cost over \$200,000. Jeff said there may be foundations that will donate to the project. Ms. Hill offered to help in any way that she can. The Council feels we need to go forward with concrete. Mayor Pascoe said if we use concrete it will need to wait for five or six years. We can do asphalt right now. The Council will continue working on this project.

Lisa Marlow said a city water line runs down the Butte Road in front of her property and she is on city water. She said there is a hydrant right in front of her home and there are some trucks that use that hydrant to fill their tanks. Ms. Marlow said her front yard has become a water station and is always muddy. She asked if the truck drivers could use the hydrant that is further down the road. Justin said the county does use that hydrant sometimes. He said that the hydrant in front of her home probably gets used 90% of the time because the other hydrant is close to an intersection. The Council asked what trucks are using the water. Justin said Gray Tech is using the water and being charged for it, as well as the county using it too. Ms. Marlow said trucks come all day long and she'd like for it not to happen. She asked if a water station could be put somewhere else.

Cathy Coats, 343 W. Pine Street said there are feral cats, and she doesn't know what to do with them. She said she has a helper at the vet that helps trap and spay or neuter the cats, but they no longer will take the cats. She doesn't know what to do, she would rather see them trapped and euthanized than to suffer outside. Sandy said the Humane Society provides a low cost spay and neuter program, but you have to take the cats to a Blackfoot veterinarian.

### **Hiring for Public Works**

Justin said he would like to recommend that Dallan Penney be hired for the Public Works Department at entry level with a one-year probationary period. Leif moved, Adam seconded to hire Dallan Penney at entry level with a one-year probationary period. Approved unanimously.

### **Budget Hearing**

Adam moved, Kim seconded to hold the budget hearing for fiscal year 2022-2023 on September 5, 2023 at 6:00 p.m. Approved unanimously.

### **GIS Mapping**

Justin said he found a system that is very user friendly with good reviews. He said he is in the process of obtaining a cost.

### **Signs on Hanson Street/Soccer**

Mikel said there are a lot of cars that move fast along Hanson Street as well as along of cars parked and traffic during soccer season. He said there are kids running from cars across the road and he would like to place cones or caution signs on the road. Justin said he can have a caution sign made. Mayor Pascoe suggested that cones be placed on the street as well during the games. Mikel said he can put up and take down any cones or signage. It may be beneficial to put up a “kids at play” sign as well.

### **Itinerant License**

Leif moved, Adam seconded to approve an Itinerant License for Blue Iris Farms – 647 E. 800 N. Firth Approved unanimously.

### **Business License**

Leif moved, Adam seconded to approve business licenses for:  
Salon 812 – 812 W. Fir  
EE Beard & Co. – 181 W. Pine St  
Top Clips Salon – 118 S. Emerson Ave.  
Approved unanimously.

### **Fireworks Sales Permit**

Kim moved, Adam seconded to approve a Fireworks Sale Permit for Flowerworks to be located at 580 N. State Street. Approved unanimously.

### **Liquor by the Drink Ordinance**

BJ said he drafted the ordinance and included the language for catering and sampling along with sales. He asked the council to review the document and advise him of any changes.

### **Department Head Reports**

Sandy said IIIA will be at City Hall to meet with the employees and get applications to quote us for insurance at 2:00 p.m. on April 18, 2023. Everyone will need to meet with their representative for about ten minutes.

Sandy said Lisa and her attended the Spring District AIC workshop. She said it was very informative and gave us some good information regarding the budget.

Mikel said the soccer games will start in May. He said thanks for allowing him to attend the Jazz banquet in Salt Lake City. He said our city received an award for the largest group of participants based on population. He said this year there were 420 children that played.

Jordon said everything is good in the building department.

Justin said the crew has been busy sweeping streets. He said the Spring Clean Up will be April 24<sup>th</sup> through the 28<sup>th</sup>.

Justin said he will continue to work on the water mandate regarding lead lines which needs to be completed by October 2024.

Justin said he is looking for ideas for movies to play at “Movies in the Park” this year. The event will be held on Thursday evening.

Officer Hayman said there was recertification training for Officers for DUI's. He said they will be doing the training again in September.

Officer Hayman said the Dare graduation will be April 19<sup>th</sup> at 7:00 p.m. at Shelley High School. He said there will be a DEA RX takeback on April 22<sup>nd</sup> from 10:00 a.m. until 2:00 p.m. Prescriptions can be dropped off during that time at the back of City Hall.

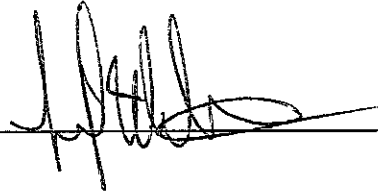
**Council Reports**

Kim thanked Coxs Honey for their donation towards the Mayoral Scholarship program. She said there were eight out of eleven Shelley students awarded scholarships.  
this year.

Kim said in regard to watering the flower pots this year, the groundskeepers will water on Mondays, but the rest of the days will be done by volunteers.

Mayor Pascoe said he appreciates all of the department heads and their staff, and he thanked all of the young people for attending tonight.

Adjourned: 9:17 p.m.

APPROVE:  ATTEST: \_\_\_\_\_

DATE	March	AMOUNT	CHECK #
3/7/2023	Blue Cross of Idaho	\$ 1,206.35	549324
3/7/2023	Comdata	\$ 66.00	549325
3/7/2023	L-Tron	\$ 10,096.68	549326
3/7/2023	Laser Technology	\$ 14,926.50	549327
3/7/2023	Lifeloc Technologies	\$ 4,355.48	549328
3/7/2023	Matthew Bender & Co.	\$ 72.08	549329
3/7/2023	Verizon Wireless	\$ 257.76	549330
3/14/2023	Idaho Central Credit Union	\$ 3,158.39	549331
3/15/2023	A&B Trans	\$ 317.67	549332
3/15/2023	AAA Giles	\$ 675.00	549333
3/15/2023	Allied Business	\$ 31.80	549334
3/15/2023	American Linen	\$ 343.72	549335
3/15/2023	Mikel Anderson	\$ 117.00	549336
3/15/2023	Association of Idaho Cities	\$ 100.00	549337
3/15/2023	Centurylink	\$ 258.93	549338
3/15/2023	Clean Cut Lawn Care	\$ 436.00	549339
3/15/2023	Commercial Tire	\$ 1,072.40	549340
3/15/2023	Crown Trophy	\$ 22.95	549341
3/15/2023	Equipment Blades	\$ 2,206.73	549342
3/15/2023	Ferguson	\$ 235.32	549343
3/15/2023	Freedon Mailing Services	\$ 779.88	549344
3/15/2023	Garrett H Sandow	\$ 1,650.00	549345
3/15/2023	Hard Times	\$ 9,614.56	549346
3/15/2023	Honnen Equipmentoco	\$ 130.90	549347
3/15/2023	ICRMP	\$ 23,200.00	549348
3/15/2023	IDEACOM ESCI	\$ 55.00	549349
3/15/2023	Industrial Hose & Fittngs	\$ 134.96	549350
3/15/2023	Intermountain Bobcat	\$ 1,213.42	549351
3/15/2023	Intermountain Gas	\$ 1,600.84	549352
3/15/2023	Inerstate Billing	\$ 637.09	549353
3/15/2023	O'reilly	\$ 1,817.16	549354
3/15/2023	Pacific Steel	\$ 735.22	549355
3/15/2023	PSI Environmental	\$ 12,803.48	549356
3/15/2023	Rachel Michaels	\$ 50.00	549357
3/15/2023	Sams Club	\$ 89.36	549358
3/15/2023	Shelley Ace	\$ 617.11	549359
3/15/2023	Smith Driscoll	\$ 927.50	549360
3/15/2023	Sparklight	\$ 268.19	549361
3/15/2023	Tacoma Screw	\$ 260.23	549362
3/15/2023	Tanys Searle	\$ 60.00	549363
3/15/2023	Valley Office Sysem	\$ 11.00	549364
3/15/2023	Woodland Enterprise	\$ 79.53	549365
3/16/2023	Bingham Arts Council	\$ 100.00	549366
3/23/2023	Cody James Equipment	\$ 42,000.00	549367
3/30/2023	Blue Cross of Idaho	\$ 369.04	549368
3/30/2023	Forsgren Associates	\$ 14,925.64	549369
3/30/2023	Jeff Hintze	\$ 1,916.22	549370
3/30/2023	Maureen Strausbaugh	\$ 58.95	549371
3/30/2023	Searle Hart & Associates	\$ 17,000.00	549372
3/30/2023	A&B Trans	\$ 272.35	549373
3/30/2023	AAA Giles	\$ 675.00	549374
3/30/2023	Airgas	\$ 963.08	549375
3/30/2023	Allied Business	\$ 36.57	549376
3/30/2023	Angle Armor	\$ 5,642.49	549377
3/30/2023	Bingham News Chronicle	\$ 13.64	549378
3/30/2023	Bisco	\$ 2.50	549379
3/30/2023	Broulim's	\$ 232.84	549380
3/30/2023	Centurlink	\$ 258.93	549381
3/30/2023	Chad Purser	\$ 420.00	549382
3/30/2023	Clean Cut Lawn Care	\$ 382.00	549383
3/30/2023	Domino's Pizza	\$ 58.49	549384
3/30/2023	Eastern Idaho Reg. Sewer District	\$ 30,871.19	549385
3/30/2023	Garrett H Sandow	\$ 1,650.00	549386
3/30/2023	Golden West Irrigation	\$ 48,010.00	549387
3/30/2023	H-K Contractors	\$ 75.11	549388
3/30/2023	Hammon Teton	\$ 16.00	549389
3/30/2023	Honnen Equipmentoco	\$ 92.80	549390
3/30/2023	IAS-ENVIROCHEM	\$ 125.00	549391
3/30/2023	IBM	\$ 578.08	549392
3/30/2023	Idaho Police Canine	\$ 250.00	549393
3/30/2023	IDEACOM ESCI	\$ 2,645.14	549394
3/30/2023	Industrial Hose & Fittngs	\$ 37.02	549395
3/30/2023	Intermountain Bobcat	\$ 268.88	549396
3/30/2023	Ipoa magazine	\$ 155.00	549397
3/30/2023	L-Tron	\$ 2,820.00	549398
3/30/2023	Lifelock Technologies	\$ 141.00	549399
3/30/2023	Lumen Century link	\$ 2.90	549400
3/30/2023	Metroquip	\$ 1,113.46	549401
3/30/2023	Modern Printing	\$ 155.00	549402
3/30/2023	MpH Industries	\$ 8,516.00	549403
3/30/2023	Peachkeeper	\$ 275.85	549404
3/30/2023	Proforce Law Enforcement	\$ 3,136.24	549405
3/30/2023	R&S Distributing	\$ 594.94	549406
3/30/2023	Rocky Mountain Power	\$ 7,764.77	549407
3/30/2023	Safariland	\$ 330.44	549408
3/30/2023	Schaeffers	\$ 3,389.65	549409
3/30/2023	Snake river	\$ 199.32	549410
3/30/2023	Sparklight	\$ 268.19	549411
3/30/2023	State Insurance Fund	\$ 7,216.00	549412
3/30/2023	Tri-State Hydraulics	\$ 345.10	549413
3/30/2023	Utility Trailer	\$ 19.24	549414
3/30/2023	Valley Office Sysem	\$ 118.49	549415
3/30/2023	Verizon Wireless	\$ 257.76	549416
3/30/2023	Western States Equipment	\$ 3,228.30	549417
3/3/2023	Payroll	\$ 81,673.82	
3/17/2023	Payroll	\$ 75,120.09	
3/31/2023	Payroll	\$ 70,430.52	
	<b>Total</b>	<b>\$ 533,911.23</b>	