

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

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FEBRUARY 28, 2017

PRESENT: Mayor Stacy Pascoe

Council Members: Earl Beattie, 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: Justin Johnson

PRAYER: BJ Driscoll

Mayor Pascoe opened the meeting at 7:33 p.m.

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

Minutes of January 24, 2017

Approval of January Expenditures

Approval of January Overall Budget & Treasurer's Rpt.

Building Permits:

Jed Young – two signs

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

Representatives from the Idaho Transportation Department were in attendance to discuss the Highway 91 Project. They intend on doing an inlay and re-striping the highway, and thought about going from a five lane road to a three lane road. The three lane road would start just south of Fir Street. This project will replace the upper level of pavement, and there is an opportunity to change the configuration of the road. The three lanes would go from Fir Street to just north of the City Park. ITD said this is known to help the traffic flow smoother. The traffic volume right now is 2000 to 3000 vehicles per day. It is projected to be 7000 to 8000 per day in 2040. The advantage to having three lanes would be to eliminate the safety concern of the cross walk at Locust and State Street. There would be a turn lane added so oncoming traffic could see pedestrians better. Another advantage would be having a wider area for on street parking. Kim said there will still be right turns that would slow traffic down. Dave mentioned during farming season, the trucks may impede one lane traffic also. Mayor Pascoe said he feels that traffic would be slowed down with one lane, and it doesn't make much sense to go from five lanes to three lanes. Earl asked if there is any difference in the cost to the city. The ITD representative said no, the only portion the city will pay will be a portion of the ADA ramps which will remain the same. After further discussion, the Mayor and Council thought it would be best to leave the striping with five lanes as it is. Kim moved, Earl seconded to leave the striping

as it is on Highway 91 with five lanes when the improvements are done by the State. Approved unanimously. Jeff and Kim agreed that there are a lot of potholes causing damage to vehicles. If possible they would like the top milled off to help this problem until the construction is done.

Mayor Pascoe said there will be a Public Hearing regarding an increase to the city water rates. He said the newspaper said the city was considering raising the rates just because they have not been raised for a long time. He said that is not true; the operating expenses such as electricity have gone up since 2009 when the rates were last raised. Mayor Pascoe turned the time over to BJ to conduct the Public Hearing. BJ explained the procedure for the hearing. He asked if there was any testimony in favor on the increase. Sandy said there was one written comment from Bruce Crockett, 449 Edwards Avenue. Mr. Crockett stated he was in favor of the increase to fund capital outlay improvements. There was no other public testimony in favor of the increase. BJ asked if there was any testimony in opposition of the increase. Sandy said she received one comment by telephone. Jay Morgan, 376 E. Locust stated he was against the increase. He stated he has read the newspaper and thought increasing the rates to get grants, and because we were lower than surrounding cities, and because they had not been raised for a long time were flimsy excuses. There was no other public testimony. There were no neutral comments. BJ closed the public testimony portion of the hearing, and asked the Mayor and Council to deliberate. Earl said he does not necessarily want to increase the rates, but feels we need to have contingency built up for future improvements and emergencies. Kim said she has not received any comments regarding the matter from the public. Jeff explained how the city needs reserves to have the ability to fund improvements and for emergencies. Jeff explained about the water tank project, and that the city has access to one million dollars to help fund the project. However, he said there will still be a portion of the city reserves needed for the project, which need to be built back up. Jeff said we have also bought additional water rights. He said we do not have meters; we have flat rates for residents inside of city limits. Kim moved, Adam seconded to increase the water rates by \$3.00 per residential flat rate and the other rates by the same percentage which is 17.15%. Approved unanimously.

Bryce Jolley from Harper Leavitt Engineering said he received some comments from Forsgren dated February 28, 2017 regarding the final plat for the Sunset Vista Subdivision. He said comment #6 stated there should be a buffer zone along the north end of the development next to the Basic American property. He said the Developer would like a variance to place a six foot high fence in, in lieu of a buffer zone. He said the Developer would also be willing to place a fence around the lift station. Mr. Jolley said #7 is regarding the storm drainage storage location. That item was discussed also. He discussed the other corrections that needed to be done as per Forsgren. He said all items will be corrected and the plat resubmitted again.

Brent Christensen said he does not want to bond on this project. He said he wants to build all of the improvements, have it accepted by the city, and then record the plat as per the city ordinance. This would all be done prior to selling any lots and having construction on the lots. Dave discussed this matter and said as long as the city does not accept the improvements, and it is not recorded, it

remains the Developers property. He said it will be similar to the issuance of a building permit. Jeff said he has a problem approving this final plan when all of the items have not been addressed and corrected. Earl felt until the corrections are on paper we should not approve anything. Mayor Pascoe said the administrative items should be able to be fixed. Dave said it would be beneficial if a list of variances the Developer is asking for be given to the Mayor and Council to address, and consider for approval. Jeff said the work on a subdivision plat should be done by the engineer and department heads before it ever goes before the Council. Justin said he has some concerns regarding the sewer and water lines going between lots 3 and 4. He also is concerned because the sewer line does not go near the homes that currently have septic systems. Justin said it is also unknown how the sidewalk will be placed next to the power poles and guy wires on the north side of the subdivision. Jeff said it is impractical to build the sidewalks on the north end since it would be too costly to move the power poles. Dave said the ordinance requires two public accesses, and both should be usable accesses. He said the accesses will probably see about two hundred vehicles per day. BJ explained the criteria for granting a variance. Dave recommended that a six foot high sight obscuring fence runs along Ash Street, however a buffer zone should be established across the back of the lift station that could be extended during future phases in accordance with the ordinance. Brent Christensen said in 2006 Basic American was all for a privacy fence instead of a buffer zone because they were concerned about people being on their property. BJ suggested directions on variances be given, and then they can submit a list of variances they are requesting and the Council can address each item one by one. Mayor Pascoe said this should be tabled until the next meeting. He recommended Bryce, Dave, and Justin meet together and take care of this matter. The Council felt they would be willing to approve a six foot privacy fence. Jeff move, Earl seconded to approve a variance on Phase one of the Sunset Vista Subdivision regarding the required buffer zone between the subdivision and the commercial property owned by Basic American Foods on the north end of the subdivision. A six foot sight obscuring feet will be allowed in lieu of the buffer zone which will run the entire length of Ash Street during Phase One. Approved unanimously. In regards to the asphalt on the temporary access, this was approved in a prior meeting that the access will be gravel, but it must be at least thirty feet wide. The temporary access will be 50 feet wide until it reaches the property lots, then it narrows to 30 feet wide.

Levis Jarvis addressed the Council to request permission to access the city water system outside the city limits in the Willow Estates Subdivision for Lot 7 Block 2; he will get the physical address and submit it to City Hall. Jeff moved, Kim seconded to approve access to the city water system conditional upon a tap fee being paid, a water meter installed, and a user agreement with an annex agreement signed. Approved unanimously.

Tim Soloman introduced himself as the new Regional Business manager for Rocky Mountain Power. Jeff asked about changing the existing street light to LEDs. Mr. Soloman said if the city owns the lights, they can replace it, however if Rocky Mountain Power owns the lights, they do not change the lighting to LED. He said for now, it is the policy to not change the lighting to LED due to the cost, however if they city wants to purchase the LED's, they can be changed out.

Ted Hendricks, ECIPDA requests approval for the addendum to the grant application with the State of Idaho. He said the addendum has addressed water conservation, and added a water meter study to the project. Jeff moved, Earl seconded to accept the narrative/addendum and move forward with the grant to fund the water tank project. Approved three in favor, Adam was opposed. Motion passed.

Dave presented the engineering contract for the Water Tank Project. The contract listed the scope of work for the design process of the water tank. Dave explained the scope of work that he will provide. Jeff moved, Kim seconded to approve the design contract for the new water tank and modifications to Well #4. This means the only component being approved is the design and any other component will need to be approved separately. Approved unanimously.

Adam moved, Jeff seconded to approve the list of business licenses for 2017 as attached. Approved unanimously.

Sandy said Nanette Duncan, the owner of Hot Stuff Transportation has requested a waiver for the penalty added to her renewal fee for her 2017 business license. She said she did not get the renewal paper in the mail. Sandy said this is a renewal, and she has had to renew her license in the past years and should have been aware the license expired December 31<sup>st</sup>. She said most of the other licenses approved tonight also paid the penalty fee. Adam moved, Jeff seconded to approve a waiver for Hot Stuff Transportation. Kim and Earl opposed. Mayor Pascoe broke the tie with an opposing vote. Motion failed.

Mikel said he has ordered the Aqua Zip for the pool, and it is on its way. The total cost is \$8825, and \$16600 was budgeted for a climbing wall. He said there is \$7500 approximately left in the budget. He said Pam would really like a new slide and a few extra toys. Mikel presented some ideas for slides and toys. Justin said the slide currently at the pool is worn out. Mikel said he is looking for donations for a larger slide. Mayor Pascoe said he would donate \$4000 towards a new large slide if other donations were obtained. The Council agreed that the city should pursue getting a new slide.

Mikel discussed a having a program this summer to have adults and children compete, such as a Cross Fit program. He said Shawn at Anytime Fitness said he would be willing to help out. Mikel said he will schedule a day in June and see what type of participation there is, and if the turn out is good he could have more in July and August. He said maybe after the first few times the city could request a small donation to participate. Mikel said there is some equipment that he needed that can be re-used during each event, and possibly used by the Police Department to work out, or the school could use it. He presented a list of equipment and costs to the Mayor and Council that would be beneficial to this program. There are some general activity reserve funds that could be utilized. Kim said \$2000 is a large expense when there is a possibility that this program will not work out. She suggested that he may possibly approach a local gym or school to see if we could use some of their equipment. Earl said he thought this is a

great idea, but he felt we should see what equipment could be borrowed, and then possibly fund some of the equipment ourselves.

Mikel said he would like to allow an incentive for those parents who coach to allow their child to play in the program for free. He said this would be limited to one child per household. The Council directed him to place this on the agenda for the next meeting to be discussed.

BJ presented the amendment to the Title Ten Ordinance regarding the addition of R1A and R2A and allowed uses. These items have been added into the table of District Regulations. This amendment also changes the consideration of a Special Use Permit for storage units in Residential Zones. Jeff moved, Kim seconded to suspend the reading of Ordinance #588 on three different days, and read the title of Ordinance #588 in full once. A roll call vote was taken: Adam – aye, Jeff – aye, Earl – aye, and Kim – aye. Approved unanimously.

Jeff read the title of Ordinance #588 in full. Jeff moved, Kim seconded to adopt Ordinance #588 amending the table in the District Regulations added R1A and R2A and amending the Storage Unit regulations in Residential Zones. A roll call vote was taken: Jeff – aye, Adam – aye, Kim – aye, and Earl – aye. Approved unanimously.

Justin said there is a citizen on South Holmes that is concerned about the Yield signs at the intersection of Holmes and East Pine Street. She said people are not yielding, and she would like stop signs placed there instead of the Yield signs. Rod said he has also received complaints about the Yield signs. Earl moved, Jeff seconded to replace the Yield signs with Stop signs at the intersection of Holmes and East Pine Street. Approved unanimously.

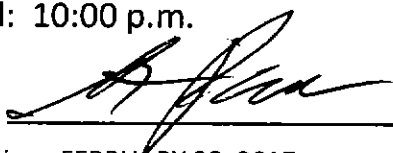
Sandy said she has received a written request from Seth Young regarding the easements to Blake Johnson's property since Mallard Avenue has been vacated. Mr. Young has requested that he be allowed to use the existing easements as a driveway into the property he is considering buying from Blake Johnson, and that he is not required to pave it. The request stated if he ever developed it further for more homes, then he would be willing to pave it. The Council agreed to uphold our existing ordinance and that the driveway to his home must be paved.

Justin said there is a new product called Micro Sealing that is a type of slurry mix that may replace the traditional chip sealing. Justin said he will work with Bingham County to obtain more information regarding this product. He said the life cycle is supposed to be a little longer than a chip seal. Dave gave some suggestions for Justin to review streets that have used micro sealing.

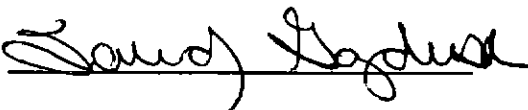
Rod gave an update on the computer issues that Bingham County has been having. He said they are up and running, but the city's connection with ARTs is still down. He said we cannot look up information or do reports.

Adjourned: 10:00 p.m.

APPROVE:



ATTEST:



Council Meeting – FEBRUARY 28, 2017