

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

DECEMBER 14, 2021

PRESENT: Mayor Stacy Pascoe

Council Members: Jeff Kelley, Kim Westergard, Adam French, and Leif Watson

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: Rod Mohler

PRAYER: Leif Watson

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

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

Approval of the Minutes of Council Meeting on November 23, 2021

Approval of Building Permits:

Kent Grange – re-roof

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

Approved unanimously.

A public hearing was held to discuss implementing an additional fee for subsequent meetings with our city engineer after the initial pre-application meeting. BJ opened the hearing which had been published and posted. No public testimony was given in opposition, in favor, or neutral comments. Jeff said we need to do this because we don't have an engineer on staff. Leif felt the same. Kim said the city really doesn't have the means to have an engineer on staff either. Adam moved, Leif seconded to establish a fee of actual costs for subsequent meetings with our city engineer requested by the developer after the pre-application meeting is held. Approved unanimously. Sandy will draft a resolution.

The Mayor and Council continued their deliberation regarding the Fox Crossing Subdivision. Anderson Hicks, the Developer brought some renderings of what the homes will look like as requested by a Council member at a staff meeting. However, BJ recommended to not viewing these renderings due to continued deliberations that is ongoing and the Council should only use what was presented at the public hearing to make their determination. Mayor Pascoe said he reviewed a lot of information and had residents call him and complain about this development. He said most of the complainants live on about the same size lot as the ones being proposed. Mayor Pascoe said he was concerned about the size of the streets, but the proposed streets are fairly wide. He said he is concerned about what the homes will become after the required ten year ownership. Also, there will be an impact with a lot more vehicles.

Adam thanked the Anderson Hicks Group for considering Shelley; he said a lot of thought has gone into the development. Adam asked about the Development

Agreement with the Parks for the sewer line; nothing has been signed yet. He said regarding the water line, our engineer said it needs improvements but the Developer has agreed to make those improvements. Adam said the sewer project on East Fir that would provide sewer service to the Parks and to this proposed development has no signed contract to have the work done yet. He said the Notice of Award was issued, but no contract has been executed yet. Adam said the Developer is willing to help Justin with providing all of the homes trash service however nothing is worked out for sure. He said he understands this will be gradual growth. Adam said his concerns are Center Street because there is a lot of traffic coming onto that street. Also, is there enough green space. If families are buying there is there enough space to play even with a little larger back yards.

Kim discussed the ordinance regarding green space; we already have concern about having enough area for soccer and other recreational programs. She said this is tough because in regards to the preliminary plat the minimum ordinances have been met. She said regarding the Comprehensive Plan we already have a lot of homes the size of the homes being proposed. Kim said she is also concerned about the impact this growth will have on the schools. She said there has been a lot of growth occur already which includes all of the county subdivisions being built. Kim's said this will increase the populations by about twenty percent. She said this has a lot of people concerned about growth, and what is best for the city. She said she can see both sides. Kim said she likes the idea of a third party HOA, but is not sure they have the teeth to stay consistent. She said she is also concerned about the Fire Chiefs concerns to provide fire assistance.

Leif said he has reviewed the ordinances and Title 10-16 talks about green spaces in neighborhoods. He said he lives in a small neighborhood and feels to keep up to date we need to look at this. He said the pros seem to be adequate with our ordinances; the cons are the citizen's views and comments about the development.

Jeff said green space more than proposed in this subdivision has not been required by other developers. He said they will have a seventy three foot long back yard to each proposed lot. Leif said he understands this however, there are 375 lots. Leif feels to have a park would be beneficial other than just looking at a bunch of fences. Kim said we've never had a subdivision like this one. Jeff said the majority of the constituents are against this but some do not have the correct information. Jeff said he doesn't want to tell people how to develop land as long as it meets our ordinances and standards. He said he thinks it's a fairly decent subdivision and meets the minimum standards. Jeff said he is concerned about the micro market; the value of the homes. Jeff said he has to think about the comments received and the comments from the school. He said the schools do not have enough bonding capacity until 2024. He said he is concerned about the sewer and we do not have an agreement in place with the Parks. Jeff said a majority of the developments is occurring outside of the city limits right now. He said he is concerned about how this financially affects the school, fire department and the city. He said the developers presented a good plan and he is pro-growth, however not this rapid of growth.

Adam said in five or ten years down the road, what does the city want. He said we have alot of smaller homes already; is this what we want more of in the city.

He said regarding the police, it's not that easy to go out and find new officers, it's rather difficult.

Mayor Pascoe said the developments that are outside of the city do not have fire hydrants; at least in the city we have that requirement. He said also the schools are going to be overran one way or another due to all of the growth outside the city. Jeff asked if we can adequately provide these services. Adam said he is concerned about the safety aspects such as fire and police. He also discussed the traffic. Dave Noel said when there was discussion regarding the Parks Subdivision it was determined that a traffic study would be needed when development occurred on the north side of Center Street. He said a study right now will not show much if done by one person. He said a lot of growth needs to occur in the area first. Mayor Pascoe said he doesn't think the traffic will be an issue because a lot of traffic will be going to Idaho Falls, and will go easterly out into the county. He said he agrees with Kim; if this is denied we need a moratorium on building. Kim said Anderson Hicks has a reputation, and will be here a long time. Adam said he is still concerned and feels we aren't able to take on this growth right now. Kim said the city could ask for no more than a certain number of lots to be built upon each year via a Development Agreement. Adam said there is still a traffic concern. He asked if this Developer came to the city for a pre-application meeting. Sandy said she asked about the pre-application meeting and the Developers Engineer thought it would not be necessary. Jeff said he is frustrated about the sewer, not knowing, etc. and also about police protection. Kim moved, Leif seconded to approve the pre-liminary plat for Fox Crossing Subdivision as presented since it meets the minimum requirements of a preliminary plat and growth and some of the other concerns can be controlled by means of a Development Agreement. Kim and Leif voted in favor, Adam and Jeff voted opposed. Mayor Pascoe broke the tie in favor of approving the preliminary plat for Fox Crossing Subdivision. Approved.

John Rigoulti said he contacted the Cedar Apartments about using a portion of their land for access to his property that he purchased from the American Legion. He said the Cedars could not grant any access easement. Mr. Rigoulti said he would like to purchase a 20-foot section along the southern side of the James Bleak Park from the City. Sandy said if the city intends to sell the land, they must first deem it in the best interest of the city and then establish a fair market value that will be used. Then the city must hold an auction by sealed bid to be able to sell the property. Also, the new owner will be required to move a few trees along the driveway. Mr. Rigoulti said he thought maybe he could go next to his sister's property to access the property but discovered he could not. He said the property owner on the other side of the park said they would sell ten feet to them if the city sells the twenty feet to him. Adam moved, Kim seconded to deem it in the best interest of the city to move forward with the sale of a portion of the Pillsbury Park and obtain the fair market value of 20 feet of the southern side. Approved unanimously.

Leif moved, Kim seconded to approve a Beer and Wine License/Carry out only for Family Dollar at 560 S. State Street for 2021. Approved unanimously.

Leif moved, Kim seconded to approve the General Business licenses for 2021 as indicated on the attached list. Approved unanimously.

Adam said the contract for the K-9 unit should go to Golden Valley Natural tomorrow for review and signature. He said we were not able to list them as a seconded insured, but the dog will be covered by ICRMP.

At the last council meeting the Council approved a rezoning request for Rick Hihath at 498 E. Center to be rezoned to Multi-Family Residential. Sandy presented Ordinance 627 that BJ drafted for this rezone. Leif moved, Kim seconded to suspend the three readings of Ordinance 627 and read the title of Ordinance 627 once. A roll call vote was taken: Leif – aye, Kim – aye, Adam – aye, and Jeff aye. Approved unanimously. Leif read the title of Ordinance 627. Kim moved, Leif seconded to adopt Ordinance 627 rezoning a portion of property as Multi-Family Residential. A roll call vote was taken: Kim – aye, Adam – aye, Jeff – aye, and Leif – aye. Approved unanimously.

Sandy said the amendments to Title Ten were approved at the last council meeting to add the RE setbacks and lot sizes to section 10-8-2 of the city code. The amendments have already been approved some time ago, this would just add them to a multi-zone chart. Sandy presented Ordinance 628 that BJ drafted. Adam moved, Kim seconded to suspend three readings of Ordinance 628 on three separate days and read the title of Ordinance 628 once. A roll call vote was taken: Kim – aye, Jeff – aye, Leif – aye, and Adam – aye. Approved unanimously. Adam read the title of Ordinance 628. Adam moved, Leif seconded to adopt Ordinance 628 amending section 10-8-2 of the city code. A roll call vote was taken: Kim – aye, Leif – aye, Jeff – aye, and Adam – aye. Approved unanimously.

Justin said he talked to Rocky Mountain Power regarding the street light on North Park and they said we would need to purchase, place and install the pole and the light. They will connect the energy since we pay for the energy only on new lights. Justin said the cost will be between \$3000 and \$4000 for the installation of this light. Leif moved, Kim seconded to table this issue until we have more of a definite cost on this light. Approved unanimously.

Justin said the street light that was approved several months ago on S. Milton that was requested by Richard Fernandez is still on the list to be done. He said the electricians have not been able to get this installed yet but they will be working on it soon. The cost approved for this job is \$3000.

Rod said he would like to present the name of Eduardo Ballesteros to be hired as a new police officer. He said Eduardo is already a certified officer and will be able to start on December 27, 2021. Rod said he is previously from Bingham County. Adam moved, Kim seconded to hire Edwardo Ballesteros at level one and he will be eligible for a merit increase after one year. Approved unanimously.

Jeff said he would like to draft a letter to the County, some large land owners, farmers, etc. to discuss the urban sprawl in the area. Leif moved, Kim seconded to approve a letter to be drafted to set up a meeting with the above groups to discuss urban sprawl. Approved unanimously. Jeff will draft the letter.

Adam said he received the draft agreement between the City and Bingham County regarding the acquisition of a portion of the North Bingham County Park. He said he will send it on to BJ for review.

Sandy said she has sent the new email addresses to each of the council members. She said the new username and temporary password are included so they could set each of theirs up. Sandy said we now have our own domain name which is cityofshelley.org

Sandy reminded all of the Christmas luncheon on December 23<sup>rd</sup> at noon.

Mikell said the Jazz program is going great. He said the Mayor's Youth Committee will be visiting the Gables and handing out the snowmen they built. He said our Youth Committee may partner with the Iona Committee on a service project.

Justin said the trail was planted a few weeks ago, and all is going well.

Rod said Officer Pacheco will be leaving January 1, 2022 to go to the Post Academy. He said hopefully by the next meeting he will have another name to present as another new officer. Rod said he will begin contacting kennels tomorrow regarding the acquisition of a K9 unit.

Jeff thanked BJ and Dave for their help with the public hearing.

Leif said he has some concerns over some of our ordinances. He said he will get with Sandy to discuss them. Leif said he is looking for a new Planning and Zoning member. Leif said a hard decision was made tonight regarding Fox Crossing.

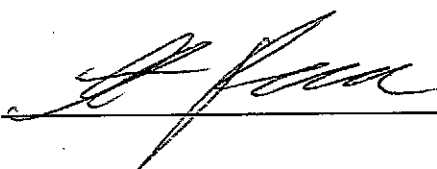

Kim thanked everyone for the opportunity to work with them and their friendship. She agreed the council faced a hard decision tonight.

Adam agreed it was a hard decision. Adam said he wanted to tell Justin and the crew that the lights in the city look great. He said the Police also have a good set of dedicated guys.

Jeff said the signatures were presented for the Sewer District formation. Now the District will need to attend court to be heard on the formation of it.

Mayor Pascoe said the lights in the city look great. He appreciates the Police Department and appreciates working with everyone. Mayor Pascoe said it was a hard decision tonight. He said he thought a lot about this issue and a city is either growing or dying.

Adjourned: 9:30 p.m.

APPROVE:  ATTEST: 

**CITY OF SHELLEY  
BUSINESS LICENSE  
APPLICATIONS  
SUBMITTED December 14, 2021  
FOR 2022**

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE OF BUSINESS</u>
<u>SPECIALIZED LICENSES</u>		
Family Dollar	560 S State St	Beer and Wine Sales Carryout only
<u>GENERAL LICENSES:</u>		
<u>NEW: \$25</u>		
<u>RENEW: \$5</u>		
T & R Freeze Dried Treats	145 Meadowlark Dr	Freeze Dried Candy
Lang Ventures	140 N Byron Ave	Log Furniture
Hair to Dye For	483 N Park Ave	Hair Salon
Bateman Bros Construction	907 S State St	Excavation
Basic American Foods	434 S Emerson Ave	Vegetable Processing
Gables Memory Care	530 River Point Ln	Assisted Living
The Paw Spa	104 S Emerson Ave	Pet Grooming
S & S Enterprise Storage Plus	401 Bluebird Ave	Storage Units & RV Storage
Christa Ball	386 Quigg Ave	Holistic Services
Treats	326 N State St	Candy Retail
Shelley Auto	580 S State St	Auto Care and Repair
Kasen's Cotton Candy	170 Meadowlark Dr	Cotton Candy Producer and Cottage Food
Eaton Towing and Recovery	335 S Emerson Ave	Vehicle Towing and Recovery
TOTAL LICENSES: 14		

DATE	November	AMOUNT	CHECK #
11/3/2021	Centrurylink	\$ 245.43	548069
11/3/2021	Clyde Jernberg	\$ 899.37	548070
<b>11/3/2021</b>	<b>Condata</b>	<b>\$ 2,029.79</b>	<b>548071</b>
11/3/2021	Verizon	\$ 347.30	548072
<b>11/15/2021</b>	<b>A &amp; B Trans</b>	<b>\$ 1,742.74</b>	<b>548073</b>
11/15/2021	AAA Giles	\$ 675.00	548074
11/15/2021	American Linen	\$ 278.62	548075
11/15/2021	Associatee Business Forms	\$ 264.98	548076
11/15/2021	Bingham News	\$ 206.95	548077
11/15/2021	Cintas	\$ 47.28	548078
11/15/2021	Commercial Tire	\$ 70.20	548079
11/15/2021	Creative Product Sourcing	\$ 251.60	548080
11/15/2021	Diamond B Specialties	\$ 483.00	548081
11/15/2021	Eastern Idhao Reg. Wastewater	\$ 743.98	548082
11/15/2021	Eriks	\$ 343.48	548083
11/15/2021	Ferguson Waterworks	\$ 784.99	548084
<b>11/15/2021</b>	<b>Forsgren Asst.</b>	<b>\$ 8,150.00</b>	<b>548085</b>
11/15/2021	Freedom Mailing	\$ 617.22	548086
11/15/2021	H-K Contractors	\$ 80.00	548087
11/15/2021	Hammon teton delivery	\$ 32.00	548088
<b>11/15/2021</b>	<b>Hard Times</b>	<b>\$ 5,828.62</b>	<b>548089</b>
<b>11/15/2021</b>	<b>HD Fowler</b>	<b>\$ 3,521.56</b>	<b>548090</b>
11/15/2021	Honnen Equipmentco	\$ 249.69	548091
11/15/2021	IAS-ENVIROCHEM	\$ 150.00	548092
<b>11/15/2021</b>	<b>Idaho Falls Peterbilt</b>	<b>\$ 3,127.06</b>	<b>548093</b>
11/15/2021	Idhao Rual Water Asso.	\$ 120.00	548094
<b>11/15/2021</b>	<b>Idhao Traffic Safety</b>	<b>\$ 1,379.50</b>	<b>548095</b>
11/15/2021	IDEACOM ESCI	\$ 189.54	548096
11/15/2021	Intermountain Gas	\$ 128.73	548097
11/15/2021	Jessie Ellsworth	\$ 110.00	548098
11/15/2021	Knife River	\$ 462.00	548099
11/15/2021	Lifelock Technologies	\$ 159.20	548100
11/15/2021	Maureen Strausbaugh	\$ 67.50	548101
11/15/2021	Rod Mohler	\$ 306.00	548102
11/15/2021	O'Reilly	\$ 992.45	548103
<b>11/15/2021</b>	<b>PSI</b>	<b>\$ 17,758.49</b>	<b>548104</b>
<b>11/15/2021</b>	<b>REDI for Eastern Idaho</b>	<b>\$ 4,000.00</b>	<b>548105</b>
11/15/2021	Sams Club	\$ 567.74	548106
11/15/2021	Shelley Ace	\$ 537.12	548107
11/15/2021	Shelley Auto Care	\$ 15.00	548108
<b>11/15/2021</b>	<b>Smith Discoll</b>	<b>\$ 2,096.00</b>	<b>548109</b>
11/15/2021	Uniforms 2 Gear	\$ 161.30	548110
11/15/2021	Valley Office System	\$ 49.00	548111
11/15/2021	Woodland Domino's	\$ 32.96	548112
11/24/2021	Petty Cash	\$ 200.00	548113
11/30/2021	Airgas USA	\$ 250.56	548114
<b>11/30/2021</b>	<b>Bingham Groundwater District</b>	<b>\$ 12,058.64</b>	<b>548115</b>
<b>11/30/2021</b>	<b>Blue Cross of Idaho</b>	<b>\$ 1,924.06</b>	<b>548116</b>
11/30/2021	Broulim's	\$ 910.00	548117
11/30/2021	Cedar hills Gun Club	\$ 450.00	548118
11/30/2021	Digline	\$ 38.22	548119
<b>11/30/2021</b>	<b>ECIPDA</b>	<b>\$ 2,500.00</b>	<b>548120</b>
11/30/2021	Edan Fousek	\$ 55.00	548121
11/30/2021	Footware Outfitters	\$ 226.72	548122
<b>11/30/2021</b>	<b>Garret H Sandow</b>	<b>\$ 1,650.00</b>	<b>548123</b>
11/30/2021	H-K Contractors	\$ 266.73	548124
11/30/2021	IBM Corp.	\$ 578.08	548125
11/30/2021	Industrial Hose and Fittings	\$ 26.95	548126
11/30/2021	Kim Hoskins	\$ 35.88	548127
11/30/2021	Lawson Products	\$ 396.24	548128
11/30/2021	Lumen Century link	\$ 3.59	548129
11/30/2021	Napa Auto Parts	\$ 7.94	548130
11/30/2021	Oldcastle Precast	\$ 684.00	548131
11/30/2021	Petty Cash	\$ 94.88	548132
11/30/2021	Rob Simpson	\$ 24.72	548133
<b>11/30/2021</b>	<b>Rocky Mountain Power</b>	<b>\$ 9,920.90</b>	<b>548134</b>
<b>11/30/2021</b>	<b>State Insurance Fund</b>	<b>\$ 10,660.00</b>	<b>548135</b>
11/30/2021	Uniforms 2 Gear	\$ 52.84	548136
11/30/2021	Valley Office System	\$ 77.80	548137
11/30/2021	Verizon Wireless	\$ 528.46	548138
11/9/2021	Payroll	\$ 62,056.98	
11/19/2021	Longevity	\$ 25,018.24	
11/23/2021	Payroll	\$ 60,099.32	
	<b>Total</b>	<b>\$ 251,100.14</b>	