

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

OCTOBER 24, 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: Jordon Johnson

PRAYER: Leif Watson

The meeting was opened at 7:35 p.m.

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

Approval of the Minutes of Council Meeting on October 10, 2023

Building Permits:

Richard Dahl - Deck

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

Don Frongner – Rezone and Annexation

Mr. Frongner resides at 1239 N. Hwy. 91. He said there are about three acres across from Hard Times where three homes are set. These three homes are outside of city limits but access city water and are billed as metered. Mr. Frongner said a new line was installed from the Sunset Vista Subdivision about one year ago to help with water pressure. Mr. Frongner said at the time all three property owners gave consent to annex their properties if a new line was installed however, they do not feel it is a benefit to them to be annexed now. He said they do not have sewer services, only water. Mr. Frongner said the property owners really do not want to be annexed. He suggested they have a meeting with all of the homeowners before any annexation occurs. Minutes dated August 23, 2022 reflected that all of the property owners agreed to be annexed. Justin said meters have not been installed because Sandy and he thought they were going to be annexed. So, should meters be installed? BJ said the property owners wanted to upgrade the lines and signed consents to be annexed. He said Lori Boyce approached the city to request new lines because of the low water pressure they were experiencing. If annexation is pursued this will be sent to the Planning and Zoning Commission. If not, meters will need to be installed at the cost of the property owners.

Select Committee Members for Evaluation of RFPS for Grant Admin.

Members need to be selected for a committee to evaluate the RFPS for grant administration for the water improvement project. The Committee members will be Mayor Pascoe, Sandy, Dave, and Leif. The Committee will meet on November

14th at 7:00 p.m. at a work meeting to review the RFP's and make recommendation to the Council.

Final Approval of Development Contract – Full House Productions

BJ said he reviewed the contract with Full House Productions for development of water improvement projects. He said he made a few amendments to the contract. Leif moved, Adam seconded to approve the Professional Consultant Development Contract with Full House Productions for the 2023 Water Improvement Project. A roll call vote was taken: Jeff – aye, Adam – aye, Leif – aye, and Kim – aye. Approved unanimously.

Spencer French – Protecting Our Children

Mr. French was appearing on behalf of Elesha Denson regarding the protection of the children in our community. He said his objective is to establish a city ordinance to protect the children from sexual grooming. He discussed what a typical ordinance may include to protect our children. He said there are some Idaho laws in place but it is necessary to establish laws at a city level. Mr. French showed some examples of events taking place in other cities such as Idaho Falls and Rexburg that could be inappropriate for youth to attend. He handed out expels ordinances from other cities as well. Sandy said we have a few ordinances in place but not to the extent to the handouts he presented. Mr. French asked the Mayor and Council to consider amending the city ordinance to include some of the items presented tonight. Chad said he feels this would be important to discuss with our prosecutor before adopting the ordinance.

Purchase Vehicle for Police Department

Chad said the City of Blackfoot has a 2014 Ford Fusion with 49,000 miles on it that he would like to purchase for the department. He said when we added a Detective it allow us to obtain 10% of all drug seizures. He said Blackfoot has agreed that they would keep the first \$4000 of the city's portion of seizure money to go towards the car, and we would pay \$2000 out of our training budget. He said the first \$3000 of drug seizure money should be paid in a few months. Adam moved, Kim seconded to expend \$2000 of our training budget and \$4000 from Asset Recovery money for a 2014 Ford Fusion. Approved unanimously.

Ordinance #652 Certification Blocks/Subdivision Plat

Ordinance 652 was drafted amend the city code under 10-16-14 (d) to require certification blocks for East Idaho Regional Sewer District and Snake River Valley Irrigation District on all final plats. Leif moved, Jeff seconded to suspend the readings of Ordinance 652 on three different days and read the title of Ordinance 652 once. A roll call vote was taken: Adam – aye, Leif – aye, Kim – aye, and Jeff – aye. Approved unanimously. Leif read the title of Ordinance 652 once. Leif moved, Adam seconded to adopt Ordinance 652 requiring the addition of certification blocks for East Idaho Sewer District and Snake River Vall3ey irrigation District on all final subdivision plats. A roll call vote was taken: Adam – aye, Leif – aye, Kim – aye, and Jeff – aye. Approved unanimously.

Ordinance #653 Manufactured Home Garages

Ordinance 653 was drafted to amend and remove the language in 10-17-2 (d) requiring a 24x24 garage, but to leave it as a two-car garage in the Manufactured Home Ordinance. Kim moved, Leif seconded to suspend the readings of Ordinance 653 on three different days and read the title of Ordinance 653 once.

Kim read the title of Ordinance 653 once. A roll call vote was taken: Adam – aye, Leif – aye, Kim – aye, and Jeff – aye. Approved unanimously. Kim moved, Jeff seconded to adopt Ordinance 653 removing the 24 x 24 language and require a two-car garage in the Manufactured Home Ordinance. A roll call vote was taken: Adam – aye, Leif – aye, Kim – aye, and Jeff – aye. Approved unanimously.

Service and Billing Agreement with EIRSD

Sandy presented an amended Service and Billing Agreement with EIRSD. She said the reserved bond funds in the amount of approximately \$217,000 will go to EIRSD, however the bond guarantee fund has approximately \$692,000 in it but only \$487,350 will go to EIRSD. Also, the city will be paid annual interest on the \$487,350, and upon completion of the bond the \$487,350 will be returned to the city. Kim moved, Jeff seconded to execute the Service and Billing Agreement with EIRSD. A roll call vote was taken: Adam – aye, Leif – aye, Kim – aye, and Jeff – aye. Approved unanimously.

Clarify the Termination of Utility Ordinance Procedure

Sandy said Title 8-1-84 outlines the procedure for the termination of utilities. It states the sewer will be capped off and upon reconnection all connection fees will be due and payable. The Mayor and Council determined the ordinance is adequate and does not need to be changed.

Department Head Reports

Sandy discussed the city code 8-4-9 which covers limit of water use in the city. She said the Mayor has the ability to issue a public proclamation limiting the use of water to such extent as may be necessary for the public good. The proclamation must be published in two consecutive issues of the official newspaper and after the proclamation shall have the same force and effect as a city ordinance.

Sandy said Bingham County sent notice of a public hearing regarding rezoning a piece of property near the Firth area. However, this property has no surface water rights for irrigation. So, if the property is rezoned for homes, who will regulate how much water can be used for irrigation from a deep water well? Mayor Pascoe wondered if the County or IDWR will regulate this.

Sandy said she sent in the application to transfer the ground water rights from the farm to the diversion points in the city's system. She said Michael Holiday of IDWR contacted her and said the ground water and the surface water rights on that property are considered "stacked" and cannot be separated to serve a larger area that 73 acres. IDWR said the land would need to be dried up or the city must have another 73 surface water rights to stack the ground water rights with. Jeff suggested the surface water be sold to the city. Jeff said he will speak with Rob Harris, a water attorney regarding this. The question came up if we could purchase 73 acres of surface water from the Irrigation District. The council determined to leave the application with IDWR until more information and options could be found out.

Mikel said registration is going well for basketball. He said there are a lot of children registered. He said there will be an open gym tomorrow at the High School to generate interest.

Jordon said the Developers for Fox Crossing will be at the planning meeting on November 1, 2023 to discuss their Development Agreement.

Justin said the crew has been working on Fall Clean Up and winterization. He said they are also trying to fix the siren tonight and tomorrow; he said he knows there is an issue with how long it goes off.

Justin said the Hawk Light parts have been received and we will be scheduling the vendor to come and fix it.

Justin said he is still working with Dave on the LTAC grant for Hanson Road. He said the ADDA corners may be done next year. He said currently we are waiting on the bid documents, however we will not lose any funding.

Justin said they have been working on the fountain at Brinkman Park. He said we are still waiting on a few parts to finish the project. Justin said the new employee is doing great.

Chad said he is still working on getting two new employees. He said they are also working on tagging vehicles left on the street to prepare for the winter.

Chad said Domestic Violence Month was observed and he wanted to thank the Crisis Center for the purple pinwheels placed around the city.

Chad said Officer Hintze just completed his CIT training course. He said this is a specialized course.

Council Reports

Jeff said he has been looking at laws through the state that could address cats. He said there are not a lot of cities that have regulations because it is so hard to enforce the laws.

Leif said he wanted to give a shout out to Justin and his crew regarding the water fountain at Brinkman Park. He said the community thinks its awesome. Also, a big thank you for Fall Clean Up.

Adam encouraged all citizens to get out and vote on November 7th.

Mayor Pascoe said at the EIRSD meeting representatives of Ammon stated that some of the Developers are now doing rock landscaping to aid in water conservation. He said since the installation of water meters approximately two billion gallons have been saved.


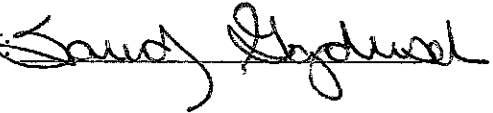
Mayor Pasce said he appreciates all of the departments.

Adam moved, Leif seconded to adjourn into executive session pursuant to I.C. 74-204 (1) (b) regarding the evaluating, discipline, etc. of an employee, staff, or official at 9:15 p.m. A roll call vote was taken: Adam – aye, Kim – aye, Jeff – aye, and Leif – aye. Approved unanimously.

Kim moved, Jeff seconded to reconvene into regular session at 9:42 p.m. A roll call vote was taken: Adam – aye, Kim – aye, Jeff – aye, and Leif – aye. Approved unanimously.

During executive session the evaluation, discipline, etc. of an employee, staff, or official was discussed.

Adjourned: 9:42 p.m.

APPROVE:  ATTEST: 

DATE	September	AMOUNT	CHECK #
9/11/2023	Comdata	\$ 960.10	549834
9/11/2023	Joseph Pacheco	\$ 37.50	549835
9/11/2023	Tesha Mitchell	\$ 2,900.00	549836
9/13/2023	Idaho central credit union	\$ 2,696.17	549837
9/15/2023	Jeff Hintze	\$ 73.50	549838
9/15/2023	AAA Giles	\$ 675.00	549839
9/15/2023	Alpine Heating and Air	\$ 1,274.50	549840
9/15/2023	American Construction	\$ 489.29	549841
9/15/2023	American Linen	\$ 343.72	549842
9/15/2023	Bingham News Chronicle	\$ 1,126.90	549843
9/15/2023	Broulims	\$ 142.83	549844
9/15/2023	Centurylink	\$ 293.10	549845
9/15/2023	Digline	\$ 67.32	549846
9/15/2023	Eriks North America	\$ 484.05	549847
9/15/2023	Ferguson Waterworks	\$ 254.20	549848
9/15/2023	Freedom Mailing	\$ 839.97	549849
9/15/2023	H-K Contractors	\$ 675.68	549850
9/15/2023	Hard Times	\$ 9,373.23	549851
9/15/2023	Honnen Equipmentco	\$ 1,651.57	549852
9/15/2023	IAS-Envirochem	\$ 125.00	549853
9/15/2023	Ideacomesci	\$ 392.54	549854
9/15/2023	Intermountain Gas	\$ 771.98	549855
9/15/2023	Jackson Group Peterbilt	\$ 112.18	549856
9/15/2023	Matt Ball	\$ 90.00	549857
9/15/2023	Mel's Lock and Key	\$ 37.44	549858
9/15/2023	O'reilly	\$ 379.09	549859
9/15/2023	Petty Cash	\$ 139.83	549860
9/15/2023	PSI	\$ 20,463.34	549861
9/15/2023	Rocky Montain Power	\$ 19,120.11	549862
9/15/2023	Sams Club	\$ 2,166.26	549863
9/15/2023	Utility Trailer	\$ 49.76	549864
9/15/2023	Valley Office	\$ 11.00	549865
9/30/2023	Idaho Dept. of Water Resources	\$ 50.00	549866
9/30/2023	Airgas	\$ 252.36	549867
9/30/2023	Alien Gear Holsters	\$ 378.86	549868
9/30/2023	Allied Business	\$ 36.57	549869
9/30/2023	Automotive Profit	\$ 110.00	549870
9/30/2023	Bingham News Chronicle	\$ 220.84	549871
9/30/2023	Bisco	\$ 126.21	549872
9/30/2023	Blue360 Media	\$ 816.57	549873
9/30/2023	Brevic Landon Agency	\$ 60.00	549874
9/30/2023	Broulim's	\$ 51.48	549875
9/30/2023	Cammans MVP	\$ 472.92	549876
9/30/2023	Centurylink	\$ 295.57	549877
9/30/2023	Core & Main	\$ 76.32	549878
9/30/2023	Counter Strike	\$ 2,880.00	549879
9/30/2023	Eastern Idaho Reg. Sewer Dist.	\$ 31,068.45	549880
9/30/2023	Eriks North America	\$ 73.08	549881
9/30/2023	Everlastin Construction	\$ 1,420.00	549882
9/30/2023	Ferguson Waterworks	\$ 428.21	549883
9/30/2023	Forsgren	\$ 9,810.00	549884
9/30/2023	Garrett H Sandow	\$ 1,650.00	549885
9/30/2023	H-K Contractors	\$ 850.59	549886
9/30/2023	Hard Times	\$ 8,298.72	549887
9/30/2023	Home Depot	\$ 98.32	549888
9/30/2023	Idaho Traffic Satety	\$ 540.00	549889
9/30/2023	Industrial Hose and Fitting	\$ 22.46	549890
9/30/2023	Intermountain Gas	\$ 85.20	549891
9/30/2023	Jaksen Cotterell	\$ 200.00	549892
9/30/2023	Jim's Trophy Room	\$ 167.70	549893
9/30/2023	Josh Issacs	\$ 4,185.00	549894
9/30/2023	Knife River	\$ 510.88	549895
9/30/2023	Lumen Century Link	\$ 3.39	549896
9/30/2023	Manwaring Web Solutions	\$ 372.00	549897
9/30/2023	MSBT Law	\$ 1,868.58	549898
9/30/2023	National Asso. of School Resource	\$ 8,300.00	549899
9/30/2023	Number One Printing and Sign	\$ 57.33	549900
9/30/2023	O'Reilly	\$ 47.57	549901
9/30/2023	Point S Rons Tire	\$ 1,251.87	549902
9/30/2023	Post Register	\$ 77.55	549903
9/30/2023	PSI Environmental	\$ 20,463.34	549904
9/30/2023	Rotational Molding	\$ 18.00	549905
9/30/2023	Shelley Ace Hardware	\$ 1,206.34	549906
9/30/2023	Smith Driscoll	\$ 3,409.00	549907
9/30/2023	Sparklight	\$ 268.19	549908
9/30/2023	Stephenson Computer Consulting	\$ 440.00	549909
9/30/2023	Teton Communications	\$ 470.46	549910
9/30/2023	Uniforms 2 Gear	\$ 35.65	549911
9/30/2023	Utility Trailer Sales	\$ 109.60	549912
9/30/2023	Valley Office	\$ 367.69	549913
9/30/2023	Verizon Wireless	\$ 298.07	549914
9/1/2023	Payroll	\$ 78,601.07	
9/15/2023	Payroll	\$ 85,071.76	
9/29/2023	Payroll	\$ 60,601.11	
	Total	\$ 396,792.04	