

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

FEBRUARY 14, 2023

PRESENT: Mayor Stacy Pascoe (ZOOM)

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: Sandy Gaydusek

PRAYER: Kim Westergard

The meeting was opened at 7:37 p.m.

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

Approval of the Minutes of Council Meeting on January 24, 2023

Building Permits:

MDS Homes - new home

Rick Hihath - Multi Family/new construction

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

Approved unanimously.

Award Bid for Sale of City Property

Sandy said one bid was received for the sale of the property off of East Center where the former railroad spur runs. The city posted their intentions of selling a 30 x 137 foot piece of property with a minimum bid of \$14,385.00. The bid was submitted by Rick Hihath in the amount of \$14,385.00. Kim moved, Jeff seconded to accept the bid in the amount of \$14,385 by Rick Hihath for a piece of property 30 x 137 feet that the city owns with is just east and adjacent to the property at 498 E. Center Street. Approved unanimously.

Request for License to Sell Liquor by the Drink

Shane Dial, 4277 Smithfield Way discussed a Liquor by the Drink license with the Mayor and Council. Mr. Dial said he is partners with Skylar Dial and Jason Bird and they are interested in opening a restaurant in the city. He said the cost have gone up for food and they feel they will need to serve liquor by the drink to make this venture possible. Mr. Dial said he has checked and there are two liquor licenses available through the State. He said there were two bars that previously sold liquor by the drink; the Club Bar and the Blue Rooster. Sandy said she has regulations for beer and wine licenses but none for liquor by the drink. She said she doesn't know about the Blue Rooster, however the Club Bar she was told served liquor by the drink. She said she doesn't know why there are no regulations in the current ordinances. Mr. Dial said they would like to construct their establishment on Anderson Road and use the second lot next to the Carry out Pizza and Drink business that is currently being built. Mr. Dial said they would like to build a Sports Bar that serves food and has live music. The Council was

concerned about if there would be enough parking space. Mr. Dial said he believes the parking will meet the current regulations. Jordon said he would need to check into this. Sandy said the city will need to create an ordinance regulating liquor by the drink to proceed with this. Kim discussed past restrictions on beer and wine regarding Sunday sales. The council agreed their only concern is parking. Mayor Pascoe said he is concerned about buying a liquor license and then turning around and selling it. He asked if this is controlled. Mr. Dial said this is viewed by the State as private assets. He said he understands the State owns Shelley's at this time and Shelley would need to release the licenses. Mr. Dial said he is not interested in setting up a business and then selling it. The Council agreed the city should move forward with this. Sandy will contact the State about what is needed to move forward.

Centennial Park Improvements

A Shelley Supporter of the Arts representative was not present.

Finalization of East Fir Sewer Project

Justin said Dave has finished the review and recommends that the East Fir Sewer Project is finalized and the last pay request is completed. The project was bid at \$968,528.50. He said the final price is \$909,513.93 which \$65,014.57 was not spent. The final pay request is for \$114,903.29. Leif moved, Kim seconded to approve the final pay request in the amount of \$114,903.29. Approved unanimously.

Public Comments

Dallin Jolley addressed the council under public comments. He said he is still looking for answers to his question regarding why the city is charging monthly utility fees for homes that aren't built yet. Adam said he has not gotten him any answers yet. Mayor Pascoe said the city has had two major water line breaks and the city is expensive to maintain. Mr. Jolley said what if he never builds a home on his property. He feels this is not legal for the city to do. Mr. Jolley said he was told this is an impact fee. He said an impact fee is a onetime payment. Jeff said because Mr. Jolley purchased a building permit and paid the connection fees the city has a right to charge a monthly fee. He said this is not an impact fee, but was created for the purpose of having water reserved for a property before a C.O. is issued. BJ said the city can charge this fee. He said he believes Mr. Jolley is getting his questions answered but it may not be the answer he wants to hear. Jordon said a building permit expires after one year and can be extended for an additional year. Mr. Jolley said he is frustrated because out of the four council members no one called him. He feels this was not done right. He said you have to have money or be prominent to get what you want.

Telephone System/City Hall

Sandy said she found funding in the State Revenue Sharing Fund or the General Fund to pay for the upgrade to our telephone system is the amount of \$2300. Jeff moved, Leif seconded to purchase the upgrade to our telephone system and expend \$2300. Approved unanimously.

Business Licenses

Kim moved, Leif seconded to approve the General Licenses for 2023 as provided on the attached list. Approved unanimously.

Snow Proclamation Discussion

Justin said he would like to clarify some of the language in the Snow Proclamation. He said it states all vehicles should be removed from the street, but not all cars are being removed. He said the residents that take the time to move their vehicles don't understand how come they do and their neighbors don't have to move their vehicles. He said also, the new snow loader runs next to the truck. He said the streets need to be cleared to use the snow loader on some of the narrower streets. Justin said he feels we need to follow though on our code and tow the vehicles left on the street or removed the language from the code. Kim said she feels we need to educate people about this first. Adam said it should be all or nothing. Mayor Pascoe said this should have been in effect this year and have the cars towed. He said he understands if the officer get a call and they have to leave. He asked if we need to have an officer come in just to help tow the cars. Chad said the tow company takes a little time to get there as well as calls the officer may get. Adam felt we should hit this hard in the fall and if it doesn't work, look at limit parking on the streets from November through March. Justin said he would like to try and hit it hard this coming fall. Jeff said we need to ticket and tag all year long, and we need to look at changing the code to prohibit inoperable vehicles left on the street. Chad will determine if overtime will be paid for the police to tow for the remaining of the season. The next storm when a proclamation is issued, cars left on the street will be towed.

Title Ten Amendments

BJ presented an ordinance to amend the maximum size of eaves and the measuring point for setbacks. Kim moved, Leif seconded to suspend the reading of the Ordinance 646 on three different days and read the title of the Ordinance 646 once. Approved unanimously. Kim read the title of Ordinance 646. Kim moved, Leif seconded to adopt Ordinance amending title ten to set the measuring point for setbacks as the foundation wall and regulate the maximum eave length as 24 inches. Adam called for a roll call vote: Kim – aye, Jeff – aye, Leif – aye, and Adam – aye. Approved unanimously. Sandy will publish this ordinance.

Senior Center Parking Lot

Justin said the city engineers put together a map with a survey next to the Senior Center. He said they spent numerous hours going through documents and researching the old county records; there was a replat of the original plat that the city did not have records for. The engineer feels the survey and map are 99% accurate. Justin said he is okay creating a parking lot for the employees of the Senior Center but he felt we should wait to pave the alley until the water and sewer lines can be located. The Mayor and Council agreed to accept the survey provided by Forsgren and move forward.

Bingham County Comments

Sandy said she received a comment sheet from Bingham County regarding a Conditional Use Permit for a 2nd dwelling in the Woodville area. The Mayor and Council had no concerns or comments.

City Hall Reports

Sandy said all is going well in City Hall. She said Tori Pacheco is due for her six month review and doing excellent. She said Lisa and Maureen are doing excellent as well.

Recreation Dept. Reports

Mikel said soccer registration is under way. He said the Mayor’s Youth Advisory Council will be hosting a tandem tour regarding mental health awareness. He said he attended the Kiwanis meeting to ask for funding assistance with the Brinkman Park fountain. Mikel said the Kiwanis are reviewing the request.

Building Dept. Reports

Jordon said he just returned from attending the Building Conference. He said he obtained a lot of information while he was there.

Public Works Dept. Reports

Justin said the crew has been working on maintenance in the shop as well as snow removal and fixing water lines. He said there was a water line that broke late at night and the crew did an awesome job repairing it. Justin said Kyson is doing great and Austin just started and is doing well.

Police Dept. Reports

Chad said there were a lot of stops made during the DUR Super Bowl Enforcement, however there were no DUI’s. Chad said there are five weeks left of POST for the two officers attending. He said the police department received a grant in the amount of \$40,000 for new equipment and they’re very excited about that.

Council Reports

Adam said all of the departments are doing very well. Mayor Pascoe agreed 100%.

Adjourned: 8:53 p.m.

APPROVE:  ATTEST: 

DATE	January	AMOUNT	CHECK #
1/6/2023	Blue Cross of Idaho	\$ 698.60	549171
1/6/2023	Cammans MVP	\$ 342.00	549172
1/6/2023	Centurylink	\$ 257.14	549173
1/6/2023	Clean Cut Lawn Care	\$ 330.00	549174
1/6/2023	CNA Surety	\$ 60.00	549175
1/6/2023	Comdata	\$ 699.74	549176
1/6/2023	Commercial Tire	\$ 69.75	549177
1/6/2023	Delta Dental of Idaho	\$ 29.57	549178
1/6/2023	Garrett H Sandow	\$ 1,650.00	549179
1/6/2023	Sandra Gaydusek	\$ 360.54	549180
1/6/2023	IBM Corporation	\$ 578.08	549181
1/6/2023	Idaho Central Credit Union	\$ 4,663.67	549182
1/6/2023	Idaho State Tac Comission	\$ 27.74	549183
1/6/2023	Senior Citizens	\$ 2,000.00	549184
1/6/2023	Verizon Wireless	\$ 257.66	549185
1/18/2023	AAA Giles	\$ 675.00	549186
1/18/2023	Advanced Diagnostics	\$ 150.00	549187
1/18/2023	American Linen	\$ 300.36	549188
1/18/2023	Automotive Profit Systems	\$ 147.25	549189
1/18/2023	Bingham News Chronicle	\$ 92.32	549190
1/18/2023	Broulim's	\$ 123.97	549191
1/18/2023	Commercial Tire	\$ 297.23	549192
1/18/2023	Eastern Idaho Reg. Sewer Dist.	\$ 29,419.92	549193
1/18/2023	Eriks	\$ 316.68	549194
1/18/2023	Freedom Mailing	\$ 714.67	549195
1/18/2023	Government Band Shared	\$ 840.00	549196
1/18/2023	Hammon Teton	\$ 16.00	549197
1/18/2023	Hard Times	\$ 10,394.05	549198
1/18/2023	HD Fowler	\$ 160.98	549199
1/18/2023	IDEACOM ESCI	\$ 230.00	549200
1/18/2023	Intermountain Gas	\$ 1,179.78	549201
1/18/2023	Interstate Billing	\$ 973.78	549202
1/18/2023	Jackson Group Peterbit	\$ 458.56	549203
1/18/2023	Jordan Johnson	\$ 156.00	549204
1/18/2023	Kim Westergard	\$ 563.02	549205
1/18/2023	Lawson Products	\$ 514.21	549206
1/18/2023	O'Reilly	\$ 3,388.13	549207
1/18/2023	PSI Environmental	\$ 17,902.08	549208
1/18/2023	Rocky Mountain Power	\$ 8,362.70	549209
1/18/2023	rotational Molding	\$ 15,354.09	549210
1/18/2023	Sams Club	\$ 173.17	549211
1/18/2023	Shelley Ace	\$ 870.01	549212
1/18/2023	Smith Driscoll & Asso.	\$ 3,325.00	549213
1/18/2023	Txtwire Technologies	\$ 350.00	549214
1/18/2023	Utility Trailer	\$ 1,184.61	549215
1/18/2023	Valley office	\$ 11.00	549216
1/20/2023	Association Of Idaho Public Works Prof.	\$ 20.00	549217
1/20/2023	Blue Cross of Idaho	\$ 237.60	549218
1/30/2023	Alert Magazine	\$ 205.00	549219
1/30/2023	Eastern Idaho Reg. Sewer Dist.	\$ 43,561.00	549220
1/30/2023	Idaho Dept. of Labor	\$ 234.96	549221
1/30/2023	Secretary of State	\$ 30.00	549222
1/30/2023	A&B Trans.	\$ 747.54	549223
1/30/2023	Allied Business Solutions	\$ 36.57	549224
1/30/2023	Centurylink	\$ 258.93	549225
1/30/2023	Commercial Tire	\$ 532.00	549226
1/30/2023	Computer Warehouse	\$ 1,335.98	549227
1/30/2023	Core & Main	\$ 1,636.25	549228
1/30/2023	Digline	\$ 187.00	549229
1/30/2023	Eastern Idaho Reg. Sewer Dist.	\$ 29,419.92	549230
1/30/2023	Fire Service of Idaho	\$ 1,636.80	549231
1/30/2023	Fleetpirde	\$ 283.44	549232
1/30/2023	Forgren Assoc.	\$ 5,400.00	549233
1/30/2023	Guns and Gear	\$ 599.99	549234
1/30/2023	Honnen Equipmentco	\$ 444.30	549235
1/30/2023	IAS-ENVIROCHEM	\$ 2,725.00	549236
1/30/2023	IDEACOM-ESCI	\$ 189.54	549237
1/30/2023	Lumen Century Link	\$ 2.81	549238
1/30/2023	Mid-American Research Chemical	\$ 640.21	549239
1/30/2023	Modern Printing	\$ 130.65	549240
1/30/2023	Pacific Steel	\$ 150.05	549241
1/30/2023	Peacekeeper	\$ 285.80	549242
1/30/2023	Post Register	\$ 61.15	549243
1/30/2023	Schaeffers	\$ 577.20	549244
1/30/2023	Southeastern Dist. Health Dept.	\$ 50.00	549245
1/30/2023	Specialty Const.	\$ 1,036.00	549246
1/30/2023	State Insurance Fund	\$ 7,216.00	549247
1/30/2023	Tadd jenkins	\$ 615.54	549248
1/30/2023	Uniforms 2 Gear	\$ 32.92	549249
1/30/2023	Valley Office System	\$ 540.82	549250
1/30/2023	Western States Equipment	\$ 2,348.08	549251
			549252
1/6/2023	Payroll	\$ 77,699.47	549253
1/20/2023	Payroll	\$ 70,066.82	549254
	Total	\$ 361,844.40	