

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

AUGUST 10, 2021

PRESENT: Mayor Stacy Pascoe

Council Members: Earl Beattie, Adam French, Kim Westergard, 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

City Building Inspector: Jordon Johnson

PLEDGE OF ALLEGIANCE: Justin Johnson

PRAYER: Mayor Pascoe

The mayor opened the meeting at 7:30 p.m.

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

Approval of Meeting Minutes of July 27, 2021

Approval of Work Meeting Minutes of July 29, 2021

Building Permits:

Gail Nielsen - re-roof

Kong Khamone - fence

Megan Wilcox - addition

Adventure Ortho - remodel

Clyde Jernberg - shop

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

Jacqueline Wittwer representing the Shelley Supporter of the Arts Organization said they have organized a youth group that would like to paint a pavilion at the City Park with a Spud Day mural. She said this would be for next year, not this year. She said they will also maintain the mural and fix it if the paint peels. Kim said she is concerned about changing the mural later. Jacqueline said they would like to repaint it every year with the designated theme for Spud Day. Mrs. Wittwer said they could also paint it on canvas that can be taken up and down. Kim said she likes the idea of the mural but would like it to be removable. Mayor Pascoe said its difficult to keep it up if it's painted on the corrugated metal. The Council agreed they thought this is a good idea and would like to see designs that are being considered.

Jacqueline Wittwer said on October 14, 2021 between 5:00 p.m. and 9:00 p.m. the Shelley Supporter of the Arts would like to have a wine tasting fundraiser at the Haunted Hospital. She said this will be an event where people will be wearing costumes and art will be available to purchase also. Mrs. Wittwer said no wine glasses will be taken outside of the building but people will be able to buy some of the bottles of wine when they leave. She said they have obtained the needed permits from the State and there will be nobody under 21 allowed. Sandy said

the city does not have any regulations on this type of event. Tickets for wine tasting are \$50 and if no wine will be drunk the tickets are \$25. Mrs. Wittwer said there is a limit of 50 tickets available and there will be staff helping with the event. She said they will also have two raffle baskets. Leif moved, Earl seconded to approve the wine tasting fundraiser for the Shelley Support of the Arts organization on October 14, 2021 between the hours of 5:00 p.m. and 9:00 p.m. Approved unanimously.

Chris Street from Harper Leavitt Engineering said he was here to represent Morrell Hampton. Mr. Hampton would like to access city water on 900 East. Mr. Street said the Hamptons are trying to develop property that is currently an eyesore. He said there is a shop on the property with a one-inch water service, and at one time there were four mobile homes that accessed water from the shop. Mr. Street said they would like to develop with the possibility of annexation in the future. There is about 4.5 acres of usable ground. Mr. Street said they would like to move forward with the design but need to look at available utilities. He said they intend to tear down the existing shop. If they get water from the city they will need to be annexed and meet city requirements. He said there will be seven or eight lots. The property is adjacent to the Park's Subdivision property that is in city limits. The Council would like the property to be annexed first and the subdivision be built per city specifications with city water and sewer. Adam said he can see it possibly happening but not at this time due to the rapid growth we're seeing. He said it could be several years before the city can handle more growth. Leif agreed with Adam and felt it must be annexed into the city to be considered.

Pam Killpack, pool manager addressed the council. Kim said she asked Pam to attend the meeting tonight. She said Pam has been the pool manager for the past seven or eight years, and she has made her and Mikel's job easier. Kim said Pam is very appreciated and she asked her to be here tonight to talk about the pool. Pam said in 2019 there were 763 children enrolled in swimming lessons and this year there was 969. She said there is a significant greater number of children this year. She said there currently have six sessions with six time slots and she would like to add another session next year. Pam said people are being turned away because the classes fill up so fast. She said there are lot or people outside of the city who come to Shelley for swimming lessons. Kim said Pam has done a great job and we have great swim teachers. She said the kids like working at the pool. The Mayor and Council expressed their appreciation to Pam and Mikel for all their hard work at the pool.

Amy Buffet, 651 E. 810 N. Basalt, Idaho said she wanted to discuss the pool wages. She said she thinks the city should pay higher wages to lifeguards because of the responsibility they have. She said she is happy with Pam and Mikel but feels the kids deserve more than minimum wage for the work they do. Mrs. Buffet said this is the first year her daughter has worked as a lifeguard at the pool. Kim said at the last work meeting for the budget they discussed the city paying for re-certification for returning lifeguards, however the kids must pay for their first certification. Kim said the manager at the pool works with the kids to be very flexible so they can participate in sports, go to summer camp, and go on family vacations. Kim said with the budget the wages will be increased for returning lifeguards as well.

Sandy said at the last meeting Rueben Estrada discussed the annual Concessionaire Franchise. He is not in attendance tonight, but he wanted to see if the city will allow more than one Concessionaire each year. Sandy said in the past only one was allowed; that way you knew whose trash was left, any damage to the park, etc. Mikel said The Food Plaza tries to stock up when there is going to be an event at the park and even have additional staff working. The Council felt this is worth looking into, and maybe have two concessionaires. The Council would like more information on how often the current Concessionaire, Jennie Lyn Worlton is at the park.

Jeff Kelley, 740 Aspen discussed the formation of a sewer district that EIRWWA is moving towards. He said they would like this issue to be on the ballot next May. Jeff said EIRWWA is owned by four entities. He said only Shelley and Ammon have bonding capacity at this time. He said 10% of the property owners need to sign the petition to get it on the ballot. Jeff said everyone that owns five acres or greater within the boundary of the proposed district must sign to be included in the district. He said they are also starting the preliminary plans to expand the plant. Jeff said the capacity is over 75% at this time, and we need to look at updating the plant. Jeff said currently 756 ERU's are committed but not connected and 1313 ERU's are committed but not paid for. He said these new connections won't come on line immediately but we need to look at expanding now. Jeff said it will cost approximately 34 million to expand. He said when the plant is upgraded it will be sufficient to handle the hyper growth occurring. He said we now need to explain to the public what EIRWWA is and why this is so greatly needed.

Brent Christensen, Sunset Vista Subdivision would like to submit the final plat for the residential subdivision and the town home subdivision. He said in 2017 the preliminary plat was approved and since then zoning changes have been made to accommodate the Town Homes. He said because of that he had to get approval again. Mr. Christensen said Snake River Valley Irrigation District want an irrigation system put in the second division and the Town Homes. He said they want to comply with Idaho statute. Mr. Christensen said the first division was already put in. The second division needs an irrigation system and there are property owners in the first division that must give an easement for the line to be installed. He said there are property owners who are refusing to give permission for an easement. He said Snake River Valley Irrigation District (SRVID) said all possibilities for easement must be exhausted before the requirement for the irrigation system will be revoked. Mr. Christensen said now SRVID has said that they would like a dry system put in at this point and then work on getting water to it. He said there are two owners that will not agree to an easement. He said SRVID suggested going through Eminent Domain, however that could take several years to complete. Mr. Christensen said when the preliminary plat was approved he was in the opinion that since the requirement was set after the preliminary plat was approved that he would not be required to put it in. He said he would like to get on the next agenda and get the final plat approved. Sandy said if no secondary irrigation system is going to be required, Dave will need to re-run the water model to make sure there is adequate water. Mr. Christensen said he will look at all avenues to get irrigation water to the subdivisions. He said there is a ditch across the street and he may be able to run down the road easement. He feels they will agree to putting in the dry system and work on the connections to it later in the spring. Mayor Pascoe said the Irrigation District came to the city and

said we need to follow Idaho Code so it became a city requirement as well. He said he cannot tell him he doesn't have to put the irrigation system in while we are requiring other Developers to do it. Adam said a secondary irrigation system benefits the city greatly. The Council agreed that Mr. Christensen should submit plan for a secondary irrigation system and if it is dry, a water model will need to be reviewed again. Mayor Pascoe said if he looks at another route to get water, then the water model will not have to be redone. The Council directed Mr. Christensen to check the easements on Baseline Road to see if they can be used.

Adam moved, Earl seconded to adopt the schedule in the International Building Code regarding IBC valuation rates. This will include any updates when the updates are done. Approved unanimously.

Kim moved, Adam seconded to approve the following business licenses:

Pooch Treat Boutique – 11625 S. Pinehurst Dr. Idaho Falls

T&R Freeze Dried Treats – 145 Meadowlark Dr.

Approved unanimously.

Leif said he has received some complaints about the Yield sign at the intersections of Holmes and Elm Street. He said he feels there could be a safety hazard that exists and felt a Stop Sign might help. Rod said he really hasn't had a lot of traffic complaints from that area. He said there are more complaints about the intersection near the Food Bank. The Council will review this matter further.

Kim moved, Earl seconded to table this meeting until the first meeting in September when school traffic can be monitored. Approved unanimously.

The Council called for a special meeting to adopt the tentative budget for the city and the Urban Renewal Agencies on Tuesday, August 17, 2021 at 6:00 p.m.

The Mayor and Council discussed raising the wages of the Governing Board. The Mayor and Council's wages have not been raised since 2005. Earl said this is one of the hardest working council's we have. He said he will be gone but feels the current council deserves it. Every member of the Board agreed that they did not run for the money. Kim moved, Adam seconded to suspend the reading of Ordinance 622 on three different days and read the title of Ordinance 622 once. Approved unanimously. Leif read Ordinance 622 by title only. Leif moved, Kim seconded to adopt Ordinance 622 increasing the Mayor's salary by \$100 per month. A roll call vote was taken: Earl – aye, Adam – aye, Kim – aye, and Leif – aye. Approved unanimously.

Kim moved, Earl seconded to suspend the readings of Ordinance 623 on three different days and read the title of Ordinance 623 once. Leif read Ordinance 623 by title. Leif moved, Earl seconded to adopt Ordinance 623 to increase the Council member's salary by \$100 per month. A roll call vote was taken: Earl – aye, Kim – aye, Leif – aye, and Adam – aye. Approved unanimously.

Earl said with heavy heart he was tendering his resignation. Mayor Pascoe said Earl is resigning due to moving to Alpine Wyoming. He said he appreciates having the opportunity to work with Earl. He said he has done a phenomenal job. Mayor Pascoe said he's been a great right hand and truly appreciates all he has done. Kim said we will miss him; he's been a good example and always had the community in his heart. Earl said he is humbled and honored to serve the citizens

of Shelley. He said he appreciates, and is honored to have worked with this Governing Board and the Department Heads. Leif moved, Adam seconded to accept the resignation of Earl Beattie. Approved unanimously.

Mayor said he has had a few people show interest in serving on the Council. He said he has given this a lot of thought and would like to appoint Jeff Kelley to Earl's seat. Mayor Pascoe said Jeff has been on the EIRWWA Board for a few years now and has been able to move things forwards. He said Jeff will be very beneficial to have back on the Council. Mayor Pascoe said this seat will be up for election in November and Jeff will need to run for it if he chooses. Earl moved, Adam seconded to appoint Jeff Kelley as Council Member to hold Seat #1. Approved unanimously.

BJ presented the Findings of Fact, Conclusions of Law and Decision that he drafted regarding the preliminary plat for the Fox Crossing Subdivision. BJ said he reviewed all of the minutes of the Public Hearing that the P&Z held regarding this matter, the comprehensive plan, ordinance, etc. The Mayor and Council reviewed the Findings of Fact document. Kim moved, Earl seconded to accept the Findings of Fact, Conclusion of Law and Decision for the Fox Crossing Subdivision preliminary plat as BJ presented. Approved unanimously.

Adam said he has not received any information from the County regarding the Bingham County Park.

BJ thanked Earl for the opportunity to work with him and said he will be missed.

Sandy said Earl will be missed and she enjoyed working with him.

Sandy said the city is eligible for a 5% discount on our Workman's Comp Insurance but we must drug test 100% of our employees including the seasonal workers such as the pool staff, referees, etc. in the random pool. The Mayor and Council felt this would not be beneficial if we have to include the seasonal and part time employees.

Sandy asked if the Code Enforcement Officer should work off a complaint basis only or drive around the city looking for code violations. After discussion the Mayor and Council felt this should be by a complaint basis only and those that habitually violate each year.

Mikel said the first game for Flag Football will begin September 7, 2021. He said they are beginning to practice now.

Mikel said there are new filters installed on the pool, and he will be attending a Jazz banquet in Salt Lake City on August 24, 2021. He thanked Earl for being able to work with him.

Justin said Earl is great to work with and wished him luck.

Justin said the crew is working on the walk path and trying to get it done as soon as they can.

Rod thanked Earl for the opportunity to work with him.

Rod said Adam Mann graduated from the POST Academy last Friday. He said Adam did well at the academy. Rod said Shelley now has a DARE teacher. He said Weston Hayman graduated the top of his class while getting certified. Rod said Officer Pacheco is also doing well.


Leif said he appreciates Earl and he always set a good example. He thanked him for his help with the Planning and Zoning Commission.


Adam said he will miss Earl too. He said he learned a lot from him and thanked him.

Earl said he appreciates working with everyone.

Mayor Pascoe said he truly appreciates Earl and everyone will miss him.

Adjourned: 10:00 p.m.

APPROVE:  _____

ATTEST:  _____