

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

AUGUST 09, 2022

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: Justin Johnson

PRAYER: Leif Watson

The meeting was opened at 7:31 p.m.

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

Approval of the Minutes of Council Meeting on July 26, 2022

Building Permits:

Traci Harbert - fence
Ruth Oliverson - solar panels
Claud Grange - solar panels
Derrick Dye - new home
Derrick Dye - new home
Derrick Dye - new home
Derrick Dye - new home
Derrick Dye - new home
Derrick Dye - new home
Derrick Dye - new home
Derrick Dye - new home

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

Blake Jensen, Technology and Maintenance Director for the Shelley School District said he was informed that the Snake River Valley Irrigation District said it was okay for the school to use the city's culinary water to irrigate the Hobbs Middle School lawn as long as access to surface water remained intact. The school has been having problems with their pumping system to the middle school and would like access to the city water for this purpose. Mr. Jensen also asked if the \$5000 connection fee could be waived since they already have a connection but it is quite a distance to access the sprinkler system from that line so they would like a new connection. Mayor Pascoe said the city has an agreement with the school to work with one another. Kim moved, Adam seconded to approve the connection to city water for irrigation of the two acres at Hobbs Middle School and waive the connection fee of \$5000. Approved unanimously. The school is required to pay for their meter and installation.

Chad Williams, the Shelley School Superintendant gave an update on the Shelley School District. He said approximately ten teachers were added and a new SRO. He said this will provide for the safety and growth of the District. Mr. Williams said the former seminary building across from the office was purchased and being set up as the new facility for the work base academy. He thanked Sandy for her help while they were trying to close on their purchase. He also thanked Justin and his crew for their help at the High School, and tearing out the sidewalk at the Kindergarten. Mr. Williams said the Academy will have a lot more structure and accountability this year.

Blake Jensen said they need additional parking for the work base academy. He asked if the city would be able to place a crosswalk from the academy to the District Office in the Sunrise parking lot. Adam moved, Kim seconded to approve the establishment of a crosswalk between the Work base Academy and the Shelley School District Office. Approved unanimously.

Ron Gutke was not present.

Blake Jolley wanted to discuss the thirty two foot strip of property the city owns that lies in the Parks Subdivision. He said a few weeks ago the Council moved to make the strip a utility easement, however it designated as a ROW would make it a lot better. Mayor Pascoe asked why a utility easement will not work. Mr. Jolley said it is a lot easier on the title and make it a lot simpler to plat it as a ROW, not a utility ROW. Blake said he would like the entire ROW within the road. He said this will allow them to move forward with the least amount of problems. He said this would show as a dedicated ROW on the plat. He said the home owner will be required to maintain this strip. Adam moved, Kim seconded to make the thirty two foot strip that the city owns within the Parks Subdivision as public ROW. Three in favor, Jeff opposed. Motion carried.

Mayor Pascoe asked about the street lights in the Parks Subdivision. He said Rocky Mountain Power mentioned they are working off of the fifth drawing of where the lights should go. Justin had a different draft which was the first draft. The installer did not know where to put these lights. Justin referred him to Derrick and Blake. Mayor Pascoe said the plat is in its seventh drawing. Justin will need to make sure the final drawing is saved for the "as built" if this is correct. Mayor Pascoe said there is also a hydrant that looks like it is going to be in the sidewalk which is not allowed. Mr. Jolley said when the walk through is done this will be taken care of. Justin said he hasn't received any files or paperwork from any of the testing; compaction, etc. He said it will take time to go through if it is turned in at the end of the project which will delay any acceptance and CO's.

Dallan Jolley said he is confused on the aspect where everyone is charged for water and sewer once they pay the connection fee. He asked what it is actually for. He said he is not hooked to the city utilities so why would he have to pay for it. Mayor Pascoe said residents of the city don't want to pay for future growth. He said by charging once the contractor or developer purchases a connection they will be helping to maintain the system. He said the city needs to make sure we have the ability to pay for these services that the residents need. Mayor Pascoe said the City of Ammon also began charging for these fees once a building permit is issued. Mr. Jolley said he thinks positive growth is good, but he is frustrated because he came in twice and was told it was for services. He said he should have

been told it was for growth and infrastructure. Mr. Jolley said he feels this is an impact fee. He said he feels the connection fee of \$5000 is way above the other cities. He wants transparency. Jeff said technically this is not an impact fee, it is an enterprise fee. He said there is a lot of infrastructure that is needed in the city. Mayor Pascoe talked about the phosphorus at the sewer plant and the infrastructure that will be needed to remove it. Mr. Jolley said he feels he was not told correctly about why he was being billed; he was told because it was a privilege to hook into the system. Jeff said the city needs to raise revenue to accommodate growth; booster pump, extended lines, etc. We need to make sure we have enough pressure for the system, and this should not go on the backs of the citizens who have been paying for years. Jeff said he wants to keep the billing in place. Kim said she is sorry this billing wasn't explained correctly. She said she feels we all like to live in this community, and they are doing their best while they sit on this council. Mayor Pascoe said it is hard to raise fees for everyone because it affects him too. The Council made no motion to change the billing policy. It will be left as is and billed at the time the connection fee is paid.

Dallan Jolley said he lives in Shelley and does not have a garage. He makes room for his vehicles on his pad and grass. He said he feels new developments are required to follow unfair codes. Mr. Jolley discussed a plan that was submitted for a home in Sunset Vista. He said the home owner had to pay to have his garage redesigned and then he went on vacation and the contractor used the first design to pour the garage and it had to be torn out and done right. This cost the home owner \$2700. Due to the extra expense he was unable to use urethane foam because of this. Mr. Jolley said he feels this is not a normal action; he shouldn't have had to do this in the first place. He asked how this was decided. Mayor Pascoe said we have had issue with on street parking. He said on street parking makes the streets narrower for traffic, and is not as safe. He said our building inspector was asked to research what size of garage is considered average and he determined 24 x 24 on the outside. Mr. Jolley said the city is taking freedoms away from the citizens. He said what does safety have to do with the size of a garage. He said a garage doesn't make the city safer. He said no where in the Comprehensive Plan does it say there should be a minimum size garage. Mr. Jolley said we are a conservative city and should not make laws that tell people how to build their house. Mayor Pascoe said the International Building Code actually has minimum sizes for the bathrooms and the bedrooms. Adam said he voted against this matter but he feels we need to move on. Leif said the department heads were asked for input, and nobody came to the meeting to express their comments. He said he apologizes for not communicating well enough, but he has been doing research and a lot of cities don't state the garage sizes but does specially state the lay out, setbacks, and parking regulations. Leif said he feels nobody will be happy with any decisions that are made on this matter. Kim said after serving the community and she helped make this decision, she doesn't feel bad about it. She said she has talked to the Building Inspector, Chief of Police, etc. and maybe it is just worded wrong; maybe the minimum should be listed as 24x24. Mr. Jolley requested that this ordinance be removed. No motion was made to change the ordinance or requirement of the size of the garage.

Amy Yorgensen said she is a realtor for All Star Homes which is the PUD on West Oak. She said it was approved, but things slowed down due to the pandemic. She said the property was sold in April 2022 and the new owners want to move

forward. Ms. Yorgensen said she is asking for an extension since the time to develop the property will expire in September 2022. Adam said this was approved in 2016 and extended in 2019 for three more years. Mayor Pascoe said they had three years to build and was going to get started immediately but then they needed an extension three years later. Ms. Yorgensen said it has been hard to get contractors after the pandemic. The Council was concerned about the property ownership within three hundred feet during the last six years. Ms. Yorgensen said they are considering breaking ground after the moratorium is lifted. Leif moved, Kim seconded to extend the Development Agreement for another three years which will expire September 12, 2025. Approved unanimously.

Don Fronger was in attendance regarding the water line that is being extended from Sunset Vista to supply better pressure to those living on the east side of the railroad tracks to the west of the subdivision. Justin said he just needs clarification on if the property will be annexed or not. He said the water line was approved, but wasn't sure about the annexation. Justin said this will cost the city about \$15000 to \$18000. Justin said this will provide emergency services to give them adequate water pressure and discontinue the use from the line down Highway 91. Kim moved, Adam seconded to table this matter until the owner has been talked to further. Approved unanimously.

BJ said he is still working with Steve Taggart on the Fox Crossing Development Agreement. He said Mr. Taggart would like to talk to BJ before his clients sign. BJ said he would like to table this matter to allow him to talk about some of the standards that will be used with Mr. Taggart. Kim moved, Leif seconded to table this matter until the next meeting. Approved unanimously.

Brady Jordan said he sits on the Board of Directors for the Senior Center. He said on August 23, 2022 at 7:00 p.m. they will be a spaghetti dinner, games, etc. This will benefit the Senior Center and he invited all to attend.

There were no business licenses to consider for approval.

BJ presented Ordinance 640 annexing and rezoning a portion of land owned by Kent and Carolee Carlson. A public hearing has been held by the P&Z Board and recommended approval. Adam moved, Leif seconded to suspend the reading of Ordinance 640 on three separate days and read the title of Ordinance 640 once. A roll call vote was taken: Adam- aye, Leif – aye Jeff –aye, Kim recued herself. Approved three in favor, one recued. Motion carried. Adam read the title of Ordinance 640. Adam moved, Leif seconded to adopt Ordinance 640 annexing and rezoning a parcel of property as Central Business owned by Kent and Carloe Carlson on the north side of West Fir. A roll call votes was taken: Leif- aye, Adam – aye, Jeff –aye and Kim recued herself. Approved three in favor, one recued. Motion carried.

BJ presented Ordinance 641 rezoning a parcel of property owned by Mike Robbins from Residential Agricultural to Single Family Residential. P&Z held a public hearing and recommend approval. Leif moved, Adam seconded to suspend the reading of Ordinance 641 on three separate days and read the title of Ordinance 641 once. A roll call vote was taken: Adam- aye, Leif – aye Jeff –aye, and Kim – aye. Approved unanimously. Leif read the title of Ordinance 641. Leif moved,

Jeff seconded to adopt Ordinance 641 rezoning a parcel of land owned by Mike Robbins on the east side of South Milton Avenue. A roll call vote was taken: Leif-aye, Adam – aye, Jeff –aye and Kim – aye. Approved unanimously.

BJ presented Ordinance 642 amending portions of Title Ten to be uniform with other sections of the city code that has been previously changed. This is merely a housekeeping action. P&Z held a public hearing and recommend approval. Kim moved, Jeff seconded to suspend the reading of Ordinance 642 on three separate days and read the title of Ordinance 642 once. A roll call vote was taken: Adam-nay, Leif – aye Jeff –aye, and Kim – aye. Approved three in favor, one opposed. Kim read the title of Ordinance 642. Kim moved, Leif seconded to adopt Ordinance 642 amending portions of Title Ten to be uniform with the rest of the city code. A roll call vote was taken: Leif- aye, Adam – nay Jeff –aye and Kim – aye. Approved three in favor, one opposed.

Jordon said the Shelley High School is constructing a batting facility and would like the building permit fee to be waived. He said the fee is \$700, and no water or sewer will be installed. Adam moved, Kim seconded to waive the building permit fee of \$700 for the Shelley High School. Approved unanimously.

Kim moved, Adam seconded to set a special meeting for August 16, 2022 at 6:00 p.m. to consider adopting the tentative budgets for fiscal year 22-23. Approved unanimously.

Dave presented a contract for the engineering that will be done on the facility planning studies for both water and sewer. He said the applications allocated \$50,000 for the sewer fps and \$60,000 for the water fps. Leif moved, Kim seconded to approve the engineering contract for the water and wastewater fps's. Approved unanimously.

Dave said he is drawing a diagram for the specs for the site standards for lift stations and booster pumps. Leif moved, Jeff seconded to accept the site plans for the lift station and the booster pumps. Approved unanimously.

Adam said he is working with IDEAs on the location of the property lines on the south end of the Bingham County Park. He said they sent the proposal to the County and are waiting for their confirmation. Adam said IDEAs is installing a rolling gate to close off this section. BJ asked all to review his correspondence regarding this matter.

Sandy said she sent the letter of intent to file the application for the ARPA funding allocated to improve the wastewater treatment plan.

Sandy reminded everyone of the picnic on Thursday the 16th.

Sandy said she inadvertently sent out the agenda for the work meeting for the committee established to discuss the fence setbacks to everyone. This is on Friday the 12th at 1:00 p.m. for the committee members.

Mikel said he talked to the High School kids about the Mayor's Youth Committee so he can get it started. Also, football registration is ongoing.

Jordon said people have submitted plans to be looked at but not approved due to the moratorium.

The movie in the park this Thursday will be Jungle Cruise.

Chad said Joe will be the new SRO and be sent for training soon. He said they are still looking for another new officer and have also changed the testing policy. Chad said they are still trying to fill the part time position as well.

Chad said Hero is going great. She has been called out multiple times. And made arrests for drugs. He said this dog is super sharp.

Chad said the new officer is going great. Officer Webb is going through FTO, and will be going to POST soon.

Kim said the Tree committee need help watering the flower pots.

Mayor said he appreciates all everyone does, and to let the staff in each office know this as well.

Adjourned: 9:47 p.m.

APPROVE:  ATTEST: 

DATE	July	AMOUNT	CHECK #
7/6/2022	Blue Cross	\$ 1,072.48	548722
7/6/2022	Comdata	\$ 459.08	548723
7/6/2022	ICCU Card	\$ 3,568.86	548724
7/11/2022	Jeff Hintze	\$ 51.00	548725
7/11/2022	Joseph Pacheco	\$ 51.00	548726
7/15/2022	AAA Giles	\$ 675.00	548727
7/15/2022	Airgass	\$ 95.14	548728
7/15/2022	American Linen	\$ 439.96	548729
7/15/2022	Broulim's	\$ 105.22	548730
7/15/2022	Cammans MVP	\$ 150.00	548731
7/15/2022	Central Transfer Station	\$ 81.00	548732
7/15/2022	Clyde Jernberg	\$ 315.59	548733
7/15/2022	Digline	\$ 37.40	548734
7/15/2022	Falls Plumbing	\$ 774.71	548735
7/15/2022	Freedom Mailing	\$ 636.66	548736
7/15/2022	H-K Contractors	\$ 25.00	548737
7/15/2022	Hardtimes	\$ 12,492.99	548738
7/15/2022	Honnen	\$ 212.80	548739
7/15/2022	IBM Corporation	\$ 578.08	548740
7/15/2022	Idaho Traffic	\$ 660.00	548741
7/15/2022	Odeacomesci	\$ 189.54	548742
7/15/2022	Intermountain Gas	\$ 888.27	548743
7/15/2022	Lawson Products	\$ 228.09	548744
7/15/2022	Mastercraft	\$ 1,514.88	548745
7/15/2022	Matthew Bender	\$ 759.30	548746
7/15/2022	Metroquip	\$ 3,028.10	548747
7/15/2022	Modern Printing	\$ 233.00	548748
7/15/2022	Number one printing	\$ 154.76	548749
7/15/2022	O'Reilly	\$ 763.79	548750
7/15/2022	Protech Fence	\$ 1,620.00	548751
7/15/2022	PSI Environmental	\$ 19,767.53	548752
7/15/2022	Rachel Michaels	\$ 80.00	548753
7/15/2022	rocky Mountain Power	\$ 15,856.02	548754
7/15/2022	rotational Molding	\$ 3,490.00	548755
7/15/2022	Sams Club	\$ 1,772.21	548756
7/15/2022	Shayann Taylor	\$ 50.00	548757
7/15/2022	Shelley Ace	\$ 5,114.96	548758
7/15/2022	Shelley Auto Care	\$ 56.09	548759
7/15/2022	Smith Driscoll	\$ 3,948.00	548760
7/15/2022	Valley Office	\$ 10.00	548761
7/15/2022	Verizon Wireless	\$ 258.01	548762
7/15/2022	Wilbur-Ellis	\$ 1,479.63	548763
7/15/2022	2m Company	\$ 95.70	548764
7/25/2022	Blue Cross of Idaho	\$ 1,360.91	548765
7/29/2022	A&B Trans	\$ 2,034.04	548766
7/29/2022	Allied Business	\$ 31.80	548767
7/29/2022	Bingham News Chronicle	\$ 320.08	548768
7/29/2022	Boot Barn	\$ 157.49	548769
7/29/2022	Barnnon & Brannon Psychological	\$ 400.00	548770
7/29/2022	Cammans MVP	\$ 150.00	548771
7/29/2022	Centurlink	\$ 260.65	548772
7/29/2022	Clean Cut Lawn Care	\$ 416.00	548773
7/29/2022	Commercial Tire	\$ 806.39	548774
7/29/2022	Computer Warehouse	\$ 26.99	548775
7/29/2022	Cox Honey Farms	\$ 60.00	548776
7/29/2022	Eastern Idaho Reg. Wastewater Auth.	\$ 27,819.66	548777
7/29/2022	Eduardo Ballesteros	\$ 216.00	548778
7/29/2022	Electrical Equipment	\$ 24,504.62	548779
7/29/2022	Ferguson Waterworks	\$ 181.45	548780
7/29/2022	Footwear Outfitters	\$ 248.03	548781
7/29/2022	Forsgren	\$ 1,685.00	548782
7/29/2022	Garrett H Sandow	\$ 1,650.00	548783
7/29/2022	H-K Contractors	\$ 375,753.79	548784
7/29/2022	Hammon Teton	\$ 16.00	548785
7/29/2022	Henery Dannehl	\$ 216.00	548786
7/29/2022	IAS-Envirochem	\$ 125.00	548787
7/29/2022	Idaho Falls Peterbilt	\$ 5,155.66	548788
7/29/2022	Interstate Billing	\$ 2,984.60	548789
7/29/2022	Interview & Interrogation	\$ 499.00	548790
7/29/2022	Joseph Pacheco	\$ 281.00	548791
7/29/2022	Kaminsky Sullenberger	\$ 750.00	548792
7/29/2022	Kirk Dooley	\$ 452.04	548793
7/29/2022	Lumen LD	\$ 3.09	548794
7/29/2022	Matthew Bender	\$ 79.60	548795
7/29/2022	Mcguire Bearing	\$ 170.85	548796
7/29/2022	Nationa Asso. Of School Resource	\$ 495.00	548797
7/29/2022	Nick Balmforth	\$ 45.00	548798
7/29/2022	Protector Capital	\$ 1,050.00	548799
7/29/2022	R&S Distributing	\$ 280.48	548800
7/29/2022	Shelley Veterinary Hospital	\$ 41.16	548801
7/29/2022	Sherwin Williams	\$ 87.58	548802
7/29/2022	Sirchie Fingerprint Lab	\$ 55.55	548803
7/29/2022	Sparklight	\$ 243.25	548804
7/29/2022	Specialty Construction	\$ 106.08	548805
7/29/2022	Valley Office	\$ 258.07	548806
7/29/2022	Vally Implement	\$ 71,247.00	548807
7/29/2022	2m Company	\$ 337.76	548808
7/29/2022	Eatern Idaho Reg. Wastewater Auth.	\$ 368,000.00	548809
7/5/2022	Payroll	\$ 70,187.81	
7/20/2022	Payroll	\$ 77,577.84	
	Total	\$ 1,122,668.17	