

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

JANUARY 12, 2021

PRESENT: Mayor Stacy Pascoe
Council Members: Earl Beattie, 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: BJ Driscoll

This meeting was held virtually with Zoom Software.

Mayor Pascoe opened the meeting at 7:35 p.m. and welcomed all.

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

- Minutes of Council Meeting on December 8, 2020
- Minutes of Special Meeting on December 14, 2020
- November Expenditures
- November Overall Budget & Treasurer's Report
- Building Permits:
 - Rick Evans - shed

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

A Public Hearing was held to consider raising the sewer connection fee. Sandy said the hearing was published and posted. EIRWWA raised the connection fee in December up to \$5639 which is a \$1395 increase. The city collects \$500 for our infrastructure. The proposed fee for the city will increase to \$6139. BJ opening the public hearing and ask if there is anyone who is in favor, opposed or would like to give neutral comments on the proposed increase. There was nobody who wished to give testimony. BJ closed the public hearing. Mayor Pascoe said EIRWWA had to raise their fees to cover improvements to infrastructure and this affects what the city pays to them. If we do not increase our rates, we will have to supplement the fee to EIRWWA with user fees. Leif moved, Kim seconded to increase the sewer connection fee from \$4744 to \$6139 per ERU effective January 13, 2021. A roll call vote was taken: Kim – aye, Leif – aye, Adam – aye, and Earl – aye. Approved unanimously.

Sandy presented Resolution 21-01 setting the new sewer connection fee. Kim moved, Leif seconded to adopt Resolution 21-01 increase the sewer connection fee to \$6139 per ERU. A roll call vote was taken: Kim – aye, Leif – aye, Adam – aye, and Earl – aye. Approved unanimously.

The Planning and Zoning Commission held a public hearing to consider rezoning several parcels of property upon annexation into the city limits. This property will be zoned to R1 Single Family Dwelling and R1A Townhomes and is owned by Searle and Stonely Farms located on the south side of ??? and the west side of 900 East. The property owners have requested annexation so a residential subdivision can be platted. The P&Z recommended approval of the rezone upon annexation. There was no public testimony. Kim moved, Adam seconded to rezone parcels # to R1 and parcels #to R1A. A roll call vote was taken: Kim – aye, Leif – aye, Adam – aye, and Earl – aye. Approved unanimously.

Luke Bloxham addressed the Mayor and Council to discuss the fence that was required based on a Special Use Permit he received to build storage units along Anderson Road. He said the chain link fence was required by the city to prohibit off road traffic traveling off of Anderson Road into the storage unit facility. Mr. Bloxham said he would like to make it look better than chain link fence and would like to put architectural boulders in the right of way instead. He presented pictures of the types of boulders he would like to use. He said they would be placed about eight to ten feet apart. BJ suggested they be put closer together than that so a car cannot fit between them. Kim felt the rocks would be more esthetically pleasing. Leif suggested he check with his insurance to make sure they are covered if children are playing on the rocks and get hurt. Mayor Pascoe said they need to make sure the rocks are far enough off of the sidewalk to be safe for kids that are riding bicycles. He said whatever is going to be allowed on that side of the road will probably be asked for on the other side too. There are apartments on the other side of the road, and they would probably need a fence to provide safety for their tenants. Rod said he feels for safety concerns a fence should be put up, and so did Earl. Luke said if there are any problems the liability will fall back on the property owners. He said Brent Christensen the Developer of the subdivisions has approved the boulder concept. Leif said he is concerned about the little kids from the apartments crossing the road to play on the rocks. Rod said that road is a major throughfare. Adam moved, Earl seconded to deny the request to use landscaping boulders and stay with the original condition to install a chain link fence. A roll call vote was taken: Adam – aye, Earl – aye, Leif – aye, and Kim – nay. Three in favor, one opposed, motion carries.

Troy Clayton, one of the BMT Investors said he would like to make comments regarding the South Emerson rezone when that is discussed on the agenda.

Mayor Pascoe made the following assignments for 2021: Earl – City Hall, Tree Committee Liaison, Elite Retreat Liaison. Adam – Police, Attorney, URA liaison, and REDI liaison. Kim – Parks & Recreation, School liaison and SICOG liaison. Leif – Public Works, Engineering, Building Inspector, and P&Z liaison.

Earl moved, Leif seconded to appoint Sandy Gaydusek as Clerk/Treasurer for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Adam moved, Earl seconded to appoint Rod Mohler as Police Chief for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Adam moved, Kim seconded to appoint BJ as City Attorney for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Kim moved, Adam seconded to appoint Justin Johnson as Public Works Director for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Kim moved, Adam seconded to appoint Mikel Anderson as Recreation Director for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Leif moved, Kim seconded to appoint Forsgren as the City Engineer for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Adam moved, Earl seconded to accept the bankruptcy discharge in the amount of \$234.70 for Christopher Le Page. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Sandy said an employee asked if online gym memberships could qualify for the health facility reimbursement program. The employee's currently have to show they have been to the gym at least twelve times per month. Sandy said this is possible to show with some online memberships such as Peloton. Adam moved, Leif seconded to allow online gym memberships to be reimbursed in the amount of \$32.80 if the employee has utilized their membership at least twelve times during a month and can provide proof of such. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Adam moved, Leif seconded to approve Beer and Wine Licenses/Carry Out Only to the following businesses for 2021:

Hard Times II, Food Plaza, and Family Dollar. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Leif moved, Kim seconded to approve Siems Enterprises and S.E. Idaho Preparedness Store as specialized licenses for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

Kim moved, Adam seconded to approve the attached list of General Business licenses for 2021. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

BJ discussed the rezone that occurred a few months ago on several parcels of property on South Emerson. He said the city was contacted by BMT Investors who is one of the property owners regarding the requirements for the rezoning. BJ said he researched the matter on what remedies there were if there was a violation and the Statute really was not spelled out. He said he found a case regarding this and the Supreme Court leans towards starting the process from the beginning again. He said he recommends that under I.C. 65-6709 that the city set aside the rezone for the South Emerson properties and send this back to the Planning and Zoning Commission to start the process again. Troy Clayton, one of the owners said he has worked in Shelley seventeen years and would have asked

just what Mr. Driscoll has suggested. He said he is disappointed that they had to get an attorney in this matter. He said he was not prepared earlier and would like to go back and present more to the P&Z Commission that would work with both sides. Adam moved, Leif seconded that the city set asked the rezone on South Emerson and send this matter back to the Planning and Zoning Commission for consideration. A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

BJ discussed the Residential Estate (RE) zoning that is being created. He said this is scheduled to go to public hearing before the P&Z on January 19th. Sandy said this is important because she has a preliminary plat that was presented for Butte Meadows based on an RE zone. She said she needs to review the plat so a public hearing can be held on the preliminary plat. Mayor Pascoe said there were a few issues found with the Preliminary Plat for Butte Meadows. For one thing the street names are the same or similar to other streets already existing in the city. Blake Jolley said a company in Boise put the plat together, but changes can be made. Sandy asked Blake if he has completed the subdivision application and all of the items needed for the preliminary plat are checked off. Blake said yes, they are. Adam said in regard to the RE zone, the size should be ½ acre or larger and not limited to an acre. BJ suggested having a work meeting with the P&Z regarding the RE zoning or he could meet with them and discuss some of the concerns. A work meeting was scheduled for January 10, 2021, at 6:00 p.m.

BJ said the item on the agenda regarding the adoption of the finding of facts for the moratorium was not added to the agenda in the forty-eight hour in advance time frame to meet open meeting law. He said we have the minutes, but the findings and the conclusion must be formalized. He said he would like to defer this issue to the next meeting. Mayor Pascoe asked the council members to look at the various areas of concern in the city and get the information to Sandy. Adam moved, Earl seconded to table this matter until the next meeting. . A roll call vote was taken: Adam – aye, Earl – aye, Kim – aye, and Leif – aye. Approved unanimously.

BJ thanked the Mayor and Council for his appointment. He said he would not be in attendance at the next meeting.

Sandy thanked the Mayor and Council for her appointment. She said she looks forward to working with Earl. Sandy said she met the deadlines for filing for the COVID funding and so far, everything is looking good.

Mikel thanked the Mayor and Council for his appointment. He said basketball is going great and the patrons are following the rules for COVID.

Rod thanked the Mayor and Council for his appointment. He thanked Earl and said he looks forward to working with Adam.

Justin said it has been business as usual for the crew. He said the Christmas decorations have been cleaned up, and he has been working with Rocky Mountain Power to finish up the LED light program. He said he has had a couple of water lines break that have been fixed. Justin said the recharge ditch is coming along and will be working this spring with the maintenance to the sprinkler system and groundwork, etc. He said Wade Mohler will be doing his CDL testing

soon. Justin said the crew has been working on a break room at the shop. He said he appreciates the appointment and looks forward to working with Leif.

Adam asked about an Emergency Plan for the city. Sandy said an Emergency Plan was developed with Bingham County. Adam said he would like to review the plan and have it updated. Sandy will get a copy of the plan to him.

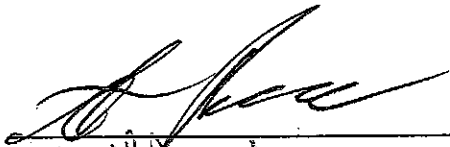
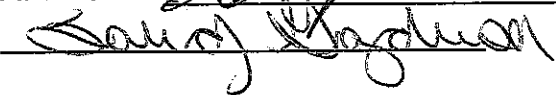
Kim said she looks forward to working with Mikel again. She said they will be looking for grant money to re-do the tennis courts.

Leif said he looks forward to working with Justin.

Earl said he is excited to work with Sandy. He said he had an eleven-year run with Rod in the Police Department and will help Adam anyway he can. He said he appreciates the guidance from the Mayor and Council.

Mayor Pascoe said he appreciates how everything is running smoothly. He said we have a great working group.

Adjourned: 9:00 p.m.

APPROVE:  ATTEST:


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

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE OF BUSINESS</u>
<u>SPECIALIZED LICENSES</u>		
SEIMS ENTERPRISES	178 S EMERSON AVE	SECOND HAND GOODS SALES
S.E. IDAHO PREPAREDNESS STORE	136 E MAPLE ST	PAWNBROKER/FOOD STORAGE/PREPAREDNESS SALES/FIREARMS SALES
HARD TIMES II QUICK STOPS	646 S STATE ST	BEER AND WINE CARRYOUT
HARD TIMES FOOD PLAZA	646 S STATE ST	BEER AND WINE CARRYOUT
FAMILY DOLLAR	560 S STATE ST	BEER AND WINE CARRYOUT

GENERAL LICENSES:

NEW: \$25

RENEW: \$5

V&L ENTERPRIZE	760 ASPEN AVE	CONSULTING AND SALES
DOUGS MEATS	907 ½ S STATE ST	MEAT SALES
EL JALICICENSE #3	374 S STATE ST	RESTAURANT
MR FIXIT OF IDAHOFALLS	338 S MILTON AVE	HANDYMAN
NEW PHASE INC	149 S EMERSON AVE	PLASTC PRODUCTS DIST
BLACKBIRD RODS	255 ANDERSON AVE	AUTO RESTORATION
ALEXANDRA'S MUSICA LATINA	130 E MAPLE ST	MEXICAN MARKET
DEERAY'S AUTO BODY, RESTORATION AND TOWING	428 E CENTER ST	AUTO BODY PAINT, REPAIR AND TOWING
RENT THE EVENT EAST IDAHO LLC	518 N STATE ST #B	PARTY AND EVENTS RENTALS
HAIR TO "DYE" FOR	483 N PARK AVE	HAIR SALON
OUTLAW BARBERSHOP	210 S STATE ST	BARBERSHOP
BASIC AMERICAN FOODS	424 S EMERSON AVE	FOOD PROCESSING
KLM PHOTOGRAPHY	550 JUNIPER CT	PHOTOGRAPHY
ABC SUPPLY CO	570 N STATE ST	BULIDING MATIERAL WHOLESALE
WRIGHT PHYSICAL THERAPY	299 ANDERSON RD	PHYSICAL THERAPY
IDAHO 6 CLARK RSA PL	513 N STATE ST	CELL TOWER
IDAHO 6 CLARK RSA PL	SW ¼ OF SW ¼ OF SEC 34	CELL TOWER
SHELLEY EYECARE	524 N STATE ST	OPTOMERIST
SHELLEY LAUNDROMAT	255 W LOCUST ST	LAUNDROMAT
KIM WESTERGARD HAIR SALON	812 W FIR ST	HAIR SALON
EMBROIDERY IN DESIGN	585 FLAMINGO AVE	EMBROIDERY
MR PIZZA	427 N HANSON AVE	RESTAURANT
WINDER FUNNEL CAKES	389 S HOLMES AVE	SEASONAL CONCESSIONS
COUMERILH MANAGEMENT SERVICES	141 S HOLMES AVE	INSURANCE AND TAX ACCOUNTING
BASELINE CONTRACTORS INC	985 RIMROCK CANYN	CONSTRUCTION & LAND SERVEY
PROTECH FENCE CO	474 WALNUT ST	FENCE SERVICES
HOMEWORK LANDSCAPING	358 E CENTER ST	LANDSCAPING
RIVER VALLY DENTAL CARE	371 W FIR ST	DENTAL OFFICE
SNAKE RIVER ASSO OF SHELLEY	357 W FIR ST	OPTOMETRIST

HARD TIMES SALE&DISPT.
LOST ART EDITING
CARLISLE CUSTOM WOOD
LISA'S DAYCARE
TJ'S AUTO DETAIL
ROMAINE'S SOFA KING
MUTUAL OF OMAHA
S&S ENTERPRISE
DIAMOND PEAK
GABLES OF SHELLEY
RICHARDSON CONCRETE
SHELLEY ARCTIC CIRCLE
G-TECH DEFENSE
WEDDING AND PARTY EXCHANGE
NALDER FUNERAL HOME
GULF CARTS UNLIMITED/C&S
STORAGE
HIGHEM VETERINARY CLINIC
ALL4BALANCE
EDWARD JONES
HAIR IT IS AND TANNING 2
YBARRA TRUCKING
ELITE STUDIOS
CHRISTA BALL
SHELLEY VETERINARY HOSPITAL
SHELLEY SENIOR CITIZENS
O'REILLY AUTO PARTS
NOTFORGOTTEN GIFTS
SHELLEY AUTO CARE
ADRENALINE PERFORMANCE
COVERT COMPANY
TETON STRUCTURAL
DAYLES BEAUTY
BLUE MULE
EPIC IORN
SHELLEY DENTAL
ANGIES QUEEN BEAN
MATHEWS PLUMBING
COMMERCIAL METAL
T&C STORAGE
ON THE HOOK
INTERMOUNTIN DIVING
IDAHO FUN JUMPS
REHLE'S ART
ASPEN COUSELING
SHELLEY CHIROPRACTIC
BEST
HIDDEN TREASURES
HIDDEN TREASURES
GOLDEN VALLEY
ZZ CONSULTING
THE BANK OF COMMERCE
UNITED SERVICES
GOOD2GO
THE PAW SPA
DIAMOND B SPECIAL
BROLIMS SUPERMARKET
ACCRA MACHINE INC
WOODY INC

646 S STATE ST
714 S MILTON AVE
270 #A S SPUD ALLEY
294 W PINE ST
230 S STATE ST
140 S STATE ST
410 N PARK AVE
280 HUMMINGBIRD LN
183 E OAK ST
530 RIVER POINTE LN
494 E CENTER
606 S STATE ST
136 S STATE ST
230 W PINE ST
110 W OAK ST

650 N STATE ST #6
370 N STATE ST
155 KIRKHAM CIR
124 S STATE ST
118 S EMERSON AVE
324 SHELLEY AVE
270 S PARK AVE
386 QUIGG AVE
614 N STATE ST
193 W PINE ST
306 S STATE ST
404 S BYRON AVE
580 S STATE ST
606 N STATE
130 S SPUD ALLEY
136 S STATE ST
134 BIRCH
195 S SPUD ALLEY
176 S STATE ST
530 S STATE ST
4940 E LOMA CIR
342 S STATE ST
612 N STATE ST
128 E MAPLE
3717 CHERRYWOOD
127 KIRKHAM
155 W FIR
370 N STATE ST
753 ASPEN AVE
528 N STATE ST
414 S PARK
479 N STATE
238 S EMERSON
815 E 1400 N
540 S STATE ST
290 S STATE ST
518 A N STATE
510 S STATE ST
104 S EMERSON
1131 OCOTBER COVE
570 S STATE ST
730 S MILTON AVE
730 S MILTON AVE

WHOLE SALE PETRO
EDITING/PROFREADING
SALES OF STAIRWELLS AND DOORS
CHILD CARE
AUTO DETAILING
FURNITURE RETAIL
INSURANCE AGENCY
STORAGE UNITS
ASSISTED LIVING
ASSISTED LIVING
CONCRETE CONTRACTOR
FAST FOOD
RETAIL FIREARMS SALES
WEDDING SALES AND PARTY RENTAL
FUNERAL HOME/MORTUARY

RENTAL AND REPAIRS OR GOLF CARTS/STORAGE
VETERINARY CLINIC
HOLISTIC CLINIC
FINANCIAL SERVICES
HAIR AND TANNING SALON
TRUCKING
DANCE AND GYMNASTICS
HOLIAITC SERVICES
VETERINARY HOSPITAL
DANCING
RETAIL AUTO PARTS AND SUPPLIES
CRAFT AND GIFTS SALES
AUTO REPAIR
AUTO REPAIR
SCALES SALES
ENGINEERING SERVIES
HAIR SALON
AUCTION SERVICES
RESALE
DENTAL CLINIC
MOBILE FOOD
PLMBING AND HEATING
HVAC
STORAGE UNITES
MOBLIE FOOD
SCUBA DIVING
JUMP HOUSE RENTALS
ART STUDIO
COUNSELING CENTER
CHIROPRACTIC CLINIC
EDUCATIONAL SERVICES
SECOND HAND GOOD SALES
SECOND HAND GOOD SALES
MANUFACTURING
ENGINEERING
BANKING
JANITORAL SERVICES
WINE AND BEER CARRY OUT
PET GROOMING
SCREEN PRINTING
WINE SALES AND BEER CARRY OUT ONLY
MACHINE
SPORTING GOODS AND FIRARM SALES

LANG VENTURES
STONE RIDGE DENTAL
SNAKE RIVER PROSPECTING
KA&g WOODING UNLIMITED
BINGHAM MEMORAL CLINIC
CUSTOM CANVIS
ELEVATED LIFE FAMILY
COX HONEY FARM
#TREATS
SEW LETS PLAY
ACE HARDWARE
CHALET SERVICES
PORTER HOUSE
DOMINOS PIZZA
MTS PROPETIES
LOOK ELECTRONICS

140 N BYRON AVE
295 ANDERSON RD
252 S HOLMES
1212 N 900 E
275 W LOCUST
650 N STATE ST #2
120 N EMERSON
456 S STATE ST
202 S STATE ST
330 QUIGG
572 S STATE ST
1391 N 950 E
670 N STATE
526 N STATE ST

359 S MILTON

LOG FURNITURE MAKING
DENTAL CLINIC

CUSTOM WOOD MAKING
MEDICAL CLINIC
DESIGNING
CHIROPRACTIC OFFICE
RETAIL
CANDY RETIAL
ONLINE MERCHANT
RETAIL
HOME INSPECTIONS
EDUCATION SERVICES
RESTARANT
BROKERAGE BUISENSS
DATA RECOVERY

TOTAL LICENSES:117

