

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

FEBRUARY 22, 2022

PRESENT: Mayor Stacy Pascoe

Council Members: Jeff Kelley, 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: Mayor Pascoe

The meeting was opened at 7:30 p.m.

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

Approval of the Minutes of Council Meeting on February 8, 2022

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

Approved unanimously.

A Public Hearing was held to consider amending the front setbacks in a Residential Estate zone. BJ opened the hearing and explained the hearing process. He asked is anyone would like to speak in favor of the amendment.

Derreck Dye, 155 Kirkham Circle was sworn in. Mr. Dye said he first discussed this zoning two years ago. He presented Exhibit A showing the proposed ordinance, views of his lots, and different scenarios of the ROWs from the asphalt where the ROW would start. He said there was a work meeting a few weeks ago which this was discussed and an amendment was presented to the Planning and Zoning Commission asking for a minimum 45-foot setback from the ROW and a maximum of 65 feet. He presented Arlen Hendrix's notes who is a member of the P&Z Commission. The notes stated he believed the setback was measured from the middle of the road. The P&Z recommended approval of the 45–65-foot setbacks. The council felt a 20-foot variance was too large and called for another hearing. Mr. Dye said tonight it is being considered to have a minimum setback of 55 feet from the ROW and a maximum of 65 feet. Mr. Dye presented a drawing of his plat showing some of the lots will have a small backyard if the setback is 55 feet from the ROW. He said he would like the possibility considered to allow a variance on a case-by-case basis, or amend it to a 45–65-foot setback. Mayor Pascoe said he is concerned about having a 20-foot span between some of the lots. He said he looked at an aerial shot in the Grover Subdivision and most homes are in line. He said he feels with a 20 variance some of the homes will be looking right in the back window of their neighbors. Mr. Dye asked if this personal opinion or the community's opinion. Mayor Pascoe said he has been contacted by some of the home owners in the River Bend Estates complaining about the placement of the homes even though this is not within the city limits. Mr. Dye said the River Bend Estates have acre lots and have varying setbacks throughout and are way back from the others. Mr. Dye said he would like to

propose no maximum setback from the front. Jeff said there is a desire to create a country feeling and setting these homes with no offset effects the value. He said there needs to be some conformity due to the area they are in. Mayor Pascoe presented Exhibit B which is a map of the Grover Subdivision to show where the homes are placed from the ROW. Leif said the ordinance sets the setbacks based on the zoning of the lot.

Heath Mitchell, 1161 N. 900 E., Shelley was sworn in. He said he believes the setbacks pertaining to safety has been addressed. He said now what looks good is being discussed. Mr. Mitchell said he is concerned when personal preferences are used when deciding what looks good. He said they should set a minimum front and a minimum back setback and let the owners of the property set up the housing site. Jeff said if there were no setback ordinance, the whole town would be Hodge Podge. He said we have to be careful of this.

Heath Mitchell said he would like to have a wide enough variance between the minimum and maximum that people will have a choice. He said ten feet is too restrictive for a large acreage.

BJ asked is there are any neutral comments. There were none. BJ asked is there are any opposition and there was none. The public hearing was closed. The time was turned over to the Mayor and Council for deliberation. BJ commented that variances are considered by the Planning and Zoning Commission and have some very strict standards. Kim asked if 45 to 65 feet was considered again if another public hearing would need to be held. BJ said yes, tonight 55 to 65 feet is being considered. Adam moved, Kim seconded to amend the City Ordinance 10-8-2 and 10-8-9-2(I) (5) regarding the front setback for a residential estate to 55 feet minimum and 65 feet maximum from the ROW. Approved unanimously.

Steve Oler requested a rezone to his property on South Milton Avenue that is currently zoned as Residential Agricultural to Single Family Residential. The Planning and Zoning Commission held a public hearing on this matter and recommend approval of the rezone since the lot is .69 acres and not buildable in a Residential Agricultural zone. Leif moved, Kim seconded to accept the P&Z recommendation and rezone this parcel of property on South Milton owned by Steve Oler as Single-Family Dwelling. Approved unanimously. BJ will draft the rezone ordinance.

Krisi Staten with ECIPDA discussed the grant that was submitted to Idaho Department of Commerce and was not awarded to our city. She said the city is not under a compliance order as many of the other cities were, and our match money was not as high. She said the budget for the water project was \$1.15 million and the city was match \$600,000 which was too low of a match which received zero on the rating sheet. Krisi discussed each ranking category, and ultimately said it appeared the city was asking for a grant to fund growth and you cannot get a grant for that purpose.

Lisa Clements with Shelley Supporter of the Arts said their organization would like to do the billboards along State Street again this year. She said there are various organizations that will be participating again. Kim moved, Leif seconded to give permission to place the signs along State Street. Approved unanimously.

Leif moved, Kim seconded to approve the following business licenses for 2022:

V&L Enterprises LLC – 760 Aspen

Ironwood Cabinet – 104 S. Emerson

Approved unanimously.

Brian Smaka, Forsgren Engineering discussed the study they completed for water connection fees. He said they looked at the cost value and what is needed for new connections. He discussed the infrastructure that is existing which is valued at about 16 million based on current conditions. He said there are about 1700 existing connection and the cost per connection is \$9510.78. Mr. Smaka said the existing customers have already paid for the existing infrastructure. Leif said currently we charge \$1300 which means we will never get in front of keeping up with improvements to our infrastructure at that rate. Mayor Pascoe said the city needs to increase the connection fee, but he feels it does not need to increase to \$9000. The Council determined to call for a public hearing to consider increasing water connection fees up to \$9500. The hearing will be March 14, 2022, at 7:30 p.m. at the Shelley City Hall.

Jeff discussed the East Center improvements that will need to be done in the future since there is development on both sides of the street. He feels the street needs to be widened to accommodate the increased traffic. Jeff suggested that letters be sent to the adjacent landowners to notify them of a potential LID to be able to improve the street. The Council determined to wait until summer and more information can be obtained.

Kim moved, Adam seconded to table the discussion with the school regarding the alternative school on West Center Street until the next meeting. Approved unanimously.

Jeff presented a letter he drafted to the County Commissioner regarding setting up a meeting to discuss how to overcome Urban Sprawl. The Mayor and Council discussed the letter and thought it was great and to proceed with finalizing it and sending it out.

Justin presented a list of potential movies for this upcoming season for “Movie in the Park”. He asked the Council to review it and come up with ideas for at least four of the movies. The city will schedule movies for the end of June, two in July, and one in August unless we get more sponsors.

The Council Meeting scheduled for March 22, 2022, is cancelled due to spring break. A meeting was scheduled for March 14, 2022, instead of the 22<sup>nd</sup>.

Sandy said the appraisal for the land for 30 feet next to James Bleak Park came back at \$36,118. She said this is for 7620 square feet. She said Mr. Rigoulti is willing for pay \$400 for the appraisal but may look at other options to access his property.

Mikel said he has one week left for the Jazz program. He said he has received some good comments about the referees this year. He said soccer signups will be coming up.

Mikel said he and Sandy applied for a grant through Parks and Recreation to help fund the pickle ball court and to refurbish the tennis courts.

Jordon said he is working on reviewing the ICCU plans. He said he is starting to get a few house plans coming in since spring is coming. Jordon said he will be working on the new software program for permitting, and should be able to utilize it soon.

Justin said he had a glitch in the water system a few Sundays ago. He said there was a communication error that has now been resolved. Justin said everything seems to be working good now.

Justin said HK will be doing the East Fir Sewer Project next Monday or possibly the week after.

Justin said he and Jordon will be attending the IDWR Conference in Boise beginning on March 8, 2022. He said this will help he and Jordon maintain their credits as certified operators.

Rod said Officer 1109 will be starting his employment on March 9, 2022. He said they are also still working on the K9 unit.

Jeff said there will be an open house on March 10, 2022, at the Senior Citizen Center to inform people about the upcoming election regarding the formation of a Sewer District.

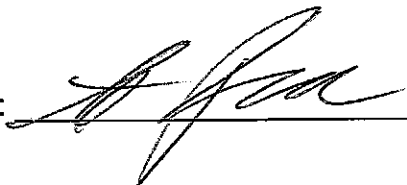
Leif introduced Kurt Edwards who he would like to have appointed to the Planning and Zoning Board. Leif moved, Jeff seconded to appoint Kurt Edwards to the Planning and Zoning Board. Approved unanimously.

Kim said the scholarships for the Mayor's Scholarship Program is opening on March 16, 2022. She said she would like to see a lot of seniors in Shelley apply for a scholarship. This year Shelley will be hosting this event. It will be held in the Shelley High School Auditorium on April 28, 2022, at 6:00 p.m.

Kim discussed implementing a scholarship program for swimming lessons.

Adjourned: 10:07 p.m.

APPROVE:



ATTEST:

