

CITY OF SHELLEY
COUNCIL MEETING
MINUTES

NOVEMBER 09, 2021

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: BJ Driscoll

Mayor Pascoe opened the meeting at 7:31 p.m.

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

Approval of the Minutes of Council Meeting on October 26, 2021

Approval of Special Meeting Minutes on November 1, 2021

Approval of Building Permits:

Darrell Ingram	- re-roof
Larry Bateman	- re-roof
Darrell Snyder	- shed

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

A public hearing is being held to reconsider the preliminary plat for Fox Crossing Subdivision owned by Anderson Hicks Group. The Planning and Zoning Commission held the first public hearing on July 20, 2021 and recommended approval to the Council, however the Council denied the preliminary plat on July 27, 2021. On August 24, 2021 the Developer's attorney sent a letter requesting reconsideration of the preliminary plat. Tonight's hearing is to review past testimony, take new testimony and reconsider the preliminary plat. Mayor Pascoe explained to the public regarding the reconsideration and turned the time over to BJ to conduct the hearing. BJ explained the process of the hearing, and said there is a sign-up sheet if you wish to give testimony. He opened the hearing.

Mike Hicks, Palamino Drive, Idaho Falls with the Anderson Hicks Group was sworn in by BJ. Mr. Hicks said he has been in the Idaho Falls area for many years. He said he noticed affordable housing is a challenge to find. Mr. Hicks said there are beautiful subdivisions but they are out of financial reach for most. He said he would like to provide affordable housing in Shelley. He heard that 105 acres in Shelley had been annexed and that's where this all began. Mr. Hicks said Governor Little even said this is a major problem across the State. He believes everyone should have the option to find a single-family home in a good community. Mr. Hicks said year to date 51 single family homes have sold in Shelley. He said the average price was \$287,000. He said right now there is one home for sale which is over \$400,000. Mr. Hicks said cities have to have growth

to keep up. He said this is a 375-lot subdivision which will build out in five years; that's about 70 homes per year. Mr. Hicks said when the plat was designed, it met the city code or exceeded it. He said the homes will be turn key ready to move in; fences, sprinkler system, hydro seeded, and finished basements will be done. Mr. Hicks said the average price for these homes is \$350,000 to \$375,000. He said the average median income for the city is about \$62,000. He said the local economy will be boosted while the homes are being constructed; such as workers will utilize city businesses for gas, food, groceries, etc. He said before purchasing the property it took about sixty days to see if their vision would meet with our community. He said they intended to apply for variances to build differently but was told it would be highly unlikely they would be granted. He said so they redesigned the subdivision to meet the ordinances and then purchased the land. Mr. Hicks said he was expecting approval of the preliminary plat since it complies with all city ordinances. He said Fox Crossing is owned by local people. He said he has been in business thirty-three years and his name would be attached to this.

Steve Ellsworth, 253 1st Street, Idaho Falls, with Ellsworth and Associates was sworn in. Mr. Ellsworth said his engineering firm helped design the preliminary plat for this subdivision. He said all design codes were met as well as the street specs. He said there are storm ponds which both are over one acre. He said there is a pressurized irrigation system that was designed. BJ asked how the application meets the sewer requirements, such as capacity, lines, etc. Mr. Ellsworth said the sewer will go through the Parks Subdivision.

Blake Jolley, 2295 N. Yellowstone, Suite #6, Idaho Falls, Connect Engineering was sworn in. Mr. Jolley said he is the engineer for the Parks Development which is across the street from the proposed Fox Crossing Development. He said he was asked by the applicants for Fox Crossing about how the Parks got to where it is today. He said he told them they worked with the city and is helping to improve the size of the main sewer line on West Fir Street. He said their water lines are also being extended for any future growth.

Chris Bertagnolli, 306 Spring Meadows, Idaho Falls was sworn in. Mr. Bertagnolli said he has been looking at different opportunities and works with many investors. He said he was excited about this property in Shelley because it was already annexed and zoned for Single Family housing. He said when the Council denied the preliminary plat there was a lot of language about the Comprehensive Plan. He said he reviewed the Comprehensive Plan and looked at the services to be provided by the city such as police, water, sewer, sanitation etc. He said this should have been looked at prior to annexation and zoning. Mr. Bertagnolli said the decision should have been based on the ordinances not complied with, not something that should have been looked at prior to annexation. He said there is not this niche in housing available in Shelley. He said the city has town homes or homes priced at five or six hundred thousand. Mr. Bertagnolli said there is a high demand for the homes they intend to build.

Shawn Anderson, 5107 Solstice, Idaho Falls, was sworn in. Mr. Anderson said he believes Fox Crossing will be a wonderful thing for the City of Shelley. He said there are many wonderful families in the area. Mr. Anderson said they presented a large plat that was overwhelming but wanted to share the overall vision with the city. He said fifty or so homes per year should be acceptable for the city to

provide for this growth. He said they are willing to contract the sanitation service to a private company. He said another concern was parking on the street. Mr. Anderson said they have two car garages to provide for parking, and they will also have a third-party HOA to manage and control the area. He said he would really appreciate the Council's reconsideration.

Jeff Siler, 4238 Forest Glen Drive, Idaho Falls was sworn in. Mr. Siler said he is a CPA in Idaho Falls and an investor in Fox Crossing. He said as an investor he recognizes an opportunity to boost his ability to stay here in this area. He said this subdivision meets all the requirements of the ordinances. Mr. Silers said he wants Idaho to stay a nice place to live. He said he would like the opportunity to allow other people to stay in the area as well. He said he is curious about why the city would not want them here. Mr. Siler said he wants this to work well and has no intentions for this subdivision to be bad. He said his son lived in Shelley briefly and loved it. Unfortunately, he had to moved, but he would desperately like to come back. Mr. Siler said his son is unable to get an apartment here, so he is looking at other states to move to. He said they are having a hard time keeping our kids in Idaho.

Aaron Johnson, 1405 Foot Drive, Idaho Falls was sworn in. Mr. Johnson said he is part owner of Bateman Hall Construction. He said all the contractors and subs are local that will be working on this development. He said a manager will be involved all the time to make sure the code is being followed and they will follow safety requirements. Mr. Johnson said he has weekly calls from out of state developers that want to invest. He said they are very selective in developers and has worked with Anderson Hicks. He said they properties are owner occupied for at least ten years, and a turnkey home is a huge plus.

Mike Hicks added that a secondary irrigation was designed for the development and the HOA will manage it.

BJ asked if there were any neutral comments to be given.

Heath Mitchell, 1161 N. 1000 E. Shelley, was sworn in. Mr. Mitchell said he can relate to both situations. He said he recognizes the desire for development to fill a need and is has no concern about this group providing quality work. He said if the city wants larger high-end homes, the ordinances should reflect that. Mr. Mitchell said if its zoned Single-Family Dwelling, then certain regulations apply. He said the Park Subdivision lots are ½ to 1 acre and their homes will probably sell for over \$500,000. Mr. Mitchell said he sees their point of view; where is his son going to live when he is starting out. Mr. Mitchell said as a developer, smaller homes next to their development won't hurt them.

Ann Winder, 389 S. Holmes was sworn in. Mrs. Winder said she has raised five kids here and has lived here her whole life. She said she is not afraid of growth because she knows it will be coming. She said her concern is that it's done in an orderly manner. Mrs. Winder said it appears that Anderson Hicks intends to provide a nice subdivision. She said Bingham County is approving about everything that comes to them. She said there are a lot being built in the county and is worried about the schools handling the growth. Mrs. Winder said she is concerned about the impact this will have. She asked about how to voice her

concern about the developments in the county. Jeff said she needs to follow their meeting minutes and attend the meetings.

Gordon Bush, 690 Gatehouse Lane, Idaho Falls was sworn in. Mr. Bush said he is an investor in Fox Crossing. He said he was born and raised in Idaho Falls. He said his younger brother is having problems finding a house here. Mr. Bush said he is glad he could invest locally so people can stay in the area they grew up in.

Opposing testimony was given.

Superintendent Chad Williams, 262 N. Park Avenue, Shelley was sworn in. Mr. Williams said he is the Superintendent of the Shelley School District. He presented a letter that summarizes the current enrollment and projected growth. Mr. Williams said he is concerned if the school will be able to absorb the new growth coming into the district. He said the district plans to build a new High School, but it is a three year or longer process. He is worried about too much growth to quickly. Mr. Williams said the district will have the debt capacity in 2024, and a new school could be built in 2027. He said he is concerned about how much will be spent on modular units during the interim. He said there are already 547 new units already approved. Mr. Williams asked the Council to consider how quickly developments are approved so the school has time to plan and absorb this growth. He said he feels he definitely should give the County more input also. BJ numbered his letter as exhibit A which is attached to these minutes.

Aaron Severinson, 883 E. 1300 N. Shelley, was sworn in. Mr. Severinson said he grew up in Shelley in 1979 and moved in 1997. He said he found the opportunity to move back. He said his property is sandwiched between the Parks and the Fox Crossing Subdivisions. He said he is concerned about how the infrastructure will be paid for. He said he is concerned about his taxes increasing. He said he is also concerned about the wastewater treatment plant and the planned sewer district. Mayor Pascoe said his tax money will not be used to develop the Park or the Fox Crossing Subdivisions. He said the city's levy rate is lower but the county controls everyone's valuation. Jeff invited Mr. Severinson to call him regarding any questions he has with the sewer system.

Craig Geary, 469 E. Center, Shelley was sworn in. Mr. Geary said he lives just to the west of the proposed subdivision. He said he owns a business in Shelley and loves it here. Mr. Geary said he's been involved with the Chamber of Commerce, the Kiwanis, and Spud Day for a very long time. Mr. Geary said growth is going to happen, but he has looked at the plat and feels we don't need this type of development in the city. He said the presenters made a good presentation, but none of them live in the city. He said yes, there is a two-car garage, but with this size of lots where are you going to put trailers, RV's ATVs, and such. He said he has seen other developments come in and it has been a nightmare maintaining it. Mr. Geary said where will the snow be plowed and who will contract the garbage. He said he feels the lots could be laid out differently. Mr. Geary said he is very much opposed to the lay out, and this is laid out in a way the city doesn't need.

David Everett, 445 E. Center Street, Shelley, was sworn in. Mr. Everett said most of his concerns have been voiced already. He said the Developer may have met requirements, but the people do not like it. He said he has heard from a lot of

people that are against it. Developers have good words but what if it doesn't happen the way they said it will work. Mr. Everett said Developers come in and tell cities what they need, but its not the city's responsibility to have a place for their kids to live, it's their responsibility to maintain the city. Mr. Everett said he is against this Development.

Randy Adams, 924 E 1400 N. Shelley was sworn in. Mr. Adams said he is the Fire Chief for the Shelley Firth Rural Fire District. He submitted a two-page letter in regard to this development. He said he is glad he has the opportunity to give more comments. Mr. Adams said as a Fire Chief he has to figure out how to protect these homes. He said during the P&Z Public Hearing it was brought to his attention that there will be no on street parking. He said he still has concerns on the access and availability to reach these homes with the equipment they have. Mr. Adams said he reached out to other Fire Departments and talked to the County about the rapid growth. He said he is struggling keeping up. Mr. Adams said based on what he has seen and heard HOA's are not being followed. He said he looked at HOA's from Idaho Falls to Aberdeen and none are having their requirements met. Mr. Adams said he understands that the original statement that these homes would not have outside water bibs was incorrect. BJ labeled the two-page letter Mr. Adams submitted as Exhibit B which are attached to these minutes.

Rod Mohler, 115 S. Emerson, Shelley was sworn in. Mr. Mohler, Police Chief for the City of Shelley said he is not anti-growth, but growth needs to be controlled. He said he needs to make sure the citizens are safe. He said everyone needs to think about if we want to lose our small town feel and quality of life. If we can safely protect the growth, and can we maintain the infrastructure. Chief Mohler said we are already struggling to hire police officers, and with rapid growth can he hire enough to cover all of the area. Chief Mohler said it is the Council and the Department Heads to help plan for our growth. BJ labels Chief Mohler's two-page letter as Exhibit C which are attached to these minutes.

Justin Johnson, 155 E. Pine Street, Shelley was sworn in. Justin who is the City Public Works Director presented a seven-page document for review. He discussed each of the pages concerning water where he feels the money is sufficient for this to handle this utility. Sewer funding is also sufficient for this utility based on user fees. Justin said in regard to streets, the price to maintain the streets with the exception of seal coating will cost about \$50,000 and the seal coat would need to be done every five to ten years at about \$83,000. Justin said he feels the revenue would be sufficient for this service also. Justin discussed storm drains and felt the revenue received would cover this service. He said snow removal could be covered as well as maintaining green space. Justin said in regard to garbage service, the city cannot handle the growth. He said another driver would need to be hired and another truck purchased. Justin said our driver is already struggling to pick up the sanitation now. He said a new truck would cost \$275,000, and a roll off truck about \$250,000. We will need new residential cans which are about \$110 each. A new employee with wages and benefits will cost about \$60,000, and truck maintenance is about \$15,000 per year. He said the total priced for this development to provide sanitation services will cost about \$452,626 annually. BJ labeled this seven-page document as Exhibit D which will be attached to these minutes.

Sandy Gaydusek, 101 S. Emerson Avenue, Shelley was sworn in. Sandy is the Clerk/Treasurer for the city. She submitted her view on the Fox Crossing Development and submitted a one-page document. Sandy said this plat has been submitted for 375 homes, which she presumes will bring in the potential of approximately 1125 more people. She said she the growth it means more business at city hall such as building permits, setting up city services, paying city services and Department of Motor Vehicles services. She said the city is already struggling during peaks time in our DMV section due to the county growth. We have limited room for customers even with our recent remodel. Sandy said new growth impacts our services unless more staff is hired, and the office is arranged to accommodate more customers for DMV and City Hall. She said the city would see an increase in property tax revenue of approximately \$450,000 which will help cover police personnel and equipment, maintenance of city parks, street lighting, street improvement and to supplement pool expense and recreation programs. Sandy said tax money cannot be used for water, sewer, or sanitation; those are enterprise funds and must pay for themselves. BJ labeled this one-page document as Exhibit E which are attached to these minutes.

Dave Noel, Forsgren and Associates, 1137 Summers Drive, Rexburg was sworn in. Dave Noel is the City Engineer. He said as a reminder that in regard to compliance with the city ordinances, in July he wrote a letter that stated inside the boundary of the plat all ordinance requirements have been met. However, outside the boundary of the plat where they must connect to the city services there are some issues. Dave said when he reviewed the preliminary plat it appears the proposed development and infrastructure upgrades by the developer was sufficient, and the sewer lines inside their development are adequate. He said the developers are proposing to connect to the Parks Development which will flow to East Fir Street. He said the city is working on a project to upgrade the trunk line on East Fir. Dave said it has been designed with enough capacity for all approved and proposed subdivisions and even additional subdivisions. He said however, right now there is no physical line to connect to. He said the Parks are installing their line, but the city does not have a line at this time for them to connect to. The project is underway, and the city seems to be going in the right direction, however there is no pipe in the ground, and we really haven't given Fox Crossing the opportunity to address this. Dave said before the development can be approved there has to be a sewer line in the ground.

Craig Cutler, 1060 Rimrock, Shelley was sworn in. Mr. Cutler asked how much will it cost him as a resident for this Development.

Craig Geary, still under oath asked if his irrigation right of way that goes through Fox Crossing has been looked at. Mr. Hicks said this has been addressed.

BJ called for a ten-minute break and then said rebuttals will be heard from the Developers.

Chris Bertagnolli, still under oath said they have discussed the Comprehensive Plan and the zoning of the city. He said it is the Council and the Planning and Zoning Commission is responsible to provide diversity of housing, etc. He said they should have forward thinking plans before any annexation and zoning takes place. He said they purchased the property knowing they were good to go for Single Family developments. Mr. Bertagnolli said they partnered with the Parks

to solve the water and sewer issues. BJ asked if Mr. Bertagnolli felt the Comprehensive Plan only applies during the zoning phase and not during this phase. Mr. Bertagnolli said no but asked why the city was so quick to change the ordinances to larger lots and setbacks when they were denied. Kim said when the property was annexed there was a different dynamic than there is now. Mr. Bertagnolli agreed that it has grown quickly. Kim asked about a Development Agreement to control the growth. Mr. Bertagnolli said yes, they are willing to negotiate this. Jeff said it was him that brought the changes to the ordinances and was thought out way before this development submitted its preliminary plan.

Shawn Anderson, still under oath said the Comprehensive Plan isn't totally irrelevant but it should be looked at objectively.

Mike Hicks, still under oath said when they set down for the initial discussions, sewer didn't seem to be an issue. He just heard this was a problem. He said their intention has always been to pay for a section of the sewer line.

Heath Mitchell, still under oath said he wanted to clarify that the Parks Development Agreement is not signed yet, so there is no formal contract. He said they are working on the wording.

Mike Hicks said they have mostly developed in Idaho Falls, but the ordinances are usually made in conjunction with the Comprehensive Plan. He said there is an underlying presumption that they can rely on the ordinances as guidelines. Mr. Hicks said there is only one HOA in Idaho Falls that is outside managed. He said there are no cars or equipment on the streets. He said for an HOA to work it has to be managed by a third party. He said this third-party HOA has the right to have cars towed, etc. Mr. Hicks said he has heard about firetrucks, police officers, etc. He said it is not just Fox Crossing that has caused this, but it is attributed to all of the growth going on. He said they have the ability to limit the number of houses built each year. Mr. Hicks said the HOA's could be responsible to maintain the green space. Mayor Pascoe said he is concerned about an adequate area for the kids to play. Mr. Hicks said the yards in the subdivision are really deep which will give the kids their back yards to play in. He said all units have to be owner occupied for ten years, and they cannot be used as rentals. He said if they sell their homes before ten years, they must still be owner occupied and not a rental.

Steve Ellsworth, still under oath said seventy homes in the first year, and they are still six months away from even submitting all the plans for approval. He said this will not be happening tomorrow, it will take time to even begin the development.

Shawn Anderson, still under oath said they are willing to establish a Development Agreement to address all of the concerns tonight.

BJ closed the hearing for deliberations.

Adam questioned the median income source that Mr. Hicks presented. Mr. Hicks said it was quoted from graphics that goes to the census statistics. There has been a significant change in the past few years. Adam said he feels traffic will be a huge issue. He said we don't have the jobs to support the people so they will be traveling to Idaho Falls. He said he feels a traffic study needs to be done. Adam said he understands that they are saying there is no affordable housing, but he

doesn't feel it's the city's responsibility to make sure there is affordable housing out there. Adam said he feels this will place a burden on the school system whereas there is already 547 Single Family units that have been approved and committed. He said he doesn't feel we can keep up with this growth. He read from the Comprehensive Plan and feels we've already taken on a lot of growth. Kim asked if the developers have discussed this development with EIRWWA. Chris Bertagnolli said they have been to EIRWWA and understand you cannot be guaranteed sewer capacity unless ERU's are paid for.

Leif said he sat on the Planning and Zoning Board for six years and helped write the Comprehensive Plan. He said he was the Chairman of the Board at the time the annexation and zoning was approved for this property. He said at that time they did not have a plat for the developments. He said it was annexed because it was contiguous to the city, and at that time nobody was building houses. Leif read from the Comprehensive Plan. He said it is a great tool, and we have to be able to provide services, maintain schools, etc. Leif said it might be doable to have seventy homes at a time, but we don't get the tax revenue until its lived in for a year. He said we still have to provide services during that time. He said he also has to look at the Department Head's comments, and he is concerned about the green space; we need more parks. Leif said it sounds like a great plan, but not the numbers from the growth.

Jeff said he agrees with what the Developer said about our zoning ordinance. They should be able to follow our guidelines. He said growth is going to come and homeowners have the right to build to city standards. He said he thinks it is the way it looks; it looks like New York City. Jeff said he was the one that pushed for a change in lots sizes, etc., and it had nothing to do with this development. Jeff said the Council has leeway in the way its developed. He said he would like to see more diversity in the lots, and not just have track homes. He said he doesn't have a problem with developing but is concerned about the HOA and fire protection. He said he would like to obtain more information on legal enforcement by an HOA. Adam agreed with Jeff that growth is going to come, and he is worried about that. However, because of what we have committed currently, this growth scares him.

Mayor Pascoe said he had the opportunity to visit with some of the residents in the Meadowpark Subdivision. He said this development is a challenge. He said they have narrow streets and a lot of cars are parked on the street. He said he has concern over the HOA enforcing parking in this proposed development. Mayor Pascoe said he is concerned about school issues with the growth and concerned that developers can change CCR's until the subdivision is fully built out. Jeff said we cannot put a burden with this impact on the schools with all the growth going on including in the county. He said he visited some of these subdivisions. Mr. Hicks said they were not like the plat he is submitting here. Jeff said he feels it should be sent back to the Planning and Zoning Commission to review it again and look further at the Comprehensive Plan. Kim said she doesn't want to put this back on the P&Z; neither did Mayor Pascoe. The Mayor and Council agreed they would like to know what authority an HOA has. Jeff said we need to make sure the engineer, P&Z, etc. look at areas that surround the city for potential impact, so this does not happen again. He said it's not fair to the developers. Leif feels like we need to review this matter further before making a decision. Kim moved, Leif seconded to table the decision on the Fox Crossing

Preliminary Plat until the next Council meeting so more information can be obtained. Approved unanimously.

Teresa McKnight with REDI gave a presentation to discuss what has been happening in her organization. She said REDI covers fifteen counties. Their goals are to create workforce, business retention and expansion, etc. She said there are five federal programs in this region. Ms. McKnight said REDI rolled out in 2020, then Covid hit. She said this was a great time to think outside the box, and they launched a new website that includes economic data. Ms. McKnight discussed many of the new programs they have implemented. She said they meet on a monthly basis, and they have six projects coming up. She said there will be about 5000 new workers coming into the area in 2026-2027. Adam moved, Jeff seconded to approve the contribution to REDI in the amount of \$4000. Approved unanimously.

There was one RFP submitted for grant administration for the proposed water project. Three invitations were sent out and only one submitted. The Mayor and Council ranked the RFP submitted by ECIPDA. Based on the ranking Adam moved, Jeff seconded to accept and approve the RFP submitted by ECIPDA for the upcoming water project for grant administration. Approved unanimously.

Stephanie Knudsen was not in attendance. Justin will follow up on her request for a street light on North Park Avenue.

Adam moved, Leif seconded to approve a beer and wine license for Good to Go and a beer and wine license for Broulim's for 2022, and a mobile food vendor license for On the Hook. Approved unanimously.

Adam moved, Kim seconded to approve the attached list of general business licenses. Approved unanimously.

The acquisition of a K-9 was deferred to the next meeting.

Jeff moved, Kim seconded to accept the canvas of the November 2, 2021, election results provided by the Bingham County Commissioners as follows:

Shelley District 13 – Total Registered Voters – 1148. Election Day Registrants – 24.
Total Registered Voters – 1172. Number of Ballots Cast – 285.

Mayor – Stacy Pascoe – 219 Lorin Croft – 57

Council Seat #1 – Sharylee Shanks – 57 Jeffrey Kelley - 218

Shelley District 14 – Total Registered Voters – 1174. Election day Registrants – 7.

Total Registered Voters – 1181. Number of Ballots Cast – 262

Mayor – Stacy Pascoe – 163 Lorin Croft – 64

Council Seat #1 – Sharylee Shanks – 57 Jeffrey Kelley - 170

Shelley District 21 – Total Registered Voters – 1281. Election day Registrants – 8.

Total Registered Voters – 1289. Number of Ballots Cast – 102

Mayor – Stacy Pascoe – 39 Lorin Croft – 22

Council Seat #1 – Sharylee Shanks – 15 Jeffrey Kelley - 46

Total Votes: Mayor – Stacy Pascoe – 421 Lorin Croft – 143

Council Seat #1 – Sharylee Shanks – 129 Jeffrey Kelley – 434

Approved unanimously.

The removal of a four way stop sign at the intersection of Hummingbird and Bluebird was deferred to the next meeting.

Jeff moved, Leif seconded to call for a public hearing to establish a fee for subsequent meetings for development requested by the Developer with our city engineer on December 14, 2021. Approved unanimously. Dave had suggested that the fee be determined by actual cost.

Sandy presented the fourth quarter Financial Report for the city.

Sandy said in regards to the request by John Rigouli to purchase property on the side of the James Bleak Park this would have to be done by auction. BJ said a fair market value must be established and then put out to bid which could be done by a sealed bid. It was suggested that Mr. Rigouli could apply for a variance and buy property from the Cedar Apartments for access to his property. Adam moved, Kim seconded to table this matter until the next meeting. Approved unanimously.

Adam said in regards to the Bingham County Park acquisition, he met with the County Commissioner and they are working on an agreement and legal description.

Adjourned: 12:20 a.m.

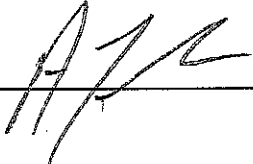
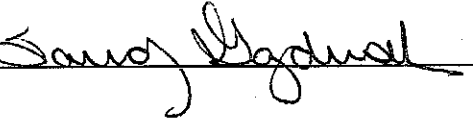
APPROVE:  ATTEST: 

Exhibit A

Shelley School District #60

To: Mayor Pascoe and Shelley City Council Members
From: Superintendent Chad Williams
Date: November 9, 2021
Re: Student Growth

I am writing this letter to help you understand how Shelley SD #60 is and will be impacted by growth. There are 547 single family dwellings approved in the City of Shelley for development. This does not include various other lots that have been approved within the school district boundaries outside the city limits. I ask you to consider how quickly more developments are approved.

Current Status

- Enrollment
 - 7.46% = increase fall 2020 to fall 2021
 - 1.19% = 5 year average increase
 - 1.16% = 10 year average increase
- Classes are not bursting but are full.
- Buildings ability to absorb students
 - Sunrise (K-2) = 0
 - Riverview (3rd-4th) ~25 students per grade level
 - Stuart (5th-6th) ~25 students per grade level
 - Hobbs (7th-8th) ~ 15 students per grade level
 - SHS (9th-12th) ~ 10 students per grade level

Current Projects to Absorbing Growth

- Fall 2022- Goodsell Elementary will become a kindergarten center.
- Fall 2022- Two classrooms will be added at Shelley High School (modulars).
- Fall 2022- Two classrooms will be added at Hobbs Middle School (modulars).

New High School

- Current debt capacity is too low to build a new high school.
 - FY21 to FY22 debt capacity/market value increased by 15%
 - 20 years average debt capacity/market value increased by 6%
 - Spring 2024 is projected to be the earliest debt capacity/market value will allow bonding for a new high school.
- It takes three years to build a new high school. Based on market value and debt capacity, the soonest a new high school will be ready to occupy is Fall 2027.

Concerns

- Will our current capacity to absorb students last until Fall 2027?
- $547/13 = 42$ additional students/ grade
- How much will we spend on modular classrooms to absorb growth while waiting on debt capacity to rise?

Exhibit B
Pg 1

Shelley Firth Rural Fire Dist.

585 West Fir PO Box 254
Shelley, ID 83274 Firth, ID 83236
208-357-5454
Chief Adams
208-521-5501

November 9, 2021

Sandy Gaydusek
City of Shelley

Thank you for reaching out to me for any additional comments on the Fox Crossing Subdivision reconsideration hearing. I am still standing behind the original comments that I sent to you regarding my concerns on access and availability to reach these homes with emergency equipment with the possibility of vehicles being parked on the road blocking access.

Since our last discussion on this matter, I have reached out to multiple fire departments in the surrounding areas that have high density subdivisions in their service area. They have all told me that the developers promised the HOA would police and monitor vehicles from being parked on the street just as these developers are promising for this subdivision. They have all found that this policing and monitoring is not happening and the HOA's do not even have the rights to enforce such policing and monitoring. Two of the neighboring departments have to have their fire prevention teams take turns policing these areas and placing stickers on the vehicles in violation for them to be moved. They have reached out to the local police departments to help police these areas and have

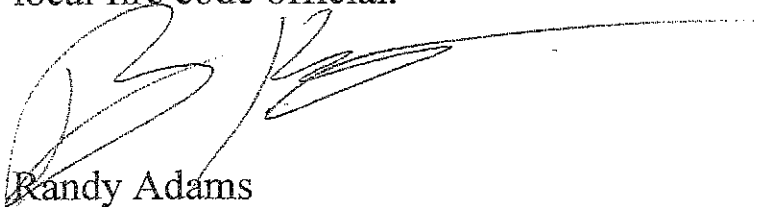
Exhibit B
Pg. 2

been told that they do not have the resources to help them do that with so much development going on around them. Our Chief of Police has stated these same concerns in his original letter to you on this subdivision.

I have personally driven through some of these high density subdivisions they have mentioned and have seen RVs, side by sides, boats, utility trailers, and multiple vehicles parked on the streets and on the front lawns and driveways of these homes making it almost impossible to get an emergency vehicle close enough to that structure to provide the requirements that are essential for the public's safety and for the structure.

After talking to these other Chiefs and the State Fire Marshall's office on this matter another concern that I have is with the rapid growth of our area and the developments already committed to by the city we do not have the equipment or the manpower to provide the adequate requirements that are essential for public safety.

At this time I cannot approve this subdivision as per Idaho Fire Code 102.9 which states: "Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the local fire code official."



Randy Adams
Shelley Fire Chief

Fox Crossing Sub-division **Public Hearing**

East Center/Shelley-Taylor Road

City Council Meeting

November 9th, 2021 at 1930 hours

I Chief Rod Mohler, have been asked to give my concerns on the Fox Crossing sub division wanting to go in on East Center. I have already made my concerns well known to the City Council and Planning and Zoning that I am against the development as it is. I believe the building of over 350 Single family homes in such a small area is way too much. I am not against growth but firmly believe that a community's growth must be determined on two factors. **Factor one** is it truly a benefit to the community it impacts, such as **affordability of the houses, will it enhance the communities quality of life, and very importantly can the Community afford to take care of said growth in a healthy and safe manner. Factor two** is the community must consider **if the School District that the sub-division will effect is able to handle the growth that all those families will bring.**

A few points I made in my previous letter to Planning and Zoning that I asked them to think about were things such as

- Losing our small town feel and quality of life
- Losing our identity and beliefs due to uncontrollable growth
- Security- Can we safely protect the growth
- Infrastructure- can we maintain the streets, water, sewer, garbage

I bring these issues up because we struggle as a city now to keep up with the growing population as it is. There is already scheduled growth going on and we are doing our best to grow and add additional employees and equipment to stay ahead of it.

As the Chief of Police I can only speak to the issues I see this will bring to the Police Department. I am in the process of trying to hire a newly added position right now just to compensate for all the growth we experienced on Anderson Street with the apartments and duplexes.

We are guaranteed to see growth from the Phase 2 completions of Copper Meadows, Wind River, and Sunset Vista to approx... 172 homes. Take 172 homes and add two adults and just 1 child and you have 516 people. With the current growth in the City of families waiting to move in to our community for a better life, I think the 516 number could easily be doubled or even higher.

WE must be able to properly care for a keep safe not just our current community but the new members moving in daily.

Exhibit C pg 2

Police Officer

Non certified entry level Officer costs around \$ 60,000.00 dollars (we are under the areas average)

Fully equipped police vehicle currently costs around \$ 50,000.00 dollars to purchase

Add on the expense of training, clothing and gear, you can see it is costly to grow. And with more population **WE HAVE TO GROW!** Safety of the Citizens and Officers must be met.

The Federal Safety Standard for growth is 1 officer for every 500 population in growth. If Fox Crossing goes in at 375 homes and at a minimum of 2 adults and 1 child, that equals 1125 population. In a 3-5 year completion plan the Police Department alone will need to grow by 2 officers. This is only accomplished by tax payers dollars.

Water

- Cleaning valve boxes
 - Exercising valves
 - Flushing fire hydrants
 - Sampling
 - Pumping
 - Tank cleaning
 - Tank repairs
 - Monthly bill \$26.03
 - Yearly Income brought in \$117,135
-
- Whatever money is not used for maintenance per year will go towards capital outlay
-
- Money is sufficient for this utility

Sewer

- Flushing
- Jetting
- Camera
- Repair or replace man hole lids as needed
- Monthly bill \$47.66
- Yearly income brought in \$214,470
- Bond payment per month \$26.16
- EIRWWA per month \$13.42
- City keeps \$8.08 per month
- City keeps \$36,360 per year

- Whatever money is not used in maintenance per year will go towards capital outlay

- Money is sufficient for this utility

Streets

- Cleaning
- Repairs (pot holes, patching, etc.)
- Sweeping
- Paint crosswalks, stop bars.
- Sign's (straighten, graffiti removal, replace, etc.)
- Seal coat or top repair every 5 – 10 years. Approx. 67,000 sq.yds. (\$83,750)
- Curb and gutter replace or repair
- Light pole maintenance
- Spray weeds
- Spring and Fall cleanup
- Paid from state revenue and property tax dollars

- Total price to maintain these items as stated will cost approx.. \$50,000 per year. Every 5-10 years for a seal coat will cost approx.. \$83,750.

- Money is sufficient for this service

Storm Drain

- Inspections
 - Cleaning catch basin grates
 - Cleaning catch basins
 - Jetting main line
 - Camera main line
 - Paid from state revenue and property tax dollars
-
- Money is sufficient for this service

Snow Removal

- Plowing
 - Sanding intersections
 - Cleaning approaches (Depends on amount of snow)
 - Average 8 snow storms
 - Does not include hauling snow off
 - Paid from state revenue and property tax dollars
-
- Total price for snow removal is difficult to predict because one year there is a lot of snow and the next year nothing. Approx.. \$30,000 - \$45,000 per season.
-
- Money is sufficient for this service

Exhibit D pg 6

Green space

- Approx. 3 acres
 - Mowing
 - Fertilizer
 - Spray weeds
 - Sprinkler repairs
 - Approx.. \$10,000 maintenance per year
 - Paid from property tax dollars
-
- Money is sufficient for this utility

Garbage

- Garbage truck - \$275,000
- Roll off truck - \$250,000 (?)
- Residential cans - \$110 per can
- Commercial cans - \$300 per can
- Employee - \$60,000
- 40 yard Bin - \$10,000 (?)
- Truck maintenance - \$12,000 - \$15,000 per year
- \$73 per ton tipping fee

375 homes = about 560 residential cans.

- 560 cans - \$61,600
- 375 homes will produce about 562 tons per year
- 562 tons - \$41,026 in tipping fees
- 8hr. – 10hr. Route

Total price for this development for garbage removal will cost approx.. **\$452,626**

Exhibit E

Fox Crossing Subdivision Preliminary Plat

This plat has been submitted for 375 lots within the city limits. It is presumed by me that this will bring in the potential of approximately 1125 more people into the city. With the growth in population it means more business at city hall such as building permits, registering for city services, paying city services, DMV services. We are already struggling during peak times in our DMV section due to recent growth and growth in the county. The city has many customers that reside in Bonneville County that come to our office. We have limited room for customers even with our recent remodel.

Additional new growth could impact our services provided unless more staff is hired. Even then the size of our building cannot accommodate an influx of customers and still provide adequate service to city residents with needs for city services.

The city would see an increase in property taxes of approximately \$450,000. This money would go towards covering the increase to police personnel and equipment, maintenance of city parks, street light maintenance and expense, street improvements, and to supplement pool expense and recreation program expense, etc. This money cannot be used for water, sewer, or sanitation. Those are enterprise funds and must pay for themselves.

**CITY OF SHELLEY
BUSINESS LICENSE
APPLICATIONS
SUBMITTED November 9, 2021
FOR 2022**

<u>NAME</u>	<u>ADDRESS</u>	<u>TYPE OF BUSINESS</u>
<u>SPECIALIZED LICENSES</u>		
On The Hook Fish and Chips	3717 Cherrywood West Loop	Mobile Food Vender
Go2Go Stores	510 S State St	Beer and Wine sales carry out only
Broulins	570 S State St	Beer and Wine sales carry out only
<u>GENERAL LICENSES:</u>		
<u>NEW: \$25</u>		
Rustic Rock Coffee	580 N State St	Coffee Shop
Idaho home watchers	535 E 1200 N	Home Watch Service
<u>RENEW: \$5</u>		
Nalder Funeral Homes	110 W Oak St	Funeral Home
Blue Mule Actions	195 S Spud Alley	Auction Services
Shelley Antique & Iron	176 S State St	Ornamental lawn and garden sales
Notforgotten Gifts and Collectables	404 S Byron Ave	Crafts and Gift Sales
Golf Carts unlimited/C&S Storage	650 N State St #7	Rental and Repair of Golf Carts Storage Unit Rentals
Intermountain Diving	127 Kirkham Cir	Scuba Diving instruction certification and equipment sales
Cox Honey Farms	456 S State St	Honey Packaging and retail sales
East Idaho Credit Union	418 W Fir St	Financial Institution
Covert Company	103 S Spud Alley	Scales Sales and Services
Mr. Fixit if Idaho Falls	338 S Milton Ave	Handyman Service
ZZ Consulting	114 S State St	Engineering Services
The Bank of Commerce	290 S State St	Financial Institution
Mathews Plumbing and Heating	342 S State St	Plumbing and Heating services
Golden Valley Natural	815 E 1400 N	Manufacturing
Dominos	526 N State St	Restaurant
Richardson Concrete	494 E Center St	Concrete Contractor
Aspen Counseling	753 Aspen Ave	Counseling Center
Rustic Home CO	198 S State St	Home Décor and Furniture
Baseline Contractor's	985 Rimrock Canyon	Construction and Land Survey Services
KLM Photography	550 Juniper Ct	Photography
Holly's Top Yardage	121 W Oak St	Online Sales
Shelley Arctic Circle	606 S State St	Fast Food Restaurant
Baron Photography	124 S State St Ste A	Photography Studio
El Jaliciense #3	374 S State St	Restaurant
Diamond Peak of Shelley	183 E Oak St	Assisted Living Center
Rehle's Art	370 N State St	Art/Dance Studio
Custom Canvas	650 N State St #2	Canvas fabrication and manufacturing
Ace Hardware	570 S State St	Hardware store
TOTAL LICENSES: 34		

DATE	October	AMOUNT	CHECK #
10/18/2021	A & B Trans.	\$ 225.65	54744
10/18/2021	Allied Business Solutions	\$ 27.65	54745
10/18/2021	Amsterdan Printing	\$ 299.84	54746
10/18/2021	A5 Consulting	\$ 2,200.00	54747
10/18/2021	Bingham News Chronicle	\$ 56.68	54748
10/18/2021	EIRWA	\$ 26,316.62	54749
10/18/2021	Forsgen	\$ 7,390.00	54750
10/18/2021	ICAMP	\$ 21,872.00	54751
10/18/2021	Idaho Dept. of Environmental Quality	\$ 5,880.00	54752
10/18/2021	Idaho Falls Peterbilt	\$ 14.24	54753
10/18/2021	Law enforcement Policy Center	\$ 1,500.00	54754
10/18/2021	Number One Printing and Sign	\$ 50.88	54755
10/18/2021	R & S Distributing	\$ 154.18	54756
10/18/2021	Repcos Marketing	\$ 117.15	54757
10/18/2021	RH Borden & Company	\$ 19,546.88	54758
10/18/2021	Rocky Mountain Power	\$ 15,373.22	54759
10/18/2021	Shelley Kiwanis Club	\$ 650.00	54760
10/18/2021	Southeast Idaho Council Gov.	\$ 793.62	54761
10/18/2021	US Bancorp Govr. Leasing	\$ 51,533.99	54762
10/18/2021	Valley Office System	\$ 96.76	54763
10/18/2021	Blue Cross	\$ 775.68	54764
10/18/2021	Hardtimes	\$ 2,610.50	54765
10/18/2021	State Ins. Fund	\$ 8,076.00	54766
10/18/2021	Eastern Idaho reg. Wasterwater	\$ 330,147.00	54767
10/29/2021	Advanced Diagnostics	\$ 220.00	54768
10/29/2021	All Traffic Solutiions	\$ 615.00	54769
10/29/2021	Arzola Kassidy	\$ 234.18	54770
10/29/2021	Bingham News Chronicle	\$ 627.51	54771
10/29/2021	Cammans MVP	\$ 200.00	54772
10/29/2021	Commercial Tire	\$ 210.25	54773
10/29/2021	Digline	\$ 131.04	54774
10/29/2021	Eastern Idaho Partnership	\$ 351.01	54775
10/29/2021	Eastern Idhao Regional Waster Water	\$ 27,424.60	54776
10/29/2021	Garrett H Sandow	\$ 1,650.00	54777
10/29/2021	Glock Inc	\$ 73.00	54778
10/29/2021	H-K Contractors	\$ 56,950.20	54779
10/29/2021	HomeDepot	\$ 122.80	54780
10/29/2021	Honnen Equipmentco	\$ 46.06	54781
10/29/2021	IAS ENVIROCHEM	\$ 125.00	54782
10/29/2021	IBM	\$ 578.08	54783
10/29/2021	Idhao State Tax Commission	\$ 270.00	54784
10/29/2021	IDEACOMESCI	\$ 189.54	54785
10/29/2021	Issac Carlson	\$ 266.70	54786
10/29/2021	Johnstone	\$ 179.17	54787
10/29/2021	Lumen Century Link LD	\$ 2.90	54788
10/29/2021	MCCI	\$ 1,573.00	54789
10/29/2021	Megan Nelson	\$ 1,750.00	54790
10/29/2021	Metroquip	\$ 72,500.00	54791
10/29/2021	Mission Communcations	\$ 347.40	54792
10/29/2021	Peyton Whittaker	\$ 66.95	54793
10/29/2021	Point S Ogdens	\$ 4,776.77	54794
10/29/2021	Post Register	\$ 61.15	54795
10/29/2021	Ronald Norman	\$ 8.96	54796
10/29/2021	Rotational Molding	\$ 3,282.60	54797
10/29/2021	Salt Lake Wholesale Sport	\$ 697.04	54798
10/29/2021	Shelley Auto Care	\$ 15.00	54799
10/29/2021	Shelley Police Officers Association	\$ 1,420.00	54800
10/29/2021	Sparklight	\$ 239.01	54801
10/29/2021	Stephenson Computer consultiong	\$ 360.00	54802
10/29/2021	Uniforms 2 gear	\$ 423.30	54803
10/29/2021	2m Company	\$ 503.52	54804
10/29/2021	4Allpromos	\$ 148.92	54805
10/1/2021	Payroll	\$ 59,193.31	
10/15/2021	Payroll	\$ 62,041.65	
10/29/2021	Payroll	\$ 52,913.40	
	Total	\$ 848,497.56	