

CITY OF SHELLEY  
COUNCIL MEETING  
MINUTES

APRIL 27, 2021

PRESENT: Mayor Stacy Pascoe

Council Members: Earl Beattie, Kim

Westergard (absent), 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: Sandy Gaydusek

PRAYER: Earl Beattie

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

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

Approval of the Minutes of Council Meeting on April 13, 2021

Approval of March Expenditures

Approval of March Overall Budget & Treasurer's Rpt.

Building Permits:

Jose Cervantes - re-roof

Nathan Curtis - re-roof

Homepro - re-roof

Homepro - re-roof

Salvador Garcia - new home

Shelley School Dist- re-roof

Rusty Wright - re-roof

A roll call vote was taken: Adam – aye, Earl – aye, and Leif - aye. Approved three in favor, Kim absent.

Marissa Acosta was not in attendance to discuss Zumba in the Park.

Sandy said the P&Z Commission held a public hearing to consider annexing and rezoning a parcel of property owned by Brent Christensen where a retention pond is needed for the Sunset Vista Subdivision for the next phases. She said the P&Z had no public testimony and recommended approval of the annexation and rezoning to R1A (twin homes). BJ asked for confirmation of who owns the property and Sandy said it states Sunset Vista LLC on the plat. Leif moved, Earl seconded to annex the property into the city and rezone it to R1A upon confirmation of the legal owner. Approved three in favor, Kim absent.

Sandy said the P&Z Commission also held a public hearing to consider rezoning a portion of the Sunset Vista Subdivision from R1 to R1A and rezoning a portion lying west of the Sunset Vista Subdivision from R2 to R1A (twin homes). Sandy said Mr. Christensen intends to submit a plat for Phases 2 and 3 for the Sunset Vista Residential Subdivision and a plat for Sunset Vista Twin homes. Leif moved,

Adam seconded to approve the rezoning of this property from R2(two family dwelling) and R1 (single family dwelling) to R1A (twin homes). Approved three in favor, Kim absent.

Sandy said the P&Z Commission held a public hearing to consider rezoning two parcels of property running between Holley Street and State Street. These properties have zoning inconsistent with the actual use and have had for years. During part of the city planning in regards to the moratorium several areas were looked at and sent to P&Z for recommendation of zoning. Sandy said the P&Z recommended that the parcels of property be rezoned to be consistent with the current use. Leif moved, Adam seconded to rezone parcels three and four as noticed in the publication from R1 (single family dwelling) to HC (Heavy Commercial). Approved three in favor, Kim absent.

Sandy said the P&Z Commission held a public hearing to consider amending the regulations for R1A District regulations. Currently R2 (two family dwelling) is allowed in a R1A and R2A zone. The P&Z recommended to amend to regulations to not allow R2 (Two Family Dwelling) in the R1A (twin homes) or R2A (3 to 8 attached homes). Leif moved, Adam seconded to amend the regulations as noted above. Approved three in favor, Kim absent.

Justin said over the past several years Harper Leavitt Engineering has been submitting the LTAC grant application for the city. We have not been awarded. Justin said the city needs to make a determination which engineer will be used for this in the future. Leif said he has researched what has happened in regards to earlier transmittals and HLE has done a good job in the past but we have not received any grants. Justin said these grants are very competitive. Kyle, HLE said they did apply for the grant for the Hawk Light and it was awarded fairly recently, and also how many Transportation Grants has Forsgren got for the city. Adam said he agrees with Leif, the city needs money to get our projects done. Leif moved, Earl seconded to allow Forsgren to submit for the LTAC grant in the future instead of Harper Leavitt Engineering. Approved three in favor, Kim absent.

Justin said the city has never established specifications for our lift stations. He said he feels it would be good to establish some to give to developers. Adam moved, Earl seconded to pursue establishing lift station specifications. Forsgren will draw up. Approved three in favor, Kim absent.

Sandy said the P&Z Commission held a public hearing to consider rezoning two parcels of property running north and south on South Byron up to Locust on the west side. These properties have zoning inconsistent with the actual use and have had for years. During part of the city planning in regards to the moratorium several areas were looked at and sent to P&Z for recommendation of zoning. Sandy said the P&Z recommended that the parcels of property be rezoned to be consistent with the current use. Sandy said there was one piece of written testimony by Denise Anderson. They have a small additional dwelling that has been on her property for years. Currently her son lives there. She said she wants to keep the additional dwelling and if she sells the property to her granddaughter in the future it would be on the condition that her son could reside there until he passes. Sandy said an additional dwelling is allowed in an R1 zone with a Special Use Permit. If the council chooses to rezone this from R2 to R1, a Special Use Permit could be granted. Leif moved, Earl seconded to rezone parcels one and

two as noticed in the publication from R2(two family dwelling) and RO (residential office) to R1 (Single Family Dwelling). Approved three in favor, Kim absent.

Adam moved, Leif seconded to approve business license applications for 2021:  
Kairin Shelties – 680 Longhurst Lane  
El Sabor De Puerto Rico Y Mexico/Mobile Food – 275 W. Oak St.  
E.E. Beard & Co./Christina Betzer – 181 W. Pine St.

Approved three in favor, Kim absent.

Mayor Pascoe said last year there was no graduation for the Seniors due to COVID, so there was a Senior parade to honor those graduating. He said there is the desire to have another parade this year. Rod said he made contact with ITD due to the growth we are seeing and the requests for parades being made. He said ITD said there should not be any parades that travel down State Street (Hwy. 91) anymore. Rod said when the Senior parade was held last year he felt it was not very safe. He said he would have to block off State Street and ITD said that was not acceptable to do anymore without protocol being met. He said he will need to meet with ITD this summer and see if they are even going to allow the Spud Day parade down Highway 91 because that may need to change also. Rod said as far as getting a permit, there is no cost however ITD has to approve the plans and all protocol must be met. Rod said the Seniors want a parade again this year, but they cannot cross Highway 91. He said something would need to be done on the city streets because the city can control that. Earl said he really doesn't want to set a tradition and accept that liability each year. Leif said he agrees about setting tradition. Adam asked if there could be another route established. Mayor Pascoe said he would like to talk to the school. Leif moved, Adam seconded to table this issue until more information has been obtained from the school. Rod said if ITD is approached they would need to sign off on a plan and one million dollars of insurance needs to be in place. Approved two in favor, Earl opposed and Kim absent.

Mayor Pascoe discussed the moratorium that was established several months ago. Adam said they have thoroughly looked through the zoning. Mayor Pascoe said he feels we accomplished what our vision is for the city. Adam moved, Earl seconded to end the moratorium for new construction for commercial business and multi-family residents. Approved three in favor one absent.

Sandy submitted comment sheets that Bingham County sent to the city for review. These developments were quite a way from the city. The Mayor and Council have no concerns or comments about any of these matters.

Sandy said everything is going great in City Hall. She said everyone likes the remodel. Sandy presented the 2<sup>nd</sup> Quarter Finance Report.

Mikel said Baseball registration is going well. He said they are continuing working on the pool for the new season. He said he is talking to the members of the Mayor's Youth Committee about attendance at AIC.

Justin said the crew has been busy working on Spring Clean Up. He said the railroad came and took some of the old railroad ties off of the crossing at Locust Street and replaced them. Justin said he plans on meeting with the railroad and

see if a nicer walk path can be done where the two set of tracks have been decommissioned.

Rod said today was Mike Curnutts final shift. He said there will be an open House to honor him on Friday from noon to two p.m. He invited all to attend.

Rod said there have been eleven applications submitted for the openings at the police department. He said seven of those were tested and the potentials candidates have been narrowed down to five. He said he would like to have three to five applicants selected for interviews so a decision can be made.

Leif said last Saturday the "Spring Into Service" event was held. He said there were fifty one people in his group and they clean up three section of the section.

Adam thanked Rod for the information he obtained from ITD.

Earl said he attended the grand opening at the Senior Center. He said it was great and they had the Old Time Fiddlers performing. He said during that time he talked with SICOG and they are looking for new grants for park equipment and the extension of the URA.

Earl said the Tree Committee met and discussed planting the flowers on May 22<sup>nd</sup>. He said the flower pots have not arrived yet, but hopefully they will be here before that time. Earl said Arbor Day will be held in June, and the next Tree Committee meeting will be held May 4<sup>th</sup>.

Mayor said the Mayoral Scholarship Awards Ceremony will be held May 29<sup>th</sup>. He said he plans on attending.

The Mayor and Council determined the Building Inspector will be invited to Council meetings when items are on the agenda that needs his input.

Mayor Pascoe said the city crew is doing a great job. He said tomorrow on Highway 91 ITD is supposed to start doing the curb and gutter, however they are unable because the fiber optics have not be moved yet. He said they should begin with the gutter in a couple of weeks. Leif asked about the street lights on that section of the Highway. He said he would be willing to negotiate with ITD for the placement of the lights.

Mayor Pascoe said there was great participation at the Spring Into Service event.

Adjourned: 9:10 p.m.

APPROVE:  ATTEST: 