

City of Wendell
Regular Council Meeting Minutes
March 2, 2023

Mayor Rebecca Vipperman called the regular meeting of the Wendell City Council to order at 6:30 PM. Council members present were Council President BJ Marshall, Councilman Shaun Spencer, Councilman Juan Gonzales, and Councilman John Gnesa. City Attorney Tim Stover was also present.

COUNCIL MEETING MINUTES

Councilman Gnesa made a motion to approve the February 2, 2023, regular council meeting minutes, as presented. **Councilwoman Marshall** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer-Aye, Councilman Gonzales-Aye** and **Councilman Gnesa-Aye**; motion passed.

Councilman Gnesa made a motion to approve the February 16, 2023, regular council meeting minutes, as presented. **Councilman Gonzales** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer-Aye, Councilman Gonzales-Aye** and **Councilman Gnesa-Aye**; motion passed.

BILLS

Councilman Gnesa made a motion to approve the bills as presented in the amount of \$25,309.76. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer-Aye, Councilman Gonzales-Aye** and **Councilman Gnesa-Aye**; motion passed.

PUBLIC HEARINGS

Irrigation Assessment Correction Public Hearing

Mayor Vipperman opened the Public Hearing at 6:37 PM. She stated to all present that if you have access to the irrigation water, you must pay for the water even if you do not want the water. If you do not know if you have access to irrigation, want to find out about getting water, or have other concerns about the irrigation in

your area, Public Works can look things over and give you any additional information you may need. All irrigation bills must be paid by June 30, 2023. On July 1, 2023 unpaid irrigation will be turned over to Gooding County and added to the property owner's property taxes. Mayor Vipperman stated that public comment was now open.

The following citizens of Wendell came forward with their requests to Council:

Justin Mowrey- 148 3rd Ave W

Justin Mowrey was present to request to opt out of irrigation due to weed issues. A Public Works employee will assess the irrigation from the city's access points. Justin Mowrey will be notified after this is complete.

Bob Hester- 235 3rd Ave W

Bob Hester was present to request to opt out of irrigation due to landscaping issues and his work schedule. A Public Works employee will assess the irrigation from the city's access points. Bob Hester will be notified after this is complete.

Mayor Vipperman asked if any more citizens wanted to come forward or if there were any comments. There were none. **Mayor Vipperman** closed the public hearing at 6:41PM

NEW BUSINESS (discussion/action items)

Consideration of Bids for Ditch Rider

Of the 3 bids received, only Bert's Irrigation was able to attend the meeting. The council asked questions and received answers. After a brief discussion and comments on the candidates from the Mayor, **Councilman Spencer** made a motion to award the bid for Ditch Rider to Adrian Aguilar. **Councilman Gnesa** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Consideration of Special Event Application- Cruizin' the Canyon

Caleb Brunson, representing Cruizin' the Canyon, presented a Special Events application for their annual car show scheduled for July 15, 2023 from 9AM to 3PM. After a brief discussion, Councilman Gnesa made a motion to approve the application for the Cruizin' the Canyon Car Show scheduled for July 15, 202. Councilman Spencer seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Consideration of Ordinance 547-2023- Business

This is an addition to the existing business ordinance to grandfather in home-based businesses that already exist within Wendell city limits and provide a way for future home businesses to be considered by the City Council for approval.

Councilman Gonzales made a motion that proposed Ordinance 547-2023 pass its first reading by Title only and that the 2nd and 3rd reading rules be dispensed relative thereto. **Councilman Gnesa** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Mayor Vipperman stated that it has been moved and seconded that the 2nd and 3rd reading rules be dispensed, and that proposed Ordinance No. 547-2023 pass its first reading by title only. **Mayor Vipperman** asked the council if they had anything to discuss regarding proposed Ordinance 547-2023. There was no discussion.

Councilman Gonzales made a second motion that Proposed Ordinance 547-2023- Meeting Time Change be formally adopted. **Councilman Spencer** seconded the motion. **Mayor Vipperman** stated that it has been moved and seconded that proposed Ordinance 547-2023 be formally adopted. **Mayor Vipperman** then asked the council if they had anything to discuss regarding proposed Ordinance 547-2023. No discussion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Consideration of Ordinance 548-2023- Water Billing Cycle

This change to the ordinance will match the billing cycle already in use. Nothing will change for citizens in regards to the billing cycle.

Councilman Gonzales made a motion that proposed Ordinance 548-2023 pass its first reading by Title only and that the 2nd and 3rd reading rules be dispensed relative thereto. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye, and Councilman Gnesa- Aye**; motion passed.

Mayor Vipperman stated that it has been moved and seconded that the 2nd and 3rd reading rules be dispensed, and that proposed Ordinance No. 548-2023 pass its first reading by title only. **Mayor Vipperman** asked the council if they had anything to discuss regarding proposed Ordinance 548-2023. There was no discussion.

Councilman Gonzales made a second motion that Proposed Ordinance 548-2023- Meeting Time Change be formally adopted. **Councilman Spencer** seconded the motion. **Mayor Vipperman** stated that it has been moved and seconded that proposed Ordinance 548-2023 be formally adopted. **Mayor Vipperman** then asked the council if they had anything to discuss regarding proposed Ordinance 548-2023. No discussion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Consideration of Findings of Fact & Conclusion of Law-Wood

Nathan Lewis, Code Enforcement Officer, presented. It was reviewed by City Attorney Tim Stover. This document is the formal decision regarding the variance request from McKenzie Wood after council made their decision on February 2, 2023. After a brief discussion, **Councilman Gonzales** made a motion to approve the Findings of Fact and Conclusions of Law for the formal decision regarding McKenzie Wood's Variance application. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Consideration of Findings of Fact & Conclusion of Law-Garza

Nathan Lewis, Code Enforcement Officer, presented. It was reviewed by City Attorney Tim Stover. This document is the formal decision regarding the Vacate application from Amy Garza after council made their decision on February 2, 2023. After a brief discussion, **Councilman Gonzales** made a motion to approve the Findings of Fact and Conclusions of Law for the formal decision regarding Amy Garza's Vacate application. **Councilman Spencer** seconded the motion. Roll call

vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

Consideration of Valley Wide Discharge Permit

After discussion, **Councilman Gnesa** made a motion to accept the Valley Wide Discharge Permit. **Councilwoman Marshall** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye**; motion passed.

*This item is also under review by Valley Wide. We have not received their decision yet.

UNFINISHED BUSINESS (discussion/action items)

Consideration of Bids for City Hall/City Park Grounds Care

After a brief discussion, **Councilman Gnesa** made a motion to accept the bid from Pro Lawn Care for the City Park, \$10,300 and City Hall, \$5560 for the 2023 season. **Councilman Gonzales** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer-Aye, Councilman Gonzales- Nay and Councilman Gnesa- Aye**; motion passed.

Consideration of Bids for 2023 Weed Control

Mayor Vipperman recused herself due to a conflict of interest regarding one of the companies that bid. After a brief discussion, **Councilwoman Marshall** made a motion to accept EverGreen, \$24,740, for Weed Control 2023 season. **Councilman Gnesa** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer- Nay, Councilman Gonzales- Aye and Councilman Gnesa- Nay**; motion does not pass.

*The City Council requests this be brought back with more information regarding price differences, product differences, application schedules and possible discounts.

PUBLIC COMMENT

Bob Hester stated that the weeds in the alleyways and the puncture vine were especially bad this last year. **Councilwoman Marshall** stated that the methods the city paid for last year did not seem as effective as previous years.

COUNCIL

Councilman Spencer stated that he had met with Dr. Perrigot, Wendell School District Superintendent, and the Joint Power agreement for the Flag Plaza has been

approved and signed by all parties. The project will be able to start soon.

MAYOR

Mayor Vipperman stated that the next University of Idaho Community Health Meeting will be held on 3/6/23 at 6:30 PM. The location is the same as the last meeting, Living Waters Presbyterian Church. Please attend to discuss Wendell's mental health needs. Dinner is included. There is no cost to attend.

Adjourn

Councilman Gonzales made a motion to adjourn the meeting of the Wendell City Council at 8:15 PM. **Councilman Spencer** seconded the motion. Motion passed.


Rebecca Vipperman, Mayor


Karri French, City Clerk/Treasurer