

City of Wendell
Regular Council Meeting Minutes
March 16, 2023

Councilwoman Marshall called the regular meeting of the Wendell City Council to order at 7:00 PM. Council members present were Council President BJ Marshall and Councilman Shaun Spencer; Councilman Juan Gonzales and Councilman John Gnesa. City Attorney Tim Stover was also present. Mayor Vipperman gave the Clerk's Office and City Council advance notice that she would be unable to attend the meeting.

COUNCIL MEETING MINUTES

Councilman Gnesa made a motion to approve the March 2, 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 \$27,757.77. Councilman Spencer seconded the motion. Roll call vote taken; Councilwoman Marshall-Aye, Councilman Spencer-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye; motion passed.

DEPARTMENT REPORTS

(Public Works/Clerk-Treasurer/Fire/Police/Library/Ordinance)

NEW BUSINESS (discussion/action items)

Consideration of Anthem Broadband Contract

David Lazenby was present to discuss the changes proposed by the City of Wendell to the Anthem Broadband Contract. City Attorney Tim Stover recommended the changes. David Lazenby also suggested changes. An

City of Wendell
Regular Council Meeting Minutes
April 6, 2023

Mayor Rebecca Vipperman called the regular meeting of the Wendell City Council to order at 6:31 PM. Council members present were Council President BJ Marshall, Councilman Juan Gonzales, and Councilman John Gnesa. City Attorney Tim Stover was also present.

Councilman Shaun Spencer was unable to attend and informed Council and the Clerk's Office in advance of the meeting.

COUNCIL MEETING MINUTES

Councilman Gnesa made a motion to approve the March 16, 2023, regular council meeting minutes, as presented. Councilman Gonzales seconded the motion. Roll call vote taken; Councilwoman Marshall-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 \$80,217.10. Councilwoman Marshall seconded the motion. Roll call vote taken; Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye; motion passed.

PUBLIC HEARINGS

Tom Floyd/Z Rock LLC- Vacate Application #1

Mayor Vipperman opened the Public Hearing at 6:36 PM and briefly introduced the topic to be discussed.

Code Enforcement Officer Nathan Lewis presented the application from Z Rock LLC requesting the city vacate an undeveloped alley. It is 120' wide and 74' long and ends at the railroad tracks. He referred the council to the map included with the application for reference.

Tom Floyd was present and stated that the undeveloped alley goes through the middle of both of his properties, and it would be beneficial to have that vacated. They already maintain the area and keep it clear of weeds.

Councilman Gnesa asked what plans they had if the alley was vacated. Tom Floyd stated that it is currently used for parking and would likely continue to be used in that capacity.

Mayor Vipperman asked how many responses the Clerk's office had received regarding the proposed alley vacation. The City Clerk responded that there was a total of 9 returned letters; 0 Yes, 8 No and 1 Neutral. There were no comments.

Mayor Vipperman stated that public comment was now open:

In Favor:

NONE

Neutral:

NONE

Against:

Donald Bunn stated that he is opposed to vacating any city property because it eliminates future use when the city grows. It also burdens future councils when that growth happens and a vacated property would have benefited the citizens.

Paul Isaacson stated he is opposed to vacating city property. He stated that the city was put together over 100 years ago by the Kuhn family and put a lot of money into the canals. In the 50's and 60's, Wendell was at approximately 2800 citizens. By the 70's the population had started to decline and remained in decline until a turnaround in the 90's. Vacating property in the city inhibits growth for the city. Wendell needs new residential and businesses growth.

Dennis Hall stated that he is opposed to vacating city property because closing roads and alleys for someone's personal gain is not good for the community. It does not help future growth.

Rebuttal

Tom Floyd stated that a 20' alley is not big enough to turn around in and seems to have no use. They already maintain the area and keep it clear of weeds. He wants to gate the area to keep vandals and trespassers off the property. He also stated that he wants to help bring new business to Wendell.

Mayor Vipperman closed the public hearing at 6:53 PM

Tom Floyd/Z Rock LLC- Vacate Application #2

Mayor Vipperman opened the Public Hearing at 6:53 PM and briefly introduced the topic to be discussed.

Code Enforcement Officer Nathan Lewis presented the application from Z Rock LLC requesting the city vacate a section of undeveloped road. It is 75' wide and 62' long and ends at the railroad tracks. He referred the council to the map included with the application for reference.

Tom Floyd stated that this is a very small piece of property, and it is too small to develop. There is no room for a cul-de-sac or EMS access if it were developed in any way. The reason he was asking the city to vacate the undeveloped road was because it is between 2 properties owned by Z Rock, and it ends at the railroad tracks.

Mayor Vipperman asked how many responses the Clerk's office had received regarding the proposed variance request. The City Clerk responded that there was a total of 9 returned letters; 0 Yes, 8 No and 4 Neutral. There were no comments.

Mayor Vipperman stated that public comment was now open:

In Favor:

NONE

Neutral:

NONE

Against:

Donald Bunn stated he is opposed to vacating city property because the land could still be used to run utilities or put in a railroad crossing. He also stated that the council needs to think about the future of Wendell.

Paul Isaacson stated that he is opposed for the same reasons already mentioned.

Dennis Hall stated that he is opposed for the same reasons already mentioned.

Rebuttal

Tom Floyd stated that alleys are rarely seen in newer residential and commercial areas because utilities don't go through alleyways anymore. As to the road, he says they are trying to be progressive and bring business to Wendell. He feels that the city cannot do much with the undeveloped road. He has the opportunity to purchase a piece of land on the other side of the undeveloped road, but it makes no sense to do so if it is not connected. If the city is willing to vacate, he plans to purchase the piece of land on the other side of the undeveloped road from the railroad.

Mayor Vipperman closed the public hearing at 7:05 PM

NEW BUSINESS (discussion/action items)

VFW/American Legion- Wayne Chandler-Sign for VFW

Tabled

Acceptance of Audit FY 2021-2022- Mahlke-Hunsaker

Due to an oversight by the Clerk, this item was not on the agenda. The audit was presented at the last meeting in the public comments portion of the meeting. This action will accept the audit. **Councilman Gnesa** made a motion to accept the 2021-2022 Audit by Mahlke-Hunsaker as presented. **Councilwoman Marshall** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Gonzales- Aye and Councilman Gnesa- Aye; motion passed.**

Decision on Tom Floyde/Z Rock- Vacate Application #1

Councilman Gonzales asked if there were any utilities in the undeveloped alley. Code Enforcement Officer Nathan Lewis stated that no utilities were known to be in the alley. **Councilman Gnesa** asked Chief Bailey if there was a storm drain anywhere in the alley. Chief Bailey stated that there was not a storm drain. **Mayor Vipperman** stated that she is not in favor of vacating any property in Wendell for any reason. Councilman Gonzales stated that alleys are planned for unknown future needs, and he opposes vacating for that reason. **Councilwoman Marshall** made a motion to allow the vacation of the undeveloped alley contingent on Tom Floyd having it surveyed at his expense and providing the city with a new legal description. **Councilman Gnesa** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales-Nay and Councilman Gnesa-Aye.**

Decision on Tom Floyd/Z Rock- Vacate Application #2

The council examined the map and the legal description. Councilman Gonzales asked who owned the piece of property to the west of the undeveloped road. Tom Floyd stated that the Railroad owned it and that he would be able to purchase it if the undeveloped road between his properties were connected. **Councilman Gnesa** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Gonzales- Nay and Councilman Gnesa- Aye.**

Consideration of quotes for Gate & Fence- Public Works

Fire Chief Bob Bailey presented. Public Works needs to replace some fencing and a gate at the Shoshone Street location. 3 bids were received and discussed. Bill's Fence has done fencing work for the Highway District and using the same company would provide continuity along the street. After discussion, **Councilman Gnesa** made a motion to accept the bid from Bill's Fence not to exceed \$5,194.00. **Councilwoman Marshall** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales-Aye and Councilman Gnesa-Aye; motion passed.**

Week of the Young Child Proclamation

Mayor Vipperman introduced the topic. After a brief discussion, Councilman Gnesa made a motion for Mayor Vipperman to read the Week of the Young Child into record. Councilwoman Marshall seconded the motion. Roll call

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

Mayor Vipperman read the Week of the Young Child Proclamation into record.

Child Abuse Protection Month Proclamation

Mayor Vipperman introduced the topic. After a brief discussion, Councilman Gonzales made a motion for Mayor Vipperman to read the Child Abuse Protection Month Proclamation into record. **Councilwoman Marshall** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales-Aye and Councilman Gnesa-Aye**; motion passed.

Mayor Vipperman read the Child Abuse Protection Month Proclamation into record.

UNFINISHED BUSINESS (discussion/action items)

New Development-Landscaping-Ordinance

Tabled.

Operation Facelift 2023

Mayor Vipperman spoke with Mary Hollenbeck from REDS and discussed options for improvements for the Wendell sign just off the freeway entrance. After discussion with council, she will keep pursuing options and bring this back to council.

PUBLIC COMMENT

Paul Isaacson stated that in the late 80's-early 90's there was a meter and water line to JD Heiskel adjacent to the railroad. He also stated that there is an 8in well inside the JD Heiskell property with a plate on top.

Donald Bunn stated that Gnesa's proposal to have landscaping requirements for new construction was a good idea. He also stated that the city needs to locate the water line and meter Paul Isaacson talked about and charge JD Heiskell if the city is not already doing so.

Dennis Hall stated that Hall's RV Park has been in Wendell since 1985. He

understands that he needs to maintain a current business license. The Clerk's Office has had every business fill out a new business license application to update the city's records. He stated that he did not feel all the information requested was necessary for his type of business. The Clerk and City stated that she would look into this and get back to him with more information.

COUNCIL

Councilwoman Marshall stated that the audit and graph show a positive change in the city's finances.

Councilman Gnesa stated that there would be a meeting at the Portuguese Hall at 10 AM on April 15th to discuss Dairy Days.

Councilman Gonzales stated that all the hard work and the new cement pad looks great at the City Park.

MAYOR

Mayor Vipperman stated that the Deputy Clerk, Maria, was at Caselle training this week. She stated that she and the Magic Valley Manor were cohosting the Easter Egg Hunt that will take place April 8th at the City Park. She stated that a meeting will take place between the Public Works Director, Steve Devereaux, herself and Olivia of Olivia Landscaping LLC regarding ADA access at the new park.

Mayor Vipperman announced some upcoming events in the community:

- April 10th at 6:30 PM University of Idaho Community Mental Health event at Living Waters Church (dinner Included at no cost)
- April 15th at 5-7 PM, Community Unity Table at Living Waters Church
- April 17th at 2 PM, Road Master Presentation to Public Works Employees Chris and Ethan for successful completion of their Road Master Certification.
- April 21st through April 28th, Wendell's Annual Spring Cleanup, there will be large dumpsters at City Hall. Trash in alley's needs to be by the trash can in the alley by 4/30/23.

Mayor Vipperman also stated that all City Staff are doing a great job.

Adjourn

Councilman Gonzales made a motion to adjourn the meeting of the Wendell City Council at 8:10 PM. **Councilman Gnesa** seconded the motion. Motion passed.

Rebecca Vipperman
Rebecca Vipperman, Mayor

Karri A. French
Karri French, City Clerk/Treasurer