

City of Wendell
Regular Council Meeting Minutes
August 1, 2024

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 Donald Dunn. City Attorney Tim Stover was also present.

COUNCIL MEETING MINUTES

Councilman Spencer made a motion to approve the July 18, 2024, 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 Dunn- Aye**; motion passed.

Councilman Spencer made a motion to approve the July 24, 2024, budget workshop-special council meeting minutes, as presented. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

BILLS

Councilwoman Marshall made a motion to approve the bills as presented in the amount of \$31,421.30. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

PUBLIC HEARINGS

Rezoning Application- Rosa Properties, LLC/JST Construction Inc.

Mayor Vipperman opened the Public Hearing at 6:36 PM and read the rules for public hearings.

Code Enforcement Officer Nathan Lewis presented the application from Rosa Properties/JST Construction and included a map for visual reference. The applicant is asking the council to rezone the vacant property, located at 246-298 1st Avenue West, described as Lots 17-24, Block 66 in the City of Wendell, from residential to commercial.

Edward Rosa of Rosa Properties, LLC stated that he was requesting the zoning change from residential to commercial to build more apartments. He stated that laws make it hard to build certain buildings and he wants to provide more affordable housing for Wendell. **Councilwoman Marshall** asked if he would build triplexes like the ones located across from the Post Office. **Edward Rosa** stated that he would most likely build 2-bedroom duplexes like the ones on the south side to provide more affordable housing in town or triplexes. **Mayor Vipperman** asked how many units he planned to build. **Edward Rosa** stated 3 per lot or 12 total units but the engineers would have to figure out parking for the plans.

Councilman Gonzales asked if he was requesting rezoning the lots to reduce the setbacks required on residential lots. **Edward Rosa** stated that he was because a single house would have to be built long ways to fit on the lot and meet the setbacks. **Councilman Dunn** stated that more apartments in the area would cause a lot more traffic in the area. **Councilwoman Marshall** stated that parking is already difficult in the area with the existing homes and apartment complexes. **Edward Rosa** stated that people like to park on Wallace and there are 2 parking spots per unit. He stated that while traffic would increase, there are two roads to exit from, one to the east and the other to the west. He also stated that more housing in the area would increase taxes for the city.

Mayor Vipperman asked how many responses the Clerk's office had received regarding the proposed rezoning. **City Clerk Karri French** responded that there were 35 letters sent, and 8 responses were received: 1 In Favor, 0 Neutral, 7 Against. 4 of the letters had comments. She read the comments into record. To summarize, the comments all expressed concerns from current residents/property owners in the area regarding increased traffic, reduced safety, water/sewer capacity/issues and short-term renters if it is rezoned.

Mayor Vipperman stated that public comment was now open:

In Favor:

John Scott Cutler stated he was in favor of rezoning the area from residential to commercial because Wendell needs more housing. He stated that across the street and to the east is commercial. He also stated that Rosa's current apartment properties are well maintained.

Neutral:

None

Against:

Colby Ross stated that he is not in favor because Wendell already has more houses for sale than can be sold. He stated that more apartments would cause too much traffic and there are a lot of small kids on that street. He stated that apartments do not usually attract long term residents, and he expressed concerns that property owners in the area could see the value of their homes decrease. He also stated that he was concerned whether the plumbing in the area would be able to manage an increased water/sewer demand from so many additional apartments.

McKenzie Ross stated that she agrees with her husband, Colby Ross, and she is not in favor of rezoning. She stated that when she and her husband purchased the property, it was a nice neighborhood with a lot of homes. They felt it was perfect for their family, which includes small children. She stated that with the new apartments built since then, it has become congested and noisy. She stated that it has increased traffic, there are people speeding through the area and there is a lot more noise. She stated that some of the apartments across the street cause a lot of late hour noise, even at 3 and 4 AM. She stated that it makes it hard to keep a consistent sleep schedule for her children because the noise prevents them from sleeping and/or wakes them up in the middle of the night. She stated that she would prefer more houses to be built instead of apartments.

Vanessa Gomes stated that she is not in favor because she lives near where the apartments could be built. She stated that she chose her home because it was nice with houses and families. She stated that now the area has more apartments and more traffic. She stated that the area is not as safe as it used to be with the increased traffic and speeding. She stated that storied apartments would cause her and her family to lose privacy in their backyard and that would cause her to feel it is less safe for her children to play in their own yard. She also stated that she shared concerns about the plumbing that more apartments would need.

Melody Dias stated that she was not in favor because there is too much traffic already and people are speeding through the area. She stated it was not crowded 15 years ago like it is now with all the apartments that have been built. More apartments would make it worse in the area.

Rebuttal:

Edward Rosa stated that there are always pros and cons to changing zoning and people driving in the area are not his responsibility, which is what law enforcement is for. He stated that there is a need for more reasonably priced housing in Wendell and we will always have crazy drivers. He stated that 7 years ago, he came in and cleaned up the area and provided affordable housing for Wendell. He stated that he has many long-term residents (5 or more years), and he tries to put the right people in his units. He asked the council to please consider his application. **Councilman Gonzales** asked **Edward Rosa** what he planned to do if the application is not approved. **Edward Rosa** stated that he would look at the city's rules to see what he can build. He also stated that he would put fencing/parking where Vanessa has concerns for privacy and work with the engineers for planning.

Mayor Vipperman asked the council if they had any questions, comments, or anything to discuss.

Councilman Spencer asked if Public Works could find out the status of the water/sewer lines in the area to see if the existing infrastructure can handle more demand in the future.

Mayor Vipperman closed the public hearing at 7:01 PM.

Rezoning Application- Garlandon, LLC/ Thomas Gaskins

Mayor Vipperman opened the Public Hearing at 6:36 PM and reminded the audience of the rules for public hearings.

Code Enforcement Officer Nathan Lewis presented the application from Garlandon, LLC/ Thomas Gaskins and included a map for visual reference. The applicant is asking the council to rezone the property located at 625 & 627 Gooding Street, described as RPW00000346348 & RPW000003466341, from residential to commercial.

Mayor Vipperman asked how many responses the Clerk's office had received regarding the proposed variance. **City Clerk Karri French** responded that there were 18 letters sent, and 6 responses were received: 2 In Favor, 2 Neutral, 2 Against. 1 of the letters had comments. She read the comment into record. The comment was regarding installing slats in the existing chain link fence, stating it had not been done as agreed by the previous owner.

Thomas Gaskins of Garlandon, LLC stated that when he purchased the property, it had already been used as an auto repair business for at least 45 years. He planned to use it similarly for auto repair and sales but

did not know it was zoned residential until he went to get paperwork done to open his business. He stated that the property was part of an annexation done in 2005 and the entire area was rezoned as residential even though the auto repair shop continued to do business after it was annexed. He is requesting that the property be rezoned as commercial. **Mayor Vipperman** stated that she grew up in Wendell and that the property has been a body shop longer than she has been alive. She stated that even though it is surrounded by residential properties, it was always an auto shop.

In Favor:
None

Neutral:
None

Against:
None

Rebuttal:
None

Mayor Vipperman asked the council if they had any questions, comments, or anything to discuss. There was no discussion.

Mayor Vipperman closed the public hearing at 7:07 PM.

NEW BUSINESS (discussion/action items)

Consideration of RIVDA Membership- Jeff McCurdy- Region IV

Jeff McCurdy, President & CEO of Region IV Development, presented the council with information about the membership application to RIVDA (Region IV Development Association). He gave a brief history of what Region IV does for communities like Wendell. Some of the services they offer involve helping communities grow and develop, navigate government red tape, working toward smart growth with an individual community's needs in mind and lending programs when traditional financing is not available. This is the first year that Region IV's board of directors has offered membership to municipalities. Wendell's membership gives RIVDA more funding for grants and can help reduce the city's costs for planning with entities like DEQ. He stated that Wendell now qualifies for new grants after the 2020 census. After a brief discussion, **Councilwoman Marshall** made a motion to join RIVDA and pay the membership fee. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

REDS Update-Cheryl Viola- Region IV

Cheryl Viola, Economic Development Professional with REDS (Rural Economic Development Services), presented the mayor and council with an update on her work to get to know the people and the needs of the city since she took her position at Region IV (REDS is a separate entity within Region IV). She stated that she took Wendell's water needs back to Region

IV and found that Wendell now qualifies for new grants. She also stated that she is looking for more sponsors for the Operation Facelift project that will put solar lights on the Wendell sign. She and the council also discussed ideas for a business building downtown that is currently empty and the importance of local businesses to a community's economy. No motion needed.

Consideration of Rosa Properties, LLC Rezoning Application

Mayor Vipperman asked the council if they had anything to discuss. She stated that although she has no vote as mayor, she felt that the responses from the citizens speak for themselves. She also stated that Edward Rosa does good work, but she understands the concerns the comments from the citizens and the letters presented at the meeting. It is 11-2, not in favor. **Councilman Gonzales** stated that traffic is always an issue. It comes down to what the community wants vs. affordable housing. **Councilwoman Marshall** stated that the area used to be horse pasture, but Wendell needs more affordable housing. She also stated that the council needs to listen to the comments made by the community. **Councilman Dunn** stated that it is a lot to consider and not an easy yes or no answer. He stated that he has nothing against growth, but he would not want this where he lives. He also stated that the people have spoken. **Mayor Vipperman** stated that Wendell does need to grow but it needs to grow smart. The area is already congested, it may need wider roads and streetlights if this is approved. **Councilman Spencer** stated that Wendell is growing and needs housing. The houses on the market are not selling due to pricing and traffic is a legitimate concern. He also stated that he wants to see growth, but it needs to work with the surroundings. The area is residential on one side and commercial on the other side. **Councilwoman Marshall** made a motion to deny the request by Rosa Properties, LLC to rezone the properties to commercial. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer-Aye, Councilman Gonzales-Aye and Councilman Dunn-Aye**; motion passed.

Consideration of Garlandon, LLC Rezoning Application

Mayor Vipperman asked the council if they had anything to discuss. **Councilman Spencer** stated that it has been a de facto commercial property since before the annexation. **Councilwoman Marshall** stated that the annexation was rushed, and the property should not have been zoned residential. **City Attorney Tim Stover** stated that the city will need to adopt an ordinance to change the zoning. **Councilman Gonzales** stated that the vote from the letters received was 2 for and 2 against the zoning change but no one showed up to the meeting to give the council their opinion like they did for the Rosa rezoning request. **Councilman Dunn** stated that it should have always been zoned commercial. **Councilwoman Marshall** made a motion to approve the request to rezone the properties requested by Garlandon, LLC/Thomas Gaskins to commercial. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer-Aye, Councilman Gonzales-Aye and Councilman Dunn-Aye**; motion passed.

Consideration of sending the Clerk to ICCTFOA Annual Conference in September

City Clerk Karri French presented to the council requesting to attend the Annual ICCTFOA conference in September 2024 in Boise. **Councilman Gonzales** asked if this is one of the three trainings that the council has identified as being important for the clerk's office. **Councilwoman Marshall** responded that it is one of the three. **Councilman Gonzales** made a motion to approve sending City Clerk Karri French to the Annual ICCTFOA conference in September. **Councilman**

Dunn seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Gooding County Law Enforcement Agreement FY24-25

Mayor Vipperman presented to council the Gooding County Law Enforcement Agreement for FY2024-2025. The contract increased from \$512,912.00 to \$563,189.00 for the next fiscal year. **Councilman Gonzales** said that the cost was worth what Wendell gets from the Gooding County Sheriff's Department. **Councilwoman Marshall** stated that the Gooding County Sheriff's Officers do a great job. **Councilman Spencer** and **Councilman Dunn** agreed. **Councilman Gonzales** made a motion to approve the Gooding County Law Enforcement Agreement for FY24-25 in the amount of \$563,189.00. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Sidewalk Bid- Councilman Gonzales

Councilman Gonzales presented two bids to the council to put in sidewalk from City Park to the Wendell Public Swimming Pool. He stated that the council had discussed extending the sidewalk in the past and he felt it was a good time to get it done. He also said that they should move the crosswalk to cross at the High School where the wedge of the High School parking lot is located. He stated that the sidewalk would include ADA access. He also stated that the Rec District is working on a Sidewalk Grant application to put in sidewalk and ADA access to the bathrooms at the swimming pool. The timing was perfect to combine projects and improve the area at the same time as the Rec District's project. **Councilman Spencer** stated that it was a great idea, and that the city still had money for sidewalks in the budget. **Shay Vanderham, Chair of the Wendell Recreation District**, was present and stated that parking at the pool has ADA parking and the sidewalk would meet up with the city's project. This would make it safer and make the whole area look better. **Councilman Gonzales** made a motion to approve the bid from Sutton's for the sidewalk project in the amount of \$4,500.00. **Councilman Spencer** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Sidewalk Grant Application- Rec District

Shay Vanderham, Chair of the Wendell Recreation District, was present to let the council know that the Rec District is waiting for a second bid. This will be brought back before the council at the next meeting. No motion needed.

UNFINISHED BUSINESS (discussion/action items)

Budget Workshop- Budget 2024-2025 Review

At the last budget workshop (July 24, 2024), the council discussed the last changes and additions to the budget. **City Clerk Karri French** sent the final proposed budget for FY24-25 to the council in advance of tonight's meeting. The purpose of reviewing it tonight is to ask for any revisions and to accept the tentative budget. The final budget will be presented at the budget public hearing scheduled for August 15, 2024. **Councilwoman Marshall** asked **City Clerk Karri French** to double check the property tax amounts from the L-2 we received from the county and make any necessary changes

that may be required. **City Clerk Karri French** stated that she would double check the amounts on the L-2. **Councilwoman Marshall** made a motion to accept the tentative budget for FY24-25. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Spencer- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

PUBLIC COMMENT

None

COUNCIL

Councilwoman Marshall stated that she is grateful for the Gooding County Sheriff's Office. She thanked the officers present for all their hard work and work on traffic in town. She also thanked **Fire Chief Bob Bailey, Code Enforcement Officer Nathan Lewis, and City Clerk Karri French** for their hard work.

Councilman Spencer stated that the revised Ordinance for mobile food trucks should be ready for review at the next meeting.

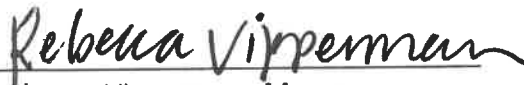
Councilman Gonzales stated that he is always talking about our crew (City of Wendell Public Works employees) and how they use safe work practices when they are out on the city streets. He stated that he was traveling recently, and a highway worker was out with no sign, no reflective clothing and he was almost hit by passing vehicles because he was hard to see. He thanked the Public Works stating, "They are a hardworking, safe crew."

MAYOR

Mayor Vipperman announced that the quarterly newsletter went out on July 31. She stated that the Movie in the Park, *Goonies*, is tomorrow night (8/2) at 9PM. She stated that the summer lunch program ended today and wanted to thank all the volunteers and organizations who made it all possible. She also stated that she recently attended a Blue Cross for Health Foundation meeting and found out that Wendell is a little famous over there. One of the videos used in training new employees at the Blue Cross Foundation for Health is one of the videos with her in it that they produced about Wendell. She announced that she went back to Simplot with the council's concerns about the cost of the project to widen the road and install lighted guardrails around the curve coming into town and Simplot pledged more money, covering the cost of the improvements needed for the roadway. She also announced that Councilwoman BJ Marshall's birthday is coming up on Sunday (8/4). She thanked the city staff and the city council for all their hard work and dedication.

Adjourn

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


Rebecca Vipperman, Mayor


Karri French, City Clerk/Treasurer