

City of Wendell
Special Council Meeting Minutes
April 17, 2025

Mayor Rebecca Vipperman called the special meeting of the Wendell City Council to order at 6:30 PM. Council members present were Council President BJ Marshall; Councilman Juan Gonzales and Councilman Donald Dunn. City Attorney Tim Stover was also present.

COUNCIL MEETING MINUTES

Councilman Gonzales made a motion to approve the April 3, 2025, Special Meeting minutes as presented. Councilman Dunn seconded the motion. Roll call vote taken; Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye; motion passed.

Councilman Gonzales made a motion to approve the April 3 Regular Meeting minutes as presented. Councilman Dunn seconded the motion. Roll call vote taken; Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye; motion passed.

BILLS

Councilman Gonzales made a motion to approve the bills as presented in the amount of \$13,663.29. Councilman Dunn seconded the motion. Roll call vote taken; Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye; motion passed.

DEPARTMENT REPORTS

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

PUBLIC HEARINGS

Zoning Application- Ortega

Mayor Vipperman opened the Public Hearing at 6:48 PM. She briefly introduced the topic to be discussed and read the rules of conduct to the audience regarding public hearings and public comment. Code Enforcement Officer Nathan Lewis introduced a map for council to look over and stated that Lorena Ortega was requesting her property, which is tri-zoned residential/commercial/industrial, be changed to residential only.

Lorena Ortega was present, stating that she was requesting the city council approve her application to change her tri-zoned property (residential/commercial/industrial) to residential only. She stated that she wants to subdivide the property. Mayor Vipperman asked if she was planning to subdivide the property to build single family residences. Lorena Ortega answered, yes, the plan was to build single family homes. Councilman Gonzales asked Code Enforcement Officer Nathan Lewis if the property was a platted lot and block. He stated it was a platted lot and block. Lorena Ortega stated that she is looking at prices for building materials and hopes to start soon since prices have been increasing. Mayor Vipperman asked Public Works Director Steve Devereaux and Fire Chief Bob Bailey if there was water and sewer infrastructure to the property. They both stated there was already water and sewer to the property. Mayor

Vipperman also asked **Public Works Director Steve Devereaux** and **Fire Chief Bob Bailey** if the property would need to have an alley. They both stated that it would need an alley. **Councilman Juan Gonzales** stated that there was a vacate mentioned in the property description and that would have to be taken into consideration for an alley.

Mayor Vipperman asked if the Clerk's Office had received any responses from the public. **City Clerk Karri French** stated that twelve certified letters were sent out, and one letter was returned. It was marked in support of the zoning application with comments. **Mayor Vipperman** asked **City Clerk Karri French** to read the written comments. **City Clerk Karri French** stated that the letter said that this property had been previously rezoned in 2018. She also stated that she had spoken to **Code Enforcement Officer Nathan Lewis** about this, and he had investigated the comments.

Code Enforcement Officer Nathan Lewis stated that the comment was half right. A public hearing was held in 2018, and the zoning application was approved. However, an ordinance was never presented to the council to complete the process.

Mayor Vipperman asked the council if they had any questions, comments, or anything to discuss. There was no discussion. **Mayor Vipperman** opened the public hearing for public comment.

Opposed:

None

Neutral:

Velda Cavazos stated that she is neutral. She also stated that there have been a lot of incidents of speeding and vehicle accidents in that area and would like the city to consider actions regarding those frequent incidents.

Don Bunn stated that he is neutral. He asked questions regarding the location of the lot while looking over the map **Code Enforcement Officer Nathan Lewis** had provided to council.

In Favor:

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 7:01PM.

NEW BUSINESS (discussion/action items)

Consideration of New City Councilmember

Tabled to a future meeting. No motion needed.

Consideration of Revised ESPA City Agreement-Water Mitigation-Candace McHugh/ Revised Pocatello Water Lease Agreement

Candace McHugh of **McHugh Bromley** was present via phone to discuss the ESPA City

Agreement. She stated that this revision is the culmination of the last 5 years spent working toward streamlining the agreement itself as well as working on establishing flat rate fees. She discussed the details of what had been agreed upon and included in the revised agreement. **City Attorney Tim Stover** asked Candace what her recommendations were. **Candace** recommended the city sign it, citing that all the rest of the cities who have reviewed it have already signed the agreement. She also stated that she is requesting cities hire McHugh & Bromley to work on a new order and attend hearings on behalf of the cities in the Mitigation Agreement. Claims of water shortages, even in good surplus water years like last year and normal water years like this year, do not make sense. She stated that she has heard that the current agreement may need to be reassessed. Twin Falls Canal Co. is storing large amounts of water that reduces the water available to cities like Wendell. There would be engineering fees that would need to be split between the cities who participate. She asked the council to join this action and invest in the engineering costs. After discussion, **Councilwoman Marshall** made a motion for the city to accept the ESPA City Agreement and the mayor to sign it. **Councilman Gonzales** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Councilwoman Marshall then made a motion to allow McHugh & Bromley to attend meetings and author an agreement that includes Wendell's participation in the shared cost of necessary engineering regarding the Twin Falls Canal Co. and the water needs of the City of Wendell. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Revised Pocatello Water Lease Agreement

This item did not need to be listed separately on the agenda. It was part of the previous agenda item. No motion needed.

Consideration of Zoning Application-Ortega

Mayor Vipperman asked the council if they had anything to discuss or if they had any questions for Lorena Ortega regarding the Zoning application. **Councilwoman Marshall** asked **Code Enforcement Officer Nathan Lewis** to clarify the information regarding the comments pertaining to this zoning application. He stated that the property used to belong to Deb Gibbs. When the original zoning application went before council requesting the property to be rezoned in 2018, an ordinance was never done to complete the rezoning process. Since then, Deb Gibbs had sold that portion of the property. The property that Lorena Ortega owns and is asking to have rezoned was part of the same property brought for rezoning in 2018. **Councilman Gonzales** asked Lorena Ortega to confirm that she was asking for the property to be residential only. **Lorena Ortega** stated yes, residential only. **Councilwoman Marshall** made a motion to approve Lorena Ortega's Zoning application, changing the property zoning to residential only. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Library Remodel Abatement Results

Mayor Vipperman presented the council with the abatement test results for the old AG building that is being considered for the Library Remodel project. She stated that overall, the results were positive with only a

positive test result for asbestos in the glaze on the windows. This will make abatement of the building much easier to accomplish. She stated that replacing the windows will solve the asbestos issue. No motion needed.

Consideration of Public Park Regulations

Code Enforcement Officer Nathan Lewis stated that the information presented is a rough draft of regulations regarding all city parks that could be added by ordinance. These regulations address disfiguration/removal of city property, removal of natural resources, erection of structures, injury/removal of natural resources, pollution of waters, trash, authorized vehicles, signs, parking, recreational activities for use/events, responsibilities of park users, behavior in city parks, and vending/peddling. He asked the council to review the information and provide feedback. He also stated that he was working with **City Attorney Tim Stover** on using this information in an ordinance for all city parks and should have it for the next council meeting. No motion needed.

Consideration of Sparklight Renewal

City Clerk Karri French stated that the Sparklight bill had been increasing recently, and she had received a letter from Sparklight stating that further cost increases are planned. She stated that she called Sparklight to discuss the bill and the cost increases to try to save the city money. She presented the council with two contracts: one for the city hall/library internet account and the other for the bulk water station/public works account. She went over the money-saving changes offered in the contracts, both with 12-month terms. She requested the council's approval of the contracts and requested permission to sign the contracts on behalf of the City of Wendell. After discussion, **Councilwoman Marshall** made a motion for **City Clerk Karri French** to accept and sign both 12-month Sparklight contracts on behalf of the City of Wendell. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Special Event Application with Bounce House

Mayor Vipperman introduced the topic. **City Clerk Karri French** stated that the Clerk's office has received a Special Events application that wishes to include a bounce house. The company that owns the bounce house supplied their Certificate of Liability Insurance. **Councilwoman Marshall** noticed that the City was not listed as the certificate holder on the bottom of the insurance certificate. She stated that it would have to be updated to include the City of Wendell as the certificate holder. After discussion, **Councilwoman Marshall** made a motion to approve the Special Event application with a bounce house contingent on an updated Certificate of Liability Insurance listing the City of Wendell as the certificate holder. **Councilman Gonzales** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales-Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Adding Funds/Closing Account-Money Market Account

City Clerk Karri French stated that she was unable to obtain all the information about this account in time for tonight's meeting. Tabled for more information. No motion needed.

UNFINISHED BUSINESS (discussion/action items)

Consideration of Pinnacle Technologies Bid for Hub City Park

Mayor Vipperman had a previous commitment, her son's band concert, and the meeting was running longer than anticipated. She introduced the topic then turned the meeting over to **Council President**

Councilwoman Marshall. After discussion, the council decided they would like to explore other options. No motion needed.

Consideration of Awarding Contract-Library Remodel

Councilwoman Marshall introduced the topic. After a brief discussion regarding the bid received for this project, **Councilwoman Marshall** made a motion to reject the bid for the Library Remodel project seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

Consideration of Awarding Contract-City Shop Addition

Councilwoman Marshall introduced the topic. After a brief discussion regarding the three bids received for this project, **Councilman Gonzales** made a motion to reject all bids for the City Shop Addition project. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall-Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

PUBLIC COMMENT

Don Bunn stated that he feels the city is on the right path, citing the importance of a Public Works license and qualifications being met before the city accepts a bid for a building project. He stated that it was important to get more information on the money market account, making sure that its purpose is fulfilled. **Councilwoman Marshall** stated that the money has been recently moved to the city's LGIP account with the state to earn interest for the city's needs. She also stated that **City Clerk Karri French** would research the account further and have the information for the council at the next meeting. **Don Bunn** stated that if the city or any other entity would like more information on Certificate of Liability Insurance, he would be happy to consult. He briefly explained requirements for this type of insurance to the council. He also thanked the council for their hard work.

COUNCIL

Councilwoman Marshall thanked Public Works for fixing the potholes on 5th Avenue W.

Councilman Gonzales reminded everyone to attend the Easter Egg Hunt at McGinnis Park on Saturday, April 19th at 9 AM.

Councilman Dunn stated that Spring Cleanup starts on April 28th.

Councilman Gonzales asked **Public Works Director Steve Devereaux** how Public Works would be managing tires this year after the overwhelming number of tires we received last year. **Public Works Director Steve Devereaux** stated that the tire dumpster was going to be located at the City Shop this year. Each Wendell resident is allowed to bring up to four tires each. **Councilman Gonzales** asked when the Spring Cleanup would end. **Public Works Director Steve Devereaux** stated that the last day of Spring Cleanup will be on May 9th.

MAYOR

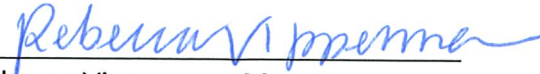
None

Adjourn

Councilman Gonzales made a motion to adjourn the meeting of the Wendell City Council at 8:07 PM. **Councilman Dunn** seconded the motion. Motion passed.



Karri French, City Clerk/Treasurer



Rebecca Viperman, Mayor