

City of Wendell
Regular Council Meeting Minutes
February 1, 2024

Mayor Rebecca Vipperman called the regular meeting of the Wendell City Council to order at 6:33 PM. Council members present were Council President BJ Marshall; Councilman Juan Gonzales and Councilman Donald Dunn. City Attorney Tim Stover was also present. Councilman Shaun Spencer was not present and notified the council and the City Clerk's office in advance of his absence.

Amended Agenda

Councilwoman Marshall made a motion to accept the Amended Agenda for February 1st, 2024. **Councilman Gonzales** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

COUNCIL MEETING MINUTES

Councilman Gonzales made a motion to approve the January 18, 2024, regular council meeting minutes, as amended. **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 \$12,045.77. **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye**; motion passed.

PUBLIC HEARINGS

Variance Application- Tvrdy

Mayor Vipperman opened the Public Hearing at 6:38 PM and read the rules for public hearings.

Code Enforcement Officer Nathan Lewis presented the application from Shawna and Tyler Tvrdy requesting a parking requirement variance for the bakery they are building. The City of Wendell's ordinance requires the building to have nine parking spaces (including one ADA compliant parking space) due to the square footage of the building. The Tvrdy's are asking to have the requirement reduced to six parking spaces (including one ADA compliant parking space).

Shawna Tvrđy was present and stated that the bakery plans to see cars coming in and leaving on a regular basis as customers pick up their orders. She stated that six spaces (including one ADA compliant parking space) will be equivalent to the length of the bakery building and she did not want to add additional parking to the side of the bakery because the space will be needed for deliveries to come in and out without compromising visibility and safety.

Councilwoman Marshall asked if there would be any dine-in. **Shawna Tvrđy** stated that there would be a few tables for people to wait at but that there is no plan for dine-in, only carryout.

Councilwoman Marshall asked how many employees would be working at the bakery.

Shawna Tvrđy answered that she will work at the bakery herself for now but when the business is more established, she may need to hire 2-3 people in the future.

Councilman Dunn stated that six spaces would be good to start but business growth will also require more parking. **Shawna Tvrđy** answered that her residence is behind the bakery, and she would move her driveway to increase parking.

Mayor Vipperman asked if moving the driveway would give enough space to add 3-4 more parking spaces. **Shawna Tvrđy** answered yes.

Councilman Gonzales addressed **Wendell Fire Chief Bob Bailey** and asked him if he anticipated any fire safety concern with the planned build including the possibility of additional parking added in the future. **Wendell Fire Chief Bob Bailey** answered that as long as the driveway is left open, emergency services should have no issue accessing the property.

Mayor Vipperman asked how many responses the Clerk's office had received regarding the proposed variance. **City Clerk Karri French** responded that there were 9 letters sent, 8 were picked up, 4 responses were received: 3 In Favor, 0 Neutral, 1 Against. 1 of those responses included comments. **City Clerk Karri French** read the comment into record. American Legion Post 41 wrote, "Not enough on-site parking will lead to parking on West Main. This is a busy road, esp in the morning."

Mayor Vipperman stated that public comment was now open:

In Favor:

None

Neutral:

None

Against:

None

Rebuttal:

Shawna Tvrđy addressed the council in response to the comment received by the American Legion. She stated that the planned parking is set back far enough to leave room for vehicles to safely pull in and out. She also stated that if additional vehicles did parallel park on the West Main side, she feels there is adequate room, and it should not cause problems with traffic.

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 6:49 PM.

NEW BUSINESS (discussion/action items)

Update from McHugh & Bromley

City Attorney Tim Stover stated that the update from McHugh & Bromley is to let the city know that other cities are now trying to establish mitigation plans like Wendell, and other rural cities already have. The recommendation from McHugh & Bromley is to allow McHugh & Bromley to file protests on behalf of the members who already have mitigation plans in place. This is especially important in light of legal proceedings that are already in motion regarding the Idaho Ground Water Association's mitigation obligations. After discussion, **Councilwoman Marshall** made a motion to allow McHugh & Bromley to proceed 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 Reappointment to Library Board- Bob Schwendiman

Tabled until the February 15, 2024 meeting.

Consideration of Estimated Cost for Structural, Engineering and Drafting- Wendell Library

Library Board President LeeAnn Gonzales presented the council with an estimated cost analysis for structural plans to renovate the old Ag shop into the proposed new library location. These plans must be completed before plumbing and electrical plans can be done. She stated that the library has an account with approximately \$13,000 in it from donations received in the past, but it might not be enough to pay for all the engineered plans needed and funding for this is a concern. City Attorney Tim Stover stated that the Library Board does not need the city's approval to spend the money for the plans. **Library Board President LeeAnn Gonzales** stated that the Library Board will go over their budget at the next meeting, but they are hoping for funding assistance from the city. This will come back before the council in the future. No motion needed.

Set Irrigation Fees 2024

City Clerk Karri French presented the council with proposed irrigation rates for the 2024 irrigation season at t\$122.32 per user for the ditch rider fee at and \$0.001449 per square feet for the maintenance fee. After discussion, the council decided to increase the proposed maintenance fee to \$0.002173 per square foot in response to additional maintenance needs that have been identified. **Councilwoman Marshall** made a motion to accept the council's

proposed irrigation fees for the 2024 irrigation season at \$122.32 per user (ditch rider fee) and 0.002173 per square foot (maintenance fee). **Councilman Dunn** seconded the motion. **Councilwoman Marshall- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye;** motion passed.

Consideration of Resolution 206-2024 Amending Personnel Policy (Bereavement)

Mayor Vipperman stated that this resolution is the last step to officially amend the Bereavement portion of the City of Wendell Personnel Policy. **Councilman Gonzales** made a motion to accept Resolution 206-2024 Amending Personnel Policy (Bereavement). **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye;** motion passed.

Consideration of Tvrdy Variance Application

Mayor Vipperman asked the council if they had anything to discuss. **Councilwoman Marshall** stated that she believes that growth is manageable and the plan for additional parking in the future is good. **Councilman Gonzales** stated that since **Wendell Fire Chief Bob Bailey** was confident in emergency service ability to access the property, he did not have any concerns with the variance request. **Councilman Gonzales** made a motion to approve the Tvrdy Variance application allowing six parking spaces (including ADA compliant parking space). **Councilman Dunn** seconded the motion. Roll call vote taken; **Councilwoman Marshall- Aye, Councilman Gonzales- Aye and Councilman Dunn- Aye;** motion passed.

UNFINISHED BUSINESS (discussion/action items)

GSCO Resource Officer

Tabled until February 15, 2024 meeting.

Consideration of Public Works Vehicle Purchase

Mayor Vipperman asked Farmer's Bank for information regarding municipal financing options. **City Attorney Tim Stover** stated that he will look the information over and talk to Farmers Bank. **Councilwoman Marshall** stated that we are at the beginning of the fiscal year and an outright purchase would use all allotted funds. She stated that a purchase of this type is a budget item and should be discussed at next year's budget meetings. **Mayor Vipperman** stated she will request information from additional financial institutions. This will be brought back to the council at the February 15, 2024 meeting.

PUBLIC COMMENT

None

COUNCIL

Councilwoman Marshall stated that the audit is almost complete, and the clerk has completed the audit entries. She will review the draft financial statement for FY2022-2023.

MAYOR

Mayor Vipperman stated that the newsletter for the new quarter is out. She also stated that the City of Wendell has a great crew, and she appreciates each one of them.

Adjourn

Councilman Gonzales made a motion to adjourn the meeting of the Wendell City Council at 7:53 PM. **Councilman Dunn** seconded the motion. Motion passed.


Karri French, City Clerk/Treasurer


Rebecca Vipperman, Mayor

