

BLACKFOOT CITY COUNCIL MEETING
DECEMBER 11, 2013
7:00 P.M.

Mayor Virtue welcomed those in attendance and invited everyone to join him in the Pledge of Allegiance. Roll call was taken and those in attendance were: Councilman Brown, Councilman Gardner, Councilman Jensen, and Council Woodfin.

Mayor Virtue moved to amend the agenda regarding a Planning and Zoning item that needs to be added to the agenda. Councilman Jensen moved to amend the agenda. Councilman Gardner seconded. All were in favor.

Mayor Virtue presented the consent agenda which consists of the following: minutes for City Council Meeting on 11/12/2013 and the Alcohol Licenses from The Spot and Stinger's Bar and Grill. Councilman Jensen moved to approve the consent agenda as presented. Councilman Woodfin seconded. All were in favor.

Mayor Virtue proposed that Tiffany Leavitt be reappointed to serve on the Library Board for another five years. Mayor Virtue also proposed the appointment of Margaret Peterson to serve on the Library Board. Councilman Woodfin moved to accept Tiffany Leavitt and Margaret Peterson as new Library Board Members. Councilman Gardner seconded. All were in favor.

Mayor Virtue proposed Dr. Leon Peterson to be appointed as a member of the Transportation Commission Board. Councilman Woodfin moved to approve Dr. Leon Peterson to the Transportation Commission Board. Councilman Gardner seconded. All were in favor.

Mayor Virtue announced the next item on the agenda was the Briefing on Hazard Mitigation for Bingham County from Whisper Mountain Consultants. Rick Fawcett gave a presentation of the emergency management briefing for the City of Blackfoot. Mr. Fawcett touched on the goals for the hazard mitigation to save lives and reduce property damage. He analyzed the natural, weather, drought, flooding, geologic, wildfire, biological and others hazards. Mr. Fawcett directed the councilman to look over the list and prioritize, remove or add to it and for any comments on other hazards that might need to be added. It is a good insurance procedure for the City to have in place in case of a natural disaster. Mr. Fawcett encouraged the council to come up with a plan to find ways that will help prevent problems associated with natural hazards, listing river flooding as the highest threat to Blackfoot. He would also like the updated list from the planning and zoning for new structures that might be in the floodplain. Mr. Fawcett thanked the council for their time and encouraged them to become involved in the project.

Mayor Virtue presented the next proposal on the agenda which is to make a change in the Personnel Policy, #303 Personal Leave Benefit, and # 305 Holidays. He stated the city would like to change the holiday schedule by moving Martin Luther King Jr. Day and Columbus Day and shift them to the day before and the day after Christmas. Councilman Jensen stated that it is an enjoyable time of year to be with your families.

303 Personal Leave Benefits

Effective Date: 1/1 /2005

Revision Date: 3/4/2008

Personal Leave with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time employees

~~The amount of personal leave time employees receive each year increases with the length of their employment as shown in the following schedule:~~

- ~~• Upon initial eligibility the employee is not entitled to any vacation days for the first year of employment.~~
- ~~• After 1 year of eligible service the employee is entitled to 48 vacation hours and 4 hours each month of service between the first and second year.~~
- ~~• After 2 years of eligible service the employee is entitled to 96 vacation hours each year, accrued monthly at the rate of 8 hours.~~
- ~~• After 5 years of eligible service the employee is entitled to 120 vacation hours each year, accrued monthly at the rate of 10 hours.~~
- ~~• After 10 years of eligible service the employee is entitled to 144 vacation hours each year, accrued monthly at the rate of 12 hours.~~

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation.

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. They can request use of vacation time after it is earned.

~~Paid vacation time can be used in minimum increments of one half day. To take vacation, employees must request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.~~

An employee, upon separation from the City's employment, shall be paid for accumulated vacation leave. Payment for vacation shall be computed at the regular hourly rate of the employee at the time of separation.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differential.

~~As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, employees may carry unused time forward to the next benefit year for six months. If the total amount of unused vacation time reaches a "cap" equal to ninety-six hours over their current yearly allotment, further vacation accrual will stop. When the employee uses paid vacation time and brings the available amount below the cap, vacation accrual will begin again. This procedure shall be followed unless otherwise specified by the Mayor and or the Human Resource Director.~~

~~3/4/08—New Policy was passed~~

Paid vacation time can be used in minimum increments of one ~~half day~~ hour increments. To take vacation, employees must request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Personal Leave (PL) will replace both vacation and sick leave hours. PL will be calculated by adding 48 hours annually to the current accrual amounts for vacation in lieu of the current sick leave accrual. However, all sick leave hours accrued at the time of implementation will be “banked” for use by employees for conversion to health insurance benefits at retirement (as defined by the rule of 90 or the PERSI definition retirement) at the rate of 64 hours for one month of coverage. Only hours in increments of 64 may be applied for coverage.

Additionally, eligibility for hours from the sick leave “bank” are based on a medical need to be absent from work. The entire period of absence, including days when the employee is not scheduled to work, must be verified in writing by the employee’s personal physician. The medical absence must be at least eight consecutive full calendar days (which will usually be at least one workday more than a full work week). Absences due to illnesses that are not at least 8 consecutive full calendar days must be accounted for with PL or time off without pay.

EXAMPLE:

Dave is in his third year of employment beginning January 1st. He has no vacation carry over. Previously, Dave would receive 96 hours of vacation and 64 hours of sick leave. Under the PL plan, Dave receives 96 hours of vacation plus an additional 48 hours in lieu of the previous sick leave accrual for a total of 144 hours of Personal Leave for the year.

The PL accruals will be as follows:

- ❖ Upon initial eligibility, the employee is entitled to 48 hours of PL for the first year of employment.
- ❖ After 1 year of eligible service, the employee is entitled to 72 hours of PL (given at the beginning of the 2nd year) and 6 hours for each month of service between the first and second years.
- ❖ After 2 years of eligible service, the employee is entitled to 144 hours of PL each year, accrued monthly at the rate of 12 hours.

- ❖ After 5 years of eligible service, the employee is entitled to 168 hours of PL each year, accrued monthly at the rate of 14 hours.
- ❖ After 10 years of eligible service, the employee is entitled to 192 hours of PL each year, accrued monthly at the rate of 16 hours.

TRANSITION PLAN: The number of sick leave hours allocated for the “transition year” if it is effective April 1, 2008, will be prorated by quarter, meaning the employee will receive 16 hours thru April 1st and PL hours will be accrued at a prorated basis for the remainder of the year 9mos/12mos x 48 hours or 36 hours for a total of 52 hours total for the year.

PL CARRY OVER

Personal Leave will be carried over at the following levels:

From the end of year 2 until the end of year 5	240 Hours
From the end of year 5 until the end of year 10	264 Hours
From the end of year 10 and on	288 hours

At the end of the calendar year, all hours exceeding the above limits will be zeroed out. If operational requirements preclude an employee from taking PL, the carry over may be extended with approval of the Superintendent and the Mayor but the excess carryover must be used within the first 3 months of the new calendar year.

305 Holidays

Effective Date: 1/1/2005

Revision Date: 12/4/2007

Revision Date: 3/4/2008

The City will grant holiday time off to all employees on the holidays listed below:

- New Year's Day (January 1)
- ~~Martin Luther King, Jr. Day (third Monday in January)~~
- Presidents Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- ~~Columbus Day (second Monday in October)~~
- Veterans' Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving (fourth Friday in November)
- Christmas Eve (December 24)
- Christmas (December 25)
- Day after Christmas (December 26)

The City will grant paid holiday time off to all eligible employees. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Councilman Jensen moved to adopt the changes as presented and waive any readings. Councilman Brown seconded. All were in favor. On a roll call vote:

Councilman Brown	-	Yes
Councilman Gardner	-	Yes
Councilman Jensen	-	Yes
Councilman Woodfin	-	Yes

Mayor Virtue presented a recommendation from the Transportation Commission to ease the traffic in the alley between Broadway and Ash running from Pacific to Bridge Street and make it a one-way. This will help to alleviate traffic problems in the area. Chief Asmus has agreed to patrol the area to help monitor the flow of traffic. Councilman Jensen moved to accept the recommendation from the Transportation Commission to make the alley between Broadway and Ash running south from Pacific to Bridge Street a one-way. Councilman Gardner seconded. All were in favor.

Mayor Virtue turned the time over to Councilman Woodfin to discuss a plan to remove the Blue Spruce Trees on Bergener Boulevard. These trees are posing some risk and some of the business owners are concerned about the trees not allowing business signage to be visible. He stated removal of the trees would be a three phase process. The 1st phase would be to remove five trees near 20th Century, then replacing them with a flowering pear (Chanticleer Flowering Tree), they are a clean tree and the cost is approximately \$100 per tree. The tree should be placed 20' feet apart and the trees will be large enough to decorate for the holidays. Mr. Woodfin stated the 2nd phase would be removing them from the south side of Bergener Blvd. and replacing them with the same flowering tree. He explained that the 3rd phase would be dealing with the blue spruce trees located along the stone wall fence next to the Chevron Station and several other businesses located in the area. He informed the council they will need to set up a meeting with those involved to determine the best procedure to take. The Councilmen discussed several ways of removing the trees and upgrading the area, also the best way to proceed with the proposal. There was no action taken at this time.

Mayor Virtue presented the next item on the agenda, an appeal of a Solicitors License that was denied. Mr. Steven Sloan, 3664 Goldstone Dr. Idaho Falls, Idaho with Arm Security Inc. asked the council if they might reconsider a request for a Solicitors License. Chief Asums stated on the application for the permit Mr. Sloan failed to list some of the crimes, misdemeanors, or violations that were on his record. He stated because of this, he should not be allowed to receive the permit. Mr. Sloan stated he had not listed them intentionally and was apologetic for not listing them on the application. Attorney Dan Acevedo informed the council they have the authority based on the facts to waive or confirm the application. Councilman Woodfin and the other councilmembers came to the conclusion that he could re-apply for the permit and list all of his violations. Councilman Gardner moved to allow him to re-do the Solicitors License. Councilman Jensen seconded. All were in favor.

Mayor Virtue turned the time over to Planning and Zoning Administer Rex Orgill. Mr. Orgill presented the council with a replat of Lot 6 Block 2 of the Oak Ridge Addition in Gem Village. He stated they want to build additional Assisted Living Housing in the subdivision. The financial advisor is requesting the property to be divided into lots. This will keep the property from having an adverse effect on the lots and any other properties. Councilman Brown moved to approve the replat of Lot 6 Block 2 of the Oak Ridge Addition in Gem Village. Councilman Jensen second. All were in favor.

Mr. Orgill also present the final replat for Mertyalmack Park. The developers and property owners are Todd and Amy Bischoff. He explained Mertyalmack Park’s replat will consist of seven 4-plexes, a storage unit in lot 4, and a change in zoning to Community Commercial (C-2 & C-3) and the replat was approved in a P & Z meeting held on July 23, 2013. Councilman Brown moved to approve this final replat for the Mertyalmack Park Subdivision. Councilman Jensen seconded. All were in favor.

Mayor Virtue turned the time over to City Clerk Suzanne McNeel for the Ratification of the Run-Off Election Results. Ms. McNeel reported the County Commissioners approved the election results of the December 3, 2013 mayoral runoff election. The council needs to also ratify the election results.

BINGHAM COUNTY DECEMBER 3, 2013 ELECTION

RESULTS		
City of Blackfoot Runoff		
Precinct	Cravens	Loomis

Blackfoot 1	88	138
Blackfoot 2	35	53
Blackfoot 3	49	111
Blackfoot 4	47	87
Blackfoot 5	55	143
Blackfoot 6	68	145
Absentee 31	160	246
TOTAL	502	923
%	35.2%	64.8%

Councilman Gardner moved to approve the results of the election. Councilman Woodfin seconded. All were in favor. On a roll call vote.

Councilman Brown - Yes
Councilman Gardner - Yes
Councilman Jensen - Yes
Councilman Woodfin - Yes

Mayor Virtue congratulated Mr. Paul Loomis on becoming the new Mayor-elect of Blackfoot, Idaho. He also thanked Councilman Woodfin for his service as a Councilman to the City of Blackfoot.

Councilman Jensen moved to adjourn. Councilman Brown seconded. All were in favor. The meeting adjourned at 8:12 p.m.

City of Blackfoot

Mayor Mike Virtue

Attest:

City Clerk Suzanne McNeel