

BLACKFOOT CITY COUNCIL MEETING

June 3, 2014

7:00 P.M.

Pledge of Allegiance

Mayor Paul Loomis welcomed those in attendance and invited everyone to join him in the Pledge of Allegiance.

Roll Call

Roll call was taken and those in attendance were: Councilman Brown, Councilman Gardner, and Councilman Jensen. Councilwoman Simpson was absent.

Consent Agenda

Mayor Loomis presented the consent agenda which includes the following: Minutes from the 5/6/2014 Council meeting, payables, and firework permits. Councilman Brown moved to approve the consent agenda as presented. Councilman Jensen seconded. All were in favor.

Presentation of Award

Mayor Loomis presented a plaque to Brian Bates for being the *State of Idaho Wastewater Collection Operator of the Year*. Mr. Bates works at the Wastewater Treatment Plant. Mayor Loomis thanked Mr. Bates for his hard work.

Presentation of Mayoral Scholarship Recipients

Mayor Loomis asked the Mayoral Scholarship recipients to come forward so they could be recognized. In addition to a scholarship, each recipient received a certificate signed by the Mayor. The certificates read as follows:

BLACKFOOT COMMUNITY MAYORAL SCHOLARSHIP
IS AWARDED TO

For EXCEPTIONAL ACCOMPLISHMENT, SERVICE and CITIZENSHIP in our Community. In awarding this scholarship, we recognize your potential for growth and success. Work hard, represent Blackfoot well and excel in you studies. Take pride in where you come from and who you are, God's Speed! Given under my hand this day, 16 May 2014.

PAUL M. LOOMIS, Mayor

Jarin Inskeep is out of town and will be recognized next month. Nick Lemon, Lacey Turpin, Kimra Wheeler, and Jenny Thomas were recognized as being winners of the Mayoral Scholarship offered through the Bingham Community Foundation and were presented their certificates during a school assembly. Mayor Loomis asked each of the high school recipients to share their plans for the future. Nick plans on being a foreign exchange student in the Czech Republic next year and will come back to go to college in the Humanities. He is unsure of which university he will attend. Lacey is moving to Rexburg to work as a CNA for an assisted living facility. She plans on starting at BYU Idaho in September in the physical therapy program. Kimra plans on attending ISU this fall as a social work major.

Mayor Loomis presented Jenny Thomas with her certificate. Jenny will be starting her final year at ISU in the fall. She is working on her B.S. Degree in physical education, with an emphasis in outdoor education.

She has been working with the Scouts the last couple of years and would like to continue to work in a similar program in the future.

Mayor Loomis recognized Rick Bigler for his hard work in making the Mayoral Scholarship a reality. The scholarship fund is in its first year and Mayor Loomis reiterated that the funds were donated by the public specifically for this purpose and no City funds were used. There is an endowment fund that will continue to perpetuate the scholarship in the future.

Nomination of City Attorney

Mayor Loomis nominated Mr. Garrett Sandow for the City Attorney position being vacated by Dan Acevedo. Mr. Sandow would be working under a contract with the City for \$75,000 a year, which would be revisited in three years. The contract will be prepared by the current City Attorney, Mr. Dan Acevedo. Councilman Jensen moved to approve the nomination of Garrett Sandow as the new City Attorney as of July 1, 2014. Councilman Brown seconded. A roll call vote was taken:

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

Mayor Loomis announced that a luncheon for Mr. Acevedo will be on June 17th so that the City can say goodbye and to gift him with a memento. He invited the Council to state a few words on the record to Mr. Acevedo, as this is his last City Council meeting. Each of the council members and the Mayor took turns congratulating Mr. Acevedo on his future endeavors and thanked Mr. Acevedo for his competency and expertise over the years.

Blackfoot Community Center Presentation for Proposal to Use City Property for Community Recreation Center

Mayor Loomis invited Ashlee Howell of the Blackfoot Community Center to come forward and share her proposal. Ms. Howell stated she was not coming to the Council for approval yet, as she is hoping to open the discussion on the use of city property to support the building of a new community recreation center.

Right now, the Blackfoot Community Center operates out of two facilities that they lease and also run youth development programs out of several schools. Over the last 5 years they have continually grown. Ms. Howell feels that the time is right to open a discussion on the possibility of a recreation center, which would house all of the programs that are currently run by the Blackfoot Community Center, but would also offer recreational opportunities to the community. Ms. Howell is open to the possibility of partnering with the City in the creation of a new community center, which could also house a new community pool. The designs for a new community center are still in preliminary stages and nothing has been finalized. Several sites have been looked at, but the site recommended by the City has been Airport Park by the community gardens. The gardens would be incorporated in the design to preserve as many trees and greenery as possible. Ms. Howell welcomes insight from the Council on design, engineering, efficiency, etc. She hopes to finalize the design and get bids soon so that she can seek approval from the Council next month. Also, she would like to come back next month and answer any questions that the Council has for her today, including funding options. Ms. Howell believes that having a multi-functional building will help provide more opportunities and thus, help to sustain the life of the building. If a new pool is built in the recreation center, Ms. Howell hopes to help the City reduce deficit/burden of a pool in the long term.

Councilman Jensen stated that he was concerned about a private/public partnership. He knows that there are federal laws regarding what types of partnerships can exist, but he is unsure on what those are. He also questions who would own the building in such a partnership as he would not be willing to give taxpayer money to private entities. As far as the property is concerned, the City is required to maintain the pool as part of the previous grant that funded its construction. In order for the City to build a new pool, they must follow certain restrictions or they will lose all federal funding. Investigation of the restrictions and how to transfer those restrictions needs to be done before the City can say yes to a partnership. The restrictions include: not building on land already owned by the City; the value of the new property has to be of equal or more value than the old property; and no federal or state grant money can be used. The restrictions are in perpetuity.

Mayor Loomis reiterated that the intent of Ms. Howell's presentation is not to form a decision but to start the discussion. There are more aspects of a recreational center than a pool alone. Ms. Howell stated that she has been working on this for some time and she does have several for-profit models that are sustainable that she would be happy to share with the Council. Ms. Howell mentioned that she conducted a community needs assessment in 2011 and that the community wants a facility that they can participate in recreation year-round. Councilman Jensen stated he is willing to look into it, do some research, and determine the feasibility. Councilmen Brown and Gardner stated they are interested in looking at the for-profit model designs. Councilman Brown said the Blackfoot Community Center fills needs within the community, and he is interested in following up on this with her. Mayor Loomis invited Ms. Howell to return next month with a proposal and in the interim, council members will send her questions.

Waiver of City Garbage Services for Bingham Memorial Hospital

Mayor Loomis invited the representative from Bingham Memorial Hospital to come forward and speak. Bruce Bates, on behalf of Bingham Memorial Hospital and Idaho Doctors' Hospital, requests a waiver of city garbage services based on the reasoning that they would like to put their garbage bins behind the hospital instead of in front. Currently, the City does not have the means to retrieve bins from behind the building.

Councilman Jensen verified that the request is based solely on the location of the garbage bins. He read the City Code that pertains to mandatory use of garbage services within City limits, Ordinance 2089, Title 9, Chapter 5, Section, 3, Part B, which is as follows:

9-5-3: MANDATORY SYSTEM; WASTE COLLECTION ACCUMULATION;
UNLAWFUL PRACTICES; EXCEPTIONS:

B. Every person who is an owner or occupant of premises within the city limits shall use the waste collection and disposal system herein provided and shall deposit or cause to be disposed of in accordance with this chapter all waste which is accumulated on such premises; provided, that nothing herein is to be construed to prohibit any owner from transporting and disposing of waste accumulated on his own premises, subject to all regulations herein contained. An individual or entity may be granted a special exception from the mandatory system use by the city council in extreme circumstances upon application and a showing before the city council that the city, its licensee or franchisee cannot reasonably accommodate the collection of the individual's or entity's waste. Upon being granted the exception, the waste collector must comply with the license, contract and franchise provisions of this chapter. The fact that another waste collector is willing to

collect the waste for a price less than the price set by the city shall not be a factor in determining whether the city, its licensee or franchisee can reasonably accommodate the collection of the individual's or entity's waste. All owners or occupants of premises within the city limits will be charged the minimum collection charge, regardless of whether they actually use the collection system provided by the city.

Councilman Jensen stated he has talked with Vaughn Key, Street and Sanitation Superintendent, and has walked the premises at Idaho Doctors' Hospital. He does not see where there are "extreme circumstances" and a solution can come about from a minimum amount of change at another location. Mr. Bates wanted to know where the other location would be. The City garbage trucks can reach across the sidewalks along Cedar Street, although the trees will need to be removed. A pull-through near the drainage pit can be put in without having to move the drainage pit. A curb cut would need to be put in as well. Mr. Bates was concerned about who is responsible for the curb cut. Although the sidewalks are city property, it is up to the adjacent property owners to maintain the sidewalks. Councilman Gardner also walked the property and is in agreement with Councilman Jensen about there not being "extreme circumstances" in place. Councilman Gardner owns a property that is in a similar situation in which the garbage trucks have to reach across the sidewalks to get to the dumpsters.

Mr. Bates asked if he could have the dumpsters moved tomorrow. Councilman Gardner replied that the dumpsters might need a pad. Pads are necessary so that the dumpsters do not dig down into the asphalt. Councilman Jensen asked Mr. Key if he could check to see if the dumpsters can be put down on the pavement behind the sidewalks. Vaughn replied that he could easily check that tomorrow. Mr. Bates asked the City Council for their recommendations in writing and a drawing of what the layout should be in that location. Councilman Jensen replied that was possible.

Mr. Bates asked about the cost of the changes. Councilman Gardner said it would be the cost of a pad and a curb cut, plus the tree removal. Councilman Jensen said it should be a few hundred dollars for the pad, but the biggest expense is going to be the concrete. Mr. Bates stated that Bingham Memorial would be willing to work with the City on an alternative as long as there were not high costs associated with it. Councilman Jensen stated that we can come up with a reasonable accommodation so that services can continue without a major disruption in service.

Councilman Jensen motioned to deny the waiver of city garbage services for Bingham Memorial Hospital. Councilman Gardner seconded. All were in favor. Waiver is denied.

Approval of Payment for Water Rights

Mayor Loomis asked for Mr. Acevedo's help with discussion on the water rights as it was started over 4 months ago. Mr. Acevedo stated the City entered into a contract with the broker of the water rights and paid a small down payment, then looked into if the transfer could be made. The right has been approved by the Idaho Department of Water Resources. Mr. Acevedo has reviewed the paperwork and transfer; he believes it meets his expectations. The Mayor also had an expert water engineer look at it, who recommended it as a solid agreement and should be accepted. Everything appears in order and the sellers want to close on the transaction. The City of Blackfoot needs to write a check and the warranty deed will be transferred to the City. Councilman Brown asked if the water rights were better than they originally thought and Mr. Acevedo agreed that yes, they are as far as priorities are concerned.

Councilman Brown moved to approve the payment for the water rights and give the Mayor authority to close out the transaction. Councilman Gardner seconded. A roll call vote was taken:

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

Highland West Energy – Free Energy Audit for the Blackfoot Swimming Pool

Councilman Jensen was approached by Highland West Energy about a free energy audit for the Blackfoot Swimming Pool. Councilman Jensen asked the representative from Highland West Energy to come forward. Jeff Dixon is from Highland West Energy, an energy efficiency developed based in Rexburg. They are seeking approval to perform a free analysis that would be paid for by the Department of Energy, with no strings attached. The analysis would include an energy audit and feasibility study for a technology known as Combined Heat and Power (CHP). CHP is on-site concurrent generation of both thermal and electrical energy. CHP not only creates electrical energy, but it captures waste/excess heat and puts it to use.

Councilman Jensen explained that it would be like putting in a natural gas turbine that would generate electricity for all the lights, fans, and equipment. The heat produced from that process would be used to heat the water and heat the pool. It is a way to maximize efficiency because it extracts mechanical energy.

Mayor Loomis asked about the preferred fuel for the system. Mr. Dixon replied that it is fuel agnostic, but it can use the natural gas that is already on-site at the pool. It can use a variety of fuels that are locally sourced.

Councilman Brown wanted to know how much implementation of a CHP system would cost. Mr. Dixon replied that costs are site-specific, which is the reason that the Department of Energy is willing to fund feasibility studies so that costs can be determined. The feasibility study will show project costs within 10-30%.

Councilman Brown wanted to know if CHP has been implemented at other pools and what the rate of payback was. Mr. Dixon stated it depends on the pool, but they just conducted a feasibility study in N. Salt Lake at a larger pool. Depending on the fuel system they choose, worst case scenario is a 7 year payback while the best case scenario is a 3.4 year payback. The high end cost on that pool conversion would be \$1.3 million.

Mr. Dixon explained that they would need the approval of the Council to proceed. From there, they would need the utility bills from the pool, a description of the thermal equipment on-site, and some thermal screening questions answered. After that, the information would be submitted to the Department of Energy, who would take 4-6 weeks to conduct an analysis and the results would be submitted to the City via Highland West Energy.

Mayor Loomis asked Mr. Dixon if pools were Highland West's specialty. Highland West focuses on two main types of buildings: hospitals and swimming pools. CHP does exceptionally well on critical facilities, such as wastewater treatment plants, hospitals, and airports, and on consistent thermal loaded facilities, such as pools.

Councilman Brown motioned to proceed with an evaluation. Councilman Gardner seconded. All were in favor. Councilman Jensen offered to let the pool director know about the evaluation so that she could

walk Highland Energy through the building and gather the appropriate utility bills. If it is done on a Friday afternoon, Councilman Jensen can help with the walk through of the facility.

Treasurer Report

Heather Schild gave a report on city finances. The general fund is on target. City expenses are down but are expected to increase in summertime. City revenues are a little low but will increase with warmer weather.

Councilman Brown wanted to know what fund the water rights payment will be pulled from. Heather responded that it will be pulled from the water capital expenses fund.

Mayor Loomis stated there were a couple things he learned from examining the monthly report. First, the animal shelter revenues are up. Also, money from dog licenses are up. Chief Asmus explained that this is the first year that that City has taken over all the adoptions from the Humane Society, so that can explain some of the revenue increases. A possibility of a new animal shelter could be in the future. Finally, the last thing that the Mayor noticed from the report is that bicycle licenses are required, which he did not know. He personally knows a family of three that will be coming in to register their bicycles. Chief Asmus stated that there isn't a major crackdown on those that do not have bicycle licenses, but the requirement of a license is in city code. The thought behind the city code is that if licenses are required, serial numbers will be recorded if there is ever a theft.

Public Comments

Mayor Loomis invited the public to comment, but there were none.

Adjourn

Councilman Brown moved to adjourn. Councilman Gardner seconded. All were in favor. The meeting adjourned at 8:04 P.M.

City of Blackfoot

Mayor Paul Loomis

Attest:

City Clerk Suzanne McNeel