

BLACKFOOT CITY COUNCIL MEETING
JANUARY 6, 2015
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, Councilman Jensen, and Councilwoman Simpson.

Amend the Agenda

Mayor Loomis requested to amend two items on the agenda for the City Council Meeting. The first item he requested to amend was to note the minutes in the consent agenda were from 12/02/2014. The second item he requested to amend was to add 'Nomination for Public Works Director'. Mayor Loomis asked for a motion. Councilman Brown moved to approve the amendments to the agenda. Councilman Gardner seconded. All were in favor. Motion passes.

Consent Agenda

Mayor Loomis presented the consent agenda which includes the following: payables and minutes from 12/02/2014 City Council meeting. Councilwoman Simpson moved to approve the consent agenda as presented. Councilman Brown seconded. All were in favor. Motion passes.

Nominations for Positions on the Library Board

Mayor Loomis recognized and thanked Lisa Cannon and Mike Torgerson for the time they served on the Library Board.

Mayor Loomis then nominated Melissa Mercado and Janine Shigihara to serve on the Library Board. Councilman Gardner motioned to approve the nominations for the Library Board. Councilman Brown seconded. All were in favor. Motion carries.

Nominations for Positions on the Planning & Zoning Commission

Mayor Loomis stated there are 2 vacancies on the Planning and Zoning Commission due to the resignations of Ralph Mortenson and Elias Trejo. He then nominated Quinn Stufflebeam and Ian Layton to serve on the Planning & Zoning Commission. Councilman Jensen motioned to approve the nominations for the P&Z Commission. Councilman Gardner seconded. All were in favor. Motion carries.

Approval of JUB Amendment #1 for WWTP Phase 1 Upgrade

Mayor Loomis stated that the City has finished the 10% engineering phase at the Wastewater Treatment Plant and is now moving onto phase 2. He asked for a motion for approval of the JUB Amendment #1 for

the Wastewater Treatment Plant upgrade. Councilman Jensen moved to approve the Amendment. Councilman Brown seconded. All were in favor. Motion carries.

Agreement for obtaining Brine from the Idaho Transportation Department

Mayor Loomis asked for approval of the agreement between the Idaho Transportation Department and the City of Blackfoot, for obtaining brine from ITD in return for having the City apply the brine and removal of snow on State Right-of-Ways within the City. Councilwoman Simpson moved to approve the agreement with the ITD. Councilman Gardner seconded. All were in favor. Motion carries.

Nomination for Public Works Director

Mayor Loomis stated the City has not had a Public Works Director for a number of years. He said he is finding a need for that position to better administrate the City. He stated his intention was to pull that from within the City's workforce. He then nominated Richard Mangum as the Public Works Director. He noted that Mr. Mangum's current position would not be backfilled, but that Mr. Mangum would do both positions. Councilwoman Simpson moved to approve the nomination for the Public Works Director. Councilman Gardner seconded. All were in favor. Motion carries.

Golf Course Discussion

Mayor Loomis turned the time over for discussion on the Golf Course. Ms. Schild stated last month during City Council Meeting, they had discussed how the City of Idaho Falls ran its own golf course, how the Pro's are employees of the City, the anticipated budget, and the anticipated revenue. She said Scott Hays, Mike Dayley, and her, travelled to the City of Pocatello and met with their Chief Financial Officer and their Parks & Rec Director to find out how Pocatello ran their golf course. She stated Pocatello is the only private lease option that they found in the area. Ms. Schild explained the City of Pocatello gets \$100,000 a year from the leasee to lease their golf course. She stated she also spoke with the leasees, Gerald Mylar. They asked questions such as, 'How often do you mow the fairways' and 'How often do you change the cups'. These sorts of things are all built into the contract with the City. The City is required to make some effort to make sure the contract is being followed and maintained. The leasee pays for water. The City of Pocatello has a .50 cent surcharge which the City of Blackfoot will discuss later about the City's \$1.00 surcharge for season pass holders. She noted they transfer all of that into their Capital Improvement Fund. The City takes those revenue funds and builds restrooms or redoes the t-boxes. Ms. Schild said Pocatello's CFO was very positive about the way the golf course was being run. She said the CFO had some concerns but it was nothing that the leasee had not solved with a little bit of administration. Ms. Schild stated her opinion, which was that the City of Blackfoot should just take over the golf course and it is the best route for the City, financially. The City of Blackfoot does not produce enough rounds, nor does it have enough people to lease it and get even a \$50,000 return. The City of Pocatello has 2 golf courses and that is why they have the \$100,000 return. She restated the City of Blackfoot does not have enough rounds or people to support the City getting paid a fee.

Mayor Loomis asked Ms. Schild to explain what Pocatello does with the \$100,000. She responded the City of Pocatello sets the money aside into the Capital Improvement Fund, so it will then be used to

make improvements on the golf course. They do have an agreement where the leasee will pay a maximum of \$150,000 for their water. She stated the City of Blackfoot does have its own wells out at the golf course, so the City would not get the revenue from the water. She said there are drastic differences between the way that Pocatello and Idaho Falls golf courses are run and maintained.

Mayor Loomis stated there was no request made for making a decision on the golf course that evening; this was just add-on information. He said most of the direction would come from the work shop in February when the City starts its budget cycle.

Councilman Gardner stated he knew there were individuals concerned that there is no Greens Committee. He said the City needs to get that going now, so that those individuals put on the committee can be involved in the process and help make a decision as to what to do with the golf course. They can give recommendations about whether to go public or make a contract or have the City take it over. It would not be very hard to get a group of individuals who would be willing to be on this committee. Mayor Loomis stated he had spoken with individuals who use the golf course a lot, and they said they would prefer the group or committee to be informal. Councilman Gardner suggested the City should set up the committee like it was done at the Airport. Mayor Loomis responded they can set up a time and individuals can come and do that voluntarily, like the airport.

Mayor Loomis asked if there were any other questions. Ms. Schild asked the Mayor if this decision would be made in February's City Council Meeting or at the workshop. Mayor Loomis responded it would be made at the workshop because that is where the City would ask for direction. Ms. Schild stated at that meeting the path for the golf course needed to be made so she could create the budget. Mayor Loomis verified the decision would be made at the workshop.

Mayor Loomis stated last year as he went through the budget he found a change in the fees; he wanted verification that last year in June the golf course changed its fees. Ms. Schild responded it was January when the fees were changed.

Mayor Loomis continued that he noticed the surcharge would require the City to do administrative action to collect \$1 that is paid for every pass holder that comes through. It takes time and administrative overhead for the City to account for that. His suggestion was that the surcharges needed to be changed and embedded into the annual fee, so that they would not have to chase the pass holders down to pay \$1 every time they came out and played. Having known that and knowing that the City is now in the process of renewing and selling the annual passes, he proposed that that fee be embedded.

Mayor Loomis asked Ms. Schild to step forward again and give an explanation and then the meeting would move into public hearing.

Ms. Schild said they collected roughly \$24,000 last year with the dollar surcharge. In doing that, they would still collect it on the daily \$26 greens fee. Golf Pro Mike Dayley verified the surcharge came from green fees and punch cards, so that is included in everything. The season pass has generated around \$8348 for surcharges. By increasing season passes by \$40, they believe they can recoup that surcharge. This would exclude their juniors because they do not pay the \$1 surcharge. The junior passes do not

factor into the expected surcharge number. The goal is to get rid of the \$1 surcharge, factor it back into the season passes, and come up with the same total in the end.

Mayor Loomis asked if there could be an explanation given about the reduced hours pass. Mr. Dayley said a new idea for reduced hour's passes came from McCall Golf Course. How it works is, when the parking lot is empty, fees are reduced to get people through the door. McCall Golf Course has been doing this for a few years and it has improved season ticket sales for them. Mr. Dayley said there could possibly be a few losses on overall season ticket sales but there will still be people who like to golf early in the morning. He stated the pass for the Blackfoot Golf Course would most likely be an afternoon pass, set for after 2:30 p.m. Non-resident prices would be set at \$375 and city-resident prices would be \$350. This pass would allow holders to play 7 days a week after 2:30 p.m.

Ms. Schild stated the INL has a weekly newsletter they send out to their employees and she spoke with them about advertising for the golf course in their newsletter. She stated the INL said the golf course could run a small add for free in their newsletter to try and draw some of their employees out to the golf course.

Mr. Dayley stated they chose 2:30 p.m. because the golf course is busy until about 2:00 p.m. under normal weather conditions. He said revenue was up this last year except for daily rounds. He said that has a lot to do with the weather in August, which had the most rainfall they had had in years, yet October was the second best October they have had over a 14 year period. Over the last 14 years, they have increased fees but have also flat lined in sales. They were selling over 300 passes but are now selling about 208 passes. He said they hope to get more juniors out on the course, which will get them to be grownups who want to play. He noted this is something new and that if it did not work, they could move away from it, but he believes it would be something good for the golf course to do.

Councilman Gardner asked Mr. Dayley what the busiest days of the week are for the course. He replied the busiest days are Friday, Saturday, and Sunday since many people have 4-day work weeks in this area.

PROPOSED GOLF COURSE FEE INCREASE

Season Passes-

	Current Fees	Proposed Fees
Adult -	\$ 650.00	\$ 690.00
Couples -	\$ 965.00	\$1005.00
Family -	\$1025.00	\$1065.00
Senior Mon-Thur -	\$ 360.00	\$ 400.00
Senior 7 days -	\$ 545.00	\$ 585.00
College	\$ 375.00	\$ 415.00

In City Fees

Adult -	\$615.00	\$ 655.00
Couples -	\$930.00	\$ 970.00
Family -	\$989.00	\$1029.00
Senior Mon-Thur	\$335.00	\$ 375.00
Senior 7 days -	\$520.00	\$ 560.00
College -	\$365.00	\$ 405.00

New Pass for 2015 – After 2:30 p.m.

Adult -	\$375.00
In City Fee	
Adult -	\$350.00

Mayor Loomis asked for a motion to move to public hearing. Councilwoman Simpson motioned to move to public hearing on the golf course fee increase. Councilman Gardner seconded. All were in favor. Motion carries.

There was no public comment made.

Councilman Brown motioned to move out of public hearing. Councilman Gardner seconded. All were in favor. Motion carries.

Councilwoman Simpson motioned to approve the amendment of Resolution 325 to increase golf fees. Councilman Jensen seconded. All were in favor. Motion carries.

Annexation of the Properties Belonging to Smith and Baker/Thomas off of Highland Drive and the Mikesell Property off of East Airport Road

Mayor Loomis stated there would be time for public comment on the annexations after questions and discussion by the Council and reminded those that were attending this was not a public hearing. A public hearing was held during the Planning & Zoning meeting.

Councilman Gardner asked if the City initiated the annexation, and if they would need to annex all 3 properties. To which he was told no, it could be done parcel by parcel. There was no further discussion. Mayor Loomis moved the meeting to public comment.

Wayne Mikesell (742 East Airport Road) stated his property was right off of East Airport Road. He said the property was purchased in 1993. His father-in-law gave the road to the County, which continued through onto East Airport Road. The only record he has is of aerial maps. They anticipated an increase of property value with giving the road. There is a 20 acre piece and 80 acre piece that belongs to the family. The little corner piece was purchased in 1966. They purchased a ¾ acre plot, which at that time would not accommodate sewer. Being the sewer ran under East Airport Road, they were allowed to connect to the sewer. At that time, it increased their rates 1.5 times, which they have paid since that time. He said they would like to continue on that basis. He asked the Council to consider leaving them

alone, since they had been like this for over 37 years. The property next to it on the west was sold and has been annexed into the City and that development has not occurred because of the tax rates. He stated he checked with the Treasurer and the County that does the assessment and his property tax rates will double. Mr. Mikesell said this would put more of a burden on them. He said it will take many years for him to recoup the difference. It would not be a good investment by anybody to assume that one could come out ahead in that. He asked the Council to, again, leave him alone until he dies or sells. If they were to sell the property he would understand if they annexed the property. He noted they do not anticipate selling or dying. If the City were to lower the rates and make it look more favorable then they might consider it. He stated they spoke with Mr. Steadman and he is currently farming his lot because no one wants to buy the land because it is in the City and there is such a high difference in rates. He again asked for the Council to not annex their property until they sell, move, or die.

Mayor Loomis asked if the Council had any questions for Mr. Mikesell. Councilman Gardner asked why Mr. Mikesell's property had not been annexed when Mr. Steadman's property had been. Mr. Mikesell responded there had been verbal agreements that their property would not be annexed because the family had given East Airport Road and Teeples to the City. Considerations and verbal agreements were made because of that.

Councilman Gardner then asked how long the neighbors across the way had been living on their property. Mr. Mikesell said about 16 years but it was always in the City, where the line was drawn. Councilman Gardner then said he brought this up because if he was living next door paying city taxes but his neighbor was not, it would seem unfair. Mr. Mikesell said they are aware of this, and there have not been any objections made. He said the area has changed drastically over the years since 1966. While they are not against progress, they do not want to be annexed. Councilman Jensen then asked him, why the P&Z commission wanted to annex his land, to which Mr. Mikesell said they did not give him a reason aside from that there were three sides of his land that were annexed, and so they could now annex his land. The Mayor stated he was the one that initiated the annex. He stated he wanted to look inside the City for those sorts of enclaves before looking outside the City to annex. He was looking for those areas that clearly ought to be in the City's control and the only way to do that as far as P&Z is concerned is to annex them. Mr. Mikesell stated the only reason he could see the City needed to annex him is because of a revenue issue. He said annexing him would not solve the problem.

Mayor Loomis asked if there was anyone else that would like to come forth to make public comment.

David Peterson (1845 Highland Road) came forward on behalf of Shirley Baker. He stated he was there regarding the annexation of his Grandmother's home. He stated he did not have a comment but wanted to point out that he was provided with a copy of ID Code 50-222. In Section 3 Part A Group 1, the first sentence says 'All private land owners have to consent unto annexation'. He then said he does not believe that any of these people gave consent unto the annexation that occurred. He asked where the exception to this law is because it is black and white in the code they must consent to the annexation. His second point he wanted to make was there are still a handful of properties within City limits that are still zoned county properties besides those that are on the agenda tonight. He asked why the City is not trying to annex all of them and just those properties on the agenda. One of those properties is adjacent

to his Grandmother's property, which is zoned county. Garrett Sandow, City Attorney, stated in Idaho Code 50-222 Section 3 Part A, there are 3 types of annexation that apply. The first type is consent, the second type is enclave or island lands, and the third type is recreation area. Mr. Sandow said Mr. Peterson read the first type but not the other two. Mayor Loomis said he would answer the second question. He stated this was his first attempt at any annexation. The way they went about this was to list all of the properties in the City that are completely enclaved and they took it in two different parts for annexation. The Mayor stated after these annexations went through they would announce the second set of annexations of the enclave pieces. They had a recommendation from the P&Z commission to the Council.

He asked if Mr. Peterson had any more questions or if he had answered them. Mr. Peterson stated yes and no. He said it just doesn't make sense that they would want her property and not the county property that shared a fence with it. He asked if it was because she was a little old lady. He said she is on a fixed income and does not have the money to pay the increase in City taxes. There is no money generated off of this land. It has been like this for 50 years. His Grandfather donated the land for Highland Drive to go through that property. It is not for sale but eventually it will be. He said to just annex it then.

Shirley Parson Baker (1845 Highland Road) stated she owned the property that was to be annexed into the City. She said she wants it on record that she does not want to go into the City. She and her husband, since deceased, bought the property 53 years ago. She stated she has hung onto it because Rex wanted it to go to their 4 children. She said when it goes to the children, they can do what they want with it but until then, as long as she has it she will not develop it, subdivide it, or sell it. She then stated she will have a hard time paying the taxes if she is annexed into the City. Mrs. Baker said she is 89 ½ years old and she does not have many years left, so it should not be too long before her children have the land. She asked that the Council leave it so that she can enjoy her pasture with the few years that she has left.

Councilwoman Simpson asked Mrs. Baker if she leased it out for pasture. She replied she does and has for about 30 years. She said he takes nice care of it and her sons take care of the fencing so none of the cows get out. She spoke to him a week ago and he said he would like to keep it, that he needs the pasture. Councilwoman Simpson asked Mrs. Baker if she raised the lease fee, if he would still lease it. Mrs. Baker said she does not think that he could pay any more than he already does. She then said the water assessments are \$550 per year and she is living off of social security, so she does not have it to pay. She said it would be nice if the City taxes weren't so high but that is not the case. She stated she wanted to be on the record that she was not in favor of being annexed into the City.

Mayor Loomis asked if there were any further public comments.

Lester Thomas (1655 Highland Dr.) said he is Mrs. Baker's neighbor. He wanted to know, if he was put into the City, when the City would supply services to him. He said aside from water, he has none. Mayor Loomis stated he did not remember the timeframe but a letter of services was supplied with the letter of annexation. Mr. Thomas asked where the City was coming for sewer services. The Mayor asked Mr.

Moffat if he could answer that question and replied he did not have that information available. Mr. Thomas stated there are no sewer lines close by his property.

Councilman Gardner asked Mr. Thomas how long he has been living there. Mr. Thomas replied he had been living there since 1986. Councilman Gardner asked if he had bought that piece from Mrs. Baker to which he replied yes. He said one of the reasons he bought the piece was because it was in the County and not the City. It had county taxes.

David Peterson stated he wanted to make a comment on the water and sewer situation with Mr. Thomas. He pointed out when his Grandmother put the house down on the lower end of the property, she paid out of her own pocket to bring city sewer and water to her house. The City reimbursed her a very small amount. He then said her out of pocket expense was \$23,000. He asked the Council, if the City annexes her, will she be reimbursed for that cost. Mayor Loomis responded no. Mr. Peterson asked then if she would still continue to own that line and would she be provided with documentation proving that she owns the line; from Hillridge to her house. The Mayor said no, that once the property becomes annexed, that would become a part of the City. Mr. Peterson said he feels that is unfair. He said that seems like stealing because his Grandmother paid for it, she owns it. She has a letter from Mike Virtue, former Mayor of Blackfoot, saying that she owns it. Mayor Loomis said they do not go back and pay developers for previous development. Mr. Peterson asked if the time line set in the letter from Mayor Mike Virtue has not expired, and the City annexes her in and takes that line from her, is that a violation of the contract she had with Mayor Mike Virtue. Mayor Loomis said he would have to review the letter but he does not believe so. Mr. Peterson said that is fine by him. He would have an attorney review it.

Councilman Jensen asked if there was anyone there to speak in relation to the Smith property. There was no comment. Councilman Jensen then stated he remembered a few years ago on an annexation of property down Mitchell Lane and Fullmer Lane that are still not connected to city sewer and water. They had their own septic and had no plans of connecting. They were not being billed for those services. Mayor Loomis stated that was correct. They had not been forced to go onto city sewer and water. He said if they did ever remove their septic, they would not be allowed to put another in and they would be required to hook up to city services.

Councilman Jensen questioned the consideration of the Baker property truly being an enclave. He asked Garrett Sandow if the property was legally considered an enclave. Mr. Sandow stated if the county grounds are not in the impact area, then no it would not be considered an island or an enclave. Mayor Loomis stated it is completely surrounded by city limits. He said that it is truly an enclave.

Councilman Gardner said he would like to break the approval of the annexations into 3 votes. Mr. Sandow stated the Council only needed to make a motion to table the one piece of property before the Ordinance was approved. Mayor Loomis stated he was partial to the fixed income situation but there is a circuit breaker committee that helps qualified people who are on fixed income pay for services. He stated there was discussions of how long individuals have owned and lived on the property and the City limits that now surround it. He said he knows it was probably not their intent for this to happen when they purchased the land but it could happen and because it could happen the property would be of

premium value. He stated the last point he wanted to make was the City was dealing with one or two owners in this annexation. They will make the business decision as to when to sell and when they do sell, if they live in the County they will abide by county planning and zoning ordinances. The Supreme Court identified that cities could not enforce city ordinances in impact areas in 2000. He stated if these properties are broken up and sold into parcels, the City will have no control over that. Then it becomes an issue of dealing with multiple land owners in the future, which becomes expensive for the City. He asked the Council to consider these points in making their decision.

No further questions or comments were made. Councilman Jensen motioned to remove the Baker/Thomas property from the ordinance and table it at this time. Councilman Gardner seconded. Councilman Brown, Councilman Gardner, and Councilman Jensen were in favor. Councilwoman Simpson was against. Motion carries.

Mr. Sandow read Ordinance No. 2127 into public record:

ORDINANCE NO. 2127

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, ANNEXING CERTAIN PROPERTIES INTO THE CITY OF BLACKFOOT AND ESTABLISHING THE ZONING DESIGNATION OF SUCH PROPERTIES TO R1 AND RA, RESPECTIVELY; PROVIDING FOR THE EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BLACKFOOT, IDAHO AS FOLLOWS:

SECTION 1: That the following described real property hereby is annexed into the City of Blackfoot and hereafter shall be in all respects considered within the legal boundaries of the City:

See Attached Exhibit "A," which is real property currently owned by Wayne and Carol Mikesell, and shall have a zoning designation of R1.

See Attached Exhibit "B," which is real property currently owned by David and Heidi Smith, and shall have a zoning designation of RA.

SECTION 2: That the official zoning of the above-described properties shall be as designated above.

SECTION 3: That the Blackfoot City Zoning Map be amended to reflect the annexation and zone change.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED by the Mayor and City Council this 6th day of January, 2015.

CITY OF BLACKFOOT, IDAHO

By: _____

Paul Loomis, Mayor

ATTEST: _____

City Clerk



HARPER-LEAVITT ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING, MATERIALS TESTING AND LAND SURVEYING
800 W. Judicial Street • Blackfoot, Idaho 83221 • Office Phone: 208.785.2977 • Fax: 208.785.2990
985 N. Capital Avenue • Idaho Falls, Idaho 83405 • Office Phone: 208.524.0212 • Fax: 208.524.0229

FOR: CITY OF BLACKFOOT
JOB NO: 14-156
DATE: 09-10-2014
BY: DDR

(MIKESSELL PROPERTY AS DEPICTED ON RECORD OF SURVEY INSTRUMENT 380408)

Part of the Southeast ¼ Northeast ¼ Section 34 Township 2 South Range 35 East B.M. Bingham County, Idaho described as:

Commencing at the Northeast corner of Section 34; thence S 00°00'00" W 1337.09 feet along the section line; thence S 89°06'27" W 609.29 feet along the southerly right of way line of East Airport road to the northeast corner of deed instrument 374379 and the point of beginning. Thence S 03°33'01" W 185.79 feet to the southeast corner of said deed; thence N 90°00'00" W 139.64 feet to the southwest corner of deed instrument 248479; thence N 00°00'00" W 183.08 feet to a point on the southerly right of way of East Airport road; thence N 89°06'27" E 151.16 feet along said right of way line to the point of beginning.

Parcel contains 0.62 Acres more or less.





HARPER-LEAVITT ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING, MATERIALS TESTING AND LAND SURVEYING
800 W. Judicial Street • Blackfoot, Idaho 83221 • Office Phone: 208.785.2977 • Fax: 208.785.2990
985 N. Capital Avenue • Idaho Falls, Idaho 83405 • Office Phone: 208.524.0212 • Fax: 208.524.0229

FOR: CITY OF BLACKFOOT
JOB NO: 14-156
DATE: 09-10-2014
BY: DDR

(SMITH PROPERTY)

The West ½ West ½ Southeast ¼ Southeast ¼ Section 35 Township 2 South Range 35 East B.M. Bingham County Idaho described as:

Commencing at the southeast corner of Section 35; thence N 89°50'47" W 992.45 feet along the section line to the southwest corner of Mountain View Estates Subdivision recorded as instrument number 468827 and the point of beginning. Thence N 89°50'47" W 330.55 feet continuing along the section line to the southeast corner of Country View Estates Division 1 Subdivision; thence N 00°00'51" W 1322.43 feet along the east line of Country View Estates Division's 1, 3 and 4 to the northeast corner of Lot 1 Block 5 of Country View Estates Division 4; thence S 89°44'47" E 331.34 feet more or less along the north line of the West ½ West ½ Southeast ¼ Southeast ¼ to the northwest corner of Mountain View Estates subdivision; thence S 00°01'11" W 1321.85 feet along the west line of said Mountain View Estates subdivision to the point of beginning.

Parcel contains 10.04 Acres more or less.



Councilman Brown motioned to approve Ordinance No. 2127 and waive any further readings. Councilwoman Simpson seconded. Mayor Loomis requested a roll call vote:

Councilman Brown-	Yes
Councilman Gardner-	Yes
Councilman Jensen-	Yes
Councilwoman Simpson-	Yes

All were in favor. Motion carries.

Ordinance Regarding Standards for Non-Shrink Backfill Material

Mayor Loomis asked Vaughn Key to step forward and answer any questions about the non-shrink backfill that was tabled during the last discussion. Mr. Key stated they had added the language on the rating scale with pavement management.

Mr. Garrett Sandow read Ordinance No. 2128 into public record:

ORDINANCE NO. 2128

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, ADDING CHAPTER 3, SECTION 9(A) OF TITLE 8 REGARDING STANDARDS FOR NON-SHRINK BACKFILL MATERIAL TO BE USED IN BACKFILLING OF ANY EXCAVATION MADE IN A PUBLIC RIGHT OF WAY; PROVIDING FOR THE EFFECTIVE DATE OF SAID CHANGE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BLACKFOOT, IDAHO AS FOLLOWS:

SECTION 1: That Section 9(A) of Chapter 3 of Title 8 of the Blackfoot City Code be added as follows:

8-3-9(A): This section covers the work of installing non-shrink backfill materials in certain trench cuts located within the City of Blackfoot right-of-ways. The City of Blackfoot maintains an IWORQ's Pavement Management System that grades all right-of-ways on a scale of 1 to 10, with a 10 being a right-of-way in excellent condition. This section shall apply to all trench cuts within right-of-ways that are designated as a 4 or higher. The designation is available from the City of Blackfoot at the time of obtaining a permit for the trench cut.

All requirements for excavation shall meet with the City of Blackfoot specifications when working within the City's right-of-ways.

After the Permittee has excavated and disposed of all material from the trench area and upon completion of the installation and testing of the installed line, the Permittee shall wrap all mechanical fittings with plastic sheeting (minimum four (4) mil.) in a manner which will prevent bonding of the non-shrink material to the fitting. The Permittee shall then place compact gravel to a level of one (1) foot above the installed line. The Permittee shall then place non-shrink backfill material in the trench using a

method that fills all voids to the top of the existing subgrade elevation. After sufficient time for the non-shrink backfill material to cure in order to carry the traffic loads, the Permittee shall then replace the asphalt plantmix surfacing and aggregate base in accordance with specifications of the City of Blackfoot.

The non-shrink backfill material shall be encasement concrete with a minimum cement content of 50 lbs. to the cubic yard, maximum water to cement ratio of .80, a maximum slump of 10, and a 0-10% air content.

All backfilling made pursuant to this Section shall be supervised at the time of backfilling and approved by a representative of the Street Department of the City of Blackfoot. The Permittee must schedule in advance with the Street Department for a representative to be present at the time of the backfill.

SECTION 2: That the effective date of this Ordinance shall be the 6th day of January, 2015.

PASSED AND APPROVED by the Mayor and City Council this 6th day of January, 2015.

CITY OF BLACKFOOT, IDAHO

By: _____

Paul Loomis, Mayor

ATTEST: _____

City Clerk

Councilman Gardner motioned to accept Ordinance No. 2128 as read and waive any further readings. Councilwoman Simpson seconded. Mayor Loomis requested a roll call vote:

Councilman Brown-	Yes
Councilman Gardner-	Yes
Councilman Jensen-	Yes
Councilwoman Simpson-	Yes

All were in favor. Motion carries.

Disposal of City Owned Property- 600 Block of Stout and Smith St.

Mayor Loomis called Rex Orgill to come forward and give a description of the disposal of the property. He stated the property in question is lot 20 in the White Subdivision. The City of Blackfoot purchased the property from its original owner in November of 1950. The City found out they owned the land when an individual approached the City to ask to build a burn ditch. The County verified the City owned the land.

He stated the property is of no value to the City and it does not meet the frontage criteria of the ordinance where it is undeveloped. He stated there were no plans to build on the property. Mr. Orgill recommended the City sell the property with a sealed bid. The property value is at .50 cents per sq/ft. The appraiser recommended a minimum sealed bid of \$4,000. Mr. Orgill stated Mr. Kirkham owns the land on the north side and the south side is owned by the Baptist Church. He stated it would help development and bring taxes into the City.

Mr. Sandow stated the process the Council would have to go through was to declare a value on the property for the minimum value and that value would be published for accepting the sealed bids. There would be a public hearing at the following meeting where the property sold would be approved by the Council. Mayor Loomis asked for verification of the minimum bid, which was \$4000. Mr. Sandow stated that was for 8300sqft. Mr. Orgill stated that the property would be sold as is.

Councilwoman Simpson asked what Mr. Orgill meant when he said the property did not meet the frontage requirements. Mr. Orgill stated that the city ordinance for the R3 zone is required to have a minimum of 8000sqft which it does have but the front yard access is only half of what it is supposed to be by the ordinance for the width. He stated that there are some possibilities to develop if one of the neighboring land owners purchased the property. They could cover the ditch and extend their existing property. The sewer comes in from the south and the water comes in from the west down the alley. The Mayor stated that there may be a covert minor's ditch on the property.

Councilman Brown moved they approve the disposal of the City owned property for a minimum of \$4,000. Councilwoman Simpson seconded. All were in favor. Motion carries.

Public Hearing on RV Grant to Build an RV Lot Adjacent to the Baseball Complex

Mayor Loomis asked City Treasurer, Heather Schild, to come forward and give an explanation of the proposed project. Ms. Schild stated the City was applying for a grant from the Idaho Parks and Rec Department to build an RV park at the baseball complex. She stated the plans are that this park will house 7 RV's with water and electric hookups. She said the grant needs to be submitted by the 30th of January 2015. Mayor Loomis said one of the requirements for the City to submit the grant was to have a public hearing.

Councilman Brown motioned to move into public hearing. Councilman Gardner seconded. All were in favor. Motion carries.

Mayor Loomis asked if there was anyone wanting to speak on the RV grant. Wayne Mikesell asked where the RV Park would be located, which he was told it would be to the north of the park shop at the baseball complex, bordering the airport. Mr. Mikesell stated he was against building the RV Park because it does affect the other property owners. He stated there was already a trailer park over by the fairgrounds and it has a lot more than 7 spots and it is pretty vacant except for the fair. He said he doesn't see the problem with letting a trailer park in that lot but he doesn't want the RV's parking there overnight for tournaments and things like that. He said it is just not something that he would agree with in that particular area.

Mayor Loomis stated the intent of this park was for tournament traffic and the City does not intend to put sewer in. This would be limited, not long-term parking. Mr. Mikesell stated the City should really be considering building a youth center or complex instead.

Ms. Schild corrected her earlier comment and stated the grant would put in 17 RV spots. She stated the baseball commission reports that during baseball tournaments, the RV spots are filled up at the fairgrounds and several RV parks in Pocatello as well. She was asked if the City was already maxing out the facilities that the City has, to which she stated yes, for the tournaments. She stated the City's goal is to put in the infrastructure to house the RV's and then pave the parking lot. Bingham Memorial Hospital has stated they will help pay for the paving and the leveling of the parking lot. She stated the grant will help pay for the water and power infrastructure. She stated people who wish to park in the RV Park by the baseball complex can call City hall to make reservations. They will pay \$18 per night, which will cover the cost of power and water used. Since RV users cannot dump at this park, there is a waste dumping station at the RV Park at the State Fairgrounds that they can use. Mayor Loomis stated there are 2 RV dump stations in the City that patrons can use. There is no intent to put additional dumping stations into the City.

Councilwoman Simpson asked for verification that the patrons could not stay there for extended periods of time. Councilman Jensen stated there is a federal 14 day limit. Park and Recreation Superintendent, Scott Hays stated this park could even benefit them during golf tournaments.

Mr. Mikesell asked if this grant would pave the parking lot. Ms. Schild stated it would pave the RV parking area and the City and Bingham Memorial will help pave the rest of the area and entryways. Mr. Mikesell then stated knowing that information, he does not disagree with building the RV lot anymore.

Councilman Gardner motioned to close public hearing. Councilman Brown seconded. All were in favor. Motion carries.

Councilman Gardner motioned to approve the pursuit of the RV grant. Councilman Jensen seconded. All were in favor. Motion carries.

Resolution Regarding LHTAC Grant

Heather Schild presented information on the LHTAC Grant, Fisher Street project being pursued by the City of Blackfoot. Ms. Schild stated Fisher Street is the City's number 1 priority of the 18 streets listed in the City's Transportation Plan. She then stated Harper Leavitt Engineering came up with a cost estimate for the purposed project. The cost estimate of the project is \$2,278,000. The City would have to have a 7.34% match of \$167,205.20. She said this would re-do all of the curbs, gutters, and sidewalks along Fisher Street. It would relocate some of the sidewalks, put in some storm drains, upgrade some pipes for the storm drains, and re-do the surface of the road.

Councilman Brown asked Ms. Schild how much of Fisher Street would be re-done. Ms. Schild said from Alice Street to Walker Street. Councilman Jensen stated as a side note on the road, there used to be

curb and gutters along part of the road, but years of overlay on certain areas have buried the curb and gutters.

Councilwoman Simpson asked Vaughn Key if he would totally dig the road out and re-do it. Mr. Keys said yes.

Councilman Gardner asked if while we were doing this would the City upgrade the sewer and water lines so the City would not be making other cuts. Mr. Key responded yes. Councilman Jensen said most of those are in the alleyways. Councilman Gardner said unfortunately up near the school, there are no alleys. Councilman Jensen said yes, on the north side of the road they all run under the alleys but the south side runs under some of the road.

Councilman Brown asked which budget year the matching funds would come out of. Ms. Schild responded it would not come out until 2016. She said they will do pre-engineering work with LHTAC. Engineering would not even be able to start until 2016.

Councilman Jensen asked where the matching funds would come from, to which Ms. Schild stated it would come out of the street budget. She said the City could build that into the budget or the City could use the carry forward funds that were established if necessary. Ms. Schild verified the City had 2 years to set aside funds for this project.

Mayor Loomis asked if there was any further discussion on the LHTAC grant. Mr. Sandow read Resolution No. 337 into public record:

CITY OF BLACKFOOT
RESOLUTION NO. 337

EXTRACT FROM THE MINUTES OF A REGULAR OR SPECIAL MEETING
OF THE COUNCIL OF THE CITY OF BLACKFOOT, IDAHO
HELD ON THE 6TH OF JANUARY, 2015

THE FOLLOWING RESOLUTION WAS INTRODUCED BY MAYOR PAUL LOOMIS, READ IN FULL, CONSIDERED AND ADOPTED:

RESOLUTION NO. 337 OF THE CITY OF BLACKFOOT, IDAHO, SUPPORTING THE PROJECT IDENTIFICATION SUBMITTAL FOR THE CONSTRUCTION OF FISHER STREET FROM ALICE STREET TO WALKER STREET TO THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL (LHTAC). TOTAL PROJECT COST ESTIMATE IS \$2,278,000.00, WHICH WILL REQUIRE \$167,205.20 OF MATCHING FUNDS AVAILABLE FROM CITY OF BLACKFOOT.

BE IT RESOLVED THAT THE MAYOR PAUL LOOMIS IS HERBY AUTHORIZED AND DIRECTED TO SIGN THE PROJECT APPLICATION PACKET AND SUBMIT TO LHTAC FOR PRIORITIZATION.

PASSED BY THE CITY OF BLACKFOOT CITY COUNCIL AND APPROVED BY THE MAYOR THIS 6TH DAY OF JANUARY, 2015.

MAYOR PAUL LOOMIS

Councilman Jensen moved to approve Resolution No. 337 as presented without any further reading. Councilman Brown seconded. All were in favor. Motion carries.

Approval to Create a Category in the Personnel Policy Manual for Retirees

City Clerk, Suzanne McNeel stated the City has become aware that Blue Cross, the City’s health carrier, offers retiree benefits, if the City wants to approve that. She stated the City would create a new category in the City’s personnel manual for retirees so they can continue on the insurance as a retiree. This would allow retirees to stay on the health program once they retire, but they would have to pay the full premium. The City would not cover any of that premium. They could not lapse in coverage or they would not be able to come back on the Blue Cross plan. If the individual wanted to add a spouse or dependents they would be required to pay the full premium to cover them. She stated this is a new concept because City insurance has never offered this before.

Councilman Brown stated the employee could probably find much cheaper coverage elsewhere. He said it may not be as good but it would be cheaper. Councilwoman Simpson said dollars to dollars, the individual would probably be paying the same price across the board. Councilman Brown asked if this would come back and bite the City if there were unhealthy people staying on the plan; would it bump up the cost for the City. Ms. McNeel stated that is a possibility. Councilman Gardner mentioned the School District offers similar options. The individual can have retiree benefits but they pay the full premium. The School takes those same risks of cost increasing. The retirees are given that option and most of them take it. Ms. McNeel noted that Blue Cross would only carry the individual until 65. After that they would need to sign up for Medicare.

Councilwoman Simpson motioned to create an employee category in the Personnel Policy Manual for retirees. There was no second. Motion does not carry.

Councilman Brown motioned to move into the Executive Session pursuant to provisions of Idaho Code 67-2345(b) To consider the evaluation, dismissal or disciplining of or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Councilman Gardner seconded. All were in favor. Motion carries.

Council meeting reconvened at 9:00 P.M.

Adjourn

Councilman Jensen moved to adjourn. Councilwoman Simpson seconded. All were in favor. The meeting adjourned at 9:01 P.M.

City of Blackfoot

Mayor Paul Loomis

Attest: _____
City Clerk Suzanne McNeel