

BLACKFOOT CITY COUNCIL MEETING

February 3, 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 Jensen, and Councilwoman Simpson. Councilman Gardner was excused.

Update

Mayor Paul Loomis updated the Council and those in attendance on the Budget Meeting. He stated it would be held on the 18th of February at 2:30 pm and it would be open to the public.

Mayor Loomis then updated the Council on the resolution for the Special Assistant US Attorney by stating there was cooperation with the Department of Corrections and the Governor's Office and there is an amount in the current budget before the legislature of \$35,000 to support that in East Idaho. He said while that is less than what was hoped for, it is in the budget and more information would be presented later.

His next update was about his visit to the Bingham Academy where he received some points to pass along to the Council. The first point was the initiation of a Snake River Private College, a junior college, for the purpose of allowing high school students to graduate with an Associate's Degree. The Mayor said they are looking for partners in the community and asked the City to consider one of the Council members to be a part of their Initiation Board.

Consent Agenda

Mayor Loomis presented the consent agenda which includes the following: payables and minutes from 10/07/2014 and 01/06/2015. Councilman Brown moved to approve the consent agenda as presented. Councilwoman Simpson seconded. All were in favor. Motion passes.

Presentation of P&Z Commissioner Plaque – Ralph Mortensen

Mayor Loomis asked Ralph Mortensen to come forward for the presentation of the P&Z Commissioner Plaque. He stated he wanted to honor Mr. Mortensen for over 10 years of service on the P&Z Board. He thanked Mr. Mortensen for his time and willingness to serve. Councilman Jensen expressed his gratitude for Mr. Mortensen serving on the P&Z Board, for all of the information he provided, for always being willing to talk to the Council, and always doing the right thing.

Summer Tennis Program – Brint Jeffris

Mr. Brint Jeffris asked for approval to use the tennis courts for the Blackfoot Summer Tennis Program. He explained this program started in 1991 and has grown every year since. He stated the program has benefited a lot of students in Blackfoot and surrounding areas. It has overall been a successful program, as seen by the amount of state champions and runner-ups the program has provided and will continue to provide. He stated they are requesting the courts for June, July, and August. He stated the main program is in June, but they provide a free program in July and August.

Mayor Loomis congratulated Mr. Jeffris on a successful season and stated it is a wonderful program. He asked for a motion to approve the request. Councilman Jensen moved to approve the request for use of the tennis courts. Councilwoman Simpson seconded. All were in favor. Motion carries.

Presentation by Hayley Lemon – Ban on Plastic and Paper Shopping Bags in Blackfoot

Ms. Lemon introduced herself as a 16 year old high school student from Snake River High School. She explained the purpose for her presentation was to help ban the use of single-use grocery bags. She wants to urge Blackfoot to lead the way in environmental responsibility. She proposed the City of Blackfoot replace single-use bags with reusable woven bags. She said many people might think it would be tough to make that change or tough to remember to bring their own bags but she believes this is just an issue of being uneducated on this environmental issue. She stated people should put their own interests aside and focus on minimizing this larger issue. Ms. Lemon presented the statistic that 500 billion to 100 trillion bags are consumed worldwide every year; that is over 100 million plastic bags used every minute. Americans dispose of 100 billion plastic bags each year. There is 12 million barrels of oil used in the manufacturing process. She stated less than 5% of the plastic bags used in the United States are recycled every year and the single-use plastic bags are non-biodegradable. It could take up to 500-1000 years for one bag to decompose. Due to the amount of petroleum used during the manufacturing process, it would only take 14 bags to drive a car one mile. The production of single-use plastic bags is toxic to the air due to the chemicals, gases, and petroleum used. She stated plastic bags are taking a toll on the environment worldwide. Ms. Lemon hoped the City could help decrease this effect, even if only on the community level. She stated she gathered information from employees from the local Wal-Mart, Ridley's, and Kesler's. Banning single-use bags would keep 5,040,000 bags from Wal-Mart, 480,000 bags from Kesler's, and 1,440,000 bags from Ridley's out of Blackfoot's landfill each year, which does not take into account the other stores in Blackfoot and surrounding areas. She said if Blackfoot were to ban single-use bags, it could potentially lead the way for other cities to follow in its steps. She then stated while she does want to minimize the City's environmental footprint, she does not know how to do it alone and that is why she came to present her findings before Council.

She asked if there were any questions she could answer or if there were any suggestions that could be made to help her figure out how to do this as a City.

Councilwoman Simpson reaffirmed that she was recommending banning both plastic and paper bags, to which Ms. Lemon replied yes. Councilwoman Simpson then asked why Ms. Lemon was asking to ban paper bags. Ms. Lemon responded that stores originally switched to plastic bags from paper bags to save

trees, so switching back to paper bags would bring return to the issue of killing more trees. Ms. Lemon stated there would be people at first who would forget to bring their reusable bags but over time, people would get used to having to bring their own bags. She said she believes if people become educated about the issue, many people will react positively to the idea of switching to reusable bags.

Mayor Loomis stated he and his family experienced this while living in Germany. In Germany, they would sell a customer a bag if they had forgotten their own but they did not receive them for free as they do in the United States.

Councilman Jensen asked Ms. Lemon if she had looked into the possible dangers of reusable bags. She stated if a consumer purchased raw meat and it leaked into the bag and got on produce, there could be potential health risks. She stated people could overcome this issue by keeping their bags clean and purchasing a new bag if necessary. She stated the bags are as low as \$1 and not hard to wash. She said this was a small risk for such a big step forward.

Mayor Loomis asked Ms. Lemon about the response of the three stores she interviewed in the City. She responded that Wal-Mart and Ridley's thought it was a good idea and Kesler's manager was worried about the potential health risks but for the most part their reactions were all positive to the idea.

Councilman Brown asked Attorney Garrett Sandow what sort of legal authority the City has to ban single-use bags. Mr. Sandow responded the City could ban single-use bags but he would suggest holding public hearings. It is within the City Council's authority to ban them.

Mayor Loomis stated it was not intended to make a decision tonight. Councilman Brown asked if Ms. Lemon knew of any other cities in Idaho that have banned single-use bags. She stated no other cities have banned single-use bags in Idaho but Hawaii and California have bans on these bags.

Councilman Jensen stated at his house, his family reuses the single-use bags for different purposes before they are thrown away. He said he knows many of the reusable bags are made from different kinds of plastic and he does not see a difference if they are all made of plastic. He stated he does not understand how moving from single-use bags to reusable bags that could potentially cause health risks, really save the City anything. Ms. Lemon responded that moving away from them would even minimize single-use bags that are blowing around on the street and out in the environment. She stated reusable bags would be used for a longer period of time than the single-use bags. She also mentioned not everyone reuses their single-use bags such as Councilman Jensen.

Councilman Jensen asked Ms. Lemon if she was aware that some manufacturers of single-use bags are in the process of using a cornstarch base for these bags, making them biodegradable. He stated he sees that as a natural trend in the country, so if they come out with those why would the City need to ban these single-use bags. Ms. Lemon responded it is not just an issue of whether the bag is biodegradable or not, but it is also an issue of how these bags get stuck in streams, rivers, and oceans that have killed over 200 different species of marine life. They are also getting caught in trees and everywhere around town and that is something to consider as well.

Councilwoman Simpson said she applauded Ms. Lemon for taking on this project. She said she hates seeing plastic bags everywhere and they are a mess. Councilwoman mentioned she is concerned about a slippery slope with banning plastic bags; would plastic water bottles, garbage bags, and such be next? She said she knows that it is an issue and fixing the problem has to start somewhere.

Councilman Brown thanked Ms. Lemon for being articulate and for doing such a good job. He stated this was a topic that the Council would need time to discuss more.

Councilwoman Simpson motioned to table the banning of single-use bags in Blackfoot for another meeting. Councilman Jensen seconded. All were in favor. Motion carries.

Automated Control System Contract Approval

Mayor Loomis stated he would like to table this agenda item after a brief discussion on it. He said the contract is for the Waste Water Treatment Plant, for their SCATA system. Systems such as SCATA became popular in the 80's and 90's. These programs give the opportunity for remote monitoring and operating. It is a commonly used system in production plants throughout the United States. He explained the proposed contract is for maintenance and serviceability of the systems. The contract value is just under \$21,000. Mayor Loomis stated his concern with the contract is that there is a minimum of 240 hours required, which means that any hours not used are still subject to payment. He explained he has executed several of these types of contracts, such as SCATA, and while these systems are good, the number of hours concerns him. He would like to downsize the hours and tailor it more for the City's system. He asked the Council table this agenda item until after he has talked with the vendor and consulting engineer.

Councilwoman Simpson asked Mayor Loomis what the City is currently using. He responded the City is currently only using vendors when a problem arises but this leads to no preventative maintenance.

Councilman Jensen stated when it comes to the lift stations, workers cannot watch all stations at once and this sort of system would send feedback to the control room when problems or errors occur. They would then dispatch an employee to correct the error before there is a serious issue. He then stated having this sort of contract is not a bad idea.

Councilwoman Simpson asked if the Mayor is going to go back to the vendor and request to reduce the hours mandated in the contract. Mayor Loomis responded his intent is to negotiate reduced hours for a more favorable contract. Councilwoman Simpson asked Mayor Loomis how many hours he wants to reduce the contract, to which he replied that is why he is seeking the advice of a consulting engineer, like J.U.B.

Public Hearing for the Opening of Bids for City Owned Property on 696 S. Stout

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

Mayor Loomis asked if there was any comment on this agenda item from the public. No public comment was made.

Councilman Jensen motioned to move out of public hearing. Councilwoman Simpson seconded. All were in favor. Motion carries.

Opening of Bids for City Owned Property on 696 S. Stout

Mayor Loomis asked for a motion to sell the City owned property on 696 S. Stout. Councilwoman moved to sell the property according to the bids received. Councilman Jensen seconded. All were in favor. Motion carries.

Mayor Loomis asked to proceed to open the bids. Attorney Garrett Sandow opened and read the one bid received by the Calvary Chapel in Blackfoot into public record:

1/27/2015

Calvary Chapel of Blackfoot
35 E. Pacific
Blackfoot, ID 83221
208 785-4180/9

City of Blackfoot
157 N. Broadway
Blackfoot, ID 83221

Dear City Council:

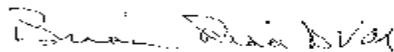
We would like to place a bid on the property advertised as the address of 696 S. Stout, Blackfoot, ID for sealed bid by the city of Blackfoot in the Blackfoot Morning News. We are interested due to the proximity to our adjacent property, formally the Southern Baptist Church's property, which we recently purchased.

We are willing to pay \$ 500,000 Dollars for the property. We hope that this meets with your desired goals for the sale the property. If we can provide any further assistance to advance the sale please let us know. Thank you for your consideration.

Sincerely,



Mike Eld
Pastor of Calvary Chapel of Blackfoot



Brian Kisa DVM
Council member

Being that there was only one bid, Councilman Brown motioned to accept the bid of \$5007.00 for the sale of the property on 696 S. Stout. Councilman Jensen seconded. All were in favor. Motion carries.

Airport Resolution for State Grant Agreement

Mayor Loomis stated this is a resolution to accept the grant from the State for the project the City has almost completed for the light, tower, and wind sock. When the City accepted the Federal FAA Grant, the City did it by resolution but failed to accept the State's Grant portion. The work has already been performed and the State has agreed to pay \$18,224.00. He stated this is the amount the City is requesting by resolution to accept.

Attorney Garrett Sandow read Resolution #338 into public record:



**CITY OF BLACKFOOT
RESOLUTION NO. 338**

EXTRACT FROM THE MINUTES OF A REGULAR OR SPECIAL MEETING
OF THE COUNCIL OF THE CITY OF BLACKFOOT, IDAHO
HELD ON THE 3rd OF FEBRUARY, 2015

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

Resolution No. 338 of the City of Blackfoot, Idaho accepting the Grant Offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$18,224 to be used under the Idaho Airport Aid Program, Program Number: F158U02, Project Number: AIP-011 in the development of the McCarley Field Airport; and

Be it resolved by the Mayor and City Council of Blackfoot, Idaho (herein referred to as the "City") as follows:

Sec. 1. That the City shall accept the grant offer of the State of Idaho in the amount of \$18,224 for the purpose of obtaining state aid under Program Number: AIP-011 in the development of the McCarley Field Airport; and

Sec. 2. That the Mayor of the City of Blackfoot is hereby authorized and directed to sign the statement of acceptance of said Grant Offer (entitled Acceptance) on behalf of the City. The City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the City Council and approved by the Mayor this 3rd day of February, 2015.


Paul Loomis, Mayor

Attest:


Suzanne McNeel, City Clerk



CERTIFICATE

I, Suzanne McNeel, City Clerk do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 338 adopted at a regular meeting of the City Council held on the 3rd day of February, 2015, and that the same is now in full force and effect. In witness whereof, I have hereunto set my hand and impressed the official Seal of the City, this 3rd day of February, 2015.


Suzanne McNeel, City Clerk

Councilman Jensen moved to accept Resolution #338 as presented and waive any further readings. Councilman Brown seconded. All were in favor. Motion carries.

Financial Report

Heather Schild, City Treasurer, presented the Financial Report. She stated that the Idaho Community Development Block Grant application was completed by the City in November of 2014 and is the top contending project in applications received. The City will find out more in April of 2015. Mayor Loomis said this is a \$500,000 grant that would be used for a new digester at the Waste Water Treatment Plant and it would be very unlikely for the top project to not be accepted for funding.

Ms. Schild also notified the Council of the award of \$10,000 from the Union Pacific Foundation Grant Funds for a beautification project at Grove City Cemetery. The grant will be used to help put in a stone monument, trees, and a sprinkler system at the main entrance into the cemetery.

Ms. Schild then briefly went over the financial report. Mayor Loomis asked if there were any questions about the financial report. He thanked Ms. Schild and her staff for aggressively pursuing grants because the City is starting to see the benefits of that hard work.

Discussion on Requiring Landlords to Keep City Utilities in Their Names

Mayor Loomis asked City Clerk, Suzanne McNeel, to lead a discussion on this agenda item. Ms. McNeel gave a background as to why the City has decided to look into having landlords keep city utilities in their names as opposed to tenants. She stated after looking at the collection letters sent and the large amounts we were writing off, the staff began discussing how we could cut costs and what ways we could bring down the amount we sent to collections, as well as looking for ways to be more efficient and effective. She stated this is an item that requires a lot of time and money. She stated she would let Elisa Oats, Administrative Assistant at City Hall, present and explain the numbers and from that information the Council could then decide whether they wanted to pursue that course of action or not.

Ms. McNeel turned the time over to Ms. Oats to present the information on the costs and time involved with the changing of the tenants. Ms. Oats stated in the last 3 months, 42 utility billing accounts were sent to collections, totaling approximately \$8,300. Of those accounts 81% or 34 of those accounts were renters. The total amount of collections from renters was approximately \$6,500. She stated that number for one year's amount of time is approximately \$25,000 that is being sent to collection from renters alone. The other part of the problem is transfers, turn-offs, and turn-ons when new renters move in and out of the buildings. She said looking at the past 3 months, which are typically the slowest months in the year, they had 130 transfers, turn-offs, and turn-ons. Of those 20 -25 were going in and out of the landlord's name, while 40-50 of those were going in and out of the tenant's name. That is roughly 65 to 75 out of 130 during the City's slowest time of year.

She explained the process for transferring, turn-offs and turn-ons involve coming into City Hall and filling out paperwork, utilities sends an order down to the water department. They will go down to the building and read the meter, whether it is being transferred, turned-off or on. They will bring a white slip

back with a meter reading on it. Utilities will then change all of the information in the computer and then file that information into a file for that address. She expects that keeping the account in the landlord's name would cut this work in half.

Ms. Oats stated the other issue comes on shutoff days. These are days where water is turned off on accounts 2 months past due. Since the City has 4,000+ accounts, Ms. Oats said she did not go through all of them to see how many are renters and how many are landowners but she expects putting city utilities into landowner's names would cut shutoffs in half.

Mayor Loomis asked Ms. Oats to explain and present the numbers on how many people are shutoff on shutoff days. She stated in preparing for shutoff day, the Monday and Tuesday days are spent making courtesy calls to all persons on the list to be shutoff to let them know they need to make a payment or arrangement to avoid being disconnected. There are approximately 300-400 people on the list every month that are called. If no payment or arrangement is made by the shutoff day, that person will be disconnected. There is on average, 40 shutoffs every month. She again stated she would expect numbers to be cut in half if the utilities were changed into landowners' names. She explained they call the water department to shut off the water, the water department shuts off the water, once the person pays, the water department goes back out to the house to turn the water back on. She said there are usually about 5 or 6 that never pay to turn their water back on, so they are left off and final billed. Those are the ones that go to collections. She said based on the numbers for collections, approximately 50-75% of those shutoffs are renters.

Ms. Oats said she had a property owner, who has 30 properties, come in and leave a statement with his suggestions as to what to do. He was not opposed to putting the utilities in his name but to make sure there was a flat rate or level pay implemented so they can be consistent with their rental prices. She said she is not sure if a flat rate could be implemented but level pay would be a good option. She stated there are rentals that are changing every 3 to 6 months consistently. Turnover is not unexpected in many rentals.

Mayor Loomis confirmed with Ms. Oats that she was asking the Council to look into different ways to find the best way to help save tax payer money and be more efficient. He said this is a transfer of responsibility to the home owner because there is a significant amount of money and effort put into this issue every month. He stated the City is looking to the Council for guidance to the best solution and whether or not this is something the City even wants to pursue.

Councilwoman Simpson stated this is definitely something worth pursuing. She asked Ms. Oats out of how many accounts are sent to collections, how many does the City collect. Ms. Oats replied about 1-2 accounts are collected each month out of 15. Councilwoman Simpson asked if the collection company took a percentage of the amount collected, to which Ms. Oats responded yes. She explained the collection company adds a fee onto the total amount the City sends in to be collected and they take that fee as payment. Councilwoman Simpson asked her to explain what she meant when she said the City gets back 1-2 every month. Ms. Oats said the City receives about 10% of that total amount owed.

Councilwoman Simpson confirmed they were proposing having landlords keep city utilities in their name and adjust their rates with tenants accordingly. Mayor Loomis stated it would be a business decision on the landlord's part; how they would want to absorb that rate. He said he understands this would be a burden on the landowners but in good faith this is meant to look at every possible way to save taxpayer dollars.

Councilman Brown asked what other cities already do this with utilities. Ms. Oats replied that Kimberly, Jerome, and Shelley already do this. He then asked her what Pocatello, Idaho Falls, and Rexburg do. She stated she knew that Idaho Falls used a flat rate but she was unsure of how they do it. He asked her if she had any data on Rexburg since they have a lot of renters there. She said she did not but would gather that information.

Councilman Jensen said he had received multiple calls over the course of a few days since the announcement was put into the newspaper and none of them were good. He stated Councilman Gardner was the first property owner he had heard of that was in favor of this. Councilman Jensen said having been a poor college student and living in a 4-plex, utilities were included in the rent, which was nice. When he rented property, he had an agreement with the Idaho Power and Intermountain Gas that once the tenant left, the utilities were automatically put back in his name. Mayor Loomis reminded the Council this is more about the delinquencies than the moving. Councilman Jensen stated regardless they will still end up with some delinquencies. He said in business, these delinquencies will happen.

Councilman Brown stated his concern was that the City is losing a ton of money on this, so it makes sense to review the issue. The City needs an idea to remedy the problem, whether it is to put the burden back on the property owners or some other idea. Either way, there needs to be action taken. He said there needs to be a productive discussion on ideas of how to fix this issue and make it better for all parties involved.

Mayor Loomis invited anyone in the audience to come forward to offer comments on this issue and proposed solution.

Bryan Mitchell (2932 Trevino Dr.) stated he had 70 rental properties in Blackfoot. He stated the additional burden of paying the water and sewer would be too much for land owners, especially after paying property taxes. He said the City should look into doing something along the lines of a deposit, so the tenants take responsibility for their own bills.

Bob German stated he has been a landlord in Blackfoot for over 30 years. He suggested the City raise the deposits and shorten the length of leniency.

Daniel Bair (316 N. 200 W.) stated increasing rent for tenants to cover costs of the water is difficult to do on a metered system. He is opposed to putting the utilities in the Landlord's name. The City should look into different alternatives.

Gary Gifford (34 S. Street) said this is a burden on the landlords. He said to collect the payments quicker, increase the costs and the deposits.

Mayor Loomis closed public comment. He stated the City would hold a public hearing on the issue at a later date.

Adjourn

Councilman Jensen moved to adjourn. Councilman Brown seconded seconded. All were in favor. The meeting adjourned at 8:05 P.M.

City of Blackfoot

Mayor Paul Loomis

Attest:

City Clerk Suzanne McNeel