

**CITY OF BLACKFOOT
CITY COUNCIL MEETING
July 5, 2016
BUDGET WORKSESSION: 5:00 P.M.
REGULAR COUNCIL MEETING: 7:00 P.M.**

BUDGET WORKSESSION

Mayor Loomis welcomed the Councilmembers and the Department Heads and thanked them for attending the budget work session. He then lead the discussion reviewing each departments proposed budget and giving guidance to City Treasurer Holly Powell on how to proceed with finalizing the tentative budget. He stated Ms. Powell will take the recommendations and insert them into the budget and will then send them out for review. Mayor Loomis stated the tentative budget will be presented at the special council meeting on July 19th, then a public hearing will be scheduled on August 2nd and the final budget will be presented to the council at a special council meeting on August 16th for approval. There was no additional questions or discussion, the meeting adjourned at 6:25 p.m.

REGULAR COUNCIL MEETING

PLEDGE OF ALLEGIANCE

Mayor Loomis welcomed attendees and invited everyone to join 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.

AGENDA CHANGE

Councilman Gardner motioned to add to the Agenda a discussion of the proposed 1000 foot communications tower to be located in northern Bingham County, Councilwoman Simpson seconded; all were in favor, motion carried.

CONSENT AGENDA

Councilman Jensen motioned to accept the Consent Agenda which includes the following: Minutes 5/3/16 and Payables, Councilman Gardner seconded; all were in favor, motion carried.

HOLLY POWELL, CITY TREASURER – FINANCIAL REPORT

City Treasurer, Holly Powell, provided a list of the proposed auction items for sale by the City, for review and approval by Council members.

PROPOSED COMMUNICATIONS TOWER IN NORTH BINGHAM COUNTY

Councilman Gardner briefed everyone in attendance on the proposed Riverbend Communications tower that is being considered for north Bingham County, approximately 12 miles north of Blackfoot. The subject opened for public comment on May 31; however, our pilots became aware of the issue at the airport meeting held on July 1. All pilots are extremely concerned about the height of the tower due to safety issues, especially the agricultural pilots.

HAL SILZLY - CROSSWALK ISSUES IN FRONT OF THE POTATO MUSEUM

Mr. Silzly was not in attendance, so Marc Carroll provided an update from the Transportation Commission meeting. His next door neighbor was issued a citation for driving through the cross walk at Pacific Street and Highway 91. A complaint from the neighbor to Mr. Carroll prompted him to review the safety features that were installed at the intersection of Pacific and Walker Streets approximately two years ago, after a child was struck by a car while crossing the street by the High School. These measures seem to have been successful. Council then discussed options for improving the cross walk on Highway 91 and decided to remove a tree by Pacific Street and trim a tree by Walker Street to make pedestrians more visible, and also stagger markers in the center of the roadway to alert drivers that there is a pedestrian crosswalk.

GARRETT SANDOW, CITY ATTORNEY – BID OPENING ON THE SALE OF TEEPLES PROPERTY

Based on an appraisal of the Teeples property, a minimum bid was set for \$25,000; however, no bids were received. Councilman Brown motioned to remove the minimum bid requirement and re-advertise, Councilman Gardner seconded; all were in favor, motion carried.

REX ORGILL, PLANNING AND ZONING – CONSIDERATION AND POSSIBLE APPROVAL OF ANNEXATIONS

Mr. Orgill informed Council that the Planning & Zoning Commissioners provided findings of fact and recommendations for review by Councilmembers. There were questions regarding the properties that had been previously considered for annexation. All properties, with the exception of the Ramey property, were previously considered for annexation. Owners of the Fairchild property requested to be annexed and this will be handled as a separate discussion.

Fairchild Property (North side of Riverton Road)

Public Comment

Doug Kauffman, Blackfoot, ID. Mr. Kauffman expressed an issue he has with the Fairchild application requesting multiple zoning for the property in question. He is concerned with another housing complex being built in that location should the zoning permit it as this would add additional burden to Stalker Elementary school.

Rande Carson, Blackfoot, ID. Wanted to confirm that Zoning for the Fairchild property would be Residential (R1), Councilmembers confirmed.

Councilman Jensen motioned to accept the application for annexation of the Fairchild property, and that it be zoned R1, Councilman Gardner seconded; all were in favor, motion carried.

Baker Property (1845 Highland Drive)

Public Comment

Marilyn Petersen, Blackfoot, ID. Ms. Petersen explained that her mother, Shirley Baker, currently rents the 17 acre property for cattle grazing, so the R1 zoning is an issue. Along with the County, Ms. Baker shared the cost of building a fence between her south pasture and County property on Ridge Street. Also an issue is the fact that annexation would result in a 69% tax increase for Ms. Baker. Ms. Petersen went on to explain that her mother paid the cost of tying into the City's sewer system in 2006, which included an agreement for reimbursements for a ten year period, should anyone need to access this line for use. Ms. Petersen is requesting the City honor the verbal agreement with Ms. Baker to keep the proposed annexation on the table until the title changes hands.

Council discussed aspects of Ms. Petersen's comments; they also discussed the verbal agreement to which Ms. Petersen referred. Mayor Loomis does not remember making that statement, although he recalls asking Council for guidance regarding the subject. Councilman Jensen requested a review of the audio tape from the January 2015 City Council Meeting so that this may be clarified. Councilmen

Gardner and Brown recall the conversation where it was decided that annexation of this property would be denied until either the title changes hands or the passing away of Ms. Baker. Councilman Jensen motioned that annexation of the Baker property be tabled until either the property changes hands or is subdivided, Councilman Gardner seconded; all were in favor, motion carried.

Thomas Property (1665 Highland Drive)

Public Comment

None

Councilman Jensen motioned that annexation of the Thomas property be tabled until the Baker property is annexed, sold or subdivided, Councilman Gardner seconded; all were in favor, motion carried.

Ramey Property (North side of Rich Lane)

Council requested the address for the subject property and was informed that there is no address assigned to the property.

Public Comment

Anita Craft, Blackfoot ID. Ms. Craft explained the 14 acre property in question is owned by her father. The subject property, currently in probate, has always been pasture; the family intends to keep it as pasture. The family strongly requests the property remain as it is until it has cleared probate and the debts have been paid. The family is also concerned if the property is annexed, it would then be zoned Residential, which would be a hardship given that cattle could only graze for a limited time. Council requested clarification on the zoning ordinance; Rex Orgill explained the Residential/Agriculture zoning allows 6 cattle or horses/acre maximum, with a 6 month restriction, whereas Agriculture zoning allows livestock year round. Councilman Jensen motioned to table annexation discussion until probate is closed, Councilman Gardner seconded; Councilman Brown, Councilman Jensen and Councilman Gardner voted in favor, Councilwoman Simpson voted against, motion carried.

Turnpaw Property (1845 Riverton Road)

Public Comment

Rande Carson, Blackfoot, ID. Mr. Carson spoke in Mr. Turnpaw's absence. Mr. Carson read into record an email from Mr. Turnpaw to Rex Orgill. In summary, the letter expressed a concern that increased property taxes will present a hardship for the Turnpaws, and they don't feel there is any benefit to annexation; they have their own water and septic and will not be utilizing City water or sewer. Councilwoman Simpson motioned to annex the Turnpaw property, there was no second; motion failed.

Hamilton Property (1800 & 1850 Riverton Road)

Public Comment

Gary Hamilton, Blackfoot, ID. Mr. Hamilton requested City water be available at his property. Councilwoman Simpson motioned to annex the Hamilton property, there was no second; motion failed.

Carson Property (1815 Riverton Road)

Public Comment

Rande Carson, Blackfoot, ID. Mr. Carson is concerned with the increase in taxes that would result from annexation of his property. Mr. Carson explained that he made a considerable investment to prepare the property for livestock. Given City restrictions, annexing the property into the City would result in a decrease in the ability to resell his property for agricultural use.

Collard Property (1725 Riverton Road)

No specific public comment.

General Public Comment

Taylor Bingham, Blackfoot, ID. Mr. Bingham expressed his general views of annexation. He understands and agrees with concerns regarding the decrease of property values and an increase in taxes; however, he feels that City Council should look at the overall benefit of the citizens of Blackfoot, since these individuals use City services and contribute to the wear and tear of our streets and utilities. He feels Council should make the best decision for the Citizens of Blackfoot, not cater to small minorities. Mr. Bingham is in agreement with these annexations because this is the way to grow Blackfoot, increase the tax base and contribute to the overall feeling of Community.

Councilman Brown motioned to not annex the Carson and Collard properties, Councilman Jensen seconded; Councilman Brown, Councilman Jensen and Councilman Gardner voted in favor, Councilwoman Simpson voted against, motion carried.

Attorney Sandow read into record proposed Ordinance No 2145 regarding annexations. Councilman Jensen motioned to approve the ordinance as read, and waive all further readings, Councilman Gardner seconded; roll call was taken and all were in favor, motion carried.

Re-Record to correct legal Description.

Instrument # 677863

BINGHAM COUNTY
7-7-2016 11:47:59 AM No. of Pages: 3
Recorded for : CITY OF BLACKFOOT
PAMELA W. ECKHARDT Fee: 0.00
Ex-Officio Recorder Deputy

ORDINANCE NO. 2145

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, ANNEXING CERTAIN PROPERTIES INTO THE CITY OF BLACKFOOT AND ESTABLISHING THE ZONING DESIGNATION OF SUCH PROPERTY TO R-1; 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 John and Tami Fairchild.

SECTION 2: That the official zoning of the above-described property of Fairchild shall be an R-1 designation.

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 5th day of July, 2016.

CITY OF BLACKFOOT, IDAHO

Instrument # 678469

BINGHAM COUNTY
7-27-2016 01:50:41 PM No. of Pages: 3
Recorded for : CITY OF BLACKFOOT
PAMELA W. ECKHARDT Fee: 0.00
Ex-Officio Recorder Deputy

By: 

Paul Loomis, Mayor

ATTEST: 

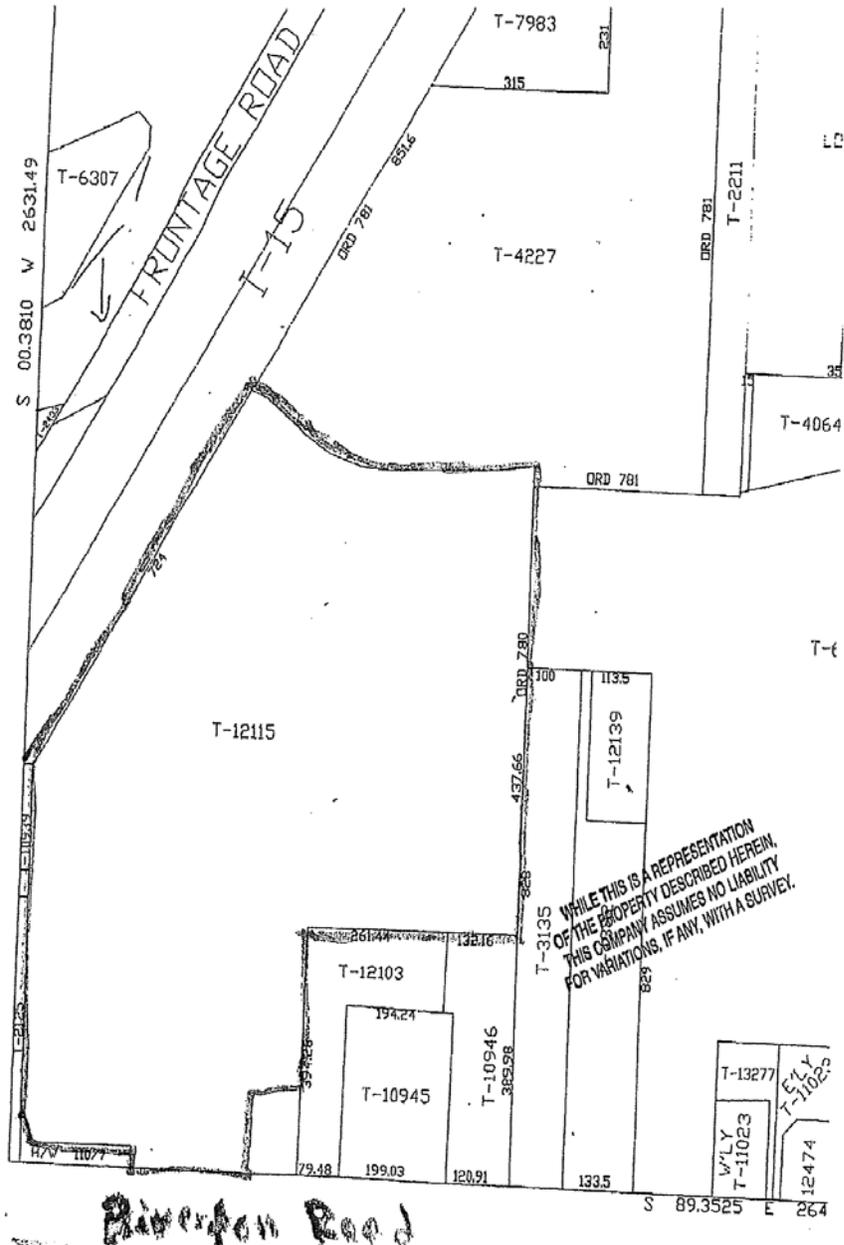
City Clerk



Beginning at a point that is east along the Section line 230.00 feet from the SW corner of Section 4, Township 3 South, Range 35 East, Boise Meridian, Bingham County, Idaho; running thence east 313.03 feet; thence North 01°00'02" East 394.28 feet; thence East 261.44 feet; thence South 88°09'49" East 132.16 feet to an existing fence line; thence North 00°23'28" East along said Existing fence line 437.66 feet; thence North 00°15'24" East along said existing fence line 311.51 feet to the North bank of the Miners Ditch; thence along said North Bank the following (7) courses: South 82°37'41" West 72.88 feet; thence South 88°49'50" West 200.81 feet; thence North 84°22'54" West 51.44 feet; thence North 72 degrees 56'32" West 62.75 feet; thence North 57°17'29" West 51.63 feet; thence North 52°15'14" West 97.64 feet; thence North 68°37'01" West 37.27 feet more or less to the Southeast right-of-way line of Interstate Highway No. 15 thence South 32°18'07" West along the right-of-way line 724.53 feet; thence South 00° 12'18" West 544.61 feet; thence South 20°06'47" East 61.23 feet; thence South 89°44 '02" East 190.00 feet; thence South 00°15'58" West 35.00 feet to the Point of Beginning.

EXCEPTING THEREFROM: Part of the SW SW of Section 4, Township 3 South, Range 35 East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point that is North 90°00'00" East 413.03 feet along the Section Line from the Southwest corner of said Section 4 and running thence North 90°00'00" East 130.00 feet along the Section Line; thence North 01°00'02" East 195.00 feet; thence South 90°00'00" West 130.00 feet; thence South 010 00'02" West 195.00 feet to the Point of Beginning.



677863

678469

ADJOURNMENT

Councilman Brown motioned to adjourn the meeting, Councilman Jensen seconded; all were in favor. The meeting was adjourned at 8:23 PM.

City of Blackfoot

Attest

Mayor Paul Loomis

City Clerk, Suzanne McNeel

Prepared By

Lisa J Tornabene