

**CITY OF BLACKFOOT  
CITY COUNCIL MEETING  
October 4, 2016**

**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.

**CONSENT AGENDA**

Mayor Loomis presented the consent agenda as follows: Minutes – 9/6/2016, Payables, and an Airport Transfer Lease to Austin Anderson. Councilman Brown motioned to accept the Consent Agenda, Councilman Gardner seconded; all were in favor, motion carried.

**HOLLY POWELL, CITY TREASURER**

**FINANCIAL REPORT**

Ms. Powell provided an update on the status of grants, and also informed Council that the City will be receiving a refund for excess taxes paid on aviation fuel. Arrangements have been made with our City Auditor, Morgan Hatt, to begin our annual audit in December.

**POOL BOND PROGRESS**

Zions Bank is hosting a workshop on Thursday, October 27<sup>th</sup> to be held in the City Hall Council Chambers. The workshop will provide an introduction to the bond process. Further plans to educate the public about the Pool Bond include brochures to be completed in January as well as informational meetings to be held for the community. The Pool Bond will be on the May 17, 2017 ballot.

**MAYOR PAUL LOOMIS**

**WELCOME AND INTRODUCTION OF PLANNING & ZONING ADMINISTRATOR, KURT HIBBERT**

Mayor Loomis introduced and welcomed Kurt Hibbert as the City's Planning & Zoning Administrator.

**PRESENTATION AND APPROVAL OF THE BLACKFOOT URBAN RENEWAL AGENCY FY 2017 BUDGET**

Ms. Ginette Manwaring provided a synopsis of Blackfoot Urban Renewal Agency (BURA) projects that were completed in FY2016, as well as projects currently budgeted for in 2017. Councilman Jensen motioned to accept the FY 2017 budget for BURA, as presented, Councilman Gardner seconded; all were in favor, motion carried.

**DISCUSSION ON SIDEWALKS NEAR RIDGE CREST ELEMENTARY AND ADJACENT NEIGHBORHOODS**

**Public Comment:** Sandra Streeter, Blackfoot, ID. Ms. Streeter stated that she was asked by parents at Ridgecrest to address Council to discuss unsafe conditions she feels are present for children, given the lack of sidewalks surrounding Ridge Crest Elementary. Ms. Streeter also stated the lack of sidewalks and crosswalks doesn't allow her to be as independent as she would like to be. Ms. Streeter feels that we should be doing everything in our power to keep our children safe.

City Treasurer, Holly Powell, explained that an application has been submitted, and has priority one status, for a TAP grant. This grant is part of the Idaho Department of Transportation capital improvement plan, that would provide \$390,000, with a City match of \$28,000 for this project. These

funds would be used for curb, gutter and sidewalks from Wooton to Harbor, ADA ramps with flashing crosswalks as well as repair and replacement of asphalt. There are currently two options for funding, so it is currently unclear at this time when the project will begin. The City will receive final information on the grant in January 2017.

Mayor Loomis discussed the situation from Harbor to E Airport Road, which is more involved due to the canal and the need to widen the bridge.

**Public comment:** Doug White, Blackfoot, ID. Mr. White discussed the fact that the speed limit in the area of Harbor and E Airport makes it dangerous for children as well as drivers. He is requesting that the speed limit sign be relocated. Mayor Loomis requested that Mr. White address this with the Transportation Commission.

Councilmembers then entered into a discussion regarding traffic flow in the area, the location of parents parking for pick-up at the school, and the potential to move the reader board from the former Kindergarten building to Ridge Crest.

#### **REVIEW RECOMMENDATION FROM TRANSPORTATION COMMISSION RE: REMOVAL OF 20 MPH SPEED LIMIT ON A PORTION OF JUDICIAL ST**

After Council discussed fencing surrounding a portion of the property at the former kindergarten building, and the use of remaining playground equipment by preschoolers and neighborhood children, Councilman Gardner motioned to accept the recommendation by the Transportation Commission to change the speed limit on Judicial Street to 30 MPH and retain the 20 MPH speed limit on Sexton Street, Councilman Brown seconded; all were in favor, motion carried.

#### **GARRETT SANDOW, CITY ATTORNEY UPDATE ON WWTP JUDICIAL REVIEW**

Attorney Sandow reported that judicial review is continuing to move forward and is on track, with a public hearing planned for November 1, 2016 at City Council and final approval anticipated in December, 2016.

#### **KURT HIBBERT, PLANNING & ZONING PRELIMINARY PLAT MAP FOR LNR WEST SUBDIVISION APPROVAL Public Comment**

**Linda Collard**, Blackfoot, ID: Ms. Collard questioned why the plat map hasn't been changed, but the lot sizes have been changed. Ms. Collard also feels that the WWTP system cannot handle the additional volume of the number of homes planned. She also expressed concern about traffic on the overpass.

**Shirley Laker**, Blackfoot, ID: Ms. Laker stated that she has some of the same concerns as Ms. Collard, and questioned whether or not there was room for subdivision residents to store their recreational vehicles. She is also concerned about the ability of the WWTP to handle the additional volume.

**John Fairchild**, Blackfoot, ID: Mr. Fairchild feels that the type of growth that he is proposing is what continues to allow the City to grow and develop. Also, the proposed subdivision would address housing needs for median income families and individuals, which is currently needed within Blackfoot. In addition, he feels that the additional taxes generated from these properties are of benefit to the City, and will take a burden off of existing taxpayers.

Councilmembers questioned the size of two lots that appear to be undersized, at which time Mr. Fairchild informed Council that adjustments were made based on the denial of the R2 zoning application.

**Bryce Jolley**, Harper, Leavitt Engineering, Blackfoot, ID: Mr. Jolley addressed the lot size questions. He explained that the map is conceptual and there is room on the property to allow for the final plat to show all corner lots at a minimum of 8000 ft<sup>2</sup>, and inside lots at a minimum of 7000 ft<sup>2</sup>, as well as the relocation of the pond lot. Mr. Jolley stated the final plat will meet all requirements.

**Tami Fairchild**, Blackfoot, ID: Ms. Fairchild expressed her feelings that our community needs more affordable housing that is of nice quality, which is what they are trying to provide opportunity for. Ms. Fairchild stated they have other local developments with similar lot sizes and they are very nice, with plenty of room to add a 2-car garage if required. She emphasized the commitment that she and her husband have to the Blackfoot community.

**Rande Carson**, Blackfoot, ID: Mr. Carson has concerns with the access and egress to the subdivision, and questioned whether the Transportation Commission has reviewed it. He also feels that issues concerning the ditches should be documented in writing. Mr. Carson would also appreciate some type of recreation area be constructed as part of the subdivision, to provide children with a playground.

Kurt Hibbert, Planning & Zoning Administrator, explained that Facts and Findings include a new drawing with the ditches and easements clearly marked, as well as distribution of the water and location of the taps for each lot.

Mayor Loomis explained that water rights for the secondary water system will be signed over to the City, and the City would then equally distribute water to each lot. Mayor Loomis also explained that it is the responsibility of the developer to determine whether or not to cover lateral ditches. Should lateral ditches be covered, per statute, the property owner is then responsible for maintenance. Mr. Jolley informed Council that, at this time, the lateral ditches will remain open, although some may be relocated with easements.

Attorney Sandow informed Council of the Code that requires a staff member, qualified in transportation safety, be present. As such, Rex Moffat and Vaughn Key reviewed the subdivision under discussion, and having had their questions addressed, provided their agreement. Per Councilman Jensen, it is historical practice for these types of issues to be brought to the Transportation Commission for review and comment. Councilman Jensen expressed his opinion that he doesn't feel all key stakeholders were involved in the review of the preliminary plat.

Councilman Jensen motion to approve the preliminary plat as presented, with the stipulation that the final plat must be corrected to meet all requirements and be reviewed by key stakeholders prior to final consideration at City Council, Councilman Gardner seconded; all were in favor, motion carried.

Attorney Sandow read into record Facts and Findings, Resolutions and Conclusions. Councilman Jensen motioned to approve Facts and Findings as presented, and waive any further readings, Councilman Brown seconded; all were in favor, motion carried.

FINDINGS OF FACT, CONCLUSIONS  
AND RESOLUTION ADOPTED  
BY THE  
CITY COUNCIL OF THE  
CITY OF BLACKFOOT  
October 4, 2016

FINDINGS AND CONCLUSIONS:

At the regularly scheduled meeting of the City Council of the City of Blackfoot on October 4, 2016, the Council considered the request by Fairchild Construction for preliminary plat subdivision approval for a subdivision located on Riverton Road to be known as LNR West Subdivision. During the meeting public comment was heard and evaluated by the Council. Upon reviewing the matter with the Planning Administrator, reviewing the relevant City Code, hearing any public comment in the meeting, reviewing the Findings of Fact and Conclusions of the Planning and Zoning Board, and reviewing documents submitted by the applicant and by any other interested parties, the City Council hereby adopts the Findings of Fact and Conclusions that were approved by the Planning and Zoning Board on September 27, 2016.

#### RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The City Council hereby approves the Preliminary Plat of the subdivision located on Riverton Road to be known as LNR West Subdivision as presented and contingent upon compliance with all city codes and regulations.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the City Council on October 4, 2016.

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City Clerk

#### **REX MOFFAT, WWTP SUPERINTENDENT**

#### **SEWER ASSESSMENT APPEAL – AUDREY STANFIELD**

Ms. Stanfield appealed to Council because she is currently being assessed for two sewer points, as she lives at the same location from which she runs a business. She believes that similar situations are being handled inconsistently. Ms. Stanfield explained she is the only resident of the building and has never exceeded the base water allotment; therefore, she does not feel that she should be paying for extra sewer fees. Ms. Stanfield would like to be reassessed to one sewer point, as she does not feel that the current assessment is fair and equitable. Per Attorney Sandow, Idaho Law requires a system of assessment that is 'reasonably fair' for citizens, and is applied consistently; our system charges based on square footage of the business.

Councilwoman Simpson motioned to uphold the appeal at this time, and charge for one sewer point until the City-wide business/residence re-assessment is completed, at which time her assessment may change, Councilman Gardner seconded; all were in favor, motion carried.

#### **ADJOURNMENT**

Councilman Jensen motioned to adjourn the meeting, Councilman Brown seconded; all were in favor. The meeting was adjourned at 8:27 PM.

**City of Blackfoot**

**Attest**

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Mayor Paul Loomis

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City Clerk, Suzanne McNeel

**Prepared By**

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Lisa J Tornabene