



**CITY OF BLACKFOOT
CITY COUNCIL MEETING
MINUTES FROM JANUARY 4, 2022**

PLEDGE OF ALLEGIANCE

Mayor Carroll called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

ROLL CALL

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

SWEARING IN NEW BLACKFOOT POLICE OFFICER – ADAM MANN

Adam Mann was officially sworn in as new Police Officer of the Blackfoot Police Department and signed the Official Oath Certificate.

RECOGNITION OF WWTP EMPLOYEE – BRIAN BATES

Brian Bates, a WWTP employee was nominated as Operator of the Year. Superintendent Rex Moffatt presented Mr. Bates with an award and added that this award will be Mr. Bates's second recognition for Operator of the Year.

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED OFFICIALS – MAYOR MARC CARROLL

Mayor Marc Carroll was re-elected for Mayor. City Clerk, Suzanne McNeel recited the Oath of Office for the re-election. Mayor Carroll excepted, signed his Certificate of Election and was officially sworn in at this first council meeting in January of 2022.

**OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED OFFICIALS –
COUNCIL MEMBERS CHRIS JENSEN AND LAYNE "SKIP" GARDNER**

Councilman Chris Jensen and Councilman Layne "Skip" Gardner were re-elected as members of the Council. City Clerk, Suzanne McNeel recited the Oath of Office to both councilmen, each councilman accepted and signed a Certificate of Election. Both Councilmen were sworn in at this first council meeting in January of 2022.

ELECTION OF COUNCIL PRESIDENT – CHRIS JENSEN

Council President Chris Jensen opened up nominations for Council President. The Council nominated Councilman Jensen to serve as President of the Council. Councilman Jensen excepted.

Councilman Gardner made a motion for Councilman Jensen to be officially appointed as President of the Council. Councilman Brown seconded the motion; all were in favor, motion carried.

CONSENT AGENDA

Councilman Brown made a motion to approve the Consent Agenda, consisting of payables, minutes from 12/07/2021, alcohol licenses for Cheers and Beers Bar & Restaurant, & 7Eighty5, and removing item number 4, Development Agreement with John Walker. Councilwoman Simpson seconded the motion; all were in favor, motion carried.



CITY TREASURER – GRAHM ANDERSON

Treasurers Report

Mr. Anderson presented the January 2022 Treasurer's Report and explained that as of November 30, 2021, the monthly expense to budget was at 17%. The Treasures Report provided a breakdown of the expended year to date percentages for each department. Mr. Anderson informed the council there is a change in workman's comp to where it is no longer on a regular calendar year and is now on a fiscal year calendar and added this change will make it easier for budgeting. All departments stayed within what their budget expenditures are and did a great job in managing their budget.

Mr. Anderson went over the Bank and investment accounts. Moreton Investments balance is at \$1,952,078.40; LGIP: \$6,427,706.78; DBF: \$2,837,964.71; Zions Sweep: \$7,393,888.30; Zions Checking: \$64,272.00. Mr. Anderson and Mayor Carroll met with Moreton Asset Management to review the portfolio with them. Moreton Asset Management would provide a better rate of return than the LGIP would do. A recommendation that Moreton Asset Management made was to move some money from the LGIP account to Moreton for a better rate of return. After reviewing this information Mr. Anderson and Mayor Carroll decided to move 1 million dollars from the LGIP account to Moreton and will do so in \$200,000. increments.

A list of items on the Calendar consist of completing the FY 2021 Audit by January 31, 2022. The FY 2021 Audit Report should be done some time in March 2022. The 2023 Budget Kickoff is coming up in March of 2022, and the ARPA Spending Report is due by April 30, 2022. Mr. Anderson went over updates on ARPA projects and informed the Council that the Champions Gate project has been completed. The total cost of this project was \$322,737.86. The Radio Meters project is in progress due to supply chain issues waiting to receive shipment. The Downtown Sewer Upgrade project is in need of a contractor to come in and do 12 spot repairs, 1 pipe length of open trench repair and 7 manholes will need replaced. Then camera the lines and move forward with CIPP. Miscellaneous items on the Treasurer's Report are the RV Dump Station, we are working on this grant and Keller Associates is the engineering company working on this project. The airport for the City of Blackfoot was selected to be allocated funds from a bipartisan infrastructure law. The airport will be receiving \$159,000. These funds will be earmarked for infrastructure projects.

MAYOR - MARC CARROLL

Approve Contract with Keller Associates for the RV Dump

Mayor Carroll explained the city has had a dump station located on the alley side of the fire department. Mayor Carroll stated that it is a logistical problem having it there. It has been decided that a better location for it would be between the Parks and Rec building and the Airport, close to the RV park making it convenient all around. The city is in the process of applying for a Park Service Grant to pay for it, however, there is a match amount that the city would need to provide. Mayor Carroll would like to enter into an agreement with Keller Associates to do the design work.



Councilman Gardner made a motion to accept the agreement for Professional Services with Keller Associates for the design work for the RV Dump. Councilman Brown seconded the motion; all were in favor, motion carried.

CITY ATTORNEY – GARRET SANDOW

Proposed Ordinance of Backflow Devices & Irrigation Systems

Attorney Sandow presented Ordinance No. 2217 and informed the council that he has been working with Princeton Lee, the Water Department Superintendent and he has had some difficulties with irrigation systems being put in, especially in some of the new construction that do not have a backflow device. Mr. Sandow stated he has come across some vagueness in the ordinances as far as any damage and things of that nature that have occurred. There will be verbiage added to the ordinances to address this. There will also be new standards added specifically to landscaping and irrigation systems. Mr. Sandow stated that residential and commercial locations will be subject to this ordinance. Mayor Carroll informed the council that a solid campaign will be done to get the word out and will be starting with the local landscaping companies.

Councilman Jensen made a motion to approve the Ordinance No. 2217 as presented and waive further readings. Councilman Gardner seconded the motion; Rollcall was taken, all were in favor, motion carried.

ORDINANCE NO. 2217

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, AMENDING SECTION 9-2-4 REGARDING BACKFLOW PREVENTION DEVICES; ADDING 9-1-28(3) REGARDING LAWN IRRIGATION SYSTEM REQUIREMENTS; AND AMENDING 9-1-32(B) REGARDING DAMAGE TO THE WATER SYSTEM; PROVIDING FOR THE EFFECTIVE DATE OF SAID CHANGES.

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

SECTION 1: That Section 9-2-4 of the Blackfoot City Code be amended as follows:

9-2-4: USE OF BACKFLOW PREVENTION DEVICES:

A. Installation Requirements; Certain Circumstances: Backflow prevention devices shall be installed, if possible, within the confines of the affected building in a readily accessible location with adequate clearances for maintenance and testing. If the preceding installation is not possible, the device shall be installed in an accessible, aboveground, locked, heated, enclosure adjacent to the structure. The structure shall be situated above seasonal high groundwater, shall contain a floor drain, shall provide adequate room for testing and maintenance and shall protect the device against freezing. Backflow prevention devices shall be installed under any circumstances included in, but not limited to the following:

1. Premises housing an auxiliary water supply that has not been approved by the city for its quality and protection.



2. Premises having intricate plumbing arrangements which make it difficult to ascertain whether or not cross connections exist.
3. Premises where entry is restricted so that inspections for cross connections could not be made during reasonable hours, at sufficient short notice to assure that cross connections do not exist.
4. Premises where any substance handled under pressure could enter into the water supply system. This shall include the handling of process and cooling waters.
5. Premises having a repeated history of cross connections being created or recreated.
6. Premises having a lawn and/or landscape irrigation system.

B. Types of Facilities Requiring Devices:

1. The following types of facilities shall fall into one of the above categories where a backflow prevention device is required to protect the water system, unless the city and the state department of environmental quality determine that no hazard exists:
 - a. Sewage treatment plants.
 - b. Laboratories.
 - c. Food Processing plants.
 - d. Chemical or other industrial plants.
 - e. Hospitals, mortuaries, clinics.
 - f. Agricultural chemical storage, formulation and distribution facilities.
 - g. Petroleum processing or storage plants.
 - h. Car washes.
 - i. Other facilities specified by the city and the state department of environmental quality.
 - j. Facilities, either residential or commercial, which include a lawn and/or landscape irrigation system.
 - k. Facilities required to have a backflow prevention device by the Idaho Administrative Code, Department of Environmental Quality.

SECTION 2: That Section 9-1-28(3) of the Blackfoot City Code shall be added as follows:

9-1-28: Lawn and/or Landscaping Sprinkling and Water Use Restriction:

3. Lawn and/or Landscape Irrigation Standards.

- a. All lawn and/or landscaping irrigation systems must be installed to current state and local code, including, but not limited to, all cross connection and back flow prevention standards.



b. All lawn and/or landscape irrigation system installations shall obtain a permit from City Hall prior to the initiation of the installation. All fees shall be paid as set forth by resolution of City Council.

c. All lawn and/or landscape irrigation systems are required to have an approved backflow prevention device. This must be either a pressure vacuum breaker (PVB) or a reduced pressure zone device (RP). A list of approved devices can be found on the City of Blackfoot website, or by contacting the Water Department.

i. All backflow devices must be tested and certified for correct installation and operation before the lawn and/or landscape irrigation system may be used.

ii. All backflow prevention devices must be tested and inspected by a person holding a valid State of Idaho license.

d. All land and/or landscape irrigation systems require control valves arranged in a “block and bleed” arrangement with no “stop and waste” valves installed. See detail below for typical arrangement.

i. A City Water Department representative must inspect and approve the valve arrangement before a system is utilized.

e. Any water user who violates or refuses to comply with this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall for each offense be subject to penalty as provided in title 1, chapter 4 of this code.

SECTION 3: That Section 9-1-32(B) of the Blackfoot City Code shall be amended as follows:

9-1-32(B). Damage or Injury to System

1. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the water system.

2. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, pipeline, fire hydrant, fitting connection appurtenance or equipment which is part of the municipal water system. This shall include, but not be limited to, water mains, water arterials, water piping, water meters, radio system components, manholes, manhole covers, well stations, and all other aspects of the water system.

SECTION 4: That the effective date of this Ordinance shall be after passage and publication as provided by law.

PASSED AND APPROVED by the Mayor and City Council this 4th day of January, 2022.

CITY OF BLACKFOOT, IDAHO

By: _____

Marc Carroll, Mayor

ATTEST: _____
City Clerk



Proposed Ordinance for Downtown Parking During Winter Months

Attorney Sandow presented Ordinance No. 2218 and went over the information that will be included in the ordinance for downtown parking during the winter months. Mr. Sandow also presented a new parking map for the downtown area that was created by the city's Streets Superintendent, Vaughn Key.

Councilman Jensen made a motion to approve Ordinance No. 2218 as presented and waive further readings. Councilman Brown seconded the motion; roll call was taken, all were in favor, motion carried.

ORDINANCE NO. 2218

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, AMENDING SECTION 7-4A-3(C) OF TITLE 7, REGARDING PROHIBITING OVERNIGHT PARKING IN THE DOWNTOWN AREA IN THE WINTER MONTHS, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

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

SECTION 1: That Section 7-4A-3(C) of Title 7 be amended as follows:

7-4A-3(C) No Overnight Parking Downtown in Winter Months:

Parking of any vehicles on streets and highways in the downtown and heavy traffic areas shall be unlawful from two o'clock (2:00) A.M. to six o'clock (6:00) A.M. from November 15 through March 1 of each winter season.

Said areas described are those encompassed between West Main Street on the east and Oak Street on the west; Alice Street on the north and Sexton Street on the south; Pacific Street west from Oak Street to Bridge Street; Bridge Street and Judicial Street west from Oak Street to Meridian Street.

Said areas described are those streets as follows:

1. West Judicial Street and West Bridge Street from SW Main to Meridian Street.
2. West Pacific Street from SW Main to Birch Street
3. West Idaho Street from SW Main to Maple Street
4. Sexton Street from SW Main to Maple Street
5. SW Main from Sexton Street to Francis Street
6. Broadway Street from Sexton to Francis Street
7. Ash Street from Sexton to Francis Street
8. Maple Street from Sexton to Francis Street

SECTION 2: 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 4th day of January, 2022.

CITY OF BLACKFOOT, IDAHO



By: _____
Marc Carroll, Mayor

ATTEST: _____
City Clerk

Proposed City Code Title 2 Ordinance – Re-Write “Boards and Commissions”

Attorney Sandow presented Ordinance No. 2219 to the council. This Ordinance is to add to chapter 3 through chapter 8 regarding the boards and commissions utilized by the city and the rules governing those commissions. Any board member may be removed by the majority vote of the City Council.

Councilwoman Simpson made a motion to approve Ordinance No. 2219 as presented and waive all further readings with the change in the terms board members can serve on boards and commissions for 3 full 3-year terms. Councilman Jensen seconded the motion; roll call was taken, all were in favor, motion carried.

ORDINANCE NO. 2219

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, ADDING CHAPTERS 3 THROUGH CHAPTER 8, TITLE 2, REGARDING THE BOARDS AND COMMISSIONS UTILIZED BY THE CITY AND THE RULES GOVERNING THOSE COMMISSIONS; AND FOR 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 Chapter 3 (Library Board) be added to Title 2, as follows:

2-3-1. Appointment: The Mayor, with the consent of the City Council shall appoint a Library Board of not less than five (5) nor more than seven (7) library board members for the Public Library.

2-3-2. Qualifications. The Board member shall be a citizen of the City.

2-3-3. Term. Library Board members shall hold office for five (5) year terms. Terms shall expire on December 31st in the year in which the five year term ends. The term of not more than two (2) members shall expire in any one (1) calendar year. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. Any member whose term has expired, but a replacement has not been appointed, shall retain their full authority to act as a Board member until such replacement has been appointed. Appointments to complete unexpired terms shall be for the remainder of the term only. Any Board Member may be removed by City Council by the unanimous vote of all its members.



2-3-4. Quorum. A majority of the appointed Board Members shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of a majority of the quorum.

2-3-5. Powers and Duties of Board. The Board Members shall have all of the powers and duties afforded to it by Idaho State statute.

SECTION 2: That Chapter 4 (Planning and Zoning Commission) be added to Title 2, as follows:

2- 4-1. Appointment. The Mayor, with the consent of council, shall appoint a Planning and Zoning Commission of not less than five (5) nor more than seven (7) members. The Planning and Zoning Commission shall be governed by the provisions set forth in Blackfoot City Code 11-2-3.

SECTION 3: That Chapter 5 (Blackfoot Urban Renewal Agency) shall be added to Title 2, as follows:

2-5-1. Appointment: The Mayor, with the consent of the City Council shall appoint an Urban Renewal Board of not less than five (5) nor more than seven (7) board members.

2-5-2. Qualifications. The Board member shall be a citizen of Bingham County.

2-5-3. Term. Urban Renewal Board members shall hold office for three (3) year terms. Terms shall expire on December 31st in the year in which the three year term ends. The term of not more than three (3) members shall expire in any one (1) calendar year. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. No member shall serve for more than three (3) full terms. Appointments to complete unexpired terms shall be for the remainder of the term only. Any Board Member may be removed by City Council by the majority vote of all its members.

2-5-4. Quorum. A majority of the appointed Board Members shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of a majority of the Members present in the quorum.

2-5-5. Powers and Duties of Board. The Board Members shall have all of the powers and duties afforded to it by Idaho State statute.

SECTION 4: That Chapter 6 (Industrial Development Corporation) shall be added to Title 2, as follows:

2-6-1. Appointment: The Mayor, with the consent of the City Council may appoint an Industrial Development Corporation of not less than five (5) nor more than seven (7) board members.

2-6-2. Purpose: The purpose of this commission is to promote higher employment, encouraging new job development, and maintaining/supplementing the capital investments in industry, ensuring future capital investment, and other acts necessary to aide in the accomplishment of these and similar goals.

2-6-3. Qualifications. The Board member shall be a citizen of the City.



2-6-4. Term. Board members shall hold office for three (3) year terms. Terms shall expire on December 31st in the year in which the three year term ends. The term of not more than three (3) members shall expire in any one (1) calendar year. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. No members shall serve for more than three (3) full terms. Appointments to complete unexpired terms shall be for the remainder of the term only. Any Board Member may be removed by City Council by the majority vote of all its members.

2-6-5. Quorum. A majority of the appointed Board Members shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of a majority of the Members present in the quorum.

2-6-6. Powers and Duties of Board. The Board Members shall have all of the powers and duties afforded to it by the Mayor, City Council and Idaho State statute.

SECTION 5: That Chapter 7 (Water Advisory Commission) shall be added to Title 2, as follows:

2-7-1. Appointment: The Mayor, with the consent of the City Council may appoint a Water Conservation Board of not more than five (5) nor more than seven (7) board members.

2-7-2. Purpose: The Board shall advise the City regarding development and support of a comprehensive, balanced plan of City-wide water conservation steps that may be used to decrease the overall water consumption in the City. The Board shall also advise the City regarding such other water usage, water ownership, or other related matters as may be requested by the Mayor and/or City Council.

2-7-3. Qualifications. The Board member shall be a citizen of the City.

2-7-4. Term. Members shall hold office for three (3) year terms. Terms shall expire on December 31st in the year in which the three year term ends. The term of not more than three (3) members shall expire in any one (1) calendar year. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. No member shall serve for more than three (3) full terms. Appointments to complete unexpired terms shall be for the remainder of the term only. Any Board Member may be removed by City Council by the majority vote of all its members.

2-7-5. Quorum. A majority of the appointed Board Members shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of a majority of the Members present in the quorum.

2-7-6. Powers and Duties of Board. The Board Members shall have all of the powers and duties afforded to it by the Mayor and City Council.

SECTION 6: That Chapter 8 (Temporary Commissions) shall be added to Title 2, as follows:

2-8-1. Appointment: The Mayor, with the consent of the City Council, may appoint a temporary commission to advise the City on issues, concerns, or other activities that may arise from time to time.



Any such temporary commission shall consist of not less than five (5) nor more than seven (7) board members.

2-8-2. Purpose: The Board shall advise the City regarding the purpose or concerns for which it was appointed.

2-8-3. Qualifications. The Board member of any temporary commission shall be a citizen of the County.

2-8-4. Term. Members shall hold office for no more than three (3) year terms. Terms shall expire on December 31st in the year in which the three year term ends. The term of not more than three (3) members shall expire in any one (1) calendar year. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. No member shall serve for more than three (3) full terms. Appointments to complete unexpired terms shall be for the remainder of the term only. Any Board Member may be removed by City Council by the majority vote of all its members.

2-8-5. Quorum. A majority of the appointed Board Members shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of a majority of the Members present in the quorum.

2-8-6. Powers and Duties of Board. The Board Members shall have all of the powers and duties granted to it by the Mayor and City Council.

SECTION 7: That the effective date of this Ordinance shall be after passage and publication as provided by law.

PASSED AND APPROVED by the Mayor and City Council this 4th day of January, 2022.

CITY OF BLACKFOOT, IDAHO

By: _____
Marc Carroll, Mayor

ATTEST: _____
City Clerk

ADJOURNMENT

The City Council meeting was adjourned at 7:48 PM.

City of Blackfoot

Mayor Marc Carroll



Attest:

City Clerk Suzanne McNeel

Prepared by:

Patty Ojeda