

**CITY OF BLACKFOOT
CITY COUNCIL MEETING
MINUTES FROM FEBRUARY 5, 2019**



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.

CONSENT AGENDA

Councilman Jensen motioned to approve the Consent Agenda, consisting of the Minutes from December 4, 2018, December 13, 2018, Payables and an airport lease transfer for Jacob and Tonia Mecham, Councilman Brown seconded; all were in favor, motion carried.

HOLLY POWELL, CITY TREASURER

Treasurer's Report

Ms. Powell provided a preview of our approach to budgeting for 2020. As such, Ms. Powell conducted a budget analysis and provided Council with information on the percentage of funded expenditures vs. the percentage of the year that has elapsed. This allows Department Heads to analyze the progression of their budget as the year progresses. Ms. Powell reminded Council that expense tracking is only a portion of the budget, and fund-specific revenue streams also need to be considered and evaluated, and options considered. One of the things that may be considered are changing business trends, fee adjustments and alternatives to a traditional 'past practice' approach. Mayor Carroll and Ms. Powell will meet with all Department Heads to evaluate these reports for the first quarter of the budget year.

MAYOR MARC CARROLL

Industrial Development Corporation Resolution

Mayor Carroll discussed the formation of the Industrial Development Corporation and its purpose, specifically that the Corporation was formed by the City to issue revenue bonds to help with industrial development in the Riverview Urban Renewal District.

Attorney Sandow read proposed Resolution #377 into record. Councilman Jensen motioned to approve Resolution #377 as presented and waive all further readings, Councilwoman Simpson seconded; roll call was taken and all were in favor, motion carried.

RESOLUTION NO. 377

A RESOLUTION APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE INDUSTRIAL DEVELOPMENT CORPORATION OF THE CITY OF BLACKFOOT, IDAHO; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

CITY OF BLACKFOOT
State of Idaho

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACKFOOT, IDAHO, as follows:

WHEREAS, the City of Blackfoot (the "City") has heretofore, by Ordinance No. 2030, adopted on July 19, 2005, authorized and provided for the establishment, organization and operation of a public corporation to implement Chapter 27, Title 50, Idaho Code; and

WHEREAS, said Ordinance No. 2030 provided for the appointment by the City Council to the Board of Directors of the Industrial Development Corporation of The City of Blackfoot, Idaho ("Corporation"); and

WHEREAS, the terms of all prior Board members have expired; and

WHEREAS, the City Council now desires to appoint said Board of Directors, and to fix their terms of office;

NOW, THEREFORE, IT IS HEREBY FURTHER RESOLVED AS FOLLOWS:

Section 1: The terms of office of the Board of Directors of the Corporation shall commence at their initial meeting. Those Directors, and the expiration dates of their terms of office, are as follows:

<u>Name</u>	<u>Term of Office</u>
Scott Reese	3 Years
Gary Baumgartner	3 Years
Whitney Manwaring	3 Years
Chase McAllister	3 Years
Shirley Robinson	3 Years

2. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND ADOPTED by the City Council of the City of Blackfoot, Idaho, this 5th day of February, 2019.

APPROVED BY the Mayor of said City this 5th day of February, 2019.

CITY OF BLACKFOOT, IDAHO

By: _____

MAYOR

ATTEST:

By: _____

City Clerk



RESOLUTION-Page 2

Proposed Golf Fee Increase

Golf Professional, Mike Dayley, presented Council with information regarding the proposed golf fee increases. These increased fees are being proposed in part to refresh all of the bunkers in the golf course by installing a drainage system new to the golf industry. The other reason for the proposed increase is to again provide additional resources in the capital improvement fund. Mr. Daley reported that golfers seem pleased with the improvements at the golf course as a result of the capital improvement fund. Councilman Brown motioned to approve the proposed golf fee increases, Councilman Jensen seconded; all were in favor, motion carried.

Attorney Sandow read proposed Resolution #378 into record. Councilman Jensen motioned to approve Resolution #378 as presented and waive all further readings, Councilwoman Simpson seconded; roll call was taken and all were in favor, motion carried.

**RESOLUTION OF THE CITY OF BLACKFOOT
NUMBER 378**

A RESOLUTION ESTABLISHING INCREASED GOLF COURSE FEES

The undersigned, Marc Carroll, does hereby certify that the following is a true and correct copy of a resolution adopted at the City Council Meeting of the City of Blackfoot on the date indicated below:

1. WHEREAS, certain capital improvements are necessary to keep the golf course in good playing condition and proposed fee the increase will be used towards those capital improvements; and
- 2.

BE IT THEREFORE RESOLVED THAT:

1. Golf course fees shall be increased to the rates set forth in Exhibit "A" attached hereto.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 5th day of February, 2019.

Mayor Marc Carroll

ATTEST:

City Clerk

Green Fees &
Season Tickets

	2018 Fees	2019 Fees	Increased Amount
Non- Resident Green Fees			
Weekday 9 Holes	\$18.75	\$19.00	\$0.25
Weekday 18 Holes	\$25.50	\$26.00	\$0.50
Weekend 9 Holes	\$19.75	\$20.00	\$0.25
Weekend 18 Holes	\$27.50	\$28.00	\$0.50
10 - 9 Hole Punch Pass	\$177.50	\$180.00	\$2.50
10 - 18 Hole Punch Pass	\$240.00	\$245.00	\$5.00
Resident Green Fees			
Weekday 9 Holes	\$16.75	\$17.00	\$0.25
Weekday 18 Holes	\$23.50	\$24.00	\$0.50
Weekend 9 Holes	\$17.75	\$18.00	\$0.25
Weekend 18 Holes	\$25.50	\$26.00	\$0.50
10 - 9 Hole Punch Pass	\$157.50	\$160.00	\$2.50
10 - 18 Hole Punch Pass	\$220.00	\$225.00	\$5.00
Non - Resident Season Passes			
Adult	\$740.00	\$760.00	\$20.00
Couples	\$1,070.00	\$1,090.00	\$20.00
Senior Mon - Thur	\$438.00	\$458.00	\$20.00
Senior	\$631.00	\$651.00	\$20.00
College 26 & under	\$445.00	\$460.00	\$15.00
Junior 18 & under	\$223.00	\$233.00	\$10.00
Family all Kids 18 & under	\$1,132.00	\$1,152.00	\$20.00
Adult After 2:30	\$405.00	\$420.00	\$15.00
Residents Season Passes			
Adult	\$704.00	\$724.00	\$20.00
Couples	\$1,033.00	\$1,053.00	\$20.00
Senior Mon - Thur	\$411.00	\$431.00	\$20.00
Senior	• \$605.00	\$625.00	\$20.00
College 26 & under	\$438.00	\$453.00	\$15.00
Junior 18 & under	\$212.00	\$222.00	\$10.00
Family all Kids 18 & under	\$1,095.00	\$1,115.00	\$20.00
Adult After 2:30	\$380.00	\$395.00	\$15.00
Junior Green Fee Under 13	\$10.25	\$10.50	\$0.25
Total Green Fee & Passes			
City Golf Carts			

Season Cart Pass	\$710.00	\$710.00	\$0.00
Senior Season Cart Pass	\$490.00	\$490.00	\$0.00
Cart Punch Card 20	\$241.00	\$246.00	\$5.00
Senior Cart Punch Card 20	\$200.00	\$205.00	\$5.00
Daily Cart Fee 18 Holes	\$26.50	\$27.00	\$0.50
Daily Cart Fee 9 Holes	\$18.25	\$18.50	\$0.25
Total With Carts			

KURT HIBBERT, PLANNING & ZONING ADMINISTRATOR

Zoning Map Changes Recommended by the Planning & Zoning Commission

Mr. Hibbert summarized zoning changes that are more descriptive of the actual use of the areas, as well as to prepare for future application of zoning in the City/County impact area. Councilwoman Simpson motioned to approve the proposed zoning changes as recommended by Planning & Zoning and approve the Findings of Fact and Conclusion by the Planning and Zoning, Councilman Gardner seconded; all were in favor, motion carried.

Attorney Sandow read into record the Findings, Facts and Conclusions of the City Council. Councilman Jensen motioned to approve the findings, facts and conclusions as presented, 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
February 5, 2019

FINDINGS AND CONCLUSIONS:

At the duly scheduled meeting of the City Council of the City of Blackfoot on February 5, 2019, the Council considered the request by the City for approval of certain amendments and an overall update to the zoning map of the city, pursuant to the application and mapping attached to the recommendations of the Planning and Zoning Commission and presented to Council. Upon reviewing the matter with the Planning Administrator, reviewing the relevant City Code, reviewing the recommendations of the Planning and Zoning Commission, and reviewing documents submitted by the applicant and by any other interested parties, the City Council hereby adopts the following Findings of Fact and Conclusions:

1. The new zoning map was modified in response to the public comments at the Planning and Zoning public hearing and conforms to the established uses in the City.
2. Based upon the information provided by the City officials, adequate utilities have been and are available for each of the areas appropriate to the requested zoning.
3. The Council determines that adequate transportation exists for the proposed zoning request.
4. It does not appear that the local school district will be adversely effected.
5. The zoning changes are consistent with the comprehensive plan and complies with current City codes.
6. The new zoning map will maintain and preserve compatibility in each of the areas for surrounding zoning and development.

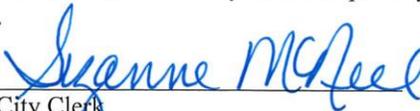
RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The City Council approves the zoning map changes as presented as the new official zoning map of the City. A resolution of even date will be adopted by City Council.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the City Council on February 5, 2019.


City Clerk

Attorney Sandow read proposed Resolution #379 into record. Councilman Jensen motioned to approve Resolution #379 as presented and waive all further readings, Councilman Gardner seconded, roll call was taken and all were in favor, motion carried.

**RESOLUTION OF THE CITY OF BLACKFOOT
NUMBER 379**

A RESOLUTION ESTABLISHING A NEW ZONING MAP

The undersigned, Marc Carroll, does hereby certify that the following is a true and correct copy of a resolution adopted at the City Council Meeting of the City of Blackfoot on the date indicated below:

1. WHEREAS the Planning and Zoning Commission, and subsequently the City Council, has approved adoption of a new zoning map for the City of Blackfoot pursuant to their Findings of Fact and Conclusions attached hereto and adopted herein; and
2. The new zoning map will better utilize technology that is available and changes some of the zoning in the City to better reflect current uses and requests by citizens; and

BE IT THEREFORE RESOLVED THAT:

1. The proposed zoning map shall be adopted as the new official zoning map for the City of Blackfoot and shall supersede all prior official maps. The new zoning map shall be identified as the official map of the City and shall be maintained in the office of the City Clerk as required by City Code.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 5th day of February, 2019.

Mayor Marc Carroll

ATTEST:

City Clerk

Land Use Table Modifications Proposed by the Planning & Zoning Commission

Mr. Hibbert explained that these changes and amendments were brought about because Staff and the Planning & Zoning Commission felt our land use tables were overly restrictive.

Attorney Sandow read proposed Ordinance #2174 into record. Councilman Jensen motioned to approve Ordinance #2174 as presented and waive all further readings, Councilman Brown seconded; roll call was taken and all were in favor, motion carried.

ORDINANCE NO. 2174

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, AMENDING SECTION 6 OF CHAPTER 4, TITLE 11, REGARDING THE OFFICIAL SCHEDULE OF USE DISTRICTS, AND 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 4, Section 6 of Title 11 be amended as follows:

11-4-6 OFFICIAL SCHEDULE OF USE DISTRICTS:

See Official Schedule Attached hereto as Exhibit "A"

SECTION 2: 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 5th day of February, 2019.

CITY OF BLACKFOOT, IDAHO

By: _____

Marc Carroll, Mayor

ATTEST: _____

City Clerk

(Official Use Schedule is attached to original Ordinance)

Proposed Tiny House Subdivision Ordinance

Mr. Hibbert discussed the fact there is a lot of excitement around the tiny house subdivision ordinance, and explained it is an amendment to the City's Subdivision Ordinance. As such, all of the other rules in the Subdivision Ordinance will apply to the tiny house subdivision ordinance.

Councilman Gardner motioned to approve proposed Ordinance #2175, as well as adopt the findings, and facts and waive all required readings, Councilwoman Simpson seconded; roll call was taken and all were in favor, motion carried.

ORDINANCE NO. 2175

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, ADDING SECTION 8 TO CHAPTER 7, TITLE 12, REGARDING THE REGULATION OF TINY HOME SUBDIVISIONS, AND 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 7, Section 8 of Title 12 be added as follows:

12-7-8: TINY HOUSE SUBDIVISIONS:

A. General: Tiny House Planned Unit Developments shall be subject to requirements outlined in the zoning ordinance and also subject to all provisions within this title. This title intends that Tiny Home Subdivisions create a highly vegetated, park-like environment, where the emphasis is placed on minimalist living. This Title only allows for Tiny Homes on permanent foundations and does not allow Tiny Homes on Wheels (THOWs). THOWs are encouraged and accommodated in the City of Blackfoot in designated RV Subdivision Developments.

Benefits sought by this section are: increased housing stock, increased affordable housing, facilitating intergenerational living, attracting new residents, increased municipal revenue, supporting vulnerable populations, and generally providing residents with more lifestyle freedom. Infill of underdeveloped single-family areas of the city is considered a strong benefit of Tiny House Subdivision.

B. Site Development Plan: The developer shall provide the planning and zoning commission with a colored rendering of adequate scale to show the completed development that will include at least the following:

1. Building Envelopes/Lot Layout. Development Density shall not exceed 14 units per acre.
2. Required Design Standards. Allowed building materials and color/finish schedules. The Developer will provide a schedule of the proposed materials to be allowed in the development along with color/finish schedules.
3. Perimeter Landscaping, Pathways, and Vegetation Plan. This plan shall include vegetative buffers made up of a combination of trees, hedges, bushes, and /or shrubbery providing privacy and a parklike environment around the perimeter of the development. An engineered pathway system must be integrated into this landscaping plan.
4. Individual Shade and Screening Plan. This plan shall include vegetative buffers made up of a combination of trees, hedges, bushes, and shrubbery providing privacy and separation between

housing units and areas as well as a landscaping plan including both trees and shrubbery around the perimeter of the development.

5. Screened Garbage Collection Areas. Garbage collection areas must be screened and gated by a decorative masonry wall and gate system.
6. Roads and Common Area Visitor Parking.
7. Designated Usable Open Space and Recreation Facilities. Open space requirements will be governed by the Maximum Lot Coverage Requirements of the individual Overlying Zone.
8. Designate locations for Water, Sewer, Power, Maintenance Building, and Site Drainage infrastructure.

This Site Development Plan must be reviewed and recommended for approval by the Planning and Zoning Commission before a preliminary plat application is submitted.

- C. Private Streets and Pathways: Private Street construction standards shall be based upon recommendations from the City Public Works and Fire Department. Streets will meet minimum access standards. Construction standards may vary depending on the location and size of the development and the demands placed on such improvements. Roads are anticipated to be constructed with a reduced street section that may or may not include curb and gutter. A Site Drainage Plan is required. An engineered Pedestrian Pathway System is required and replaces the City sidewalk requirement. Generally, parking will not be allowed on streets or access ways other than in approved turnouts and other common parking areas.
- D. Homeowners' Association: Homeowners' association bylaws and other deed restrictions, which provide for the control and maintenance of all common areas, recreation facilities, and open space, shall be submitted and be approved by the city.
- E. Storage Areas: Screened Storage areas or lots shall be provided for the anticipated needs of boats, campers, and trailers — one 220 sq. Ft. space shall be provided for every three (3) living units.
- F. Parking Space: One parking space of 12 x 22 feet is required for each living unit, and an additional visitor parking space is needed for two (2) dwelling units. These may be provided as distributed pullouts, or as a central parking area/lot.
- G. Maintenance Building: A maintenance building shall be provided, size and location to be suitable for the service needs that are necessary for the repair and maintenance of all common areas
- H. Open Space: The location of open space shall be appropriate to the development and shall be of such shape and area to be usable and convenient to the residents of the development. Open space

requirements will comply with the Maximum Lot Coverage Requirements of the applicable Overlying Zone.

I. Control during Development: Single ownership or control during development shall be required and a time limit may be imposed to guarantee the development is built and constructed as planned.

J. Lot Square Footage: Within a Tiny House Subdivision, Lot Square Footage shall be a Minimum of the Building Footprint plus the one (1) required parking area of 12 x 22 feet. This parking area shall be paved upon application for a Building Permit.

K. Tiny House Subdivisions will follow all other requirements for platting and public hearing required by this Title, not in conflict with this section and although no minimum acreage for a plat shall be required, Tiny House Subdivision Plats are not anticipated to be approved larger than 20 acres. Tiny House Subdivisions do not qualify for a short plat subdivision process due to the statutory requirements of this title requiring a new road system and other amenities.

SECTION 2: 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 5th day of February, 2019.

CITY OF BLACKFOOT, IDAHO

By: _____

Marc Carroll, Mayor

ATTEST: _____

City Clerk

Approval of the Facts and Findings for the Harris Subdivision

Councilman Jensen motioned to approve the facts and findings for the Harris Subdivision, 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
December 4, 2018

FINDINGS AND CONCLUSIONS:

At the regularly scheduled meeting of the City Council of the City of Blackfoot on December 4, 2018, the Council considered the request by Jared and Sonya Harris for preliminary plat subdivision approval for a subdivision located on Pendlebury Lane to be known as Harris Estates 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 November 27, 2018, except with the additional findings as provided herein.

There were four ordinances discussed in the presentation as set forth herein. At issue was whether there was a need for a road to be built towards the south of the proposed subdivision for a potential future connection to Henderson Drive. The proposed road would not connect to Henderson Drive currently as there are two lots – one which consists of the back yard of a current residence on Pendlebury Drive, and one (approximately one acre) which is owned by a ditch company and used as an overflow area - both of which are situated between Henderson Drive and the proposed Harris Subdivision.

Blackfoot City Ordinance 12-6-5 provides as follows: “The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas.” The Council determines this ordinance does not apply as there are no “existing streets in adjoining areas.” Both lots in question are bare lots.

Blackfoot City Ordinance 12-6-6 provides as follows: “Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.” In this case, the Council determines that to require a street be constructed which cannot make connection to Henderson Drive, and likely never will, is not a “proper projection” of streets. Thus, this ordinance is not violated by the proposed subdivision.

Blackfoot City Ordinance 12-6-7 provides as follows: “When a new subdivision adjoins un-subdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.” The common usage of the word “susceptible” means likely. As one lot is currently a backyard to an existing residence, and one lot is owned by a ditch company, this Council determines that based upon the current use and size of the properties, these lots are not likely, or “susceptible” of being subdivided. Accordingly, this ordinance is not violated by the proposed subdivision.

Blackfoot City Ordinance 12-6-24 provides as follows: “The street arrangement shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.” Both of the lots in question are very small and not likely to be subdivided. Both lots have current access to Henderson Drive and do not need access to any roadway in the proposed subdivision. This Council does not see any hardship to the owners of the two lots, and therefore, finds no violation of this ordinance.

Based upon the findings on the four ordinances in question, this Council determines there shall be no requirement for a road to be constructed to the south border of the property towards Henderson Drive.

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 Pendlebury Lane to be known as Harris Estates Subdivision as presented and contingent upon compliance with all city codes and regulations, except as set forth above in Councils' Findings and Conclusions.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the City Council on December 4, 2018.

City Clerk

EXECUTIVE SESSION

Councilman Jensen motioned to move into Executive Session pursuant to Idaho Code 74-206, subsection 1 (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need., Councilman Gardner seconded, roll call was taken and all were in favor, motion carried.

The meeting moved into Executive Session at 7:45 PM.

Councilwoman Simpson motioned to move into the Regular Council Meeting, Councilman Jensen seconded; all were in favor and the Regular meeting commenced at 8:49 PM.

ADJOURNMENT

Councilman Jensen motioned to adjourn the meeting, Councilman Brown seconded; all were in favor. The meeting was adjourned at 8:50 PM.

City of Blackfoot

Mayor Marc Carroll

Attest:

City Clerk Suzanne McNeel

Prepared By:

Lisa Tornabene