

**CITY OF BLACKFOOT
CITY COUNCIL MEETING
MINUTES FROM APRIL 6, 2021**



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.

FAIR HOUSING PROCLAMATION

Mayor Carroll read into record the Fair Housing Proclamation for 2021, proclaiming April Fair Housing Month.

2020 AUDIT REPORT – MORGAN HATT

Mr. Morgan Hatt presented an overview of the 2020 audit to Mayor and Council. Profits were seen in all funds except Parks and Capital Projects Fund. Mr. Hatt reminded Council that in 2018 the cash balance in the General Fund was barely able to cover unplanned expenses; however, aggressive measures were taken by all Departments to reduce spending and, as a result, the cash balance in the General Fund has grown considerably. Mr. Hatt feels the City is on solid financial footing, much sooner than he would have forecasted. Mr. Hatt explained that although BURA is a separate taxing entity, they are so closely related to the City that the City is obligated to include their number with the City's financial reporting. As of September 30, 2020, BURA has cash and investments totaling \$1,433MM and outstanding Bonds in the amount of \$544K for improvements in the District. Mayor Carroll thanked Department Heads for all of their efforts to reduce spending.

CONSENT AGENDA

Councilman Jensen motioned to approve the Consent Agenda, consisting of Minutes from March 2, 2021 and Payables, Councilman Gardner seconded; all were in favor, motion carried.

CITY TREASURER REPORT – GRAHM ANDERSON

Mr. Anderson informed Council that bank balances and financials are caught up. In addition, all Departments have been provided with their budget worksheets for FY 2022 and budget meetings have begun. Mayor Carroll encouraged Departmental Liaisons to attend the budget meetings for their respective Departments.

MAYOR MARC CARROLL

W Bridge Street Bridge Update

Mayor Carroll updated Council on the status of the West Bridge Street Bridge project, which is a partnership between the City, Premier Technology, Inc. and Bingham County. In summary, the project includes replacement of the current bridge, widening of Highway 39 and installation of either a traffic signal or a roundabout at the intersection of Bridge Street and Highway 39. In order to provide education and information as well as to gain public comment, JUB and the City hosted an Open House at City Hall on March 31st where approximately 30 people from the community were in attendance. There were no negative comments received regarding removal of the old bridge. In terms of timing, the design phase is planned to take one year with construction beginning in 2026; however, efforts are being made to begin construction as early as 2023.

Mayor Carroll then stated that Doug Sayer is interested in upgrading and developing the property north of the bridge, of which the City owns a portion.

COVID-19 Update

Mayor Carroll explained that SIPH has changed their weekly meetings to a monthly update on the first Tuesday of the month. The Bingham County report shows that active case numbers are reducing. SIPH reports that vaccinations are going very well and are open to everyone.

Enterprise Fund Study

At this time, the City is in the process of finalizing the Transportation Study, which is conducted every ten (10) years. JUB is working on the Wastewater Study and Keller Associates is finalizing the Water Study and it is expected that the City will need additional water rights.

Mr. Alan Giesbrecht then presented information on an Enterprise Fund Rate Study which will support ongoing utility expenses as well as to support infrastructure improvements that are identified through the Transportation, Wastewater and Water Studies that are currently underway. The cost of an Enterprise Fund Rate Study is estimated at \$50K.

PLANNING and ZONING – KURT HIBBERT, PLANNING & ZONING ADMINISTRATOR

Proposed Zone Change at 1750 Hepworth from R-1 to R-1R

Attorney Sandow read into record proposed Ordinance No. 2203. Councilman Gardner motioned to adopt the Planning & Zoning Commission's findings and facts related to the proposed Zone change at 1750 Hepworth and approve Ordinance No. 2203 as presented and waive all required readings, Councilwoman Simpson seconded; roll call was taken and all were in favor, motion carried.

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
CITY OF BLACKFOOT
March 9, 2021

FINDINGS AND CONCLUSIONS:

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 23, 2021, the Board held a public hearing on the request of Blanco Pelayo to change the zone on property located at 1750 Hepworth Lane, Blackfoot, Idaho, from R-1 (single residential) to R-1R (rural ranchette) and to consider the recommendations to provide City Council pursuant to the application that is attached hereto and made a part hereof by this reference. The matter was discussed with the Planning Administrator with a review of the relevant City Code. No testimony was provided neutral or against the proposal. After reviewing any documents submitted by the applicant and by any other interested parties, the Board finds and concludes as follows:

FINDINGS and CONCLUSIONS:

1. The property currently is zoned R-1. The Applicant has requested a designation of R-1R to preserve the animal rights associated with the property.
2. That after consideration of the surrounding areas, the Commission has determined that a zone of R-1R is appropriate as the property has historically utilized animal rights.
3. The proposed zone change to R-1R complies with and advances the goals and objectives of the Comprehensive Plan and is consistent with the uses in the area.
4. The zone change will allow the City to provide and maintain existing future capabilities of public utilities.
5. It appears the amendment to R-1R will not adversely affect other property in the vicinity.
6. The proposed zone will not adversely affect the public health, safety or welfare and does more accurately reflect the historic uses of the area.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The Board recommends that the City Council amend the zoning of the proposed area from R-1 to R-1R.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on February 23, 2021.

Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

ORDINANCE NO. 2203

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, CHANGING THE ZONE FROM R-1 TO R-1R ON THE PROPERTY DESCRIBED BELOW; 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 zoning of the property described in Exhibit "A" attached hereto, located at 1750 Hepworth Lane, in Blackfoot, Bingham County, Idaho, be and hereby is, changed from R-1 to R-1R.

SECTION 2: That the Blackfoot City Zoning Map be amended to reflect this zone change.

SECTION 3: 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 6th day of April, 2021.

CITY OF BLACKFOOT, IDAHO

By: _____
Marc Carroll, Mayor

ATTEST: _____
City Clerk

EXHIBIT A:

Legal Description: T3S R35E SEC 11, Blackfoot, Idaho 83221

RP Num: RP131280

Proposed Conditional Use Permit at 655 Harbor Drive for a Commercial Kennel

Mr. Hibbert informed Council that a CUP for a commercial kennel was approved by the Planning & Zoning Commission.

Proposed Zone Change at 676 E Court from R-1 to R-3

Mr. Hibbert explained that the subject property is surrounded on three sides by R-3 zoned property and this Zone change will allow for development of townhomes on the property located at 676 E Court. Attorney Sandow read into record proposed Ordinance No. 2204. Councilman Jensen motioned to adopt the Planning & Zoning Commission's findings and facts related to the proposed Zone change at 676 E Court and approve Ordinance No. 2204 as presented and waive all required readings, Councilman Brown seconded; roll call was taken and all were in favor, motion carried.

FINDINGS OF FACT, CONCLUSIONS
AND RESOLUTION ADOPTED
BY THE
PLANNING AND ZONING BOARD
CITY OF BLACKFOOT
March 9, 2021

FINDINGS AND CONCLUSIONS:

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on February 23, 2021, the Board held a public hearing on the request of Russell Robinson to change the zone on property located at 676 E. Court, Blackfoot, Idaho, from R-1 (single residential) to R-3 (Multi Family) and to consider the recommendations to provide City Council pursuant to the application that is attached hereto and made a part hereof by this reference. During the public hearing, testimony was heard from the Applicant and evaluated by the Board. The matter was discussed with the Planning Administrator with a review of the relevant City Code. No testimony was provided neutral or against the proposal. After reviewing any documents submitted by the applicant and by any other interested parties, the Board finds and concludes as follows:

FINDINGS and CONCLUSIONS:

1. The property currently is zoned R-1. The Applicant has requested a designation of R-3 to better suit the surrounding areas with multi-family zoning.
2. That after consideration of the surrounding areas, the Commission has determined that a zone of R-3 is appropriate.
3. The proposed zone change to R-3 complies with and advances the goals and objectives of the Comprehensive Plan and is consistent with the uses in the area.
4. The zone change will allow the City to provide and maintain existing future capabilities of public utilities.
5. It appears the amendment to R-3 will not adversely affect other property in the vicinity.
6. The proposed zone will not adversely affect the public health, safety or welfare and does more accurately reflect the historic uses of the area.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The Board recommends that the City Council amend the zoning of the proposed area from R-1 to R-3.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on February 23, 2021.

Secretary of Planning & Zoning Board
City of Blackfoot, Idaho

ORDINANCE NO. 2204

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, CHANGING THE ZONE FROM R-1 TO R-3 ON THE PROPERTY DESCRIBED BELOW; 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 zoning of the property described in Exhibit "A" attached hereto, located at 676 East Court Street, in Blackfoot, Bingham County, Idaho, be and hereby is, changed from R-1 to R-3.

SECTION 2: That the Blackfoot City Zoning Map be amended to reflect this zone change.

SECTION 3: 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 6th day of April, 2021.

CITY OF BLACKFOOT, IDAHO

By: _____
Marc Carroll, Mayor

ATTEST: _____
City Clerk

EXHIBIT A:

Legal Description:

T3S R35E SEC 03 Blackfoot, McDonald Block 11 Front Lots 11 TO 14* All 15 TO 20

RP Num: RP1171300

Proposed Zone Code Amendment Adding Three New Residential Codes

Mr. Hibbert introduced Ron Ramirez, Chair of the Planning & Zoning Commission, who then provided Council with background on the proposed Zone code Amendment that the Commission has been working on for approximately 18 months. Mr. Ramirez explained the Commission feels that the current Residential Zoning does not adequately accommodate current needs of the City. As such, new residential Zones are being recommended that will provide more options for developers. After discussion and questions, Councilman Jensen motioned to table the discussion regarding the proposed Zone Code Amendment until a later Council meeting, Councilman Brown seconded; all were in favor, motion carried.

EXECUTIVE SESSION

Councilman Jensen motioned to move into Executive Session pursuant to provisions of Idaho Code 74-206, , subsection (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member; (c) To acquire an interest in real property which is not owned by a public agency; (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated, Councilman Brown seconded; roll call was taken, all were in favor, motion carried, Executive Session began at 8:41 PM. Councilman Brown motioned to move back to the Regular Meeting, Councilman Jensen seconded; roll call was taken, all were in favor and the regular meeting resumed at 9:44 PM.

ADJOURNMENT

The City Council meeting was adjourned at 9:44 PM.

City of Blackfoot

Mayor Marc Carroll

Attest:

City Clerk Suzanne McNeel

Prepared by:

Lisa J Tornabene