



**CITY OF BLACKFOOT  
CITY COUNCIL MEETING  
MINUTES FROM MAY 2, 2023**

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Those in attendance were: Councilman Brown, Councilman Gardner, Councilman Jensen, and Councilwoman Simpson.

**SWEARING IN OF CERTIFIED FIREFIGHTERS**

Mayor Carroll turned the time over to Chief Bryon Howell who introduced Paul Munoff and Curtis Roberts, members of the Blackfoot Fire Department who have completed their period of probation. The men came forward and Chief Bryon Howell swore them in. Their probationary badges were replaced with official badges and the men were thanked and congratulated by the council members.

**PROCLAMATION – OLDER AMERICANS MONTH 2023**

Mayor Carroll read a proclamation proclaiming May to be Older Americans month for the year 2023 in the City of Blackfoot.

**CONSENT AGENDA**

Councilman Jensen made a motion to approve the Consent Agenda as presented consisting of the minutes from 4/4/2023, payables, and the alcohol license for Family Dollar Store. Councilman Brown seconded the motion; all were in favor, motion carried.

**CITY TREASURER GRAHM ANDERSON**

**Treasurers Report**

City Treasurer, Gram Anderson, presented the monthly treasurers report to the council. Mr. Anderson provided a breakdown of the budget through March 31<sup>st</sup> which is 50% of the fiscal year. He briefly summarized the monthly expense to budget and the percentages expended year to date for the general fund and each of the departments in the city. He provided the current up to date bank and investment account balances, calendar items to be completed within the next three months. In the month of May, round two of budget meetings will take place and the fire fighter's union contracts negotiation will continue. Round three of budget meeting will take place in June and the tentative budget should be finalized also in June. In the month of July, the tentative budget will be presented at the July 5<sup>th</sup> council meeting and then the budget hearing will be the 18<sup>th</sup> of July. Mr. Anderson brought to council members up to date on the current projects underway. The radio meters are still going out, the downtown sewer upgrade has a contractor on site, and the RV dump station has been completed. A ribbon cutting ceremony date will be announced soon. Mr. Anderson also went over the miscellaneous items on the calendar which include: Fisher Street, Meridian/Highway 91, and the West Bridge replacement.

**MAYOR MARC CARROLL**

**Proposed Ordinance changing the Special Events Code**

Mayor Carroll explained that there had been discussion regarding clarifications to the Special Events Ordinance. He then turned the time over to City Attorney, Garrett Sandow. Attorney Sandow reminded the council members of the previously discussed clarifications and then read the below ordinance specifying that the underlined portions are the changes.

Councilman Jensen moved to approve Ordinance No. 2237 and waive all required reading. Councilman Gardner seconded the motion; on a roll call vote, all were in favor, motion carried.

Mayor Carroll let the council members know that he had spoken with the fair manager, who will take the Ordinance under advisement for next year's budget.

**ORDINANCE NO. 2237**

**AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, AMENDING SECTION 4-10-13 REGARDING THE EXEMPTIONS FOR SPECIAL EVENT REQUIREMENTS; 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 Section 4-10-13 of the Blackfoot City Code be added as follows:

**4-10-13 Exemptions:**

The following events are exempt from the application filing provision (4-10-4 and 5) of this chapter, but shall be bound to all other conditions and obligations of this chapter as determined by city council:

- A. Events sponsored or cosponsored by the city.
- B. The Eastern Idaho State Fair.
- C. The annual parade.
- D. Other government sponsored or cosponsored events as determined by the city council.

SECTION 2: That the effective date of the Ordinance shall be after passage and publication as provided by law.

PASSED AND APPROVED by the Mayor and City Council this 2<sup>nd</sup> day of May, 2023.

CITY OF BLACKFOOT, IDAHO

By: \_\_\_\_\_  
Marc Carroll, Mayor

ATTEST: \_\_\_\_\_  
City Clerk

## **IDWR Water Curtailment Discussion**

Mayor Carroll explained the curtailment due to the current aquifer levels and the Curtailment Order will be going to a judicial review which will take place June 10, 2023. Essentially every water user that is not part of an approved water mitigation plan and have Jr water rights will be curtailed. Mayor Carroll then turned the time over to Water Superintendent, Princeton Lee, to explain the conservation options for within city limits. He spoke about the aging water infrastructure, the city's wells, education on water conservation, and only allowing citizens with odd numbered houses to water on odd days and those with even numbered houses to water on even days. Councilman Gardner moved to support ideas of education for conservation, watering on odd and even days, and changing the billing system from a postcard to a full-page billing. Councilwoman Simpson seconded the motion; all were in favor, motion carried.

## **PLANNING AND ZONING – JULIE CONAN**

### **Proposed Extension of Sign Permit Moratorium**

Planning and Zoning Administrator, Julie Conan, presented a request on behalf of the Planning and Zoning Commission to extend the Sign Permit Moratorium for 90 more days to give the commissioners a little more time to complete the changes to the ordinance. City Attorney, Garrett Sandow, read Resolution No. 414 to the Council regarding issuing a sign permit moratorium not to exceed an additional ninety days. Councilman Brown moved to approve Resolution No. 414 extending the sign permit moratorium for an additional 90 days. Councilman Gardner seconded the motion; on a roll call vote, all were in favor, motion carried.

### **RESOLUTION NO. 414**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BLACKFOOT, IDAHO, ISSUING A SIGN PERMIT MORATORIUM NOT TO EXCEED AN ADDITIONAL NINETY DAYS.**

**THIS RESOLUTION, is made on the date hereinafter set forth by the City Council of the City of Blackfoot, Idaho.**

### **RECITALS**

1. WHEREAS, the Planning and Zoning Department had previously requested a sign moratorium for the reasons stated in the earlier resolution.
2. WHEREAS, the Planning and Zoning Department has not been able to complete the new sign ordinance within the ninety (90) days previously allowed, but the reasons for the sign moratorium remain.
3. WHEREAS, an additional amount of time is warranted to revise the sign code.

### **NOW THEREFORE BE IT RESOLVED THAT:**

1. Pursuant to Idaho Code 67-6524, the City Council does find that there is risk of an imminent peril to the City's welfare and public safety due to issues with the current sign code as described. Therefore, the City Council does hereby extend the sign moratorium, not to exceed an additional ninety (90) days from today's date, to allow the Planning and Zoning Department sufficient time to present to City Council a more appropriate sign

ordinance

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 2nd day of May, 2023.

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Mayor Marc Carroll

ATTEST:

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City Clerk

**Lark Estates PUD Preliminary and Final Plat Approval**

Planning and Zoning Administrator, Julie Conan, presented the staff report for Lark Estates located on Wootton Way.

Councilman Gardner moved to approve the Preliminary and Final Plats and adopt the Finding of Facts for Lark Estates from the Planning and Zoning Commission. Councilman Brown seconded the motion; all were in favor, motion carried.

FINDINGS OF FACT, CONCLUSIONS  
AND RESOLUTION ADOPTED  
BY THE  
PLANNING AND ZONING BOARD  
OF THE  
CITY OF BLACKFOOT  
April 25, 2023

**FINDINGS AND CONCLUSIONS**

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on March 28, 2023, the Board held a public hearing on the request of the Jon Gregory for a proposed Planned Unit Development located on Wootton Way, Blackfoot, Idaho. This request was for 16 units. The parcel is currently zoned as LDR-2. See the Application attached hereto as Exhibit "A," and made a part hereof by this reference. At the public hearing testimony in favor was provided by the Applicant and the Owner. Two people testified neutral to the proposal with questions regarding secondary water and parking. No one appeared against the proposal.

Based on the testimony, documents, relevant ordinances, and evidence presented, the Board finds as follows:

**Findings and Conclusions:**

1. The Applicant has applied for a Planned Unit Development and has provided all necessary information to the City of Blackfoot as required.

2. From the information provided it appears that the development will average below the allowed residential units per acre. The LDR-2 zoning allows more than 16 units, and so the proposal fits within the required zoning.
3. From the information presented, it appears from the plat dimensions that there is sufficient private open space as required by our city code.
4. The Board was concerned about issues with the infrastructure, such as roads, water and sewer systems, and traffic. The Board determines if certain conditions are met, as set forth below, these issues will be appropriately addressed.
5. Other testimony neutral to the proposal focused on the secondary water. The Board determines if certain conditions are met, as set forth below, these issues will be appropriately addressed.
6. It appears all other aspects required in City Code have been met.

## **RESOLUTION AND CONCLUSIONS**

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

Based upon the above findings, the Board voted to recommend to City Council to approve the request for the Planned Unit Development proposed with the following requirements to be met:

All infrastructure, design and planning aspect shall be reviewed by, and approved by the appropriate City staff members.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on the 25th day of April, 2023.

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Secretary of Planning & Zoning Board  
City of Blackfoot, Idaho

### **Proposed Zone Change at 822 Pendlebury from LDR1 to RR**

Planning and Zoning Administrator, Julie Conan, presented the staff report for the Zone Change at 822 Pendlebury Lane from LDR1 to RR.

Councilman Brown moved to adopt the Zone Change at 822 Pendlebury Lane from LDR1 to RR and approve the Finding of Facts from the Planning and Zoning Commission. Councilman Gardner seconded the motion; all were in favor, motion carried.

FINDINGS OF FACT, CONCLUSIONS  
AND RESOLUTION ADOPTED  
BY THE  
PLANNING AND ZONING BOARD  
CITY OF BLACKFOOT  
April 25, 2023

### **FINDINGS AND CONCLUSIONS:**

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on March 28, 2023, the Board held a public hearing on the request of Steve Elliott to change the zone on property located at 822 Pendlebury Lane, Blackfoot, Idaho, from LDR-1 (Light Residential) to RR (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. 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. Three patrons testified in favor of the zone change. One patron testified in opposition due to concerns about animals. 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 LDR-1. The Applicant has requested a designation of RR to better suit the historical keeping of animals on the property.
2. That after consideration of the surrounding areas, the Commission has determined that a zone of RR is appropriate.
3. The proposed zone change to RR 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 RR 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 likely future uses of the area.

**RESOLUTION AND CONCLUSIONS**

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

By majority vote, the Board recommends that the City Council amend the zoning of the proposed area from LDR-1 to RR.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on February 28, 2023.

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Secretary of Planning & Zoning Board  
City of Blackfoot, Idaho

Councilman Jensen moved to adopt Ordinance No. 2238 as presented and waive all required readings. Councilman Gardner seconded the motion; on a role call vote, all were in favor, motion carried.

**ORDINANCE NO. 2238**  
**(822 Pendlebury Lane Zone Change)**

**AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, CHANGING THE ZONE FROM LDR-1 (Residential) TO RR (Rural Ranchette) 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 822 Pendlebury Lane, in Blackfoot, Bingham County, Idaho, be and hereby is, changed from LDR-1 to RR.

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 2nd day of May, 2023.

CITY OF BLACKFOOT, IDAHO

By: \_\_\_\_\_  
Marc Carroll, Mayor

ATTEST: \_\_\_\_\_  
City Clerk

**ADJOURNMENT**

The City Council meeting was adjourned at 8:12 P.M.

City of Blackfoot

\_\_\_\_\_  
Mayor Marc Carroll

Attest:

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City Clerk Suzanne McNeel

Prepared by: Misty Myler