



**CITY OF BLACKFOOT  
CITY COUNCIL MEETING  
MINUTES FROM JULY 5, 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.

**CONSENT AGENDA**

Councilman Brown made a motion to approve the Consent Agenda as presented which included the following: minutes from 6/6/23, payables and an alcohol license transfer from Chevron to Fast Stop , Councilman Jensen seconded the motion; all were in favor, motion carried.

**CITY TREASURER GRAHM ANDERSON**

**Treasurers Report**

City Treasurer, Graham Anderson, presented the monthly treasurers report to the council. Mr. Anderson provided a breakdown of the budget through May 31<sup>st</sup> which is 67% 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 and went over the calendar 3-month outlook. He stated on July 18<sup>th</sup> there will be a special council meeting for a public hearing on the proposed FY 2024 budget, followed by the regular council meeting August 1<sup>st</sup> where he will present the appropriation ordinance for the fiscal 2024 budget. In September, the L2 will be sent to the county clerk. Mr. Anderson brought council members up to date on the current projects underway and stated the radio water meters are being installed as time permits with 800+ completed.

**Presentation and Approval of the FY 2024 Tentative Budget**

Treasurer Graham Anderson went over the tentative budget and explained the process that was used in creating the budget and that the maximum increase we can take is 3%. He stated the city is running a tight ship in controlling its spending, and out of the \$28,998,737 million dollar budget only \$5.6 million is levied from property taxes. The Council members did not have any questions.

Councilman Brown motioned to approve the tentative budget as presented, Councilman Gardner seconded the motion; on a roll call vote, all were in favor, motion carried.

## **MAYOR MARC CARROLL**

### **City Updates**

Mayor Carroll stated he would not go into further detail on the construction updates as Mr. Anderson covered those. He said the negotiations regarding the fire fighter collective bargaining agreement was tentatively completed. The CBA will be on the July 18<sup>th</sup> agenda for review and approval. Mayor Carroll addressed the water levels at Jensen Grove and explained more regarding how the city gets water from the river and the canal. An idea has been brought up to have a Town Hall meeting to talk about issues with methamphetamine and opioids and should be in the next few months. He gave an update on the cemetery sprinkler system and said that it has now been completed. We have a draft from Keller Associates for the Downtown Revitalization, and it should be available in about a month. Planning and Zoning is creating a team to update the comprehensive plan and layout. Mayor Carroll went over updates and plans for the Bridge St Bridge project. The city has approached BURA about getting funding to create a park across from Premier Technologies. The city owns approximately 75% of the land and will make a request to BLM to deed the rest of the property to the city for the purpose of the park.

### **Approve Nomination for Planning and Zoning Board Member**

Mayor Carroll nominated Benny Lilly to the P&Z commission, Councilman Brown motioned to approve the nomination of Benny Lilly to the Planning and Zoning Board, Councilman Gardner seconded; all were in favor, motion carried.

### **Presentation from Fire Chief Bryon Howell**

#### **2022 Year End Review and Stats**

Fire Chief Bryon Howell presented a yearend review of the 2022 stats from the Fire and Ambulance departments. There were no questions from the council.

### **Lease Agreement for Backhoe with Western States**

Water Superintendent Princeton Lee gave an update on the repairs for the 2000 backhoe priced at \$12,000. Western States has agreed to trade in our old backhoe for a one-year lease agreement payment and enter into a lease contract for 5 years at \$25,000 a year. A new backhoe starts at around \$170,000. Councilman Brown motioned to approve the water department lease agreement with Western States for a new backhoe at \$25k per year, Councilwoman Simpson seconded; all were in favor, motion carried.

### **City Attorney – GARRETT SANDOW**

#### **Findings of Fact from City Council regarding Zone Change on Pendlebury Lane Area**

City Attorney Garrett Sandow presented the findings of fact of the Zone Change on Pendlebury from High Density, HDR1 to Medium Density, MDR1. Councilman Jensen motioned to approve the zone change and waive any required readings; Councilman Brown seconded the motion; There was further discussion between the Council regarding the P&Z recommendation of denial, the residents request, the state of Pendlebury Lane, the need for affordable housing, the accessibility of the one way into town, the need for a nice complex with green space for children to play, enough parking, and a good location. On a roll call vote, Councilman Jensen, Councilman Brown, and Councilman Gardner voted in favor; Councilwoman Simpson voted against; motion carried.

FINDINGS OF FACT, CONCLUSIONS  
AND RESOLUTION ADOPTED  
BY THE  
CITY COUNCIL OF THE  
CITY OF BLACKFOOT  
July 5, 2023

## **FINDINGS AND CONCLUSIONS:**

At the duly scheduled meeting of the City Council of the City of Blackfoot on June 6, 2023, the Council considered the request by the City for approval of a zone change for real property located on the east side of Pendlebury Lane, Blackfoot, Idaho. 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 current zone of the property is Residential Agriculture, although it appears it has been treated as high density residential since about 2018. However, city staff has been unable to locate documents evidencing any zone change. The City has requested a zone change to HDR-1. Due to the poor condition of Pendlebury Lane, the Planning and Zoning Commission recommended denial of the zone change because of the high density requested.
2. It appears that all City Department Supervisors felt the City infrastructure and transportation facilities could handle the increased density.
3. It also appears from the testimony provided that any potential adverse effects were due to the condition of Pendlebury Lane, which is on slate for improvements in the near future.
4. However, because of the condition of Pendlebury Lane, the Council believes a zone of HDR-1 may be too much density for the current time period. Accordingly, the Council believes a lower density of a MDR-1 zone would be more appropriate until Pendlebury Lane is reconstructed.
5. Based upon the information provided by the City officials, adequate water and sewer services, in both quantity and quality, are available for the property as an MDR-1 zone. It appears that the City would be able to provide and maintain existing and future required capabilities of public utilities.
6. The Council determines that adequate transportation exists for a lower density of MDR-1 zoning, instead of the HDR-1 requested.
7. It does not appear the local school district will be adversely effected.
8. An MDR-1 zone is consistent with the comprehensive plan and complies with current city codes.
9. An MDR-1 zone will maintain and preserve compatibility of surrounding zoning and development.

## **RESOLUTION AND CONCLUSIONS**

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The City Council approves the zone change from Residential Agriculture to MDR-1 as presented.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the City Council on July 5, 2023.

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City Clerk

**Proposed Ordinance on the Zone Change on Pendlebury Lane Area**

City Attorney Sandow read proposed Ordinance No. 2240. Councilman Jensen motioned to approve Ordinance No. 2240 on the zone change and waive further readings, Councilman Brown seconded. On a roll call vote, Councilman Jensen, Councilman Brown, and Councilman Gardner voted in favor, Councilwoman Simpson voted against; motion carried.

ORDINANCE NO. 2240  
(Pendlebury Lane/Cromwell Lane Zone Change)

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, CHANGING THE ZONE FROM RESIDENTIAL AGRICULTURE TO MDR-1 (Medium Density Residential) 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 on the east side of Pendlebury Lane, in Blackfoot, Bingham County, Idaho, be and hereby is, changed from RA to MDR-1.

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 5<sup>th</sup> day of July, 2023.

CITY OF BLACKFOOT, IDAHO

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

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

**Street and Sanitation Supt – SCOTT MURPHY  
Sanitation Route Updates**

Scott Murphy, Superintendent, went over the issues they were currently having with the sanitation routes and explained the reason for the changes to the garbage pickup days. He informed the council that a letter will go out to all the addresses of customers being affected. He also stated that they are considering a yearly trash day with the County to dispose of non-household items.

**Planning and Zoning – JULIE CONAN  
OpenGov Permitting Software**

Planning and Zoning Administrator, Julie Conan is requesting approval for the purchase of the OpenGov software to help streamline the permit issuing process from start to finish. OpenGov has acquired the Cartograph program which is used by public works to track assets, inspections, and leaks. The goal is for both software programs to work together and provide all necessary information. Councilman Jensen motioned to approve purchasing the OpenGov permitting software, Councilman Gardner seconded the motion; all were in favor, motion carried.

## **Proposed Zone Change of Northeast Quadrant – North of Rich Lane – RA to LDR1**

Planning and Zoning Administrator, Julie Conan, brought forward the proposed zone change for the Northeast Quadrant of Rich Lane. She stated that through the records review they found out that notifications weren't properly completed, or no record of proper notifications had been sent out, so they are redoing the zone change. Councilman Gardner motioned to adopt the findings of fact for the proposed zone change of the NE quadrant of Rich Lane; Councilman Brown 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  
June 13, 2023

### **FINDINGS AND CONCLUSIONS:**

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on May 23, 2023, the Board held a public hearing on the request of the City to re-zone numerous parcels on the north side of Rich Lane, Blackfoot, Idaho, from a previously used RA zone to LDR-1 (Light Residential) and 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. One patron testified neutrally concerned about ditch use. One testified against the proposal wanting to keep the area more agricultural. 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 RA, but has been historically dealt with as a low density residential area (LDR-1). The two larger parcels which were discussed as Area 2 are large enough to maintain animals.
2. That after consideration of the surrounding areas, the Commission has determined that a zone of LDR-1 is appropriate for that area designated as Area 1 and a zone of RR is appropriate for Area 2.
3. The proposed zone changes comply with and advances the goals and objectives of the Comprehensive Plan and is consistent with the uses in the area.
4. The zone changes will allow the City to provide and maintain existing future capabilities of public utilities.
5. It appears the amendment to LDR-1 and 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 unanimous vote, the Board recommends that the City Council amend the zoning of the proposed Area 1 to LDR-1 and Area 2 to RR.

These findings of fact, conclusions, and resolution formally were adopted by a majority vote of the Planning and Zoning Board on June 13, 2023.

\_\_\_\_\_  
Secretary of Planning & Zoning Board  
City of Blackfoot, Idaho

City Attorney Sandow read proposed Ordinance No. 2241. Councilman Jensen motioned to approve Ordinance No. 2241 and waive required readings, Councilman Gardner seconded; on a roll call vote, all were in favor, motion carried.

ORDINANCE NO. 2241  
(North of Rich Lane)

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, CHANGING THE ZONE FROM RA (Residential Ag) TO LDR-1 (Low Density Residential) 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 north of Rich Lane, in Blackfoot, Bingham County, Idaho, be and hereby is, changed from RA to LDR-1.

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 5th day of July, 2023.

CITY OF BLACKFOOT, IDAHO

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

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

**Proposed Removal of Item #14 from City Code on MDR2, HDR1, HDR2 Residential Codes- Regarding Sidewalk Requirement**

Planning and Zoning Administrator, Julie Conan, stated the parking, loading and access ordinance states housing projects made of 12 or more units are required to demonstrate sidewalk access to the nearest substantial cluster. She believes this section was overlooked when written and it should not pertain to the residential codes listed. Councilman Brown motioned to adopt the findings of fact for the removal of the sidewalk requirement, Councilman Gardner seconded; all were in favor, motion carried.

FINDINGS OF FACT, CONCLUSIONS  
AND RESOLUTION ADOPTED

BY THE  
PLANNING AND ZONING BOARD  
OF THE  
CITY OF BLACKFOOT  
June 27, 2023

**FINDINGS AND CONCLUSIONS**

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on May 23, 2023, the Board held a public hearing on the request of the City of Blackfoot to delete Paragraph 14 in the MDR2 HDR1, and HDR2 zones which are parking, loading and access requirements. These requirements appear to be from larger jurisdictions that do not fit the needs of the City of Blackfoot. These sections should be deleted from the City Code. Recommendations and the basis for those recommendations from the City of Blackfoot Planning and Zoning Administrator were presented and considered by the Board. No members of the public testified in favor, neutral or opposed. Upon reviewing the matter, the Board found and concluded as follows:

**FINDINGS:**

1. That Paragraphs 14 should be deleted from the MDR2, HDR1, and HDR2 zones and the paragraph number reserved to be used at a later date.

**RESOLUTION AND CONCLUSIONS**

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

By a majority vote, it is unanimously recommended to the City Council that the paragraphs listed above be deleted from City Code and the paragraph number reserved for future use.

These findings of fact, conclusions, and resolutions were formally adopted by a majority vote of the planning and zoning board on June 27, 2023.

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Secretary of Planning & Zoning Board  
City of Blackfoot, Idaho

City Attorney Sandow read proposed Ordinance No. 2242. Councilman Jensen motioned to approve the removal of Item No. 14 from City Code and waive required readings, Councilman Gardner seconded; on a roll call vote, all were in favor, motion carried.

ORDINANCE NO. 2242

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, AMENDING TITLE 11 CHAPTER 4A, SECTION 7, SUB-SECTIONS E, F, G AND H, REGARDING THE SIDEWALK REQUIREMENTS TO COMMERCIAL AREAS, 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 the residential area zoning code had a requirement for sidewalks to commercial areas in Paragraph 14 of each the MDR 1, MDR 2, HDR 1 and HDR 2 zones. These requirements do not appear justified in the City.

SECTION 2: That Title 11 Chapter 4A, Section 7, Sub-Sections E, F, G, and H, paragraph 14 in each, shall be deleted and reserved for later use pursuant to the proposal attached hereto as Exhibit "A."

SECTION 3: 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 July, 2023.

CITY OF BLACKFOOT, IDAHO

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

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

**Approval of Honeybrook 2 Development Agreement 1**

Planning and Zoning Administrator, Julie Conan, presented the Honeybrook Agreement Amendment 1, she stated the developer has requested an amendment to complete this development in two phases. This would allow him to begin selling the first set of townhomes. Councilman Brown motioned to approve the Honeybrook 2 Development Agreement, Councilman Jensen seconded; all were in favor, motion carried.

**Approval of Slate Mountain Mobile Home Park  
-Development Agreement and Final Site Plan**

Item was requested by the developer to be withdrawn from the agenda.

**ADJOURNMENT**

The City Council meeting was adjourned at 8:34 P.M.

City of Blackfoot

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

Attest:

\_\_\_\_\_  
City Clerk Suzanne McNeel

Prepared by: Adriana Pelayo