



**CITY OF BLACKFOOT
CITY COUNCIL MEETING
MINUTES FROM AUGUST 2, 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.

CONSENT AGENDA

Councilman Jensen made a motion to approve the consent agenda as presented including the minutes from 6/21/22, 7/5/22, payables and EISF itinerant permits. Councilman Brown seconded the motion; all were in favor, motion carried.

CITY TREASURER - GRAHM ANDERSON

Treasurers Report

Mayor Carroll explained to the Council that City Treasurer, Graham Anderson would not be in attendance at this meeting and Mayor Carroll presented the monthly treasurers report to the Council. He went over monthly expense to budget percentages for the departments and over the calendar items and dates on the treasurer's report.

Approval of the FY 2023 Appropriations Ordinance

Attorney Garrett Sandow presented the Annual FY 2023 Appropriation Ordinance No. 2225 to the Council. Councilman Jensen made a motion to approve Ordinance No. 2225 for FY 2023 as presented and waive further readings. Councilman Gardner seconded the motion; on a roll call vote, all were in favor and the motion carried.

**CITY OF BLACKFOOT
BINGHAM COUNTY, IDAHO
ORDINANCE # 2225**

ANNUAL APPROPRIATIONS BILL OF 2022-2023

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, APPROPRIATING THE SUM OF \$27,433,416 TO DEFRAY THE EXPENSE AND LIABILITIES OF THE CITY OF BLACKFOOT, IDAHO FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

BE IT ORDAINED by the Mayor and City Council of the City of Blackfoot, Bingham County, Idaho.

Section 1: That the sum of \$27,433,416 be, and the same is appropriated to defray the necessary expenses and liabilities of the City of Blackfoot, Bingham County, Idaho for the fiscal year beginning October 1, 2022.



Section 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

General Fund		
	Administration	\$2,138,682
	Police	\$4,209,551
	Fire	\$2,008,287
	Planning & Zoning	\$388,977
	Total General Fund	\$8,745,497
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	Ambulance	\$1,966,320
	Streets	\$1,703,199
	Airport	\$139,645
	Cemetery	\$250,611
	Library	\$776,707
	Parks & Recreation	
	Parks & Recreation	\$566,202
	Golf	\$798,321
	Pool	\$0
	Total Parks & Recreation Fund	\$1,364,523
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	Capital Improvement	\$106,066
	Water	\$4,196,951
	Sewer	\$6,185,559
	Sanitation	\$1,847,538
	Healthcare Reserve	\$150,800
	Total Appropriations All Funds	\$27,433,416

Section 3: That a general tax levy on all taxable property within the City of Blackfoot be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2022.

Section 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: This ordinance shall take effect and be in full force upon its passage, approval, and publication in one issue of the Bingham Chronicle, a newspaper of general circulation in the City of Blackfoot, and official newspaper of the said City.



PASSES under suspension of rules upon which a roll call vote was taken and duly enacted an Ordinance of the City of Blackfoot, Bingham County, Idaho at a convened meeting of the City of Blackfoot City Council held on the 2nd day of August, 2022.

Marc Carroll, Mayor
City of Blackfoot

ATTEST:

Suzanne McNeel, City Clerk
City of Blackfoot

MAYOR MARC CARROLL
Approval of BURA Board Member

Mayor Carroll explained that there is a potential conflict for the BURA board member nominee, the person who is nominated for the position will give Mayor Carroll their response within the next day.

Approval Request for “Fill the Boot” on September 3, 2022

City of Blackfoot Fire Fighter, Jack Mitchell, requested approval for the “Fill the Boot” program on September 3, 2022. This will help with raising money for the Muscular Dystrophy Association. The fire department is hoping this event can take place on the corner of Meridian Street and Bridge Street. Mr. Mitchell explained the fire departments safety plan for this event. This event will take place only during day light hours and will only go until 5:00 pm.

PLANNING & ZONING – KURT HIBBERT

Proposed Annexation of the Riverton Road Area and WWTP

Planning and Zoning Administrator, Kurt Hibbert began by presenting the various concerns from the public at the previous public hearing. Mr. Hibbert provided a map of the property that the City is looking at annexing. There is a section on the map that currently is not on the map to be annexed that Councilman Jensen believes should be annexed as well. Councilman Gardner made a motion to adopt the Findings of Fact from Planning and Zoning. 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**



July 12, 2022

FINDINGS AND CONCLUSIONS

At the regularly scheduled meeting of the Planning and Zoning Board of the City of Blackfoot on May 24, 2022, the Board held a public hearing on the request of the City of Blackfoot for annexation and zone designations of the involved properties lying along Riverton Road between the current City limits and the City's wastewater treatment plant. All properties are enclave properties as defined in Idaho Code. All properties are enclaved by the boundary of the city limits and the boundary of the area of impact. A staff report was provided to the commission. Letters were received, reviewed and offered as part of the record. No audience members requested additional copies beyond that which had been provided. Several owners of properties provided testimony against the annexation primarily concerned with the increase in taxes and their ability to maintain animals. During the public hearing, additional testimony was heard and evaluated by the Board.

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

Findings and Conclusions:

1. A public hearing was scheduled and held on May 24, 2022, wherein public testimony was taken and evaluated by the Board.
2. The annexation is a Category "A" annexation where each property is residential enclaved land, irrespective of surface area, which are surrounded on all sides by lands within the city limits, or surrounded on all sides by lands within city limits and by the boundary of the city's area of impact. All properties meet this definition. Therefore, each of the lands described herein are proper for annexation.
3. The subject properties meet the requirements of a category "A" annexation under Idaho Code §50-222.
4. Proper notice was given pursuant to Idaho Code §50-222.
5. Some of the issues raised by patrons opposed to the annexation addressed the issue of increased taxes, animal rights and street maintenance. After review of those issues as defined by Idaho code, those issues do not seem to prohibit the annexation.
6. The proposed zone designation for the properties under the City of Blackfoot system is the same as the County, which is consistent with respective neighboring properties. Those properties will maintain those same zones designations until such time as a request is made for a zone change by the property owners.



7. City emergency services will be provided to the properties without the need of additional cost or personnel. City water, sewer and other services are being utilized and/or are available to the proposed annexed properties.
8. The proposed annexations and zone designations (RR for all lots but the Sewer Treatment Plant) comply with and support the goals and objectives of the Blackfoot Comprehensive Plan.
9. The land to be annexed meets the applicable requirements of Idaho Code §50-222 and does not fall within the exceptions or conditional exceptions contained in §50-222.
10. The Applicant addressed the need to have City zoning regulations for the orderly development of one of the properties at issue. It does appear that the annexations are reasonably necessary for the orderly development of the City and will provide economically viable provision of tax supported municipal services to enable the orderly development of the private lands.
11. The tax burden for City services need to be spread among more patrons that utilize the City's amenities. These annexations will allow efficient development of the properties at issue and equitably allocate the costs of public services in those areas.
12. Adequate water and sewer services are available for the properties.

RESOLUTION AND CONCLUSIONS

UPON MOTIONS DULY MADE, SECONDED AND CARRIED,

IT WAS RESOLVED THAT:

The Board concludes, by a unanimous vote, that the proposed annexation fits within a Category "A" annexation and, therefore, recommends that the City Council approve the annexation of the property and that the zoning of the annexed properties be designated as set forth above.

These findings of fact, conclusions, and resolution formally were adopted unanimously by the Planning and Zoning Board on July 12, 2022.

Secretary of Planning & Zoning Board
City of Blackfoot, Idaho



City Attorney, Garrett Sandow read aloud Ordinance No. 2226 annexing the Riverton Road Property and the Wastewater Treatment Plant property as listed. Councilman Jensen made a motion to approve Ordinance No. 2226 to annex the Riverton Road Property and the Wastewater Treatment Plant property as listed. Councilwoman Simpson seconded the motion; on a roll call vote, all were in favor and the motion carried.

ORDINANCE NO. 2226

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, ANNEXING CERTAIN PROPERTIES INTO THE CITY OF BLACKFOOT AND ESTABLISHING THE ZONING DESIGNATION OF SUCH PROPERTY TO RR (R-1R); 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 following described real property hereby is annexed into the City of Blackfoot and hereafter shall be in all respects considered within the legal boundaries of the City:

See the legal description attached hereto as Exhibit "A," which is real property currently owned by the individuals and/or entities at the listed locations in Exhibit "A."

SECTION 2: That the official zoning of the above-described property shall be Rural Ranchette (RR) or as previously abbreviated (R-1R), except for the City of Blackfoot Waste Water Treatment Plant which will be classified industrial.

SECTION 3: That the Blackfoot City Zoning Map be amended to reflect the annexation and zone designation.

SECTION 4: 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 August, 2022.

CITY OF BLACKFOOT, IDAHO

By: _____
Marc Carroll, Mayor

ATTEST: _____
City Clerk



Exhibit A:

Annexation Area Legal Description:

All of that property contained in the following tracts of land, which area includes a combined total of approximately 44 acres, and is described as follows:

Tract 1: All of that land in the Southeast quarter of the Southeast quarter of Section 5, Township 3 South, Range 35 East of the Boise Idaho Meridian, that is South of, and including the Interstate 15 Right-of-Way; together with those parcels of land in the Southeast quarter of Section 5, Township 3 South, Range 35 East of the Boise Idaho Meridian described by the Bingham County Assessor's office as follows: RP0359602, RP0359504, RP0359502, and RP8026200, together with their respective adjacent rights-of-way.

Tract 2: Three parcels of land in the Southwest quarter of Section 4, Township 3 South, Range 35 East of the Boise Idaho Meridian described by the Bingham County Assessor's office as follows: RP0359800, RP0359801, RP0358209, RP0358208, and RP0358205.

Tract 3: A contiguous area of five parcels in the Northeast quarter of Section 8, Township 3 South, Range 35 East of the Boise Idaho Meridian, together with their adjacent public rights-of-way, including properties described by the Bingham County Assessor's office as follows: RP0363800, RP0365302; also, including two county parcels constituting the City Wastewater Treatment Plant, together with a parcel North of Riverton Road managed by the State of Idaho.

ADJOURNMENT

The City Council meeting was adjourned at 7:27 P.M.

City of Blackfoot

Mayor Marc Carroll

Attest:

City Clerk Suzanne McNeel

Prepared by:

Patty Reyes

