



**CITY OF BLACKFOOT
CITY COUNCIL MEETING
MINUTES FROM SEPTEMBER 6, 2022**

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.

INTRODUCTION AND “SWEARING IN” OF OUR NEW POLICE CANINE “OFFICER JET”

Mayor Carroll introduced Kyle Pentrack who is the new Canine Officer. Mr. Pentrack introduced Officer Jet, a canine that was brought from the State of California. Certifications will begin late October.

CONCENT AGENDA

Councilman Jensen made a motion to amend the agenda to add an appointment of a new Library Board member, Councilman Brown seconded the motion; all were in favor, motion carried.

CITY TREASURER GRAHM ANDERSON

Public Hearing on Accruing the Current Years Foregone

Treasurer Graham Anderson explained that every year the city must do a Resolution for foregone. This year, the foregone that is being reserved is \$82,991.00. The city is allowed to take up to 3% and opted to not take the full 3%. Councilwoman Simpson made a motion to go into Public Hearing regarding foregone. Councilman Jensen seconded the motion; on a roll call vote, the regular meeting went into Public Hearing. Three people signed up to speak, however, during the Public Hearing, none of the three people who signed up to speak chose to speak on the subject of Foregone. Councilman Jensen made a motion to close the public hearing. Councilman Brown seconded the motion; On a roll call vote, the meeting moved out of Public Hearing and back into regular session.

Proposed Resolution Approving the Foregone 2023 Property Tax Accrual

Attorney Garrett Sandow read Resolution No. 403 for the approval of the foregone 2023 property tax accrual. Councilman Gardner made a motion to approve Resolution No. 403 and waive further readings. Councilwoman Simpson seconded the motion; on a roll call vote, all were in favor, motion carried.

**CITY OF BLACKFOOT
BINGHAM COUNTY, IDAHO
RESOLUTION #403**

WHEREAS, the City of Blackfoot intends to reserve its current year’s foregone in the amount of \$82,991 and,

WHEREAS, the City of Blackfoot has met the notice and hearing requirements in Section 63-802, Idaho Code on reserve the current year’s foregone amount,



NOW THEREFORE BE IT RESOLVED, by the majority vote taken by the City Council of the City of Blackfoot on September 6, 2022, that the above stated amount is to be included in total forgone amount for use at a future date.

DATED this 6th day of September 2022

Marc Carroll, Mayor
City of Blackfoot

ATTEST:

Suzanne McNeel, City Clerk
City of Blackfoot

Treasures Report

Treasurer Graham Anderson went over the Treasurer's Report with the Council. Mr. Anderson talked about the percentage expense Year to date for each department, provided detailed information on the totals in each of the bank and investment accounts. Calendar items include Foregone Resolution on 09/6/22, Submittal of final L-2's by 09/08/2022 to County, and last day of the FY 2022-year end is 09/30/22. ARPA Projects include Champions Gate project, radio meters, and downtown sewer upgrade.

MAYOR MARC CARROLL

Nominate New BURA Board Member –

Mayor Carroll nominated Michalene Herbst as the new BURA Board Member. Councilman Jensen made a motion to approve the nomination for Michalene Herbst as a new BURA Board Member. Councilman Jensen seconded the motion; all were in favor, motion carried.

Per a motion to amend the agenda, Mayor Carroll nominated Daryl Lewis to the Library Board. Councilman Jensen made a motion to approve Daryl Lewis as a Library board member. Councilman Brown seconded the motion; all were in favor, motion carried.

Proposed UTV/ATV Ordinance allowing use of UTV's on City Streets

Councilman Jensen asked to start the conversation regarding the discussion on UTV's and ATV's and read through the Ordinance for the city and Idaho State Law regarding UTV's and ATV's. Police Chief, Gordon Croft explained State law currently allows ATV's and expressed that he feels that there is no comparison between ATV's and UTV's, he expressed that one of his biggest concerns on amending the old ordinance is based on the fact that when someone gets behind the wheel of an ATV, they drive an ATV differently than they would behind a vehicle. Idaho Falls and Blackfoot are the only cities in the state that have ordinances against UTV's and ATV's. The Council continued the discussion regarding, Idaho codes on ATV's and UTV's, helmet requirements, driver's license requirements. Attorney Sandow



amended Ordinance No. 2227 and read the amended ordinance to the Council. Councilman Brown made a motion to approve Ordinance No. 2227 as presented in its modified format and waive further readings. Councilman Jensen seconded the motion; on a roll call vote, all were in favor, motion carried.

ORDINANCE NO. 2227

AN ORDINANCE OF THE CITY OF BLACKFOOT, IDAHO, AMENDING SECTION 7-2-4E REGARDING PROHIBITION OF ATV'S AND SIMILAR VEHICLES ON CITY STREETS, ALLOWING FOR ATV AND UTV USE ON CITY STREETS; 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 Section 7-2-4E of the City Code be amended as follows:

E. Operation of ATV's, UTV's, Go-carts, etc.:

1. Intent. The intent of this subsection is to prohibit the operation of small motorized vehicles on the public streets within the city for purposes of transportation. Such vehicles create traffic safety hazards because of their size and the difficulty that drivers of automobiles and trucks have in seeing such vehicles. Larger vehicles such as ATV's and UTV's will be allowed as provided herein.
2. Prohibitions: ~~“All-terrain vehicles,” as defined by Idaho Code Section 67-7101(1), “utility type vehicles,” as defined by Idaho Code Section 67-7101(17),~~ Go-carts, riding lawn mowers, golf carts, and like vehicles may not be driven on public streets lying within the city for purposes of transportation. Notwithstanding the foregoing, golf carts may be driven on public streets lying within the city within one-fourth (1/4) mile from the municipal golf course, and lawn mowers may be driven upon public streets when going from one lawn to another for purposes of mowing such lawn.
3. Allowance of ATV's and UTV's. The use of “All-terrain vehicles,” as defined by Idaho Code Section 67-7101(1) and the use of “utility type vehicles” as defined by Idaho Code Section 67-7101(17) is allowed on public streets in accordance with the following:
 - a. All operators must have a valid driver's license in accordance with Idaho Code 49-301.
 - b. The operator and any passenger under the age of eighteen (18) years of age must wear an approved safety helmet as defined in Idaho Code 49-666.



c. All ATV's and UTV's must be properly registered and have liability insurance with proof of insurance as required by Idaho law.

d. All ATV's and UTV's must comply with the vehicle lighting, signals, horns, spark arrestor, muffler, and all other motor vehicle equipment requirements as mandated by Idaho or Federal law.

e. All ATV and UTV operators shall conform to all vehicular traffic controls and shall abide by all traffic laws, rules and regulations as set forth in Blackfoot City Code or Idaho Code for motor vehicles.

4. Penalty. Violation of this subsection shall be deemed a city code violation, punishable by a fine of fifty dollars (\$50.00) paid directly to the City clerk's office. Alternatively, any violation of this section that is also a violation of state law, may be cited as an offense under such applicable state law.

SECTION 2: 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 September, 2022.

CITY OF BLACKFOOT, IDAHO

By: _____
Marc Carroll, Mayor

ATTEST: _____
City Clerk

Hepworth and Seefried Street and Sewer Project Bid Award

WWTP Superintendent, Rex Moffatt informed the Council of the low bid amount of \$609,359.37. This bid will be for the repaving and sewer project for Hepworth and Seefried. The contract has not been written yet. Councilman Brown made a motion to approve the Seefried and Hepworth project from Falken Construction in the amount of \$609,359.37. Councilman Jensen seconded the motion; all were in favor, motion carried.

2022 Downtown Sewer Improvement Bid Award



WWTP Superintendent, Rex Moffatt explained to the Council that he received bids for the completion of the Downtown Sewer Improvement project. This project would include repairing potholes and piping from manhole to manhole behind the DBS building. Knife River came in as the low bid with a bid amount of \$395,523.00. Councilman Jensen made a motion to approve Knife River at \$394,523. for the 2022 downtown sewer Improvement project. Councilman Brown seconded the motion; all were in favor, motion carried.

Proclamation – Recognition of Constitution Day

Mayor Carroll read the Proclamation for Constitution Week designating September 17th through the 23rd 2022 as Constitution Week.

Update Police Department Accreditation – Chief Croft

Mayor Carroll informed the Council that the Blackfoot Police Department has completed the Idaho Chiefs of Police Association accreditation process and read a letter from ICOPA Accreditation Coordinator. Chief of Police Gordon Croft took a minute to say that he is extremely proud of his department and explained the accreditation process to the council.

Water Situation Update

Chairman of the Water Committee, Eric Buckline, gave the Council a brief update of what the Water Committee has been doing. Mr. Buckline said the committees first meeting was in March of 2022, there have been a total of six meetings. The committee has a total of nine members and have come up with about thirteen different items that are constituting the recommendations that they would like to make to the City Council. Mr. Buckline provided a status report to the City Council and presented a brief update on key initiatives. He spoke about instituting a program of community public outreach and education, accelerating a radio-equipped water meter deployment, adopting a city-wide recommendation for odd/even residential watering days. Converting select public grass fields from culinary to surface water irrigation, redesigning the water paper billing to describe customer usage and trends in detail and to provide water conservation guidance to customers, Planning & Zoning requirements for maximum 40% green space for new commercial development, and create a xeriscape demonstration garden at the Community Garden location.

ADJOURNMENT

The City Council meeting was adjourned at 8:39 P.M.

City of Backfoot

Mayor Marc Carroll

Attest:

City Clerk Suzanne McNeel

Prepared by:

Patty Reyes

