**BLOOMINGTON CITY COUNCIL WORKING MEETING**

**MINUTES**

BLOOMINGTON CITY OFFICE

45 N 1st West

May 04, 2022 at 7:00 pm

**Attendees:** Mayor Roy Bunderson, Philip Ward, Mike Knapp, Dan Porter, Cindy Piggott, and Marilyn Wilkes

**Community Attendees:** Jane Simpson, Tammy Fischer, Kevin McDonald, Jerry Thornock, Wayne Lloyd, Robert Allred

Called to Order by Mayor Roy Bunderson @ 7:00 p.m.

Invocation: Philip Ward

Pledge of Allegiance: Cindy Piggott

Comments by Roy Bunderson: We probably will not act on any items tonight, but they are shown as Action Items in the event we felt it was necessary.

HOUSEKEEPING ITEMS:

* Roy thanked Cindy Piggott for taking care of several items.
* We did lose our City Clerk and are taking applications. The job should take 20-40 hours per month. He expressed his appreciation for the work Christine Cooper did for us. We will miss her. Marilyn asked whether she could use Christine’s help in the interim for some of the tasks she handled, like the website on a contract labor basis. It was approved that we can use Christine Cooper for some contract labor to make this a better transition.
* Marilyn did get the report submitted on the ARPA funds to the State. The Federal government is who controls the funds. Heath did get back to Roy. He indicated that it may be less restrictive all the time. In fact, if the city is under $10,000,000.00 to spend it and go back and get some more. At this time, nothing could be found under Infrastructure except sewer, water, and broadband. Dan Porter said some states are using it for other items under Infrastructure and that is roads. Roy said Heath indicated that we have no problem with that and that the restriction is on there with the $10,000,000.00 is that you can use it anywhere as long you spend it on something that nets the city a benefit. Dan asked if we could use the amount we have currently received ($22,477.55) this year for roads and Roy Bunderson stated, “absolutely.”

We appreciate Jane Simpson and the Building and Development Committee to present these items to us. We are turning the meeting over to Jane Simpson. It was asked for questions and comments be brought up by the council as we go along, but that community members wait until the end of each section to make comments in the event they are answered before that time. Roy added to feel free to be candid with questions and thoughts.

* Building and Development (B&D) Committee Proposal:
	+ They are proposing the B&D Committee be tasked with oversight on Building Development; to create a consistent/standard/uniform way to approve building permits. This would also save time during regular City Council meetings. It is beneficial if more than one person is involved, so the committee would be able to look over and discuss questions/issues that may arise with building permits and come up with suitable actions which, if necessary, would be addressed with the City Council.

The committee would comply with the Idaho Open Meeting guidelines. They will have regular meetings and will need a person to take minutes. They may not need as much of a budget, if the City Clerk would take minutes and meetings were held in the office, although there may still be a need for a small budget. If they have their own person take minutes, we would give a small budget to the committee if it is approved. We can work these details out at that time.

The B&D committee would take the lead on Building Permits. They could be the frontline with people that are requesting a permit.

Mike Knapp had an issue with the committee collecting fees. He requested that the person would take their payments to the Treasurer. The Treasurer would then give them a receipt. They would then take the receipt to the committee along with all documents required for their permit. Checks will be held until approval of the permit is granted.

* + The city would begin charging water fees when the water meter is installed.
	+ Notice would be given by the committee to the Treasurer when a document is completed stating the building is going to be occupied so the Treasurer could begin charging sewer fees. Mike Knapp also had an issue with Certificate of Completion. Jane mentioned that it was just to let the city know when to start charging sewer fees, but would not be an inspection, as such. He suggested the term Advisement of Occupancy.
	+ The water fee would be instituted at the beginning of the month following water meter installation.
	+ Roy Bunderson would support the committee if the process is streamlined. He won’t support the committee if it takes things further with requirements beyond what is in the Ordinance or Resolution. If the standards and requirements are met, the building permit should be approved.
	+ This needs to be an Action Item in a regular council meeting to approve or not approve.
* Building Lot and Standards Ordinance
	+ The Ordinance and the building permit should mirror each other.
	+ Since everyone had the opportunity to review the documents, Mike Knapp asked if we could just ask questions to save time.
	+ (Mike Knapp) On Definitions, page 2, Commercial Property, the portion that mentions capital gains. It isn’t clear what is meant, and takes it further than what we want. It was decided to remove the statement after “final,” and maybe state through commercial enterprise. Jane will research this item.
	+ (Mike Knapp) On same page, Residential Dwelling. The statement regarding mobile homes in a mobile home park.
		- It was discussed whether mobile homes can be considered as a full-time home if they are on a permanent foundation. It was decided to leave the Residential Dwelling category the same, stating “Any building or portion thereof, which is designed for use with a residential purpose, including a manufactured home; which includes permanent water, sewer, power and a permanent heat source. Must be built on permanent concrete foundation (foundation that has footings) and be a minimum of 850 square feet.” There would be no specific mention of mobile homes. It was discussed whether we wanted to leave the minimum of 850 square feet or remove the minimum size of the building.
		- It was mentioned that much of this is a zoning question, not a building permit/building lot ordinance. We may need to determine zoning for the city.
	+ There is currently nothing in the Ordinance that states that the city needs a property line description or survey. What constitutes a building lot? If a person has a lot with adequate frontage for more than one residence, can they build more than one home without them being separate lots? We need to require that the person building on the lot owns the property. We need to ensure that the lot is defined in the event of future building; to make sure that none of the required property for a residence could be used is used as part of another residence requirement. It was decided that the city will require that the applicant has a warranty deed and a survey of their property and provide it to the city. This also needs to be part of the building permit.
	+ Why do we have the extension of the building permit (Section 3.4) for only 6 months. Mike Knapp questioned why we care if they finish the building in one year. It was decided to remove the paragraph about the building permit expiration. One permit to build = one fee.
	+ In 3.2 and 4-10: Why do we need to require a permit for a fence over eight feet. The right-of-way should take care of this problem. If fence is on the property line, there should be adequate view for oncoming vehicles. We need to remove the eight-foot requirement.
	+ In 3.5: We will remove “or the structure can be torn down or removed. This would be covered under the “Cease and Desist” order.
	+ In 4.4: We changed the side set-backs from six feet to ten feet. It was discussed to turn the ditch set-back over to Bloomington Irrigation Company for a letter stating how far away from the ditch edge the structure should be.
	+ In 4.6: Subject title, add “/Review.”
	+ In 4.8: Do we need to add something about current footprint of old structures not conforming with current building permit. It was discussed that if the building is gone, even if the cement is still there, they have to follow current guidelines. If there is part of the building, it can be repaired in place. They can’t put an addition to the building, because it would change the footprint.
	+ In 4.9: Sewer and Water Hook-up: Do we need to add “any dwelling that has sewer and water has to have its own connection.” Do we need to add verbiage to the ordinance regarding having more than structure with sewer and water per building lot, allowing for one connection fee for each structure, especially if one is a dwelling and an agricultural building? If that is the case, if the ag building is later changed to a dwelling, you now have two dwellings on the same lot. Also, would it require an additional hook-up fee? (Mike Knapp) Maybe this should be on a case-by-case basis. We should have a standard that if you have two dwellings, you should pay two hook-up fees. We want a recommendation from the committee on this issue.

It was also requested to remove the paragraph that starts Exception: regarding to the owner is required to provide their approved Septic Permit from Southeast Idaho Health. Wayne Lloyd suggested instead of this that a statement needs to be added somewhere in the Ordinance that all permits need to be in place. That should take care of this issue.

* + The Variance section was taken directly from the State Statute.
		- In 6.7: Remove the variance fee and refer to the building permit ordinance for fees.
* Application for Building Permit:

Changes will be made to make the Application match the Ordinance

* + We discussed adjusting the ditch set-back distance. We also mentioned having the person requesting contact Bloomington Irrigation Company. We discussed this item in the Ordinance. Also changing the side and rear set-backs from six feet to 10 feet. There could be a fire hazard with buildings being closer.
	+ We decided we would not require a building permit for under 25 square feet.
	+ Roy Bunderson questioned the $750.00 fee. He will get Jane the current statute regarding fees. Jane will research and bring back to the council.
	+ We decided against having a list of Sewer and Water Contractors as part of the resolution.
	+ Road Damage: Boring under the road would be required. If a road must be cut, owner would be responsible for total cost of repairs.
	+ It was discussed that the city be responsible for boring under the road, if applicable, and/or trenching for the water and sewer lines and connecting to the water and sewer mains. It was proposed that we run the lines to the property line and set the water meter. The owner would pay 1.5% of the bid cost the city receives as a deposit prior to work being done. We would provide them with an invoice for the service and we would either refund any overpayment or they would be responsible to pay any overages. (Sewer and Water Ordinance needs to be changed to reflect these changes.) Wayne Lloyd suggested we contract with someone so that we have the same person, whenever possible, doing all the connections for uniformity.
	+ City still needs to approve sewer and water lines on the plans to make sure the lines are set properly.
	+ If city is going to dig the water and sewer lines, no water or sewer cut sheets would be provided since the city would be responsible for the tie-ins.
	+ Monthly sewer fees would begin at the beginning of the month following the completion of Advisement of Occupancy.
	+ Roy Bunderson suggested adding something to the Permit that as the applicant I hereby agree to reimburse the city for all costs incurred with the installation of the water and sewer connections.
* Variance Application
	+ We added a Variance section to the Building and Lot Standards Ordinance but didn’t get a chance to discuss the details.

We didn’t discuss the breezeway. Mike Knapp said it was a roof that connects two structures. How long do we want them to be? If breezeways are allowed, do we need some additional information… maybe add it to the TBD for each structure?

How many living units are allowed on a parcel?

10:05 p.m. Adjournment

 *Motion to accept: Dan Porter, Philip Ward, Vote Unanimous*

Next regular City Council meeting May 11, 2022