



BLOOMINGTON CITY COUNCIL MEETING MINUTES

BLOOMINGTON CITY OFFICE

45 N 1st West

May 11, 2022 at 7:00 pm

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

Community Attendees: Kyle Jones, Wayne Lloyd, Jerry Thornock, Jane Simpson, Winston Hart, Kevin McDonald, Tammy Fisher

Meeting called to order by Mayor Roy Bunderson at 7:00 pm. He welcomed everyone, including Kyle Jones. He mentioned that Mike Knapp would be a little late.

Roy Bunderson wants to modify the agenda so Mike will be here when we discuss the Planning and Development items.

Motion to amend the agenda, Philip Ward, Dan Porter, Vote Unanimous

INVOCATION: Dan Porter

PLEDGE OF ALLEGIANCE: Philip Ward

GENERAL BUSINESS

- Approve Minutes April 13, 2022
Motion to accept: Dan Porter, Cindy Piggott, Vote Unanimous (Mike Knapp not currently here)
- Approve Minutes May 4, 2022 (Work Meeting)
Motion to accept: Philip Ward, Dan Porter, Vote Unanimous (Mike Knapp not currently here)
- PAYMENT OF EXPENSES
Motion to accept: Philip Ward, Cindy Piggott, Vote Unanimous (Mike Knapp not currently here)
- DELINQUENT ACCOUNTS - No current concerns. (Jeff Church has moved, contact Linda Church if Jeff doesn't respond to late notice.)
- Motion to amend the agenda to put the WINSTON HART/JANE SIMPSON item on hold so Mike Knapp will be in attendance for their presentation. Also propose we move KYLE JONES FROM HLE ENGINEERING forward.
 - *Motion to accept: Philip Ward, Dan Porter, Vote Unanimous (Mike Knapp not currently here)*

ROADS

- KYLE JONES- HLE ENGINEERING (ROAD GRANTS)

Dan turned the time over to Kyle Jones. Also, Dan asked Kyle to provide some information on our water pressure issue. Kyle has been very helpful to call Dan, working on the transportation grant in addition to letting him know about grants that are available for sewer and other items for which we might want to apply.

- Kyle will tell Dan what we need to do to finish the application for a grant for road construction.
- He helped us get funding on a \$50,000.00 grant for our transportation plan. These funds will be available in October 2022. We need to finish the transportation plan. The next step is to select an engineering firm to do that work for us. Kyle's firm is willing to do this for the city.

In October, we will need to send a request to Layla or Amanda at LHTAC for funds release and they will send the \$50,000.00 for the city's use.

- There are funding applications to apply for this fall for a construction grant for actual funding to do road improvements (\$100,000.00 grant). Usually, the improvements you want to get funded would be in the transportation plan. We also need to say the transportation plan is in its draft format and have a draft list of improvement items to include in that funding application. It is very competitive, with more agencies applying for this. If you don't get funded, you do get points for reapplying every year. It can take up to 3 years to receive the \$100,000.00 grant. This is the best source for funding for road improvements.
- There is rural funding that you can apply for this fall also that is not as competitive. We would need a match amount (7.34%). Kyle thinks we could get up to \$2,000,000.00. Roy Bunderson asked how far out this funding would be. Kyle said this type would be 5-7 years. Depending on the project, some of these (like Chip seal and road rehab) could probably bump it up to have the project done in 3 years.
- LTHAC has a federal aid match grant for communities that don't have funding sources or show an inclement condition. LTHAC could provide that matching money. Kyle would like to have a conversation with LTHAC to see how to utilize that to avoid having to pay the match.
- Roy Bunderson would like to get an idea if Kyle and Dan can work out what the city is on the hook for so far. Kyle said we are good at this time. He understands small communities and their budgeting issues and that the city needs to be careful with how much we commit. Roy feels if Dan works within his budget, that there isn't an issue.
- LHTAC also has sign grants, but Kyle understands the city needs to focus on repairs at this time.
- There is also a sidewalk grant (250,000.00) available now. The deadline is June 8th and would fund this year. It is a Child/Pedestrian Safety Improvements. This is a separate one that can also be done at the same time as roads. There is no match for this grant. Roy asked him to start working on that grant also. No funds can be used for engineering. There may be a small cost for engineering drawing if the bid is won.

- ELECTRONIC SIGNS:

- Dan Porter had a conversation with Winston who obtained a bid which Dan looked into (approximately \$2,900.00 for a 12" sign but not full matrix). Dan also received a similar bid from an Idaho firm involving signage and signage on a trailer. Dan did find a firm (Radarsign) whose webpage answered all his questions. They are located in the United States and also service Canada. Dan then focused on them for quality and response to his request for information.

We have a particular issue at both ends of Canyon Street. Dan feels that both the entrance from Bloomington Canyon and the entrance from the highway require solar powered, driver feedback, full matrix signs (full matrix shows "going too fast," "slow down," "reduce your speed, etc." One of the issues Dan has with the other signs is that in most cases other companies indicate their radar is viable up to 600 feet. The company he is looking at is viable up to 1200 feet with full matrix.

- Dan suggests we contract with Radarsign. For two signs we would spend approximately \$8560.00 for full matrix, solar powered signs. They would remain in place all year long. The signs need to be 7-10 feet off the ground. That height makes them visible from a greater distance. Quality construction is another aspect – cast aluminum housing, impact resistance, power is located inside the housing, tamper-proof, impact-proof, and vandal protected. He suggests spending a little more for the superior quality of the product. The life of the sign is probably between 5-7 years. The lighting for visibility they provide is far superior. One major item that settled him on Radarsign is if you have a sign go down at 5 years, you send it back to them and Radarsign retrofits it for \$995.00. Other companies would have you replace the sign if you have issues.
- Radarsign also has an option of a portable sign that runs off two batteries that last up to 7-14 days on two batteries and 5-7 days using just one battery. Someone would be responsible to pull the signs off the posts and recharge them every 10 days. They could also be used in other parts of town, if needed.

- Radarsign has sold to every state in the nation and to Canada. One of Dan's concerns was if you leave them up in the winter, what is the effect. His contact said "none at all."
- There is an option in addition to the readout. It has a flash which indicates a picture being taken (does not actually take a picture).
- Dan does feel it would be beneficial to have the two smaller ones to put between the two he is recommending because there is such a long distance between. It would be \$14,560.00 for two full matrix and two portable signs.

Roy Bunderson suggested getting the two signs for \$8,560.00 to see how they work on taking care of the problem before we consider any type of additional signs. Signs with data can define time of day and where speeding happens most and the days where there are the most problems. Possibly we could get Spencer Clements to focus more on those days and times.

- One asphalt/repair company will be here to talk to Dan on crack-fill. The company doing the road repair will be here evaluate the roads before the end of the month to give a bid. They will be back in July to do the road work.
- Regarding the budget number given to Dan at the last meeting: The \$58,000.00 funding for roads comes from \$25,000 from Road Construction/Repair/Maintenance budget plus \$8600 from maintenance for Roads (part of which will be used for streetlights, etc.), plus \$22,477.55 (from ARPA funds), plus \$2000.00 grant/donation from the County. There may also be contributions for funding. Jerry Thornock mentioned there may be a funding source available to apply for in the fall. Roy Bunderson guarantees that he has received confirmation today that we can use all our ARPA funds for roads.
- The council agreed and requested Dan order the two signs as soon as possible. It will probably be 40-60 days for receipt.

WATER

- ALDEN TALBOT – SECOND WATER HOOKUP
 - Alden has been having a problem with the ditch flooding his property. Roy Bunderson and Rick Thomas have worked with him on this and Roy thinks this problem has been resolved.
 - For further items regarding Alden Talbot, see COMMUNITY COMMENTS.
- SORENSEN PROPERTY: Roy Bunderson will again try to get a document from Katy Bergholm with the State's decision on the Sorensen property zero water pressure issue and hooking onto city water above tanks.
- KYLE JONES FROM HLE ENGINEERING
 - Since Kyle is at the meeting to discuss road items, the city asked to hear his suggestions on our water pressure issues. He said the pipe coming from the spring is 8" and should be adequate for the city's needs. We are set up well for flows. Roy Bunderson mentioned we have a special dispensation from the fire marshal that recognizes in rural communities that is a big issue. They are employing tanker trucks to help compensate for the shortfall and, at this point in time, we are not being held responsible. The city has adequate flow; but there is a pressure issue in parts of the city. According to a study done recently, putting in a larger pipe would not help at this time. Roy asked if additional storage capacity might be helpful as the city grows since we have significant time when the demand isn't as great that we could fill another tank. Kyle said since we don't ever have empty tanks, we have plenty water storage. Roy mentioned if we had additional storage, we could potentially service double the homes.

To deal with our pressure issue, Roy mentioned we have discussed atmospheric valves with another engineer and asked them to investigate this (to compensate higher pressures to the east and lower pressures to the west). We also discussed the possibility of a pump station.

- Kyle suggested two possible options: booster pump stations with a capacity of 150 gal/minute (two of them; one is redundant) placed at the edge of town. We would need to change the water line, having it go through the pump station. We would need to work out on how to get power to the pumps (a single-phase line should be adequate) and a small heated structure to enclose the pump. Cost for the pump should be under \$50,000.00. It was asked if we might want to work on this in conjunction with atmospheric valves or pressure sustaining valves. Valving would be a much lower cost option (approximately \$6,000.00 to \$10,000.00). Kyle wasn't sure about atmospheric valves. He can research valving options.
- We also have a metering issue at the tank, water coming into the tank as well as water going out. We need to get this fixed as rapidly as possible. We currently have an impeller that is frozen that we need to remove because that could be impeding water flow into the tank.

Philip Ward asked about contractors in this area. Roy Bunderson mentioned Riley Argyle may be an option (from Garden City).

Roy mentioned to Kyle that we have currently engaged J-U-B Engineers. We are not fully satisfied with the response we have received from them, especially with the issue of dealing with the pressures.

- We need to have a hard conversation with J-U-B, stating that we want to focus on pressure. In fairness to J-U-B, we need to have a discussion with them before engaging another firm. (1) do they want to finish the project and (2) when can it be done, and July isn't an acceptable date. If we aren't satisfied with their response or they can't get us information in 15 days, we may need to formally end our contract with them. The council supports this action.

Kyle indicated his company would contract with us if we need them to.

- **SECONDARY WATER SOURCE:**

- We also still need a plan for correct operation details for the secondary water source with Paris; both for emergencies and regular maintenance.

SEWER

- **STATUS ON SEEPAGE TEST SCHEDULE:**

- Retained Scott Archibald (Sunrise Engineering) to do our seepage test, the tentative date is in July. Date depends on weather.

- **SEWER PUMP LIFT STATION – EMERGENCY BACK-UP PLAN:** Mike Knapp, Wayne Lloyd, and Tyler Warner need to meet to come up with the plan. Wayne Lloyd mentioned that the main problem is the floats and hosing them station down. Tyler needs to look in the panel itself. All the reset buttons are frozen and it is outdated and may need to be replaced.

- Roy asked if it had ever been tested. Mike said he wasn't there but Tyler told him it worked.

J-U-B ENGINEERS – Did not attend

- **RESULTS AND RECOMMENDATIONS RE: PRESSURE STUDY**

- Roy Bunderson will call J-U-B tomorrow to discuss the issues and request a meeting within two weeks. We have scheduled a working meeting on May 19th that they will be invited to attend.

CITY HALL / OFFICES

- Cindy Piggott and Jerry will come in and get the rest of the cabinets out of the kitchen in the city office.

There is a problem with the small heater in the kitchen at the Hall falling off. It gets put up and knocked down repeatedly. It was discussed we need to get a small space heater.

- We moved the refrigerator from the office to the hall and need additional electrical outlet to run it. Cindy feels we have a fire hazard in both locations. Cindy would like to get an electrician to do repair in the Hall and

possibly run new lines and possibly rewire electrical in the office for the remodel. Cindy wants to remove the wall in the office. Roy mentioned we may be able to use the second tranche ARPA funds for this project. (Marilyn questioned if this would be a legal/approved use of funds.)

Cindy has a friend who is a licensed electrician she would like to come to do the work. The council said that would be acceptable.

Cindy was told to go ahead, keeping the budget in mind.

TREASURER / CLERK: Due to the length of the meeting, this item will be deferred to next month

- PAY ADDITIONAL MONEY ON SEWER CONSTRUCTION-NEXT PAYMENT JUNE 28 **(ACTION ITEM)**

MAYOR:

- Roy expressed his thanks to Jane for all the work and research she has done on the building lot ordinance and the building permit.
- Roy gave Marilyn permission to purchase a new recorder if one can be found that transcribes. Tammy Fisher has an app on her phone and will share the information with Marilyn.
- Roy Bunderson talked to someone regarding GPS for our water valves. The person Roy spoke with said he would come over to talk to us. He would sell us a surveyor staff that will put the GPS location in (within 4 inches) and sell us an IPAD or laptop into which we can log the data for approximately \$7500.00.

The Council agreed to have them come and discuss this issue further. Roy will continue to have a dialog with them.

- We need to locate the metal detector the city owns.
- Tammy would like to join her two lots into one lot in order to build a second home. They still don't have the required frontage. Roy will talk with Dillon Rich for input he gave her and get back to Tammy.

COMMUNITY COMMENTS

- **ALDEN TALBOT:** Alden called and spoke with Marilyn Wilkes. He had several questions.
 - Alden Talbot asked if he needed a building permit to move a hickory shed onto his property. It is 28' x 12' (336 sq. ft.).
 - *Marilyn will inform him he does because of set-back requirements.*
 - Alden asked what needs to be done to get the water to his second lot operational. There is a break on the city side of the line.
 - He brought the issue of no water on the second lot to the City Council quite a while ago. He had asked whether the council would consider moving the payments he has made on the inoperable water line to his other property since he has not been able to utilize water to the location. Cindy Piggott felt he should have come again if nothing happened following his first visit. Marilyn will look to see if she can find a previous commitment that the City did not follow through on and, if so, we will issue a credit.

Motion to accept if we can verify that there was a commitment by the city, that we honor that commitment: Philip Ward, Cindy Piggott, Vote Unanimous
 - Alden also asked if he needs a Building Permit to move a shipping container onto his property. He didn't mention a size or which lot. Marilyn did mention the set-back issue. We will defer this until after we more fully discuss the ordinance.
 - *Marilyn will inform him it would be the same issue as the hickory shed: he would need a building permit because of set-back requirements.*

- He asked if there would be a problem if he had a family reunion and had 12 trailers parked on his property for a week or so. None would be parked in the city right-of-way. He did assure me this was his wife's family.
 - *Marilyn was instructed to let him know there would be no problem with this issue.*
- Alden also wanted to make the city aware that the trailer up toward the cemetery had been torn down and hauled off.

WINSTON HART/JANE SIMPSON

- **BUILDING PERMITS**

- The site review was done for Tom and Helen Smith's permit. The site review was done. Permit was approved and issued.
- The Allreds were approved but still haven't staked out the property so the site review has not been done.
- Kent Haddock was declined because of frontage issues. It was suggested he do an addition to the existing structure. He resubmitted his new plans showing the new building would be attached to the back of his existing home. This was an approved solution to his problem. He has staked out the footprint. Winston did the site review and signed off on the permit.
- The Johnsons permit is on hold. They have run into some issues with their funding. Janet is still working on this. If it isn't resolved, we will return her checks.
- Shania and Josh Cox brought Roy Bunderson an application and checks for permit fee and sewer and water hook-up fees. They also brought a \$1200.00 fee for breaking through roads. Since they don't expect to break through the road, Roy gave that check back. He didn't notice until after they left that the permit didn't have a plat plan attached. He called them and asked for a plat plan. They will get this to him when they return to town. Roy will get everything to me. I will note that the fees have been submitted and get paperwork to the committee.
- We also received an application from Shane Olsen for an outbuilding on a piece of property he purchased from Rich Smart. He has staked out the building site. He said he needs an address for the property. Winston offered to provide that to him. Winston will also verify the stakes are within the prescribed setbacks.

- **BUILDING LOT AND STANDARDS ORDINANCE/VARIANCES:**

Everything in black was already approved. We will go through the red items. Starting at:

- 2.2.5: "Commercial Property" definition: remove everything after... buildings that house businesses (second sentence). (This item is now 2.2.6—rearranged to facilitate alphabetical issues.)
It will read, "Commercial property is real estate that is used for business activities. Commercial property usually refers to buildings that house businesses. "
- 2.2.11: The verbiage under Manufactured Homes came directly from Idaho statute 67-6509A for manufactured homes. Jane read the statute portion which was added under MANUFACTURED HOMES. It was agreed to use this definition.
It will read, "A manufactured home shall be defined as multi-sectional and enclose a space of not less than one thousand (1,000) square feet. The manufactured home shall be placed on an excavated and backfilled foundation and enclosed at the perimeter such that the home is located not more than twelve (12) inches above grade, except when placed on a basement foundation. The manufactured home shall have a pitched roof, except that no standards shall require a slope of greater than a nominal three (3) feet in height for each twelve (12) feet in width. Idaho Code 67-6509A"

- 2.2.13: We will remove everything after “Must be built on permanent foundation” (last sentence). Roy Bunderson also has an issue with “designed.” Remove the word “designed” and leave the rest of the first sentence.

It will read, “Any building or portion thereof, which is for use for a residential purpose, including a manufactured home; which includes, permanent water, sewer, power and a permanent heat source. Must be built on permanent foundation.”

- 3.3.3: Change verbiage to “Construction plans including footprint and elevations showing dimensions, including overall height. Legible hand-drawn plans can be submitted for accessory buildings.”
- 3.3.4: Do we still need both a recorded Warranty Deed and a survey? It was discussed if we needed these items if building is not new construction (i.e., accessory building on the same lot). Jane Simpson proposes that we leave this in and wait to see if any issues arise. (Jane mentioned this should be two separate points. Marilyn will add 3.3.5 for the survey and move current 3.3.5 and 3.3.6 down one number.) We will also add verbiage “if structure is placed on a permanent foundation” to 3.3.5 for the survey.
- 3.3.5 (now 3.3.6): It will read “Letter of approval from the Bloomington Irrigation Company, if applicable. (See 4.4 for more detail on set-backs for ditches. “Twenty-five (25) feet from ditch edge. The line is defined as the absolute edge of the building, including eaves, soffits, or other overhead features. Owners wishing to build closer to a ditch must obtain a letter of permission from the Bloomington Irrigation Co.”)”
- 4.4: Changes are agreeable. It will read, “Twenty-five (25) feet from ditch edge. The line is defined as the absolute edge of the building, including eaves, soffits, or other overhead features. Owners wishing to build closer to a ditch must obtain a letter of permission from the Bloomington Irrigation Co.”
- 4.9 – Under Exception, remove “Properties East of 50 East in the City of Bloomington”.

It will read, “Some properties in the City of Bloomington may not have availability for sewer connection. Owners that cannot be connected to the sewer system must provide a copy of their approved Septic Permit issued by Southeast Idaho Public Health.”

Roy mentioned we need to make sure the Sewer and Water Ordinance reflects this same requirement.

- Once we have finalized the Ordinance and Resolution, Marilyn will send out an e-mail to all people on our email list with a copy of the draft Ordinance and Building Permit and invite them to a special meeting to discuss some significant changes we are proposing to the *Building Lot and Standards Ordinance* and the *Application for Building Permit and Water and Sewer Hook-ups*. We will schedule a Public Hearing to allow them to provide input prior to legal oversight. The notice also would be posted in the Post Office and the message center in front of the city office. We will do this prior to review by attorney and formal notice in the newspaper and our actual Public Hearing so we can incorporate any possible changes.
- Jane came up with a new issue with breezeways and accessory dwelling units. We need to review this in a little more detail to see if we want to add it to the ordinance (and building permit) before we take it any further. The State of Idaho says you can’t stop people having accessory dwelling units, but can define certain aspects. There are multiple definitions of accessory dwelling units. The statute says a breezeway would only be five feet long (or buildings five feet apart). There are a multitude of requirements. The committee will research this further and rework definition 2.2.2; and add another item between 2.2.2 and 2.2.3 with a new Building, Accessory Dwelling Unit definition. (If this happens, all the other items will move down one number.)

Jane will continue to investigate further for requirements. (There is a proposed bill relating to this item in the legislature. Jane was not sure if it was passed.)

- **BUILDING PERMIT REVIEW:**
 - We have not decided and accepted the fees on page 2. Mike Knapp feels the \$750.00 fee for *Homes, barns, sheds, additions, agriculture buildings and/or any other structure that requires water and/or sewer hook-up* is too high. He votes the leave it at \$250.00; Cindy Piggott doesn't have an issue with the \$750.00; Philip Ward doesn't have an opinion at this time; Dan Porter feels there would be an issue if we can't back up the reasons for our fees; Roy Bunderson will get a citation for Jane relating to the fees tomorrow. He doesn't believe that fees or charges should be a source of income. Roy will follow up with Justin Ruen to get information on the reasoning for fees.
 - We removed reference to breaking through the road because the city will be contracting the work. Wayne Lloyd wanted to know if the fees reflected on the building permit cover the city's expenses. No one voiced any issues with the other Residential and Agricultural fees at this time.
 - Jane added "Building Permit Fees do not include Electrical, Mechanical, and Plumbing inspections. Those are regulated by the State of Idaho and are included in the individual permits obtained by the sub-contractors" so there wouldn't be any questions regarding inspections done by the city.
 - Jane read through the first two bullet points under Sewer and Water. The council made some minor changes, so the red was removed from these areas.
 - *WATER: We were not able to continue beyond the first two bullet points due to the time. We will continue this discussion in the work meeting on May 19th.*
- **WORK MEETING:** We will have another working meeting on May 19th to complete review of items on the 5/11/22 agenda. Meeting may include J-U-B Engineers.
- **PLANNING & DEVELOPMENT COMMITTEE** – new proposal not discussed at this meeting.

ADJOURNMENT at 10:29

Motion to adjourn: Philip Ward, Cindy Piggott, Vote Unanimous

NEXT WORK MEETING: May 19, 2022 at 7:00 p.m.

NEXT REGULAR MEETING: June 8, 2022