



BLOOMINGTON CITY PUBLIC HEARING  
OF SEWER AND WATER ORDINANCES  
AND CITY COUNCIL MEETING MINUTES  
BLOOMINGTON CITY OFFICE  
45 N 1<sup>st</sup> West  
April 19<sup>th</sup> at 7:00 p.m.

City Council Attendees: Roy Bunderson, Philip Ward, Cindy Piggott, Marilyn Wilkes, Debbie Thomas, Mike Knapp, Dan Porter, and Shanna Spuhler.

BADC Attendees: Wayne Lloyd, Jane Simpson, Jerry Thornock,

Visitors: Robert Searle, Shane Brown, Eddy Payne, Donna Passey, and Glen and Lily Jones.

**INVOCATION:** Phillip Ward

**PLEDGE OF ALLEGIANCE:** Mike Knapp

Informal report on the office remodel: the office walls have been primed but not painted. There will be no further work on the office until June 1<sup>st</sup>. Cindy shared the bid for carpeting. She asked if it was okay to proceed with carpet, including the treasurer's office, which will match the carpet already installed in the Legacy Room, and clerk's office. All thought that this step should be completed.

### **PUBLIC HEARING OF THE SEWER ORDINANCE**

Hearing called to order by Mayor Roy Bunderson.

The mayor stated that we would like to have everyone informed. He stated that the city is not required to hold a public hearing for this ordinance because fees greater than 5% are not being raised, but the council feels if we are making a change to an ordinance, a public hearing should be held.

#### **PUBLIC COMMENTS**

The mayor asked for any exception to the ordinance. There were no public comments or written exceptions. He stated that it would appear there are no significant issues being challenged.

- At this point the mayor called for a motion. Motion made by Phillip to approve the Sewer Ordinance as written effective April 19, 2023.
- As a vote on an ordinance need to be passed by roll call, let the following be noted:
  - Phillip - yes
  - Cindy - yes
  - Mike - yes
  - Dan - yes
  - Mayor – the mayor cast a positive vote in tokenism and stated the ordinance will stand approved as written.

The mayor then stated he would entertain a motion to close the public hearing on the Water Ordinance.

- Motion made by Cindy to close the public hearing for the Sewer Ordinance, Second: Phillip.

Eddy said he had one thing to say: He suggested the sewers need to be capped on the old Florence Thornock property. He was thanked for his suggestion.

### **PUBLIC HEARING OF WATER ORDINANCE**

The mayor opened the Public Hearing.

Roy stated the State of Idaho has changed their standard for water lines. With the size of the houses being built, a one-inch line will now be the standard. No prior lines will be changed

## **PUBLIC COMMENTS**

Bob Searle: He is putting in a garage and has been looking at existing lines. He will be using a line he previously planned for a sprinkler line. He wondered if he needed to pay an existing fee. Roy and Phillip stated as long as he is not tapping into the main line and will not be putting it in any building people will be living in, there would be no fee.

Roy stated that each household will be receiving a letter from the Idaho Department of Water Recourses stating that they are adjudicating the water rights of Southeast Idaho. Unless you hold a private water right, there is no requirement to do anything.

Phillip stated that he and Shawn had discussed meters. Perhaps a reading will be taken for future use.

Roy said he will never charge people by meter as long as we are still turning water down the creek. A meter can be a good tool if water is coming to the surface somewhere. The meter can be checked for excessive use and allow a fix to happen in a more timely manner.

The mayor asked for any exception to the ordinance. There were no public comments or written exceptions. He stated that it would appear there are no significant issues being challenged.

- At this point the mayor called for a motion. Motion made by Phillip to approve the Water Ordinance as written effective April 19, 2023.
- As a vote on an ordinance need to be passed by roll call, let the following be noted:
- Phillip - yes
- Cindy - yes
- Mike - yes
- Dan - yes
- Mayor – the mayor cast a positive vote in tokenism and stated the ordinance will stand approved as written.

The mayor then stated he would entertain a motion to close the public hearing on the Water Ordinance.

- Motion made by Phillip to close the public hearing for the Water Ordinance, Second: Mike.

## **CITY COUNCIL MEETING**

### **SHANE BROWN**

The mayor asked if everyone knew what property he owned, it was previously the Dean Peterson property. Shane replied that was correct.

Shane stated that they bought the property last spring and were wondering what to do with the single wide trailer on the property. They had previously thought they would repair it for use, but the winter has been hard on it, and part of it has caved in.

Dan: Pre 1976 construction on trailers does not meet the State standards of mobile homes.

Shane: Our preference would be to replace the mobile home with a new structure. Our second preference would be to repair with footings and a pitched roof.

Philip: Is the existing trailer on a foundation? Shane answered no.

Cindy asked if Shane had checked the city ordinances. Shane replied when he called the city, he was told the trailer would be grandfathered in, they could repair it but not take it off and replace it.

Mike empathized with their situation but didn't see a clear way through it – it would require another water and sewer hook-up, which is against city water code. Shane stated that it already has a water hook-up, it's just not turned on.

Dan stated he may be better off building on to the house that also sits on the property.

Roy commended Shane for coming to the council and finding out what their wishes are, however, the community feels very strongly about one-single family dwelling per lot because of the following:

1. Quality of our water
2. Availability of our water – one connection per lot
3. Use of the sewer system
4. To allow our citizens, who may want to see their property realize the highest and best value out of their property

Roy: Does the city have any ordinances that say he can't rebuild it? He stated the city has two:

1. The Building Lot and Standards Ordinance allows for one-single family dwelling per lot. The grandfathering issue was an item of concern as long as the building was intact. Once that building was destroyed or uninhabitable, it would fall under this rule.
2. The State of Idaho states that pre 1976 trailers will not be put in place. As the city follows State regulations, this would apply to us also. However, the State did leave a way to do it.

Roy then stated if you have a water connection, the fees would need to be caught up before it can be turned on. Currently, this connection is 62 months past due.

Eddy stated he put the connection in and paid for it, there are two connections on that lot. Roy stated it is a non-compliant connection.

Roy: The point of the council is, we as a city council believe the request to rebuild that structure would not be in keeping with the interests of the citizens of Bloomington, nor in the objectives of the city council. We also believe there are specific issues that make it difficult:

1. The structural integrity of the building if it were to be rebuilt.
2. Would the city council consider another water/sewer connection. The fact that the other pipes are there, that does not guarantee service. When that account went delinquent, since it was an illegal hookup, that prevents the city from granting another hookup.

Jane: If in fact it is deemed not structurally sound and it is tore it down, the act of putting in footing and building up would require a building permit, which is not permissible under our city codes.

Shane thanked the board for their time.

Roy stated he hopes Shane understands the sentiment of the council for it not to be rebuilt or to reconnect the water line.

## **GENERAL BUSINESS**

APPROVE BCC MARCH 15. 2023 MINUTES

Motion to approve the minutes as written: Mike, Second: Cindy, Vote Unanimous.

## **BUILDING AND DEVELOPMENT COMMITTEE**

## BUILDING PERMIT REPORT

Wayne asked if Jane would give the committee's report.

Jane: Since the last meeting the council has received a new building permit application. The committee reviewed the application on the Robert Hart property and found that the application is incomplete. When they receive a complete application, they will pass their recommendation on to the council.

Shane Brown also approached the council about restoring the trailer on his lot. He is on hold for now.

The BADC is on hold for any further ordinance work until the City Vision Statement is completed.

Forest Service Grant: Jerry stated that he hasn't heard any word from the higher-ups. Roy suggested we talk with Todd Boehme as far as numbers go.

The parking lot has been put on hold until the council can get up the canyon to view the lot. The attitude for expanding the parking lot of the citizens is mixed, some want it and some don't. With all the snow this year, some may have now changed their mind, because of all the trailer parking around the City Hall.

Wayne said what the citizens don't want is any cost to them. Roy stated that the residents of Bloomington should not have to stand the cost of providing a service for someone when they won't receive a benefit.

Robert Hart called Roy and discussed his building permit. Roy indicated to him that the city has three things needed to receive a building permit.

1. Must have required frontage
2. Must have required setbacks
3. Must have ½ acre

Robert then suggested they could apply for a variance. Roy explained Idaho Code states variances only apply to the topographic physical features of the land. He then stated the council should not be making exceptions to the rule based on the following:

- Someone's failure to plan
- Someone's lack of design
- Someone's desire to circumvent a standard

Roy asked Robert to get him a plat map. Jane indicated that there wasn't enough frontage for three homes as there is only 266 feet of frontage.

Roy explained there are two parties involved in the home, Robert and Rand Hart, and only one signed the building permit. Jane sent him a letter asking for both parties' signatures on the permit. As of yet that hasn't been received.

Robert then brought up the Kent Haddock home. Jane clarified that home was built under the old ordinance. Roy stated the bottom line is once he's submitted an application with both signatures on the application, the application will then be conveyed to the BADC for review. Following, the board will decline or accept his application based on their review. He will also be invited to our council meeting if he doesn't agree with the final decision.

Roy asked if he could call him tomorrow, out of courtesy of their longstanding relationship, and relay what the board discussed in this meeting. All agreed that would be fine.

## WATER

Phillip said he didn't really have anything to report. Roy asked if we are on track to fix our leaks as soon as the snow melts. Phillip stated they were.

## **ROADS**

Dan talked to Kyle Jones from HLE Engineering and discussed the city's rejection of grant monies. Dan is not of the option that we don't have to form a separate road committee, we just need to have a meeting like the meeting held tonight.

He isn't sure what his budget will be and what he can do with it. He thinks we need to do 1<sup>st</sup> North. Roy said Canyon Street has taken a real beating this year. Roy thought there may be some merit in talking with Todd Boehme and see if they can put some hot patch down on that road.

Dan then mentioned the patches Debbie and Cindy put down last fall with the material sent to us as a sample. Debbie and Cindy replied the patches held up nicely. Roy suggested we may be able to use a roller Doug Taylor has access to in the summer.

Roy said we were notified by our sheriff that he was not going to patrol our streets, nor were his deputies going to be allowed to patrol our streets because of a liability issue.

## **SEWER**

Nothing on the sewer until the snow melts.

## **CITY HALL / OFFICES**

Cindy will get contact of EZ 2 Plez and get the carpet scheduled. She also needs to buy the paint for the multi-use court.

## **TREASURER**

### **PAYMENT OF EXPENSES**

Roy was very pleased with the bill from Rick Thomas concerning the snow removal. He said you wouldn't get that kind of service for that amount of money anywhere else.

Motion to pay bills as submitted: Mike, Second: Cindy, Vote Unanimous

### **DELINQUENT ACCOUNTS**

Marilyn: Delinquent accounts are very nominal; they are the best she has ever seen. The mayor was very pleased with so few delinquent accounts. He thanked Marilyn for her diligent service.

Marilyn stated we are required to give the county a projected date of our Budget Hearing. She suggested August 16, 2023 for the Budget Council. All agreed.

Roy asked if there are others in the city who may need help with their water bill? Debbie was asked to talk to SECCA and see what the standards are for applying for help.

Blanket email to all residents about when they repair a building they need to apply for a building permit.

**CLERK** – No report.

## **MAYOR**

Roy thanked the council and BADC for their responses to Mike for his vision statement work.

## **BLOOMINGTON VISION STATEMENT**

Mike: A mission statement and a vision statement can be used to guide our decision-making and help us stay focused to meet our long-term goals – this is why we’re doing this.

Mike passed out the collective answers from the council and BADC for a vision and mission statement. He compiled those answers into the following mission statement:

Bloomington City is an oasis of small-town wholesome living. As a city and community our vision and mission is to preserve the unique character and ascetics we now have while actively seeking to create a community where:

1. Single family dwellings are the primary use of developed land.
2. Agriculture is a prominent part of the aesthetic. Agriculture uses and enterprises are protected and encouraged.
3. City infrastructure: water, sewer, and roads are reliable, well maintained, and adequately funded.
4. Population density is low.
5. Personal property rights are respected and protected.

Mike then asked the council for their comments. Jane brought up a concern with the first statement about single-family dwellings. She asked if it was legal. Mike explained the statement was not a legal document. This is a document used to guide our decision-making going forward. It is what we want. It doesn’t mean it’s what we can have, but only what we want. Roy stated we can change the statement going forward as needed to meet our vision for Bloomington.

#### ADJOURNMENT

- Motion to adjourn: Mike, Second: Phillip, Vote Unanimous

NEXT REGULARLY SCHEDULED MEETING MAY 17, 2023