



**BLOOMINGTON CITY COUNCIL  
MINUTES  
BLOOMINGTON CITY OFFICE  
45 N 1<sup>st</sup> West  
December 20, 2023, at 7:00 p.m.**

City Council Attendees: Dan Porter, Cindy Piggott, Philip Ward, Marilyn Wilkes, Trish Carlin, Mike Knapp will be available by phone if needed.

**BADC** Attendees: David Bee and Jerry Thornock came in late, with Jane Simpson on the phone.

Community attendees: Nick Hart by phone

Meeting called to order by Mayor Bunderson at 7:02 pm.

**INVOCATION:** Dan Porter

**PLEDGE OF ALLEGIANCE:** Philip Ward

**KARI URE – EXTENSION EDUCATOR - FAMILY & CONSUMER SCIENCES AND 4-H BEAR LAKE AND CARIBOU COUNTIES**

Roy welcomed Kari to the meeting and apologized for the radio having the wrong time. Debbie will correct this mistake.

Kari moved here in September of 2023. She is not new to the job. She's done this job for a couple of years in Utah. Kari explained what is offered to the public through their department:

- Exercise class online every Thursday
- They are working on purchasing a Freeze dryer for the county so that those who live in Bear Lake can use it.
- Home food preservation class online

She asked each member to complete a survey sharing what the council thinks the city needs.

**GENERAL BUSINESS**

**APPROVE BCC NOVEMBER 15, 2023 MINUTES**

- Motion to approve minutes as written: Dan, Second: Cindy, Vote Unanimous. Minutes stand approved as written.

**BUILDING AND DEVELOPMENT COMMITTEE**

BUILDING PERMIT REPORT: None

Jerry Thornock came in at this point.

REVIEW OF ORDINANCES: No report on review of ordinances. The ordinance review will begin again in a couple of weeks.

**NON-CONFORMING LOTS**

Roy stated that Ordinance #2022-1 does provide for amendments. However, to avoid confusion about which ordinance to follow the council will renumber the updated ordinance as 2024-1

4.12 Tax numbers of non-conforming lots will be put into the ordinance instead of names. If someone else thinks they have a non-conforming lot, they will be able to petition the council in writing for a review of their lot.

Nic suggested that a public hearing should be held to alert our city landowners.

Nic also suggested that the statement in 4.12 – “Properties included in the prior created law exemptions are required to become compliant with current building and lot regulations if the property is capable of becoming compliant” should be taken out. Nic suggested that this statement is unenforceable and there is no value to leaving it in.

Marilyn: Could we change “required” to “encouraged”?

Jane: This statement is not necessary nor is it legal.

Roy: If it’s not enforceable or legal, let’s remove it.

Roy: Perhaps we should put it on the building permit application and say these are the requirements and if there’s any way you can meet them, we expect you to do so.

Roy: All the listed lots will be grandfather in, and all lots will be carried through to perpetuity as long as it hasn’t been modified, even with a change of owner as long as it isn’t further shrunk.

David: We should take it out.

Roy: Those are my feelings too. Anything that is obtuse or non-defined we are better left taking it out.

The grandfathering of these lots will start from here on out. We have drawn a line in the sand. From the adoption of 2024-1, the non-conforming lots will be accepted in their current state. We want all those who have a dream to build here in Bloomington, and with this ordinance, we will ensure they do.

Roy: Nic was asked to wordsmith this ordinance with these suggestions: Add to 4.12, additions to existing non-conforming lots with residential structures. Then add section 4.13 which states current non-conforming lots. Also, take out the non-enforceable verbiage.

Roy: Jane will you furnish Nic with the lot tax numbers of all to be grandfathered in?

Nic: I’m happy to rework it.

Roy asked Nic to add verbiage that would direct future city councils so they wouldn’t have to go through this process again. Nic thought this was possible.

Discussion was held concerning if someone having a conforming lot splits their lot and makes a lot that is non-conforming. This needs to be defined in either this ordinance or the Subdivision Ordinance.

Roy: We need to get this ordinance finished and then get a public hearing scheduled.

Letters will be sent to all residents and landowners, either by email, or snail mail if they don’t have an email, notifying them of the council’s intent and the date of the hearing. Also letting them know if they haven’t filed for changed modification or consideration by the date of the hearing, it will not be recognized.

Roy: One additional piece of language needed is a definition as to how the council arrived at grandfathering, so that in the future if someone steps forward and states that others were grandfathered in and they weren’t, a future city council knows what criteria was employed in making this decision so the same criteria is employed again.

Roy: We need to finalize how we want to do this public hearing. We will aim for January to conduct this public hearing.

Jane: We are better off taking our time and not making any mistakes.

A timeline was set for ordinance completion:

- Finalized language
- Choose a date
- Put out a public notice to all emails and snail mail after a date is chosen, giving them notice that by the time the public hearing was held, they would need to get back to the council with any other lots that may be non-conforming.
- The BADC needs to sit down one more time and discuss this ordinance. Their meeting is scheduled for January 3, 2024. Jane suggested to not work on the ordinance over the holidays, so discussion might not be possible at this meeting.

## **WATER**

Philip: We thought we had the frost plates figured out. Shawn looked at them and they still are not the right size. We only have new ones. Shawn is working on this problem.

Marilyn: We need to return the frost plates.

Shawn said Paris has some meters that are a lot more compatible to work on. Perhaps we could look into this change.

We need propane up at our water tank, Philip asked Doran to plow up to the tank so the propane truck can get up there.

## **ROADS**

We have received the bill for MORCO which is \$209,475.12. There is \$90,000 left so we have some left over for the road bike path.

Marilyn asked Roy to sign the bill so she could pay it.

Some sidewalks haven't been completed. They will come back and finish next spring. We need to make sure all sidewalks that need to be replaced get replaced. Some of those are:

- In front of David Bee's
- Down next to the highway across from Shania Cox
- Two by Sammy Higley's.

Does the bill for repairs include these repairs also? If not, we need to budget for those.

Dan: we have a plan in place for next spring to continue up 1<sup>st</sup> South around the turn. Then this part of the city will be finished. Then, in future years, 2<sup>nd</sup> North, 3<sup>rd</sup> North, and finally 4<sup>th</sup> North will be addressed. Then we will deal with gravel roads as we need to.

Roy applauded Dan for his long-term road plan, stating the city hasn't had a long-term plan for 40 years.

## **SEWER**

Wayne Lloyd installed the uprights at the pump. The new panel is ready to be installed.

## **CITY HALL / OFFICES**

Cindy has been talking to an electrician. They have been in discussion concerning future projects. She would like to complete the following projects:

- Inside switch for the outside lights on the Hall.
- A switch on the stage for the stage lights, so no one will have to get in the electrical panel.

Propane needs to be brought to the Generac generator.

#### **TREASURER**

##### **PAYMENT OF EXPENSES**

- Motion to pay expenses as presented: Phillip, Second: Dan, Vote Unanimous, Motion approved.

DELINQUENT ACCOUNTS – the unpaid balances look better than ever before.

Roy thanked Marilyn for all her hard work. He has never seen the delinquent accounts better than they are now.

#### **CLERK**

SANTA GIFTS – the gifts have been purchased for a very good price.

#### **MAYOR**

##### **CUT DOWN TREES IN FRONT OF THE FIRE HYDRANT UPDATE**

Roy will try to cut them down tomorrow, weather permitting.

We have been without a BADC clerk for about 3 months. Trish Carlin has had much experience with secretarial work.

Roy made the recommendation that Trish Carlin take this place.

The question was asked if she could also clean for the city. Roy said absolutely. The problem arises when someone approving the payments is also on the bills to be paid.

The council was very pleased with this decision.

Motion made to approve Trish Carlin as the BADC Clerk: Cindy, Second: Dan, Vote Unanimous, The motion passes.

#### **COMMUNITY COMMENTS**

Jerry wanted to mention that Mike Duncan will have numbers for the city on the Forrest Service Grant. Chip Seal and Radar Signs will be purchased as part of that grant.

**ADJOURNMENT** – Motion to adjourn: Cindy, Second: Philip, Vote Unanimous, Motion passes.

Meeting adjourned at 8:45.

**NEXT REGULARLY SCHEDULED MEETING JANUARY 17, 2023**