



**BLOOMINGTON CITY COUNCIL**  
**UPDATED MINUTES**  
**BLOOMINGTON CITY OFFICE**  
**45 N 1<sup>st</sup> West**  
**June 18, 2024, at 7:00 p.m.**

City Council Attendees: Roy Bunderson, Mike Knapp, Dan Porter, Cindy Piggott, Rob Allred, Debbie Thomas, Marilyn Wilkes, and Trish Carlin

BADC Attendees: Jane Simpson and David Bee

Community Attendees: Troy Carlin, Shane and Erma Brown, their real estate agent, Jor'Dan Locher along with another agent, Mike Julouski, and another representative from Kim Port Engineering

**WELCOME:** Mike Knapp welcomed everyone at 7:10 pm in the absence of Mayor Bunderson.

**INVOCATION:** Dan Porter

**PLEDGE OF ALLEGIANCE:** Rob Allred

**TROY CARLIN**

Mike Julouski from Kim Port Engineering, licensed in Idaho and other states came as Troy's choice for an engineer. He has 26 years' experience and worked in BL on many projects. Troy has a preliminary go-ahead from the council.

Will South East Public Health (SEPH) allow a septic tank with less than one acre. The answer is yes. The septic tank and drain fields will fit in the spaces planned.

Mike Knapp asked if the perk tests completed. Troy: No, but they are planned. They have plans to have SEPH come out and do the perk test.

The water line will terminate with a fire hydrant or a flush valve.

If the waterline is to be looped, Troy is hoping the city will share cost with him. The line is 815 ft long and will connect 200 and 300 North.

Mike Knapp said the probability of cost sharing with the city is highly improbable. This has been the standard for a number of years.

The city worked with Sunrise Engineering at the time of the project. The prior plan from Sunrise for the waterline extension will be shared with Troy.

Troy asked about cost sharing the waterline if someone wants to build and utilize this line. Jane: the city has chosen not to entertain this practice.

The tying together of the line from 200 to 300 North will cost between \$50,000 - \$65,000.

They would like to move forward to the next step. Preliminary approval was given in the meeting.

Mike Julouski: Under the assumption that permits can be obtained from SEPH and engineering done, can they move forward?

Rob: I see no problem with that.

Dan: Agrees

Cindy: Agrees

Jane asked if they could work under the provisions of the new Subdivision Ordinance, instead of the existing one.

Mike Knapp: I suggest you look at the new ordinance and work through the checklist. We can't require you to work under the new ordinance, but we would like you to. The council agrees. Jane will send the new ordinance to them to look over.

Mike Knapp: I don't think this board has any intention of shutting this project down. They see no problems with what has been planned.

Mike Julouski asked if they could have some kind of permission to move forward with the project under the old ordinance, but they will try to work under the new ordinance.

- Motion to approve Troy's preliminary plan including lot sizes, street frontage, and allow them to move forward with engineering on the waterline as they've proposed, including the looping between 200 and 300 N: Rob, Second: Dan, Vote Unanimous, Motion Passes.

## **SHANE BROWN**

Shane asked what they needed to do to get water and sewer services to the trailer home they bought on 300 N. At the time of purchase, they say they were told by a city representative they would be grandfathered in.

The Brown's realtor claimed that at that time they checked with the state, they and were told that no money was owed.

Marilyn: The city records show funds were owed, but no payment was received from the state.

Jane: Are you talking about a water hook-up to the trailer and repairing the trailer? Shane, "Yes, our goal would be to have the trailer removed and build a new building on that land. If that's not possible, then they would like to repair the trailer.

Shane and his realtor asked the question why it was a legal grandfathered connection at the time of purchase, now it is not a legal connection.

Jane: There are State statutes (Title 44) that now govern pre 1976 trailer homes.

Mike: What is your goal on this property? Shane: We would like to be able to use this building with its current hook-up.

Shane received a letter from the city clerk that stated Title 44 requirements must be followed. He asked if he needed a permit to repair this trailer. No, a permit will not be needed to repair this trailer, if it was a legal connection.

Shane wanted an assurance letter stating that if they do all the things the council requires, would they be able to move forward and repair the trailer.

Another problem is this property does not meet the city standards. There is no frontage for the property the trailer sits on.

A member of the family that used to own the property asked, "If it was legal then, why is it not legal now?"

Mike: The city needs to go back and gather all the data, identify the checklist, and get back to Shane with a quick answer.

Jane: The city can't make any decisions until an engineer can tell us the mobile home is structurally sound. Jane also explained the federal laws regarding the requirements to consider an ADU on the same property as a home. The home must be the owner's primary along with other conditions.

Shane: The proposed Building Lot and Standards Ordinance 2024-1 does give allowance to repair a building in Section 4.9, paragraph C. It states current setbacks are not required on a replacement of a previously constructed building that was damaged, torn down, or destroyed. Jane: That refers to setbacks not frontage.

Mike stated in his understanding right now, you can't fix what's there, and if you replace it, it won't meet the current ordinance setbacks. That's the concern.

Jane: If you're thinking of just restructuring the existing structure without changing the footprint, then it's a repair, but you have to meet Statute 44 mentioned above.

Mike: Let's make a list of the issues the city needs to resolve, so that we can give you a timely answer.

The city needs to:

1. Confirm the fees have been paid by the State.
2. Confirm that the trailer can be grandfathered in if it's fixed and/or replaced, and where the city stands on that.
3. In the proposed Building Lot and Standards Ordinance Section 4.9 paragraph C, it states there is a time requirement. Is this going to be a problem?

The Browns asked what is the timeline we can expect answers to these issues. This issue will be discussed at the City Council Work Meeting on July 9th, but in that meeting, no decisions can be made. Those decisions will need to be made at the next city council meeting on July 16<sup>th</sup>. However, information can be passed to you as answers to questions are found.

The Brown's asked if they could Zoom into that meeting. Mike let the Brown's know that is possible.

Erma Brown asked if the council has any other ideas they can think of that will be to their benefit. Dan suggested again they take the money they would invest into that trailer and put it into improving and expanding the current home.

## **GENERAL BUSINESS**

### **APPROVE MEETING WITH DAVE BECKETT MINUTES**

- Motion to approve Dave Beckett meeting minutes as written: Cindy, Second: Rob, Vote Unanimous, The Motion Passes

### **APPROVE BCC MAY 19, 2024 MINUTES**

- Motion to approve minutes as written: Rob, Second: Cindy, Vote Unanimous, The Motion Passes

## **BUILDING AND DEVELOPMENT COMMITTEE**

BUILDING PERMIT REPORT – no applications in the last 30 days

RECOMMENDED FEE CHANGES –

Jane – the BADC has gone through the current fees and would like to suggest the following changes to the city's

### **BUILDING PERMIT FEES:**

- Structures under 200 sq. feet including roll-off containers current fee: \$25, **proposed change: \$50**
- **Split the resident fees away from the barn, sheds and agricultural buildings fee**
- **Residential building permits be raised to \$400. The other structures will remain at \$200**
- Covered porches, decks, awnings, and attached lean-to fees: current \$25, **proposed change \$50**
- Variance request: current fee \$250, **proposed change \$300**
- **Annexation fee: no current fee, proposed fee: \$500**

Mike: Any comments on the building fee permits as proposed?

Mike voiced his concern about raising the fee of sheds to \$50. He would find it a lot more palatable to raise the residential building permit fee to \$500.

- Structure under 200 sq feet permit fee: All agreed
- Residential permit fee: All agreed
- Covered porches, decks, awnings, and attached lean-to fees: All agreed
- Variance request fee: All agreed
- Annexation permit fee: All agreed

Proposed **SEWER AND WATER FEE** increases:

- Water monthly current fee per connection: \$29, **proposed: \$35**
- Sewer monthly current fee per connection: \$24, **proposed: \$29**
- Inspection fees were also discussed.

Mike stated he would need more information before he will be on board with the water and sewer fee increases.

Motion to accept the proposed building permit fees: Cindy, Second: Rob, Vote Unanimous, The Motion Passes

### **FINAL VERIFICATION OF 2024-1 BUILDING LOT AND STANDARDS ORDINANCE CHANGES**

- Footnotes have been incorporated to help make more sense of the ordinance when changes are made through resolution. As footnotes do not change the ordinance, only offer clarification, the motion stands of approval of the Building Lot and Standards Ordinance made in May's City Council.

### **RESOLUTION 01-2024 BUILDING LOT AND STANDARDS**

- Motion to accept the resolution 01-2024 as written: Cindy, Second: Dan, Vote Unanimous, The Motion Passes

#### DAVE BECKETT MOU UPDATE

The only stumbling point at this time is the driveway in the city right-of-way.

- Motion to stick by the city standards: Dan, Second: Cindy, Vote Unanimous, The Motion Passes

#### NELSON ANNEXATION UPDATE

The Nelson's have met all the requirements for annexation.

- Motion to preliminary accept the Nelson Annexation: Cindy, Second: Rob, Vote Unanimous, The Motion Passes

The mayor's approval and a posting in the newspaper will need to be made for the final approval.

#### **WATER - None**

#### **ROADS**

Morco Construction is finished pouring the sidewalks. They will now clean up and replace the dirt removed from around them. They will move forward with widening the road, then chipseal.

**SEWER** – Tyler Warner will be working on the grinder pump panel.

#### **FACILITIES**

MEMORIAL DAY REPORT – The ceremony and breakfast went well. Donations were made to both the city and cemetery district.

#### **TREASURER**

##### PAYMENT OF EXPENSES

Motion to accept the expenses as presented: Cindy, Second: Dan, Vote Unanimous, The Motion Passes

##### DELINQUENT ACCOUNTS

Four payments have been received from the few delinquent accounts shown.

#### **CLERK**

##### COUNCIL APPOINTMENT TO BEAR LAKE REGIONAL COMMISSION

Roy is the current appointment from the city.

Motion to formally appointment Roy to the Bear Lake Regional Commission: Cindy, Second: Dan, Vote Unanimous, The Motion Passes

#### **MAYOR**

##### POTENTIAL ANNEXATIONS AND CONSIDERATION TO BE REQUESTED OR REQUIRED

#### **COMMUNITY COMMENTS – None**

#### **ADJOURNMENT**

Motion to adjourn: Dan, Second, Cindy, Vote Unanimous, The Motion Passes

#### **NEXT REGULARLY SCHEDULED MEETING JULY 16, 2024**