**BLOOMINGTON CITY COUNCIL MINUTES**

**BLOOMINGTON CITY OFFICE**

**45 N 1st West**

**July 16, 2024, at 7:00 p.m.**

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

BADC Attendees: Jane Simpson and David Bee

Community Attendees: Donna Passey and Cindy Piggott’s mom

Meeting called to order by Mayor Bunderson at 7:00 pm.

Invocation: Mike

Pledge of allegiance: Cindy

* Motion made to include the 2023 Audit in tonight’s meeting: Mike, Second: Cindy, Vote Unanimous, Motion Passes

GENERAL BUSINESS

Approve BCC June 18, 2024 Minutes

* Motion made to approve BCC June 18, 2024 minutes as amended: Mike, Second: Cindy, Vote Unanimous, Motion Passes

BUILDING AND DEVELOPMENT COMMITTEE

No building permits in the last 30 days.

PARKING LOT – WAYNE LLOYD: Absent, this report will be given at another time. We need an arial view to have a better visual.

POSSIBLE SALE OF CITY OWNED PROPERTIES – There are three small properties the city owns in the city. All three are very small and have no use for the city. Residents with adjoining land have expressed interest in these properties:

Colin Hart is interested in the little square piece behind his house that is fenced off with the City Hall land. This piece is not maintained by the city. Colin has cleaned up this piece.

Winston is interest in straightening up his property by purchasing the small triangle piece the city owns by his property.

Alden Talbot would like to purchase the land that was platted in the original city street design. This property adjoins his property on the south and west.

The city would will need to have the parcels surveyed. Winston proposed an idea to Jane. The city would have the pieces surveyed. Then each piece will be put up for sale for one-third of the cost of the survey. By doing this the city would recoup the money for the cost of the survey.

If these pieces are sold, they will generate property taxes for the city. As they are now, no property tax is collected from these properties.

Roy: We would need to have the pieces surveyed, then we can put them up for sale.

Any owner property will have to be informed by letter concerning the sale. Then, we have to give a general notification of the sale. A sealed bid sale can be held in place of an auction. A minimum amount may be stated in a sealed bid.

Mike asked if there was any intrinsic value to the city on those three pieces of land. Roy: It would probably be a blessing to sell them.

* Motion made to request a survey for these three small pieces of land in anticipation of putting the pieces up for sale: Mike, Second: Dan, Vote Unanimous, The Motion Stands

Jane will contact Tim for a survey.

Shane Brown’s request to rehabilitate the trailer on his property; Jane proposed we start with the State requirements for this process.

Marilyn: As of 2/28/2018, when the account was closed there was a $228 balance. Then from 3/18/2018 to the time of purchase on 2/ 28/22, there was an additional balance owing of $2544. From 3/1/2022 to the end of July 2025, there is another $1537, making a total of $4309. No late fees were charged. There would also be a $50 fee to resume service. No payment on this amount owed was made by the State or the Brown’s. Roy: When no payment was made on this amount, he considered the line abandoned.

Roy: There are two things we need to consider:

1. Allowing another structure on the same property is counter to our ordinance.
2. The Brown’s are trying to grandfather a building that is, in essence, a non-existent building.

Roy feels the city would do the Brown’s a disservice by allowing them to continue. However, the only way possible may be to rehabilitate the trailer, then water may still be an issue.

The Brown’s failure to bring the water bill current, indicates a no-faith effort. Therefore, they would have voided any grandfathering that may or may not have been implied.

At the time of purchase, the realtor claims no money was owed. It is not the city’s burden of due diligence. The due diligence rests with the buyer.

A month ago, the Browns were asked to bring the proof that no money was owed on the water and sewer at the time of purchase. A month has gone by and no proof has been presented.

It is not possible to bring in a new building. The property the trailer sits on is not a legal lot. There is no frontage for this trailer.

* Motion by Mike to deny the Brown’s request. The council has reviewed the Brown’s request and determined the following:

1. There was no grandfathering, if in fact there was grandfathering on the water and sewer connections, that was voided by failure to make payment on behalf of the Brown’s.
2. Title 44 and the pre 1986 documentation for rehabilitating trailers would not allow the repair and rebuild of that trailer. It would appear to the city council that doing so would be impossible or not economically viable. Debbie will wordsmith a letter to the Browns that will be shared with the council for their review. Second: Cindy, Vote Unanimous, The Motion Stands Approved.

Jane then asked what the council would like to see the BADC to work on next? STRs were a suggestion.

Mike: We need to tackle the hardest first, that is STRs. Jane: Does this STR Ordinance also include the RV problem we have? Mike: ADUs and STRs are not two different things. Nightly rentals of any kind are our biggest problem, and we are not prepared.

Dan: STRs – I am asking for identification and protection of our rights.

Cindy: STRs

Roy: We do need to get a list of the responsible party for each STR. If we have this, we can solve 99% of our problems.

Cindy: Do we have a replacement for Dennis Atkin for the BADC? The ball is rolling. Roy has put out a couple of individuals. They needed more time before making a decision.

**WATER**

No report at this time from Rob.

Roy talked with Shawn today. The leak out by the Ron Dunford property is getting worse. Shawn said he could be there in 2 weeks. Roy will also contact the Schilling brothers and Troy Carlin as time is an issue concerning this leak.

Debbie will get a permit to dig in the State right of-way from the State.

**ROADS**

Dan is working on getting the chip coat on 1st North. In order to do that Dan and Roy have signed an agreement with Rocky Mountain Asphalt and have secured emulsion. This agreement states that the city will buy $24,000 worth of that emulsion. Kyle has the chips coming. They will be stored on the property out north. The city hopes to build up a supply of chips.

**SEWER**

We have two manhole rings coming. Hopefully, they will be delivered tomorrow. Glenn’s Electric has done an amazing job on our panels. Everything is functional, true, plum, and straight.

Mike and Tyler Warner will work on getting the disconnect up above the snow level.

Mike: Would it be worth it to spend $10.000 on a backup pump. The council agreed it was. Mike will work on this.

Seepage test – No report

**FACILITIES**

GARBAGE CAN UPDATE

Cindy put a lock on the dumpster. Those who have rented the hall are unable to put their garbage in the city’s dumpster because of other dumping. She proposed a letter be sent out to the residents informing them of this action. Cindy has also installed a surveillance camera in the hall focused on the dumpster. Debbie will send out this letter.

HALL ELECTRICAL PREMLIMIARY UPDATE

The election who worked on the city office …………………………………………

1. Astro-timer lights will be installed. These lights can be programmed.

Dan has a strong objection to the flood light on the south side of the Hall. It lights up his home when it turns on. Mike suggested using spot lights in stead of flood lights. Cindy will work on this.

1. No light in the cleaning closet. One will be installed along with a switch and outlet.
2. Switches for the stage lights will be installed.

On the city office building, some of the wood along the eves on the north side is rotten and needs to be replaced. Troy Carlin has been contacted to help with this project. Then new wiring will be installed.

RUSSELL SORENSON PROPERTY

There is white poly pipe laid out from the road to his home. Roy will go up there tomorrow to see what’s been going on. Roy will check on this tomorrow.

**TREASURER**

PAYMENT OF EXPENSES

Mike: On the Glenn’s Electric bill, I have some questions. The rate was not put in nor the number of units.

* Motion made to approve the bills as submitted with the exception of Glenn’s Electric which will be subject to Mike’s final approval: Mike, Second: Cindy, Vote Unanimous, The Motion Passes

DELINQUENT ACCOUNTS

There are only two sewer and water accounts who are more than two months behind. Marilyn has/will make contact with them.

Desire Smith asked about the shop account they previously owned. This account has $174 in it. She asked if those funds could be transferred to their home account instead? Marilyn will look for a way in QuickBooks to transfer those funds.

This will be the last audit Gary Tuescher will do for the city. He is retiring as an auditor. He has a possibility for someone to replace him.

* Motion to conditionally approve the 2023 Audit subject to final review: Mike, Second: Dan, Vote Unanimous, The Motion Passes
* Motion to sign an engagement letter in acknowledgement of the management representation letter: Dan, Second: Cindy, Vote Unanimous, the Motion Passes

**CLERK**

NELSON ANNEXATION HEARING DATE

FEES SCHEDULE HEARING DATE

These two hearings will be held on August 20, 2024, along with the Budget Hearing at the first of the meeting, in case the public wants to participate

Debbie will put in the next paper these two items.

Debbie will send the proposed fees schedule out to all residents and landowners.

**MAYOR**

During the past month, as we have had the STR discussion in town, we have had three things we have dealt with:

* Garbage
* Noise
* Parking

Rather than writing an ordinance, let’s inform our STR owners of what we expect and have them inform their renters.

Another issue in town: Zac Smith’s dog bit Keith Hart’s daughter. This is the fourth person he has bitten. Roy spoke with Zac. The Harts called law enforcement. They came and took pictures and statements, but no action was taken. Roy spoke with the prosecuting attorney and asked if he was going to do something. Zac will be issued a citation this week.

Fireworks are also a problem at this time, no open fires are allowed in Bear Lake County without the proper precautions.

**COMMUNITY COMMENTS -** None

**ADJOURNMENT**

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

**NEXT REGULARLY SCHEDULED MEETING AUGUST 20, 2024**