



**THE CITY OF BLOOMINGTON
BUILDING AND DEVELOPMENT COMMITTEE MEETING
AND CITY COUNCIL WORK MEETING
MINUTES
WEDNESDAY, SEPTEMBER 4, 2024
CITY OFFICE 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, Wayne Lloyd, and Jerry Thornock

Community Attendees: None

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

INVOCATION: Mike

PLEDGE OF ALLEGIANCE: Cindy

REVIEW AND APPROVAL OF AUGUST 7, 2024 MINUTES

TURN MEETING OVER TO MAYOR BUNDERSON FOR WORK MEETING

DISCUSSION RE: DAVE BECKETT'S REQUEST FOR GATE IN RIGHT OF WAY

Roy spoke with Dave and let him know he can not put the gate on the city property. The gate will need to be placed on his own property.

Roy: The city is questioning the right-of-way above Simpson's. The city knows exactly how wide the city right-of-way is on 100 N from the east end to the west end of the Simpson property. We have a situation with the Blake Hart AB Strickland Survey. How wide is the right-of-way above west of the Simpson property? Blake Hart has a fence line that doesn't match the deed line. Dave Beckett, Blake Hart and the County are relying on information that doesn't match. The only other person that is going to want to use that property is Kendall Ward when he moves cows, but he hasn't used this land for that purpose for many years. Roy stated even though we don't know where it is or how wide it is, based on what Bear Lake County taxes are and on what the County has platted, the city has a right-of-way there.

Roy: The next problem the city has is when Dave built his cull-de-sack, he was told by his contractor a cull-de-sack could not be put in as planned. There was not enough room, so they put in a hammer head instead. This will not be sufficient for the bus, garbage truck, or snow plow to turn around there. He has not met the original scope of his plan. Are we going to require the road design meets the original plans submitted to and approved by the city?

Jane: From a city standpoint, if we allow him to deviate from his original plan which does not meet the city road standards, we don't know what will happen in the future with that property and what the next owners' needs may be. Example: School bus turn around and garbage removal. They may even want snow removal. What Dave has finished is about 48 feet across, not sufficient room for these vehicles to turn around.

Roy: The city knows there is a public right-of-way there. The problem is, we don't know how much land the city has, and where the land is. His proposal is to meet and negotiate with all parties involved and come to a consensus as to what exactly is going on there. This could be done by a simple agreement with all involved, instead of doing a lot of research and hiring a lawyer and still not being able to get to the bottom of things.

Jerry: The cul-de-sac needs to be big enough to turn around. Roy: we need to make him aware, as soon as we can, that he is not in compliance with his original plans. Cindy: Doesn't the city have emanate domain? Roy: Yes, but this has to go through the court and sometimes you don't get the outcome you want.

Roy: My proposal is to get all parties together and come up with a simple boundary agreement that all parties can agree upon. The council agreed negotiation is the best way to go.

Roy: Are we all in support of no gate on the city property up at Beckett's? It needs to be on his property. The council all agreed with this.

UPDATE ON THE PARKING LOT: Daniel Turner from Weber State flew a drone over the property in order to decide the best layout for the parking lot. They will take the responsibility for all signage at the expanded parking lot.

REVIEW OF REVISED SUBDIVISION ORDINANCE

The BADC has spent the last three months making the changes the city council requested. These changes are as follows:

Section:

- 1.8 C) Added verbiage: "and other such conditions which are not self-inflicted".
- 2.1 Block: Common open space: Added – "Currently the city will not entertain subdivisions requests which contain open common space."
- Half Road: more explanation as to what a half road is was added.
- Lot, Building: Added Verbiage: City's Building Lot and Standards Ordinance, an also "any property remnants not included in a designated proposed building lot should be incorporated into the plat by increasing the size of a lot."
- Planning Department "City Council and/or the Building and Development Committee" was added.
- Streets: "Marginal access streets" taken out.
- Subdivision: the date portion will be left blank until the ordinance is approved.
- "Subdivision Bond: A surety bond that developers must purchase when performing work within the City of Bloomington city limits." was added.
- Approval Procedures 3.1.2: "The subdivider shall file with the City a complete subdivision application form, preliminary plat data and fees as required in this ordinance." Was added.
- A Subdivision Application was added to the document.
- 3.1.4: Scheduling of the hearing shall allow 15 days for public notice of hearing to be provided by the applicant.
- 3.1.8: Changes made and verbiage added for more clarification.
- C: "They can't start marketing lots before the final plat is recorded with the Bear Lake Recorder.
- 3.3.16: modeling months changed from (July-September) was changed to ((July-August).
- 4.3.1: "Subdivision Name" to be put into italics and bolded.
- 4.433: "blocks" will be added.
- 4.3.6 F: Southeast Idaho Health Department's Certificate of Approval" was used instead of "County Department Certificate of Approval".
- 4.5.1: The verbiage "Reviewed by the City" will be replaced with "reviewed by the City's designated licensed engineer".

- 4.5.2 “No building permits for structures shall be issued until the infrastructure is complete and the final plat is recorded” was added.
- 4.5.6 Addendum No. 1. Subdivision Agreement: this form was added to this document.
- 5.4.1 “City of Bloomington” was added.
- 6.2.1 Shawn Turner recommend “The water main will be of such size as to deliver a minimum G.P.M. (gallons per minute) as required by the City designated engineer with a residual pressure no less than 30 P.S.I (pounds per square inch).”
- 6.2.3 Street Construction And Surfacing. “All streets will be graded and surfaced in asphalt in accordance withn the City of Bloomington Road Construction Guidelines/Standards.” will be added.
- 6.2.3 “All streets will be graded and surfaced in asphalt in accordance with the City of Bloomington Road Construction Guidelines/Standards.”
- 6.3.1 will read as follows: “CASH DEPOSIT. The subdivider will furnish and file with the City a cash deposit, Letter of Credit from an approved bank or a completion (surety) bond in an amount equal to one-hundred and twenty five percent (125%) of the cost of improvements not previously installed, as estimated by the designated Engineer, to assure the installation and construction of such improvements within eighteen (18) months immediately following the approval of the subdivision plat by the City Council. Said cash deposit, letter of credit, or surety bond must be approved by the City Council, and will guarantee that the improvements will be maintained in a state of good repair, free from material or workmanship defects, for a period of twelve (12) months from the date of completion. After twelve (12) months following the completion of the improvements for which a cash deposit has been filed, the subdivider shall call for inspection by the City. If inspection shows that the standards and specifications have been met in completion of such improvements, the bonds will be released within thirty (30) days from the time of inspection and notification to City Treasurer. A new cash deposit in the amount of twenty-five percent (25%) of the cost of the improvements will remain in force for a period of twelve (12) months after the construction completion inspection for the purpose of guaranteeing all improvements, at which time improvements will be inspected again by the City. If found to be in satisfactory condition, the City shall release the bond. If not, the City will order the subdivider to make necessary repairs to the improvements. If the subdivider refuses or neglects to make the necessary repairs, the City will inform the City Council which may order the work done using the proceeds from the cash deposit to the defray expenses in making such repairs.”
- 6.3.2 “SURETY (COMPLETION) BOND. The City Council may permit the subdivider to provide a financial guarantee of performance by providing a subdivision or completion bond. The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the City Council and meeting the following requirements:
 1. Accrual: The bond shall accrue to the City covering the construction of the specific subdivision improvements.
 2. Amount: The construction or completion bond shall be in an amount equal to one hundred twenty-five percent (125%) of the total estimated cost for completing construction of the specific subdivision improvements, as estimated by the City-designated engineer and approved by the Council.
 3. Term: The term length in which the construction or completion bond is in force shall be for a period to be specified by the City Council for the specific subdivision improvements.” was added.
- 8.2 “Criminal” will be removed and “infraction” will be used. “\$1000 per day” will be used instead of “\$300.

Jane: Would you like to list “Lot Split” in the ordinance? The council decided that “Short Plat” covered this.

DISCUSSION RE: NEED OF SEWER LINE ON 50 E

The BADC has had multiple requests for building on the east side of the city. There is no water or sewer for most of that road. Is this possible.

Wayne Lloyd: A feasibility study for a sewer that may be placed on Roy’s land. He will donate this land on the Northeast side of town after some discussion with the council and Roy. Roy: Let’s move on this study. Anaerobic digesters are the new thing instead of sewer ponds. The city may be to eliminate the lift pump or take some pressure off the lift pump. Wayne was asked to check into this study.

SUBDIVISION FEES

Roy: The city should adequately be able to cover our legal, clerical, engineering, and newspaper costs. If we’re changing the environment, they should have to pay for it. Should the council find need to change the set fee, it can be changed by resolution. The fees were discussed and decided at \$3,500 up to 10 lots plus \$100 per lot over that. Short plat fee was set at \$100 per lot.

DISCUSSION RE: STR GUIDELINES VS ORDINANCE – Postponed

Jane asked how the council would like to proceed. Roy: Let’s get the Subdivision Ordinance, Beckett’s roadway, and right-of-way above Simpson’s settled, then well work on other things.

PUBLIC COMMENTS – None

ADJOURNMENT

- Motion to adjourn: Wayne, Second: Jerry, Vote Unanimous, Motion Passes. This vote was accepted and passed by the BADC.

Adjournment at 9:16 pm

NEXT REGUALLY SCHEDULED BCC MEETING: September 17, 2024.

Approved by the Mayor and City Council of the City of Bloomington, Idaho, on this the _____ day of _____, 2024.

Attest:

Sign:

Debbie Thomas, City Clerk

Roy A. Bunderson, Mayor