

FEBRUARY 14, 2008

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, February 14, 2008, in the Council Chambers located in the City Annex Building at 680 Park Avenue in Idaho Falls, Idaho.

There were present:

Mayor Jared D. Fuhriman
Councilmember Ken Taylor
Councilmember Thomas Hally
Councilmember Michael Lehto
Councilmember Sharon Parry
Councilmember Karen Cornwell
Councilmember Ida Hardcastle

Also present:

Shan Perry, Assistant City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Fuhriman requested Jake Reynolds to come forward to lead those present in the Pledge of Allegiance.

Mayor Fuhriman requested Council confirmation for the appointment of Jared A. Peterson to serve on the Planning Commission (Term to expire on December 31, 2009). It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to confirm the appointment of Jared A. Peterson to serve on the Planning Commission. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Parry
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

Mr. Peterson appeared to express his appreciation for the appointment to the Planning Commission and explained his views on serving on the Planning Commission.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the January 24, 2008 Council Work Session and the January 24, 2008 Regular Council Meeting.

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented the following Expenditure Summary dated January 1, 2008 through January 31, 2008, after having been audited by the Fiscal Committee and paid by the Controller:

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FUND	TOTAL EXPENDITURE
General Fund	\$ 1,152,220.24
Street Fund	30,281.39
Recreation Fund	19,866.89
Library Fund	68,154.24
Municipal Equipment Replacement Fund	148,113.00
Electric Light Public Purpose Fund	36,660.32
Business Improvement District	22,817.00
Golf Fund	9,118.46
Sanitary Sewer Capital Improvement Fund	3,663.00
Street Capital Improvement Fund	29,471.20
Water Capital Improvement Fund	10,736.60
Traffic Light Capital Improvement Fund	240.43
Airport Fund	397,822.59
Water and Sewer Fund	264,519.82
Sanitation Fund	2,974.86
Ambulance Fund	11,307.37
Electric Light Fund	4,175,436.73
Payroll Liability Fund	2,941,866.96
TOTALS	\$ 9,325,271.10

The City Clerk presented several license applications, all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on February 14, 2008.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
February 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: CONSENT AGENDA – REQUEST TO SOLICIT QUOTES FOR
CABLE REJUVENATION

Idaho Falls Power respectfully requests authorization to solicit quotes for an underground cable rejuvenation project.

Attached is a copy of the project detail sheets for this project from the Capital Improvement Plan.

s/ Jackie Flowers

EXHIBIT “A”

**Idaho Falls Power
Capital Improvement Program
Project Detail Sheet**

FEBRUARY 14, 2008

Operation: Distribution

Project Title: UG Conductor – Cable Cure

Estimated Project Cost: \$90,000.00

Anticipated Budget Year: 2008

Anticipated Construction Year: 2008

Description and Justification: Test cable rejuvenation process to extend life of direct bury cable.

Project Location: Hatch Substation (approximately 11,000 feet)

Project Delay Consequences: Early cable failure and power outages

Internal Forces Used to Complete Project: Mix contract and line crews

Relationship to Comprehensive Plan or other Divisional Capital Plans:
N/A

City of Idaho Falls

February 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Jackie Flowers, Idaho Falls Power Director

SUBJECT: CONSENT AGENDA – REQUEST FOR AUTHORIZATION TO
ADVERTISE AND RECEIVE BIDS FOR IDAHO FALLS POWER
BUILDING RENOVATION, PHASE 2

Idaho Falls Power respectfully requests authorization to advertise and receive bids for Phase 2 improvements to the building at 140 South Capital.

Attached is a copy of the project detail sheets for this project from the Capital Improvement Plan.

s/ Jackie Flowers

EXHIBIT “A”

**Idaho Falls Power
Capital Improvement Program
Project Detail Sheet**

Operation: Administration and General

Project Title: Building Remodel – Phase II

Estimated Project Cost: \$1,500,000.00

Anticipated Budget Year: Fiscal Year 2007/2008

Anticipated Construction Year: 2008

Description and Justification: Renovation of Administrative Area to the north of the Warehouse. Reconfigure offices, conference room, former chambers and toilet rooms. Work to include new ceilings, finishes and energy efficient lighting and fire alarm. Adjust existing fire sprinkler system to correct current deficiencies. Re-work warehouse layout. Include space allocation for energy center.

Project Location: Idaho Falls Power Administrative Building, 140 South Capital.

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Project Delay Consequences: This project is necessary in follow-up to Phase I (which tears out the ceilings to replace failing HVAC System with energy efficient HVAC System). Furthermore, this phase is necessary due to a deficient fire suppression system. Failure to complete this project on time would result in non-compliance with fire code due to removed ceilings.

Internal Forces Used to Complete Project: No, this project will be bid using traditional design, bid, build techniques.

Relationship to Comprehensive Plan or other Divisional Capital Plans: This project is linked to Phase I within the Idaho Falls Power Capital Improvement Plan bid in 2007 and completed in Winter 2008.

City of Idaho Falls
February 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: CONSENT AGENDA – AUTHORIZATION TO SOLICIT PROPOSALS FOR ELECTROMECHANICAL RELAY UPGRADE DESIGN

Idaho Falls Power respectfully requests authorization to solicit proposals for Electromechanical Relay Upgrade Design at our four hydroelectric power plants. It is anticipated that physical improvement at Gem State will occur in this budget year and physical improvements at the Lower, City, and Upper Plants will occur in next budget year.

Attached is a copy of the project detail sheets for this project from the capital Improvement Plan.

s/ Jackie Flowers

EXHIBIT “A”

**Idaho Falls Power
Capital Improvement Program
Project Detail Sheet**

Operation: Bulb Turbine Project

Project Title: Replace Electromechanical Relays

Estimated Project Cost: \$200,000.00 (\$50,000.00 Gem State, \$50,000.00 Upper Plant, \$50,000.00 City Plant, \$50,000.00 Lower Plant)

Anticipated Budget Year: 2009

Anticipated Construction Year: 2009

Description and Justification: Replace Old Style Relays

Project Location: City Plant, Upper Plant, Lower Plant, Gem State

Project Delay Consequences: Current equipment is outdated and availability of parts is an issue. Failure to upgrade could result in lost operation time and revenue pending season.

Internal Forces Used to Complete Project: Yes

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Relationship to Comprehensive Plan or other Divisional Capital Plans:
Independent of any other divisional plan.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
February 12, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: UPGRADING POWER TO THE JET WAYS FOR THE CONVERTERS AND HEATERS AT THE AIRPORT

Municipal Services respectfully requests authorization to advertise and receive proposals for upgrading power to the jet ways for the converters and heaters at the Airport.

s/ S. Craig Lords

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
February 14, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: AUTHORIZATION TO BID TAUTPHAUS PARK SKATE PARK

The Division of Parks and Recreation respectfully requests authorization to receive bids to construct a skate park to be located within Tautphaus Park.

s/ David J. Christiansen

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, that the Consent Agenda be approved in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Taylor
Councilmember Hardcastle
Councilmember Cornwell
Councilmember Hally
Councilmember Parry

Nay: None

Motion Carried.

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REGULAR AGENDA ITEMS

Mayor Fuhriman requested a Representative from the Mayor's Youth Advisory Council to come forward to give the City Council a report on their recent activities. Ben Losinski appeared to state that it appears that the Mayor's Youth Advisory Council made a profit from the New Year's Eve Dance that was held at Idaho Falls High School. All of the numbers are not in at this time, so they do not know exactly how much of a profit was achieved. At this time, the Mayor's Youth Advisory Council is planning for summer schools for elementary school children in the area.

The Airport Director submitted the following memo:

City of Idaho Falls
February 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Len Nelson, Airport Director
SUBJECT: AIRPORT LEASE AGREEMENT – CHAUFFAIR LLC

Attached for City Council approval is the Airport Lease Agreement for Steve Laflin, dba ChauffAir LLC, for City owned property located at 2751 Foote Drive, Idaho Falls, Idaho 83402.

Shan Perry, Assistant City Attorney, has prepared and approved said lease.

Please present to City Council for the February 14, 2008 Meeting Agenda.

s/ Len Nelson

It was moved by Councilmember Cornwell, seconded by Councilmember Parry, to approve the Airport Lease Agreement with Steve Laflin dba ChauffAir LLC for City owned property located at 2751 Foote Drive and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Hardcastle
Councilmember Parry
Councilmember Lehto
Councilmember Taylor
Councilmember Cornwell

Nay; None

Motion Carried.

The Fire Chief submitted the following memos:

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City of Idaho Falls
February 11, 2008

MEMORANDUM

TO: Mayor and City Councilmembers
FROM: Dean Ellis, Fire Chief
SUBJECT: ADOPTION OF THE 2006 INTERNATIONAL FIRE CODE

The Fire Chief respectfully requests your approval for the adoption of the 2006 International Fire Code as written by the International Code Council which includes fire sprinklers in 3-plexes and above.

s/ Dean Ellis

Councilmember Hardcastle stated that this issue has been discussed for years. This Ordinance has been passed on the first reading only, which allows for anyone interested to make comments before the final passage of the Ordinance.

Ken Anderson, Fire Marshall, appeared to state that he understood that there were concerns with regard to sprinkling 3-plexes and above. The Fire Department is concerned that approximately 80% of fire deaths occur in the home, especially with regard to the 3- and 4-plex units. Mr. Anderson stated that he would like to see those statistics reduced. He stated, further, that the costs associated with the installation of sprinklers can be traded off with some light-weight construction. The Fire Department has a concern with the light-weight construction with regard to safety issues for the firemen. Their safety could be compromised due to the light-weight construction not holding up to fire, with the building capsizing as the Fire Department arrives. This is very dangerous for the occupants of the buildings also. A combination of residential sprinklers and smoke detectors gives the average resident of a 3- or 4-plex unit a 98% chance of exiting the structure. He presented an example of piping and sprinkler head to be used in the sprinkler system installation. Mr. Anderson stated that of fires that occur in the home, one sprinkler head in 98% of the times that they operate, will put the fire out. A residential sprinkler will put water on the fire in approximately 21 to 30 seconds. Relatively small fires will produce approximately \$100,000.00 in smoke damage.

Councilmember Hardcastle stated that in the interest of uniformity, most of the larger cities in Idaho have passed the International Fire Code without the amendment. She stated, further, that it has been indicated that several of the surrounding cities to Idaho Falls are waiting to see what the City does with regard to the adoption of the International Fire Code and the International Building Code.

Councilmember Hally requested Mr. Anderson to address the issue of water damage based upon research.

Mr. Anderson stated that the residential sprinkler systems are designed to put out 13 gallons of water per minute. That equates to approximately a 4-5 minute response time from the Fire Department. That would mean that 350 to 400 gallons of water would be dispensed on the fire by the time that the Fire Department arrives. The fire damage would far exceed the water damage that results from the sprinkler systems, should the fire continue to burn until the Fire Department arrives on the scene. When the Fire Department arrives and starts to dispense water streams, 4,000 gallons of water would be used to extinguish the same fire.

Ray Ellis, 2940 Sawtooth, appeared to state that he serves as the Local Government Affairs Chairman for the local Home Builders Association. He shared the

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following information from the U. S. Fire Administration website, "The reliability of a residential sprinkler system is undocumented. There is a lack of published data to document definitively the benefit of residential sprinklers. Continuing the significant impediments include costs, insurance issues, including a lack of substantial economic incentives and insurance surcharges for increasing meter sizes and backflow prevention devices. Tax is also increased because of the increased assessment on property due to the sprinkler installation and the cost effectiveness of requirements such as large water meters, backflow prevention devices, water tap fees, and stand-by fire protection fees." Mr. Ellis stated that from the National Association of State Fire Marshalls on sprinklers, "Automatic fire sprinklers absolutely save lives and protect property, but they are far from perfect." The significant information found on the website states that more than four years after the government announced a recall of 35,000,000 defective fire sprinkler heads, nearly two-thirds remain in use. A leading sprinkler head manufacturer reports that some claims for property loss have been made in buildings found to contain these recalled heads. Despite a significant effort to replace defective heads in all occupancies, no one knows how many recalled heads remain to be discovered. In many jurisdictions, the code officials lack authority to require replacement of the recalled sprinkler heads which remain formally listed and, therefore, technically in compliance with the code. Sprinkler manufacturers say that there is a lack of information on where the heads were installed and installers expect reimbursement for labor to replace the defective units. Mr. Ellis stated, further, that given the figures recited by Fire Marshall Anderson regarding water damage, he determined that there would be significant water damage to the home whether the activation is accidental, a malfunction, or the result of fire. Once the sprinklers are activated, the water will flow until the Fire Department has been notified, arrives on the scene, and determines whether the structure is safe and then finds and turns off the water supply. Manufacturers of sprinkler systems and Fire Departments do not recommend that you find and turn off your own sprinkler system. Having sprinklers is no guarantee that the firefighters will not turn on their hoses anyway. Mr. Ellis gave further examples of problems with fire sprinkler systems. He stated, further, that where working smoke alarms are used, deaths due to fire are less than 4%. There is no data to back up that when smoke alarms are used in conjunction with sprinkler systems, that the results would be any better. Mr. Ellis questioned what is going to happen when costs increase in providing residential construction. Nationwide, for every thousand dollars in increased costs, 250,000 Americans are put on the side lines. That would be equivalent to 40 people in this area alone. Costs associated with sprinkler systems are higher than the Fire Marshall has stated, which would result in fewer people being able to purchase homes.

Councilmember Hardcastle requested to know whether Mr. Ellis was aware of the amount of input that goes into the compilation of the International Codes. Mr. Ellis stated that he was aware of the amount of work involved.

Hyrum Johnson, Fine Homebuilding, 997 Silkwood Circle, appeared to state that he is President of Eastern Idaho Home Builders and a member of the Idaho Building Contractors International Association of Home Builders. He stated that he has a tremendous respect for firemen. He did not want anything that he said to be misinterpreted as a judgment on them. Home builders are also interested in saving lives. Over the years, they have conducted significant scientific research to develop methods of passively slowing and stopping fires. Homes are built today, that can contain a fire in a space for over two hours. They can also build homes that will smother a fire before it has a chance to reach a flame point. Mr. Johnson stated that he is opposed this Ordinance because of the cost involved in providing sprinkler systems in 3- and 4-plexes. This is an untried technology. He provided the following myths:

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Myth No. 1 – Sprinklers are a low cost method of fire safety. The National Fire Protection Association cited the cost at approximately 1% to 1-1/2% the cost of a home. He contacted a couple of companies that install fire sprinkler systems to give him an estimate on a set of home plans that he has previously constructed. For a 1900 square foot home built within the City of Idaho Falls, for a base system, the added end cost to the consumer would be \$21,000.00. If the water supply is not large enough, an additional \$7,500.00 for a tank and pump. This represents approximately 12% on top of the price of the home. He reviewed what the ripple effect that this cost increase would have on the mortgage of the home. In a study released in September, 2007 by the National Association of Home Builders, it was found that fire sprinkler installation costs are about twice as high as the costs touted by the manufacturers and installers of those systems. In Eastern Idaho, it is significantly more. Myth No. 1 busted – The sprinkler systems are not low cost.

Myth No. 2 – Installation of sprinklers will lead to a significant discount in home fire insurance, offsetting the cost of installation. In the same study referenced above, it was found that “the installation of residential fire sprinklers may bring down the cost of homeowner insurance premiums, but not enough to offset the cost of the system”. Myth No. 2 busted – There is no meaningful cost savings in insurance with a fire sprinkler system.

Myth No. 3 – Installation of sprinklers will allow the elimination of passive fire suppression methods in home construction, thus providing additional cost savings. Any cost savings would be so minimal, builders will not go there. A passive system, which by the very construction of the house, slows or stops fire vs. an active system at risk for failing is not comparable. This does not make sense. Cost savings would be minimal at best and the effect could be disastrous. Myth No. 3 busted – Active fire suppression is not a viable alternative to the passive methods already built into new homes.

Myth No. 4 – Fire sprinklers in today’s homes will actually save lives. He has researched the data from the National Fire Protection Association, FEMA, and Home Land Security regarding this issue. Fire statistics do not support the claim. The data shows the effectiveness of the passive fire suppression techniques built into new homes, along with the effectiveness of smoke alarms. Fire sprinklers are as yet untested and unproven. The three risk factors in residential fire deaths are lack of functioning smoke detectors, age of houses, and smoking and lower income. Mr. Johnson cited examples for each of the three risk factors. Newer homes are built safer with more passive fire protection in the home at a nominal cost. With this in mind, Mr. Johnson requested the Mayor and City Council to consider what will happen if sprinkler systems are required in 3-plex and above rental properties. In order to recoup the cost of the system, the landlord would raise the rental fees. If new multi-family housing costs are increased, the lower income and higher risk people will be forced into the older riskier buildings. This will exacerbate the problem. The very people most at risk by their habits will be put into the buildings most likely to kill them in a fire. Mr. Johnson stated, further, that putting fire sprinklers in new homes that already have effective passive fire prevention built in, will be like pouring buckets of money onto a fire that does not exist. If the goal is the preservation of life, then there should be some lives saved by installing the sprinkler systems. In all of the studies researched for this paper published by National Association for Home Builders, Homeland Security, and the National Fire Protection Association, there is no clear evidence that requiring sprinklers in new residential housing (including 3- and 4-plexes) will save a single life in the State of Idaho in the next decade. Myth No. 4 busted – Fire sprinklers in new construction are not a good and effective use of money. If lives are to be saved, every dollar must count.

Mr. Johnson made several comments and recommendations. In a recent study by FEMA entitled “Fire Death Rates, An International Perspective”, it was found that the United States has the second highest death rate per capita in homes in the

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industrialized world, in spite of spending more money in fire suppression than any of the other countries. In assessing the cause of this high death rate, the report authors state, "Because other societies consider fire to be everyone's business, not just the Fire Departments, there is much greater tendency abroad to educate broad segments of society about the dangers of fire, how to prevent fires and how to extinguish fires in their insipient and early free-burning stages. For example, the use of paid advertising to reach large numbers of people during prime time with fire and life safety messages is common place in Great Britain and other parts of Europe." According to FEMA, it would be better to focus on effective and tailored fire prevention methods, rather than focusing on expensive and ineffective fire suppression. Fire prevention comes down to two things: 1) Improving the passive fire prevention characteristics of houses even above what has already been developed, with special attention going to upgrading lower income housing where the risk factors are the greatest; and, 2) Education of the public, particularly those at highest risk, smokers and low income population. If the focus was placed on inexpensive, but effective, measures like smoke alarms, the fire death toll could be cut by one-third. Mr. Johnson stated, that in conclusion, in the last year residential sprinkler mandates have been rejected by municipalities, courts, and voters in many jurisdictions around the country. They are being rejected because the truth is coming out. They are not a wise and effective use of money. Mr. Johnson encouraged the City Council to vote "No" on the adoption of the 2006 Edition of the International Fire Code.

Shawn Branson, 2499 Blue Canyon Circle, appeared to state that he was opposed to the installation of fire sprinkler systems in 3- and 4-plexes. He stated, further, that he stood by all of the comments made by Mr. Johnson and Mr. Ellis. Building contractors go to great lengths to insure that good quality safe homes are built.

Councilmember Hardcastle explained that this issue and that of the Ordinance Amendment to the 2006 Edition of the International Building Code will come before the Mayor and City Council at one more Council Meeting, to allow for more public input.

Councilmember Lehto stated that the International Code Council is made up of Code Officials, Design Professionals, Trade Associations, Fire Inspectors, Building Contractors, Manufacturers, Suppliers, and Government Agencies. They have a very thorough process within an 18-month cycle, providing for appeals and due process. The Ordinance being considered is the International Code Council's recommendation. He stated, further, that the avenue to pursue any changes should be addressed through the International Code Council. Once the International Code Council has provided a code, it is wise to adopt their recommendations. Councilmember Lehto requested the Mayor and City Council to look at what has been recommended by professionals in the building industry through the International Code Council.

Ken Anderson, Fire Marshall, appeared to describe the three types of fire sprinkler systems. There are three components within the system and they are easily maintained. The average inspection cost is \$150.00 per year. Scottsdale, Arizona has a residential sprinkler system program which has been in effect for 20 years, whereby 13 people have been saved as a result of having residential sprinkler systems. People in low income housing are not based on a particular income, it is based on market value and other issues. The fire protection system is not an issue in the cost of purchasing their home. Home owners have a right to have their home protected. Mr. Anderson stated that he found information that stated that the average insurance premium in the United States is \$754.00. With sprinklers installed in residential dwellings, it is expected to see an 8% reduction in those insurance premiums. He stated, further, that water supplies for sprinkler systems require a 1-1/4" domestic supply. There is enough pressure in the City water system that a pump is not required for these residential systems.

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Fire Chief Dean Ellis, 625 Shoup Avenue, appeared to state that there has been a discussion regarding passive fire protection compared to active fire protection. Chief Ellis explained that a house can be built tight enough where a fire is not going to receive any oxygen to start a fire, but the house will fill up with smoke. The smoke will kill a person before the fire will. A fire sprinkler system is designed to slow down a fire to allow for the residents to get out of the structure. Smoke alarms are a great tool. It has been found that smoke alarms are not heard as well by young children and older adults. There have been no documented saves in Idaho Falls with the use of fire sprinkler systems. There was one event in which an older gentleman would have been saved. This gentleman had a low blood sugar event and candles started a fire. The gentleman died of smoke inhalation. If a fire sprinkler system had been installed in that apartment complex, it would have put the fire out and the gentleman might have been saved. Water damage is a big issue when fighting fires. If the firefighters see red stuff, then they put the wet stuff on it. If there are no flames, they will search the building for the source of the smoke. Fire Chief Ellis explained several types of sprinkler systems available within the industry. The costs related to the Scottsdale, Arizona Ordinance is less than \$1.00 per square foot. The first priority within fire service is life safety, for the citizens and for the firemen. Under the light-weight construction, those buildings give away much quicker. The cost for building construction is high, so building contractors are looking for ways to cut those costs. Structurally, those buildings are strong, until there is a fire. Fire Chief Ellis stated that the International Code Council goes to great lengths to compile codes. Further, in a 3- and 4-plex building, you don't necessarily know what your neighbors are doing that could impact you.

Councilmember Hally questioned whether the passive fire protection construction would be eliminated should the fire sprinkler systems become a requirement.

Chief Ellis stated that the passage fire protection system would not be eliminated completely. If sprinkler systems become required, then the rated fire wall could be reduced. This would allow the contractor to reduce costs in other areas.

Councilmember Parry requested to know whether the necessity of smoke alarms would be reduced or eliminated if this Ordinance is passed.

Chief Ellis stated that the Fire Marshall would never say that if a sprinkler system is installed, that a smoke alarm is not needed.

Councilmember Parry questioned whether people with lower incomes in homes experiencing fires have a higher percentage of death rates from those fires.

Chief Ellis stated that this is a national trend. Lower income families and elderly people tend to have more of the fire problems. Having fire sprinkler systems installed in 3-plexes and above is a life safety issue.

Councilmember Lehto requested Councilmember Hardcastle to pass this Ordinance on the second and third readings at this time.

Councilmember Hardcastle stated that she has made it clear that she would only pass this Ordinance on the second reading only at this time, allowing for more opportunity to hear public input.

Ray Ellis re-appeared to state that in August, 2006, a survey was conducted by the National Association of Home Builders. This survey was conducted among 800 likely voters. During this survey, 89% said that smoke detectors do an adequate job in protecting their homes and 28% stated that they did not want fire sprinkler systems even if they were provided free of charge. Mr. Ellis stated that if there were a line of residents present stating that they wanted sprinkler systems, he would start installing them tomorrow. Municipalities should be consumer oriented. He believed that the International Code Council is heavily weighted in industry. Mr. Ellis stated that he serves as a Councilmember for the City of Ammon and replied that if the citizens want sprinkler systems, then he would be responsible in providing sprinkler systems.

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Councilmember Hardcastle requested the Assistant City Attorney to read the Ordinance by title only:

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTIONS 7-10-1 THROUGH 7-10-12, AND RE-ENACTING SECTIONS 7-10-1 THROUGH 7-10-5 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2006 EDITION; MAKING CERTAIN AMENDMENTS THERETO; PROVIDING FOR SEVERABILITY; PRESERVING PRIOR ORINDANCE; AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Hardcastle, seconded by Councilmember Taylor, to pass this Ordinance on the second reading only. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally
Councilmember Parry
Councilmember Taylor
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
February 11, 2008

MEMORANDUM

TO: Mayor and City Councilmembers
FROM: Dean Ellis, Fire Chief
SUBJECT: ADOPTION OF THE AMENDMENT TO THE 2006 INTERNATIONAL BUILDING CODE

The Fire Chief respectfully requests your approval for the adoption of the amendment to the 2006 International Building Code. This amendment provides for the fire sprinkling of 3-plexes and above so as to be in line with the International Fire Code.

s/ Dean Ellis

Councilmember Hardcastle explained that the State of Idaho adopted this Code by exempting the sprinkling of 3-plexes and above. At the request of Councilmember Hardcastle, the Assistant City Attorney read the following Ordinance by title only:

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING SECTION 7-1-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING REMOVAL OF THE EXEMPTION OF AUTOMATIC SPRINKLER SYSTEMS FOR THREE- AND FOUR-PLEXES; PRESERVING PRIOR ORDINANCE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Hardcastle, seconded by Councilmember Taylor, to pass this Ordinance on the first and second readings. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Hally
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto

Nay; None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
February 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: ORDINANCE AMENDING SECTIONS OF THE CITY CODE OF IDAHO FALLS PERTAINING TO THE PUBLIC FIBER OPTIC NETWORK CONNECTION FEES

Attached for your consideration is an Ordinance amending sections of the City Code of Idaho Falls pertaining to the Public Fiber Optic Network. The proposed changes include updating connection fees in Sections 8-13-15 and 8-13-16 to reflect present day costs.

Staff recommends that City Council pass the Ordinance.

s/ Jackie Flowers

At the request of Councilmember Lehto, the Assistant City Attorney read the following Ordinance by title only:

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ORDINANCE NO. 2736

AN ORDINANCE AMENDING SECTIONS 8-13-15 AND 8-13-16 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR FEES CHARGED FOR TERMINATION OF FIBER OPTIC SERVICE AND FOR DISCONNECTION OF FIBER OPTIC SERVICES; PROVIDING FOR PRESERVATION OF PRIOR ORDINANCE; ESTABLISHING METHODOLOGY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Taylor
Councilmember Hardcastle
Councilmember Cornwell
Councilmember Hally
Councilmember Parry

Nay: None

Motion Carried.

City of Idaho Falls
February 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: ORDINANCE AMENDING SECTIONS OF THE CITY CODE OF IDAHO FALLS PERTAINING TO ELECTRIC CONNECTION FEES

Attached for your consideration is an Ordinance amending Sections 8-5-11, 8-5-12, 8-5-13, 8-5-17 through 8-5-19, and 8-5-27 of the City Code of Idaho Falls. The proposed are changes to the Electric Connection Fees, most of which were established in the mid-1960s. The proposed changes reflect present day services and associated costs.

Staff recommends that City Council pass the Ordinance.

s/ Jackie Flowers

At the request of Councilmember Lehto, the Assistant City Attorney read the following Ordinance by title only:

FEBRUARY 14, 2008

ORDINANCE NO. 2737

AN ORDINANCE AMENDING SECTIONS 8-5-11, 8-5-12, 8-5-13, 8-5-17 THROUGH 8-5-19, AND 8-5-27 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ESTABLISHING FEES FOR METER SERVICE INSTALLATIONS, TERMINATION OF ELECTRIC SERVICES, DISCONNECT FEES, SECURITY LIGHTING FEES, INSTALLATION FEES; PROVIDING PENALTIES FOR METER TAMPERING, AND ESTABLISHING CHARGES FOR ELECTRIC LINE EXTENSIONS; PRESERVING PRIOR ORDINANCE, ESTABLISHING METHODOLOGY; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
February 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AUTHORIZING DESTRUCTION OF DOCUMENTS

It is respectfully requested that the Council pass the attached Resolution, which would authorize, pursuant to Idaho Code Section 50-907, the destruction of certain documents.

s/ S. Craig Lords

FEBRUARY 14, 2008

RESOLUTION NO. 2008-02

AUTHORIZING DESTRUCTION OF RECORDS

WHEREAS, certain records have been held longer than Idaho Code Section 50-907 requires and are no longer needed for public purposes; and,

WHEREAS, pursuant to Idaho Code Section 50-907, the City is authorized to destroy certain records;

NOW, THEREFORE, be it resolved that the City Treasurer, City Controller, City Clerk, and General Services Administrator are hereby authorized to destroy the records listed below:

Documents from the Treasurer's Office:

1. Cancelled payroll checks written prior to April 1, 2005.
2. All ambulance and accounts receivable billing statements and payment receipts written prior to October 1, 2002.
3. All receipts issued by the Library, Police Department, Recreation Division, Golf Course, Zoo, Animal Shelter, City Clerk's Office, and for parking violations and all Building and Zoning receipts, as well as any other miscellaneous receipts originated by the Treasurer's Office written prior to October 1, 2002.
4. All checks written prior to October 1, 2002.
5. All deposit books containing records of deposits made no later than October 1, 2002.
6. All receipts and documents pertaining to the investment of City funds written prior to October 1, 2002.
7. Quarterly Treasurer's Reports and Proofs of Publication published prior to October 1, 2002.

Documents from the Controller's Office:

1. Claims Vouchers from October, 2001 through September, 2002.
2. Journal Entries from October, 2001 through September, 2002.
3. Payroll Time Sheets for the 2002 Year.

FEBRUARY 14, 2008

4. Vacation, Sick Leave, and Attendance Reports through September, 2006.
5. Duplicate copies of Claims Checks through September, 2002.
6. Check Registers through September 30, 2006.
7. Encumbrance Reports through September 30, 2006.
8. Utility Refunds – Impressed Warrant Check Duplicates through September, 2002.

Documents from the City Clerk’s Office:

1. Monthly Reports from the Building Maintenance Department, Building Official, Electric Division, Engineering Department, Fire Department, Garage, Parks and Recreation Division, Human Resources Division, Police Department, Sanitation Department, Sewer Department, Street Department and Water Department prior to December, 2002.
2. License applications for businesses and tradesmen prior to December, 2002, and related documentation.
3. City Council Call Sheets prior to December, 2006.
4. Auction Records prior to December, 2001.
5. Damage Claims prior to December, 1997.
6. City Clerk’s Office Receipts prior to December, 2002.
7. Other related documents prior to December, 2002.

Documents from the Purchasing Department:

1. Purchase Orders prior to October, 2002.
2. Other related documents prior to October, 2002.

APPROVED by the City Council on the 14th day of February, 2008.

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

FEBRUARY 14, 2008

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the Resolution Authorizing the Destruction of Certain Records and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hally
Councilmember Lehto
Councilmember Parry
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
February 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SOLE SOURCE PURCHASE – BOMB SQUAD ROBOT FOR
IDAHO FALLS POLICE DEPARTMENT

Municipal Services respectfully requests authorization to advertise and then make a sole source purchase in the amount of \$181,450.00 which will be funded by a grant. This procurement for an Andros V-A1 Robot Vehicle Assembly would be from Northrop Grumman, Remotec, Inc.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to give authorization for Municipal Services Division to advertise and then make a sole source purchase in the amount of \$181,450.00 (to be funded by a grant) of an Andros V-A1 Robot Vehicle Assembly from Northrop Grumman, Remotec, Inc. Roll call as follows:

Aye: Councilmember Hally
Councilmember Hardcastle
Councilmember Parry
Councilmember Lehto
Councilmember Taylor
Councilmember Cornwell

Nay: None

Motion Carried.

FEBRUARY 14, 2008

City of Idaho Falls
February 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: HARRIS PUBLISHING LICENSE RENEWAL AGREEMENT

Attached for your consideration is the License Renewal Agreement for Harris Publishing for a term of one (1) year.

The City Attorney has reviewed and approved the License Renewal Agreement.

It is respectfully requested that the City Council approve the License Renewal Agreement and authorize the Mayor to execute the documents.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the License Renewal Agreement with Harris Publishing for a term of one (1) year and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Parry
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
February 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-08-08, WESTERN RED CEDAR POWER POLES

Attached for your consideration is the tabulation for Bid IF-08-08, Western Red Cedar Power Poles.

It is the recommendation of Municipal Services to accept the bid of Bell Lumber and Pole Company, per the evaluated lump sum amount of \$114,293.00. Per bid specifications, we will only purchase the quantity of

FEBRUARY 14, 2008

poles required of No. 4 to make four full truck loads. The breakdown of quantity, description, and price for the power poles is listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the bid of Bell Lumber and Pole Company per the evaluated lump sum amount of \$114,293.00 as presented on Attachment "A". Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Hally
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
February 14, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: COMMUNITY FORESTRY ORDINANCE REVISION

Attached for your consideration is a revision to the existing Community Forestry Ordinance which has been recommended and endorsed by the Shade Tree Committee.

The proposed revisions have been prepared and approved by the City Attorney and are therefore submitted for your approval.

s/ David J. Christiansen

Councilmember Hardcastle requested Delbert Lloyd to come forward and give a further explanation of this Ordinance.

Delbert Lloyd, Community Forester and Horticulturist, appeared to state that this Ordinance has been worked for approximately three years. They have received input from tree care services throughout the region. Mr. Lloyd discussed the amendments that are addressed in this Ordinance. Licensing of private tree service companies will now be required.

At the request of Councilmember Hardcastle, the Assistant City Attorney read the following Ordinance by title only:

FEBRUARY 14, 2008

ORDINANCE NO. 2738

AN ORDINANCE OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; AMENDING CHAPTER 9, TITLE 8 OF THE IDAHO FALLS CITY CODE RELATING TO COMMUNITY FORESTRY; PROVIDING FOR NEW DEFINITIONS; AMENDING VARIOUS SECTIONS OF SAID CHAPTER; ADOPTING NEW CHAPTERS RELATING TO RESPONSIBILITIES OF OWNERS OF PRIVATE TREES AND LICENSING OF PRIVATE TREE COMPANIES; PROVIDING FOR SEVERABILITY; ESTABLISHING METHODOLOGY; PRESERVING PRIOR ORDINANCE AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Lehto seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
February 6, 2008

MEMORANDUM

TO: Mayor and City Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: RESOLUTION APPROVING THE FISCAL YEAR 2008 ACTION PLAN

Attached is the Resolution approving the Fiscal Year 2008 Action Plan for the Community Development Block Grant. This Resolution is based on requests received by the Grant Administrator Jan Blickenstaff, testimony during a public hearing, and review of these requests during a Council Work Session. This Division respectfully requests adoption of the Resolution.

s/ Reneé R. Magee

FEBRUARY 14, 2008

RESOLUTION NO. 2008-03

**RESOLUTION OF THE CITY OF IDAHO FALLS
APPROVING THE FISCAL YEAR 2008 ACTION PLAN**

WHEREAS, the City of Idaho Falls has been designated as an Entitlement City by the U. S. Department of Housing and Urban Development;

WHEREAS, the U. S. Department of Housing and Urban Development has approved the 2004-2009 Strategic Plan and Impediments to Fair Housing prepared by the City of Idaho Falls;

WHEREAS, the City of Idaho Falls has prepared a One-Year Action Plan for Fiscal Year 2008 as part of the requirements of entitlement status;

WHEREAS, the City of Idaho Falls held a public hearing on the Action Plan on December 13, 2007;

WHEREAS, the City of Idaho Falls has a thirty day comment period until and through January 14, 2008;

WHEREAS, the City of Idaho Falls has received one telephone comment and one written comment to be considered during the thirty day comment period;

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Idaho Falls as follows:

1. The One Year Action Plan for Fiscal Year 2008 as prepared by the Planning and Building Division, a copy of which is attached hereto and by this reference made a part hereof, is hereby approved.

2. The Mayor is hereby authorized to sign the documents for federal assistance.

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

FEBRUARY 14, 2008

Fiscal Year 2008 CDBG Projects – With Official Allocation Amount as Approved by City Council at the January 24, 2008 Work Session			
Applicant	Project	Dollars Approved	National Objective Benefit
LIFE, Inc.	Handicapped Access for LMI Homeowners	\$ 30,000.00	5 LMI Homeowners
EICAP	Housing Rehabilitation for LMI Homeowners	50,000.00	10 LMI Homeowners
City/Bike-Ped	Sidewalk Replacement Grants ½ to 2/3 Mile	53,780.00	30-50 LMI Homeowners
City/IFDDC	Downtown Renovations	75,000.00	Slum and Blight Prevention
EICAP	Grandparents raising Grandchildren Legal Assistance	5,000.00	LMI Public Service
EICAP	Haven Shelter Repaving Courtyard	18,000.00	LMI Homeless
EICAP	Near Homelessness Assistance Payments to Keep Families in their Homes	10,000.00	60 LMI Families Public Service
Library Railroad Crossing	Handicapped Access	30,000.00	LMI Disabled Persons
City Code Enforcement	Neighborhood Cleanup 1 Full Time Employee	20,000.00	LMI Neighborhoods
TRPTA	Purchase Bus for Disability Routes	20,000.00	Buses for LMI Disabled Persons
Addiction Rehabilitation Administration	Rewire Breaker Box	10,000.00	LMI Persons
		80,444.00	
Total Approved		\$402,224.00	
Congress passed on December 20, 2007 in the Omnibus Budget Bill a 3.2% reduction in the CDBG appropriation. Plus there are new Entitlement Cities which will be funded which may cost up to an additional 1% decrease. Bill was signed by the President on December 26, 2007. Allocations posted January 18, 2008 - \$402,224.00. Idaho Falls Fiscal Year 2007 Allocation was \$417,257.00.			

Jan Blickenstaff, Grants Administrator, appeared to state that all of the requests were funded to some extent.

Mayor Fuhrman stated that he appreciated the cooperation of all requestors in enabling all projects to be funded to some degree.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the Resolution Approving the Fiscal Year 2008 Action Plan for the Community Development Block Grant and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
 Councilmember Hardcastle
 Councilmember Hally
 Councilmember Parry
 Councilmember Taylor
 Councilmember Lehto

FEBRUARY 14, 2008

Nay: None

Motion Carried.

City of Idaho Falls
February 6, 2008

MEMORANDUM

TO: Mayor and City Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: AGREEMENT WITH ASSOCIATION MANAGEMENT SOLUTIONS

Attached is the Agreement with Association Management Solutions to provide contractor education and event planning services for the Building Contractor Licensing Program of Idaho Falls. This Agreement has been reviewed by the City Attorney's Office. This Division respectfully requests approval of this Agreement.

s/ Reneé R. Magee

Councilmember Parry requested Reginald Fuller, Building Official, to give a further explanation of this Agreement.

Reginald Fuller, Building Official, appeared to state that this Agreement provides for the Continuing Education Units that are required under the Building Contractor Licensing Program. The City has taken over the licensing for Building Contractors, as opposed to the Idaho Association of Building Officials doing it last year.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the Agreement with Association of Management Solutions to provide contractor education and event planning services for the Building Contractor Licensing Program of Idaho Falls and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
February 12, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT ENTITLED THIRD AMENDED PLAT OF PARK-ST.
CLAIR ADDITION, DIVISION NO. 1

FEBRUARY 14, 2008

Attached is a copy of the Final Plat entitled Third Amended Plat of Park-St. Clair Addition, Division No. 1. This parcel is located west of Woodruff Avenue, east of Disney Drive, south of Bonniebrae Street, and north of Sunnyside Road. The Planning Commission recommended approval of this Final Plat at its January 22, 2008 Meeting. This Department respectfully requests approval of this Final Plat.

s/ Reneé R. Magee

The Planning and Building Director appeared to state that staff and the Planning Commission have found this Final Plat to be in compliance with the Subdivision Ordinance. This was originally a one lot plat that is being split into three lots. The northern-most lot will be used for a Chiropractic Office. The second lot will be owned by Dr. Frances from the Veterinary Clinic for expansion of their facilities.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to accept the Final Plat entitled the Third Amended Plat of Park-St. Clair Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls
January 22, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Steve Roos, Chief of Police
SUBJECT: COUNCIL AGENDA ITEM

I respectfully request approval of the attached Ordinance providing for an amendment of the Records to be Kept Ordinance, Section 4-13-11, allowing the Leads-On-Line Software. This Ordinance will be presented for your approval at the City Council Meeting of Thursday, January 24, 2008.

s/ Steve Roos

Councilmember Hardcastle explained that this Ordinance was passed on the first reading only at the January 24, 2008 Regular Council Meeting. She requested Police Chief Roos to come forward for an explanation.

FEBRUARY 14, 2008

The Police Chief appeared to state that he has not received any comments with regard to this Ordinance.

At the request of Councilmember Hardcastle, the Assistant City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2739

AN ORDINANCE AMENDING SECTION 4-13-11 OF THE CITY CODE OF IDAHO FALLS, IDAHO; AMENDING RECORDS TO BE KEPT; PRESERVING PRIOR ORDINANCE; PROVIDING FOR METHODOLOGY; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Taylor seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on the second and third readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Taylor
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
February 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – SANITARY SEWER PROJECTS, 2008

On February 5, 2008, bids were received and opened for the Sanitary Sewer Projects, 2008. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, HK Contractors, Inc., in the amount of \$173,070.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

FEBRUARY 14, 2008

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to accept the low bid from HK Contractors, Inc. to complete the Sanitary Sewer Projects, 2008 Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct Annexation Proceedings for a Metes and Bounds Legal Description of 0.05 Acres in the Northeast Quarter of Section 32, Township 2 North, Range 38, East of the Boise Meridian (Shadow Mountain/Moody Lane). At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
February 6, 2008

MEMORANDUM

TO: Mayor and City Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: ANNEXATION AND INITIAL ZONING OF R-1 – A PORTION OF MOODY LANE

Attached is the Annexation Ordinance for 0.05 Acres east of Dairy Lane and west of Shadow Mountain Trail. This 0.05 Acres is a portion of the former Moody Lane, now a backyard for an existing home on Shadow Mountain Trail. The requested initial zoning is R-1. The Planning Commission, at its January 15, 2008 Meeting, recommended approval of the annexation and initial zoning. This request is now being submitted to the Mayor and Council for consideration.

s/ Reneé R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo showing the requested annexation
Exhibit 1 Planning Commission Minutes dated January 15, 2008
Exhibit 2 Staff Report dated January 15, 2008

FEBRUARY 14, 2008

The Planning and Building Director explained, further, that this annexation is as a result of a request for a Building Permit.

Rod Ruiz, 1346 Fremont Avenue, appeared to explain that he was present to represent Mark and Diane Mecham. The Mechams were planning on constructing an addition to their existing home.

There being no further discussion in favor of or in opposition to this annexation request, Mayor Fuhriman closed the public hearing.

At the request of Councilmember Parry, the Assistant City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2740

MOODY LANE/SHADOW MOUNTAIN (MECHAM)

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally
Councilmember Parry
Councilmember Taylor
Councilmember Lehto

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Parry, seconded by Councilmember Hally, to establish the initial zoning for a Metes and Bounds Legal Description of 0.05 Acres in the Northeast Quarter of Section 32, Township 2 North, Range 38, East of the Boise Meridian (Shadow Mountain/Moody Lane) as R-1 (Single-Family Residential) Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

FEBRUARY 14, 2008

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct Annexation Proceedings for St. Clair Estates Addition, Division No. 13. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
January 22, 2008

MEMORANDUM

TO: Mayor and City Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING OF PB WITH PUD OVERLAY,
AND FINAL PLAT – ST. CLAIR ESTATES ADDITION, DIVISION
NO. 13

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for St. Clair Estates Addition, Division No. 13. 2.018 Acres of this 11.2 Acre Subdivision are to be annexed; the remainder is a re-plat of portions of Divisions No. 8 and 9. The requested initial zoning is PB, and the Planning Commission recommended PB with a PUD Overlay at its December 4, 2007 Meeting. This Final Plat is located contiguous to and south of Sunnyside Road, west of George Washington Parkway, and east of Merlin Drive. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Reneé R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo showing the area under consideration
Slide 3 Final Plat under consideration
Slide 4 Site Photo looking north towards homes being annexed
Slide 5 Site Photo looking east towards George Washington Parkway
Slide 6 Site Photo looking south towards Potomac Way
Slide 7 Site Photo looking west across the site

FEBRUARY 14, 2008

The Planning and Building Director explained, further, that this annexation is annexing the single-family homes that are south of Sunnyside Road. This offers a way to extend Potomac Way to Sunnyside Road. The access point is in accordance with the Access Management Plan and meets the distance requirements for streets on a major arterial. Staff has found this Final Plat to be in accordance with the Subdivision Ordinance. There was discussion by the Planning Commission regarding an easement for a private well. This will be handled by a license. Should the private well be abandoned, then the license is null and void.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that this final plat removes four accesses along Sunnyside Road that were existing previously and allows for one access, aligning with the access from Mel Erickson Sunnyside Road Park.

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Fuhriman closed the public hearing.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the Annexation Agreement for St. Clair Estates Addition, Division No. 13 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Hally
 Councilmember Taylor
 Councilmember Lehto
 Councilmember Cornwell
 Councilmember Hardcastle
 Councilmember Parry

Nay: None

Motion Carried.

At the request of Councilmember Parry, the Assistant City Attorney read the following Ordinance by title:

ORDINANCE NO. 2722

ST. CLAIR ESTATES ADDITION, DIVISION NO. 13

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

FEBRUARY 14, 2008

Aye: Councilmember Taylor
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Parry, seconded by Councilmember Hally, to establish the initial zoning for St. Clair Estates Addition, Division No. 13 as PB (Professional/Business Office) with a PUD (Planned Unit Development) Overlay Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to accept the Final Plat for St. Clair Estates Addition, Division No. 13 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally
Councilmember Parry
Councilmember Taylor
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing for consideration of a rezoning from PB (Professional/Business Office) to MS (Medical Services) of property located generally south of West Broadway, north of Pancheri Drive, east of Old Butte Road, west of South Bellin Road, and legally described as Lots 7 through

FEBRUARY 14, 2008

10, Block 1, First Amended Plat for Westridge Commercial Plaza Addition, Division No. 1. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
February 6, 2008

MEMORANDUM

TO: Mayor and City Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE LOTS 7-10, BLOCK 1, FIRST AMENDED PLAT FOR WESTRIDGE COMMERCIAL ADDITION, DIVISION NO. 1 FROM PB TO MS

Attached is the request to rezone Lots 7-10, Block 1, First Amended Westridge Commercial, Division No. 1 from PB (Professional Business) to MS (Medical Services). This parcel is located on the northeast corner of Old Butte Road and Pancheri Drive. At its January 15, 2008 Meeting, the Planning Commission recommended approval. This rezoning request is now being submitted to the Mayor and Council for consideration.

s/ Reneé R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this rezoning request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Vicinity Map showing parcel under consideration
Slide 3	Aerial Photo of site
Slide 4	Comprehensive Plan for the area
Slide 5	Site Photo looking north at the building on the site
Slide 6	Site Photo looking south at residential homes
Slide 7	Site Photo looking west at Old Butte Road Extension
Slide 8	Site Photo looking east towards single-family homes and large lots in Bonneville County

R. W. Utterbeck, 3351 Charleston Lane, appeared to state that the reasoning behind the request for a zone change is due to one of the large day care centers locating on this site. He stated that he was unaware that the PB Zone would not allow for day care centers. Eventually, there will be approximately 200,000 square feet of office space and businesses in this area. Mr. Utterbeck stated that it was determined that the day care center would be greatly needed.

There being no further discussion either in favor of or in opposition to this rezoning request, Mayor Fuhrman closed the public hearing.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the zone change from PB (Professional/Business Office) to MS (Medical Services) on Lots 7 through 10, Block 1, First Amended Plat for Westridge Commercial Addition, Division No. 1 and, further, that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

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Aye: Councilmember Hally
Councilmember Taylor
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

Mayor Fuhriman announced that the public hearing for consideration of a rezoning from R-1 (Single Family Residential) to R-3 (Apartments) and Final Plat for property located generally south and west of the County Subdivision Park Ridge Estates, Division No. 1, north of 65th South (York Road) at the northern terminus of Foxrun Drive, and west of 5th West (Park Road) and legally described as Park Place Addition, Division No. 4 was withdrawn by the Division Director.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Councilmember Lehto, that the meeting adjourn at 9:20 p.m.

CITY CLERK

MAYOR
