

DECEMBER 13, 2007

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 13, 2007, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Also present:

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

Mayor Fuhriman requested Boy Scout Austin Gardner to come forward to lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the November 20, 2007 Regular Council Meeting and November 27, 2007 Council Work Session.

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 November 1, 2007 through November 30, 2007, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$ 739,243.57
Street Fund	82,090.89
Recreation Fund	30,017.69
Library Fund	69,758.47
Municipal Equipment Replacement Fund	499.00
Electric Light Public Purpose Fund	59,220.58
Golf Fund	30,802.88
Street Capital Improvement Fund	8,115.96
Traffic Light Capital Improvement Fund	469,356.05
Airport Fund	170,531.38
Water and Sewer Fund	334,389.35
Sanitation Fund	5,261.38
Ambulance Fund	10,014.73
Electric Light Fund	3,283,150.68
Payroll Liability Fund	<u>2,617,966.17</u>
TOTALS	\$ 7,945,130.61

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The City Clerk presented several license applications, including BEER LICENSES to A & R Food and Beverage LLC, Airport Lounge, Applebee's Neighborhood Grill and Bar, Aussie Eats Inc./Koala Klub, Bargain Brew and Smokes, Blondies, Bowlero, Casa Jaliscos Inc., Chili's, Fanatics Sports dba Taco Shop No. 10, First Street Saloon, Fred Meyer Stores Inc., Frosty Gator, Garcia's, Golden Crown Lounge, Holmes Speedi Mart, Jaliscos, La Union Market, Leo's Place, Maverik Inc. (Broadway), Maverik Inc. (Woodruff Avenue), Morenitas, Muddy's Place, O'Callahan's Restaurant, Olive Garden Italian Restaurant, Outback Steakhouse-Evergreen Restaurant, Pachangas Mexican Food, Pizza Hut (17th Street), Pizza Hut (Anderson Street), Pizza Hut (Broadway), Plum Loco, R & R Bar, Reelax Lounge, Ruby River Steakhouse, Sandpiper Restaurants East, Saving Center (Memorial Drive), Short Stop Market and Laundry, Sizzler Family Steak House, Smith's Food and Drug No. 121, Speedi Corp. Inc., Whitewater Grill LLC, Willards Arts Center/Colonial Theater, and Winger's, 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 December 13, 2007.

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

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Fuhriman presented the following Grants for the Arts:

Anam Cara
Eagle Rock Art Guild
I. F. Community Concerts
Idaho Falls Arts Council
Idaho Falls High School Multicultural Group
Idaho Falls Music Club
Idaho Falls Opera Theater
Idaho Falls Youth Arts Center
The Art Museum of Eastern Idaho

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. Tiffany Saslow appeared to state that she was the Chairman of the Public Relations Committee for the Mayor's Youth Advisory Council. She stated that they were in the final planning stages for the New Year's Eve Dance to be held at Idaho Falls High School. Ticket sales have been a little slow, but they expect sales to pick up next week. There has been a great support from the community for this dance. The main sponsors (Z103, Sam's Club, Best Buy, and

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Idaho Mountain Trading Company) have donated large door prizes. Tiffany stated that the Mayor's Youth Advisory Council was invited to speak at the Adult Chamber Leadership Meeting. Everyone was receptive to the opinions from the Mayor's Youth Advisory Council. The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
October 22, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: IDAHO FALLS POWER BUILDING CHANGE ORDERS NO. 1, 2, AND 3

Attached are Change Orders No. 1, 2, and 3 to the Idaho Falls Power Building Renovation Project. Change Order Nos. 1 and 2 increase the contract amount by \$10,651.00. Change Order No. 3 increases the contract time by 82 days and is necessary because the new heat pumps were back ordered by the manufacturer. The heat pumps are anticipated to ship by the end of December.

Idaho Falls Power recommends approval of these Change Orders; and, authorize the Mayor to sign the documents.

s/ Jackie Flowers

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve Change Orders No. 1, 2, and 3 to Rivers West Construction for the Idaho Falls Power Building Renovation Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
November 28, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: FARM LEASE AGREEMENT – ALAN REED

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Attached for your consideration is the proposed Lease Agreement between the City of Idaho Falls and Alan Reed, for City-owned property located at the Idaho Falls Municipal Airport.

The Assistant City Attorney has reviewed and approved this Lease Agreement.

It is respectfully requested that Council approve the Lease Agreement and authorize the Mayor to execute the document.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Lease Agreement between the City of Idaho Falls and Alan Reed for City-owned property located at the Idaho Falls Municipal Airport and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 28, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PROSECUTING LEGAL SERVICES

Attached for your consideration is the Legal Services Contract with Bonneville County Prosecuting Attorney's Office. It is the recommendation of Municipal Services that the Council approve the contract and authorize the Mayor to sign said contract.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Legal Services Contract with Bonneville County Prosecuting Attorney's Office and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell

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Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

Mayor Fuhriman stated that the Bonneville County Prosecuting Attorney's Office has done a great job for the City of Idaho Falls.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
December 13, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: VETERINARY SERVICES INDEPENDENT CONTRACTOR AGREEMENT

Attached for your consideration is an independent contractor agreement between the City of Idaho Falls and Dr. Rhonda Aliah of Skyline Animal Clinic for the purpose of providing veterinary services at the Tautphaus Park Zoo for a period of one year, terminating December 31, 2008. The contract has been reviewed and prepared by the City Attorney.

The Parks and Recreation Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said agreement.

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Hardcastle, to approve the Veterinary Services Independent Contractor Agreement with Dr. Rhonda Aliah from Skyline Animal Clinic for the purpose of providing veterinary services at the Tautphaus Park Zoo and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls
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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: BONNEVILLE CHARIOT ASSOCIATION JOINT USE AGREEMENT

Attached for your consideration is a Joint Use Agreement between the City of Idaho Falls and the Bonneville Chariot Association. This agreement sets forth the terms and conditions for the 2008 State Chariot Meet scheduled at the Sandy Downs Rodeo Grounds Race Track Facilities.

It is therefore submitted for your approval and authorization for the Mayor and City Clerk to sign and execute said agreement.

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Hardcastle, to approve the Joint Use Agreement between the City of Idaho Falls and the Bonneville Chariot Association setting forth the terms and conditions for the 2008 State Chariot Meet scheduled at the Sandy Downs Rodeo Grounds Race Track Facilities and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
December 13, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: FISCAL YEAR 2008 GOLF FEE INCREASES

Attached for your consideration are proposed golf fee increases for the Fiscal Year 2008 budget year. The Golf Advisory Board reviewed and unanimously approved the proposed fee schedule at their November 13, 2007 Meeting.

The Parks and Recreation Division respectfully requests the Mayor and City Council to approve the proposed golf fee increases.

s/ David J. Christiansen

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	Current Price	Dollar Increase	New Price	% Increase
<u>Non-Resident Green Fees</u>				
Weekday: 9 Holes	\$14.25	\$0.25	\$14.50	1.72%
18 Holes	\$18.25	\$0.25	\$18.50	1.35%
Weekend: 9 Holes	\$15.25	\$0.25	\$15.50	1.61%
18 Holes	\$19.25	\$0.25	\$19.50	1.28%
Out of State: 9 Holes	\$15.25	\$0.25	\$15.50	1.61%
18 Holes	\$19.25	\$0.25	\$19.50	1.28%
<u>Resident Green Fees</u>				
Weekday: 9 Holes	\$12.25	\$0.25	\$12.50	2.00%
18 Holes	\$16.25	\$0.25	\$16.50	1.52%
Weekend: 9 Holes	\$13.25	\$0.25	\$13.50	1.85%
18 Holes	\$17.25	\$0.25	\$17.50	1.43%
<u>Make-up Green Fees</u>				
Make-up One	\$4.00	\$0.00	\$4.00	0.00%
Make-up Two	\$2.00	\$0.00	\$2.00	0.00%
Make-up Three	\$1.00	\$0.00	\$1.00	0.00%
<u>Resident Season Passes</u>				
First Adult	\$518.00	\$10.00	\$528.00	1.89%
Second Adult	\$408.00	\$10.00	\$418.00	2.39%
First Senior	\$340.00	\$10.00	\$350.00	2.86%
Second Senior	\$302.00	\$10.00	\$312.00	3.21%
Full Time Junior	\$181.00	\$ 9.00	\$190.00	4.74%
Part Time Junior	\$128.00	\$ 6.00	\$134.00	4.48%
Young Adult Pass	\$325.00	\$10.00	\$335.00	2.99%
<u>Non-Resident Season Passes</u>				
First Adult	\$534.00	\$10.00	\$544.00	1.84%
Second Adult	\$424.00	\$10.00	\$434.00	2.30%
First Senior	\$356.00	\$10.00	\$366.00	2.73%
Second Senior	\$319.00	\$10.00	\$329.00	3.04%
<u>Resident Punch Passes</u>				
10-18 Hole Punch	\$160.00	\$2.50	\$162.50	1.54%
10-9-Hole Punch	\$118.00	\$2.50	\$120.50	2.07%
<u>Non Resident Punch Passes</u>				
10-18 Hole Punch	\$181.00	\$2.50	\$183.50	1.36%
10-9 Hole Punch	\$139.00	\$2.50	\$141.50	1.77%
<u>Lockers</u>				
Lockers Yearly Fee	\$11.50	\$0.50	\$12.00	4.17%
<u>Cart Usage Fees</u>				
Yearly Fee	\$133.00	\$6.00	\$139.00	4.32%
<u>Cart Storage Fee</u>				
Yearly Fee				

It was moved by Councilmember Cornwell, seconded by Councilmember Hardcastle, to approve the Fiscal Year 2008 Golf Fee Increases as proposed. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
December 8, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE ADOPTING THE 2006 EDITION OF THE
INTERNATIONAL BUILDING CODE

Attached is the Ordinance which adopts the 2006 Edition of the International Building Code. This Ordinance continues the exemption from automatic sprinkler systems for 3 or 4 unit Group R buildings, raises building permit fees by five percent, and has been prepared by the Assistant City Attorney. This Division respectfully requests the adoption of this Ordinance.

s/ Renée R. Magee

Councilmember Lehto requested an explanation of why the City is continuing the exemption from automatic sprinkler systems for 3 or 4 unit Group R buildings.

Councilmember Hally stated that the State of Idaho has also included this exemption when adopting the International Building Code, 2006 Edition. This allowed the different jurisdictions to determine whether they would like to keep the exemption or not.

Councilmember Hardcastle stated that this issue will be pursued within the next couple of months which would allow for public comment regarding this exemption.

Councilmember Lehto stated that the International Building Code, 2006 Edition should be adopted as is, then debate the merits of continuing the exemption. He stated, further, that the International Building Code was developed by technical professionals in their congresses and societies. This becomes a safety issue.

Reginald Fuller, Building Official, appeared to state that Councilmember Lehto has pointed out a legitimate concern. This was a hot topic for debate three years ago. The Code Council voted to have all R Occupancies sprinkled in the 2003 Edition of the International Building Code. The Uniform Building Code provided for passive addressing of fires by using fire walls. Sprinkling did not have to be used until there was more than 16 units. Mr. Fuller stated that during the Council Committee Meeting, he was given direction to find out what other jurisdictions were doing with the exemption to the International Building Code. It was determined that at this time, the City would stay with the status quo, which would allow for input as to what direction the City should take.

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Following a brief discussion regarding this issue, it was determined that a courtesy public hearing could be held allowing for input to determine the safest way to handle the 3 or 4 unit occupancies.

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

ORDINANCE NO. 2728

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, REPEALING AND RE-ENACTING SECTIONS 7-1-1 AND 7-1-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE ADOPTION OF THE 2006 INTERNATIONAL BUILDING CODE; PROVIDING FOR AMENDMENTS THERETO; PRESERVING PRIOR ORDINANCE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hally moved, and Councilmember Groberg 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 Parry
Councilmember Groberg
Councilmember Hardcastle
Councilmember Hally

Nay: Councilmember Lehto

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
December 6, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: WELL NO. 15 GENERATOR ADDITION

On December 4, 2007, bids were received and opened for the Well No. 15 Generator Addition. A tabulation of the bid results is attached.

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Public Works recommends acceptance of the design and specifications; award of this bid to the low bidder, Mountain West Electric, Inc., in the amount of \$245,385.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the design and specifications for the Well No. 15 Generator Addition, accept the low bid from Mountain West Electric, Inc. in the amount of \$245,385.00 to complete said project and, further, authorize the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhriman announced that the Annexation Proceedings for George Washington Estates Addition, Division No. 7 was withdrawn by the Division Director.

Mayor Fuhriman announced that the Annexation Proceedings for Lot 5, Block 1, Sunnyside Industrial and Professional Park was withdrawn by the Division Director.

Mayor Fuhriman requested Councilmember Hally to conduct Annexation Proceedings for a portion of Hitt Road with a Metes and Bounds Legal Description of 0.61 Acres in the Northwest Quarter of Section 22, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 8, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION – A PORTION OF HITT ROAD

Attached is the Annexation Ordinance for a portion of Hitt Road south of First Street. The owner of this parcel, which is located immediately east of the Hitt Road travel way, is the City of Idaho Falls. The Planning Commission considered this request at its November 13, 2007 Meeting and recommended approval. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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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
- Exhibit 1 Planning Commission Minutes dated November 13, 2007
- Exhibit 2 Staff Report dated November 13, 2007
- Exhibit 3 Vicinity Map

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

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

ORDINANCE NO. 2729

PORTION OF HITT ROAD AND FIRST STREET

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 Hally moved, and Councilmember Groberg 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 Groberg
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 Hally, seconded by Councilmember Groberg, to establish the initial zoning for a Metes and Bounds Legal Description of 0.61 Acres in the Northwest Quarter of Section 22, Township 2 North, Range 38 East of the Boise Meridian as C-1 (Commercial) Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City

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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 Groberg

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Hally to conduct Annexation Proceedings for Lot 4, Block 2, Westside Park Addition, Division No. 1, First Amended Plat and a portion of Saddle Lane. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 8, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION AND INITIAL ZONING OF R-1 – LOT 4, BLOCK 2, FIRST AMENDED PLAT FOR WESTSIDE PARK ADDITION, DIVISION NO. 1 AND A PORTION OF SADDLE LANE

Attached are the Annexation Agreement and Annexation Ordinance for Lot 4, Block 2, First Amended Plat for Westside Park, Division No. 1 and a portion of Saddle Lane. The requested zoning is R-1. The parcel under consideration is located at the eastern end of Saddle Lane west and adjacent to Grizzly Avenue. The Planning Commission considered this request at its November 13, 2007 Meeting and recommended approval. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée 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 parcel under consideration
Slide 3 Comprehensive Plan
Slide 4 Site Photo looking south across site
Slide 5 Site Photo looking north across site
Exhibit 1 Planning Commission Minutes dated November 13, 2007

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Exhibit 2 Staff Report dated November 13, 2007
Exhibit 3 Vicinity Map

Doug Dameron, 2141 West Saddle Lane, appeared to state that he purchased the lot approximately ten years ago and would like to construct a single-family residence at this time. He stated that he has designed a house that would fit in the parameters of the lot. He requested, further, that this annexation be approved.

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 Hally, seconded by Councilmember Groberg, to approve the Annexation Agreement for Lot 4, Block 2, Westside Park Addition, Division No. 1, First Amended Plat and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2730

DOUG DAMERON, WESTSIDE PARK ADDITION, DIVISION NO. 1, FIRST AMENDED PLAT, BLOCK 2, LOT 4 AND A PORTION OF SADDLE LANE

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 Hally moved, and Councilmember Groberg 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 Parry
 Councilmember Cornwell
 Councilmember Groberg

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Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

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 Hally, seconded by Councilmember Groberg, to establish the initial zoning for Lot 4, Block 2, Westside Park Addition, Division No. 1, First Amended Plat 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:

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Hally to conduct a public hearing for consideration of an Ordinance adopting the Pancheri-Yellowstone Urban Renewal Plan on property bound by Pancheri Drive on the north, Snake River on the west, Yellowstone Avenue on the east, and the AMCOR property on the south. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 8, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE ADOPTING PANCHERI-YELLOWSTONE URBAN RENEWAL PLAN

Attached is the Ordinance adopting the Pancheri-Yellowstone Urban Renewal Plan. On October 18, 2007, the Board of Idaho Falls Redevelopment Agency passed Resolution No. 04-07 proposing the Pancheri-Yellowstone Urban Renewal Plan and forwarded the plan to Mayor and Council for consideration. This plan was the subject of a work session on November 15, 2007 and copies of the plan have been mailed to the affected taxing entities. The ordinance has been reviewed by the City Attorney. The Board respectfully requests passage of this Ordinance.

s/ Renée R. Magee

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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 request:

- Slide 1 Comprehensive Plan showing Urban Renewal Plan
- Slide 2 Aerial Photo
- Slide 3 Utility Map of Area – Waterlines are not looped
- Slide 4 Site Photo showing redevelopment of parking lot
- Slide 5 Site Photo of Candlewood Suites
- Slide 6 Site Photo showing north edge of Capital Avenue
- Slide 7 Site Photo looking from same area showing new development on west side of the river
- Slide 8 Site Photo showing excessive lava rock
- Slide 9 Site Photo showing power lines proposed for burial
- Slide 10 Site Photo showing informal road pattern, no storm water facilities
- Slide 11 Site Photo showing what property owners would like to see happen in this area. Site Photo shows entryway to Burggraf Office Building
- Slide 12 Site Photo looking back from west side of river to the western portion of development
- Slide 13 List of potential projects that the Agency has developed: Landscaping adjacent to the Snake River along the path being built; demolition and rock removal to encourage redevelopment; watermain improvements; street improvements; substation screening; and, underground and overhead powerlines.

The Planning and Building Director stated that the objectives of this Urban Renewal Plan are to eliminate substandard streets in the area; to eliminate deteriorated or inadequate public improvements; to redevelop the underdeveloped portions of 33 acres; to strengthen the economic base in this area; and, to redevelop the riverfront to change it from an industrial dominated area to an area that can accommodate commercial developments, greenbelt improvements, additional retail development, and residential development. She explained further, that the life of this district is twelve years. There are less than six property owners in this area, which would gear this district to a specific project or two. With one large project, there would be approximately \$18,000,000.00 in assessed valuation.

Derek Ence, Ball Ventures, 2235 East 25th Street, Suite 200, appeared to state that they are building Candlewood Suites. He stated that his company was encouraged that the Idaho Falls Redevelopment Agency was stepping forward to assist in the development of this area. He stated that he would like to put the landscaping in along the river from Pancheri south to the park. The Candlewood Suites will be complete toward the end of May, 2008.

Kenlon Johnson, 2695 South Boulevard, appeared to state that he is President of the Forde Johnson Oil Company. They own about 3.3 acres on South Yellowstone Avenue. He stated that they are very much in favor of the urban renewal project in this area. They have been in their location since the 1930's and have recently remodeled their facility into an office building. This is an area that has great potential. Ball Ventures is to be commended for their investment and forethought. This is a great opportunity for the City of Idaho Falls and for the community, in general.

Councilmember Groberg explained that the desire of the Redevelopment Agency is to continue a change of use along the river, from an industrial use to a mixed use to take full advantage of the river frontage. He, also, gave a brief explanation of the tax increment financing being used in this area and how it assists new development.

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Councilmember Parry stated that this area is a gateway into the City of Idaho Falls on the east side of the river. This is a great opportunity to develop this area.

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

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

ORDINANCE NO. 2731

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, APPROVING THE PANCHERI-YELLOWSTONE URBAN RENEWAL PLAN CITY OF IDAHO FALLS, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY AND STATE OFFICIALS; WAIVING THE READING RULES; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hally moved, and Councilmember Groberg 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 Groberg

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Hally to conduct a public hearing for consideration of Fiscal Year 2008 Annual Action Plan and Potential Projects for the City of Idaho Falls' Community Development Block Grant (CDBG) Program. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 8, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: PUBLIC HEARING – FISCAL YEAR 2008 ACTION PLAN

DECEMBER 13, 2007

The purpose of the public hearing is to provide an opportunity for applicants and citizens to express their ideas and comments on the use of Fiscal Year 2008 Community Development Block Grant (CDBG) funding. CDBG monies are to be used to eliminate slum and blight or provide housing, employment opportunities, and related services for low and moderate income families and individuals. There is a 30-day comment period after this public hearing this evening on the use of the Fiscal Year 2008 CDBG allocation.

s/ Renée R. Magee

Jan Blickenstaff, Grants Administrator, appeared to explain that the Department of Housing and Urban Development allocates a certain amount of money to the City of Idaho Falls under the Community Development Block Grant Program. In anticipation of receiving that money, the City of Idaho Falls must submit an Annual Action Plan. The monies are received in April. In the fall months previous, the Grants Administrator reviews the requests against the Department of Housing and Urban Development Eligible Activity List and the National Objectives of Low and Moderate Income Benefit and Prevention and Elimination of Slum and Blight. All ten of the following projects will qualify under the requirements:

FISCAL YEAR 2008 CDBG APPLICATIONS			
Applicant	Project	\$ Requested	National Objective Benefit
LIFE Inc.	Handicapped Access for LMI Homeowners	\$ 35,000.00	Seven LMI Homeowners
EICAP	Housing Rehab for LMI Homeowners	60,000.00	10-12 LMI Homeowners
City/Bike-Pedestrian	Sidewalk Replacement Grants - ½ to 2/3 Mile	83,000.00	30-50 LMI Homeowners
City/IFDDC	Downtown Renovations	100,000.00	Slum and Blight Prevention
EICAP	Grandparents raising grandchildren legal assistance	20,000.00	LMI Public Service
EICAP	Haven Shelter Repaving Courtyard	18,000.00	LMI Homeless
EICAP	Near Homelessness Assistance Payments to keep families in their homes	20,000	60 LMI Families
Library RR Crossing	Handicapped Access	50,000.00	Disabled Persons
City Code Enforcement	Neighborhood Cleanup 1 FTE	55,000.00	LMI Neighborhoods
TRPTA	Purchase New Bus	20,000.00	Disabled Persons
Administration		84,000.00	
TOTAL		\$545,000.00	

CDBG Appropriation as of 11-21-2007 - \$3.79 Billion – Conference Bill figure

No vote on bill until after 12-3-2007. Veto threatened

Idaho Falls @ \$426,254.00 – Conservative Estimate: \$420,000.00

Mr. Blickenstaff stated that there is now a 30-day comment period regarding the Community Development Block Grant funds.

Mr. Blickenstaff stated that the following letter was received with regard to requests for this grant money:

1. Letter from Valerie Johnson, Independent Living Advisor for LIFE Inc. dated October 11, 2007.

Russell Spain, Eastern Idaho Community Action Partnership, 2792 Barnes Way, appeared to state that they have entered four proposals for funding from the grant money. The requests are \$60,000.00 to continue the minor home repair program that was funded by the City two cycles ago (work on 8 homes has been completed so far, with two pending); \$20,000.00 to provide additional funding for contracts for legal aid to “Grandparents Raising Grandchildren”; \$18,000.00 for leveling and replacing overlay and asphalt for the courtyard at The Haven Temporary Shelter; and, \$20,000.00 to be used in one time crisis help to approximately 60 families who are homeless or facing homelessness.

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Shirley Chastain, Idaho Falls Downtown Development Corporation, 450 B Street, appeared to thank the Mayor and City Council for their past support on granting the CDBG dollars to the Idaho Falls Downtown Development Corporation. She stated that they have been able to assist 17 property owners with the low-interest, matching grant program in façade improvements. Once these facades are improved, property values have increased. This also reflects a safer environment.

Blake Hall, 880 Wheatstone, appeared on behalf of the Idaho Falls Downtown Development Corporation. The primary objective of the Idaho Falls Downtown Development Corporation with regard to the utilization of these funds is to remedy blight and slum conditions that exist and to insure that there is no further deterioration within our community. This is an opportunity to improve our community. There are eleven properties that are pending, with six others making application at this time. Mr. Hall encouraged the Mayor and City Council to continue using the Community Development Block Grant funds for façade improvement in the downtown area.

Jeff Forbes, 272 Tenth Street, appeared as the Co-Chairman for Idaho Falls Community Pathways, whose aim is to improve the situation for pedestrians and bicyclists in the Idaho Falls Metro Area. Mr. Forbes submitted the following objectives for his group:

1. Use of CDBG Funds for Sidewalk Repair:
 - a. 2007 CDBG Action Plan:
 1. The Community Development Block Grant (CDBG) Program entitles the City to use HUD annual grant funding for:
 - (a) improving aging neighborhoods;
 - (b) revitalizing historic downtown; and,
 - (c) supporting public services for low and moderate income families.
2. CDBG Program Five Year Priorities:
 - a. Objective One – Provide funding for infrastructure that will continue to make older neighborhoods attractive places to work and live.
 - b. Performance Measurement – Document the linear feet of lines, lights installed, street paving, curbs, gutters, sidewalks, and other measureable improvements for each program year 2004 through 2009.

Mr. Forbes stated that he was proposing to implement a sidewalk repair program for broken and heaved sidewalks here in Idaho Falls. He submitted the following information:

1. Letter from Chris Staley, Chairman, and Jeffrey Forbes, Vice Chairman, for Idaho Falls Community Pathways dated August 24, 2007.
2. Letter from Lisa A. Farris, BMPO Bicycle/Pedestrian Coordinator dated August 28, 2007.
3. Letter from Mayor Jared D. Fuhrman, Mayor, dated September 24, 2007.
4. Site Photo on South Boulevard, north of 11th Street.
Site Photo on Ash Street near South Water Street.
Site Photo on Ash Street near Ridge.
Site Photo on Ash Street near Yellowstone.
Site Photo on 12th Street west of Emerson.
Site Photo on 7th Street west of Lee.
Site Photo on 7th Street west of Emerson.

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Site Photo on 12th Street east of Emerson.
Map showing Survey of deteriorating sidewalks around the YMCA.

Stephanie Rose, 150 11th Street, appeared to state that she was the Chairman for the Crows' Original Townsite Homeowners Association. They conducted a survey throughout their neighborhood regarding deteriorating sidewalks. One hundred percent of the respondents said that walk-ability and bike-ability in the neighborhood and to the greenbelt and downtown area was important. The condition of the sidewalks is a major problem. This issue was taken to the Idaho Falls Community Pathways group to look for funding to assist those that are low to moderate income with the replacement of sidewalks. Their homeowners association has a good volunteer base and a good set of worker bees that are able to assist with the replacement of these sidewalks.

John McGimpsey, 2122 Calkins, appeared to state that he is a member of the Idaho Falls Community Pathways. He supported the requests for funding. Mr. McGimpsey stated that he supported the railroad crossing upgrade to allow for handicapped individuals crossing at the Idaho Falls Public Library.

There being no further comments either in favor of or in opposition to the Fiscal Year 2008 Action Plan for Community Development Block Grant, Mayor Fuhriman closed the public hearing.

Councilmember Hally stated that there will be a 30-day comment period and indicated that those comments should be given to Jan Blickenstaff, Grants Administrator under the Planning and Building Division at 380 Constitution Way.

Mayor Fuhriman stated that the public hearing for consideration of an appeal regarding a variance granted by the Board of Adjustment to allow an encroachment of 25-feet into the required 30-foot front setback on property located generally north and adjacent to the Red Lion Hotel, east of Lindsay Boulevard and legally described as 1.44 Acres in the Southeast Corner of the Southeast Quarter of Section 13, Township 2 North, Range 37, East of the Boise Meridian (Driftwood Motel) was withdrawn by the applicant.

There being no further business, it was moved by Councilmember Cornwell, seconded by Councilmember Groberg, that the meeting adjourn at 8:30 p.m.

CITY CLERK

MAYOR
