

NOVEMBER 8, 2007

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, November 8, 2007, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Also present:

Dale Storer, City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Fuhriman requested Boy Scout Alex Lopez 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 October 23, 2007 Council Work Session and the October 25, 2007 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 October 1, 2007 through October 31, 2007, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$ 1,193,342.14
Street Fund	104,412.63
Recreation Fund	20,802.76
Library Fund	126,458.15
Municipal Equipment Replacement Fund	235,043.50
Electric Light Public Purpose Fund	49,159.92
Business Improvement District Fund	11,699.00
Golf Fund	10,016.51
Street Capital Improvement Fund	4,725.00
Airport Fund	135,566.41
Water and Sewer Fund	377,409.38
Sanitation Fund	16,728.15
Ambulance Fund	13,467.63
Electric Light Fund	3,460,567.73
Payroll Liability Fund	2,210,005.16
TOTALS	\$ 7,969,404.07

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The City Clerk presented several license applications, including BEER LICENSES to Carniceria Garcias Inc., Garcia's Meat Market, Get-N-Go Convenience Store, Jakers of Idaho Falls, Pockets Inc., and Skyline Lanes, 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 November 8, 2007.

The Public Works Director submitted the following memo:

City of Idaho Falls
November 5, 2007

MEMORANDUM

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

Public Works requests authorization to advertise to receive bids for Sewer Projects, 2008.

s/ Chad Stanger

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 Groberg
Councilmember Hally
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Fuhriman requested Representatives 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 has had a meeting with Chad Hammond from IE Productions with regard to advertising for the New Year's Eve Dance that is being planned. She stated, further, that they have had and are planning to have other meetings with regard to advertising with different radio companies to promote this dance. Ben Lowsinski appeared to state that the Mayor's Youth Advisory Council ushered for an event that Councilmember Hardcastle emceed.

Mayor Fuhriman congratulated Sharon Parry for being elected to Council Seat No. 1, Thomas Hally for being re-elected to Council Seat No. 3, and Michael Lehto for being re-elected to Council Seat No. 5. Mayor Fuhriman stated that Mrs. Parry will be appointed to fill the remainder of Councilmember Lyon's term for Council Seat No. 1 at the next Council Meeting to be held on Tuesday, November 20, 2007.

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Mayor Fuhriman requested those to come forward who had an issue for the City Council that was not otherwise on the Council Agenda.

Dan Mahnami, 1223 Cabin Cove, appeared to express his concern for the new Day Care Ordinance that is to be passed by the City Council in the near future. He requested that there be a public meeting regarding this Ordinance.

Councilmember Cornwell stated that there will be another public meeting as soon as the draft is ready. A Work Session by the City Council will be held in early December, 2007. This Day Care Ordinance will not come before the City Council until the end of January or the early part of February, 2008.

The City Attorney stated that the new draft will be ready in the middle of November, 2007.

Councilmember Lehto informed those present that the next Regular City Council Meeting will be held on Tuesday, November 20, 2007 due to the Thanksgiving Holiday being held on Thursday, November 22, 2007.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
November 1, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AIRPORT LEASE AGREEMENT

Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and K. H. Woolf dba K. H. Woolf Development Company, located at 2783 Foote Drive.

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

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

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Airport Lease Agreement between the City of Idaho Falls and K. H. Woolf dba K. H. Woolf Development Company located at 2783 Foote Drive, and further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

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City of Idaho Falls
November 5, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: THIRD AMENDMENT TO ANNEXATION AGREEMENT -
SUNNYSIDE CROSSROADS NORTH REGIONAL CENTER
(FORMERLY TETON PEAKS SUBDIVISION)

Attached is the Third Amendment to the Annexation Agreement for Sunnyside Crossroads North Regional Center. This amendment includes 1.91 acres recently annexed and zoned HC-1 and R-3A. This Department respectfully requests approval of this agreement.

s/ Renée R. Magee

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to approve the Third Amendment to the Annexation Agreement for Sunnyside Crossroads North Regional Center and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 5, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: AMENDED ANNEXATION AGREEMENT - INTERMOUNTAIN
BUSINESS AND TECHNOLOGY PARK (PRIOR TO PLATTING)

Attached is the Amended Annexation Agreement for Intermountain Business and Technology Park. This Agreement addresses the storm water retention pond and its access through the Intermountain Business and Technology Park subdivision. The Department respectfully requests approval of this Agreement.

s/ Renée R. Magee

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It was moved by Councilmember Hally, seconded by Councilmember Groberg, to approve the Amended Annexation Agreement for Intermountain Business and Technology Park 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
Councilmember Hardcastle

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
November 5, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 3, BLOCK 1, FIRST AMENDED PLAT – MADSEN ADDITION, DIVISION NO. 1

The owner of Lot 3, Block 1, First Amended Plat, Madsen Addition, Division No. 1 has requested vacation of a platted utility easement not needed by the City. Public Works requests authorization for the City Attorney to prepare documents to vacate the referenced easement.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to give authorization for the City Attorney to prepare the documents necessary to vacate a platted utility easement in Lot 3, Block 1, First Amended Plat of Madsen Addition, Division No. 1. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhrman requested Councilmember Hally to conduct Annexation Proceedings for Kingston-Bauchman Industrial Park, Division No. 2. At the request of Councilmember Hally, the City Clerk read the following letter from the Planning and Building Director:

NOVEMBER 8, 2007

City of Idaho Falls
October 22, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING OF I & M-1 AND FINAL PLAT – KINGSTON-BAUCHMAN INDUSTRIAL PARK, DIVISION NO. 2

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat entitled Kingston-Bauchman Industrial Park, Division No. 2. This Final Plat of six industrial lots and one sign lot is located south and east of U. S. 20, north of Stanley Drive, and west of Holmes Avenue. The requested initial zoning is I & M-1, Industrial and Manufacturing. The Planning Commission considered this annexation request at its October 2, 2007 Meeting and recommended approval with the conditions the Annexation Agreement require on-site storm water retention, a minimum twenty-foot wide landscape strip along U. S. 20, and compliance with *The Access Management Plan*, and the applicant's engineer research the easement required by Rocky Mountain Power. This annexation request is now being submitted for the consideration of the Mayor and Council.

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
Slide 3	Aerial Photo Close Up
Slide 4	Comprehensive Plan
Slide 5	Vicinity Map showing surrounding zoning
Slide 6	Aerial Photo showing proposed Final Plat
Slide 7	Final Plat under consideration
Slide 8	Site Photo looking northwest across site
Slide 9	Site Photo looking north
Slide 10	Site Photo looking northeast
Slide 11	Site Photo looking at development on opposite side of Stanley
Slide 12	Site Photo looking at development on east side of Stanley
Slide 13	Site Photo looking at view of Industrial Park to the east
Slide 14	Site Photo looking west on Stanley
Exhibit 1	Planning Commission Minutes dated October 2, 2007
Exhibit 2	Staff Report dated October 2, 2007
Exhibit 3	Vicinity Map
Exhibit 4	Copy of Final Plat

The Planning and Building Director stated that this annexation request is a portion of the Kingston-Bauchman Final Plat. The western portion of this Final Plat has been previously annexed into the City of Idaho Falls. She explained, further, that the requested zoning is in compliance with the Comprehensive Plan.

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Kurt Rowland, Schiess and Associates, 7103 South 45th West, Idaho Falls, appeared to state that he was representing the Developer for this project. He requested to know whether the Mayor or City Council had any questions. There were no questions or comments.

Jonathan Stoddard, 346 Aspen Drive, Rigby, Idaho, appeared to state that he owns two of the lots within this subdivision. He stated that he sees the benefit in being a part of the City of Idaho Falls. He requested approval of this annexation.

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

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to approve the Annexation Agreement for Kingston-Bauchman Industrial Park, Division No. 2 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2722

KINGSTON-BAUCHMAN INDUSTRIAL PARK, DIVISION NO. 2

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 Lehto
Councilmember Hardcastle
Councilmember Groberg
Councilmember Hally
Councilmember Cornwell

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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 Kingston-Bauchman Industrial Park, Division No. 2 as I & M-1 (Industrial and Manufacturing) 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 Cornwell
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the Final Plat for Kingston-Bauchman Industrial Park, Division No. 2 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

The Annexation Proceedings for Goose Lake Addition, Division No. 1 was withdrawn by the Applicant.

Mayor Fuhriman requested Councilmember Hally to conduct a public hearing for consideration of a rezoning of 2.365 Acres from HC-1 (Limited Retail Business) to R-3A (Apartments and Professional Offices) for a Metes and Bounds Legal Description in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 7, Township 2 North, Range 38, East of the Boise Meridian and located generally south and adjacent to Science Center Drive, north of West Anderson Street, east of Interstate 15, and west of North Boulevard. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

NOVEMBER 8, 2007

City of Idaho Falls
November 2, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE 2.365 ACRES FROM HC-1 TO R-3A -
SOUTH OF AND ADJACENT TO SCIENCE CENTER DRIVE AND
WEST OF BOULEVARD

Attached is the request to rezone 2.365 acres from HC-1 (Highway Commercial) to R-3A (Offices and Apartments). This parcel is located south and adjacent to Science Center Drive, north and west of Anderson Street, and west of North Boulevard. The Planning Commission recommended approval of this request at its October 2, 2007 Meeting. Staff concurs with this recommendation since R-3A zoning is likely to generate less traffic accessing Science Center Drive and residential land uses are adjacent to this parcel. This 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 rezoning request:

Slide 1 Vicinity Map showing surrounding zoning
Exhibit 1 Planning Commission Minutes dated October 2, 2007
Exhibit 2 Staff Report dated October 2, 2007
Exhibit 3 Vicinity Map

The Planning and Building Director stated, further, that this request is in compliance with the Comprehensive Plan.

Jeremiah Bigelow, 98 North Cambridge Drive, Rigby, Idaho, appeared to state that he was in the process of purchasing this property. He requested that this rezoning be approved, as this is the same zoning that is already present on the adjacent property.

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 Hally, seconded by Councilmember Groberg, to approve the rezoning of 2.365 Acres from HC-1 (Limited Retail Business) to R-3A (Apartments and Professional Offices) for a Metes and Bounds Legal Description in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 7, Township 2 North, Range 38, East of the Boise Meridian and located generally south and adjacent to Science Center Drive, north of West Anderson Street, east of Interstate 15, and west of North Boulevard 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:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally

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Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to recess the Annexation Proceedings for George Washington Estates Addition, Division No. 7 to the November 20, 2007 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to recess the Annexation Proceedings for Lot 5, Block 1, Sunnyside Industrial and Professional Park to the November 20, 2007 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Cornwell, seconded by Councilmember Hally, that the meeting adjourn at 7:55 p.m.

CITY CLERK

MAYOR
