

**APRIL 26, 2007**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, April 26, 2007, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Jared D. Fuhriman  
Councilmember Joe Groberg  
Councilmember Michael Lehto  
Councilmember Karen Cornwell  
Councilmember Ida Hardcastle (By Telephone)  
Councilmember Larry Lyon

Absent was:

Councilmember Thomas Hally

Also present:

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

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

**CONSENT AGENDA ITEMS**

Mayor Fuhriman presented the following Resolutions:

**RESOLUTION NO. 2007-09**

**BY THE CITY COUNCIL OF IDAHO FALLS, IDAHO**

A RESOLUTION TO PUBLICLY SUPPORT THE MISSION AND OBJECTIVES OF **THE FAMILY CARE CENTER, INC. (CITY OF REFUGE SHELTER AND ARK TRANSITIONAL HOUSING)** AND TO ALLOW THIS DECLARATION OF PUBLIC SUPPORT TO BE USED BY **THE FAMILY CARE CENTER, INC.** TO SATISFY AN APPLICATION REQUIREMENT FOR FEDERAL FUNDING AND TO SUPPORT HOUSING FOR LOW-INCOME HOMELESS PERSONS IN THE CITY OF IDAHO FALLS; AUTHORIZING THE MAYOR AND CITY CLERK TO MAKE SUCH DECLARATION FOR, AND ON BEHALF OF, THE CITY OF IDAHO FALLS AND ITS OFFICERS.

WHEREAS, The Family Care Center, Inc. provides a valuable and necessary service to the residents of the City of Idaho Falls and the surrounding communities and counties by providing housing and services to homeless and indigent persons; and,

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WHEREAS, The Family Care Center, Inc. is in good standing with the City of Idaho Falls and is in compliance with all applicable City Codes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

Section 1. That the Mayor and City Clerk be, and they hereby are, declaring public support for The Family Care Center, Inc.

ADOPTED by the Council of the City of Idaho Falls, Idaho this 26<sup>th</sup> day of April, 2007.

APPROVED by the Mayor of the City of Idaho Falls, Idaho this 27<sup>th</sup> day of April, 2007.

APPROVED:

s/ Jared D. Fuhriman  
MAYOR

ATTEST:

s/ Rosemarie Anderson  
CITY CLERK

(SEAL)

**RESOLUTION NO. 2007-10**

**BY THE CITY COUNCIL OF IDAHO FALLS, IDAHO**

A RESOLUTION TO PUBLICLY SUPPORT THE MISSION AND OBJECTIVES OF **FAITH** AND TO ALLOW THIS DECLARATION OF PUBLIC SUPPORT TO BE USED BY **FAITH** TO SATISFY AN APPLICATION REQUIREMENT FOR FEDERAL FUNDING AND TO SUPPORT HOUSING FOR LOW-INCOME HOMELESS PERSONS IN THE CITY OF IDAHO FALLS; AUTHORIZING THE MAYOR AND CITY CLERK TO MAKE SUCH DECLARATION FOR, AND ON BEHALF OF, THE CITY OF IDAHO FALLS AND ITS OFFICERS.

WHEREAS, FAITH provides a valuable and necessary service to the residents of the City of Idaho Falls and the surrounding communities and counties by providing housing and services to homeless and indigent persons; and,

WHEREAS, FAITH is in good standing with the City of Idaho Falls and is in compliance with all applicable City Codes.

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NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

Section 1. That the Mayor and City Clerk be, and they hereby are, declaring public support for FAITH.

ADOPTED by the Council of the City of Idaho Falls, Idaho this 26<sup>th</sup> day of April, 2007.

APPROVED by the Mayor of the City of Idaho Falls, Idaho this 27<sup>th</sup> day of April, 2007.

APPROVED:

s/ Jared D. Fuhriman  
MAYOR

ATTEST:

s/ Rosemarie Anderson  
CITY CLERK

(SEAL)

The City Clerk requested approval of the Minutes from the April 12, 2007 Regular Council Meeting and the April 23, 2007 Executive Session.

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 April 26, 2007.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls  
April 23, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: CONSENT AGENDA – REQUEST FOR AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS FOR IDAHO FALLS POWER BUILDING UPGRADES

Idaho Falls Power respectfully requests authorization to advertise and receive bids for improvements to the building at 140 South Capital. Attached is a copy of the project detail sheet from the Capital Improvement Plan as well as a letter from the architect highlighting some of the building problems.

s/ Jackie Flowers

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

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Fuhriman requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda.

John Melling, 2022 Olympia Drive, appeared to question whether a Memorandum of Understanding had been prepared to address Olympia Drive being dead-ended. He did not want Olympia Drive to become a through-street to access any future buildings next to the Airport.

The City Attorney stated that he was asked to look into this issue. He stated, further, that he authored a Memorandum Opinion and forwarded that to the Mayor's Office.

Councilmember Groberg stated that a copy of the City Attorney's Memorandum Opinion would be forwarded to the Airport Director. This could then be placed on a Council Committee Meeting Agenda for discussion. Councilmember Groberg stated that Mr. Melling would be notified when that meeting would be held.

Mayor Fuhriman stated that he did not believe this was a problem and would get it resolved for Mr. Melling.

Nikki Jensen, 1704 Olympia Drive, appeared to request what type of development was planned for the Rex's Addition, Division No. 1.

Mayor Fuhriman indicated that the Annexation Proceedings for Rex's Addition, Division No. 1 would be recessed to the May 10, 2007 Regular Council Meeting.

Councilmember Groberg referred Ms. Jensen to the Planning and Building Director, who would give her information regarding this development. Councilmember Groberg then invited Ms. Jensen to the Annexation Proceedings for Rex's Addition, Division No. 1 to be held at the May 10, 2007 Regular Council Meeting should she have any further comment.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
April 17, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-07-14, SIX (6) NEW 2007 POLICE SPORTS UTILITY VEHICLES

Attached for your consideration is the tabulation for the above subject bid.

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It is the recommendation of Municipal Services to accept the sole bid of Broadway Ford to furnish new 2007 Ford Explorers for an amount of \$23,738.00 each with options. Total purchase price for all six (6) units will be \$142,428.00 without trade-ins. Because of the small amount offered for the trade-ins, they will be placed in the auction.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to accept the sole bid from Broadway Ford to furnish Six (6) New 2007 Ford Explorers for an amount of \$23,738.00 each with options for a total purchase amount of \$142,428.00 without trade-ins; and, further, giving authorization to sell the trade-in units at the City Auction. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Lyon  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls  
April 17, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-07-15, WATERBORNE RAPID DRY TRAFFIC STRIPING PAINT

Attached for your consideration is the tabulation for the above subject bid.

It is the recommendation of Municipal Services to accept the bid of Ennis Paint Company. They will furnish the required specified paint for a lump sum total amount of \$60,375.50. The bid submitted by Pervo Paint Company was withdrawn because they submitted prices for the wrong product.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to accept the bid from Ennis Paint Company to provide Waterborne Rapid Dry Traffic Striping Paint for a lump sum total amount of \$60,375.50. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Lehto

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Nay: None

Motion Carried.

City of Idaho Falls  
April 19, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PLACEMENT OF BOILER AND MACHINERY AND PROPERTY  
COVERAGE FOR ALL HYDRO PLANTS

It is respectfully requested that Mayor and Council bind the City's insurance coverage for all of the hydro projects. The premium for the year beginning April 29, 2007 is \$287,217.00 with Starr Tech. Fred A. Moreton and Company is the broker.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to bind the City's insurance coverage for all hydro projects with Starr Tech showing Fred A. Moreton and Company as the broker. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hardcastle  
Councilmember Lyon

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

Idaho Falls Redevelopment Agency  
April 22, 2007

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Executive Director  
SUBJECT: RESOLUTION DETERMINING PANCHERI-YELLOWSTONE AREA  
TO BE DETERIORATED AND DETERIORATING AND DIRECTING  
THE IDAHO FALLS REDEVELOPMENT AGENCY TO PREPARE  
AN URBAN RENEWAL PLAN

Attached is a Resolution and accompanying eligibility report for the Pancheri-Yellowstone area. This area is bounded by the Snake River on the west, Pancheri Drive on the north, Yellowstone and the Union Pacific Railroad on

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the east, and the Idaho Falls electric substation and Capital Avenue on the south. On March 15, 2007, the Idaho Falls Redevelopment Agency accepted the report prepared by Harlan Mann, Consultant, and requested the Idaho Falls City Council direct the Agency to prepare an urban renewal plan for the area. The Board of the Agency respectfully requests adoption of the accompanying Resolution.

s/ Renée R. Magee

**RESOLUTION NO. 2007-11**

A RESOLUTION BY THE CITY COUNCIL DETERMINING A CERTAIN AREA WITHIN THE CITY TO BE A DETERIORATED AND DETERIORATING AREA AS DEFINED BY IDAHO CODE SECTION 50-2018(9) AND 50-2903(8)(b), DIRECTING THE URBAN RENEWAL AGENCY OF IDAHO FALLS, IDAHO TO COMMENCE THE PREPARATION OF AN URBAN RENEWAL PLAN, WHICH PLAN MAY INCLUDE REVENUE ALLOCATION PROVISIONS FOR ALL OR PART OF THE AREA.

WHEREAS, on the 6<sup>th</sup> day of July, 1966, the Council and Mayor of Idaho Falls, Idaho respectively, created the Idaho Falls Redevelopment Agency (hereinafter "Agency"), authorizing it to transact business and exercise the powers granted by Session Laws 1965, Chapter 246 (Chapter 20, Title 50, Idaho Code) upon making the findings of necessity required for creating said Urban Renewal Agency;

WHEREAS, the City Council of the City of Idaho Falls, Idaho (the "City"), on December 22, 1988, after notice duly published, conducted a public hearing on the Lindsay Boulevard Urban Renewal Plan (the "Urban Renewal Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 1926 on December 23, 1988, approving the Urban Renewal Plan and making certain findings;

WHEREAS, the City, on December 10, 1992, after notice duly published, conducted a public hearing on the Amended and Restated Urban Renewal Plan (the "Amended and Restated Urban Renewal Plan");

WHEREAS, following said public hearing, the City adopted its Ordinance No. 2084 on December 10, 1992, approving the Amended and Restated Urban Renewal Plan and making certain findings;

WHEREAS, the City, on October 24, 2002, after notice duly published, conducted a public hearing on the Second Amended and Restated Lindsay Boulevard Urban Renewal Plan (also known as the Idaho Falls Snake

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River Urban Renewal Project Plan) (hereinafter the “Second Amended and Restated Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 2467 on November 14, 2002, approving the Second Amended and Restated Plan and making certain findings;

WHEREAS, the City on October 14, 2004, after notice duly published, conducted a public hearing on the River Commons Urban Renewal Plan (hereinafter the “River Commons Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 2556 on October 14, 2004, approving the River Commons Plan and making certain findings;

WHEREAS, the City, on December 14, 2006, after notice duly published, conducted a public hearing on the First Amendment to the Second Amended and Restated Lindsay Boulevard Urban Renewal Plan (also known as the Idaho Falls Snake River Urban Renewal Project Plan, the Downtown Addition) (hereinafter the “First Amendment to the Second Amended and Restated Plan – Downtown Addition”);

WHEREAS, following said public hearing the City adopted its Ordinance No. 2685 on December 14, 2006, approving the First Amendment to the Second Amended and Restated Plan – Downtown Addition;

WHEREAS, interest in a possible new urban renewal project has been generated by a developer and property owner (the “Developer”) indicating Developer’s desire to build a hotel on property owned by Developer at the southwest corner of Pancheri and Capital, adjacent to the Snake River Plan Area and the River Commons Plan Area;

WHEREAS, the area under consideration includes an area that is roughly bounded by Capital, Pancheri, Yellowstone and the River, for consideration as an urban renewal area;

WHEREAS, additional properties not owned by the Developer adjacent to Developer’s properties may also be considered for inclusion;

WHEREAS, the Agency has heretofore authorized a study or report to consider incorporating certain property in proximity to the Pancheri and Capital Area to analyze and determine whether the area is eligible for urban renewal planning, and provide the full Agency Board with a report and recommendation as soon as reasonably possible;

WHEREAS, on behalf of the Agency, Harlan W. Mann, Real Estate and Community Development Consultant (hereinafter the “Consultant”), has examined the area bounded by Pancheri, Yellowstone, Capital and the Snake River for the purpose of determining whether such area is a deteriorated or deteriorating area as defined under Idaho Code Section 50-2018(9) and 50-2903(8)(b);

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WHEREAS, the Consultant performed such examination and submitted his report dated March 13, 2007, to the Agency, a copy of which is attached hereto as Exhibit 1 (referred to as the "Report");

WHEREAS, the Report identifies an eligible area bounded by Capital Avenue and the Snake River on the west, the Idaho Falls Electric Substation and Capital Avenue on the south, Yellowstone Avenue on the east, and Pancheri on the north;

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, the Agency, on March 15, 2007, adopted a Resolution accepting the Report and authorizing the Chairman or Executive Director of the Agency to transmit the Report to the Council requesting its consideration for designation of an urban renewal area and requesting that the Council direct the Agency to prepare an Urban Renewal Plan for the area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, it is desirable and in the best public interest that the Agency prepare an Urban Renewal Plan for the area identified in the Report located in the City of Idaho Falls, County of Bonneville, State of Idaho.

NOW, THEREFORE, be it resolved that:

1. That the Council of Idaho Falls finds and declares:

a. That the described area in the Report is a deteriorated or deteriorating area existing in Idaho Falls, Idaho as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended;

b. That there is a need for the Agency, an urban renewal agency, to function in accordance with the provisions of said Chapter 20 and 29, Title 50, Idaho Code, as amended, within a designated area for the purpose of establishing an urban renewal plan; and,

c. That the area identified in the Report is determined as a deteriorated or deteriorating area, or a combination thereof, and such area is designated as appropriate for an urban renewal project, and the Agency should proceed with the preparation of an urban renewal plan for the area, which plan may include a revenue allocation provision as allowed by law.

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2. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

DATED this 26<sup>th</sup> day of April, 2007.

CITY OF IDAHO FALLS, IDAHO

By: s/ Jared D. Fuhriman  
Mayor

ATTEST:

s/ Rosemarie Anderson  
City Clerk

(SEAL)

The Planning and Building Director located the subject area on a map and further explained the request. Following is an exhibit used in connection with this Resolution:

Slide 1 Vicinity Map showing surrounding zoning and development

Councilmember Groberg explained that if the City Council approves the resolution, it would give authorization for the Idaho Falls Redevelopment Agency to go forward and form an Urban Renewal District in the area described. This would be similar to the opportunities that are available in the Taylor Crossing area.

Councilmember Lyon stated that he felt some reservation for the tax increment financing within the districts.

Councilmember Groberg stated that the existing tax base remains on this land, but the additional valuation that would come from new improvements would be taken off of the tax rolls for approximately ten years. This is a lesser amount of time than what is allowed under State Law. The agency members were determined that the life of this particular district would be as short as possible to be able to realize the improvements and get it back on the tax rolls.

Councilmember Lyon stated that he hated to shrink the tax base unless it was absolutely necessary. He requested to know whether the positive pressure produced by the economic development around that area would make it viable to be developed without putting the land into an Urban Renewal District.

Councilmember Groberg stated that before the Idaho Falls Redevelopment Agency recommends the creation of an Urban Renewal District, a conclusion is reached that the tax increment financing is essential for the development to take place.

Councilmember Lyon stated that he was not convinced that development would not occur unless an Urban Renewal District was formed. He believed that the land would develop without putting it under an Urban Renewal District. He, further, expressed his concern for Urban Renewal Districts being subject to abuse in the past.

Councilmember Groberg stated that he tries to be as careful as he can about drawing a conclusion that without the use of the tax increment financing, whether this land would develop in a favorable manner. The Idaho Falls Redevelopment Agency has a member of the City Council and a member of the Bonneville County Commissioners on the Board, both of whom are very aware of the need to keep the tax base and not arbitrarily defer it for a number of years. If the development of this land could take place without the stimulation of tax increment financing, that is the way it should go.

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It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to adopt the Resolution determining Pancheri-Yellowstone Area to be deteriorated or deteriorating, direct the Idaho Falls Redevelopment Agency to prepare an Urban Renewal Plan 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 Groberg  
Councilmember Lehto

Nay: Councilmember Lyon

Motion Carried.

City of Idaho Falls  
April 22, 2007

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: DEVELOPMENT AGREEMENT - UNIVERSITY NORTH  
ADDITION, DIVISION NO. 1

Attached is the Development Agreement for University North Addition, Division No. 1. The Final Plat, which is located north of the Union Pacific Railroad and University Place, east of the Snake River, west of East River Road, and south of Iona Road, was approved by the Council on March 8, 2007. This Division respectfully requests approval of this Agreement and authorization for the Mayor's signature.

s/ Renée R. Magee

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Development Agreement for University North 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 Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

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City of Idaho Falls  
April 19, 2007

MEMORANDUM

TO: Mayor and Council  
FROM: J. K. Livsey, Chief of Police  
SUBJECT: SOFTWARE PURCHASE FROM POLICEREPORTS.US, LLC

PoliceReports.US, LLC is an on-line company that hosts an unlimited number of accident reports that are available at no charge to the public. A copy of the terms and conditions is attached. The cost to the Police Department for this service is approximately \$147.00 per month. Taking into consideration the cost of providing accident report copies to the public versus making the reports available on-line, it is more cost effective to provide the on-line service. By using this service, the Police Department will be more responsive to the community while making our department more efficient.

I respectfully request approval at the City Council Meeting of April 26, 2007 to begin this service immediately. It is not in the current budget but will be included in the 2007-08 Police Department budget.

Thank you for your consideration.

s/ J. K. Livsey

The Police Chief appeared to describe how this program would function. He stated, further, that this service would be more convenient for the general public.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Software Purchase from PoliceReports.US, LLC and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Hardcastle  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
April 18, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BATTELLE ENERGY ALLIANCE CONTRACT, DESIGN AND CONSTRUCTION MANAGEMENT SERVICES – UNIVERSITY BOULEVARD UTILITY AND STREET IMPROVEMENTS

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Attached is a proposed contract between the City and Battelle Energy Alliance, LLC describing certain design and construction management services the City will provide on a portion of University Boulevard. In return, BEA will reimburse costs to the City associated with these services, in an amount currently estimated to be \$1,214,971.00.

Public Works recommends approval of this contract; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the contract between the City of Idaho Falls and Battelle Energy Alliance, LLC describing certain design and construction management services the City will provide on a portion of University Boulevard and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Abstain: Councilmember Lehto (Employed by Battelle Energy Alliance)

Motion Carried.

City of Idaho Falls  
April 18, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AWARD – UNIVERSITY BOULEVARD UTILITY AND STREET IMPROVEMENT PROJECT

On April 17, 2007, bids were received and opened for University Boulevard Utility and Street Improvements Project. A tabulation of the bid results is attached. The City will be reimbursed an amount equal to the cost of these improvements by Battelle Energy Alliance, LLC.

Public Works recommends award of this contract to the low bidder, HK Contractors, Inc., in the amount of \$1,097,678.00; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to accept the low bid from HK Contractors, Inc. in the amount of \$1,097,678.00 to complete the University Boulevard Utility and Street Improvements Project and, further, give

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authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Groberg  
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Lehto (Employed by Battelle Energy Alliance)

Motion Carried.

City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SUNNYSIDE/INTERCHANGE – RAILROAD CROSSING AGREEMENT

Attached is an agreement between the City, State of Idaho, and Union Pacific Railroad Company with respect to reconstruction and widening of the Sunnyside/Yellowstone railroad crossing. This work related to Sunnyside street improvements, completed by the State of Idaho this past year, at no cost to the City, does require City approval.

Public Works recommends approval of this agreement; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the agreement between the City of Idaho Falls, State of Idaho, and Union Pacific Railroad Company with respect to reconstruction and widening of the Sunnyside/Yellowstone Railroad Crossing and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hardcastle  
Councilmember Lyon

Nay: None

Motion Carried.

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City of Idaho Falls  
April 18, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SUNNYSIDE ROAD RIGHT-OF-WAY ACQUISITION AGREEMENT  
PARCEL NO. 15, SUNNYSIDE ACRES, LLC

Attached is a proposed Sunnyside Road Right-of-Way Agreement with Sunnyside Acres, LLC, Parcel No. 15, in the amount of \$159,750.00. This amount includes compensation for land, damages to RV rental spaces, sign modifications, certain landscape improvements, and temporary construction easement.

Public Works recommends approval of this agreement; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Sunnyside Road Right-of-Way Agreement with Sunnyside Acres, LLC, Parcel No. 15, in the amount of \$159,750.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Lyon  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to recess the Annexation Proceedings for Rex's Addition, Division No. 1 to the May 10, 2007 Regular Council Meeting. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing consideration of a rezoning from I & M-1 (Industrial and Manufacturing) to C-1

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(Limited Retail) of property located generally south of Pancheri Drive, north of the former King B Jerky plant, east of the Snake River, west of South Yellowstone Avenue, and legally described as Ball Packing, Division No. 2. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
April 22, 2007

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: REQUEST TO REZONE FROM I & M-1 TO C-1 AND FINAL PLAT FOR BALL PACKING ADDITION, DIVISION NO. 2

Attached is a request to rezone 1.56 acres immediately south of Pancheri Drive and east of the Snake River. This parcel is proposed to be platted as a one lot plat entitled Ball Packing Addition, Division No. 2. The Planning Commission considered both the rezoning request and the final plat at its March 6, 2007 Meeting and recommended approval. The rezoning request is in accordance with the comprehensive plan and reflects the changing land uses in the area. These requests are 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 and final plat approval request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing land uses in the area
Slide 3	Comprehensive Plan showing area to be commercial
Slide 4	Final Plat under consideration
Slide 5	Site Photo looking west across the site towards Snake River Landing
Slide 6	Site Photo looking north across Pancheri Drive at Riverview Plaza
Slide 7	Site Photo looking at the gravel parking lot for the site
Slide 8	Site Photo looking northwest of the site toward Taylor Crossing
Exhibit 1	Planning Commission Minutes dated March 6, 2007
Exhibit 2	Staff Report dated March 6, 2007
Exhibit 3	Vicinity Map
Exhibit 4	Copy of Final Plat

Darrell Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that he was present to answer any questions. There were no comments or questions from the Mayor and City Council.

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

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to approve the rezoning from I & M-1 (Industrial and Manufacturing) to C-1 (Limited Retail)

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of property located generally south of Pancheri Drive, north of the former King B Jerky plant, east of the Snake River, west of South Yellowstone Avenue, and legally described as Ball Packing, Division No. 2 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 Lehto  
Councilmember Lyon  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to accept the Final Plat for Ball Packing Addition, Division No. 2 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Lyon  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing for consideration of a rezoning from R-2A (Apartments not to exceed 8-plexes) to R-3A (Apartments and Professional Offices) of property located generally west and south of Raymond Drive, north of West Broadway, east of Hansen Avenue, legally described as Lot 3, Block 1, Westgate Addition, Division No. 1. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
April 22, 2007

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: REQUEST TO REZONE LOT 3, BLOCK 1, WESTGATE ADDITION,  
DIVISION NO. 1 FROM R-2A TO R-3A

Attached is the application to rezone Lot 3, Block 1, Westgate Addition, Division No. 1 from R-2A (Apartments not to exceed 8-plexes) to R-3A (Apartments and Professional Offices). This parcel is located east of Hansen Avenue, north of Broadway, and northeast of Storer Street. The Planning

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Commission recommended approval of this request at its March 6, 2007 Meeting. Staff concurs with this recommendation. This rezoning 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
Slide 2	Aerial Photo
Slide 3	Comprehensive Plan
Slide 4	Site Photo looking north of site towards multi-family apartment units
Slide 5	Site Photo looking west across the site towards multi-family apartment units
Exhibit 1	Planning Commission Minutes dated March 6, 2007
Exhibit 2	Staff Report dated March 6, 2007
Exhibit 3	Vicinity Map

The Planning and Building Director stated, further, that the Planning Commission found this request to be in compliance with the Comprehensive Plan.

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 Groberg, seconded by Councilmember Lyon, to approve the rezoning from R-2A (Apartments not to exceed 8-plexes) to R-3A (Apartments and Professional Offices) of property located generally west and south of Raymond Drive, north of West Broadway, east of Hansen Avenue, legally described as Lot 3, Block 1, Westgate 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:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Fuhrman requested Councilmember Groberg to conduct a public hearing for consideration of a Planned Unit Development (P.U.D.) of property located generally south of Bridgeport Drive, north of Pancheri Drive, east of Utah Avenue, west of the Snake River, and legally described as Lot 8, Block 2, Taylor Crossing on the River, Division No. 9 plus a 30-foot wide access and utility easement line immediately to the west of Lot 8 extending from Bridgeport Drive to Pancheri Drive. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

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City of Idaho Falls  
April 22, 2007

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: PLANNED UNIT DEVELOPMENT – LOT 8, BLOCK 2, TAYLOR CROSSING ON THE RIVER, DIVISION NO. 9

Attached is a site plan for a Planned Unit Development (PUD) on Lot 8, Block 2, Taylor Crossing on the River, Division No. 9. This PUD is located west and adjacent to the Snake River, south of the Watco Railroad, north of Pancheri, and east of the Porter Canal. It consists of two restaurant pads and accompanying parking and landscaping. Staff has found it to be in compliance with the planned unit development regulations in the Zoning Ordinance, and the Planning Commission recommended approval at its March 6, 2007 Meeting. This planned unit development 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 planned unit development request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Site Plan under consideration
Slide 4	Landscape Plan for two restaurant pads and accompanying parking and landscaping
Slide 5	Site Photo looking towards the north
Slide 6	Site Photo showing buildings that are northwest of the site and the common parking lot area
Slide 7	Site Photo showing common parking lot that is north of the site
Slide 8	Site Photo looking south across the site towards Pancheri Drive
Exhibit 1	Planning Commission Minutes dated March 6, 2007
Exhibit 2	Staff Report dated March 6, 2007
Exhibit 3	Vicinity Map

The Planning and Building Director stated that Taylor Crossing has elected to move forward with private streets in the area of Bridgeport Drive, from Pancheri Drive to Broadway. Under the Zoning Ordinance, if a private street serves multiple buildings with different owners, it is to be done under a Planned Unit Development. The developers for Taylor Crossing have determined to use phased Planned Unit Developments in this area.

Lorin Walker, 1165 South Utah Avenue, appeared to state that this is the first step on the river's edge for the Taylor Crossing development. He stated that he is looking forward to providing restaurants and other services that will compliment the professional offices in the area.

Tiffany Wallace, 378 Cranbrook Lane, appeared to question what types of restaurants will be located in this area.

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Mr. Walker re-appeared to state that there will be a fish house and a steak and hamburger restaurant.

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

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to approve the Planned Unit Development for property located generally south of Bridgeport Drive, north of Pancheri Drive, east of Utah Avenue, west of the Snake River, and legally described as Lot 8, Block 2, Taylor Crossing on the River, Division No. 9 plus a 30-foot wide access and utility easement line immediately to the west of Lot 8 extending from Bridgeport Drive to Pancheri Drive. Roll call as follows:

Aye:            Councilmember Groberg  
                  Councilmember Lyon  
                  Councilmember Lehto  
                  Councilmember Cornwell  
                  Councilmember Hardcastle

Nay:            None

Motion Carried.

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

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CITY CLERK

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MAYOR

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