

JANUARY 23, 2007

The City Council of the City of Idaho Falls met in Special Council Meeting, Tuesday, January 23, 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 Thomas Hally
Councilmember Joseph Groberg
Councilmember Ida Hardcastle
Councilmember Michael Lehto

Absent was:

Councilmember Larry Lyon

Also present:

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

Mayor Fuhriman requested Justin Nelson to come forward and lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

The City Clerk requested Council approval of the minutes from the January 11, 2007 Regular Council Meeting, the January 17, 2007 Work Session, and the January 18, 2007 Work Session.

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

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on January 23, 2007.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
January 18, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: CONSENT AGENDA – AUTHORIZATION TO SOLICIT PROPOSALS FOR A PROTECTIVE DEVICE COORDINATION STUDY AND A NORTH TRANSMISSION LOOP AND SUBSTATION STUDY

Idaho Falls Power respectfully requests authorization to solicit proposals for two separate projects – a Protective Device Coordination Study and a North Transmission Loop and Substation Study. Attached are copies of the project

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detail sheets for each of these projects from the recently distributed Capital Improvement Plan.

s/ Jackie Flowers

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

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Fuhriman presented the following Council Committee Assignments for the 2007 year:

COUNCIL COMMITTEE ASSIGNMENTS FOR 2007

Idaho Falls Power:

Michael Lehto, Chairman
Thomas Hally, Co-Chairman

Municipal Services Division:

Joe Groberg, Chairman
Michael Lehto, Co-Chairman
Thomas Hally, Co-Chairman

Parks and Recreation Division:

Karen Cornwell, Chairman
Ida Hardcastle, Co-Chairman

Planning, Zoning, and Building Division:

Thomas Hally, Chairman
Joe Groberg, Co-Chairman
Larry Lyon, Co-Chairman

Public Safety (Fire and Police):

Ida Hardcastle, Chairman
Karen Cornwell, Co-Chairman

Public Works Division:

Larry Lyon, Chairman
Michael Lehto, Co-Chairman
Joe Groberg, Co-Chairman

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Library Liaison:

Ida Hardcastle

The Fire Chief submitted the following memo:

City of Idaho Falls

January 11, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Dean Ellis, Fire Chief
SUBJECT: AMBULANCE SERVICES AGREEMENT RENEWAL

Attached for your review is the annual renewal of the Ambulance Services Agreement between the City of Idaho Falls and Bonneville County for FY 2006/2007. This agreement provides for county-wide ambulance service and will be in effect until September 30, 2007. The agreement also includes current dates and costs.

The Fire Department respectfully requests approval and authorization for the Mayor and City Clerk to sign the documents.

s/ Dean Ellis

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the annual renewal of the Ambulance Services Agreement between the City of Idaho Falls and Bonneville County for Fiscal Year 2006/2007 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.

The Municipal Services Director submitted the following memos:

City of Idaho Falls

January 18, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-07-07, TWO (2) NEW 2007 SIDE LOAD REFUSE CONTAINER BODIES – 29 CUBIC YARD MOUNTED ON TWO (2) NEW 2007 CAB AND CHASSIS AND TWO (2) NEW 2007 REAR HAND LOAD REFUSE BODIES – 20 CUBIC YARD MOUNTED ON TWO (2) NEW 2007 CAB AND CHASSIS

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Attached for your consideration is the tabulation of bids for the refuse trucks listed above.

It is the recommendation of Municipal Services to accept the low bid for Section I of Hirning GMC to furnish Two (2) New 2007 Waste Refuse Container Bodies mounted on 2007 GMC Cab and Chassis for a total amount of \$255,888.00 with trade-in Unit No. 775 and Unit No. 779.

The apparent low bid submitted for Section II by Hirning GMC with the Scranton Manufacturing Company, Inc. did not meet the required specifications. The body design bid did not meet the specified width for the hopper on Item No. 7 and on Item No. 17 the specification required a hydraulic pump with 42 GPM; the unit bid only has 29 GPM. It is, therefore, recommended to accept the low bid meeting specifications of Hirning GMC to furnish Two (2) New Rear Hand Load Refuse Bodies mounted on 2007 GMC Cab and Chassis for a total amount of \$217,978.00 with trade-in Unit No. 772 and Unit No. 774.

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the low bid for Section I from Hirning GMC to furnish Two (2) New 2007 Waste Refuse Container Bodies mounted on 2007 GMC Cab and Chassis for a total amount of \$255,888.00 with trade-in Unit No. 775 and Unit No. 779; to reject the apparent low bid for Section II from Hirning GMC with the Scranton Manufacturing Company, Inc.'s New Way Cobra Body as it did not meet the required specifications; and, accept the low bid meeting specifications from Hirning Truck GMC to furnish Two (2) New 2007 Leach/Labrie Alpha III Rear Hand Load Refuse Bodies mounted on 2007 GMC TT8F064 Cab and Chassis for a total amount of \$217,978.00 with trade-in Unit No. 772 and Unit No. 774. Roll call as follows:

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

Nay: None

Motion Carried.

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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-07-08, MOTOR FUEL AND LUBRICANTS

Attached for your consideration is the tabulation for Bid IF-07-07, Motor Fuels, Lubricants, and Services, and the Fuel obtained through a Computerized Fuel Dispensing System beginning March 1, 2007.

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It is the recommendation of Municipal Services that we accept the low bid for all sections as follows:

SECTION I:

Group A: Fuel Pickup Up to City Truck Conrad and Bischoff
Unleaded Gas, Cold Weather
Additive and Ultra Low Sulphur
Diesel No. 1 and No. 2

Group B: Motor Oil Big Sky Oil Company

SECTION II:

Services and Fuel obtained through a Conrad and Bischoff
Computerized Fuel Dispensing System
Unleaded Gas, Cold Weather Additive and
Ultra Low Sulphur Diesel No. 1 and No. 2

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the low bid from Conrad and Bischoff, Inc. for Section I, Group A; the low bid from Big Sky Oil Company for Section I, Group B; and, the low bid from Conrad and Bischoff, Inc. for Section II as presented. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 18, 2007

MEMORANDUM

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

Attached for your consideration is the proposed Lease Agreement between the City of Idaho Falls and the QWEST Corporation, for City-owned property located at 1820 International Way.

The City Attorney has reviewed and approved this Lease Agreement. The City does not anticipate using this property for public purposes during the term of the lease.

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

s/ S. Craig Lords

Councilmember Hardcastle stated that she has received several telephone calls from neighbors in the area, stating that they have seen a dramatic improvement in the parking situation at this location since this has been implemented.

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to approve the Lease Agreement between the City of Idaho Falls and the QWEST Corporation for City-owned property located at 1820 International Way 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 Groberg

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos from the Planning and Building Director:

City of Idaho Falls
January 19, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: RESOLUTION AMENDING FISCAL YEAR 2006 ACTION PLAN,
COMMUNITY DEVELOPMENT BLOCK GRANT

Attached is a Resolution amending the Community Development Block Grant 2006 Annual Action Plan. This Resolution amends the plan to fund the costs of securing housing and moving costs for the residents of the Uptown Trailer Park. The comment period on this amendment has concluded, and the Planning Department respectfully requests approval of this resolution.

s/ Renée R. Magee

RESOLUTION NO. 2007-02

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

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

WHEREAS, the City of Idaho Falls has adopted the One Year Action Plan for Fiscal Year 2006 as part of the requirements of entitlement status;

WHEREAS, the City of Idaho Falls held a public hearing on the Amendment to the Action Plan on December 22, 2006;

WHEREAS, the City of Idaho Falls has a thirty-day comment period until and through January 22, 2007;

WHEREAS, the City of Idaho Falls has reviewed and considered any comments during the thirty-day period;

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

1. The Amendment to the One Year Action Plan for Fiscal Year 2006 as prepared by the Planning and Building Division, a copy of which is attached hereto and by this reference made a part of hereof, it hereby adopted.

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

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

The City of Idaho Falls amends its FY06 Annual Action Plan to include a ninth activity to address a housing emergency for residents of the Uptown Trailer Park. The trailer park is closing and the 200+ mostly LMI residents must find other housing. A plan to use \$50,000.00 CDBG funds to assist residents with the costs of renting or buying and moving has been developed by several agencies to manage this assistance. Eastern Idaho Community Action Partnership has previously been awarded the fund for Housing Rehabilitation. This amendment will reprogram some of the funding into "Voluntary Relocation Assistance" for the residents that are losing their homes to private commercial development and are forced to look for other housing.

7. **Create an Emergency Housing Assistance Program (EICAP)** – This activity will address:

Housing Development Priority: Encourage the development of new, affordable, single-, multi-family, and special needs housing in the community through private developers and non-profits.

Objective Four: Promote supportive services and facilities for frail elderly, disabled persons, low income families (renters) or other persons with special needs.

Strategies:

2. Promote the formation of cooperative efforts to create the necessary facilities and services that will effectively transition persons who are homeless to appropriate housing settings.

Activity – Voluntary Relocation Assistance CFR 570.201(i) determined to be appropriate under CFR 570.606(d)

National Objective – Benefit to LMI Households

Eastern Idaho Community Action Partnership (EICAP) in cooperation with the City and the Idaho Department of Health and Welfare has developed a plan to assist with the costs of securing housing and moving costs for the displaced residents of the Uptown Trailer Park. This funding will allow EICAP to assist homeowners and renters as they find alternative housing. Assistance will be limited to the costs of securing the housing and moving costs. Assistance will be limited to no more than \$1,000.00 per family to assist with direct costs of relocating. Hardship cases will be considered. Seventy (70) families have been affected, a majority of which need assistance.

This amendment modifies the use of the original funding to EICAP of \$96,560.00 splitting the funding into two programs: \$46,560.00 for housing rehabilitation and \$50,000.00 to emergency assistance for the residents of the Uptown Trailer Park.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Resolution amending the One Year Action Plan for Fiscal Year 2006 for the Community Development Block Grant Funds 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 Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

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City of Idaho Falls
January 19, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: RESOLUTION APPROVING THE FISCAL YEAR 2007 ACTION PLAN, COMMUNITY DEVELOPMENT BLOCK GRANT

Attached is a Resolution approving the Community Development Block Grant 2007 Annual Action Plan. This Resolution approves the projects in the approximate amount of \$334,400.00, including funds for a family justice center, façade and code violation removal in the downtown area, code enforcement, and \$92,400.00 for other services for low and moderate income individuals and families. This Division respectfully requests approval of this Resolution.

s/ Renée R. Magee

RESOLUTION NO. 2007-03

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

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

WHEREAS, the City of Idaho Falls has prepared a One-Year Action Plan for Fiscal Year 2007 as part of the requirements of entitlement status;

WHEREAS, the City of Idaho Falls held a public hearing on the Action Plan on December 14, 2006;

WHEREAS, the City of Idaho Falls has a thirty-day comment period until and through January 13, 2007;

WHEREAS, the City of Idaho Falls has not received any comments to be considered during the thirty-day comment period;

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

1. The One Year Action Plan for Fiscal Year 2007 as prepared by the Planning and Building Division, a copy of which is attached hereto and by this reference made a part of hereof, is hereby approved.

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

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

**FY07 CDBG
City Council Project List
As of January 16, 2007**

Priority	Agency	Project Description	Dollar Request	Total Project	Eligible Activity	National Objective
1	Family Justice Center	Purchase and Renovate Building	\$125,000		Public Facility	LMI Presumed
2	IFDDC	Façade Improvements	\$100,000	Business Match	Rehab	Slum & Blight
3	City of Refuge	Purchase and Install Commercial Stove and Oven	\$6,000		Public Service	LMI Presumed
4	TRPTA	New Bus for Off-Route Pickups	\$20,000	\$115,000	Public Service	LMI Access
5	Code Enforcement Planning	Code Enforcement and Neighborhood Cleanup Staff	\$17,000		Code Enforcement	LMI Areas
6	Shepherd's Inn	New Roof	\$6,000		Public Facility	LMI Family or Homelessness
7	Development Workshop	Purchase Building	\$50,000		Public Facility	LMI Presumed
8	Life, Inc.	Individual Accessibility	\$10,400*		Rehab	LMI Housing Document Incomes
9	Planning Grant Administration	Grant Staff	\$83,600			
		Total Recommended Requests	\$418,000			

*or balance of funds if 07 allocation is less than \$418,000

Based upon reports, the City's allocation will be approximately the same as last year - \$418,000.

The categories for use locally are:	Recommended	Public Service
LMI	\$234,080 = 70% of balance	\$108,400
Slum & Blight	\$100,320 = 30% of balance	\$26,000
Administrative	\$ 83,600 = 20%	0

Public Service = 15% of Total = \$62,700 must be allocated from the LMI or S & B categories.
Recommended \$26,000

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Jan Blickenstaff, Grants Administrator reviewed the above information for the Mayor and City Council.

Mayor Fuhriman stated that he wished there was more money available to fund all requests.

Councilmember Groberg stated that the figures presented are based upon a \$418,000.00 allocation from the Department of Housing and Urban Development. If the allocation comes in less than that, projects would have to be removed from the above list.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Resolution Approving the Fiscal Year 2007 Annual Action Plan for the Community Development Block Grant and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
January 19, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CHANGE ORDER NO. 1 – WELL 13-B WELL HOUSE AND ELECTRICAL UPGRADES

Attached is proposed Change Order No. 1 to Well 13-B Well House and Electrical Upgrade Contract. The Change Order contains increases and decreases to contract items because of problems encountered during construction not anticipated by the City at the time the contract was awarded. The net increase to the contract amount is \$14,894.28.

Public Works recommends approval of this Change Order; 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 Hally, to approve Change Order No. 1 to Agricultural Services, Inc. for Well 13-B Well House and Electrical Upgrade Contract and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 19, 2007

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATIONS – LOT 2, BLOCK 2, EAGLE ROCK
TOWN CENTER AND LOT 1, BLOCK 2, EXIT 118 EAST

The developer of these properties has platted new easements to accommodate utilities serving these lots and requests vacation to the existing easements.

Public Works requests authorization to the City Attorney to prepare documents needed to vacate these easements.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to give the City Attorney authorization to prepare the documents needed to vacate easements in Lot 2, Block 2, Eagle Rock Town Center Addition and Lot 1, Block 2, Exit 118 East Addition. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing for consideration of a rezoning from PB (Professional and Business Offices) with a PUD (Planned Unit Development) Overlay to R-3 (Apartments) of property located generally south of East Sunnyside Road, north and west of the intersection of Potomac Way and Martha Avenue, east of Delaware Avenue, legally described as the Southern 171 Feet of Lot 5, Block 11, St. Clair Estates Addition, Division No. 8. 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
January 19, 2007

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE SOUTHERN 171 FEET OF LOT 5, BLOCK 11, ST. CLAIR ESTATES ADDITION, DIVISION NO. 8, FROM PB WITH PUD OVERLAY TO R-3

Attached is the request to rezone the southern 171 feet of Lot 5, Block 11, St. Clair Estates Addition, Division No. 8, from PB with a PUD Overlay to R-3. At its December 5, 2006 Meeting, the Planning Commission recommended approval of the rezoning as requested. Staff concurs with the recommendation to rezone the parcel from PB to R-3 but recommends the PUD Overlay be retained. It was part of a larger plan to ensure buffering from adjacent R-1 (Single-Family Residential), landscaping, and access management. 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
Slide 2	Aerial Photo showing parcel under consideration
Slide 3	Comprehensive Plan
Exhibit 1	Planning Commission Minutes dated December 5, 2006
Exhibit 2	Staff Report dated December 5, 2006
Exhibit 3	Vicinity Map

The PUD Overlay removal was not advertised when this went before the Planning Commission. The Planning Commission did consider this issue. Staff reviewed this following the Planning Commission public hearing. Staff believes that to remove the PUD Overlay is to single out this one parcel. This was done due to the proposed use of this property as an assisted living center or nursing home. Therefore, it was easy for the Planning Commission to determine that the PUD was not needed and that this type of use was not required to buffer from the single-family homes. The City should not look at the proposed use for this land as it may not develop that way. Staff recommends that the Planned Unit Development Overlay stay on this parcel and it be rezoned to R-3.

Bart Larsen, 7233 Bowman Lane, appeared as the applicant for this rezoning request. He stated that he is the owner of Mount Vernon Assisted Living, which is a 15-bed assisted living center to the south of this property. He stated that they would like to build a 16-bed assisted living center on the proposed 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 Groberg, seconded by Councilmember Hardcastle, to approve the request to rezone from PB (Professional and Business Offices) with a PUD (Planned Unit Development) Overlay to R-3 (Apartments) with a PUD (Planned Unit Development) Overlay on property located generally south of East Sunnyside Road,

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north and west of the intersection of Potomac Way and Martha Avenue, east of Delaware Avenue, legally described as the Southern 171 Feet of Lot 5, Block 11, St. Clair Estates Addition, Division No. 8 and, 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 Hally
Councilmember Hardcastle
Councilmember Lehto
Councilmember Groberg
Councilmember Cornwell

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR
