

**DECEMBER 14, 2006**

---

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 14, 2006, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Jared D. Fuhriman  
Councilmember Larry Lyon  
Councilmember Karen Cornwell  
Councilmember Thomas Hally  
Councilmember Joe Groberg  
Councilmember Michael Lehto

Absent was:

Councilmember Ida Hardcastle

Also present:

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

Mayor Fuhriman requested Boy Scout Logan Smith 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 21, 2006 Regular Council Meeting, November 29, 2006 Work Session and the November 30, 2006 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, 2006 through November 30, 2006, after having been audited by the Fiscal Committee and paid by the Controller:

<b>FUND</b>	<b>TOTAL EXPENDITURE</b>
General Fund	\$ 911,949.45
Street Fund	27,296.68
Recreation Fund	27,065.03
Library Fund	48,955.17
Municipal Equipment Replacement Fund	63,895.36
Electric Light Public Purpose Fund	20,249.25
Street Capital Improvement Fund	3,909,251.46
Traffic Light Capital Improvement Fund	2,840.00
Airport Fund	302,638.94
Water and Sewer Fund	197,228.63
Sanitation Fund	2,785.95
Ambulance Fund	4,282.07
Electric Light Fund	3,057,970.14
Payroll Liability Fund	2,371,870.98
<b>TOTALS</b>	<b>\$10,948,279.11</b>

**DECEMBER 14, 2006**

---

The City Clerk presented several license applications, including BEER LICENSES to Airport Lounge, Albertson's (West Broadway No. 145), Albertson's (17<sup>th</sup> Street No. 138), Applebee's Neighborhood Grill and Bar, Bargain Brew and Smokes, Blue Wave LLC, Bowlero, Brownstone Companies Inc., Collage LLC, D. B.'s Steak House, Elk's Lodge, Fanatics Sports dba Taco Shop, First Street Saloon, Ford's Bar/JKP, Inc., Frosty Gator, Golden Crown Lounge, Happy's Chinese Restaurant, Holmes Speedi Mart, Jakers of Idaho Falls, Jaliscos, La Hidalguense, Leo's Place, Maverik Country Store (Broadway), Maverik Country Store (Yellowstone Highway), Olive Garden Italian Restaurant, Pizza Hut (Anderson Street), Pizza Hut, (Broadway), Pizza Hut (17<sup>th</sup> Street), R & R Bar, Red Lion, Rite Aid (Broadway), Rutabaga's, S & K Convenience Store, Sam's West Inc., Sand Bar Inc., Sandpiper Restaurants East, Skyline Lanes, Smith's Food and Drug No. 121, Speedi Corp Inc./Speedi Mart, Top Stop-Wind River Petroleum, Wal-Mart Super Center No. 5494, Willards Art Center/Colonial Theater, Winco Foods No. 42, 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 14, 2006.

The Public Works Director submitted the following memos:

City of Idaho Falls  
December 11, 2006

MEMORANDUM

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

Public Works requests authorization to advertise to receive bids for Well No. 15 Generator Addition Project.

s/ Chad Stanger

City of Idaho Falls  
November 30, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION – WATER LINE REPLACEMENT, WEST ELVA FROM RIVERSIDE DRIVE TO MOUND AVENUE

Public Works requests authorization to advertise to receive bids for a water line replacement for West Elva from Riverside Drive to Mound Avenue.

s/ Chad Stanger

City of Idaho Falls  
November 30, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION – WATER AND SEWER LINE REPLACEMENTS, ALLEY BETWEEN LAVA STREET AND BASALT STREET FROM SOUTH CAPITAL AVENUE TO ONEIDA AVENUE

**DECEMBER 14, 2006**

---

Public Works requests authorization to advertise to receive bids for water and sewer line replacements in the alley between Lava Street and Basalt Street from South Capital Avenue to Oneida Avenue.

s/ Chad Stanger

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 Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Fuhriman presented the following Grants for the Arts:

1. Idaho Falls Arts Council, Carrie Getty;
2. Idaho Falls Youth Arts Centre, Susan Hulse;
3. Multi Cultural Committee, Shirley Murphy;
4. Idaho Falls Community Concerts Association, Inc., Ann Shively;
5. Teton Chamber Orchestra, Eric Wenstrom; and,
6. Idaho Falls Symphony Society, George Adams.

The Acting Airport Director submitted the following memos:

City of Idaho Falls  
December 8, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Acting Airport Director  
SUBJECT: REVISED WORK ASSIGNMENT NO. 16 WITH DELTA AIRPORT CONSULTANTS – SNOW REMOVAL EQUIPMENT BUILDING

Attached for City Council approval is Revised Work Assignment No. 16 with Delta Airport Consultants.

All terms and conditions of the contract remain the same.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ S. Craig Lords

**DECEMBER 14, 2006**

---

It was moved by Councilmember Lyon, seconded by Councilmember Cornwell, to approve the revised Work Assignment No. 16 with Delta Airport Consultants for the Snow Removal Equipment Building and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
December 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Acting Airport Director  
SUBJECT: CONSENT TO ASSIGNMENT BETWEEN IDAHO INVESTMENTS  
AND WE FLY, LLC.

Attached for City Council approval is the Consent to Assignment of the Airport Lease from Idaho Investments, Inc. to We Fly, LLC.

All terms and conditions of the lease remain the same.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ S. Craig Lords

It was moved by Councilmember Lyon, seconded by Councilmember Cornwell, to approve the Consent to Assignment of Hangar Lease Agreement from Idaho Investments, Inc. to We Fly, LLC and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

**DECEMBER 14, 2006**

---

City of Idaho Falls  
December 12, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Acting Airport Director  
SUBJECT: AMENDED LEASE AGREEMENT – MELALEUCA HANGAR  
LEASE

Attached for City Council approval is an Amended Lease for the Melaleuca Hangar Lease. This is a new lease whose term is twenty (20) years.

The Airport Division recommends approval and requests the Mayor be authorized to execute the contract documents.

s/ S. Craig Lords

It was moved by Councilmember Lyon, seconded by Councilmember Cornwell, to approve the Amended Lease Agreement with Melaleuca, Inc. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
December 6, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-07-03, DISTRIBUTION TRANSFORMERS

Attached for your consideration is the tabulation for Bid IF-07-03, Distribution Transformers.

It is the recommendation of Municipal Services to accept the lowest evaluated bid as described on Attachment "A". However, due to the long delivery times for those awarded on Attachment "A", it is also recommended we award additional transformers per Attachment "B". These transformers are the apparent low bid with a delivery date to allow for work to continue in the 2007 construction season. Quantities were also adjusted to meet estimated

**DECEMBER 14, 2006**

---

construction needs. An attached memo from Idaho Falls Power explains in detail the complete evaluation breakdown per item. The total purchase amount will be \$978,675.00.

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the lowest evaluated bid as described on Attachment "A", along with additional transformers being awarded as presented on Attachment "B" for a total purchase amount of \$978,675.00. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
December 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-07-05, REFUSE CONTAINERS

Attached for your consideration is the tabulation for Bid IF-07-05, Refuse Containers.

It is the recommendation of Municipal Services to accept the low bid of Rule Steel to furnish Eight (8) Thirty-Yard Roll-Off Containers at a unit price of \$4,089.00 each and Forty (40) Three-Yard Refuse Containers at a unit price of \$459.40 each. The total purchase amount will be \$51,088.00.

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the low bid of Rule Steel to furnish Eight (8) Thirty-Yard Roll-Off Containers for a unit price of \$4,089.00 each and Forty (40) Three-Yard Refuse Containers at a unit price of \$459.40 each, for a total purchase amount of \$51,088.00. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Hally  
Councilmember Lehto  
Councilmember Lyon  
Councilmember Cornwell

**DECEMBER 14, 2006**

---

Nay: None

Motion Carried.

City of Idaho Falls  
December 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-07-06, MONOTUBE STEEL STREET LIGHT POLES

Attached for your consideration is the tabulation for Bid IF-07-06, Monotube Steel Street Light Poles.

The apparent low bid submitted by H. D. Supply did not meet the required bid specifications; they bid a composite fiberglass pole and the specification was for monotube steel. Therefore, it is the recommendation of Municipal Services to accept the low bid meeting specifications of Northern Power Equipment. They will furnish One Hundred – 30' Poles for a total amount of \$85,300.00.

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the low bid meeting specifications for one hundred thirty-foot monotube steel street light poles from Northern Power Equipment for a total amount of \$85,300.00. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls  
December 11, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PARKS AND RECREATION WEED CONTROL STORAGE BUILDING

Attached for your consideration is the tabulation for the construction of a Weed Control Storage Building for Parks and Recreation. It is recommended to award the contract to Steel Systems, Inc. in the amount of \$43,998.00.

s/ S. Craig Lords

**DECEMBER 14, 2006**

---

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to accept the bid from Steel Systems, Inc. to construct the Weed Control Storage Building for the Parks and Recreation Division in the amount of \$43,998.00. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
December 11, 2006

MEMORANDUM

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

Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and the 12-Step Program of Idaho Falls, for City-owned property located at 600 South Boulevard.

The City Attorney has reviewed and approved said Lease Agreement.

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

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to approve the Lease Agreement between the City of Idaho Falls and the 12-Step Program of Idaho Falls for City-owned property located at 600 South Boulevard and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

**DECEMBER 14, 2006**

---

City of Idaho Falls  
December 14, 2006

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, 2007. 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 Groberg, to approve the Veterinary Services Independent Contractor Agreement between the City of Idaho Falls and Dr. Rhonda Aliah of the Skyline Animal Clinic for the purpose of providing veterinary services at the Tautphaus Park Zoo for a period of one year, terminating December 31, 2007 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls  
December 14, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: LEASE AGREEMENT – 19<sup>TH</sup> HOLE CAFÉ

Attached for your consideration is a Lease and Concession Agreement between the City of Idaho Falls and Renee Walsh. This lease will provide for the concession operation at Pinecrest Golf Course. The term of the lease is for two years, terminating on December 31, 2008. The City Attorney has drafted and reviewed the lease agreement.

**DECEMBER 14, 2006**

---

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

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to approve the Lease and Concession Agreement between the City of Idaho Falls and Renee Walsh providing for the concession operation at Pinecrest Golf Course and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
December 14, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: COMMERCIAL WATERCRAFT CONCESSION AGREEMENT

Attached for your consideration is an Agreement between the City of Idaho Falls and Mr. Mike Melville. This one-year agreement provides for the operation of a non-exclusive commercial watercraft concession, terminating December 31, 2007. This agreement has been reviewed and approved 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 Groberg, to approve the Commercial Watercraft Concession Agreement between the City of Idaho Falls and Mike Melville providing for the operation of a non-exclusive commercial watercraft concession terminating December 31, 2007 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

**DECEMBER 14, 2006**

---

Councilmember Lyon  
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls  
December 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: MCDERMOTT FIELD STADIUM RENOVATION PROJECT  
RESOLUTION

Attached for your consideration is a Resolution authorizing the Mayor and Director of Parks and Recreation to execute and approve change orders for the McDermott Field Stadium Renovation Project. The purpose of this Resolution is to ensure the project moves forward on a timely basis.

The Resolution is, therefore, submitted for your approval.

s/ David J. Christiansen

**RESOLUTION NO. 2006-17**

WHEREAS, the City Council previously authorized and approved the construction manager for the renovation of the McDermott Field Stadium Renovation Project, Bateman-Hall Contractors, to negotiate contracts on behalf of the City to renovate the stadium;

WHEREAS, time is of the essence in order to ensure the stadium renovation is completed before the commencement of the baseball season in 2007;

WHEREAS, from time to time change orders may become necessary in order to deal with unanticipated circumstances and contingencies and to otherwise ensure the project continues to move forward on a timely basis;

NOW, THEREFORE, be it hereby resolved that the City Council authorize the Mayor and Director of Parks and Recreation to execute and approve change orders without further Council approval, with respect to such project, provided each change order shall not exceed the amount of Twenty-Five Thousand Dollars (\$25,000.00), and the sum of such change orders shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) in the aggregate, and provided further that all such change orders are first reviewed and approved by the City Attorney.

**DECEMBER 14, 2006**

---

APPROVED BY THE CITY COUNCIL the 14<sup>th</sup> day of December, 2006, and executed by the Mayor the 15<sup>th</sup> day of December, 2006.

s/ Jared D. Fuhriman  
Jared D. Fuhriman  
Mayor

Councilmember Lehto expressed his concern regarding abdication of Council responsibility in approving Change Orders as they are presented by the Contractor. He requested why the City Council was being asked to make this change at this time.

The Parks and Recreation Director appeared to request that the City Attorney give a further explanation.

The City Attorney stated that Councilmember Lehto's concern is with regard to whether or not there are circumstances present that would justify not bringing the Change Orders to the City Council. He requested to know what it was that necessitated moving in such an expeditious fashion.

The Parks and Recreation Director stated that this Resolution was developed to allow the project to be completed by the target date in 2007.

The City Attorney stated that the Parks and Recreation Director would not be bringing any Change Orders to the City Council unless they are over the dollar amount provided. The City Council would not be "abdicating" its responsibility, but "delegating" responsibility to the Parks and Recreation Director.

Councilmember Groberg stated that he understood that due to the extremely tight schedule of this project, even a few days delay could be a problem. The City Council has budgeted an "override" amount for this project. The thought was to allow the Division Director to manage that "override" amount in a limited fashion of \$25,000.00 per Change Order, up to a maximum of ½ of the amount of the "override".

Councilmember Lehto stated that he did not believe that there was anything in the City's process that would hold the contractor up. Change Orders can move forward and then Council approval or ratification could be given for those Change Orders.

Councilmember Lyon agreed with Councilmember Lehto and questioned whether the schedule for completion of the project was really that tight. He questioned how the public would know of the change orders unless they come before the City Council. He stated that he has a hard enough time getting information. He stated that he has requested that the Council Committee Meeting Minutes be placed on the City's website, and he has not been able to get those minutes posted. Councilmember Lyon stated that he would like to see the Change Orders come before City Council.

Councilmember Groberg stated that the City Council has set a budget for this project. This resolution does not extend the budget in any way. There is an amount already included in this budget to accommodate possible change orders. The Parks and Recreation Director could approve up to one-half of that amount for change orders in an effort to expedite the construction of this project.

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to approve the Resolution regarding the McDermott Field Stadium Renovation Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye:            Councilmember Lehto  
                  Councilmember Groberg  
                  Councilmember Cornwell  
                  Councilmember Hally

**DECEMBER 14, 2006**

---

Nay: Councilmember Lyon

Motion Carried.

City of Idaho Falls  
December 14, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: JOINT PARKING AGREEMENT – ALLIANCE COVENANT  
CHURCH OF IDAHO FALLS

Attached for your consideration is a Joint Parking Agreement between the City of Idaho Falls and Alliance Covenant Church of Idaho Falls. The purpose of this agreement allows participants at the Alliance Covenant Church and the Aquatic Center to use parking lots at both facilities at specified times. The agreement was 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 Groberg to approve the Joint Parking Agreement between the City of Idaho Falls and the Alliance Covenant Church of Idaho Falls and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
December 14, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: LEASE AGREEMENT – SAGE LAKES CAFÉ

Attached for your consideration is a Lease and Concession Agreement between the City of Idaho Falls and Service Vending of Idaho, Inc. This lease will

**DECEMBER 14, 2006**

---

provide for the concession operation at Sage Lakes Golf Course for a term of two years, terminating on December 31, 2008. The City Attorney has drafted and reviewed the lease agreement.

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

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to approve the Lease and Concession Agreement between the City of Idaho Falls and Service Vending of Idaho, Inc. for the concession operation at Sage Lakes Golf Course for a term of two years terminating on December 31, 2008 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
December 14, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: LEASE AGREEMENT – SAND CREEK CAFÉ

Attached for your consideration is a Lease and Concession Agreement between the City of Idaho Falls and Service Vending of Idaho, Inc. This lease will provide for the concession operation at Sand Creek Golf Course for a term of two years, terminating on December 31, 2008. The City Attorney has drafted and reviewed the lease agreement.

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

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to approve the Lease and Concession Agreement between the City of Idaho Falls and Service Vending of Idaho, Inc. for the concession operation at Sand Creek Golf Course for a term of

**DECEMBER 14, 2006**

---

two years terminating on December 31, 2008 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls  
December 14, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: LEASE AGREEMENT – REINHART POOL

Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and the Young Men's Christian Association, Inc. (YMCA) for the purpose of leasing Reinhart Pool for a five-year term. The lease agreement was reviewed and drafted 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 lease agreement.

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to approve the Lease Agreement between the City of Idaho Falls and the Young Men's Christian Association, Inc. (YMCA) for the purpose of leasing Reinhart Pool for a five-year term.

Aye: Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

**DECEMBER 14, 2006**

---

City of Idaho Falls  
December 11, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: RIGHT-OF-WAY VACATION – RECREATION DRIVE, EAGLE RIDGE ADDITION, DIVISION NO. 1

As previously authorized, the City Attorney has prepared a document to vacate a portion of Recreation Drive, Eagle Ridge Addition, Division No. 1; reducing the right-of-way width from 80 feet to 60 feet.

Public Works recommends approval of this Ordinance; and, authorize the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

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

**ORDINANCE NO. 2682**

AN ORDINANCE VACATING A PORTION OF THE ROADWAY RIGHT-OF-WAY WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID RIGHT-OF-WAY; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED RIGHT-OF-WAY TO THE OWNER OF THE ADJACENT LAND, AND NAMING IT; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

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

Aye: Councilmember Groberg  
Councilmember Hally  
Councilmember Lehto  
Councilmember Lyon  
Councilmember Cornwell

Nay: None

Motion Carried.

**DECEMBER 14, 2006**

---

City of Idaho Falls  
December 11, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SANITARY WASTE REMOVAL RATES - ORDINANCE  
AMENDMENT

Earlier this year an Ordinance was passed implementing sanitation rates. Subsequently, Public Works has evaluated the rate for 30 cubic yard uncompact containers and recommends the minimum charge for this service be changed from \$141.00 per month to \$50.00 per month.

Attached is a proposed Ordinance which incorporates that change in the rate structure. Public Works recommends approval of this Ordinance; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

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

**ORDINANCE NO. 2683**

AN ORDINANCE REPEALING AND RE-ENACTING  
SECTION 8-6-17 OF THE CITY CODE OF THE CITY  
OF IDAHO FALLS, IDAHO; ESTABLISHING  
SANITARY WASTE REMOVAL CHARGES;  
PROVIDING FOR SEVERABILITY AND  
ESTABLISHING EFFECTIVE DATE.

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

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

**DECEMBER 14, 2006**

---

City of Idaho Falls  
December 11, 2006

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SEWER ORDINANCE AMENDMENT

Attached is a proposed revision for the Sewer Ordinance repealing and re-enacting certain provisions of the Ordinance to comply with Environmental Protection Agency Pretreatment rules.

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

s/ Chad Stanger

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

**ORDINANCE NO. 2684**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO; REPEALING AND RE-ENACTING CHAPTER 1, TITLE 8 OF THE IDAHO FALLS CITY CODE, SAID CHAPTER BEING KNOWN AS THE SEWER ORDINANCE OF THE CITY; PROVIDING RULES AND REGULATIONS REGARDING THE OPERATION OF THE PUBLICLY OWNED TREATMENT WORKS; PROVIDING FOR SEVERABILITY, PRESERVING PRIOR ORDINANCE ESTABLISHING METHODOLOGY AND ESTABLISHING AN EFFECTIVE DATE.

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

Aye: Councilmember Cornwell  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

**DECEMBER 14, 2006**

---

Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing for consideration of the First Amendment to the Second Amended and Restated Lindsay Boulevard Urban Renewal Plan, now known as the Idaho Falls Snake River Urban Renewal Project Plan, The Downtown Addition of the Idaho Falls Urban Renewal Agency. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

Idaho Falls Redevelopment Agency  
December 11, 2006

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Executive Director  
SUBJECT: ORDINANCE APPROVING THE SNAKE RIVER URBAN RENEWAL PLAN, THE DOWNTOWN ADDITION

Attached is the Ordinance approving the Snake River Urban Renewal Plan, The Downtown Addition. This proposed amendment expands the District's boundaries to include the downtown area between G Street, Broadway, Eastern Avenue, and the Snake River and was approved by the Board of the Idaho Falls Redevelopment Agency on November 2, 2006. The Board respectfully requests this Ordinance be passed on the second and final reading this evening.

s/ Renée R. Magee

Robert Barnes, 381 Gustafson Drive, introduced himself as the Chairman of the Board of the Idaho Falls Redevelopment Agency and read the following statement:

Robert Barnes  
381 Gustafson Drive

I am presently the Chair of the Idaho Falls Redevelopment Agency.

Member since 1998.

Let me begin with a brief history.

In 1988, the Idaho Legislature passed the Local Economic Act, which enables cities under 100,000 in population to utilize Revenue Allocation Financing. This Act is tied to the Urban Renewal Act in Idaho.

The Legislature had enacted similar legislation in 1987 pertaining to cities (city) with a population over 100,000 to utilize this funding technique.

This legislation allows a local unit of government, after due process, to capture the increased taxes resulting from new construction and development, to be used to finance improvements within the designated area.

As originally conceived, the improvements ultimately translate to a greater valuation and therefore more tax revenue is generated to the taxing districts at

## **DECEMBER 14, 2006**

---

the end of the Agency's life, though the law has changed, the new value will benefit the City's taxpayers.

In 1988, the City formed its first Revenue Allocation District under the Local Economic Development Act, called the Lindsay Plan.

In order to take advantage of the tax increment from the newly constructed Shilo Inn, the Ordinance adopting the Lindsay Plan had to be completed by the end of that year.

The City Council approved the Ordinance on December 23, 1988.

In 1991, the District Court issued a Judicial confirmation, clearing the way for a \$2.1 Million Bond closing and the sale of bonds.

The bond proceeds were used to make improvements to Lindsay Boulevard and to connect Lindsay with Utah Avenue. The improvements included a new road, curb, gutter, and sidewalks as well as street lighting and utilities, as needed.

(That bond was paid off in the fall of 2005.)

The rest is history.

From what was a farm-to-market road with chuck holes and patches, with the help of tax increment financing, Lindsay Boulevard became a vital connector street attracting new business to the area.

In 1992, the Lindsay Plan was expanded to include an area south of Broadway to Pancheri. Thereafter, the Agency committed funds to the improvement of Utah, south of Broadway.

Within the next few years, in an effort to meet the expectations of two large developers in the area and the needs of the City, Utah Avenue received major improvements south to Pancheri and again, development followed.

The Agency has spent approximately \$8 Million on public improvements within its boundaries since 1988. The valuation has increased from approximately \$23.5 Million in 1988 to over \$100 Million today. Upon build-out, that valuation should approach \$200 Million.

The downtown core of the City is in the Impact Zone of this new development.

To date, however, the impact on the downtown has been on the negative side of revitalization, rather than having experienced a positive impact.

A major part of the success of the new commercial office development south of Broadway has come to the expense of the downtown. Major tenants have relocated from the downtown to that area.

**DECEMBER 14, 2006**

---

The Ordinance you are considering tonight is a critical step in an effort to help in the revitalization of the downtown.

By leveraging the increased values not previously committed to the developers south of Broadway, or for payment of any ongoing debt of the Agency and new development to the downtown area, substantial improvement can be located in the downtown.

We have seen some very impressive development on Lindsay Boulevard and south of Broadway, but let me say that in my experience, there has not been a project within the Agency receiving a greater level of interest and support from the community at large, than the plan being brought before you tonight.

The amendments to the plan do not extend the Agency's authority beyond the original expiration date of December 31, 2018.

I urge this Council to approve this Ordinance.

Councilmember Hally stated that there is no question that the City is committed to being a partner with the downtown redevelopment. It is a wise decision to go forward and assist in revitalizing the downtown area.

Councilmember Lyon stated that he supported this Ordinance as the expiration date was kept in tact. He stated that he was excited about the historic downtown.

The Executive Director of the Idaho Falls Redevelopment Agency appeared to further explain the Ordinance. Following is a list of exhibits used in connection with the request:

- |         |   |
|---------|---|
| Slide 1 | Vicinity Map showing surrounding zoning       |
| Slide 2 | List of Capital projects completed since 1988 |
| Slide 3 | List of potential projects                    |

Dave Radford, Bonneville County Commissioner, 4595 East Bailey Lane, appeared to state that he appreciated the opportunity to be on the Idaho Falls Redevelopment Agency Board. There has been much discussion about the needs of the downtown area. He stated that parking is a top priority with the inclusion of this area to the Urban Renewal District. Mr. Radford stated that it was great to work with Councilmember Groberg's sister on the history of Memorial Drive. Bonneville County planted approximately 35 trees along Memorial Drive. By any arborist's evaluation, each tree is worth approximately \$4,000.00 to \$5,000.00. He stated, further, that he serves on the 4-H Board working with approximately 1,150 youth. Mr. Radford expressed that the County has completed the first phase of a two phase project at the Hamilton Building. He stated that restrooms are needed at that building. The restrooms need to be hooked to the City sewer system. When the park is put together along Memorial Drive through the Urban Renewal Agency, something in the way of a trade should take place as the Veterans Memorial along Memorial Drive was a joint effort between the City of Idaho Falls and Bonneville County. Mr. Radford stated that he voted for the expansion of the Urban Renewal District. He stated that he agreed with the decision to keep the expiration date at 2018. He believed that the Urban Renewal District was a great tool as long as it was not abused. He stated that he appreciated the opportunity to be on the Idaho Falls Redevelopment Agency Board. This has been a good partnership between the City and the County and they have learned a lot from each other.

**DECEMBER 14, 2006**

---

Councilmember Groberg explained that the Board for the Idaho Falls Redevelopment Agency was expanded a few years ago to include the Bonneville County Commission. Mr. Radford is the Representative from Bonneville County. This has resulted in a great spirit of cooperation between the City and County.

David Nygard, 365 Park Avenue, appeared to state that Pocatello has gone overboard on their Urban Renewal Districts. He did not want the same thing to happen in Idaho Falls. He stated that he owns three buildings in the downtown area. His neighbors are not interested in eliminating Memorial Drive to make it a park. The parking proposed for Constitution Way will not make up for the loss of parking of Memorial Drive. Mr. Nygard requested to know whether the City was going to purchase Nick's Trading building to remodel for a Fire Station.

Mayor Fuhriman stated that the City is in the process of purchasing that building. Mayor Fuhriman stated that the City is not interested in closing Memorial Drive. If the City cannot solve the parking issue to accommodate the City and County employees, then this work will not go forward. The City is looking at the options for expanding the parking in the downtown area.

Jerry Jayne, 1568 Lola Street, appeared to state that he did not know much about the Idaho Falls Redevelopment Agency. He expressed his concern for the many historic buildings in the downtown area. Many years ago, the old Eagle Rock area was torn down. That was a historic area. He wanted to be assured that the old buildings in the downtown area would be preserved. Mr. Jayne also expressed his concern that he did not want any of the old trees along the river to be removed.

Mayor Fuhriman stated that he agreed.

Greg Crockett, 383 Spring Meadows Drive, appeared to state that he has spent the last thirty-two years of his professional life in the downtown area. It has been his great pleasure to work in behalf of the downtown community for all of those years. The last ten years have been spent working under the auspices of a Business Improvement District. While progress is being made, economic vitality is a big challenge in the downtown area. He stated that he supported this Ordinance. He thanked the members of the Idaho Falls Redevelopment Agency for bringing this plan forward. This is the most important thing to happen to the downtown area in the last two decades. Mr. Crockett thanked Mayor Fuhriman for his leadership, his boldness, and his willingness to go forward. He also stated that he thanked the City Council for their favorable consideration of the Ordinance.

Jerry Jayne re-appeared to state that he felt badly about the potential loss of the old Consolidated Wagon and Machinery warehouse. This is a historic building. The City will be losing a great old building.

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

Councilmember Groberg stated that the Urban Renewal District amendment will move forward step-by-step. Nothing has been set in concrete, except for the proposal to include the core downtown area into the existing Urban Renewal District. The downtown area would qualify to become a separate district. The downtown area prefers to be included in the existing district. All of the members of the Idaho Falls Redevelopment Agency are well aware of the fact that even though these funds that are spent by the Redevelopment Agency are tax increment funds, they are still public funds. The Agency is concerned about preserving the historic nature of the existing downtown. The Agency will attempt to redevelop Memorial Drive returning it to the original intent and purpose of its design, which is a parkway along the river leading to a memorial for veterans from all wars. As a corollary to that, there will be a place provided for any parking that is lost.

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

**DECEMBER 14, 2006**

---

**ORDINANCE NO. 2685**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, APPROVING THE FIRST AMENDMENT TO THE SECOND AMENDED AND RESTATED LINDSAY BOULEVARD URBAN RENEWAL PLAN CITY OF IDAHO FALLS (NOW REFERRED TO AS THE IDAHO FALLS SNAKE RIVER URBAN RENEWAL PROJECT PLAN, THE DOWNTOWN ADDITION), WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing for consideration of the Fiscal Year 2007 Annual Action Plan and Potential Projects for Community Development Block Grant Program (CDBG). At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
December 11, 2006

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: PUBLIC HEARING FOR FISCAL YEAR 2007 ANNUAL ACTION PLAN AND POTENTIAL PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

**DECEMBER 14, 2006**

Attached is the potential project list for the Fiscal Year 2007 Community Development Block Grant. The City will have approximately \$420,000 available in funding for Fiscal Year 2007, and the purpose of the public hearing this evening is to receive comments on this Annual Action Plan and uses of CDBG monies in the coming fiscal year. A thirty-day comment period begins tomorrow and will end on January 15, 2007. Final action on this plan and submission to the Department of Housing and Urban Development will occur in Winter, 2007.

s/ Renée R. Magee

**FY07 CDBG  
POTENTIAL PROJECT LIST  
AS OF NOVEMBER 1, 2006**

<b>Agency</b>	<b>Project Description</b>	<b>Dollar Request</b>	<b>Total Project</b>	<b>Eligible Activity</b>	<b>National Objective</b>
Shepherd's Inn	New Roof	\$ 6,000.00		Public Facility	LMI Family or Homelessness
TRPTA	New Bus for Off-Route Pickups	20,000.00	115,000.00	Public Service	LMI Access
IFDDC	Façade Improvements	100,000.00	Business Match	Rehab	Slum and Blight
IFDDC	Business Workshops and Consulting Services	20,000.00	In-Kind	Public Service	Slum and Blight
Life, Inc.	Individual Accessibility Retrofits	35,000.00		Rehab	LMI Housing Document Incomes
Life, Inc.	Rollandet Park Sidewalk	?		Public Facility	LMI Handicapped NatObj Questionable
City of Refuge	Purchase and Install Commercial Stove and Oven	6,000.00		Public Service	LMI Presumed
Code Enforcement	Code Enforcement and Neighborhood Cleanup Staff	17,000.00		Code Enforcement	LMI Areas
EICAP	Individual Assistance Payments	20,000.00		Public Service	LMI Direct
EICAP	Housing Rehab	60,000.00		Rehab	LMI Direct Household
EICAP	Grandparents Raising Grandkids Legal Services	20,000.00	24,000.00	Public Service	LMI Direct
EICAP	Haven Utilities	18,000.00		Public Service	LMI Presumed
Family Justice Center	Purchase and Renovate Building	125,000.00		Public Facility	LMI Presumed
Development Workshop	Purchase Building	50,000.00		Public Facility	LMI Presumed
Habitat	Purchase Two Lots	30,000.00		Acquisition	LMI Housing
FAITH	Purchase 4-5 Bedroom Home	36,000.00	40,000.00	Acquisition	LMI Housing
Admin		83,600.00			
<b>TOTAL</b>		<b>\$646,600.00</b>			

Based upon reports, the City's allocation will be approximately the same as last year - \$418,000.00.

The categories for use locally are:		Requested	Public Service Request
LMI	\$234,080 = 70% of balance	\$442,000	\$78,000
Slum and Blight	\$100,320 = 30% of balance	\$120,000	\$20,000
Admin	\$ 83,600 = 20% of Total		

Public Service = 15% of Total = \$62,700 must be allocated from the LMI or S & B Categories. Requested \$98,000

Jan Blickenstaff, Grants Administrator, appeared to state that each year, Housing and Urban Development requires an Action Plan be developed for the expenditure of the annual entitlement that the City receives. This will be the fourth annual plan. He has talked to

## DECEMBER 14, 2006

---

many in the community to solicit projects for these funds. Mr. Blickenstaff reviews the projects in accordance with HUD rules and regulations. Seventeen projects were submitted by eleven agencies, totaling \$646,600.00 in requests. Unfortunately, Congress adjourned before setting the HUD budget, which includes the CDBG funds this year. The budget estimates that were passed by Congressional Committees were approximately the same as last year's budget. That is what Mr. Blickenstaff estimated for this year's allocation. Written comments will be accepted until January 15, 2007. At that time, the City Council will consider the final draft of the Plan and approve the submittal to HUD. Submittal of the plan will have to be by February 15, 2007 in order to get HUD approval by April 1, 2007. The spending plan begins on April 1.

Tom Zahn, 437 Parkway Circle, appeared to share the following statement:

Statement Submitted to the Idaho Falls City Council on December 14, 2006 by The Shepherd's Inn as a Supplement to the Grant Application Submitted to Jan Blickenstaff September 6, 2006.

Good Evening. I'm Tom Zahn and I'm here on behalf of The Shepherd's Inn. We submitted a request for \$6,000.00 of the HUD money given to Idaho Falls. Our home needs a new roof. We understand that the HUD money is to be used to help homeless, disabled, and low-income people. Tonight, I would like to share some of our history and what we do in and through The Shepherd's Inn to help people in these situations.

In 2001, The Shepherd's Inn requested HUD money from the Federal Home Loan Bank of Seattle. We received \$15,000.00. As part of our application, we had to describe how we were helping the homeless. We did so by providing a small glimpse from the lives of three young Idaho Falls' women. I called them A, B, and C: Amy, Bobbie, and Cindy.

"Amy was living in her car in November 1998 before she came to The Shepherd's Inn for help. She was 18, and, therefore, her parents were no longer legally liable for her. They did not want to deal with a pregnant daughter and so kicked her out of their home.

Bobbie and Cindy both kept their pregnancies a secret from their families, had their babies, threw them in a dumpster, were found, and arrested. Their cases did not fit the definition of homeless like Amy's, but they were as homeless as Amy. A home is where these young women should have received unconditional love and care. Evidently they thought their families could not provide either."

Bobbie threw her baby in a dumpster in 1998. As a result, The Shepherd's Inn was started. We had the home in Roberts for 7 years and moved it to Idaho Falls last November. The Shepherd's Inn is the only crisis pregnancy home in Idaho, Montana, Wyoming, and Utah that exists to help young pregnant women that are at least 18. We provide FREE:

- Room and Board
- Referrals to pre-natal medical care
- Referrals to social support services
- Adoption and post-adoption counseling

## DECEMBER 14, 2006

---

- Parenting education
- Life skills education
- Opportunity to finish or continue their formal education: GED or college
- Opportunity to work and save for their future
- Transportation to ALL (up to 3,000 miles/month when we were in Roberts) of their commitments
- Continued housing for up to three months after their baby is born
- Transition plan prior to leaving The Shepherd's Inn

The Shepherd's Inn involves a lot more than just the home! The Shepherd's Inn staff tries to help EVERY PERSON that calls our number. We are essentially a crisis hot line and to date have received hundreds of phone calls.

Our Director spends many hours on the phone helping teenagers (less than 18) and continuing to help our girls after they leave The Shepherd's Inn. Our two professional counselors meet with non-residential pregnant women and teens, their boyfriends, and their parents.

Cindy threw her baby in a dumpster in 2000. As a result, we worked with Senator Bart Davis to sponsor a bill to establish the Idaho Safe Haven Act. It allows a woman to anonymously give her baby to someone at a Safe Haven (e.g., hospital, fire department, or doctor's office) for up to 30 days after birth. The bill was unanimously passed in 2001; however, no funds were made available to advertise it. The Shepherd's Inn bought 2000 of the Idaho Safe Haven Act brochures with our brochures. Last month, as a result of an Oprah Winfrey Show, we increased our efforts to let young pregnant women know that help is available.

The November 3, 2006 Oprah Winfrey Show included video footage of Cindy's baby being removed from an Idaho Falls' dumpster and a plea from Jessica Coleman, a young woman that is in prison for having her baby thrown into a rock quarry. Jessica's plea to other pregnant women was to please get the help they need. We are trying to inform young women that help is available from a variety of sources: through TV and radio ads. We are also working with State Representative Jerry Shively and Senator Bart Davis to sponsor a bill that would establish The Shepherd's Inn as a youth rehabilitation facility and establish a fund for the Idaho Safe Haven Act on and through the Idaho State Tax Form.

### WHAT YOU CAN DO TO HELP:

1. There have been four abandoned babies in Southeast Idaho since 1998 THAT WERE FOUND! We do not want this to happen again! Please partner with us in getting the word out that this resource is available.
2. Please partner with us to defray the cost of maintaining this unique resource by considering our request for HUD funds for a new roof for our home.

Thank you.

**DECEMBER 14, 2006**

---

Shirley Chastain, Idaho Falls Downtown Development Corporation, 119 East 19<sup>th</sup> Street, appeared to thank the Mayor and City Council for their support in this fiscal year in the amount of \$100,000.00 for slum and blight. She stated that this created a program to offer the property owners in the Business Improvement District a low-interest loan program and a matching grant program for façade improvements. There were twenty-four applicants for this program. Mrs. Chastain requested the support of the Mayor and City Council for this coming fiscal year.

Mike O'Bleness, 2121 Santalema Drive, appeared to speak on behalf of Development Workshop, Inc. The Development Workshop has a 35 year history of providing services to low- to moderate-income individuals with disabilities in Idaho Falls. They have been located at 555 West 25<sup>th</sup> Street and 2405 Leslie Avenue throughout the entire time. They have served 837 individuals with disabilities throughout Eastern Idaho, with the majority of those individuals being in Idaho Falls. The Development Workshop has leased the property at 2405 Leslie Avenue continuously since its construction from the State Department of Health and Welfare. Over the history of the lease, it has gone from \$1.00 per year to \$44,000.00 per year worth of services that were traded with the State Department of Health and Welfare for the use of the building. Currently, the lease is \$28,000.00 paid in cash to the Department of Health and Welfare. That lease will expire next fall. At the end of this lease period, the Department of Health and Welfare has proposed to Development Workshop an increase in the cash payment to the lease that would also require them to provide all maintenance to the facilities and repairs to the building that was constructed in the early 1970's. Development Workshop is not in a position where that would make good business sense to continue that lease. Development Workshop has entered into negotiations with the State Department of Health and Welfare to attempt to purchase the structure. If the structure is purchased, Development Workshop could bring this building into ADA standards. Development Workshop is recognized nationally as a rehabilitation agency that is expert at providing job training and support to people with disabilities to help them enter or return to work in their community of choice and to provide job creation opportunities through contracts from the federal government. The current facilities are used at the maximum, but continue to grow. The Department of Health and Welfare has determined that the Child Development Center will be abandoned. The proposal to purchase the unit that Development Workshop is currently using will only be sold with the Child Development Center building. Development Workshop is trying to stay in their current location to provide services in Idaho Falls at the level that they are today and be able to continue to grow as the City grows. They are proud of the support that they have received from the City and from the community at large.

Dane Watkins, Jr., Bonneville County Prosecuting Attorney, 605 North Capital Avenue, appeared to represent the Family Justice Center. Mr. Watkins explained that Idaho Falls was considered one of the top ten cities to live in. One of the factors that entered into this decision is that Idaho Falls is a safe place to live. It is safe, because of law enforcement and their progressive approaches to community problems. Domestic violence cases are filed every day. On average, his office files over 400 criminal complaints that involved domestic violence. Dispatch receives over 1,600 calls in a given year involving domestic violence, civil protection violations, stalking charges, and other various offenses. Bonneville County and the City of Idaho Falls, like so many others, suffer from the effects of domestic violence and sexual assaults. Efforts to stem that tide of crimes involving those areas began long before the discussion of "Family Justice Center". The community's coordinated efforts began in 1994 when the Bonneville County Task Force on Domestic Violence began. The Task Force included the Bonneville County Sheriff, the Chief of Police, the Director of the Domestic Violence Intervention Center, the Prosecuting Attorney and elected officials from both the City of Idaho Falls and Bonneville County. The Task Force addressed the complex challenges associated with these offenses by including a number of

**DECEMBER 14, 2006**

---

disciplines. The Task Force recognized that specialized detectives needed to be assigned, which was done. The Prosecutor assigned a Deputy Prosecutor to handle exclusively domestic violence cases. After several years, at the request of the Trial Court Administrator, local Magistrate Judges participate on that Task Force, all working as a coordinated system with a single judge, a single prosecutor, specialized probation officers, detectives, which has now provided historical experience and continuity that are essential to handling these types of cases. Mr. Watkins explained what it is like to be a domestic violence victim. Under the current domestic violence paradigm, the criminal justice system component dominates the victim's world. Justice is not merely defined by what the criminal justice system can provide. It is defined in terms of healing. The healing process should neither begin nor end in the courtroom. A Family Justice Center brings together professionals from a host of disciplines under a single roof. This would be a center for victims of violence and their families. Having a single location reduces the amount of time that the victim needs to go and tell their story and receive help. Because of the collaborative and coordinated support from a Family Justice Center and the friendly and inviting environment that exists in a Family Justice Center, the domestic violence paradigm shifts from the criminal justice system as the only influence to a more complete paradigm of healing. There are a couple of communities that have Family Justice Centers in the State of Idaho. He stated that he would like to see Idaho Falls and Bonneville County follow in that path. Nampa was the first and Ada County has just added one. Mr. Watkins stated that he would appreciate the Mayor and City Council's support in considering the Family Justice Center.

Dave Radford, Bonneville County Commissioner, 4595 East Bailey Lane, appeared to state that he serves as Vice Chairman for State of Idaho District 7 Health Department. Domestic violence is a public health crisis. He stated that earlier this year, his committee put together a private fund raiser in order to expedite the process of developing the Family Justice Center. He has visited both Family Justice Centers in Idaho. He was impressed with the "one-stop shop". This type of facility is needed in Eastern Idaho. Commissioner Radford stated that he pledged support from Bonneville County to partner with the City of Idaho Falls in establishing a Family Justice Center.

Melody Burns, 333 Eighth Street, appeared to state that she represented FAITH (Family Assistance in Transitional Housing). They have made application for matching funds for a larger facility that will accommodate larger households. They are currently unable to accommodate larger households in the two-bedroom facilities now available. One in ten families comes in for assistance that has to be turned away due to the lack of proper facilities. They are considering a duplex with three to four bedrooms on each side, along with two bathrooms, to accommodate larger size households. Currently, this need is not being met. She also works for Habitat for Humanity Idaho Falls. On behalf of this organization, she thanked the Mayor and City Council for the grant provided last year through the CDBG funds to purchase property. The house is located at 1394 Vernon and is near completion. She invited the Mayor and City Council to come to the home and look at their dollars at work in the community. This is a beautiful little 4-bedroom, 2-bath home and is the largest home they have built since 1999. This will serve a household of seven, five children with a mom and dad. The house will be dedicated on Saturday, December 30, 2006 at 10:00 a.m. Habitat for Humanity has an agreement with three gentlemen who own lots in the same area to purchase lots for development for families. The Bel-Aire Addition, Division No. 3 neighborhood has welcomed the Habitat for Humanity homes. Residents have been working on their own home improvements as Habitat for Humanity has been building homes in the area. Mrs. Burns thanked the Mayor and City Council for the grant in 2006. She stated that she is hopeful for consideration for the 2007 grant. There is an opportunity through Habitat for Humanity International in Americus, Georgia. If they are able to show a consistent pattern of building, they will receive a block grant for \$45,000.00

**DECEMBER 14, 2006**

---

to build 3 more homes over a 3-year period. If the grant funds are provided from the CDBG funds, it will show that they not only have the volunteer support but they will have the financial support from the community.

Ron Youderian, 215 East 23<sup>rd</sup> Street, appeared to state that he was representing the City of Refuge Men's Shelter at 840 Park Avenue. The City of Refuge exists to help homeless men get off the street and get their lives changed. They provide counseling, living essentials, and case management. They reach out to the community by providing meals, living essentials, and household items. The City of Refuge is requesting partnership with the City to assist in replacing an oven in their kitchen with an industrial grade oven and a convection oven. At the end of 2006, they will have served approximately 10,000 evening meals to people who live at the City of Refuge and people in the community.

Kip Hicks, 410 Broadway, appeared as a property owner and resident of downtown, as a member of the Idaho Falls Downtown Development Corporation, and Director for Grow Idaho Falls. He stated that there are many worthy applicants competing for the block grant dollars. He thanked the Mayor and City Council for the past support in the downtown area. Mr. Hicks reminded the Mayor and City Council that above and beyond the low-income housing and other types of needs, the improvement of facades and taking down of boarded up windows in the downtown area may pale in comparison to the other needs of the community. The job creation aspects of the Community Development Block Grant monies should not be overlooked. The improvements to the downtown area will attract new jobs. This is an important consideration.

Councilmember Groberg stated that the Mayor and City Council have received these comments and appreciate them very much. It is enlightening and heartening to see the concerns, interests, and efforts being made to help in Idaho Falls. There will be opportunity to submit additional comments until January 15, 2007. Following that, the City Council will consider all of the proposals.

Following a brief recess, Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing for consideration of a rezoning of 0.14 acres from R-1 (Single-Family Residential) to R-3A (Single-Family Residential and Apartments and Professional Offices) of property located generally south of East Sunnyside Road, north of 49<sup>th</sup> South (Township Road), east of Washington Parkway (George Washington Estates), and west of South 25<sup>th</sup> East (Hitt Road), legally described as Metes and Bounds Description of 0.14 Acres in the Northeast Quarter of Section 33, Township 2 North, Range 38 East of the Boise Meridian (Recessed from the November 21, 2006 Regular Council Meeting). At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
November 6, 2006

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: REZONING FROM R-1 AND R-2 TO R-3A – 0.14 ACRES, METES AND BOUNDS (PORTION OF KINGWOOD ADDITION, DIVISION NO. 3)

Attached is the rezoning request for 0.14 acres from R-1 and R-2 to R-3A. This rezoning request is for a portion to be included within Kingwood Addition, Division No. 3. The parcel is west of the right-of-way for Hitt Road (South 25<sup>th</sup>

**DECEMBER 14, 2006**

---

East). The Planning Commission considered this rezoning request at its October 3, 2006 Meeting and recommended approval. The Department concurs with the recommendation. 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
Exhibit 1	Planning Commission Minutes dated October 3, 2006
Exhibit 2	Staff Report dated October 3, 2006
Exhibit 3	Map of rezoning request

There being no further comment 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 Hally, to change the zone from R-1 (Single-Family Residential) to R-3A (Single-Family Residential and Apartments and Professional Offices) of property located generally south of East Sunnyside Road, north of 49<sup>th</sup> South (Township Road), east of Washington Parkway (George Washington Estates), and west of South 25<sup>th</sup> East (Hitt Road), legally described as Metes and Bounds Description of 0.14 Acres in the Northeast Quarter of Section 33, Township 2 North, Range 38 East of the Boise Meridian 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 Cornwell  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

Mayor Fuhrman requested Councilmember Groberg to conduct Annexation Proceedings for Kingwood Addition, Division No. 3. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
November 6, 2006

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: ANNEXATION, INITIAL ZONING OF R-3A AND FINAL PLAT - KINGWOOD ADDITION, DIVISION NO. 3

**DECEMBER 14, 2006**

---

Attached are the Annexation Ordinance, Development Agreement, and Final Plat for Kingwood Addition, Division No. 3. The requested initial zoning for 1.07 acres in the southeast corner of the final plat is R-3A (Single-Family Residential and Apartments and Offices). This one-lot plat of 10.646 acres is located west and adjacent to Hitt Road (South 25<sup>th</sup> East), north of Township Road (49<sup>th</sup> South), and south of Sunnyside Road. The Planning Commission considered this request at its October 3, 2006 Meeting and recommended approval of the annexation of 1.07 acres with an initial zone of R-3A and the final plat. The Department concurs. 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 annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Final Plat for Kingwood Addition, Division No. 3
Exhibit 1	Planning Commission Minutes dated October 3, 2006
Exhibit 2	Staff Report dated October 3, 2006

Lisa Andrew, Harper Leavitt Engineering, 985 North Capital Avenue, appeared to answer any questions from the Mayor and City Council. There were none.

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 Groberg, seconded by Councilmember Hally, to approve the Development Agreement for Kingwood Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Hally  
Councilmember Lehto  
Councilmember Lyon  
Councilmember Cornwell

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2686**

**KINGWOOD ADDITION, DIVISION NO. 3**

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.

**DECEMBER 14, 2006**

---

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

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell

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 Groberg, seconded by Councilmember Hally, to establish the initial zoning for Kingwood Addition, Division No. 3 as R-3A (Single-Family Residential and Apartments and Offices) 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 Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plat for Kingwood Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct a public hearing for consideration of a PUD (Planned Unit Development) for 18 single-family

**DECEMBER 14, 2006**

---

attached units and 1 single-family detached unit to be located generally south of Casseopeia Street, north of West Broadway, east of Skyline Drive, and west of Saturn Avenue and is legally described as a Metes and Bounds Legal Description of 2.51 Acres in the Southwest Quarter of the Southwest Quarter of Section 13, Township 2 North, Range 37, East of the Boise Meridian (Recessed from the November 21, 2006 Regular Council Meeting). At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
December 8, 2006

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: PLANNED UNIT DEVELOPMENT, FINAL PLAT, AND DEVELOPMENT AGREEMENT – SATURN VILLAGE, DIVISION NO. 1

Attached are the Development Agreement, Site Plan for a Planned Unit Development, and Final Plat for Saturn Village, Division No. 1. This development is located west and adjacent to Saturn Avenue, east of Lola Drive, south of Casseopeia Street, and north of West Broadway. The Planned Unit Development consists of eighteen single-family attached units and one detached unit. The Planning Commission recommended approval of this application at its October 3, 2006 Meeting with conditions which have been incorporated into the Development Agreement. This Planned Unit Development and Final Plat 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 Planned Unit Development request:

- |          |   |
|----------|---|
| Slide 1  | Vicinity Map showing surrounding zoning                                       |
| Slide 2  | Aerial Photo  |
| Slide 3  | Final Plat under consideration  |
| Slide 4  | Proposed Site Plan  |
| Slide 5  | Site photo looking east across the site                                       |
| Slide 6  | Site photo looking east at approximate location of storm water retention pond |
| Slide 7  | Site photo looking west across the site                                       |
| Slide 8  | Site photo looking west at proposed location on Saturn Avenue                 |
| Slide 9  | Site photo of apartments east of the site                                     |
| Slide 10 | Site photo of mobile home park south of site                                  |
| Slide 11 | Site photo south of site  |
| Slide 12 | Site photo of construction company north of site                              |
| Slide 13 | Site photo of single-family homes on Lola Drive                               |
| Slide 14 | Site photo looking west on Lola Drive   |

**DECEMBER 14, 2006**

---

Slide 15	Site photo showing existing single-family home on the site
Slide 16	Site Plan
Exhibit 1	Vicinity Map
Exhibit 2	Copy of Final Plat
Exhibit 3	Copy of Planned Unit Development Site Plan
Exhibit 4	Planning Commission Minutes dated October 3, 2006
Exhibit 5	Staff Report dated October 3, 2006
Exhibit 6	Letter from Glenda Barker dated October 3, 2006
Exhibit 7	Letter from Ray Stoddard
Exhibit 8	Planning Commission Minutes dated September 5, 2006
Exhibit 9	Staff Report dated September 5, 2006

The Planning and Building Director stated that the Site Plan contains 6 buildings, with each building containing three units. The existing home on the site would become part of this Planned Unit Development. There is a private street being proposed between Saturn Avenue and Lola Drive. The street will be marked with "private drive" signs and there will be landscaping proposed. Lot coverage requirements are in compliance. Planned Unit Developments have a twenty percent common open space green space requirement that has been met under this Site Plan. Due to the fact that this is a Planned Unit Development, there are preliminary elevations that are proposed as well as the Site Plan. At the Planning Commission Meeting, there was a great deal of discussion about the density of this particular Planned Unit Development. There are nineteen dwelling units on a net density of 2.3 acres and a gross density of 2.51 acres. Following an analysis done by the Planning Commission, it was determined that the Planned Unit Development is in compliance with the density requirements of the Zoning Ordinance. The Zoning Ordinance states, "In a Planned Unit Development in an R-1 Zone, the maximum density shall be eight dwelling units per gross acre". The Planning Commission and Planning Department has interpreted "gross acre" to include the public streets. "Net acreage" only includes the development site. This site would allow for twenty dwelling units. The Planning Commission requested that the Development Agreement stipulated that density would be limited on this parcel to nineteen dwelling units.

Russ Donahoo, 2603 East Dameron, appeared to share the following exhibits:

1. Proposed front building elevations
2. Aerial Photo showing existing land
3. Aerial Photo showing proposed development

Mr. Donahoo stated that there are sheds, chicken barns, and outbuildings located on this parcel. The new development will greatly improve this area of Idaho Falls.

Ryan Loftus, 10265 North Dorian, appeared as the engineer for this development. This Planned Unit Development is in compliance with all of the ordinance requirements. The cul-de-sac on Lola Drive brings a non-conforming street, as it currently exists, into compliance with the Subdivision Ordinance.

Timothy Metcalf, 754 Saturn Avenue, Suite No. 1, appeared to state that he was not opposed to having the town homes in this location. He expressed his concern for the private drive being narrower than a standard street width, no sidewalks, and no curb and gutter. He requested to know whether the people from Lola Drive would be able to use this private drive to access Saturn Avenue and where the school children will walk in the winter time. Mr. Metcalf shared the experience of the Howard and Johnson Construction Company building the Bel-Aire Addition in the 1950's. This addition had narrower streets. At some point, this subdivision was deeded to the City. The City of Idaho Falls has to take care of this property. Snow removal in this area of town is difficult due to the narrow street

**DECEMBER 14, 2006**

---

and the parking on the streets. Mr. Metcalf requested to know how long it will take for this small subdivision to be deeded to the City for the City to maintain. If the City is going to allow this to be built, it should be built correctly.

Jerry Jayne, 1568 Lola Drive, appeared to state that he was resigned to the fact that a development would be constructed in this location. He expressed his concern regarding the density of the development, the children cutting through this area, the speed limit on the street, and who would enforce that speed limit.

The Planning and Building Director re-appeared to state that the Planned Unit Development allows for private streets.

Councilmember Lehto expressed his concern for Lola Drive being developed as a cul-de-sac, but allowing it to be used as an entrance/exit to the private drive.

The Planning and Building Director stated that the reasoning for this allowance, is for emergency access.

Councilmember Lehto requested to know why bollards were not being installed in the cul-de-sac access to the private drive.

Ryan Loftus re-appeared to state that the objective of a Planned Unit Development is to allow for the flexible design and diversification in the location of structures on a parcel. Lola is a dead-end street at this time. The developer would approve of leaving Lola as a dead-end street; however, the Subdivision Ordinance is out of compliance with regard to this parcel with the existing street. In order to develop this parcel as it has not been developed before and brought in under a new Development Agreement, the Subdivision Ordinance requires that Lola Drive go all the way through or a cul-de-sac be placed so that the turn-around is accessible. If the developer were to develop Lola Drive through to Saturn Avenue, there are a few short lots that would not be developable with the mobile home park on the south side. For that reason, the developer proposed the Planned Unit Development without Lola Drive being a through street. An emergency turn-around is provided on Lola Drive, with a private drive having access to Saturn Avenue. All frontage onto public streets are provided with sidewalk, curb and gutter. This complies with the City's requirements. Mr. Loftus stated that a Homeowners' Association will be formed and restrictive covenants will be provided to take care of all maintenance issues. There is no plan to eventually turn this small development over to the City of Idaho Falls.

Councilmember Lehto requested to know whether the development would be affected if emergency bollards are placed on the Lola Drive cul-de-sac. The current proposal is inviting through traffic.

Mr. Loftus stated bollards would not affect the developer's plans. They wanted to remain compliant with City regulations.

The City Attorney requested to know whether the developer was proposing privately owned lots.

Mr. Loftus stated that the developer is proposing to have privately owned lots and would submit a condominium plat.

The Planning and Building Director stated that bollards could be placed in the Lola Drive cul-de-sac to provide for emergency vehicle access only. This would still comply with all City rules and regulations.

Councilmember Groberg questioned Tim Metcalf as to whether there were any further questions with regard to Mr. Loftus' testimony.

Tim Metcalf re-appeared to question whether sidewalks, curb and gutter would be provided along the private drive.

Ryan Loftus re-appeared to state that all public streets would have sidewalk, curb and gutter. The private drive will not.

**DECEMBER 14, 2006**

---

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

Councilmember Lehto commented that it was odd for a private drive to connect to public streets in the proposed development. It made sense to him for the one access to Saturn Avenue be provided, with the cul-de-sac being set up with bollards for emergency vehicles only. There should not be through traffic from Lola Drive to Saturn Avenue on a private drive.

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Development Agreement for Saturn Village, Division No. 1 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Cornwell  
Councilmember Hally

Nay: Councilmember Lehto  
Councilmember Lyon

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Planned Unit Development be approved for 18 single-family attached units and 1 single-family detached unit to be located generally south of Casseopeia Street, north of West Broadway, east of Skyline Drive, and west of Saturn Avenue and is legally described as a Metes and Bounds Legal Description of 2.51 Acres in the Southwest Quarter of the Southwest Quarter of Section 13, Township 2 North, Range 37, East of the Boise Meridian. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Hally  
Councilmember Groberg

Nay: Councilmember Lehto  
Councilmember Lyon

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to accept the Final Plat for Saturn Village, Division No. 1 and, further, that the Mayor, City Engineer, and City Clerk be authorized to sign said Final Plat. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Hally  
Councilmember Cornwell

Nay: Councilmember Lehto  
Councilmember Lyon

Motion Carried.

**DECEMBER 14, 2006**

---

There being no further business, it was moved by Councilmember Hally, seconded by Councilmember Lyon, that the meeting adjourn at 10:20 p.m.

---

CITY CLERK

---

MAYOR

\*\*\*\*\*