

MAY 11, 2006

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 11, 2006, 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 Joe Groberg
Councilmember Michael Lehto

Absent was:

Councilmember Ida Hardcastle
Councilmember Larry Lyon

Also present:

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

Mayor Fuhriman requested Boy Scout Brett Jenkins to come forward and lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

Mayor Fuhriman requested Council confirmation for the Re-Appointment of Mark Olsen to serve on the Library Board (Term to expire on April 30, 2011).

The City Clerk requested approval of the Minutes from the April 27, 2006 Work Session and the April 27, 2006 Regular Council Meeting.

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented the following Expenditure Summary dated April 1, 2006 through April 30, 2006, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$1,018,030.24
Street Fund	80,168.38
Recreation Fund	14,535.95
Library Fund	93,704.45
Municipal Equipment Replacement Fund	189,991.15
Electric Light Public Purpose Fund	38,338.94
Municipal Capital Improvement Fund	2,167.50
Street Capital Improvement Fund	727,702.90
Water Capital Improvement Fund	19,323.68
Traffic Light Capital Improvement Fund	5,681.18
Airport Fund	237,475.14
Water and Sewer Fund	674,155.84

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FUND	TOTAL EXPENDITURE
Sanitation Fund	2,590.66
Ambulance Fund	13,246.99
Electric Light Fund	2,770,515.07
Payroll Liability Fund	<u>1,986,987.35</u>
TOTALS	\$7,874,614.52

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

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on May 11, 2006.

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 Cornwell
 Councilmember Groberg
 Councilmember Lehto
 Councilmember Hally

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Acting Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
May 9, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Fikstad, Power Manager
SUBJECT: RESOLUTION TO PARTICIPATE IN THE INTERMOUNTAIN
 POWER PROJECT UNIT 3

Attached for your consideration is a Resolution declaring the intention of the City of Idaho Falls to participate in the proposed third generating unit at the Intermountain Power Project and to hold a special election to obtain voter authorization for the associated indebtedness.

Idaho Falls Power respectfully recommends approval of the Resolution and authorization for the Mayor to sign.

s/ Jo Fikstad

At the request of Councilmember Lehto, the City Clerk read the following Resolution in its entirety:

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RESOLUTION NO. 2006-06

A RESOLUTION declaring the intention of the City of Idaho Falls to participate in the proposed third generating unit to be constructed at the Intermountain Generating Station in Millard County, Utah, and to hold a special election on November 7, 2006 for the purpose of obtaining voter authorization and approval for all indebtedness or liability to be incurred by the City in connection therewith.

WHEREAS, the City of Idaho Falls, Bonneville County, Idaho (the "City") presently obtains the majority of its electric power and energy requirements from various hydroelectric generating facilities, including the power and energy purchased by the City from the Bonneville Power Administration of United States Department of Energy;

WHEREAS, it is necessary and desirable and in the best interests of the City, its residents and the electric consumers served by the City for the City to diversify its existing power supply resources and to obtain additional power supply resources to meet the existing and projected power supply requirements of the City, its residents and its electric consumers;

WHEREAS, the City will have the opportunity to participate in the proposed third generating unit to be constructed at the Intermountain Generating Station in Millard County, Utah (the "Project") and thereby to acquire a long-term interest in, or right to the capacity and output of, a thermal generating facility that is projected to produce electric power and energy with a high degree of reliability and at stable, cost-based rates;

WHEREAS, the City's participation in the Project will create an "indebtedness or liability" of the City (within the meaning of the Idaho Constitution and judicial decisions) that requires the authorization and approval of the qualified electors of the City; and

WHEREAS, the Mayor and City Council now desire to adopt this resolution to make certain findings and determinations with respect to the Project and to declare their intention to call a special election to be held on the next general election date (November 7, 2006) to obtain the authorization and approval of the qualified electors of the City for all "indebtedness or liability" to be incurred by the City in connection with the Project;

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

Section 1. Findings and Determinations. The Mayor and Council hereby find, determine and declare that:

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(a) The economy and public welfare of the City make it necessary and desirable for the City to obtain and secure reliable and economic long-term supplies of electric power and energy to meet the electricity requirements of the industrial, commercial and residential consumers served by the City;

(b) In order to enable the City to continue to provide reliable electricity services to its residents and consumers at stable rates, it is necessary and desirable for the City to obtain additional power supply resources, including those that will diversify its existing power supplies and enable the City to meet the existing and projected electricity requirements of the City and the consumers it serves;

(c) The Project is a thermal-based generating resource that is reasonably expected to produce reliable electric power and energy at economic, cost-based rates; and

(d) It is necessary, desirable and in the best interest of the City, its residents and the electric consumers served by the City to participate in the Project for approximately 25 Megawatts of the capacity and output thereof, such participation to be through an ownership or other beneficial interest in the Project or a long-term contractual right to the capacity and output thereof.

Section 2. Special Election. The Mayor and City Council hereby declare their intention to call a special election to obtain the authorization and approval of the qualified electors of the City for all "indebtedness or liability" to be incurred by the City in connection with the Project. Such special election shall be held on the date of the next general election within the City, November 7, 2006, and shall be called formally by subsequent action of the Mayor and Council.

Section 3. Further Authority. All officers of the City are hereby authorized and directed to take all actions necessary to give effect to this resolution, to continue the City's investigation and analysis of the Project and to take preliminary steps in preparation for the November 7, 2006 special election.

ADOPTED AND APPROVED this 11th day of May, 2006.

s/ Jared D. Fuhriman
Mayor, City of Idaho Falls
Bonneville County, Idaho

(SEAL)

ATTEST:

s/ Rosemarie Anderson
City Clerk, City of Idaho Falls
Bonneville County, Idaho

Councilmember Groberg stated that the State of Idaho seeks almost all of its power from hydro. More than 91% of the electricity generated in Idaho and consumed by residents in Idaho is through hydroelectric power. The amount of power from coal is ½ of 1% statewide.

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He stated, further, that it seems that hydroelectric power is exhausted and that this third generating unit to be constructed at Intermountain Generating Station is the way to go.

Councilmember Lehto stated that more than 100 years ago, the City Fathers determined that it was wise to invest in a utility for the City. This new source of power might be viewed as a visionary effort also.

Councilmember Hally stated that in 2010 or 2011, the flexibility of the hydro project from Bonneville Power Administration might be diminished. That further enhances the need to look for other resources for power.

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Resolution declaring the intention of the City of Idaho Falls to participate in the proposed third generating unit at the Intermountain Power Project and to hold a special election to obtain voter authorization for the associated indebtedness 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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 5, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: DESIGN PROFESSIONAL RESOLUTION

Attached for your consideration is the Design Professionals Resolution.

It is respectfully requested that Council approve and authorize the Mayor to sign the resolution.

s/ S. Craig Lords

RESOLUTION NO. 2006-07

WHEREAS, Idaho Code § 67-2320 requires the City to adopt a policy concerning the selection of design professionals, construction managers or professional land surveyors, whenever the amount of the professional fees are anticipated to exceed \$25,000.00.

NOW, THEREFORE, BE IT RESOLVED:

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That the City of Idaho Falls hereby adopts the following policy in selecting design professionals, construction managers or professional land surveyors, whenever the amount of the professional fees are anticipated to exceed \$25,000.00.

1. The City shall negotiate contracts or agreements for such services on the basis of demonstrated confidence and qualifications for the types of services required at fair and reasonable process.

2. The City shall encourage persons or firms engaged in the services being solicited to submit statements or qualifications of performance data.

3. The City shall, upon request, make available to the public the criteria and procedures used for the selection of qualified persons or firms to perform such services.

4. The City shall select the persons or firms whom the City determines to be best qualified to provide the required services, ranked in order of preference, pursuant to the following established criteria and procedures set forth in this Resolution. Such criteria shall include but not be limited to the following:

- A. Prior relevant experience.
- B. Applicant's capacity to perform the work in a timely manner.
- C. Applicant's educational qualifications.
- D. Applicant's understanding of the project needs.
- E. Applicant's methodology.
- F. Applicant's reputation.
- G. Qualifications and reputations of outside consultants who may work with the applicant on the project.
- H. Quality of applicant's proposal for the planning, design, and construction phase of the project.
- I. Applicant's estimate of time it will take to perform the necessary work.
- J. Qualifications of the proposed project manager.
- K. Qualifications of applicant's staff.
- L. Quality and clarity of presentation.
- M. Familiarity with local area geography and facilities.

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N. Applicant's financial capacity to perform the work.

5. The City shall negotiate with the highest ranked person or firm for a contract or agreement to perform such services at a price determined by the City to be reasonable and fair, after considering the estimated value, the scope, the complexity and the nature of the services.

6. Prior to awarding a contract for such professional services the City shall give notice of such solicitation in the same manner as required by Section 67-2806, Idaho Code.

7. In fulfilling the requirements of this Resolution and Idaho Code § 67-2320, the City may limit its selection from the list of three persons or firms selected and approved for consideration by the City. In establishing a pre-approved list, the City shall publish notice as set forth in Paragraph 6 of this Resolution. When selecting such list, no notice shall be required.

8. Once proposals are received by the City from a person or firm for any designated project, the City shall establish a committee to interview and evaluate each proposal. The committee should include the Division Director or a respective representative of a particular division who will administer the proposal, if accepted, and any other persons that the Division Director determines is necessary to participate in the decision, including persons from other departments if necessary. This committee shall follow the criteria set forth above, and conduct interviews when deemed necessary and submit its recommendations to the City Council regarding the best qualified persons or firms to provide the required services.

9. The City Council shall select the person or firm it deems most qualified and which will best represent or advance the best interests of the City, which selection shall be made at a regular City Council Meeting in open session.

10. For any project where the contract amount is anticipated to be below \$25,000.00, then each Division Director shall have the ability to hire a professional using the same criteria set forth in Paragraph 4 of this Resolution.

PASSED BY THE CITY COUNCIL this 11th day of May, 2006.

APPROVED BY THE MAYOR this 12th day of May, 2006.

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

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It was moved by Councilmember Hally, seconded by Councilmember Groberg, to approve the Design Professionals Resolution 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 Groberg

Nay: None

Motion Carried.

City of Idaho Falls
May 5, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-06-18, SALE AND REMOVAL OF TWO (2) HOUSES

No bids were received for the sale and removal of the frame house located at 2299 East Lincoln Road and the brick house with attached garage located at 355 West Sunnyside Road.

It is the recommendation of Municipal Services to have General Services oversee the demolition of both homes with the assistance of the Street and Fire Departments.

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to give authorization for General Services Department to oversee the demolition of the frame house located at 2299 East Lincoln Road and the brick house with attached garage located at 355 West Sunnyside Road with the assistance of the Street Department and Fire Department. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hally
Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
May 5, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PURCHASE OF ASPHALT MIX

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The State of Idaho contract for Bituminous (Hot Asphalt) Plant Mix to H-K Contractors, Inc. extends through May, 2007. Municipal Services respectfully requests authorization to purchase the City's requirements for ¾", ½" and 3/8" Hot Mix per said contract.

s/ S. Craig Lords

It was moved by Councilmember Hally, seconded by Councilmember Groberg, to give authorization to purchase the City's requirements for ¾", ½" and 3/8" Bituminous (Hot Asphalt) Plant Mix per the State of Idaho Contract from H-K Contractors, Inc. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
May 3, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – SUNNYSIDE ROAD, HOLMES AVENUE TO HITT ROAD - KENSINGTON STORM POND

On April 25, 2006, bids were received and opened for the Sunnyside Road, Holmes Avenue to Hitt Road – Kensington Storm Pond Project. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, Seasons West, Inc., in the amount of \$59,937.40; 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 accept the low bid from Seasons West, Inc. to complete the Sunnyside Road, Holmes Avenue to Hitt Road – Kensington Storm Pond Project in the amount of \$59,937.40 and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Groberg
Councilmember Lehto
Councilmember Hally

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Nay: None

Motion Carried.

City of Idaho Falls
May 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – SUNNYSIDE ROAD, YELLOWSTONE HIGHWAY
TO GUSTAFSON LATERAL – STORM DRAIN POND

On May 2, 2006, bids were received and opened for the Sunnyside Road, Yellowstone Highway to Gustafson Lateral – Storm Drain Pond Project. A tabulation of the bid results is attached.

Public Works recommends bid award to the low bidder, 3H Construction, LLC, in the amount of \$76,428.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to accept the low bid from 3H Construction, LLC to complete the Sunnyside Road, Yellowstone Highway to Gustafson Lateral – Storm Drain Pond Project in the amount of \$76,428.00 and, further, give authorization for the Mayor and City Clerk to sign the necessary contract documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
May 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – SUNNYSIDE ROAD, HOLMES AVENUE TO HITT
ROAD – SPRINKLER SYSTEM AND LANDSCAPING PROJECT

On May 2, 2006, bids were received and opened for the Sunnyside Road, Holmes Avenue to Hitt Road – Sprinkler System and Landscaping Project. A tabulation of the bid results is attached.

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Public Works recommends award of this bid to the only bidder, Seasons West, Inc., in the amount of \$264,846.05; 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 accept the bid from Seasons West, Inc. to complete the Sunnyside Road, Holmes Avenue to Hitt Road – Sprinkler System and Landscaping Project in the amount of \$264,846.05 and, further, give authorization for the Mayor and City Clerk to sign the necessary contract documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Hally
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SEWER TRUNK LINE EASEMENT – GMODELO AGRICULTURE, INC.

Attached is a proposed Sewer Trunk Line Easement Agreement between the City and GModelo Agriculture, Inc. As proposed, GModelo agrees to convey a sewer trunk line easement to the City and the City agrees to provide a back-up water supply to GModelo for use in its malt barley processing plant.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Sewer Trunk Line Easement Agreement between the City of Idaho Falls and GModelo Agriculture, Inc. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hally
Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

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City of Idaho Falls
May 8, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT AGREEMENT - HIGHLAND PARK STREET
IMPROVEMENTS, STEVEN L. AND HEATHER S. COLE

Attached is a proposed Easement Agreement between the City and Steven L. and Heather S. Cole for the Highland Park Street Improvement Project. The City agrees to compensate the Coles \$520.00 for the easement and damages to landscape improvements.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Easement Agreement between the City of Idaho Falls and Steven L. and Heather S. Cole for the Highland Park Street Improvement Project 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 Hally
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
May 8, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUNNYSIDE ROAD RIGHT-OF-WAY ACQUISITION AGREEMENT
- PARCEL NO. 11, INTERMOUNTAIN SELF-STORAGE

Attached is a proposed Right-of-Way Acquisition Agreement between the City and Intermountain Self-Storage for Sunnyside Road right-of-way, Parcel No. 11, in the amount of \$37,871.00. This includes an administrative settlement in the amount of \$7,500.00.

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

s/ Chad Stanger

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It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Right-of-Way Acquisition Agreement between the City of Idaho Falls and Intermountain Self-Storage for Sunnyside Road right-of-way, Parcel No. 11, in the amount of \$37,871.00 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 Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
May 8, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUNNYSIDE ROAD RIGHT-OF-WAY ACQUISITION AGREEMENT
- PARCEL NOS. 25 AND 26, ANNE VOILLEQUE

Attached is a proposed Right-of-Way Acquisition Agreement between the City and Anne Voilleque for Sunnyside Road right-of-way, Parcel Nos. 25 and 26, in the amount of \$8,497.00. This includes an administrative settlement in the amount of \$3,100.00 for relocation of maintenance and service access gates.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Right-of-Way Acquisition Agreement between the City of Idaho Falls and Anne Voilleque for Sunnyside Road right-of-way, Parcel Nos. 25 and 26, in the amount of \$8,497.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

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City of Idaho Falls
May 8, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUNNYSIDE ROAD RIGHT-OF-WAY ACQUISITION AGREEMENT
- PARCEL NOS. 56 AND 75, STONEBROOK HOMEOWNER'S
ASSOCIATION

Attached is a proposed Right-of-Way Acquisition Agreement between the City and Stonebrook Homeowner's Association for Sunnyside Road right-of-way, Parcel Nos. 56 and 75, in the amount of \$10,585.00.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Right-of-Way Acquisition Agreement between the City of Idaho Falls and Stonebrook Homeowner's Association for Sunnyside Road right-of-way, Parcel Nos. 56 and 75, in the amount of \$10,585.00 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 Cornwell

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct Annexation Proceedings for St. Clair Estates Addition, Division No. 11 and Division No. 12. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
April 21, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING OF R-1 AND PB, AND FINAL
PLAT – ST. CLAIR ESTATES ADDITION, DIVISION NO. 11 AND
DIVISION NO. 12

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Attached are the Annexation Agreements, Annexation Ordinance, and Final Plats for St. Clair Estates, Division No. 11 and Division No. 12. This annexation request is for approximately 33 acres south of Potomac Way, east of Summer Sun Drive, and west of George Washington Parkway. R-1 Zoning is requested for Division No. 11, a plat for 78 single-family attached and detached homes. PB is requested for Division No. 12, which has thirteen lots proposed for offices. The Planning Commission considered this annexation request at its March 7, 2006 Meeting and recommended approval of the annexation, final plat, and initial zoning of R-1 and PB with two conditions which have been incorporated into the annexation agreement. Since the Commission Meeting, the Developer has proposed a division of the one plat reviewed by the Commission. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Assistant 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 Vicinity Map showing surrounding zoning of St. Clair Estates Addition, Division No. 11
- Slide 3 Vicinity Map showing surrounding zoning of St. Clair Estates Addition, Division No. 12
- Slide 4 Aerial Photo
- Slide 5 Final Plat for St. Clair Estates Addition, Division No. 11
- Slide 6 Final Plat for St. Clair Estates Addition, Division No. 12
- Slide 7 Final Plat showing St. Clair Estates Addition, Division No. 11 and Division No. 12
- Slide 8 Comprehensive Plan
- Slide 9 Preliminary Plat
- Slide 10 Site Photo showing landscaping with a 15 foot setback
- Exhibit 1 Planning Commission Minutes dated March 7, 2006
- Exhibit 2 Staff Report dated March 7, 2006
- Exhibit 3 Copy of Vicinity Map
- Exhibit 4 Copy of Final Plat
- Exhibit 5 Copy of letter from HK Contractors, Inc.

The Assistant Planning and Building Director explained that the letter from HK Contractors, Inc. explained that they are currently operating to the south of this development. The operation includes crushing rock, mining, and selling gravel. They have a Conditional Use Permit through Bonneville County for a hot plant.

Councilmember Lehto requested to know what happens to gravel pits when the operation is finished.

Councilmember Groberg requested the Public Works Director to come forward to address this concern.

The Assistant Planning and Building Director explained that one of the biggest needs for the City is how to handle storm water. Through an earlier agreement, the storm drainage from Sunnyside Road and from Kensington Park Storm Pond run through this area.

The Public Works Director stated that the Public Works Division has been working with HK Contractors, Inc. for a number of years to acquire this property. This will

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be a final destination for storm drainage on the southeast corner of the City. This area will be reclaimed and landscaped for a storm water pond and a passive park area. The Public Works Director explained, further, that when this gravel pit and hot plant have fulfilled their use, the land will be deeded to the City of Idaho Falls.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that the annexation of St. Clair Estates Addition, Division No. 11 and Division No. 12 completes the St. Clair Estates development.

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

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Annexation Agreements for St. Clair Estates Addition, Division No. 11 and Division No. 12 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

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

ORDINANCE NO. 2644

**ST. CLAIR ESTATES ADDITION,
DIVISION NO. 11 AND DIVISION NO. 12**

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

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

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Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Groberg, seconded by Councilmember Lehto, to establish the initial zoning of St. Clair Estates Addition, Division No. 11 as R-1 (Single-Family Residential) Zoning and St. Clair Estates Addition, Division No. 12 as PB (Professional Business) 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 Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to accept the Final Plats for St. Clair Estates Addition, Division No. 11 and Division No. 12 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Groberg
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Hally, seconded by Councilmember Cornwell, that the meeting adjourn at 8:03 p.m.

CITY CLERK

MAYOR
