

OCTOBER 27, 2005

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 27, 2005, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Mike Lehto
Councilmember Joe Groberg
Councilmember Ida Hardcastle
Councilmember Bill Shurtleff
Councilmember Larry Lyon

Absent was:

Councilmember Thomas Hally

Also present:

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

Mayor Milam requested Boy Scout Brandon Griffin to come forward and lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the Re-Appointment of Tony Passino to serve on the Electrical Board of Review (Term to expire on December 31, 2006); the Re-Appointment of Bruce Bradley to serve on the Electrical Board of Review (Term to expire on December 31, 2006); the Re-Appointment of Jay Van Orden to serve on the Electrical Board of Review (Term to expire on December 31, 2006); the Re-Appointment of Grant Richardson to serve on the Electrical Board of Review (Term to expire on December 31, 2007); and, the Re-Appointment of Steve Smith to serve on the Electrical Board of Review (Term to expire on December 31, 2007).

The City Clerk requested approval of the Minutes from the October 13, 2005 Regular Council Meeting and the October 19, 2005 Work Session.

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

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on October 27, 2005.

Idaho Falls Power submitted the following memo:

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg Fikstad, Power Manager
SUBJECT: AUTHORIZATION TO BID HATCH SUBSTATION

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Idaho Falls Power requests authorization to advertise to receive bids for construction of the Hatch Substation, including all necessary equipment and materials. This is a budgeted project.

s/ Jo Elg Fikstad

Councilmember Lehto stated that Councilmember Lyon had approached him earlier in the evening and requested that the minutes for the October 13, 2005 Regular Council Meeting be amended to include a verbatim transcript of Galen Williams comments regarding the Willow Creek Meadows Estates Addition, Division No. 1 annexation public hearing, regarding the Skaar Feed Lot. Councilmember Lehto requested that the verbatim transcript of Galen Williams be added to October 13, 2005 Regular Council Meeting Minutes.

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

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Groberg to conduct Annexation Proceedings for George Washington Estates Addition, Division No. 5 and Division No. 6. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING AND FINAL PLATS – GEORGE WASHINGTON ESTATES, DIVISION NO. 5 AND DIVISION NO. 6

Attached are the Annexation Agreements, Annexation Ordinances, and Final Plats for George Washington Estates, Division No. 5 and Division No. 6. The requested initial zoning is R-3A (Single-Family, Apartments, Nursing Homes, and Offices). This 9.1 acre parcel is located south of Sunnyside Road, west of Hitt Road, east of Washington Parkway, and south of Crestwood Lane. The Planning Commission, after holding a public hearing, recommended approval of the annexation, initial zoning of R-3A, and final plats in a 5 to 2 decision.

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This annexation 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	Vicinity Map – Close Up
Slide 3	Aerial Photo
Slide 4	Final Plat of George Washington Estates Addition, Division No. 5
Slide 5	Final Plat of George Washington Estates Addition, Division No. 6
Slide 6	Preliminary Plat approved by the Planning Commission
Slide 7	Final Plats under consideration
Slide 8	Site Photo of power substation submitted by applicant
Exhibit 1	Map of annexation, rezoning request, and amended plat
Exhibit 2	Planning Commission Minutes dated September 13, 2005
Exhibit 3	Staff Report dated September 13, 2005

The Planning and Building Director explained, further, that George Washington Estates Addition, Division No. 5 will extend Providence Drive to the east and Washington Parkway to the east. This annexation includes all of Division No. 5 and approximately two-thirds of Division No. 6. The second item before the City Council, during the next public hearing, is a request that will be the southern portion of Division No. 6 from R-1 to R-3A. Lexington Drive was approximately 600 feet in length and contained 11 single-family residential lots. It is proposed to amend this area of George Washington Estates Addition, Division No. 4, to reduce the length of the cul-de-sac on Lexington Drive and have six single-family lots. The point of that configuration is to have single-family homes south of Lexington Drive down to Brookside Addition. Single-family homes are also planned to be located on the western end of Lexington Drive. By keeping this street pattern, single-family residential will be connected without having to go through an office area or a higher density residential area. The southern portion of Division No. 6 – Lots 20, 21, 22, 23, and 24 are a re-plat of Division No. 4.

Councilmember Shurtleff requested to know whether anything has been physically done with this ground.

The Planning and Building Director stated that a portion of Lexington Drive has been built. No lots have been sold and no structures are built.

Mayor Milam clarified that no one has purchased a lot that would, then, be surprised by this change.

Councilmember Shurtleff expressed his concern for those that may have purchased land on the west end of Lexington Drive and then having the City consider a change to the east end of Lexington Drive.

The Planning and Building Director stated that staff has reviewed George Washington Estates Addition, Division No. 5 and George Washington Estates Addition, Division No. 6 and found them to be in compliance with the Subdivision Ordinance.

Councilmember Groberg requested to know whether “Crestwood Lane” is changing to “Channing Way”.

The Planning and Building Director stated that the Developer would like to have the street named “Channing Way”, but at this point in time it is proposed to be

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“Crestwood Lane”, because under the Preliminary Plat, it would tie into Crestwood Lane. If Crestwood Lane redevelops or is tied into the lower portion of Crestwood Lane, there could be a street name change. She stated, further, that this development is in compliance with the Comprehensive Plan. The Planning and Building Director explained that the Idaho Falls Power Substation is located in the southeast portion of this property. The developer was finding it difficult to sell the large residential lots immediately adjacent to the power substation. The developer proposed rezoning the area. The developer found that there was a great deal of interest in uses that are related to EIRMC. The market was more favorable toward R-3A and PB uses. By redesigning the initial Preliminary Plat, the area can then be opened up to the west of the substation for those uses, and still have the single-family residential use at the southwest corner of this area.

David Jorgensen, 2062 East 25th Street, appeared to state that he has developed a portion of George Washington Estates Addition, Division No. 4 and that project has gone very well. The residential interest does not seem as strong. If someone is going to purchase a one-acre expensive lot in the City, they do not want to be next to a power substation. There has been a big demand for R-3, R-3A, and PB zoning. They do not plan on constructing apartments, they plan on using this development for medical uses associated with EIRMC.

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

Councilmember Groberg stated that the development of the entire section of land, which has developed close to Sunnyside Road and the hospital, is professional offices. The principal development which has been designated on the Comprehensive Plan south of Lexington Drive is residential. The Planning Commission had no problem with the annexation. There was some division among the members over the proposed zoning. Councilmember Groberg requested the Planning and Building Director to explain the differences between the R-3A Zone and the PB Zone.

The Planning and Building Director appeared to explain that the R-3A Zone permits day care centers, nursing homes, veterinarian hospitals, pharmacies that are very limited in scope, and mortuaries and funeral homes under a conditional use permit. None of these uses are allowed in a Professional Business (PB) Zone.

Councilmember Lehto stated that he is okay with the R-3A Zone in this area. Given the fact that it has been determined where the division would be between the office use and single-family residential use, Division Nos. 5 and 6, and with respect to the part that has not been zoned and annexed, then R-3A is reasonable.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for George Washington Estates Addition, Division No. 5 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Lyon
 Councilmember Shurtleff
 Councilmember Groberg
 Councilmember Hardcastle
 Councilmember Lehto

Nay: None

Motion Carried.

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It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle to approve the Annexation Agreement for George Washington Estates Addition, Division No. 6 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Lyon

Nay: None

Motion Carried.

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

ORDINANCE NO. 2622

GEORGE WASHINGTON ESTATES ADDITION, DIVISION NO. 5

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 Hardcastle 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 Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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

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ORDINANCE NO. 2623

GEORGE WASHINGTON ESTATES ADDITION, DIVISION NO. 6

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 Hardcastle 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 Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

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 Hardcastle, to establish the initial zoning of George Washington Estates Addition, Division No. 5 and the northern portion of George Washington Estates Addition, Division No. 6 as R-3A (Single-Family Residential, Apartments, Nursing Homes, 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 Hardcastle
Councilmember Lyon
Councilmember Lehto
Councilmember Groberg
Councilmember Shurtleff

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plat for George Washington Estates Addition, Division No. 5

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and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plat for George Washington Estates Addition, Division No. 6 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 Shurtleff
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Groberg to conduct a public hearing for consideration of a rezoning from R-1 (Single-Family Residential) to R-3A (Apartments and Professional Offices), located generally south of East Sunnyside Road, west of 25th East (Hitt Road), to the east of Lexington extended, legally described as George Washington Estates Addition, Division No. 4, Block 6, East 9.99 feet of Lot 3, Lots 4-8, East 54.6 feet of Lot 9, including adjacent platted right-of-way of Lexington. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM R-1 TO R-3A, EAST 9.99' OF LOT 3, LOTS 4-8, AND EAST 54.6' OF LOT 9, BLOCK 6, GEORGE WASHINGTON ESTATES ADDITION, DIVISION NO. 4

Attached is the request to rezone the eastern portion of George Washington Estates, Division No. 4. This parcel is west and adjacent to an Idaho Falls Power Substation, south of Sunnyside Road, and east of Revere Drive. This

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rezoning request is coupled with amending the final plat entitled Division No. 4 and the annexation of Division No. 6. The area to be rezoned, if approved, is proposed to be included within Division No. 6. The Planning Commission held a public hearing on this rezoning request at its September 13, 2005 Meeting and, in a 4 to 3 vote, recommended rezoning to R-3A. This rezoning request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this rezoning request:

- | | |
|---------|--|
| Slide 1 | Vicinity Map showing surrounding zoning |
| Slide 2 | Preliminary Plat |
| Slide 3 | Amended Final Plat for George Washington Estates Addition, Division No. 4 reducing the length of Lexington Drive and reducing the number of single-family homes on Lexington Drive |
| Slide 4 | Comprehensive Plan for area |
| Slide 5 | Site Photo submitted by applicant of the power substation |

The Planning and Building Director explained that the Medical Services Zone extends almost to Lexington Drive, and as development moves to the south half of this one square mile, it will become low-density residential. This rezoning is in compliance with the Comprehensive Plan if it is rezoned to R-3A. Under the staff recommendation of PB, it is also in accordance with the Comprehensive Plan.

David Jorgensen, 2062 East 25th Street, appeared to state that they developed Lexington Drive as a long cul-de-sac, thinking that he could mitigate the power substation by making big residential lots. In hindsight, he did not believe that it was a good decision to do that. He stated, further, that the City staff has been great in working with the developer in trying to clean up this area. Mr. Jorgensen stated that the plan before City Council is a good plan. He stated that the developer of Brookside Addition has provided a letter to the Planning and Building Director in support of this zone change.

Mr. Jorgensen stated that he owns all of the lots to the east of the project. He stated, further, that he is comfortable with those remaining R-1 lots.

Councilmember Groberg requested to know how critical to the developer's plans is the R-3A Zone to the PB Zone.

Mr. Jorgensen stated that it is critical to have the R-3A Zone, as they are receiving requests for recovery centers and assisted living centers. This type of request could be placed in the lower portion of the final plat. At the present time, they are receiving the most requests for professional office buildings. That is what they are building at the present time.

Councilmember Groberg stated that there has been a finding by the City Council that a nursing home, given the situation in that particular case, would be acceptable in the PB Zone. Each case needs to be looked at. Councilmember Groberg stated that the concern that he has is that whenever the City Council zones an area, they have to allow whatever is allowed in that use to be constructed, without another public hearing. That would include a 35-unit or apartment complex to be constructed in this area. This sometimes has a ripple effect on the plan to develop the single-family residential going in to the south of this property. He requested to know whether Mr. Jorgensen thought that the PB Zone would work for his development.

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Mr. Jorgensen stated that at this point in time it might not be completely necessary. The developer stated that he has an eye to the future with this zone. East and north of this property is zoned R-3. He stated, further, that if he did not sell the property and it sat dormant for a long period of time, he was not going to lie and tell the City Council that he would not sell the property to someone who wanted to put apartments in at this location. At this time, their intentions are not to do something like that. Their intentions are to continue with the professional development, which is working really well. Mr. Jorgensen added that they are beginning with Division No. 5 and continuing on with Division No. 6. From a professional standpoint, they were hoping that they could get Crestwood Lane changed to Channing Way. He stated that eventually it might happen. He expressed that he thought that the land might be an easier sell to the professional people if this was named Channing Way.

Councilmember Groberg requested to know whether the letter that Mr. Jorgensen referred to from Brookside, LLC was available.

The Planning and Building Director stated that the following letter was first submitted:

Brookside, LLC
645 West 25th Street
Idaho Falls, Idaho 83402
208-529-6534
208-529-6556 Fax

June 6, 2005

City of Idaho Falls
Department of Planning and Zoning

To Whom It May Concern:

The Members of Brookside, LLC, supports the change of zoning from R-1 to PB for George Washington #4.

Sincerely,

s/ Robert Utterbeck
Robert Utterbeck

s/ Robert Johannsen
Robert Johannsen

Mr. Jorgensen explained that originally the developer requested that all of Lexington Drive be zoned PB. The previous letter was in support of that change. After the first Planning and Zoning Commission Meeting, the Planning Commission wanted a residential flow from Brookside Addition to St. Clair Estates Addition. In visiting with the Planning and Building Director, it was determined that it might be better if there was an R-1 Zone to flow through the area. When that happened, he went back to Brookside, LLC and asked them if they would support an R-3A Zone, which they provided in the following letter:

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Brookside, LLC
645 West 25th Street
Idaho Falls, Idaho 83402
208-529-6534
208-529-6556 Fax

June 6, 2005

City of Idaho Falls
Department of Planning and Zoning

To Whom It May Concern:

The Members of Brookside, LLC, supports the change of zoning from PB to R-3A for George Washington #6.

Sincerely,

s/ Robert Utterbeck
Robert Utterbeck

s/ Robert Johannsen
Robert Johannsen

The Planning and Building Director explained that the southern portion of George Washington Estates Addition, Division No. 6 includes what would have been Division No. 4.

Councilmember Groberg requested the Planning and Building Director to explain the surrounding zones to this development.

The Planning and Building Director explained that the area immediately adjacent to Lexington Drive is zoned R-1. The area to the south is Brookside Addition is zoned R-1. The area that is to the southeast of the parcel under consideration is presently planned to be a portion of a subdivision called Stone Creek and is zoned R-1. The substation is zoned R-1. There is a storm water retention pond that is immediately north of the power substation that is zoned R-1. The area to the north of this is not annexed and has not been zoned. The original plan by Fair Winds Retirement Center was to extend southward and build duplexes for elderly residents. That has not been done. To the east of this, there are commercial zones that move into the R-3A Zone to the east of the substation on Washington Parkway. To the north, the zone is PB. The Preliminary Plat for St. Clair Estates shows single-family residential, low-density residential west of Lexington Drive and west of Bennington Drive, though the developer has expressed some interest in going back to the Planning Commission and requesting a Preliminary Plat that provides for more Professional Business north and south of Bennington Drive.

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

Councilmember Lehto stated that he was not going to be in favor of this proposal. He stated that there is nothing wrong with the proposal in recreating the cul-de-sac and redesigning the area. He stated that it is a fine way to go. It struck him as odd that the same Planning Commission put together the same package in Stonebrook where there was a cul-de-sac. Years later, that cul-de-sac was constructed as a through street. The people along Crestwood Lane who have built their homes in the County, will have the possibility of that joining up with this cul-de-sac at some time in the future. The cul-de-sac

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could become a through street, perhaps connecting with Township Road. Then the same issues would be present as are found in Stonebrook Addition with traffic volume.

Councilmember Groberg stated that the zoning change is the subject of this public hearing. He stated that he appreciated the time that the City Council has taken to address this rezoning request. The overall redesign makes a lot of sense, the collapsing of the residential back to the west and the including of the portion next to the substation for some other use and dead-end it there by making a cul-de-sac. It all makes sense. He expressed his concern for the types of uses, specifically apartments that could go into the R-3A Zone. He stated that he did not mind that apartments go into this location, except that there will be a ripple effect with other land in this area that comes before the City Council. Councilmember Groberg stated that he wanted to protect this line, keeping it residential going south of Lexington Drive.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the zone change from R-1 (Single-Family Residential) to PB (Professional Offices), located generally south of East Sunnyside Road, west of 25th East (Hitt Road), to the east of Lexington extended, legally described as George Washington Estates Addition, Division No. 4, Block 6, East 9.99 feet of Lot 3, Lots 4-8, East 54.6 feet of Lot 9, including adjacent platted right-of-way of Lexington 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 Groberg
Councilmember Hardcastle
Councilmember Shurtleff

Nay: Councilmember Lehto
Councilmember Lyon

Motion Carried.

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

Colleen Hammond, 1977 Moran, appeared to state that she was present to represent a group of concerned citizens regarding the fact that Governor Kempthorne has announced that the Idaho National Guard's 116th Infantry Brigade Combat Team is coming home from Iraq. She stated that this citizens group would love to have a parade for our Hometown Heroes. Mrs. Hammond submitted the following handout for this "Hero Parade":

**Hero Parade
For
Idaho National Guard's 116 Infantry Brigade Combat Team**

Possible Dates: November 7 – 18

Time: ?? 48 hour advance notice

Airport Ceremony: Military and Law Enforcement Color Guards

Parade Participants: Soldiers, their families, color guards of American Legion and VFW, IFPD, and BCSO.

Audience Participation: American Legion and VFW, ISP, BCSO, IFPD, Boy Scouts, Girl Scouts, High School Bands, general public from IF, Rexburg, Ririe and other locations, school district students (and/or families).

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Special Tribute: Liberty Field (Field of Flags) featuring a flag for each soldier in the IF, Rigby, and Rexburg units plus a Title of Liberty flag for each as a symbol of that soldier's family. Each American flag will have a label with the name of the soldier and a brief write-up about him and his family attached in his honor. Veterans from three legions in southern Idaho have been invited and will be standing by the field of flags.

Law Enforcement Contact: Captain Gary Hagen, IFPD

Media: Press Release going out to all media.

Other Contacts: I. F. Chamber of Commerce, churches, etc.

Parade Route: See Map

Appreciation and Thanks: IFPD Chief Livsey and Captain Gary Hagen

Requests:

1. Proclamation by the I. F. Mayor proclaiming November 7-18 as Hometown Hero Week where citizens are encouraged to display American flags and express thanks and appreciation to our Idaho National Guard's 116th Infantry Brigade Combat Team soldiers and their families.
2. Freedom flags on electrical poles throughout the city.
3. Mow Liberty Field (Field of Flags) area.

Mrs. Hammond shared more detailed information about the above hand-out. She stated that the soldiers are expected to return home in two groups. They intended to hold two parades. Mrs. Hammond requested the Mayor to issue a Proclamation declaring November 6 through November 12 as Hometown Hero Week encouraging citizens to display American flags on their properties and to find ways to express thanks and appreciation to the Idaho National Guard's 116 Infantry Brigade Combat Team and their families. She, also, requested the patriotic flags to be posted along Broadway.

Mayor Milam stated that the City has American flag banners that the City displays. There is the capability of displaying those banners along Broadway and, maybe, along Skyline Drive. The City will hang as many of those banners as are available. That is a simple thing to do. Mayor Milam stated that the Proclamation is a simple thing to do. She requested Colleen Hammond or a representative to come to her office in the next couple of days to determine the language of the Proclamation. She stated that she has talked with Captain Gary Hagen about the escorts. There is no problem with providing the escorts. All of this can be done. Much of this she was previously aware of and is ready to take action on. She requested the Parks Department to hang as many of the banners as possible along Broadway. If there are banners left over from Broadway, she requested that the extras be hung along Skyline Drive as well.

Mrs. Hammond requested that the Liberty Field (Field of Flags) be mowed.

Mayor Milam stated that this will have to be looked at. The weather at this time is not conducive to mowing. The City will do what can be done.

Mrs. Hammond stated that there is an advance party coming. They are already at Fort Lewis and should be arriving in Idaho Falls in the next few days. They have promises from those listed above that they will provide the same special greeting for them when they arrive.

Mayor Milam stated that the Idaho Falls Chamber of Commerce has a Military Affairs Committee and suggested that Mrs. Hammond call them to coordinate efforts. In addition, there is a Family Liaison at the Armory and suggested that she contact her also.

Mrs. Hammond stated that she has worked closely with the military wives on this parade.

Mayor Milam also suggested for Mrs. Hammond to contact the Veterans Affairs person with Bonneville County.

The Airport Director submitted the following memos:

OCTOBER 27, 2005

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: M. R. Humberd, Director of Aviation
SUBJECT: AIRLINE OPERATING AGREEMENT WITH ALLEGIANT AIR

Attached for City Council approval is the Airline Operating Agreement with Allegiant Air. Allegiant Air starts service to Las Vegas on November 11, 2005 operating two flights per week on Mondays and Fridays.

The City Attorney has seen and approves this document.

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

s/ M. R. Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Airline Operating Agreement with Allegiant Air and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: M. R. Humberd, Director of Aviation
SUBJECT: WORK ASSIGNMENT NO. 15 TO THE ENGINEERING AGREEMENT WITH DELTA AIRPORT CONSULTANTS

Attached for City Council approval is Work Assignment No. 15 to the Engineering Agreement with Delta Airport Consultants. The \$40,000.00 increase is for additional quality acceptance testing required by the extended timeframe of testing of the concrete on the Air Carrier Terminal Apron. This is a cleanup document for this year's project and there are sufficient federal funds available.

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

s/ M. R. Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve Work Assignment No. 15 to the Engineering Agreement with Delta Airport Consultants for additional quality acceptance testing required by the extended timeframe of testing of the concrete on the Air Carrier Terminal Apron and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: HARRIS PUBLISHING LICENSE RENEWAL AGREEMENT

Attached for your consideration is the License Renewal for Harris Publishing for a term of one (1) year.

The City Attorney has reviewed and approved the License Renewal Agreement.

It is respectfully requested that City Council approve the License Renewal Agreement and authorize the Mayor to execute the documents.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the License Renewal Agreement with Harris Publishing for a term of one year and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Shurtleff
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

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Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
October 24, 2005

MEMORANDUM

TO: Mayor and Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION – WILLOW CREEK MEADOWS ESTATES,
DIVISION NO. 1

Attached is an amended Annexation Ordinance for Willow Creek Meadows Estates, an area which was the subject of a public hearing before City Council on September 8, 2005. Action by the Council annexed the property with an initial zoning of R-1 (Single-Family Residential). This Division respectfully requests approval of the attached ordinance.

s/ Renée R. Magee

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

ORDINANCE NO. 2624

WILLOW CREEK MEADOWS ESTATES

AN ORDINANCE AMENDING ORDINANCE NO. 2618, AN ORDINANCE ANNEXING WILLOW CREEK MEADOWS ESTATES; DESCRIBING THESE LANDS, INCLUDING WILLOW CREEK MEADOWS ESTATES, DIVISION NO. 1; REQUIRING THE FILING OF THIS 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 Hardcastle seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle

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Councilmember Shurtleff
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FIRST AMENDED PLAT OF GEORGE WASHINGTON ESTATES,
DIVISION NO. 4

Attached is the final plat entitled First Amended Plat of George Washington Estates, Division No. 4. The amended final plat reduces the length of the cul-de-sac named Lexington from approximately 550 feet to 240 feet and reduces the number of single-family lots on the cul-de-sac from eleven lots to six. The Planning Commission recommended approval of this final plat at its August 2, 2005 Meeting. This final plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Lehto expressed his concern over the creation of a cul-de-sac on a long street. Ultimately, the two lots at the end of the cul-de-sac could be restructured and a street could go through. There has been much discussion about excess traffic in residential neighborhoods. This has happened before.

Mayor Milam stated that this final plat segregates the R-1 Zoning to the west of this property and protects them.

Councilmember Lehto stated that he knows that it is not in his jurisdiction to be concerned about the people who have built along Crestwood Lane, which is in the County. He stated that these are the people who will be coming before the City Council to complain that the City does not care about them because they are in the County.

Councilmember Hardcastle stated that the key is that the people along Crestwood Lane would have to come to the City Council.

Councilmember Lehto agreed. He explained that the circumstance in Stonebrook Estates developed over two different Councils. The new City Council was caught off-guard and the cul-de-sac was developed into a through street. He is not stating that this development will come to the same end, he wanted the City Council to be aware of the possibility.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plat entitled First Amended Plat of George Washington Estates Addition, Division No. 4 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Lyon

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Councilmember Groberg

Nay: Councilmember Lehto

Motion Carried.

City of Idaho Falls
October 24, 2005

MEMORANDUM

TO: Mayor and Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MANAGEMENT AGREEMENT – IDAHO FALLS DOWNTOWN
DEVELOPMENT CORPORATION, FISCAL YEAR 2005-2006

Attached is the Management Agreement with the Idaho Falls Downtown Development Corporation. This agreement is the same as prior years and provides for business improvement monies to the Corporation for administration and management of the business improvement district. The Division respectfully requests approval of the agreement.

s/ Renée R. Magee

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Management Agreement with the Idaho Falls Downtown Development Corporation and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
October 24, 2005

MEMORANDUM

TO: Mayor and Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE PROVIDING FOR RECIPROCITY ON CONTRACTOR
LICENSING

Attached is an ordinance providing for reciprocity for contractor licensing within the City of Idaho Falls. This ordinance clarifies current procedure as

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administered by the Building Department and the Division respectfully requests approval of the ordinance.

s/ Renée R. Magee

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

ORDINANCE NO. 2625

AN ORDINANCE AMENDING SECTION 4-7-6 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR CONTRACTOR LICENSING QUALIFICATIONS AND RECIPROCITY; PROVIDING FOR SEVERABILITY; PRESERVING PRIOR ORDINANCE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Groberg moved, and Councilmember Hardcastle 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 Hardcastle
Councilmember Lyon
Councilmember Lehto
Councilmember Groberg
Councilmember Shurtleff

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CH2M HILL AGREEMENT – TASK ORDER NO. 11, AMENDMENT NO. 2

Attached is proposed Amendment No. 2 to Task Order No. 11 to the CH2M Hill Agreement which provides for technical assistance in the National Pollutant Discharge Elimination System (NPDES) permitting process for the City's Water Pollution Control Plant. The scope of service for this work includes assistance

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in preparing the permit application for discharging wastewater from the treatment facility; disposal of biosolids generated from the treatment facility; and, compliance with effluent limitations for ammonia. The cost of this service is not to exceed \$25,000.00 without the City's approval.

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

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Lyon, to approve Amendment No. 2 to Task Order No. 11 to the CH2M Hill Agreement which provides for technical assistance in the National Pollutant Discharge Elimination System (NPDES) permitting process for the City's Water Pollution Control Plant and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Shurtleff
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
October 21, 2005

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CHANGE ORDER NO. 9 – SUNNYSIDE INTERCHANGE TO I-15B

Attached is proposed Change Order No. 9 to the State of Idaho Transportation Department's Sunnyside Interchange to I-15B Project. This change order involves City owned utilities being installed with the project and requires City approval.

A discrepancy in the bid documents resulted in the contractor incorrectly bidding the installation of a portion of the City's water line included in the project. As a result, a change order was negotiated which increased the contract amount by a net amount of \$40,083.50.

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

s/ Chad Stanger

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It was moved by Councilmember Shurtleff, seconded by Councilmember Lyon, to approve Change Order No. 9 to the State of Idaho Transportation Department for the Sunnyside Interchange to I-15B Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
 Councilmember Groberg
 Councilmember Hardcastle
 Councilmember Shurtleff
 Councilmember Lyon

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Shurtleff, seconded by Councilmember Hardcastle, that the meeting adjourn at 8:50 p.m.

CITY CLERK

MAYOR
