

**AUGUST 22, 2013**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, August 22, 2013, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Jared D. Fuhriman  
Councilmember Michael Lehto  
Councilmember Ken Taylor  
Councilmember Ida Hardcastle  
Councilmember Karen Cornwell  
Councilmember Sharon D. Parry

Absent was:

Councilmember Thomas Hally

Also present:

Randy Fife, City Attorney  
Rosemarie Anderson, City Clerk  
All available Division Directors

Mayor Fuhriman requested Lieutenant Bill Squires to lead those present in the Pledge of Allegiance.

Mayor Fuhriman requested those to come forward who had items for the City Council that were no otherwise on the Council Agenda.

Angela Swacina, 129 Melbourne Drive, appeared to express her concern for the location of the splash park. Further, she understood that rainy day funds would be used to construct the splash park. There are many people in the community who live on a budget. She stated that people have needs and wants. Public Safety is a need. A splash park is a want. She stated, further, that she has wanted fun things for the children, but the location is all wrong and she was concerned for the funding of that splash park. Further, she saw a map at the old Savings Center building that showed a bridge across the river, as well as an ice rink. Further, Ms. Swacina stated that the live streaming of Council Meetings is a great idea. She expressed her concern for the cost of streaming, and wondered whether there was an Idaho company that could provide this service. Ms. Swacina stated that she loved the Tautphaus Park Zoo. She knows that it is bleeding money. She suggested that the splash park be constructed at the Zoo, and provide a 2 for 1 price to get into both entities. She felt that the Zoo is inaccessible to people of moderate to low incomes. She said that the Aquatic Center is in the same situation. Ms. Swacina suggested that if the prices were a little lower, the attendance could be tripled at both facilities. The last person quoted in The Post Register stated, "It doesn't matter, the City is going to do whatever they want to do anyway." She hoped that the time has come that the attitude is changing.

**CONSENT AGENDA ITEMS**

The City Clerk requested approval of the Minutes from the August 1, 2013 Council Budget Workshop, the August 5, 2013 Council Budget Workshop, and the August 8, 2013 Council Work Session.

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The City Clerk requested approval of License Applications, all carrying the required approvals.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on August 22, 2013.

The Fire Chief submitted the following memo:

City of Idaho Falls  
August 21, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Dean Ellis, Fire Chief  
SUBJECT: MEMORANDUM OF UNDERSTANDING (MOU)

The Fire Chief respectfully requests approval to sign and enter into an MOU with Firefighters Local 1565 in regards to deployments out of the City. These deployments are requested from different agencies both State and Federal, i.e., Idaho Department of Lands (IDL), Bureau of Land Management (BLM), or the Federal Emergency Management Agency (FEMA). This MOU speaks to the payment of wages and benefits, and reimbursement to the City, while IFFD personnel are deployed on Wildland Fires or Natural Disasters.

s/ Dean Ellis

The Public Works Director submitted the following memo:

City of Idaho Falls  
August 16, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: BID AUTHORIZATION – WATER PRESSURE POINT  
CONVERSION

Public Works requests authorization to advertise to receive bids for the Water Pressure Point Conversion Project.

s/ Chris H. Fredericksen

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Parry  
Councilmember Lehto  
Councilmember Taylor  
Councilmember Cornwell

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Nay: None

Motion Carried.

**REGULAR AGENDA**

The Airport Director submitted the following memo:

City of Idaho Falls  
August 22, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: AIRLINE GROUND SERVICES LICENSE AGREEMENT

Attached for your consideration is an Airline Ground Service License Agreement by and between the City of Idaho Falls and Quickflight, Inc., for the continuation of providing ground support operations on behalf of Allegiant Airlines.

Randy Fife, City Attorney, has approved said License Agreement.

The Airport Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said document.

s/ Craig H. Davis

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the Airline Ground Service License Agreement between the City of Idaho Falls and Quickflight, Inc. for the continuation of providing ground support operations on behalf of Allegiant Airlines and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Parry  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

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City of Idaho Falls  
August 15, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: RESOLUTION ADOPTING THE 2013 IDAHO FALLS POWER SERVICE POLICY

Attached for your consideration is a Resolution adopting the 2013 Idaho Falls Power Service Policy. A copy of the Service Policy has been filed with the City Clerk or can be viewed at Idaho Falls Power.

Idaho Falls Power respectfully requests that the City Council approve the Resolution and authorize the Mayor to sign the document.

s/ Jackie Flowers

**RESOLUTION NO. 2013-16**

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE IDAHO FALLS POWER SERVICE POLICY (2013) WITH THE ATTACHMENTS TO GOVERN THE PROVISION OF ELECTRICAL SERVICES TO IDAHO FALLS POWER CUSTOMERS, PROVIDING THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City owns and operates a municipal electric utility, Idaho Falls Power (hereafter "IFP"), employing a number of dedicated employees in the electric trade and providing services to many customers; and,

WHEREAS, the City has authorized the City Electric Light Division to promulgate written rules and regulations and/or customer service policies regarding its delivery of electrical services pursuant to Idaho Falls City Code; and,

WHEREAS, IFP has developed a Service Policy relative to procedures for new and existing electrical services and addressing what will be required for a customer who desires to receive electric services from IFP; and,

WHEREAS, the Council agrees that the Service Policy is an appropriate policy to formally adopt by Resolution to help insure consistent and fair conditions of delivery of electrical services by IFP; and,

WHEREAS, the attachments to the Service Policy are appropriate to explain to all IFP customers and potential customers, what is expected to be provided relative to the receipt of such electric services.

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NOW, THEREFORE, BE IT RESOLVED that on behalf of Idaho Falls Power, the Idaho Falls City Council hereby adopts and endorses the Idaho Falls Power Service Policy (2013), with its attachments, as the governing set of rules, regulations, and/or customer service policies regarding delivery of electrical services by IFP to electric customers.

ADOPTED and effective this 23<sup>rd</sup> day of August, 2013.

CITY OF IDAHO FALLS, IDAHO

s/ Jared D. Fuhriman  
Jared D. Fuhriman, Mayor

ATTEST:

s/ Rosemarie Anderson  
Rosemarie Anderson, City Clerk

(SEAL)

It was moved by Councilmember Lehto, seconded by Councilmember Hardcastle, to approve the Resolution adopting the Idaho Falls Power Service Policy (2013) with the attachments to govern the provision of electrical services to Idaho Falls Power customers and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Cornwell  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
August 15, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: ORDINANCE AMENDING SECTIONS 8-5-27 AND 8-5-30 OF THE CITY CODE OF IDAHO FALLS ADJUSTING ELECTRICAL FEES FOR CUSTOMERS OF THE ELECTRIC LIGHT DIVISION; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE

Attached for your consideration is an Ordinance amending Sections 8-5-27 and 8-5-30 of the City Code of Idaho Falls adjusting current electrical fees and to recoup fixed fees associated with provisions of temporary or construction electrical service.

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Staff respectfully requests that the Mayor and City Council pass the Ordinance with an effective date of October 1, 2013.

s/ Jackie Flowers

Councilmember Parry requested clarification of this Ordinance. The Idaho Falls Power Director explained that this item was discussed two weeks ago at the Council Work Session. This Ordinance provides Idaho Falls Power with the ability to recoup fixed fees associated with provisions of temporary or construction electrical service. Further, the proposed rate adjustments for the Bonneville Power Administration rate increases are included within this Ordinance. Bonneville Power Administration has just completed their Record of Decision related to this two-year rate period. They have increased the power supply rates by 9% and the transmission rates by 11%. Idaho Falls Power has completed the Cost of Service Model, which is the largest budgetary change.

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

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING SECTIONS 8-5-27 AND 8-5-30 OF THE IDAHO FALLS CITY CODE TO ADJUST CURRENT ELECTRICAL FEES AND TO RECOUP FIXED FEES ASSOCIATED WITH PROVISION OF TEMPORARY OR CONSTRUCTION ELECTRICAL SERVICE; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Hardcastle seconded, that the Ordinance be passed on the First Reading Only. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Cornwell  
Councilmember Parry

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
August 20, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-13-21, NINE (9) NEW CIRCUIT BREAKERS – DEAD TANK TYPE

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

It is the recommendation of Municipal Services and Idaho Falls Power to accept the lowest responsive, responsible bid meeting specifications to Siemens Energy, Inc. in the amount of \$317,600.00. It is further requested that we accept the spare parts in the amount of \$1,550.00 for a lump sum total of \$319,150.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to accept the lowest responsive, responsible bid meeting specifications from Siemens Energy, Inc. in the amount of \$319,150.00, which includes the spare parts. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls  
August 19, 2013

MEMORANDUM

TO: Mayor and Council  
FROM: Mark McBride, Chief of Police  
SUBJECT: SCHOOL DISTRICT NO. 91 SCHOOL RESOURCE OFFICER AGREEMENT

Please review the attached Agreement by and between the City of Idaho Falls and Idaho Falls School District No. 91 with regards to the Idaho Falls Police Department providing sworn police officers to work as School Resource Officers within the schools. Chief McBride would like this Agreement discussed at the Council Work Session of August 22, 2013 and then approved at the City Council Meeting that evening.

s/ Mark McBride

It was moved by Councilmember Parry, seconded by Councilmember Taylor, to approve the Agreement between the City of Idaho Falls and Idaho Falls School District No. 91 with regard to the Idaho Falls Police Department providing Sworn Police Officers to work as School Resource Officers within the schools. Roll call as follows:

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Aye: Councilmember Taylor  
Councilmember Lehto  
Councilmember Parry  
Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
August 16, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: BID AWARD – CONCRETE IMPROVEMENTS – SUNNYSIDE  
ROAD TO SNAKE RIVER PARKWAY

On July 30, 2013, bids were received and opened for Concrete Improvements – Sunnyside Road to Snake River Parkway Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, TMC Contractors, Inc. in an amount of \$37,532.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hardcastle, to approve the plans and specifications for the Concrete Improvements – Sunnyside Road to Snake River Parkway Project; to accept the lowest responsive, responsible bid from TMC Contractors, Inc. in the amount of \$37,532.00 to complete the project; and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Parry  
Councilmember Lehto  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Motion Carried.

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City of Idaho Falls  
August 16, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: BID AWARD – WASTE WATER TREATMENT PLANT DIGESTER LINING AND COVER REPLACEMENT

On August 13, 2013, bids were received and opened for Waste Water Treatment Plant Digester Lining and Cover Replacement Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, Alder Construction, in an amount of \$616,025.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hardcastle, to approve the plans and specifications for the Waste Water Treatment Plant Digester Lining and Cover Replacement Project; to accept the lowest responsive, responsible bid provided by Alder Construction in the amount of \$616,025.00 to complete the project; and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Parry  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
August 16, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – LAND BANK BRIDGE DECK REHABILITATION

Attached is a proposed Professional Services Agreement with JUB Engineers, Inc., to provide structural design for removal and replacement of the Land Bank Bridge Deck for an amount not to exceed \$37,750.00.

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

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hardcastle, to approve the Professional Services Agreement with JUB Engineers, Inc., to provide structural design for removal and replacement of the Land Bank Bridge Deck for an amount not to exceed \$37,750.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Cornwell  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

Councilmember Tom Hally joined the meeting by telephone.

Mayor Fuhriman requested Councilmember Taylor to conduct a public hearing, as legally advertised, to consider new fees and fee increases for Fiscal Year 2013-2014. At the request of Councilmember Taylor, the City Clerk read the following memo from the Municipal Services Director:

City of Idaho Falls  
August 19, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ADOPTION OF 2013-2014 PROPOSED NEW FEES AND FEE INCREASES

Municipal Services respectfully requests the Mayor and Council approval of the 2013-2014 proposed new fees and fee increases. The proposed new fees and fee increases were advertised August 11, 2013 and August 18, 2013 as required by Idaho Code.

The Public Hearing is scheduled for 7:30 p.m., Thursday, August 22, 2013, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

s/ S. Craig Lords

**AUGUST 22, 2013**

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the City of Idaho Falls proposes to increase existing fees beginning October 1, 2013, or an imposed new fee of respective fees from the current fiscal year. The fee increases or new fees are necessary to cover increased costs associated with these programs and services.

<b><u>SOURCE OF FEES</u></b>	<b><u>CURRENT FEES</u></b>	<b><u>PROPOSED NEW FEES</u></b>
Civic Auditorium		
Head Tech Fee (Per Hour)	\$ 16.00	\$ 18.00
Stage Hand Tech Fee (Per Hour)	8.00	10.00
Cleaning Deposit – Glitter Clean-Up Fee	-	500.00
Equipment Rental – Marley Floor User Fee	-	50.00
Tautphaus Park Zoo		
Admissions		
Regular Adult	6.00	7.00
Regular Child	3.00	4.00
Regular Senior	4.50	5.50
Education/Group Adult	5.00	6.00
Education/Group Child	2.50	3.50
Education/Group Senior	3.50	4.50
City Rate Adult	4.00	5.00
City Rate Child	2.00	3.00
City Rate Senior	3.50	4.50
Education Class – Late Fee (pick up of participant)		
Charged at 15 Minute Intervals after Class ends	-	5.00
Recreation		
Temporary Concession Permit (One day per site/per stand)	-	15.00
Ice Arena		
10 Punch Pass		
Ages 4 – 12	-	25.00
Ages 13 & Over	-	33.00
30 Punch Pass		
Ages 4 – 12	-	70.00
Ages 13 & Over	-	95.00
Stick & Shoot and Freestyle Admissions (Walk In)		
Ages 4 – 12	-	3.75
Ages 13 & Over	-	5.00
Wes Deist Aquatic Center		
Membership Fees (Unlimited Passes good for Lap & Public Swims & Fitness Classes)		
1-Month Senior	-	40.00
3-Month Senior	-	105.50
6-Month Senior	-	189.00
1-Year Senior	-	280.00
1-Month Adult	-	45.00
3-Month Adult	-	118.00
6-Month Adult	-	211.00
1-Year Adult	-	312.00
1-Month Couple (Couple is 2 people from the same household)	-	78.50
3-Month Couple	-	213.00
6-Month Couple	-	312.00
1-Year Couple	-	400.00
1-Month Family (Family is up to 5 people in the same household)	-	113.00
3-Month Family	-	245.00
6-Month Family	-	400.00
1-Year Family	-	668.00
1-Month Family Add-On (Add 1 extra person to family pass, must live in same household)	-	17.50
3-Month Family Add-On	-	23.00
6-Month Family Add-On	-	34.00
1-Year Family Add-On	-	56.00
Punch Cards (10 time punch cards for lap & public swims and fitness classes)		
Adult Everything Punch Card	-	38.00
Senior Everything Punch Card	-	31.00

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USS/YMCA Meet Fees	-	31.00
Rental for a 4-Hour Session with set up and take down or	-	300.00
Rental Per Person Per Session, whichever is more	-	3.00
Other Fees		
Family Night	-	10.00
Junior High Swim Team	-	120.00
Swim Team Sessions (8 Weeks) New Format, 8 Week Sessions, 4 Times a Year		
3 Days per Week (Practices)	-	120.00
2 Days per Week	-	90.00
1 Day per Week	-	55.00
Add On an Additional Day Session	-	35.00
Multi Family Program Discounts		
Discounts are for Multi-Family Members living in the same household signing up for the same program – first person is regular price		
2 <sup>nd</sup> Person	-	5% Discount
3 <sup>rd</sup> or more	-	10% Discount
Planning and Building		
Conditional Use Permit (PC or Council only)	100.00	225.00
Conditional Use Permit (both PC and Council)	205.00	325.00
RSC-1 Site Plan Review	100.00	150.00
Variance	335.00	350.00
Rezoning	515.00	550.00
Planning Transition Application	515.00	550.00
Comprehensive Plan Amendment	230.00	250.00
Ambulance Service Fees		
Advanced Life Support (ALS)	510.00	535.00
Non-Resident Advanced Life Support	674.00	707.00
ALS 2	535.00	562.00
ALS Non-Emergency	495.00	520.00
Critical Care	585.00	615.00
Basic Life Support (BLS)	353.00	370.00
Non-Resident Basic Life Support	525.00	550.00
Non-Emergency BLS	165.00	174.00
Treat – No Transport	138.00	145.00
Stand-By Rate (Per Hour)	132.00	140.00
Resident Mileage (Per Loaded Mile)	5.50	7.00
Non-Resident Mileage (Per Loaded Mile)	8.85	10.00
Idaho Falls Power Fees		
Temporary Power Installation	Variable Cost	150.00
Temporary Power Pole or Transformer Installation	Variable Cost	600.00
Idaho Falls Power Rates		
Residential		
Energy Charges (per kWh)	0.0595	0.0625
Monthly Charge	9.50	10.00
Commercial		
Energy Charges (per kWh)	0.0400	0.0425
Demand Charge (per kW)	6.00	5.75
Monthly Minimum Charge (not less than)	25.00	17.50
Small Industrial		
Energy Charges (per kWh)	0.0350	0.0362
Demand Charge (per kW)	6.90	6.50
Large Industrial		
Energy Charges (per kWh)	0.0340	0.0350
Demand Charge (per kW)	6.80	6.50
Street Lighting		
Energy Charges	0.0725	0.1000

Any person who desires to provide comments regarding such fee increases may appear at 7:30 p.m. on Thursday, August 22, 2013, at the City of Idaho Falls Council Chamber, City Hall Annex, 680 Park Avenue, Idaho Falls, Idaho.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

Published: August 11<sup>th</sup> and August 18<sup>th</sup>, 2013

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Councilmember Taylor explained that according to State Code, fees that have increased by 5% or more needed to be published as a Public Notice in The Post Register. This year, it was determined by the Mayor and City Council that all new fees and fee increases would be published to provide greater transparency. He pointed out, further, that this Notice includes a power rate increase. Councilmember Taylor explained that Idaho Falls Power Rates are still a bargain, even with this increase. He reviewed for those present rates from other communities and states to make that point.

Councilmember Lehto stated that Idaho Falls Power usually waits until Bonneville Power Administration imposes their fee increases. There are two sets of fee increases, one on transmission and one on the power rates. Those fees mirror what it costs to maintain infrastructure and deliver power on the Federal Hydro System. Bonneville Power Administration has been stating over the past 9 months that there would be approximately 20% increase to the rates. The fee increases will become effective on October 1, 2013. Historically, Idaho Falls Power waits until Bonneville Power Administration imposes their rate increases, which is usually November. At that point in time, Idaho Falls Power would bill for November and October. This is more efficient.

There being no further discussion either in favor of or in opposition to these new fees and fee increases, Mayor Fuhriman closed the public hearing.

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to approve the new fees and fee increases as shown. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Taylor to conduct a public hearing, as legally advertised, to consider the adoption of the 2013-2014 Fiscal Year Budget. At the request of Councilmember Taylor, the City Clerk read the following memo from the Municipal Services Director:

City of Idaho Falls  
August 19, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ADOPTION OF 2013-2014 FISCAL YEAR BUDGET

Attached is a copy of the proposed Annual 2013-2014 Fiscal Year Budget that was tentatively approved on August 8, 2013 by the Mayor and Council and has been advertised as required by Idaho Code.

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Municipal Services respectfully requests the adoption of the 2013-2014 Fiscal Year Budget in the amount of \$185,573,197.00 and the attached Appropriation Ordinance, appropriating the monies to and among the various funds. Randy Fife, City Attorney, has the appropriate ordinance to review.

s/ S. Craig Lords

**NOTICE OF PUBLIC HEARING**  
**PROPOSED BUDGET FOR FISCAL YEAR 2013-2014**  
**CITY OF IDAHO FALLS, IDAHO**

A public hearing pursuant to Idaho Code Section 50-1002, will be held for consideration of the proposed budget for the fiscal year from October 1, 2013 to September 30, 2014. The hearing will be held at the City of Idaho Falls Council Chambers, in the City Annex Building, located at 680 Park Avenue, Idaho Falls, Idaho at 7:30 p.m., Thursday, August 22, 2013. All interested persons are invited to appear and provide comments regarding the proposed budget. Copies of the proposed budget are available at the Idaho Falls City Controller's Office during regular office hours (8:00 a.m. to 5:00 p.m., weekdays). City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities in order to allow access to the budget documents or to the hearing should contact the City Controller's Office at 612-8230 at least 48 hours prior to the public hearing. The proposed FY 2014 budget is shown below as FY 2014 proposed expenditures and projected revenues.

<b>PROPOSED EXPENDITURES</b>			
<b>Fund Name</b>	<b>FY 2012 Actual Expenditures</b>	<b>FY 2013 Budget Expenditures</b>	<b>FY 2014 Proposed Expenditures</b>
<b>General Fund</b>			
Mayor and Council	\$ 148,140	\$ 212,204	\$ 195,433
Legal	159,691	265,781	322,289
Municipal Services	4,779,419	8,268,848	8,777,457
Planning and Building	1,922,856	2,270,591	2,183,124
Human Resources	173,396	190,669	184,167
Police	11,885,327	12,254,341	12,196,676
Fire	10,063,302	9,866,743	9,846,523
Parks	5,484,941	5,723,543	7,424,669
Public Works	1,372,911	1,972,509	1,937,971
General Fund Total	\$ 35,989,983	\$ 41,025,229	\$ 43,068,309
<b>Special Revenue Funds</b>			
Street Fund	\$ 4,511,314	\$ 5,099,408	\$ 5,743,246
Recreation Fund	1,263,388	1,351,953	1,450,686
Library Fund	3,249,609	2,941,457	3,036,396
Airport Passenger Facility Charge Fund	613,420	580,000	600,000
Municipal Equipment Replacement Fund	1,721,703	1,281,000	1,676,000
Electric Light Public Purpose Fund	306,892	600,000	300,000
Business Improvement District	45,600	48,600	45,600
Golf Fund	1,806,569	1,827,966	2,642,414
Special Revenue Funds Total	\$ 13,518,495	\$ 13,730,384	\$ 15,494,342

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<b>Internal Service Fund</b>			
Self-Insurance Fund	\$ 881,328	\$ 1,000,000	\$ 1,043,000
<b>Capital Projects Funds</b>			
Sanitary Sewer Capital Improvement Fund	\$ 30,276	\$ 600,000	\$ 600,000
Municipal Capital Improvement Fund	206,314	4,050,000	1,000,000
Street Capital Improvement Fund	1,304,316	292,000	2,250,000
Bridge and Arterial Street Fund	1,878	1,430,000	300,000
Water Capital Improvement Fund	8,629	1,300,000	1,300,000
Surface Drainage Fund	37,460	65,000	50,000
Traffic Light Capital Improvement Fund	40,611	810,000	1,167,495
Capital Projects Funds Total	\$ 1,629,484	\$ 8,547,000	\$ 6,667,495
<b>Enterprise Funds</b>			
Airport Fund	\$ 4,629,642	\$ 5,103,129	\$ 5,062,095
Water and Sewer Fund	18,279,500	36,533,400	33,882,622
Sanitation Fund	4,100,042	4,501,480	4,732,586
Ambulance Fund	3,371,879	3,700,574	3,785,254
Electric Fund	57,099,669	70,683,881	71,837,494
Enterprise Funds Total	\$ 87,480,732	\$120,522,464	\$119,300,051
<b>Total Expenditures - All Funds</b>	\$139,500,022	\$184,825,077	\$185,573,197

**PROJECTED REVENUES**

<b>Fund Name</b>	<b>FY 2012 Actual Revenues</b>	<b>FY 2013 Budget Revenues</b>	<b>FY 2014 Projected Revenue</b>
<b>Property Tax Levy</b>			
General Fund	\$ 22,005,749	\$ 22,051,861	\$ 22,025,313
Recreation Fund	482,826	483,667	483,062
Library Fund	1,731,239	1,734,181	1,732,009
Municipal Capital Improvement Fund	693,563	694,936	694,066
Fire Retirement	1,173,600	1,208,591	1,238,786
Liability Insurance	588,508	595,000	595,000
Property Tax Levy Total	\$ 26,695,485	\$ 26,768,236	\$ 26,768,236
<b>Revenue Sources Other Than Property Tax</b>			
General Fund	\$ 14,298,297	\$ 13,890,106	\$ 15,236,988
Street Fund	3,073,859	3,120,234	3,914,476
Recreation Fund	811,502	875,900	875,040
Library Fund	917,420	1,068,865	1,102,172
Passenger Facility Fund	613,420	580,000	600,000
Municipal Equipment Replacement Fund	44,111	50,000	50,000
Electric Light Public Purpose Fund	317,614	602,000	303,500
Business Improvement District Fund	51,430	52,000	52,000
Electric Rate Stabilization Fund	294,635	300,000	250,000
Golf Fund	1,586,071	1,579,700	2,659,734
Self-Insurance Fund	1,130,140	1,150,500	1,150,000
Sanitary Sewer Capital Improvement Fund	122,306	142,250	139,250
Municipal Capital Improvement Fund	278,047	207,000	1,000
Street Capital Improvement Fund	889,652	-	250,000
Bridge and Arterial Street Fund	32,954	34,000	36,000
Water Capital Improvement Fund	193,176	144,750	169,750
Surface Drainage Fund	5,943	15,500	4,500
Traffic Light Capital Improvement Fund	117,860	202,815	550,376
Airport Fund	4,818,968	4,515,121	3,656,088
Water and Sewer Fund	18,138,056	35,739,300	32,949,500
Sanitation Fund	3,796,758	3,752,000	3,774,000

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Ambulance Fund	3,028,360	3,565,859	3,818,883
Electric Fund	57,994,018	53,909,974	55,130,642
Fund Transfers	2,210,372	3,501,080	3,083,880
Fund Balance Carryover	(1,940,432)	29,057,887	29,047,182
Other Revenue Sources Total	\$112,824,537	\$158,056,841	\$158,804,961
<b>Total Revenues - All Funds</b>	<b>\$139,500,022</b>	<b>\$184,825,077</b>	<b>\$185,573,197</b>

I, Rosemarie Anderson, City Clerk of the City of Idaho Falls, Idaho certify that the above is a true and correct statement of the proposed expenditures by fund and the entire estimated revenues and other sources of the City of Idaho Falls, Idaho for the Fiscal Year 2013-2014; all of which have been tentatively approved by the City Council on August 8, 2013 and entered at length in the Journal of Proceedings.

Dated this 8<sup>th</sup> day of August, 2013.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

Publish: August 11 and August 18, 2013

Councilmember Taylor stated that the budgeting process goes on all year. It begins, in earnest, in April of each year. The Mayor and Division Directors begin the process. In an effort to make this process more transparent, the Mayor and City Council changed the timing of many of the public meetings to the evening hours, when the public could attend. The City has experimented with live streaming of those meetings and have provided an archive copy for anyone to review. Councilmember Taylor stated that the City has received a great amount of input. He stated that the City is on solid financial footing. The last few years, everyone has gone through a recessionary period. The City is crawling out of that recession slowly. He explained that the proposed budget is \$185,573,197.00, which is essentially the same as the prior year. The tax revenue that flows into this budget is \$26,768,000.00, which is the same amount of taxes that have been collected in the last four years. The process to reach a budget is a good one. The Mayor, Council, and Division Directors work together to reach that budget. Councilmember Taylor reviewed the budget packet for those present. He explained that the City plans to spend \$185,573,197.00, with earned revenues being \$156,526,015.00. That means that the City will be spending \$29,047,182.00 from savings. The City has saved for large projects and is now ready to complete the large projects that are within the Capital Improvement Plan.

Councilmember Parry stated that on the "General Fund Expenditures - Net Budget Comparison 2013-2014", there is a line that states "\$1,000,000.00 will be transferred from the General Fund cash reserves to the Street Department". In her estimation that should be included in the top portion of the chart. It would be a more accurate reflection to say that excess expenditures would be \$1,900,000.00.

Councilmember Taylor stated that he respectfully disagreed with Councilmember Parry's assessment. The \$1,000,000.00 is not part of the current budget, in as far as looking at expenditures. It is merely a fund transfer. There has been a fund transfer each year in the amount of \$600,000.00 to the Street Department for several years from the General Fund to the Street Fund. That is one of the only sources we have to fund maintenance on the City streets. Councilmember Taylor stated that the City does not spend all of the money that is budgeted. Historically, the General Fund has been grown each year. That is due to the fact that the City spends less than is budgeted. The

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City is always looking for cost efficiencies. During the past six years in July of each year, the General Fund has grown from \$13,000,000.00 to \$21,000,000.00. In December of those years, the General Fund has grown from \$5,000,000.00 to \$10,000,000.00. Even though this budget anticipates a \$972,222.00 shortfall, his expectations would be that efficiencies would be found during the course of the year that would continue to grow the General Fund. The General Fund does several things. It provides three months of operating and maintenance expenses should that be necessary in case of emergency. The General Fund provides the savings account for major projects. Five areas of focus have been identified that will be discussed among the Mayor, Council, and Division Directors, which are: Zoo, Fire Department, Civic Auditorium, Public Transportation, and Contributions List. The City Attorney and staff have been brought in-house. Prosecutor (Judicial) will be moved to in-house effective October 1. The Financial Software needs to be upgraded and \$1,000,000.00 has been placed in the budget to be able to accomplish that. The Spray Park has been added to this budget in the amount of \$500,000.00, \$300,000.00 of which would be provided by City clubs within the community. At this time, the design has not been finalized and the location has not been decided on. Those decisions have yet to be made. Employee benefits have also been discussed. Each year, the amount of increase to the insurance coverage premiums has been a big number. The employees have increased deductibles, and changed the coverage. The Benefits Committee made recommendations to change the insurance coverage. They began with nine options, which were then reduced to three options that were presented to the Mayor and City Council. There are now two options to consider. The City Council will have to meet to determine which of those options to approve. The City Council can move ahead with the budget at this time, because the cost to the City of those two options is essentially the same cost to the City. Councilmember Taylor stated that the Mayor and City Council are working hard to maintain the services in this community that the citizens have come to expect, while keeping the tax burden under control.

Rick Saunders, 225 East 23<sup>rd</sup> Street, appeared to share the following statement:

My name is Rick Saunders. I am a fireman for the City of Idaho Falls. For the last fifteen years, it has been my profession and my honor to protect the lives and property of the residents of this City. I have done this job and will continue to do it proudly. Sometimes I forget just how dangerous my job can be. Unfortunately, the reality of it is reinforced nightly when I listen to my children pray and I hear them say, "And please bless that my daddy will be safe at the fire station." That's when the thought enters my mind, "What would happen to them if I didn't make it home?" But despite the inherent dangers of my job, I continue to place myself in harm's way to help others in need.

In return for my dedication and service to our City, I am fairly compensated and provided with benefits. This is greatly appreciated. I understood when I hired on that I would never get rich being a fireman. But more importantly, I knew that I would be happy doing what I love. I knew that I would have a livable retirement when I was done and I knew that I would have good benefits along the way so that my family's health would always be taken care of.

However, the current proposal to decrease our benefits and increase our out of pocket expenses significantly erodes at that piece of mind.

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We are a single income family. My wife, Jennifer, is a stay-at-home mom raising our four children, Jimmy, Robert, Brenna, and Brandon. Our budget is right. Like a lot of people, we scrimp and save everywhere we can to be able to put a few dollars into the savings account each month. That means we don't have cable television. My wife and I share an old flip phone with prepaid minutes. We don't go on lavish vacations. We drive old cars that are paid for. We don't subscribe to the paper or go to the movies. Eating out is a rare luxury. WE continue to live within our means despite of the decreases in our benefits package and the lack of COLA's that have occurred over the last several years. We don't complain. It's the life we've chosen as a civil servant and a stay-at-home mom. But as gas and groceries get more expensive and medical bills continue to grow, we are running out of places to cut back. The one thing that helps hold our budget together is the health insurance provided by the City.

Recently, my daughter was diagnosed with an adenoid problem that made her prone to sinus infections and had her constantly coughing and choking on her own snot. The only solution was a simple operation, comparable to a tonsillectomy. Our out of pocket cost for this procedure was over \$1,500.00. This hit our budget hard, but the cot was worth it. My lovely daughter stands here before you without a runny nose. The constant coughing and gagging are gone.

However, under the proposed cost increases and benefit decreases, the price of this operation would have been devastating. One simple surgery and our savings would be wiped out. We would then be living paycheck to paycheck. We will be one financial emergency away from being unable to pay our bills. It keeps me up at night knowing that I may have to postpone or forego altogether, medical treatment for my wife and/or kids because we simply can't afford it and still make ends meet.

I count it an honor and a privilege to work for this City. I continue to pledge my life protecting the citizens of this community and their property. I ask the City in return to take care of my family and their wellbeing. I implore you to keep our benefits intact, ensuring that I in turn will be able to provide for my family's basic health care needs. Please remember as you consider your decision, we aren't just "employees". We are firefighters and policemen who have dedicated ourselves to serving this City and have pledged to place our lives in harm's way to protect its citizens. Your decisions won't affect us alone. They will affect our spouses and most importantly, they will affect our children. I know you have had decision to make, but please don't balance the budget on the backs of the employees.

As firemen and policemen, we have the City's back 24 hours a day, 365 days a year. I'm asking you now to please stand up and show us that you have our backs too.

Kyle Christofferson, 3382 North Flynn Avenue, appeared to state that he is the Vice President of the Federated Order of Police. He stated that the employees are not happy. Year after year, the employees have taken hit after hit understanding the nature of the economy due to a recession. As the economy recovers, the employees are taking a hit once again. There has been a push that the City Employees need to pay into their health

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insurance. For the past ten years that he has worked for the City of Idaho Falls, he has paid into health insurance. Cost of Living increases have been diverted to pay for the increases to insurance. When he opens his PERSI statement from year to year, it concerns him that he will be retiring into poverty. Mr. Christofferson stated that the employees have given and given, and now they are upset. He stated that the President of the FOP has taken a job in the private sector. The City of Idaho Falls has invested nearly \$700,000.00 in Mr. Nelson as a Police Officer. There are other officers that the City has invested \$1,200,000.00 in training, and they are applying for other agencies as the City cannot compete in wages and benefits. There are fewer applicants when the Police Department has openings. That is not acceptable. These are people who protect the citizens of the community. Mr. Christofferson stated that they are the best.

Kaaren Parsons, 815 Pescadero, appeared to state that she received a bill in the mail for \$178.00 for AFLAC Insurance. The average life span for a Fireman is ten years less than a typical male. Cancer rates and heart attack rates are high. She stated that her family has determined that they would supplement their insurance through AFLAC. That is getting more expensive. Her family does not have Cable TV. She drives a 1994 4Runner. Most Firemen work two jobs. Ms. Parsons requested the City Council to look into the insurance. She does not want to move her family to another location to find a better paying job. Her family loves Idaho Falls.

Tim Downs, 3382 Grove Lane, appeared to state that he is a City employee. In determining which option to take, he did not believe that there was a problem. Option 2 saves the City \$14,363.00 per year. This should not be a discussion. He stated that the City could spend \$1,000,000.00 on financial software, or the City could purchase 100 fire trucks, or the City could purchase 10,000 guns. If the City does not have the employees to use the software, to drive the fire trucks, or to carry the guns, where would the City be. Mr. Downs stated that the City Council should not choose Option 1, just to make a political statement. He suggested, further, that the City Council should choose Option 2, as it affects City employees less and it saves the City money.

Victoria Estrada, 2161 Ironwood Drive, appeared to state that she works for the Police Department. She chose to live in Idaho Falls because of the quick Police response. Her husband wanted to move to Rigby. She did not like that idea, because she did not want to have to wait for someone to respond from Roberts in case she had an emergency. She wanted a well-trained, professional Police staff. She wanted a full-time Fire Department and EMS staff. She wanted to know that her garbage would be picked up on a regular basis, and did not want to have to call a sanitation company to remove her garbage. Further, she wanted to know that her streets would be maintained and plowed in the winter. With this, she knew that she would be paying higher taxes. Her choices were not based on recreational activities, as she could have lived in Rigby and come to Idaho Falls to enjoy those amenities. Ms. Estrada did not believe that it was her responsibility as a taxpayer to provide recreational activities. She requested to know how a spray park could boost the economy. She has worked for the Idaho Falls Police Department for more than 14 years. She loves the people that she works with. She stated that she is a dedicated employee. She strives to represent the Idaho Falls Police Department well. She explained what her job entailed. There are many employees who take pride in their jobs and want to represent the City well. Ms. Estrada stated that she did not understand why the City Council makes the City employees take the hit. She estimated that approximately 90% of the Police Department works two jobs. Every year that the benefits are reduced and the Cost of Living increases are at a minimum, the City Council is telling the employees that they do not matter. She stated that if the City is on a firm financial foundation, she did not understand why the City employees were being hurt. Further the City budgeted for a 2.5% increase last year. The employees were given a 1% increase, with 1.5% being put back into

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the General Fund. She reasoned that this money is now going to be used for a spray park. She did not want a spray park. It is financially irresponsible to build a spray park. Further, she stated that while the City employees have received only a 1% Cost of Living increase, many of the Division Directors have received larger increases.

Lincoln McDonald, 2311 East Timberview Drive, appeared to state that he is employed with the Idaho Falls Police Department as a Detective for approximately 14 years. He felt compelled to address the City Council and voice opposition to the decrease in benefits for Public Safety employees. He acknowledged that all City employees rendered a valuable service. Public Safety employees are a little different. Firefighters, paramedics and police officers go through a rigorous routine in the hiring process. During the hiring process, they must pass physical fitness tests. They are subject to polygraph examinations, criminal history checks, and background checks, as well as checking their financial history. Other City employees are not subjected to this scrutiny. When employed, they are required to maintain certain standards, as well as to maintain a certain amount of training. Public Safety employees work 24 hours per day, 7 days per week, and 365 days per year. They work all holidays. They work shift-work. They spend time away from their families for 24 hours at a time. They are put in environments where their personal safety is often in jeopardy. They deal with people who have injuries and sometimes infectious diseases. They see evil that most people cannot imagine. Detective McDonald requested that the Mayor and City Council keep that in mind. As the benefits are reduced, it is disheartening to know that the Public Safety employees do not have the support from the people that they are working for. He requested the Mayor and City Council to keep all of these things in mind, before considering reductions in the benefits.

Councilmember Taylor stated that he sincerely appreciated the input. The Mayor and City Council will consider this input as they discuss the options during the next week.

There being no further discussion either in favor of or in opposition to the 2013-2014 Fiscal Year Budget, Mayor Fuhrman closed the public hearing.

Councilmember Parry stated that she would be voting against the proposed budget as there were some efficiency opportunities that were not capitalized upon. It is within the Council's duty to step forward and tell the Division Directors that there is a specified savings that is required and to go and find that savings within their budgets. The emergency fund is too important to her to keep a 3-month balance. That would be a healthy balance. Projects should not come out of that fund. For instance, the parking lot that is being built on Yellowstone Avenue is coming out of that fund. She felt that the parking lot is a great idea. If the emergency fund begins with \$9,000,000.00 and projects are taken out of that amount, then the emergency fund drops well below the required 3-month amount. Councilmember Parry reviewed a scenario of different projects that could be addressed out of this emergency fund. Again, she stated that the emergency fund is too important to her to vote for this budget. The deficit spending compounds that problem. Further, it is too important for the City Council to not be able to understand and then explain to the public what growth money is. For some reason, it is not resonating with the City Council how inexpensive and above and beyond money that is available to the City Council that does not increase the taxpayers' bill by 1¢. It is windfall money. The City Council is still not talking about it. This year that amounts to \$362,000.00. Growth money – annexation and new construction – are the best available funds to the City. This should have been part of this budget. Efficiencies could also be looked at to decrease the overall revenues. Growth money should be an automatic every year to take that money. Councilmember Parry stated that she spoke in favor of taking this growth money during the last budget year. She voted against the 2012-2013 budget as it was not taken. She stated that she would be voting against the budget this year because the growth money was not

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included. It costs when the City grows – it costs in Fire and Police, EMS coverage, Parks and Recreation, and Public Works. The City is turning away the new money. At some point, she will convince everyone that it costs no money to take the annexation and new construction money. Councilmember Parry stated that the City Council has gotten themselves into a pickle with regard to the employees and their benefits. That discussion will be held next week. She hoped that the City Council would seriously consider the testimony that was given this evening, along with the e-mails. Councilmember Parry stated that her heart goes out to the Public Safety employees. She did not believe that they should be put in a position where they need to grovel for what should be paid to them for the good service that they provide for our community. It is safety first and always first in her book. Councilmember Parry stated that there are some good things in the budget. The City is taking a strong stand to continue to encourage economic development. She appreciated that the money designated for TRPTA has now been designated to public transportation. She stated that was the right move.

Councilmember Hally stated that he was happy to not take the growth money. All of the budgeting and accounting people that he has talked to recognize that it is a tax increase. Councilmember Hally stated that he would be voting yes for the 2013-2014 Fiscal Year budget.

Councilmember Taylor stated that when the City receives the certification from Bonneville County as to the valuation of property, that includes additional growth. There is a limitation as to how much the City could raise taxes. If the City desired to raise taxes, it could take 3% plus the growth, which is new construction and annexation. When the City holds the dollars flat, like the City is this year, because that new growth is included in that valuation, the money of the existing taxpayers before that growth would actually be paying less in tax because we now have that new growth also contributing to the pot. However, when this is applied on a person by person and business by business basis, you cannot make that assumption because valuations vary. Some valuations will remain the same, and some valuations will go up. This year, Councilmember Taylor stated that he has chosen to hold the values the same. In that circumstance, the money essentially stays the same. For those that the valuation goes down, they will pay less tax this year. If the valuation on their property increases, then they will pay more in taxes. This year, a home valued at \$100,000.00 would be \$12.00 less in taxes. If the City Council chose to raise the total dollars to include the new growth, a \$100,000.00 home would be essentially where it was before. If the property value stayed the same and the City took the new growth, then the property owner would pay more in taxes. If the property value was increased, and the City took the new growth, then the property owner would pay more in taxes. How this is applied on the individual taxpayer can be quite a difference. You cannot make a general statement that applies to all. As this was his understanding, he was supportive of what the rest of the City Council has done.

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to adopt the 2013-2014 Fiscal Year Budget in the amount of \$185,573,197.00. Roll call as follows:

Aye:            Councilmember Cornwell  
                  Councilmember Taylor  
                  Councilmember Hardcastle  
                  Councilmember Lehto  
                  Councilmember Hally

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Nay: Councilmember Parry

Motion Carried.

At the request of Councilmember Taylor, the City Clerk read the following Ordinance by title only:

**ORDINANCE NO. 2925**

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014, APPROPRIATING AND APPORTIONING THE MONIES OF SAID CITY TO AND AMONG THE SEVERAL FUNDS OF SAID CITY AND DESIGNATING THE PURPOSE FOR WHICH SAID MONIES MAY BE EXPENDED; SPECIFYING THE AMOUNT OF MONEY PAID BY PROPERTY TAX TO BE APPROPRIATED TO SAID FUNDS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented by title only. Councilmember Taylor moved, and Councilmember Parry 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 waived, that the Ordinance be passed on all three readings, be published by summary; and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Hally  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: Councilmember Parry

Motion Carried.

Councilmember Hally disconnected from the telephone call and his participation at this point in the meeting.

Mayor Fuhriman requested Councilmember Hardcastle to conduct a public hearing, as legally advertised, to consider a Text Amendment to the Zoning Ordinance to Allow Indoor Shooting Ranges as a Conditional Use Permit in the HC-1 Zone and as a Use By Right in the GC-1 Zone. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Planning and Building Director and the Assistant Planning and Building Director:

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City of Idaho Falls  
August 16, 2013

MEMORANDUM

TO: Mayor and Council  
FROM: Renee R. Magee, Planning and Building Director  
Brad Cramer, Assistant Planning and Building Director  
SUBJECT: TEXT AMENDMENT TO ZONING ORDINANCE TO ALLOW  
INDOOR SHOOTING RANGES AS A CONDITIONAL USE PERMIT  
IN THE HC-1 ZONE AND AS A USE BY RIGHT IN THE GC-1  
ZONE

Attached is an Ordinance amending Sections 7-11-2, 7-13-2, 5-10.B. and 4-26 of the Zoning Ordinance. These amendments allow an indoor shooting range as a use by right in the GC-1, I & M-1, and I & M-2 zones and as a Conditional Use Permit in the HC-1 Zone. This text amendment was reviewed by the Planning Commission at its July 9, 2013 Meeting and the Commission recommended approval. The Ordinance has been reviewed by the City Attorney, and the Planning Department staff concurs with the recommendation of the Commission. This text amendment is being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee  
s/ Brad Cramer

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 text amendment:

Exhibit 1 Planning Commission Minutes dated July 9, 2013  
Exhibit 2 Staff Report dated July 9, 2013  
Exhibit 3 Copy of text amendment  
Exhibit 4 Copy of Indoor Shooting Range Design Criteria

The Assistant Planning and Building Director stated that in recent months, the Planning Department staff has had a number of requests to construct an indoor shooting range within the City limits. In reviewing the Zoning Ordinance, it was determined that it does not currently allow that use. The Planning Department staff then began to review what other cities allow in the way of indoor shooting ranges and tried to determine how to best handle these requests. There are no standards within the International Building Code with regard to indoor shooting ranges. There is no industry standard for the construction of those ranges. As part of the design standards for indoor shooting ranges, the Planning Department has modified provisions from the Department of Energy's Design Manual for Indoor Shooting Ranges in cooperation with the Building Official, Chief Plumbing Inspector, and the Applicant who is certified in the construction of ranges, to determine which of the standards make sense regarding zoning, and which ones can be enforced. The second part of the research was the zone that was most appropriate to allow that use. As they looked at the commercial zones, it was staff's recommendation that the GC-1, I & M-1 and I & M-2 Zones be presented as the zones allowing indoor shooting ranges by right and the HC-1 Zone be allowed as a conditional use. The reason for the HC-1 being conditional use had primarily to do with certain businesses within their lease

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agreements do not wish to be located near gun ranges. One of the standards for the Conditional Use Permit is that an existing business will not be negatively impacted within their lease by construction of the gun range. HC-1 is designed to provide regional goods and services. Staff was uncomfortable recommending the RSC-1, C-1, and CC-1 for a shooting range. The RSC-1 Zone is designed to be adjacent to neighborhoods and provide basic goods and services. The C-1 and CC-1 are mixed use zones that also allow residential. Staff could not recommend shooting ranges within the zones with dwellings. The Planning Commission recommended approval of the text amendment and the standards at the July 9, 2013 Meeting and the staff concurs with that recommendation.

Councilmember Parry questioned why those businesses in the HC-1 Zone would be able to voice their concerns for locating an indoor shooting range adjacent to their business.

The Assistant Planning and Building Director stated that within the GC-1 and I & M-1 Zones, adjacent businesses would not have the same ability, as indoor shooting ranges have that use by right. If there was a request to locate an indoor shooting range within the HC-1 Zone, there would be a public hearing to consider a Conditional Use Permit. Six standards have been developed within the Ordinance that provide criteria for the Planning Commission to consider, as follows:

1. The plans for the indoor shooting range shall meet the design criteria outlined in *Indoor Shooting Range Design Criteria*, August, 2013.
2. The site of the proposed indoor shooting range shall be at least six hundred feet (600') from the nearest dwelling, unless such dwelling is a custodial or caretaker dwelling.
3. The site of the proposed indoor shooting range shall be at least six hundred feet (600') from any school or church.
4. The site of the proposed indoor shooting range shall not negatively affect any existing neighboring business, as evidenced by a lease provision or covenant of the neighboring business prohibiting an indoor shooting range within a specified distance.
5. Noise from the indoor shooting range shall not exceed sixty-five decibels (65 dBAs) at the property line of the range.
6. The proposed location of the range shall be on an arterial or collector street, as designed in the comprehensive plan.

Ryan Later, 1170 Grassland, appeared to state that he is with Guns and Sports. They are the company that has proposed to build the indoor shooting range in Idaho Falls. He stated that his company is proposing to build an indoor shooting range, teaching and retail facility. Their primary objective is to help people in this community to use firearms safely. They have worked very hard with the City to prepare a set of guidelines and standards to build this facility safely. One of the services that would be provided is a training facility for police officers to come and improve their training. The National Rifle Association recommends this to be an Indoor Recreational Facility. Across the country, this is becoming a growing industry. He has met with all of the equipment and range suppliers in the United States. They have chosen the leaders in that industry to provide equipment for the new facility. Mr. Later stated that they want to be a valuable asset to the community. Further, he requested the Mayor and City Council to approve the Text

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Amendment to the Zoning Ordinance to allow Indoor Shooting Ranges, with the guidelines established by the Department of Energy.

Councilmember Parry questioned why the Planning Commission recessed the public hearing regarding this Text Amendment.

The Assistant Planning and Building Director stated that there were two issues that took place. The Planning Commission did not feel that they had significant opportunity to consider which zones in which the use should be allowed. Further, there was some debate on how to handle the standards of the design. This gave Staff the time to refine the standards that made sense. The recess was not out of concern for the use or the concept, it was to give Staff time to refine what was being presented.

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

Councilmember Taylor requested to know whether the Ordinance addresses restrictions as far as caliber or the type of gun.

The Assistant Planning and Building Director stated that the Ordinance does not restrict the caliber, but it does require that the Engineer of the building certify to which caliber the building is designed.

At the request of Councilmember Hardcastle, the City Clerk read the following Ordinance by title only:

**ORDINANCE NO. 2924**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING CITY ORDINANCE NO. 1941, SECTION 7-11-2, USE REQUIREMENTS FOR THE HC-1 ZONE; AND CITY ORDINANCE NO. 1941, SECTION 7-13-2, USE REQUIREMENTS FOR THE GC-1 ZONE; AMENDING CITY ORDINANCE NO. 1941, SECTION 5-10.B, PROVIDING AUTHORITY FOR PLANNING COMMISSION TO APPROVE AN INDOOR SHOOTING RANGE IN HC-1 ZONE; CREATING CITY ORDINANCE NO. 1941, SUBSECTION 4-26.N., STANDARDS FOR INDOOR SHOOTING RANGES, A ZONING ORDINANCE FOR THE CITY OF IDAHO FALLS; AND PROVIDING METHODOLOGY, SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Cornwell 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 waived, that the Ordinance be passed on all three readings and published by summary; 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 Cornwell

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Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Hardcastle to conduct a public hearing, as legally advertised, to consider a rezoning request from CC-1 to I & M-1 and Final Plat for Utah Avenue Overlook, Division No. 1, which is located generally south of Pancheri Drive, east of I-15, and west of Capital Avenue. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
August 16, 2013

MEMORANDUM

TO: Mayor and Council  
FROM: Renee R. Magee, Planning and Building Director  
Brad Cramer, Assistant Planning and Building Director  
SUBJECT: REQUEST FOR REZONING FROM CC-1 TO I & M-1 AND FINAL PLAT, UTAH AVENUE OVERLOOK, DIVISION NO. 1

Attached is a request to rezone Lot 1, Block 1, Utah Avenue Overlook, Division No. 1, from CC-1 to I & M-1. The Final Plat entitled Utah Avenue Overlook, Division No. 1, is also being submitted for approval by the Mayor and Council. These items were considered by the Planning Commission on July 9, 2013, and the Commission recommended approval of the rezoning request and the Final Plat. Staff concurs with these recommendations. This request is being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee  
s/ Brad Cramer

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 rezoning request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo outlining area under consideration
Slide 3	Aerial Photo with Final Plat
Slide 4	Comprehensive Plan
Slide 5	Final Plat under consideration
Slide 6	Site Photo of front of building, north side of property
Slide 7	Site Photo of east side of property
Slide 8	Site Photo of south side of property
Slide 9	Site Photo looking south toward Snake River Landing
Slide 10	Site Photo looking north toward Robertson Supply
Slide 11	Site Photo looking east toward Pancheri Drive
Slide 12	Site Photo looking northwest

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Slide 13	Site Photo looking west along Crane Drive
Exhibit 1	Planning Commission Minutes dated July 9, 2013
Exhibit 2	Staff Report dated July 9, 2013
Exhibit 3	Vicinity Map
Exhibit 4	Aerial Photo
Exhibit 5	Copy of Final Plat

The Assistant Planning and Building Director explained, further, that the I & M-1 Zone is not normally considered for this area, but there is I & M-1 located in the vicinity. It is recommended in this instance because I & M-1 is to the north and adjacent to the property under consideration. The Final Plat is in compliance with the Subdivision Ordinance. This is a 2-lot plat which includes some right-of-way on Crane Drive. Lot 1 is intended for development. Lot 2 is being reserved on the south for a canal and landscape lot. Because of the terrain and the canal, it is not a developable parcel.

Councilmember Parry requested to know why I & M-1 Zone was proposed, instead of GC-1.

The Assistant Planning and Building Director explained that the I & M-1 Zone is in the vicinity. GC-1 Zone is not in the vicinity. The I & M-1 Zone requires a 30-foot setback from the public street. The GC-1 Zone has no setback requirements.

Ryan Later, 1170 Grassland, appeared to state that they chose this lot specifically. It is a costly business venture. It is imperative to have this business located to receive proper exposure. People will travel many miles to be able to use such a facility. From this particular location, the building can be seen from the freeway. It also is close to the Snake River Landing Development. Mr. Later stated that the owners want to attract females to their facility, and want them to feel comfortable and safe coming to the shooting range location. Many shooting range facilities are built close to retail. He stated that the only requirement in the Annexation Agreement is a fifteen-foot landscaping strip across the front of the property. He requested that the Mayor and City Council to amend the Annexation Agreement to allow a ten-foot landscaping strip, for the following reasons:

1. Because of the type of facility, they anticipate a number of sportsmen who drive large pick-up trucks. Enough room needs to be provided to allow for safe backing and maneuvering in the parking lot.

2. This location is somewhat landlocked, due to the canal across the back of the property as well as two lots to the side. Entrance and exit to the property are all on the street frontage. All traffic will maneuver through the parking lot in a horseshoe type of motion. Room needs to be provided for that to happen on this lot.

3. The parcel is a narrow strip of land. The developers wish to make the area look beautiful. They would also like to add landscaping around the building. They wish to reduce the landscaping to ten feet. The additional five feet will be used to widen the parking area.

Councilmember Parry expressed her concern for the I & M-1 Zone. She stated that she could not support this zone change.

David Barker, Bingham County, appeared to offer a voice of support for this facility. He has been around the country, and seen shooting ranges in strip malls and malls. As a Police Officer, he stated that he was constantly asked on the street as to where the shooting ranges were. This facility will clean up the area, as it has been a known party place. This is a good fit for the area.

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Bill Squires, 3385 Francesca Lane, appeared to state the need for an indoor range is obvious. Because of the weather in this area, the Police Department is limited to approximately 5 months of the year to be able to complete their firearms training at outdoor ranges. An indoor range would open up the other 7 months for firearms training for Police Officers. He indicated that a 10-foot strip of grass would look better than what is presently in this location.

Angela Swacina, 129 Melbourne, appeared to state that she understood that the two police officers offered their own opinions regarding this facility. She stated that she felt that the Police Department should be polled for their opinions on this indoor shooting range.

Councilmember Lehto stated that an indoor shooting range has been a long time coming. Someone has wanted to come forward with a proposal for the better part of fifteen years. There has been a need in the community for this type of facility. These facilities cost a great deal to construct. The Environmental Protection Agency regulates these facilities so heavily for the filtration systems to take the airborne lead out, the design to capture the bullets, and the design to knock the noise down to less than 65 decibels. They become a community-oriented facility. An indoor shooting range would be supported by law enforcement, by gun enthusiasts, and by sports enthusiasts. The reason that one has not been constructed in Idaho Falls to date, is due to the onerous costs that are put on by Federal regulations on noise, bullet traps, and the filtrations to remove lead residue.

Councilmember Parry stated that she was a firm advocate of having a facility like this in Idaho Falls. She has a concealed weapons permit and she carries a gun. She needs a place to practice. The public hearing is to consider a rezone on this parcel of property, and whether this is a good place to put the I & M-1 Zone.

Linda Martin, Grow Idaho Falls, 151 North Ridge Avenue, appeared to state that on Crane Drive, there is more industrial, manufacturing, light assembly, and distribution zoning and uses already. There is a viable applicant to move forward with the indoor shooting range. From an economic development point of view, the Governor has been in favor of the Department of Commerce going to the Shot Show. If there was a viable gun range in Idaho Falls, it might be an opportunity to attract a manufacturer of ammunition and guns.

Mr. Later re-appeared to state that directly across the street from the proposed rezoning, is an I & M-1 Zone where Robertson Supply does business. He wanted to clarify that for Councilmember Parry, as she was concerned about the surrounding zoning.

Tammy Sherwood, 4415 Sutter Lane, appeared to state that there is I & M-1 Zoning across the street from this parcel of land. Further, the canal provides a natural buffer for this type of facility. That is another consideration for having that location.

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

The City Attorney stated that there was some discussion regarding the Annexation Agreement and the landscaping requirement. This should not be a consideration with regard to this rezoning request. That testimony should be ignored. This was noticed for a Final Plat and Rezone consideration.

The Assistant Planning and Building Director appeared to clarify that the Annexation Agreement that was discussed was an Annexation Agreement and Final Plat that was approved in 2010. The Final Plat was never recorded, but the Annexation Agreement was signed and recorded. That Annexation Agreement and Final Plat applies to this site and the land to the west. The landscaping requirement discussion would better be handled at a Council Work Session, as it would require amending an existing document.

Councilmember Parry requested the Assistant Planning and Building Director to convince her that an I & M-1 use should be placed in a very much designated Greenbelt mixed use.

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Councilmember Lehto stated that the Planning Commission unanimously recommended the rezone from CC-1 to I & M-1. That was a compelling argument for this rezone to be approved. He stated, further, that I & M-1 Zoning already exists in this area. The Planning Commission might have wanted to see this area developed, and this Indoor Shooting Range might jump-start that development.

Councilmember Parry stated that she wanted the City Council to be aware of other uses that are allowed within the I & M-1 Zone. Some of those uses are: Sexually oriented businesses, railroad right-of-way yards, bus terminals, maintenance yards, motor freight terminals, research laboratories, contract construction services, correctional institutions. She stated that the Greenbelt mixed use area needed to be protected.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to accept the Final Plat for Utah Avenue Overlook, 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 Cornwell  
Councilmember Taylor  
Councilmember Lehto  
Councilmember Hardcastle

Nay: Councilmember Parry

Motion Carried.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the rezone from CC-1 to I & M-1 for Lot 1, Block 1, Utah Avenue Overlook, Division No. 1, and that the City Planner be instructed to reflect the zoning change on the official maps in the Planning Office. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: Councilmember Parry

Motion Carried.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Hardcastle, that the meeting adjourn at 10:00 p.m.

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CITY CLERK

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MAYOR

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