

SEPTEMBER 26, 2013

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 26, 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 Ken Taylor
Councilmember Ida Hardcastle
Councilmember Karen Cornwell
Councilmember Sharon D. Parry

Absent was:

Councilmember Michael Lehto
Councilmember Thomas Hally

Also present:

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

Mayor Fuhriman requested Boy Scout Chad Zohner to lead those present in the Pledge of Allegiance.

Fire Chief Dean Ellis appeared to present an Award to Dr. Jeff Keller for having been the Medical Director for the Ambulance Service for 25 years. Dr. Keller is now retiring. The Mayor and City Council honored Dr. Keller by providing a plaque with the following inscription:

Dr. Jeff Keller, Medical Director – August 1988 to September 2013

The City of Idaho Falls and Bonneville County recognize your 25 years of dedicated service as the Medical Director for the Idaho Falls Fire Department Ambulance Service. You have been very instrumental in keeping the personnel trained and current with their certifications and helping them maintain the professionalism that the Idaho Falls Fire Department strives to maintain daily. You will be missed, but never forgotten and will always be part of the Idaho Falls Fire Department.

Dr. Keller introduced his wife and mother. He stated that Dr. Jerry Smedley will be taking his place as the Medical Director for the City of Idaho Falls and Bonneville County. He stated, further, that this was the single best job that he has ever had.

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

Chris Diele, appeared to share the information again regarding the bear attack that he endured in Alaska (that bear spray does not deter a charging bear), non-legalization of marijuana as it is a major health issue (and should not be legalized), and Alcoholics Anonymous being court ordered for decades (and has not diminished drunk driving). The public should take a closer look at Alcoholics Anonymous, as they will find that the absolutism is not a method to have a greater relationship with God. He was hoping that the meeting would be live streamed this evening, so that he could put his word out to the public.

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CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the August 22, 2013 Regular Council Meeting, the August 27, 2013 Council Work Session, and the September 12, 2013 Council Work Session.

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 September 26, 2013.

The Public Works Director submitted the following memos:

City of Idaho Falls
September 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: AUTHORIZATION TO REQUEST STATEMENTS OF QUALIFICATIONS – SANITATION DEPARTMENT AUTO-LOADING ANALYSIS AND RATE STUDY

Public Works requests authorization to advertise to Request Statements of Qualifications to provide professional services for developing an Auto-Loading analysis for City garbage pickup and also for developing a 5-year user rate study.

s/ Chris H. Fredericksen

City of Idaho Falls
September 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – LAND BANK BRIDGE DECK REPLACEMENT

Public Works requests authorization to advertise to receive bids for the Land Bank Bridge Deck Replacement Project.

s/ Chris H. Fredericksen

City of Idaho Falls
September 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: AUTHORIZATION TO REQUEST STATEMENTS OF QUALIFICATIONS – WATER SYSTEM FACILITY PLAN

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Public Works requests authorization to advertise to Request Statements of Qualifications to provide engineering services for developing a Water System Facility Plan. The Water System Facility Plan will also include a 5-year user rate analysis.

s/ Chris H. Fredericksen

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

Aye: Councilmember Hardcastle
Councilmember Parry
Councilmember Taylor
Councilmember Cornwell

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Airport Director submitted the following memos:

City of Idaho Falls
September 26, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig H. Davis, Airport Director
SUBJECT: AMENDMENT TO AIRPORT LEASE AGREEMENT

Attached for your consideration is an Amendment to Airport Lease Agreement by and between the City of Idaho Falls and Robert A. Hoff DBA Rainbow Investments.

Randy Fife, City Attorney, has prepared and approved said Lease Agreement.

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

s/ Craig H. Davis

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the Amendment to the Airport Lease Agreement between the City of Idaho Falls and Robert A. Hoff DBA Rainbow Investments and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Parry

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Councilmember Taylor
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
September 26, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig H. Davis, Airport Director
SUBJECT: AIRPORT TERMINAL EXPANSION – CHANGE ORDERS NO.
1 AND 2

Attached is Change Order No. 1 and No. 2 for the Terminal Expansion Project. These Change Orders increase the total project cost by \$10,814.00 due to work items needed that were not addressed in the original contract. The project funding agency (FAA) has reviewed and approved these change orders.

The Airport Division respectfully requests City Council to approve these Change Orders.

s/ Craig H. Davis

The Airport Director appeared to state that the Airport Terminal Expansion Project is approximately one week ahead of schedule. They have poured the slab and are putting block up as of yesterday. The Change Orders cover items that were not in the contract documents. As the contractor was excavating for footings, they found concrete pillars that needed to be removed.

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve Change Order No. 1 and Change Order No. 2 to Barry Hayes Construction, LLC for the Airport Terminal Expansion Project in the total amount of \$10,814.00 and, further, request 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

Nay: None

Motion Carried.

The Human Resources Director submitted the following memo:

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City of Idaho Falls
September 26, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: April Collier, Human Resources Director
SUBJECT: PREMIUM ONLY PLAN – EMPLOYEE PAYROLL DEDUCTIONS

It is respectfully requested the Council authorize the Mayor to sign the City of Idaho Falls Premium Only Plan 1) Adoption Agreement, and 2) Summary Plan Document. By signing these documents, the City will be establishing an IRS Code Section 125 Premium Only Plan that permits the City to take pre-tax deductions from employee paychecks to cover the employee share of premiums for the City's group health insurance plan. Attached for your consideration are the documents which will take effect October 1, 2013. These documents have been reviewed by the City's Legal Counsel.

s/ April Collier

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to approve the City of Idaho Falls Premium Only Plan Adoption Agreement and Summary Plan Document and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hardcastle
Councilmember Cornwell
Councilmember Parry

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
September 23, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: AWARD BID FOR FY2014 LINE CLEARANCE PROJECT

Attached for your consideration is the bid tabulation for the FY2014 Line Clearance Project. The sole bid received was from Davey Tree Surgery Company. This is the same company who has subcontracted this work for the last several years.

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Idaho Falls Power staff has been very pleased with the work done by Davey Tree. We continue to realize reduction in vegetation related outages due to the proactive line clearance practices.

Idaho Falls Power respectfully recommends that City Council award the bid to Davey Tree Surgery Company for a not to exceed amount of \$325,000.00 and an expiration date of October 31, 2014.

s/ Jackie Flowers

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to accept the low bid provided by Davey Tree Surgery Company for a not to exceed amount of \$325,000.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Cornwell
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
September 19, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-14-A, HAUL AND SPREAD SEWER SLUDGE (PIGGYBACK CITY OF IDAHO FALLS BID IF-13-02)

It is the recommendation of Municipal Services and Public Works to piggyback the City of Idaho Falls Bid IF-13-02 from Rhodehouse Construction to haul and spread sewer sludge. Rhodehouse Construction has agreed to honor the original bid amount of \$1.45 per kilo gallon which equals approximately \$250,000.00. This service will be for the period beginning October 1, 2013 and ending September 30, 2014.

s/ S. Craig Lords

Councilmember Parry questioned whether this project needed to be re-bid. The General Services Administrator appeared to explain that Rhodehouse Construction was the low bid last year, and they agreed to the same price for this year's project. She explained, further, that the State Law allows the City to piggyback the City's own bids if it is advantageous to the City. The Public Works Director appeared to state that when this was bid before, this was a good bid and good service was provided for this project. Through the discussion regarding this work, it was felt that there would be a benefit to piggybacking this project. Further, the Public Works Contracts fall under a different statute in State Law.

SEPTEMBER 26, 2013

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the recommendation from the Municipal Services Director to piggyback the City of Idaho Falls Bid IF-13-02 from Rhodehouse Construction to haul and spread sewer sludge in the original bid amount of \$1.45 per kilo gallon which equals approximately \$250,000.00, for the period of October 1, 2013 through September 30, 2014. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Cornwell
Councilmember Hardcastle

Nay: Councilmember Parry

Motion Carried.

City of Idaho Falls
September 23, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PLACEMENT OF WORKER'S COMPENSATION THIRD-PARTY ADMINISTRATOR AT OCTOBER 1, 2013

It is respectfully requested that the Mayor and Council authorize placement of a Service Agreement with Intermountain Claims as our Third-Party Administrator for Worker's Compensation Claims. The fee for this contract is \$55,068.00. This is an increase of three percent, or \$1,608.00 over the previous year.

s/ S. Craig Lords

Councilmember Taylor stated that he discussed this with the Municipal Services Director. The Municipal Services Director explained that changing the provider for Worker's Compensation Claims would be quite disruptive, and recommended that the City remain with Intermountain Claims as the City's Third-Party Administrator for Worker's Compensation Claims. It was moved by Councilmember Taylor, seconded by Councilmember Parry, to authorize placement of a Service Agreement with Intermountain Claims to be the Third-Party Administrator for Worker's Compensation Claims in the amount of \$55,068.00. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Parry
Councilmember Taylor
Councilmember Cornwell

Nay: None

Motion Carried.

SEPTEMBER 26, 2013

The Planning and Building Director submitted the following memos:

City of Idaho Falls
September 20, 2013

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: FINDINGS OF FACT – PLANNED UNIT DEVELOPMENT, LOT 53,
BLOCK 11, ST. CLAIR ESTATES ADDITION, DIVISION NO. 13,
2ND AMENDED

Attached is the Findings of Fact, Conclusions of Law, and Decision for the Planned Unit Development for a medical and dental office on Lot 53, Block 11, St. Clair Estates, Division No. 13, 2nd Amended. These findings have been reviewed by the City Attorney's Office. The Division respectfully requests approval of this document.

s/ Renee R. Magee

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Findings of Fact, Conclusions of Law, and Decision for the Planned Unit Development for a Medical and Dental Office located on Lot 53, Block 11, St. Clair Estates Addition, Division No. 13, 2nd Amended 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

Nay: None

Motion Carried.

City of Idaho Falls
September 20, 2013

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: FINDINGS OF FACT – LOT 1, BLOCK 1, UTAH AVENUE
OVERLOOK, DIVISION NO. 1

Attached is the Findings of Fact, Conclusions of Law, and Decision for the request to rezone Lot 1, Block 1, Utah Avenue Overlook, Division No. 1, from CC-1 to I & M-1. These findings have been reviewed by the City Attorney's Office. The Division respectfully requests approval of this document.

s/ Renee R. Magee

SEPTEMBER 26, 2013

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Findings of Fact, Conclusions of Law, and Decision for the request to rezone Lot 1, Block 1, Utah Avenue Overlook, Division No. 1 from CC-1 to I & M-1 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

Nay: None

Motion Carried.

City of Idaho Falls
September 20, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: RESOLUTION INCREASING FEES FOR LAND USE APPLICATIONS

Attached is the Resolution setting the fees for land use applications. These fees were the subject of a public hearing on August 22, 2013. Although the fees were approved by the Council after the public hearing, the Zoning Ordinance requires fees to be set by Resolution. The Division respectfully requests approval of this Resolution.

s/ Renee R. Magee

RESOLUTION NO. 2013-17

WHEREAS, the Mayor and Council of the City of Idaho Falls held a public hearing on fee increases for land use applications on August 22, 2013; and,

WHEREAS, the Council, following such public hearing, approved the proposed fee increases for Fiscal Year 2013-2014; and,

WHEREAS, the Council wishes to apportion the costs of processing land use applications in an equitable manner by recovering such costs as advertising, a portion of staff salaries and benefits, and credit card charges;

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

1. **Establishment of Fees.** The following fees are hereby established for Land Use Applications:

SEPTEMBER 26, 2013

Land Use Application	Fee
Variance	\$350.00
Rezoning	\$550.00
Planned Transition Application	\$550.00
Comprehensive Plan Amendment	\$250.00
Conditional Use Permit (Either PC or Council)	\$225.00
Conditional Use Permit (Both PC and Council)	\$325.00
RSC-1 Site Plan Review	\$150.00

2. **Effective Date.** This Resolution shall be effective on or after October 1, 2013.

DATED this 30th day of September, 2013.

s/ Jared D. Fuhriman
Mayor Jared D. Fuhriman

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Resolution increasing fees for Land Use Applications and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Taylor
 Councilmember Hardcastle
 Councilmember Cornwell
 Councilmember Parry

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, that the meeting adjourn at 8:00 p.m.

CITY CLERK

MAYOR
