

**NOVEMBER 14, 2013**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, November 14, 2013, at 7:30 p.m. in the Council Chambers located in the City Annex Building at 680 Park Avenue in Idaho Falls, Idaho.

There were present:

Mayor ProTem Ida Hardcastle  
Councilmember Michael Lehto  
Councilmember Ken Taylor  
Councilmember Karen Cornwell  
Councilmember Thomas Hally  
Councilmember Sharon D. Parry

Also present:

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

Mayor ProTem Hardcastle requested Student Nicholas Cousino to lead those present in the Pledge of Allegiance.

Mayor ProTem Hardcastle requested those to come forward who had items for the City Council. No one appeared.

**CONSENT AGENDA ITEMS**

Mayor ProTem Hardcastle stated that Mayor Fuhrman requested Council Confirmation for the Appointment of Craig Rockwood to serve as the Municipal Services Director; for Renee R. Magee to serve on the Idaho Falls Historic Preservation Commission (Term to Expire on December 31, 2016); and, Councilmember Karen Cornwell to serve on the Snake River Animal Shelter Review Committee.

The City Clerk requested approval of the Minutes from the October 24, 2013 Council Work Session, and the October 24, 2013 Regular Council Meeting.

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

The City Clerk presented the following Expenditure Summary dated October 1, 2013 through October 31, 2013, after having been audited by the Fiscal Committee and paid by the Controller:

<b>FUND</b>	<b>TOTAL EXPENDITURE</b>
General Fund	\$ 1,319,607.56
Street Fund	193,464.72
Recreation Fund	39,460.48
Library Fund	144,737.39
Municipal Equipment Replacement Fund	174,122.03
Electric Light Public Purpose Fund	25,491.30
Business Improvement District Fund	11,400.00
Golf Fund	31,403.18
Self-Insurance Fund	82,038.07
Municipal Capital Improvement Fund	405,598.10

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Street Capital Improvement Fund	280,824.15
Bridge and Arterial Street Fund	17,086.20
Airport Fund	412,735.35
Water and Sewer Fund	2,261,603.71
Sanitation Fund	17,519.35
Ambulance Fund	6,254.57
Electric Light Fund	3,733,629.82
Payroll Liability Fund	2,708,410.43
<b>TOTALS</b>	<b>\$11,865,386.41</b>

The City Clerk requested approval of the Monthly Treasurer's Report for the month of October, 2013, as follows:

City of Idaho Falls  
October 2013

Dear Mayor and City Council Members:

Attached please find the City of Idaho Falls, Idaho, Monthly Treasurer's Report for the above referenced month, as required by Idaho Code Section 50-208.

This report was filed in the City Clerk's Office on or before the 10<sup>th</sup> day from the end of the month of the Report.

OATH

I, Craig Rockwood, the City of Idaho Falls Treasurer, do hereby affirm that this City of Idaho Falls, Idaho, Monthly Treasurer's Report is true and accurate to the best of my knowledge and that it shows the state of the City Treasury as of the date of this Report and the balance of money in the City Treasury, all as required by Idaho Code Section 50-208. (Full Report on File in the City Clerk's Office.)

s/ Craig Rockwood  
Craig Rockwood

November 8, 2013  
Date Signed

ACKNOWLEDGEMENT

STATE OF IDAHO            )  
  ) ss.  
County of Bonneville    )

On this 8<sup>th</sup> day of November, 2013, before me, the undersigned, a Notary Public for Idaho, personally appeared CRAIG ROCKWOOD known to me to be the Treasurer of the City of Idaho Falls, the municipal corporation that executed the foregoing document and acknowledged to that such City executed the same.

(SEAL)

s/ Kathy Hampton  
Notary Public for Idaho  
Residing at Idaho Falls, Idaho  
My Commission Expires: 01-03-2014

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The City Clerk presented several license applications, including BEER LICENSES to Blue Wave LLC, Boozer Quick Stop, Fat Smitty's LLC, Ford's Bar/JKP Inc., Hotel on the Falls, Idaho Brewing Company, Miss Kim's Place, Skyline Lanes, and Snow Eagle Brewing and Grill, all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on November 14, 2013.

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 Hally  
Councilmember Hardcastle  
Councilmember Parry  
Councilmember Lehto  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

The Fire Chief submitted the following memo:

City of Idaho Falls  
November 13, 2013

MEMORANDUM

TO: Mayor Jared Fuhriman and City Council  
FROM: Dean Ellis, Fire Chief  
SUBJECT: RATIFICATION OF NEW HIRES

The Fire Chief respectfully requests ratification from the Mayor and Council of three new full-time firefighters to be hired. This was discussed at the Council Work Session on October 24, 2013 with approval given to the Fire Chief.

s/ Dean Ellis

Councilmember Parry questioned whether the new hires were going to be two firefighters and one EMS person.

Brad Pettingill, Fire Division Chief, appeared to state that the EMS person would normally come out of the Bonneville County Budget. As budgets have been set, it was his understanding that all three firefighters would be coming out of the Overtime Budget for the Fire Department.

Following a discussion as to how many firefighters were recommended to be hired, it was determined from reading the October 24, 2013 Council Work Session Minutes, that three firefighters were to be hired from the Overtime Budget of the Fire Department.

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It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to ratify the decision for the hiring of three new full-time firefighters at the Idaho Falls Fire Department. Roll call as follows:

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

Nay: Councilmember Parry

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
November 4, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PURCHASE FORKLIFT TRUCK – STATE OF IDAHO BID

It is the recommendation of Municipal Services and Public Works Divisions to purchase a New 8,000 Pound Forklift Truck from Arnold Machinery Company as per the State of Idaho Transportation Bid No. PO005052/M004040.

They would furnish a New 2013 Hyster Forklift, Model No. H80FT for a lump sum total of \$51,500.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to accept the recommendation from the Municipal Services and Public Works Divisions to purchase a New 2013 Hyster Forklift, Model No. H80FT from Arnold Machinery Company per the State of Idaho Transportation Bid No. PO005052/M004040 for a lump sum total of \$51,500.00. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls  
November 5, 2013

MEMORANDUM

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

Attached for your consideration is the proposed Lease between the City of Idaho Falls and Nanosteel Company for City-owned property located at 310 D Street, Idaho Falls, ID. It is not anticipated that the property will be needed for public purposes during the term of this agreement.

Municipal Services respectfully requests that the Council approve said Lease Agreement and authorize the Mayor to execute the documents.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to approve the Lease Agreement between the City of Idaho Falls and Nanosteel Company for City-owned property located at 310 D Street and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls  
November 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Greg A. Weitzel, Parks and Recreation Director  
SUBJECT: BID AWARD – RENOVATION OF WES DEIST AQUATIC CENTER

In October, 2013, bids were received and opened for renovations of Wes Deist Aquatic Center. Vern Clark and Sons Construction Company was selected by Alderson Karst and Mitro Architects, P. A. after reviewing three (3) submitted bids.

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The Division of Parks and Recreation recommends approval of the contract awarded to the lowest, responsible bidder, Vern Clark and Sons Construction Company in the amount of \$76,900.00 and requests authorization for the Mayor and City Clerk to sign the contract documents.

s/ Greg A. Weitzel

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to accept the lowest responsive, responsible bid submitted by Vern Clark and Sons Construction Company in the amount of \$76,900.00 to complete the renovation of the Wes Deist Aquatic Center and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
November 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Greg A. Weitzel, Parks and Recreation Director  
SUBJECT: FY 2014 PROPOSED INCREASE OF GOLF FEES

The Parks and Recreation Division respectfully requests Mayor and City Council approval of the attached 2013-2014 Proposed New Golf Fee Increases to be advertised in the November 16 and November 23, 2013 Post Register as required by Idaho Code.

s/ Greg A. Weitzel

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the City of Idaho Falls proposes to impose the following new fees and fee increases greater than 105% of such fees collected in Fiscal Year 2013-2014. The additional fees are necessary to cover increased costs associated with the Parks and Recreation Division in the City of Idaho Falls.

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<b>Source of Fees</b>	<b>Current Fees</b>	<b>Proposed New Fees</b>
<b>PARKS AND RECREATION:</b>		
<b>Non-Resident Green Fees:</b>		
Weekday: 9 Holes	\$18.00	\$18.50
Weekday: 18 Holes	\$25.00	\$25.75
Weekend: 9 Holes	\$19.00	\$19.50
Weekend: 18 Holes	\$26.00	\$26.75
Out-Of-State: 9 Holes	\$28.00	\$19.50
Out-Of-State: 18 Holes	\$35.00	\$35.00
<b>Resident Green Fees:</b>		
Weekday: 9 Holes	\$15.00	\$15.50
Weekday: 18 Holes	\$22.00	\$22.75
Weekend: 9 Holes	\$16.00	\$16.50
Weekend: 18 Holes	\$23.00	\$23.75
<b>Make-Up Green Fees:</b>		
Make-Up One	\$7.00	\$7.25
*All Season Pass Categories, except for the Junior (Age 17-Under) Passes will be subject to a \$1.00 per round USER FEE. Pass Holders will have the option to avoid this per round USER FEE by paying an annual User Fee of \$60.00 per Pass Holder.		
<b>Resident Punch Passes:</b>		
10-18 Hole Punch	\$200.00	\$209.25
10-9 Hole Punch	\$137.00	\$143.84
20-18 Hole Punch	.00	\$395.25
20-9 Hole Punch	.00	\$272.00
<b>Non-Resident Punch Passes:</b>		
10-18 Hole Punch	\$227.00	\$236.25
10-9 Hole Punch	\$164.00	\$171.00
20-18 Hole Punch	.00	\$446.25
20-9 Hole Punch	.00	\$323.00
<b>Lockers:</b>		
Lockers Yearly Fee	\$13.25	\$13.71
<b>Cart Usage Fees:</b>		
Yearly Fee	\$184.00	\$190.44
<b>Golf Cart Rentals:</b>		
Daily Rental 18 Holes	\$11.50	\$12.00
<b>PUBLIC WORKS:</b>		
<b>Sidewalk Hail, Snow, Sleet and Ice Removal Ordinance:</b>		
First 24-hour period of violation	\$ .00	\$50.00
Second 24-hour period of violation	\$ .00	\$75.00
Third 24-hour period of violation	\$ .00	\$100.00
For violation of Idaho Falls City Code Section 8-10-9	\$ .00	\$50.00

Any person who desires to provide comments regarding such new fee or fee increases may appear at 7:30 p.m. on November 26, 2013, at the City of Idaho Falls Council Chambers, 680 Park Avenue, Idaho Falls, Idaho.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

Publish: November 16, 2013 and November 23, 2013

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Councilmember Hally stated that the City of Idaho Falls has a Golf Advisory Board that includes citizens throughout the community that have studied the Golf 5-Year Business Plan. The new fee schedule is representative of the Golf Advisory Board's input.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the publication of the proposed new golf fees and golf fee increases on November 16 and 23, 2013 in the Post Register as required by Idaho Code and, further, that the public hearing for consideration of these fees be conducted on November 26, 2013 as requested. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
November 11, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Greg A. Weitzel, Parks and Recreation Director  
SUBJECT: AGREEMENT – COMMERCIAL WATERCRAFT CONCESSION

The Parks and Recreation Division respectfully requests authorization to enter into an Agreement with Mr. Mike Melville for the purpose of permitting a non-exclusive commercial watercraft concession. The Agreement is set to commence January 1, 2014 and expire on December 31, 2014. During this time, the concessionaire will maintain all appropriate licenses and authorizations required under the agreement.

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

s/ Greg W. Weitzel

Mike Melville appeared to express his appreciation for the City Council approving this Agreement for his work with the Combat Veterans through the Veterans Administration.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Commercial Watercraft Concession Agreement between the City of Idaho Falls and Michael W. Melville and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Hardcastle  
Councilmember Parry

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Councilmember Lehto  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Motion Carried.

The Planning and Building Director/Idaho Falls Redevelopment Agency submitted the following memo:

City of Idaho Falls  
November 2, 2013

MEMORANDUM

TO: Mayor and City Council  
FROM: Renee R. Magee, Executive Director  
SUBJECT: DECLARATION OF PARKING AND ACCESS EASEMENT – A PORTION OF LOT 2, BLOCK 1, EAGLE ROCK CROSSING SUBSTATION

Attached is a Declaration of Parking and Access Easement for the eastern portion of Lot 2, Block 1, Eagle Rock Crossing Subdivision. This Agreement expands the existing city easement created in 1993 and clarifies the owner of the Marriott Inn will be responsible for maintenance. This agreement was negotiated by the Agency as a part of the assistance package in the redevelopment of the site. The Agency respectfully requests approval of this Parking and Access Easement Agreement.

s/ Renee R. Magee

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Declaration of Parking and Access Easement Agreement for the eastern portion of Lot 2, Block 1, Eagle Rock Crossing Subdivision between the City of Idaho Falls and Bienvenidos, LLC 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

Abstain: Councilmember Hally (As he is a member of the Idaho Falls Redevelopment Agency)

Motion Carried.

The Public Works Director submitted the following memos:

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City of Idaho Falls  
November 8, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: ALLEY VACATION REQUEST – ALLEY BETWEEN ELVA STREET  
AND POULSON STREET, ADJACENT LOTS 12, 13 AND 36, 37  
OF BLOCK 15, MAYFLOWER ADDITION

As earlier authorized, the City Attorney has prepared the attached documents to vacate an alley between Lots 12, 13 and 36, 37 of Block 15, in the Mayflower Addition.

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

s/ Chris H. Fredericksen

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

**ORDINANCE NO. 2933**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATION OF A PUBLIC RIGHT-OF-WAY/ALLEY LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED RIGHT-OF-WAY/ALLEY SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be 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. Further, the numbering within the Ordinance needs to be corrected. Roll call as follows:

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

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Nay: None

Motion Carried.

City of Idaho Falls  
November 8, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT STATE/LOCAL  
CONSTRUCTION AGREEMENT AMENDMENT – PANCHERI  
DRIVE BRIDGE OVER EAST LATERAL CANAL

Attached is a State/Local Construction Agreement Amendment with the Idaho Transportation Department with respect to Pancheri Drive Bridge over East Lateral Canal Project. This Agreement Amendment allows the City to administer the construction contract and seek reimbursement for the project construction oversight. This Agreement Amendment has been reviewed by the City Attorney.

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

s/ Chris H. Fredericksen

**RESOLUTION NO. 2013-18**

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Addendum to the State Local Agreement for construction of Pancheri Bridge over the East Lateral Canal; and,

WHEREAS, the STATE is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and,

WHEREAS, certain functions to be performed by the STATE involve the expenditure of funds as set forth in the Agreement; and,

WHEREAS, the STATE can only pay for work associated with the State Highway System; and,

WHEREAS, the CITY is fully responsible for its share of project costs;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Highway Project A012(472) is hereby approved.

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2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.

3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on November 14, 2013.

s/ Rosemarie Anderson  
City Clerk

(SEAL)

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the State/Local Construction Agreement Amendment with the Idaho Transportation Department for the Pancheri Drive Bridge over East Lateral Canal Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
November 8, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH FORSGREN ASSOCIATES, INC. – PANCHERI DRIVE OVER EAST LATERAL CANAL

Attached is a Professional Services Agreement with Forsgren Associates, Inc. with respect to Pancheri Drive Bridge over East Lateral Canal Project. Under the Agreement, Forsgren Associates will perform Construction Engineer of Record Services for a not-to-exceed amount of \$14,000.00. The City will be responsible for 7.34% of this amount. This Agreement has been reviewed by the City Attorney.

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

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Professional Services Agreement with Forsgren Associates, Inc. for the Pancheri Drive Bridge over East Lateral Canal Project for a not-to-exceed amount of \$14,000.00 (City participation – 7.34%) and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
November 8, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH MATERIALS TESTING AND INSPECTION – PANCHERI DRIVE BRIDGE OVER EAST LATERAL CANAL

Attached is a Professional Services Agreement with Materials Testing and Inspection (MTI), with respect to Pancheri Drive Bridge over East Lateral Canal Project. Under the Agreement, MTI will provide construction sampling and testing services as necessary for a not-to-exceed amount of \$20,000.00. The City will be responsible for 7.34% of this amount. This Agreement has been reviewed by the City Attorney.

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

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Professional Services Agreement with Materials Testing and Inspection (MTI) for the Pancheri Drive Bridge over East Lateral Canal Project for a not-to-exceed amount of \$20,000.00 (City participation – 7.34%) and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
November 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: PROFESSIONAL SERVICES SUPPLEMENTAL AGREEMENT  
WITH SIX MILE ENGINEERING – PANCHERI DRIVE, BELLIN  
ROAD TO SKYLINE DRIVE

Attached is a Supplemental Agreement with Six Mile Engineering for the Pancheri Drive, Bellin Road to Skyline Drive Project. The supplemental is for changes to the scope of work for the project, including additional geotechnical investigations and design work related to retaining walls, roadway geometry design changes, and the addition of a formal public hearing. The total not-to-exceed compensation for this supplemental is \$87,700.00. The City will be responsible for 7.34% of this amount. This Agreement has been reviewed by the City Attorney.

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

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Professional Services Supplemental Agreement with Six Mile Engineering for the Pancheri Drive, Bellin Road to Skyline Drive Project in the amount of \$87,700.00 (City participation – 7.34%) and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

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Motion Carried.

The memo from the Public Works Director regarding the Idaho Transportation Department State/Local Agreement – Old Butte Road, Pancheri Drive to Pioneer Road was withdrawn by the Division Director.

City of Idaho Falls  
November 8, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: ORDINANCE REVISION TO TITLE 8, CHAPTER 10,  
MAINTENANCE AND CONSTRUCTION OF SIDEWALKS AND  
CURBS, REQUIRING REMOVAL OF HAIL, SNOW, SLEET  
AND/OR ICE FROM SIDEWALKS

Attached is a proposed Ordinance Revision written by the City Attorney, which establishes an infraction for placing hail, snow, sleet and/or ice within a public way and for failure to remove hail, snow, sleet and/or ice from sidewalks adjacent to a City street within a 24-hour period following a precipitation event.

Public Works recommends adoption of this Ordinance Revision and authorization for the Mayor and City Clerk to sign the documents.

s/ Chris H. Fredericksen

The Public Works Director appeared to state that this Ordinance Revision gives the City better control over implementation of removal of snow on City sidewalks. The existing Ordinance does not address this issue in a meaningful manner. At the present time, the City is required to notify the property owner by certified, return receipt requested mail, giving them 20 days to correct a problem. If the property owner has not taken care of the problem, then the City may order that such work be accomplished and the costs thereof be assessed against the real property adjacent to such sidewalk and curb and gutter. This Ordinance Revision will provide an opportunity to review sidewalks, based upon complaints. After a snow event has ceased, within 24 hours, the City then has the ability to issue an infraction against the property owner for not removing the hail, snow, sleet and/or ice. For a violation of Idaho Falls City Code Section 8-10-8, the following fines would be imposed:

First twenty-four (24) hour period of violation – Fifty Dollars (\$50.00)  
Second twenty-four (24) hour period of violation – Seventy-Five Dollars (\$75.00)  
Third twenty-four (24) hour period of violation – One Hundred Dollars (\$100.00)

And, for violation of Idaho Falls City Code Section 8-10-9, the fine would be Fifty Dollars (\$50.00).

Councilmember Lehto explained, further, that the City of Idaho Falls owns and maintains many sidewalks, and will be under the same business of removing the snow in a timely fashion.

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

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**ORDINANCE NO. 2934**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF IDAHO FALLS CITY CODE, TITLE 8, CHAPTER 10, BY AMENDING SECTION 8-10-2 AND ADDING SECTIONS 8 THROUGH 10 TO REQUIRE HAIL, SNOW, SLEET AND/OR ICE TO BE REMOVED FROM SIDEWALKS AND OTHER PUBLIC WAYS WITHIN THE CITY WITHIN TWENTY-FOUR (24) HOURS IMMEDIATELY FOLLOWING A PRECIPITATION EVENT (WITH EXCEPTIONS); PROVIDING FOR AN INFRACTION PENALTY FOR VIOLATIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be 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 Parry  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
November 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H. Fredericksen, Public Works Director  
SUBJECT: AUTHORIZATION TO ADVERTISE FEE INCREASES ASSOCIATED WITH REVISIONS TO TITLE 8, CHAPTER 10, MAINTENANCE AND CONSTRUCTION OF SIDEWALKS AND CURBS, REQUIRING REMOVAL OF HAIL, SNOW, SLEET AND/OR ICE FROM SIDEWALKS

Public Works requests authorization to advertise proposed fee increases for infractions of the aforementioned Ordinance on November 16 and November 23, 2013 with the public hearing to be conducted on November 26, 2013.

s/ Chris H. Fredericksen

**NOVEMBER 14, 2013**

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the City of Idaho Falls proposes to impose the following new fees and fee increases greater than 105% of such fees collected in Fiscal Year 2013-2014. The additional fees are necessary to cover increased costs associated with the Parks and Recreation Division in the City of Idaho Falls.

<b><u>Source of Fees</u></b>	<b><u>Current Fees</u></b>	<b><u>Proposed New Fees</u></b>
<b>PARKS AND RECREATION:</b>		
Non-Resident Green Fees:		
Weekday: 9 Holes	\$18.00	\$18.50
Weekday: 18 Holes	\$25.00	\$25.75
Weekend: 9 Holes	\$19.00	\$19.50
Weekend: 18 Holes	\$26.00	\$26.75
Out-Of-State: 9 Holes	\$28.00	\$19.50
Out-Of-State: 18 Holes	\$35.00	\$35.00
Resident Green Fees:		
Weekday: 9 Holes	\$15.00	\$15.50
Weekday: 18 Holes	\$22.00	\$22.75
Weekend: 9 Holes	\$16.00	\$16.50
Weekend: 18 Holes	\$23.00	\$23.75
Make-Up Green Fees:		
Make-Up One	\$7.00	\$7.25
*All Season Pass Categories, except for the Junior (Age 17-Under) Passes will be subject to a \$1.00 per round USER FEE. Pass Holders will have the option to avoid this per round USER FEE by paying an annual User Fee of \$60.00 per Pass Holder.		
Resident Punch Passes:		
10-18 Hole Punch	\$200.00	\$209.25
10-9 Hole Punch	\$137.00	\$143.84
20-18 Hole Punch	.00	\$395.25
20-9 Hole Punch	.00	\$272.00
Non-Resident Punch Passes:		
10-18 Hole Punch	\$227.00	\$236.25
10-9 Hole Punch	\$164.00	\$171.00
20-18 Hole Punch	.00	\$446.25
20-9 Hole Punch	.00	\$323.00
Lockers:		
Lockers Yearly Fee	\$13.25	\$13.71
Cart Usage Fees:		
Yearly Fee	\$184.00	\$190.44
Golf Cart Rentals:		
Daily Rental 18 Holes	\$11.50	\$12.00
<b>PUBLIC WORKS:</b>		
<b>Sidewalk Hail, Snow, Sleet and Ice Removal Ordinance:</b>		
First 24-hour period of violation	\$ .00	\$50.00
Second 24-hour period of violation	\$ .00	\$75.00
Third 24-hour period of violation	\$ .00	\$100.00
For violation of Idaho Falls City Code Section 8-10-9	\$ .00	\$50.00

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Any person who desires to provide comments regarding such new fee or fee increases may appear at 7:30 p.m. on November 26, 2013, at the City of Idaho Falls Council Chambers, 680 Park Avenue, Idaho Falls, Idaho.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

Publish: November 16, 2013 and November 23, 2013

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the publication of the proposed fee increases associated with revisions to Title 8, Chapter 10, Maintenance and Construction of Sidewalks and Curbs, requiring the removal of Hail, Snow, Sleet and/or Ice from Sidewalks, on November 16 and 23, 2013 in the Post Register as required by Idaho Code and, further, that the public hearing for consideration of these fees be conducted on November 26, 2013 as requested. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested to conduct a public hearing for consideration of a Conditional Use Permit for a Commercial Use in an RSC-1 Zone, on property located generally south and adjacent to Cleveland Street, east and adjacent to Holmes Avenue, east of Freeman Avenue, and legally described as Lots 20-24, Block 23, Capitol Hill Addition (390 North Holmes Avenue). At the request of Mayor ProTem Hardcastle, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
November 7, 2013

MEMORANDUM

TO: Mayor and City Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW RSC-1 USE IN AN R-3A ZONE – LOTS 20-24, BLOCK 23, CAPITAL HILL ADDITION

Attached is the application for a Conditional Use Permit to allow RSC-1 commercial uses in an R-3A Zone. The Planning Commission considered this request at its October 1, 2013 Meeting and recommended approval of the Conditional Use Permit. The staff concurs with this recommendation. This request is now being submitted to the Mayor and Council for consideration.

s/ Brad Cramer

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

- Slide 1 Vicinity Map showing surrounding zoning
- Slide 2 Aerial Photo showing the property under consideration
- Slide 3 Site Photo showing west side of building
- Slide 4 Site Photo showing north side of building
- Slide 5 Site Photo showing parking lot on east side of building
- Slide 6 Site Photo showing commercial uses on west side of Holmes Avenue
- Slide 7 Site Photo showing park and residential uses north and east of the property
- Exhibit 1 Vicinity Map
- Exhibit 2 Aerial Photo
- Exhibit 3 Planning Commission Minutes dated October 1, 2013
- Exhibit 4 Staff Report dated October 1, 2013

The Planning and Building Director stated that the Zoning Ordinance permits this request by a Conditional Use Permit with conditions that there be no substantial exterior remodeling and that the use will not disrupt the character of the zone of the surrounding uses. The application began as a Psychic Reader's Office. As staff investigated the building over the years, a number of other uses that are not typically allowed in the R-3A Zone, have been opened in that building. The applicant, during his testimony, will let the City Council know that he will be coming forward with a rezoning request for this property in the near future.

Councilmember Hardcastle requested clarification regarding the rezoning request that is to follow. If the Applicant does not come in, in the near future, to request the rezoning, then the City will initiate that process. The Planning and Building Director stated that was their intent.

Councilmember Parry requested to know what the rezoning request would be.

The Planning and Building Director stated that the rezoning request would be C-1, as that is the most prevalent zone on the west side of Holmes Avenue. The RSC-1 Zone has a minimum size requirement that this lot does not meet. The C-1 Zone allows the uses that are currently in the building and better reflects the market along Holmes Avenue. He stated, further, that the Conditional Use Permit is not doing its job along Holmes Avenue. This is the second request for a Conditional Use Permit. Businesses have come in that the City did not know about. The market is changing. The businesses going into this area are consistently in the C-1 Zone. The Comprehensive Plan states that the City should offer neighborhood services on arterial corners.

Councilmember Hardcastle stated that the public hearing is now open for public comment.

Dennis Hendricks, 390 North Holmes Avenue, appeared to state that he owns and manages the properties under consideration. In the 1950's, the properties were developed by a group of doctors. He gave a brief description of the businesses that were available at that time. As times changed, the hospitals moved locations. The doctors moved to be near the hospital. He has tried to keep professionals in these offices. With a downed economy, many of the offices were vacated. He wanted to locate an insurance office, along with a psychic/counselor in the adjacent office. He intended to request a rezoning to C-1, and until he can accomplish that, he wanted to be able to have a Conditional Use Permit, so that he can rent two offices.

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There being no further discussion either in favor of or in opposition to this Conditional Use Permit request, Mayor ProTem Hardcastle closed the public hearing.

It was moved by Councilmember Hardcastle, seconded by Councilmember Lehto, to approve the Conditional Use Permit for a Commercial Use in an RSC-1 Zone, on property located generally south and adjacent to Cleveland Street, east and adjacent to Holmes Avenue, east of Freeman Avenue, and legally described as Lots 20-24, Block 23, Capitol Hill Addition (390 North Holmes Avenue). Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Hardcastle, seconded by Councilmember Lehto, to recess the Annexation Proceedings and Conditional Use Permit for Yellowstone RV Park to the December 12, 2013 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested to conduct a public hearing for consideration of a rezoning from R-3A (Apartments and Professional Offices) with a PT-2 Overlay to C-1 (Limited Retail Business) on property located generally south of Lowe's, east and adjacent to Jennie Lee, and legally described as Lot 1, Block 1, Harman Addition (900 East 17<sup>th</sup> Street). At the request of Mayor ProTem Hardcastle, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
November 7, 2013

MEMORANDUM

TO: Mayor and City Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: REQUEST TO REZONE FROM R-3A WITH A PT-2 OVERLAY TO C-1 – LOT 1, BLOCK 1, HARMAN ADDITION

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Attached is the application to rezone Lot 1, Block 1, Harman Addition from R-3A with a PT-2 Overlay to C-1. This parcel is located on the southeast corner of 17<sup>th</sup> Street and Jennie Lee Drive. The Planning Commission considered this request at its October 1, 2013 Meeting and recommended approval of the rezoning to C-1. The staff concurs with this recommendation. This request is now being submitted to the Mayor and Council for consideration.

s/ Brad Cramer

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing area under consideration
Slide 3	Aerial Photo – Close Up
Slide 4	Future Land Use Map of the Comprehensive Plan
Slide 5	Site Photo showing north side of building
Slide 6	Site Photo showing south side of building
Slide 7	Site Photo looking east along 17 <sup>th</sup> Street
Slide 8	Site Photo looking west along 17 <sup>th</sup> Street
Exhibit 1	Vicinity Map
Exhibit 2	Aerial Photo
Exhibit 3	Planning Commission Minutes dated October 1, 2013
Exhibit 4	Staff Report dated October 1, 2013

The Planning and Building Director appeared to state that in some ways this is a housekeeping item. This is the last remaining piece of the R-3A Zone with a PT-2 Overlay. When the properties to the immediate east were rezoned to C-1 a few years ago, and the properties to the west were rezoned many years ago to C-1, it left this small island of R-3A Zone with PT-2 Overlay. Due to some interest in redeveloping the property, the owner has requested this zoning change to C-1.

Councilmember Parry questioned whether one of the access points could be closed.

The Planning and Building Director explained that if the property redevelops, then an access point could be closed, but if the owner is using the property as is, an access point could not be closed at this time. He stated, further, that Planning Department has plans in the office that would close access points.

Mayor ProTem Hardcastle opened the public hearing and invited anyone to come forward that would like to comment on this rezoning request.

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

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry to approve the rezoning from R-3A (Apartments and Professional Offices) with a PT-2 Overlay to C-1 (Limited Retail Business) on property located generally south of Lowe's, east and adjacent to Jennie Lee, and legally described as Lot 1, Block 1, Harman Addition (900 East 17<sup>th</sup> Street) and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Taylor  
Councilmember Hardcastle

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Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry

Nay:           None

Motion Carried.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Cornwell, that the meeting adjourn at 8:25 p.m.

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CITY CLERK

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MAYOR

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