

**JANUARY 23, 2014**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, January 23, 2014, 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 Rebecca L. Noah Casper  
Councilmember Michael Lehto  
Councilmember Sharon D. Parry  
Councilmember Ed Marohn  
Councilmember Dee Whittier  
Councilmember Thomas Hally  
Councilmember Barbara Ehardt

Also present:

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

Mayor Casper requested Boy Scout Kevin Anderson, to lead those present in the Pledge of Allegiance.

Mayor Casper requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda. No one appeared.

**CONSENT AGENDA ITEMS**

Mayor Casper requested Council Confirmation for the Re-Appointment of Graham Whipple to serve on the Historic Preservation Commission (Term to Expire in December 2016); the Re-Appointment of Christina Olson to serve on the Historic Preservation Commission (Term to Expire in December 2016); the Re-Appointment of Bill Combo to serve on the Parks and Recreation Commission (Term to Expire in December 2016); the Re-Appointment of Tom Hersh to serve on the Parks and Recreation Commission (Term to Expire in December 2016); the Re-Appointment of Steve Janes to serve on the Parks and Recreation Commission (Term to Expire in December 2016); the Re-Appointment of Donna Cosgrove to serve on the Planning Commission (Term to Expire on December 31, 2019); the Re-Appointment of Darren Cook to serve on the Traffic Safety Committee (Term to Expire on December 31, 2015); the Re-Appointment of Bill Skinner to serve on the Traffic Safety Committee (Term to Expire on December 31, 2015); the Re-Appointment of Bruce Lawrence to serve on the Traffic Safety Committee (Term to Expire on December 31, 2015); the Re-Appointment of Mark Reed to serve on the Traffic Safety Committee (Term to Expire on December 31, 2015); and, the Re-Appointment of Terri Gazdik to serve on the Idaho Falls Redevelopment Agency (Term to Expire on December 31, 2018).

The City Clerk requested approval of the Minutes for the January 9, 2014 Regular Council Meeting, the January 13, 2014 Executive Session, and the January 16, 2014 Council Work Session.

The City Clerk presented several license applications, including BEER LICENSES to The Brickhouse LLC, Teton Peaks Investment Company LLC, and The Homestretch LLC, all carrying the required approvals, and requested authorization to issue those licenses.

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The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on January 23, 2014.

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

Aye: Councilmember Whittier  
Councilmember Hally  
Councilmember Parry  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion Carried.

**REGULAR AGENDA**

The City Attorney submitted the following memo:

City of Idaho Falls  
December 16, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Randall D. Fife, City Attorney  
SUBJECT: ORDINANCE REPEALING IDAHO FALLS CITY CODE, TITLE 1, CHAPTER 14

Attached please find an Ordinance which, if passed, would repeal the City's current public records Ordinance (Title 1, Chapter 14). The purpose of the repeal is to support and promote the existing Idaho Public Records Law (Idaho Code Sections 9-337 through 9-350) so that the public needs to follow only one (1) process in order to obtain access to public records; to ensure that the City complies with the State's purpose and procedures; and to avoid misunderstandings, the duplication of activities, and potential discrepancies between the City Public Records Ordinance and Idaho Public Records Law.

No right of a citizen or agency will be adversely affected by the repeal of the City's Public Records Ordinance because the Idaho Public Records Law preempts the City's Public Records Ordinance where there is a difference between the two.

The City Attorney recommends repeal of Idaho Falls City Code, Title 1, Chapter 14.

s/ Randall D. Fife

Mayor Casper turned the time over to Councilmember Parry, Legal Division Liaison, for further comment. Councilmember Parry then turned the time over to the City Attorney to

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give a further explanation. He stated that it is the proposal of the legal staff to repeal the City's Public Records Ordinance (Title 1, Chapter 14) in order to support and promote the existing Idaho Public Records Law.

Mayor Casper explained the options for passing an Ordinance.

Councilmember Parry moved, and Councilmember Ehardt seconded, to approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; and, further, give authorization for the Mayor and City Clerk to sign the necessary documents.

At the request of Mayor Casper, the City Clerk read the following Ordinance by title only:

**ORDINANCE NO. 2940**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING IDAHO FALLS CITY CODE, TITLE 1, CHAPTER 14, PUBLIC RECORDS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Whittier  
Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls  
January 17, 2014

MEMORANDUM

TO: Mayor Casper and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: AUTHORIZE A JOINT OPERATION AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF IDAHO FALLS AND PACIFICORP AND APPROVE A SOLE SOURCE PROCUREMENT TO PACIFICORP FOR THE STANLEY AVENUE/HOLMES AVENUE EXTENSION

Idaho Falls Power needs to extend its distribution system to serve a new customer on Holmes Avenue. The proposed route currently has a pole

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alignment owned and occupied by PacifiCorp (doing business as Rocky Mountain Power) to serve their customers in the area. Idaho Falls Power is requesting permission to joint use poles along this alignment.

Idaho Falls Power is required to compensate PacifiCorp to accommodate the request. The cost estimate for this work is \$137,472.00. Because both PacifiCorp and Idaho Falls Power will occupy positions on the same power poles, it is highly impractical or impossible to separately bid, construct, and install each party's facilities and equipment on the other's lines or to separate the work into two separate construction contracts and mutually transfer ownership of such facilities once completed, to the other. Because the parties believe certain efficiencies and economies of scale will be realized by consolidating the work into one project, because of the need for compatibility and the uniqueness of the project, we request declaration of a "sole-source" procurement pursuant to the provisions of Idaho Code, Section 67-2808(2)(ii) and (v). PacifiCorp or its agents and Idaho Falls Power will be performing the work. The City Attorney has reviewed this request and the related documents.

In recognition of the circumstances, staff requests City Council recognize PacifiCorp as the sole source vendor for this work, that associated bidding requirements be waived and that Mayor Casper be authorized to execute the Joint Operation and Management Agreement and the Customer Requested Work Agreement.

s/ Jackie Flowers

Mayor Casper turned the time over to Councilmember Lehto, the Idaho Falls Power Liaison for further comment. Councilmember Lehto requested the City Clerk to read the memo from the Idaho Falls Power Director, as shown above.

It was moved by Councilmember Lehto, seconded by Councilmember Marohn, to recognize PacifiCorp as the sole source vendor for this work, that associated bidding requirements be waived, and to approve the Joint Operation and Management Agreement and the Customer Requested Work Agreement and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye:            Councilmember Hally  
                  Councilmember Whittier  
                  Councilmember Lehto  
                  Councilmember Ehardt  
                  Councilmember Marohn  
                  Councilmember Parry

Nay:            None

Motion Carried.

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City of Idaho Falls  
January 17, 2014

MEMORANDUM

TO: Mayor Casper and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: APPROVE NON-DISCLOSURE AGREEMENT WITH THE BUREAU OF RECLAMATION

Idaho Falls Power is named as a plan holder for Emergency Action Plans related to Grassy Lake and Island Park Dams. Bureau of Reclamation Director SLE 02-01 requires that we execute a Non-Disclosure Agreement in order to obtain copies of these plans. The attached agreement has been reviewed by the City Attorney.

Idaho Falls Power respectfully requests City Council approve the Non-Disclosure Agreement with the Bureau of Reclamation and authorize Mayor Casper to execute the document.

s/ Jackie Flowers

Mayor Casper turned the time over to Councilmember Lehto, Idaho Falls Power Liaison, for any further explanation. It was moved by Councilmember Lehto, seconded by Councilmember Parry, to approve the Non-Disclosure Agreement with the Bureau of Reclamation for Idaho Falls Power to be named as a plan holder for Emergency Action Plans related to Grassy Lake and Island Park Dams and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Whittier  
Councilmember Hally  
Councilmember Parry  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
January 17, 2014

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H Fredericksen, Public Works Director  
SUBJECT: EASEMENT VACATION REQUESTS (2) - WEST BROADWAY ADDITION

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As earlier authorized the City Attorney has prepared the attached documents to vacate two (2) utility easements within the West Broadway Addition.

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

s/ Chris H Fredericksen

Mayor Casper turned the time over to Councilmember Lehto, Public Works Liaison, for further comment. At the request of Councilmember Lehto, the City Clerk read the following Ordinance by title only:

**ORDINANCE NO. 2941**

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

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Marohn 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 Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Whittier

Nay: None

Motion Carried.

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

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**ORDINANCE NO. 2942**

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

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Marohn 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 Ehardt  
Councilmember Whittier  
Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
January 17, 2014

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H Fredericksen, Public Works Director  
SUBJECT: SETTLEMENT AGREEMENT – ST. CLAIR ESTATES ADDITION

Attached for your consideration is a Settlement Agreement with SCE Partners, LLC; Ideal Heavy Haul, Inc.; and the St. Clair Estates Homeowners Association. The Settlement Agreement sets a completion date for uncompleted public improvements associated with St. Clair Estates, Division No. 13, establishes that unpaid fees associated with St. Clair Estates, Division No. 12 will be paid no later than October 1, 2015 and various other provisions.

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

s/ Chris H Fredericksen

Mayor Casper turned the time over to Councilmember Lehto, Public Works Division Liaison, for further comment. It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the Settlement Agreement for St. Clair Estates Subdivision with SCE Partners, LLC; Ideal Heavy Haul, Inc.; and the St. Clair Estates Homeowners Association and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Ehardt  
Councilmember Marohn  
Councilmember Hally  
Councilmember Parry  
Councilmember Whittier  
Councilmember Lehto

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
January 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig Rockwood, Municipal Services Director  
SUBJECT: PURCHASE OF POLICE VEHICLES – STATE OF IDAHO BID

It is the recommendation of Municipal Services and Police to accept per the State of Idaho Bid, the bids of Goode Motor Ford of Burley, Idaho to furnish the required vehicles per the State of Idaho Bid.

Item/Quantity	Make and Model Bid	Bidder	Unit Price	Item Total
1) 1	2014 SUV, Ford Interceptor with Options	Goode Motor Ford State SBPO 1399-01	\$26,625.71	\$26,625.71
2) 1	2014 SUV, Ford Interceptor with Options	Goode Motor Ford State SBPO 1399-01	\$27,172.46	\$27,172.46
3) 5	2014 SUV, Ford Interceptor with Options	Goode Motor Ford State SBPO 1399-01	\$26,099.21	\$130,496.05
4) 3	2014 Sedan, Ford Taurus with Options	Goode Motor Ford State SBPO 1299-01	\$21,441.71	\$64,325.13
		TOTAL		\$248,619.35

s/ Craig Rockwood

Mayor Casper turned the time over to Councilmember Marohn, Municipal Services Division Liaison, for further comment. It was moved by Councilmember Marohn, seconded by Councilmember Parry, to accept the bids from Goode Motor Ford of Burley, Idaho to furnish the required police vehicles per the State of Idaho Bid, totaling \$248,619.35. Roll call as follows:

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Aye: Councilmember Lehto  
Councilmember Parry  
Councilmember Marohn  
Councilmember Whittier  
Councilmember Hally  
Councilmember Ehardt

Nay: None

Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls  
January 23, 2014

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: GRANT AWARD AND AGREEMENT FROM THE U. S.  
DEPARTMENT OF TRANSPORTATION UNDER THE SMALL  
COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM

Attached for your consideration is a Grant Award and Agreement from the U. S. Department of Transportation under the Small Community Air Service Development Program in the amount of \$500,000.00. The intended use of this grant will be a Revenue Guarantee for an Airline willing to establish a new route from Idaho Falls to an east coast hub airport. The Airport has three years to utilize this grant.

This grant represents 90.90% of the costs, with the Idaho Falls Regional Airport paying the remaining amounts.

Randy Fife, City Attorney, has reviewed said documents.

The Airport Division respectfully requests City Council acceptance and authorization for the Mayor and City Clerk to sign and execute said documents.

s/ Craig Davis

Mayor Casper turned the time over to Councilmember Whittier, Airport Division Liaison, for further comment. It was moved by Councilmember Whittier, seconded by Councilmember Parry, to accept the Grant Award and Agreement from the U. S. Department of Transportation under the Small Community Air Service Development Program in the amount of \$500,000.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Whittier

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Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: CONSENT TO ASSIGNMENT OF LEASE – OFF-AIRPORT CAR RENTAL AGREEMENT

Attached for our consideration is a Consent to Assignment of an Off-Airport Car Rental Agreement from Lewis Transportation Group, LLC, d/b/a Dollar and Thrifty Rent-A-Car and DTG Operations, Inc.

Randy Fife, City Attorney, has reviewed and prepared said Consent.

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

s/ Craig H. Davis

Mayor Casper turned the time over to Councilmember Whittier, Airport Division Liaison, for further comment. Councilmember Whittier explained that all details of the lease remain the same. This is a change of operating company only. It was moved by Councilmember Whittier, seconded by Councilmember Parry, to approve the Consent to Assignment of an Off-Airport Car Rental Agreement from Lewis Group LLC, d/b/a Dollar and Thrifty Rent-A-Car to DTG Operations, Inc. and, further give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Whittier  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn  
Councilmember Parry

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

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City of Idaho Falls  
January 16, 2014

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS – EAGLE ROCK TOWN CENTER, DIVISION NO. 1, FIRST AMENDED

Attached is the Reasoned Statement of Relevant Criteria and Standards for Eagle Rock Town Center, Division No. 1, First Amended. The Final Plat for this site was approved at the January 9, 2014 City Council Meeting, but a motion was not made to approve the findings. Staff respectfully requests the approval of this document.

s/ Brad Cramer

Mayor Casper turned the time over to Councilmember Whittier, Planning and Building Division Liaison, for further comment. Councilmember Whittier requested the Planning and Building Director to come forward. The Planning and Building Director appeared to explain that the Final Plat for Eagle Rock Town Center, Division No. 1, First Amended was approved at the January 9, 2014 Regular Council Meeting. He stated, further, that anytime the City Council makes a decision related to the Local Land Use Planning Act, the decision must be made in writing based upon a reasoned statement of relevant criteria and standards. It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Reasoned Statement of Relevant Criteria and Standards for Eagle Rock Town Center, Division No. 1, First Amended and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Whittier  
Councilmember Hally  
Councilmember Parry  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion Carried.

Mayor Casper requested Councilmember Whittier to conduct a public hearing for consideration of the Annexation of Bristol Heights Addition, Division No. 5. Mayor Casper declared the public hearing open. The Planning and Building Director appeared to provide an explanation and information regarding the annexation for Bristol Heights Addition, Division No. 5. The Planning and Building Director submitted the following memo of explanation:

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City of Idaho Falls  
January 16, 2014

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: ANNEXATION WITH INITIAL ZONING OF R-1, FINAL PLAT, AND REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS – BRISTOL HEIGHTS ADDITION, DIVISION NO. 5

Attached is the request for annexation with initial zoning of R-1 Single Family Residential and Final Plat for Bristol Heights Addition, Division No. 5. Also, attached is the Reasoned Statement of Relevant Criteria and Standards for this application. The Planning Commission considered this request at its December 10, 2013 Meeting and recommended approval with the condition that any uncompleted right-of-way on the south end of Pocono Street be developed as landscaping. The 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 annexation:

Slide 1	Vicinity Maps showing surrounding zoning
Slide 2	Aerial Photo outlining the subject property
Slide 3	Aerial Photo – Close Up
Slide 4	Aerial Photo outlining the Preliminary Plat for this parcel
Slide 5	Final Plat under consideration
Slide 6	Comprehensive Plan Future Land Use Map
Slide 7	Site Photo looking east towards future connection with Leesburg
Slide 8	Site Photo looking south towards undeveloped property
Slide 9	Site Photo showing construction west of site
Slide 10	Site Photo looking north from Talladega
Slide 11	Site Photo showing single-family homes on Silverado
Exhibit 1	Vicinity Map
Exhibit 2	Aerial Photo
Exhibit 3	Comprehensive Plan Future Land Use Map
Exhibit 4	Final Plat
Exhibit 5	Planning Commission Minutes dated December 10, 2013
Exhibit 6	Staff Report dated December 10, 2014
Exhibit 7	Reasoned Statement of Relevant Criteria and Standards

The Planning and Building Director stated that this is a Category A Annexation, which is a voluntary annexation. Property owners within 300 feet of this property are provided with a Notice of Public Hearing that this annexation is going to take place, allowing for public comment to this annexation process. This is a legislative action, where the decision that the City Council makes has broad implications. It is not a decision that is specific to a particular parcel. Although the application is for a particular parcel, the decision to annex and zone, is a decision to have these properties in the City and a

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commitment to provide services (utilities, streets, snow plowing, police and fire services). The City Council will also be deciding whether this action is in compliance with the Comprehensive Plan, and whether the annexation is reasonable and necessary for orderly growth of the City. The property is contiguous with the City of Idaho Falls. The property is currently in the County under Agricultural Zoning. The proposed R-1 Zoning is consistent with the surrounding area. A brief discussion was held regarding whether 5<sup>th</sup> West was annexed along with the parcel to be known as Bristol Heights Addition, Division No. 5. A portion of that roadway has been annexed.

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

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Annexation Agreement for Bristol Heights Addition, Division No. 5 and, further, give authorization for the Mayor and City Clerk to execute the documents. Roll call as follows:

Aye: Councilmember Ehardt  
Councilmember Marohn  
Councilmember Hally  
Councilmember Parry  
Councilmember Whittier  
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. At the request of Councilmember Whittier, the City Clerk read the following Ordinance by title:

**ORDINANCE NO. 2943**

**BRISTOL HEIGHTS ADDITION, DIVISION NO. 5**

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

Roll call as follows:

Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt

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Councilmember Hally  
Councilmember Parry  
Councilmember Whittier

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally to establish the initial zoning for Bristol Heights Addition, Division No. 5 as R-1 Single Family Residential Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Ehardt  
Councilmember Marohn  
Councilmember Hally  
Councilmember Parry  
Councilmember Whittier  
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to accept the Final Plat for Bristol Heights Addition, Division No. 5 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Parry  
Councilmember Marohn  
Councilmember Whittier  
Councilmember Hally  
Councilmember Ehardt

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Reasoned Statement of Relevant Criteria and Standards for Bristol Heights Addition, Division No. 5 and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Whittier  
Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

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Nay: None

Motion Carried.

Mayor Casper requested Councilmember Whittier to conduct a public hearing for consideration of the Annexation of Butte Arm Canal South by Carriagegate Subdivision, Metes and Bounds Legal Description, 2.512 Acres in Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian. Mayor Casper declared the public hearing open. The Planning and Building Director appeared to provide an explanation and information regarding the annexation. The Planning and Building Director submitted the following memo of explanation:

City of Idaho Falls  
January 16, 2014

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: ANNEXATION WITH INITIAL ZONING OF R-1, AND REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS, METES AND BOUNDS 2.512 ACRES OF NORTHEAST QUARTER SECTION 36, TOWNSHIP 2 NORTH, RANGE 37, EAST OF THE BOISE MERIDIAN

Attached is the request for annexation with initial zoning of R-1 Single-Family Residential of 2.512 Acres west of the Carriagegate subdivision. Also attached is the Reasoned Statement of Relevant Criteria and Standards for this application. The Planning Commission considered this request at its December 10, 2013 Meeting and recommended approval. Staff concurs with this recommendation. The 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 annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing area under consideration
Slide 3	Aerial Photo – Close Up
Slide 4	Comprehensive Plan Future Land Use Map
Slide 5	Site Photo looking southwest from Steeplechase
Exhibit 1	Vicinity Map
Exhibit 2	Aerial Photo
Exhibit 3	Comprehensive Plan Future Land Use Map
Exhibit 4	Planning Commission Minutes dated December 10, 2013
Exhibit 5	Staff Report dated December 10, 2013
Exhibit 6	Reasoned Statement of Relevant Criteria and Standards

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The Planning and Building Director stated that this is a housekeeping item for the City of Idaho Falls. He noted that there was not an Annexation Agreement associated with this Annexation. The developer for the Carriagegate subdivision discovered that he owned a little more property than he originally anticipated. This annexation is the canal bank and to the center of the canal. The property is currently in the County with Agricultural Zoning. The land to the west of this property was recently rezoned in Bonneville County to Industrial Zoning. When this action was completed, the owner discussed this with Bonneville County and then approached the City of Idaho Falls Planning and Building Division to annex this strip of land to make the land that was recently zoned Industrial contiguous to the City. The Planning and Building Director explained, further, that the recently approved Comprehensive Plan of the City of Idaho Falls has not been adopted by Bonneville County at this time. Under the current Area of Impact Memorandum of Understanding, Bonneville County is operating under the 2000 Comprehensive Plan which shows this area as Industrial without buffering. The Planning and Building Director and Applicant met with the Bonneville County Zoning Commission at their Public Hearing. Both sides came to an agreement as to how the adjoining property should be developed.

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

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. At the request of Councilmember Whittier, the City Clerk read the following Ordinance by title only:

**ORDINANCE NO. 2944**

**BUTTE ARM CANAL SOUTH OF SUNNYSIDE ROAD BY CARRIAGEGATE SUBDIVISION, METES AND BOUNDS LEGAL DESCRIPTION, 2.512 ACRES, NORTHEAST QUARTER, SECTION 36, TOWNSHIP 2 NORTH, RANGE 37, EAST OF THE BOISE MERIDIAN**

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

Roll call as follows:

Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Whittier

**JANUARY 23, 2014**

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Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to establish the initial zoning for 2.512 Acres in the Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian as R-1 Single Family Residential Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Whittier  
Councilmember Hally  
Councilmember Parry  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Reasoned Statement of Relevant Criteria and Standards for Metes and Bounds Legal Description for 2.512 Acres of the Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Whittier  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn  
Councilmember Parry

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Hally, that the meeting adjourn at 8:40 p.m.

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CITY CLERK

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MAYOR

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