

MARCH 27, 2014

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, March 27, 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. Casper
Councilmember Sharon D. Parry
Councilmember Barbara Ehardt
Councilmember Dee Whittier
Councilmember Ed Marohn
Councilmember Thomas Hally

Absent was:

Councilmember Michael Lehto

Also present:

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

Mayor Casper requested Councilmember Ed Marohn 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

The City Clerk requested approval of the Minutes for the March 10, 2014 Council Work Session, the March 13, 2014 Regular Council Meeting, and the March 14, 2014 Training/Orientation Meeting.

The City Clerk presented several license applications, 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 March 27, 2014.

The Public Works Director submitted the following items:

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – ELVA STREET STORM DRAIN REPLACEMENT, YELLOWSTONE AVENUE TO RAILROAD

Public Works requests authorization to advertise to receive bids for the Elva Street Storm Drain Replacement, Yellowstone Avenue to Railroad Project.

s/ Chris H Fredericksen

MARCH 27, 2014

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – ADA IMPROVEMENTS ON
YELLOWSTONE AVENUE AND HOLMES AVENUE (FY 15 44
RAMPS, IDAHO FALLS)

Public Works requests authorization to advertise to receive bids for the ADA Improvements on Yellowstone Avenue and Holmes Avenue Project.

s/ Chris H Fredericksen

City of Idaho Falls
March 21, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AUTHORIZATION – SOUTH TOURIST PARK OVERLAY

Public Works requests authorization to advertise to receive bids for the South Tourist Park Overlay Project.

s/ Chris H Fredericksen

The Idaho Falls Power Director submitted the following items:

City of Idaho Falls
March 20, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: CONSENT AGENDA – OLD LOWER PLANT RUNNER

Idaho Falls Power respectfully requests authorization to prequalify potential bidders for work associated with fabrication of new runners and appurtenances at the Old Lower Plant. This project is a subset of the Old Lower Plant Upgrade and Rewind Project in the Capital Improvement Plan and in the FY14 Budget.

s/ Jackie Flowers

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

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

Nay: None

Motion Carried.

REGULAR AGENDA

The Public Works Director submitted the following items:

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AWARD – SUNNYSIDE PARK TENNIS COURT
RESURFACING PROJECT

On March 19, 2014, bids were received and opened for Sunnyside Park Tennis Court Resurfacing Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, Courts Unlimited, in an amount of \$21,743.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H Fredericksen

Councilmember Hally stated that the Sunnyside Park has been renamed to the Mel Erickson Park.

It was moved by Councilmember Ehardt, seconded by Councilmember Marohn, to approve the plans and specifications for the Mel Erickson Park (Sunnyside Park) Tennis Court Resurfacing Project; award to the lowest responsive, responsible bidder, Courts Unlimited in the amount of \$21,743.00; and give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

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Nay: None

Motion Carried.

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AWARD – WATER SERVICE REPLACEMENTS, BOWER DRIVE, 16TH STREET TO 12TH STREET

On March 19, 2014, bids were received and opened for Water Service Replacements – Bower Drive, 16th Street to 12th Street Project. A tabulation of bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, 3H Construction, LLC, in an amount of \$71,120.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H Fredericksen

It was moved by Councilmember Ehardt, seconded by Councilmember Marohn, to approve the plans and specifications for the Water Service Replacements – Bower Drive, 16th Street to 12th Street Project; award to the lowest responsive, responsible bidder, 3H Construction, LLC in the amount of \$71,120.00; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: BID AWARD – SEAL COATS – 2014

On March 19, 2014, bids were received and opened for Seal Coats – 2014 Project. A tabulation of the bid results is attached.

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Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, HK Contractors, Inc. in the amount of \$150,216.16 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H Fredericksen

It was moved by Councilmember Ehardt, seconded by Councilmember Parry, to approve the plans and specifications for the Seal Coats – 2014 Project; award the bid to the lowest responsive, responsible bidder, HK Contractors, Inc. in the amount of \$150,216.16; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: AMENDMENT TO VARIABLE FREQUENCY DRIVE FEASIBILITY STUDY (TASK 7) WITH MURRAY, SMITH AND ASSOCIATES

Attached is a proposed Amendment to the existing Agreement with Murray, Smith and Associates, Inc. for a not-to-exceed amount of \$58,050.00. This Amendment covers final design activities associated with upgrading booster pumps at Well 15 with variable frequency drives. The City Attorney reviewed the original Agreement.

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

s/ Chris H Fredericksen

The Public Works Director appeared to state that this is associated with work that the Public Works Division has done in the past involving the efficiency of variable frequency drives in all of the City wells. The intent of that study was to determine efficiencies that could be gained associated with installing variable frequency drives. Currently, the pumps are either on or off. There is a great amount of energy expended when the pump turns on. The variable frequency drive will have the ability to ramp the pumps up slowly and back down to meet the pressure, as opposed to being all on or all off. This will provide for better efficiencies in maintaining pressure and will experience great power savings.

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It was moved by Councilmember Ehardt, seconded by Councilmember Marohn, to approve the Amendment to the existing Agreement with Murray, Smith and Associates, Inc. for a not-to-exceed amount of \$58,050.00, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H Fredericksen, Public Works Director
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT STATE/LOCAL
AGREEMENT – SCHOOL VICINITY ADA RAMPS, IDAHO FALLS

Attached is a State/Local Agreement with the Idaho Transportation Department and accompanying Resolution with respect to the School Vicinity ADA Ramps Project.

This Agreement requires City financial or in-kind contribution towards the entire project at a match rate of 7.36% for an estimated total of \$21,400.00. This agreement has been reviewed by the City Attorney.

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

s/ Chris H Fredericksen

RESOLUTION NO. 2014-05

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Agreement stating obligations of the STATE and the CITY OF IDAHO FALLS, hereafter called the CITY, for development and construction of school vicinity ADA Ramps; 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,

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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; and,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal-Aid Highway Project A014(352) is hereby approved.

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 at a Regular Meeting of the City Council, City of Idaho Falls, held on March 27, 2014.

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Ehardt, seconded by Councilmember Marohn, to adopt the Resolution providing for the Idaho Transportation Department State/Local Agreement for the School Vicinity ADA Ramps, Idaho Falls Project, approve the Agreement, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following items:

MARCH 27, 2014

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Rockwood, Municipal Services Director
SUBJECT: BID IF-14-11, NEW 2014 OR NEWER CAB AND CHASSIS
(ONLY) FOR USE AS A SEWER SLUDGE TRUCK

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

It is the recommendation of Municipal Services and of the Public Works Division to accept the low bid of Rush Truck Center to furnish a New 2015 International Model No. 7400 6 X 4 Cab and Chassis (Only) for a total amount of \$44,800.00 with Trade-In Unit No. 1154.

s/ Craig Rockwood

It was moved by Councilmember Marohn, seconded by Councilmember Whittier, to accept the low bid provided by Rush Truck Center to furnish a New 2015 International Model No. 7400 6 X 4 Cab and Chassis (Only) for a total amount of \$44,800.00 with Trade-In Unit No. 1154. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Rockwood, Municipal Services Director
SUBJECT: BID IF-14-15, TRAFFIC STRIPING PAINT

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

It is the recommendation of Municipal Services and of the Public Works Division to accept the sole low bid of Ennis Paint to furnish the required traffic striping paint for a lump sum total amount of \$56,495.00.

s/ Craig Rockwood

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It was moved by Councilmember Marohn, seconded by Councilmember Whittier, to accept the sole bid of Ennis Paint to furnish the required Traffic Striping Paint for a lump sum total amount of \$56,495.00. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 12, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Rockwood, Municipal Services Director
SUBJECT: CENTURLINK AIRPORT PARKING LOT LEASE

Attached for your consideration is the proposed Lease Agreement between the City of Idaho Falls and CenturyLink for City-owned property located at 1820 International Way, Idaho Falls, Idaho.

Randall Fife, City Attorney, has prepared and approved the attached Lease. It is not anticipated that the property will be needed for public purpose during the term of Agreement.

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

s/ Craig Rockwood

Councilmember Marohn explained that this is a one-year lease beginning April 1, 2014, and can be renewed on an annual basis.

It was moved by Councilmember Marohn, seconded by Councilmember Whittier, to approve the Lease Agreement between the City of Idaho Falls and CenturyLink for City-owned property located at 1820 International Way and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

MARCH 27, 2014

City of Idaho Falls
March 20, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Rockwood, Municipal Services Director
SUBJECT: HIGHLAND PARK PROPERTY DONATION

Attached for your consideration is a proposed Quitclaim Deed from Park Village Development Company and AEI, LLC, for a donation of property located in the Highland Park Addition.

Said Agreement has been prepared and approved by Randall Fife, City Attorney.

Municipal Services respectfully requests the Council approve said Quitclaim Deed and authorize the Mayor to execute the documents.

s/ Craig Rockwood

Councilmember Marohn explained that there was a small triangle of ground left out of the legal description for the North Park Village Condominium development in the early 1980's. After Richard Clayton, Sr. passed away, Julie Clayton, the estate holder was notified by Bonneville County that she was responsible for the tax assessments. It has taken two years, working with Bonneville County, for Ms. Clayton to work out the legal description for this parcel of land to donate it to the City of Idaho Falls. All taxes have been paid on this property. The City of Idaho Falls Parks and Recreation Division has maintained this property since the Condominium development has been built and it became part of Freeman Park.

It was moved by Councilmember Marohn, seconded by Councilmember Whittier, to approve the Quitclaim Deed from Park Village Development Company and AEI, LLC accepting the donation of property located in the Highland Park Addition. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 24, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Rockwood, Municipal Services Director
SUBJECT: INSURSERV PROPERTIES, LLC PARKING LOT LEASE

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Attached for your consideration is the proposed Lease Agreement between the City of Idaho Falls and INSURSERV PROPERTIES, LLC for City-owned property located at 1465 Skyline Drive (Activity Center).

Randall Fife, City Attorney, has prepared and approved the attached Lease. It is not anticipated that the property will be needed for public purpose during the term of Agreement.

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

s/ Craig Rockwood

It was moved by Councilmember Marohn, seconded by Councilmember Whittier, to approve the Lease Agreement between the City of Idaho Falls and INSURSERV PROPERTIES, LLC for City-owned property at 1465 North Skyline Drive (Activity Center), and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Memorandum from the Municipal Services Director regarding the tabulation and award of bid for Bid IF-14-05, Furnishing and Installing a Comprehensive Radio Frequency Identification (RFID) System) was withdrawn by the Division Director
The Idaho Falls Power General Manager submitted the following items:

City of Idaho Falls
March 20, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: TABULATION AND AWARD OF BID FOR THE 2014 UNDERGROUND RECONDUCTOR PROJECT

Attached for your consideration is the bid tabulation for the above referenced project. Over the past several years, Idaho Falls Power has been working to replace direct bury cable in areas where frequent outages have been experienced. This year approximately 12,757 feet of conduit and new cable will be placed in the Coachman, Hartert, and Vega Circle Subdivisions. This project is in the Capital Improvement Plan and in the FY14 budget.

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Idaho Falls Power recommends that the City Council approve the design and accept the low bid of K/M Service Company for the base bid of \$142,750.83.

s/ Jackie Flowers

It was moved by Councilmember Ehardt, seconded by Councilmember Hally, to approve the plans and specifications for the 2014 Underground Reconductor Project; to accept the low bid provided by K/M Service Company for the base bid amount of \$142,750.83; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 20, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: TABULATION AND AWARD OF BID FOR OLD LOWER PLANT
STOP LOG CONSTRUCTION

Attached for our consideration is the bid tabulation for the above-referenced project. Stop logs are steel structures used in the dewatering of the Old Lower Power Plant to facilitate upgrades at the Old Lower Power Plant. This project is a subset of the Old Lower Plant Upgrade and Rewind Project in the Capital Improvement Plan and in the FY14 budget.

Idaho Falls Power recommends that the City Council approve the design and accept the low bid of Intermountain Erectors for the base bid of \$125,848.00.

s/ Jackie Flowers

It was moved by Councilmember Ehardt, seconded by Councilmember Hally, to approve the plans and specifications for the Old Lower Plant Stop Log Construction Project; to accept the low bid submitted by Intermountain Erectors for the base bid amount of \$125,848.00; and give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Parry
Councilmember Marohn
Councilmember Whittier

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Councilmember Hally
Councilmember Ehardt

Nay: None

Motion Carried.

City of Idaho Falls
March 20, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power General Manager
SUBJECT: TABULATION AND AWARD OF BID FOR PHASE 2 OF THE
PARKING LOT RESURFACE PROJECT

Attached for your consideration is the bid tabulation for the above-referenced project. This project involves resurfacing approximately half of the parking lot/yard area at the Idaho Falls Power Administration Building. The project is in the Capital Improvement Plan and in the FY14 budget. Phase 1 was completed in 2013.

Idaho Falls Power recommends that the City Council approve the design and accept the low bid of HK Contractors, Inc. for the base bid of \$70,982.60.

s/ Jackie Flowers

It was moved by Councilmember Ehardt, seconded by Councilmember Hally, to approve the plans and specifications for Phase 2 of the Parking Lot Resurface Project; to accept the low bid submitted by HK Contractors, Inc. for the base bid amount of \$70,982.60; and give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Human Resources Director submitted the following item:

City of Idaho Falls
March 27, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: April Collier, Human Resources Director
SUBJECT: ADOPTION OF UPDATED PERSONNEL POLICY

MARCH 27, 2014

It is respectfully requested that the City Council adopt the attached Personnel Policy. This updated document improves the alignment of personnel policies with City practices, federal and local laws. This updated Personnel Policy has been reviewed with legal counsel.

s/ April Collier

It was moved by Councilmember Marohn, seconded by Councilmember Ehardt, to adopt the Updated Personnel Policy as recommended. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Casper declared the public hearing open for consideration of a request for Annexation, Initial Zoning of RMH (Residential Mobile Home), Final Plat, Annexation Agreement, Conditional Use Permit, and Reasoned Statement of Relevant Criteria and Standards for Yellowstone RV Park. At the request of Mayor Casper, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 20, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Brad Cramer, Planning and Building Director
SUBJECT: REQUEST FOR ANNEXATION, INITIAL ZONING OF RMH, FINAL PLAT, ANNEXATION AGREEMENT, CONDITIONAL USE PERMIT, AND REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS FOR YELLOWSTONE RV PARK

Attached is the application for Annexation with Initial Zoning of RMH, Final Plat, Conditional Use Permit, Annexation Agreement, and Reasoned Statement of Relevant Criteria and Standards for Yellowstone RV Park. The property is located south and adjacent to Yellowstone Highway and west of Woodruff Avenue. The Planning Commission considered this request at its September 17, 2013 Meeting and recommended approval with the conditions that the site plan be modified to better accommodate parking in the southeast corner of the site, to show the office building in compliance with setback requirements, and to modify the plat to include a 15-foot wide easement along the northern property boundary. These changes have all been made to the plans. Since the Planning Commission Meeting, the Idaho Transportation Department has submitted a letter to staff referencing their concerns about the proposed access to the site. Their letter is included with this memo. This item is now being submitted to the Mayor and Council for consideration.

s/ Brad Cramer

MARCH 27, 2014

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 outlining area under consideration
- Slide 3 Aerial Photo – Closer View
- Slide 4 Aerial Photo – Close Up
- Slide 5 Future Land Use Map of the Comprehensive Plan
- Slide 6 Final Plat under consideration
- Slide 7 Site Plan
- Slide 8 Site Photo looking south across the site
- Slide 9 Site Photo looking east along Yellowstone Avenue
- Slide 10 Site Photo looking north across property
- Slide 11 Site Photo showing site and business to the east
- Slide 12 Site Photo showing businesses to the south
- Slide 13 Site Photo showing business to the west
- Exhibit 1 Vicinity Map
- Exhibit 2 Aerial Photo
- Exhibit 3 Final Plat
- Exhibit 4 Site Plan
- Exhibit 5 Letter from Idaho Transportation Department:

Idaho Transportation Department
January 8, 2014

City of Idaho Falls
Attention: Brad Cramer
680 Park Avenue
Idaho Falls, ID 83402

RE: Public Hearing for ANNEXATION AND INITIAL ZONING
OF RMH (RESIDENTIAL MOBILE HOME), FINAL PLAT,
AND CONDITIONAL USE PERMIT FOR A TRAVEL
TRAILER COURT

Dear Mr. Cramer:

This letter is concerning the public hearing that was scheduled for November 14th, 2013 for ANNEXATION AND INITIAL ZONING OF RMH (RESIDENTIAL MOBILE HOME), FINAL PLAT, AND CONDITIONAL USE PERMIT FOR A TRAVEL TRAILER COURT better known as Yellowstone RV Park. The Idaho Transportation Department (ITD) submitted a response, outlining our concerns with the development. ITD request that letter be rescinded and replaced with this letter.

ITD has no objections to the annexation and initial zoning; however, ITD does have some concerns with the access to US 26. The current access to US 26 from this parcel was permitted in July of 1983 for use as a Mobile Home Showroom. At the time of this permit US 26 was a three lane arterial.

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Since this permit was issued, traffic volumes have significantly increased, US 26 has been widened to 5 lanes, Woodruff/St. Leon, has been re-aligned, the intersection of US 20 and St. Leon was converted to a full access interchange, and the intersection of US 26/Woodruff has been signalized.

To help preserve the highway as constructed and to protect the life and property of the traveling public, ITD would encourage access to this parcel from the local road network if possible. ITD is interested in discussing access to this parcel and the potential impacts this development would have to the traveling public.

If you have any further questions, please contact me at (208) 745-5630.

Sincerely,

s/ Ben Burke
Ben Burke, P. E.
District Six Traffic Engineer

cc: Idaho Falls City Council
Bonneville County Commissioners
Bonneville Metropolitan Planning Organization

Exhibit 6 Planning Commission Minutes dated September 17, 2013
Exhibit 7 Staff Report dated September 17, 2013
Exhibit 8 Reasoned Statement of Relevant Criteria and Standards

The Planning and Building Director requested clarification from the City Attorney regarding the Annexation Ordinance. There is no zoning designation within the Annexation Ordinance at this time. The Planning and Building Director suggested that a motion be made for that Ordinance, with the additional amendment of the Zoning Designation. The City Attorney agreed that this was a possibility, pending action from the City Council.

The Planning and Building Director explained that the access to this property is currently existing onto Yellowstone Avenue. The-+ access has been in existence for many years. According to the Idaho Transportation Department, the proposed annexation is a change of use from Mobile Home Sales to Travel Trailer Court, and the applicant must re-apply for the permit for that access. Staff is requesting that if the City Council chooses to annex this property that it be conditioned upon the ability of the applicant to acquire the access permit from ITD. Within the staff notes, it indicates that the Final Plat is in compliance with the Subdivision Ordinance. The Final Plat is in compliance at this time, should the permit be granted. The Subdivision Ordinance requires that all lots have full frontage on and access to a public street. Without the access, it no longer complies with the Subdivision Ordinance. The Conditional Use Permit is subject to a specific Site Plan. Should the access not be granted, the Site Plan is no longer valid. When a use is being approved conditionally, the terms change and will have to go back through this process. Everything on the Site Plan is in accordance with the Zoning Ordinance.

Councilmember Parry requested to know if there was any difference in the definition of a Mobile Homes Sales business and a Travel Trailer Court within the Zoning Ordinance. The Planning and Building Director explained the following definitions within the Zoning Ordinance:

8-1 **RMH RESIDENTIAL MOBILE HOME ZONE**

8-1-1 **Definitions.** For the purpose of this Article, certain terms are defined as follows:

- A. Council – City Council of Idaho Falls.
- B. Mobile Home – A manufactured relocateable single-family living unit made prior to June 15, 1976, which does not meet the Federal Manufactured Home Construction and Safety Standards.
- C. Mobile Home Court – A tract of land retained under one ownership for the purpose of lease or rental of spaces for the placement of mobile homes or manufactured homes as defined in this Ordinance.
- D. Mobile Home Subdivision – A tract of land subdivided according to the rules and regulations of the Subdivision Ordinance of the city of Idaho Falls to provide for the sale of individual lots for the express purpose of placement of mobile homes or manufactured homes.
- E. Roadway – A means of vehicular access in a mobile home or travel trailer court which is not a dedicated street.
- F. Travel Trailer – The term “Travel Trailer” shall mean and include all living accommodation units which are capable of unrestricted highway use, and not placed upon any foundation. The term shall include, but not be limited to, travel trailers, motor home units, campers mounted in automotive vehicles and camping tents.
- G. Travel Trailer Court – A tract of land retained in one ownership, for the purpose of rental of spaces for temporary placement of travel trailers, as defined in this Ordinance.

Kurt Rowland, Eagle Rock Engineering, 1331 Fremont Avenue, appeared to state that he was representing the developers of this parcel of land. Mr. Rowland stated that the access to this property has been in existence for 30+ years. He expressed his concern for the ITD decision to not allow this same access to their property.

A brief discussion was held regarding how the property would be accessed should ITD not approve the US 20 access point. Mr. Rowland stated that they would have to build a road from Woodruff Circle, which would be extremely costly to the proposed annexation and development.

As there was no further comment either in favor of or in opposition to this Annexation request, Mayor Casper closed the public hearing.

Following a discussion regarding the ITD Letter, Mayor Casper requested a motion to re-open the public hearing for this Annexation. It was moved by Councilmember Marohn, seconded by Parry, to re-open the public hearing. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director explained that the previous letter from the Idaho Transportation Department stated that the applicant would have to re-apply for the access permit to Yellowstone Highway. Further, the letter indicated that the property did not meet the requirements and did not believe that the permit would be approved. The letter's language was presumptive in suggesting that a permit would not be approved until the application was received.

Kurt Rowland re-appeared to state that the developers met with ITD on two occasions. The person that approves or disapproves the access permits is fairly new. The previous person stated that he would never take away an access if there was already one existing. Mr. Rowland, further, expressed his concern for safety should the developer have to build the new access onto Woodruff Circle. At particular times during the day, traffic is backed up in this location.

Councilmember Marohn questioned whether the applicant would like to have the property annexed even if there is a problem with which access point would be used. Mr. Rowland stated that the applicant would like to have the property 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 Yellowstone RV Park and, further, give authorization for the Mayor and City Clerk to execute the documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2950

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE

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ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; ZONING SUCH LAND RMH (RESIDENTIAL MOBILE HOME); AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was read by title only. It was moved by Councilmember Parry, seconded by Councilmember Whittier, to approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be published by summary; to establish the initial zoning for Yellowstone RV Park as RMH (Residential Mobile Home) as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the 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; to add Section 2 to the Annexation Ordinance establishing RMH Zoning to Yellowstone RV Park; to change Section 2 to Section 3; to change Section 3 to Section 4; and to modify the title of the Ordinance to reflect those changes. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Ehardt, to accept the Final Plat entitled Yellowstone RV Park and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Whittier, seconded by Councilmember Hally, to approve the Conditional Use Permit for a Travel Trailer Court which is in compliance with all requirements of the Zoning Ordinance, on the condition that the applicant can obtain all necessary permits from the Idaho Transportation Department. Roll call as follows:

Aye: Councilmember Marohn
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 Marohn, to approve the Reasoned Statement of Relevant Criteria and Standards for Yellowstone RV Park and 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

Nay: None

Motion Carried.

Mayor Casper declared the public hearing open for consideration of the Fiscal Year 2014 Community Development Block Grant Project and Activities Applications. At the request of Mayor Casper, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 21, 2014

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Brad Cramer, Planning and Building Director
SUBJECT: FISCAL YEAR 2014 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT AND ACTIVITIES APPLICATIONS

Attached is the list of projects and activities submitted by application for FY 2014 Community Development Block Grant (CDBG) funding totaling \$477,431.95, including administration costs. This year's grant allocation from Housing and Urban Development (HUD) is \$342,373.00, a 5.27% decrease in funding from FY 2013.

The March 27, 2014 public hearing will provide applicants the opportunity to provide a brief explanation of their projects. A 30-day public comment period will start on March 28, 2014, and end on April 27, 2014. Although the public hearing and comment period were conducted previously, because HUD extended the deadline for submittal of Annual Action Plans pending allocation of grant funding, the hearing and comment period must be redone.

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Questions regarding this item may be directed to Lisa Farris at (208) 612-8323.

s/ Brad Cramer

The Planning and Building Director turned the time over to the Grants Administrator, who presented the following PowerPoint Presentation:

- Slide 1 City of Idaho Falls – Community Development Block Grant (CDBG) – Draft FY2014 CDBG Annual Action Plan – Public Hearing – March 27, 2014 – 7:30 p.m.
- Slide 2 Community Development Block Grant
Development of viable urban communities that primarily benefit Low/Moderate Income (LMI) individuals.
Program Goals:
- Decent, affordable, safe and sanitary housing;
- Suitable living environment;
- Expand economic development opportunities.
- Slide 3 To be eligible for CDBG Assistance:
Must meet 1 of 3 National Objectives (HUD)
- Benefit LMI Individuals
- Prevent or Eliminate conditions of Slum and Blight
- Meet an Urgent Need
Must be a HUD eligible Activity
- Construction of Public Infrastructure
- Handicapped Access to Public Facilities
- Housing Rehab, Social Services, Business Rehab
- Acquisition, Clearance/Disposition of Property
- Relocation Costs, Economic Development, Job Creation, or Training
Projects and Activities must be approved by HUD and
- Meet the goals of the 2011-2015 CDBG 5-Year Consolidated Plan
- Be selected for the FY2014 CDBG Annual Action Plan
- Comply with environmental review and other federal Requirements
- Slide 4 LMI Neighborhoods – Bonneville County (Map showing)
2014 Income Limits Summary – Low at 80% of Median Income \$57,000. Income limits for a (4) person family in Bonneville County is \$45,600
- Slide 5 City/CDBG Involvement:
Opportunity to fund projects and support programs not typically funded by general funds.
2013 Allocation was the 10th year participating in CDBG
2014 Draft Plan starts our 11th year of participating in CDBG
- FY2010 CDBG Allocation \$441,000
 - FY2011 CDBG Allocation \$369,546
 - FY2012 CDBG Allocation \$314,082
 - FY2013 CDBG Allocation \$361,453
 - FY2014 CDBG Allocation \$342,373
(Announced 3-20-2014)

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- Slide 10
- March 23, 2014:
- New schedule and public hearing advertised in Post Register.
- Revised Schedule FY2014 CDBG Annual Action Plan Announcements, Council Work Sessions, and Public Hearings
- March 27, 2014 7:30 p.m. Public Hearing in Council Chambers. Applicants provide brief explanation.
- March 28, 2014 30-day public comment period starts
- Draft FY 2014 Annual Action Plan posted on City website
- April 27, 2014 30-day public comment period ends
- May 5, 2014 8:30 a.m. Council Work Session in Council Chambers to discuss final table and comments received during 30-day public comment period.
- May 8, 2014 7:30 p.m. Council Meeting to approve Resolution of funding distribution and adopt Draft CDBG FY2014 Annual Action Plan.
- May 17, 2014 Draft FY2014 CDBG Annual Action Plan with Form 424, and Certifications mailed to HUD for final approval.
- May/June, 2014 Approved projects may commit funding once once the City completes:
- Environmental review
 - Signed Agreement (includes Scope of Work and regulatory requirements) between City and responsible entity

Slide 11

Note – Projects are not retroactive – Start date begins upon signed Agreement between City and responsible entity.

Allocation Schedule as follows:

FY2014 CDBG Applicant	Amount Requested (as of 3-27-2014)	Project/Activity Description
CLUB, Inc.	\$ 20,000.00	Crisis Intervention (CIT) – Case Management support for crisis housing related services
Idaho Legal Aid	10,000.00	Legal assistance for victims of domestic abuse
(BMPO) Bonneville Metropolitan Planning Organization	3,670.00	Transportation Grant match requirement to access Safe Routes to School (SR2S) grant for \$50,000 to provide evaluation, encouragement, and incentives for LMI Schools
EICAP	12,000.00	Legal aid assistance for Grandparents who are raising their grandchildren
(IFDDC) I. F. Downtown Development Corporation	60,000.00	Facade Improvements, Code Corrections, Awnings, and Signs to the Downtown Area
Planning Department	68,883.00	Full-Time code Enforcement for LMI neighborhoods (3 census tracts)
Public Works Department	50,000.00	Curb/gutter/sidewalk replacement in LMI neighborhoods
Public Works Department	10,000.00	Water line replacement for LMI clientele in LMI neighborhoods
EICAP Haven	5,404.35	Replace bathroom windows at the Haven Shelter
Idaho Falls Community Senior Citizen Center	16,500.00	Replacement of pipes \$5,500, electrical panel \$4,500, and entry rehab \$6,500
(LIFE, Inc.) Living Independently for Everyone	50,000.00	Improve (ADA) access for 7 homeowners with ramps and bathroom remodels
Bonneville County Veterans Commission	47,000.00	ADA Rehab to exterior, interior, and ADA restroom
Habitat for Humanity	40,000.00	Acquisition to purchase for rehab or rebuilt in LMI area for LMI single family
YMCA Roof Replacement	15,500.00	Roof replacement in LMI neighborhood
Administration (20% of 2014 allocation)	68,474.60	Administer CDBG Program, includes: Salary/benefits, supplies, training, and resources
Total Applications	\$477,431.95	2014 Allocation - \$342,373.00

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Slide 12 Comments or questions:
Please contact Lisa Farris, Grant Administrator
(208) 612-8323
City Annex Building, 680 Park Avenue, Idaho Falls, Idaho 83402
lfarris@idahofallsidaho.gov
www.idahofallsidaho.gov

Katie Peterson, 2001 South Woodruff Avenue, appeared as a representative for CLUB, Inc., and stated that they provide funding for emergency housing working with the Police Department. They also provide case management to assist someone in crisis until that crisis has passed.

Joe Earnest, Idaho Legal Aid Services, 482 Constitution Way, Suite 101, appeared to explain that they are a non-profit law firm. The local office represents clients in the Seventh Judicial District, which includes 10 counties. There are two attorneys in their office. They provide legal services, at no cost, to low income individuals. Over the past 10 years, they have been receiving a grant from the Department of Justice. Those funds are no longer available. That limits the amount of people that they can serve. Mr. Earnest explained that they provide many services to low income individuals.

Nick Burrows, Senior Services Director of the Eastern Idaho Community Action Partnership, 935 Lincoln Road, appeared to describe the services that his office provides. They provide legal assistance for grandparents raising their grandchildren. The Community Development Block Grant funding allows for the ability to assist more of the low to moderate income grandparents and relatives.

Brad Cramer, Planning and Building Director, appeared to provide the following PowerPoint presentation, explaining his request for Community Development Block Grant Funding:

- Slide 1 Code Enforcement
- Slide 2 Code Enforcement:
- 2 Full-Time Officers
 - 1 Officer funded out of the General Fund
 - 1 Officer funded through CDBG
 - Primary Responsibilities include:
 - Enforcement of Property Maintenance and Nuisance Ordinances
 - Neighborhood Cleanup Program
 - Day Care Inspections
 - Portable Signs
- Slide 3 Code Enforcement:
- | | 2013 Activity |
|--|---------------|
| Complaints Received | 540 |
| Inspections Conducted | 1,397 |
| Neighborhood Cleanups | 6 |
| Compliance Letters Sent | 394 |
| Door hangers delivered (part of neighborhood Clean-up program) | 125 |
| Day Care Inspections | 81 |
| Citations Issued | 8 |
| Compliance Rate (Complaints vs. Citations) | 98.6% |
- Slide 4 Code Enforcement:
Site Photos of garbage in yard (hoarding)

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- Slide 5 Code Enforcement:
Site Photos of garbage in yard (hoarding)
- Slide 6 Code Enforcement:
Site Photos of garbage in yard (hoarding)
- Slide 7 Code Enforcement:
Site Photos of garbage in yard (hoarding)
- Slide 8 Code Enforcement:
Photos of Neighborhood Clean-Up Garbage Containers
- Slide 9 2011 Code Enforcement Location Map

Chris Fredericksen, Public Works Director, appeared to state that the Public Works Division administers the curb, gutter, and sidewalk replacement program, allocating \$35,000.00 for that program annually. This is an assistance program where the City participates to 50% of the cost of replacement. Homeowners are responsible for maintenance of the curb, gutter, and sidewalk in front of their property. There is no program that assists with low to moderate income to cover 100% of the cost of these replacements.

The Public Works Director explained that the second item listed for the Public Works Division would assist homeowners who do not have sufficient funds to repair or replace their water service line.

Anne Johnson, Manager for The Haven Shelter, 2480 South Yellowstone Avenue, appeared to state that they are requesting \$5,400.00 to replace 25 bathroom windows at the shelter. The windows are in disrepair. They would alleviate the high utility costs associated with the air leakage from those windows.

Valisa Say, Senior Citizen Center, 535 West 21st Street, appeared to express her thanks for fixing the water heater, the plumbing, and the siding for the Senior Citizen Center during the previous cycle for CDBG monies. She stated that the \$6,500.00 that was requested for their entryway was being eliminated due to the fact that they had some volunteers take care of the entryway problem. She described the plumbing issue in the basement that is still a problem. Further, the electrical panel needs to be replaced as it is not dependable.

Karen Lansing, Director of Habitat for Humanity, Idaho Falls Area, appeared to state that they have identified a rehabilitation home in the target area. The address for that home is 1295 Bannock Avenue. She explained that Habitat for Humanity is not only building new homes, but providing for rehabilitation of homes in Low-Moderate Income areas. The money requested is to purchase the rehabilitation home for the 2015 season.

The 30-day comment period begins March 28, 2014 and will end April 27, 2014.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Ehardt, that the meeting adjourn at 9:45 p.m.

CITY CLERK

MAYOR
