

MAY 14, 2009

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 14, 2009, in the Council Chambers at the City Hall Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Jared D. Fuhriman
Councilmember Ida Hardcastle
Councilmember Karen Cornwell
Councilmember Thomas Hally
Councilmember Sharon D. Parry
Councilmember Ken Taylor

Absent was:

Councilmember Michael Lehto

Also present:

Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Fuhriman requested Boy Scout Chris Evans to lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

Mayor Fuhriman requested Council confirmation for the Appointment of Margaret Wimborne to serve on the Planning Commission.

The City Clerk requested approval of the Minutes for the April 21, 2009 Council Work Session, the April 23, 2009 Regular Council Meeting, and the May 1, 2009 Executive Session.

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 April 1, 2009 through April 30, 2009, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$ 1,042,851.99
Street Fund	129,025.58
Recreation Fund	15,488.80
Library Fund	39,540.93
Municipal Equipment Replacement Fund	255,112.90
Electric Light Public Purpose Fund	77,922.25
Golf Fund	13,036.45
Municipal Capital Improvement Fund	3,652.49
Water Capital Improvement Fund	11,367.47
Traffic Light Capital Improvement Fund	58,721.30
Airport Fund	187,186.32
Water and Sewer Fund	159,766.98

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FUND	TOTAL EXPENDITURE
Sanitation Fund	5,300.81
Ambulance Fund	30,584.12
Electric Light Fund	4,157,729.90
Payroll Liability Fund	2,188,990.22
TOTALS	\$ 8,376,278.51

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 May 14, 2009.

The Public Works Director submitted the following memos:

City of Idaho Falls
May 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – WATER MAIN REPLACEMENT 2009 -
ELEVATED TANK TO CAPITAL AVENUE

Public Works respectfully requests authorization to advertise to receive bids for Water Line Replacement 2009 – Elevated Tank to Capital Avenue.

s/ Chad Stanger

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – STANGER FARMS SEWER LINE
REPLACEMENT PROJECT

Public Works requests authorization to advertise to receive bids for the Stanger Farms Sewer Line Replacement Project.

s/ Chad Stanger

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

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

MAY 14, 2009

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Airport Director submitted the following memo:

City of Idaho Falls
May 12, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Len Nelson, Airport Director
SUBJECT: AMENDMENT OF LEASE

Attached for City Council approval is the Amendment of Lease by City of Idaho Falls and Scott Machinery Venture, LLC for the property located at 1505 Foote Drive, Idaho Falls, Idaho.

Shan Perry, Assistant City Attorney, has prepared and approved said lease.

Please present to Mayor and City Council for consideration at their next Regular City Council Meeting.

s/ Len Nelson

It was moved by Councilmember Cornwell, seconded by Councilmember Parry, to approve the Amendment to the Lease Agreement between the City of Idaho Falls and Scott Machinery Venture, LLC and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
May 12, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg, Assistant Idaho Falls Power Director
SUBJECT: BULB TURBINE SALE – PROPOSED TERM SHEET

MAY 14, 2009

Attached for your consideration is a Proposed Term Sheet for the extended sale of the output of the Bulb Turbine Project to the Bonneville Power Administration. Upon approval of the terms of this sale, BPA will proceed with their internal review process and draft an amendment to the current contract. Formal approval of the contract amendment will be at a future date.

Idaho Falls Power respectfully recommends approval of the Proposed Term Sheet for the extended sale of the Bulb Turbine output to the Bonneville Power Administration.

s/ Jo Elg

It was moved by Councilmember Hally, seconded by Councilmember Hardcastle, to approve the Proposed Term Sheet for the extended sale of the output of the Bulb Turbine Project to Bonneville Power Administration. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 12, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg, Assistant Idaho Falls Power Director
SUBJECT: SLICE CUSTOMERS GROUP – AGENCY AND FUNDING AGREEMENT

Attached for your consideration is an Agency and Funding Agreement between the Slice Customers and the Public Power Council. The Agreement appoints the Public Power Council as administrative agent for the Slice Customers. The administrative duties generally relate to retention and payment of consultants as directed by the Slice Customers. The agreement has been reviewed by the City Attorney.

Idaho Falls Power respectfully requests approval of the Agreement and authorization for the Mayor to sign the document.

s/ Jo Elg

It was moved by Councilmember Hally, seconded by Councilmember Hardcastle, to approve the Agency and Funding Agreement between the Slice Customers and the Public Power Council and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

MAY 14, 2009

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-09-17, WATERBORNE RAPID DRY TRAFFIC STRIPING
PAINT

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

The apparent low bid submitted by Kelly-Moore Paint Company did not meet the required bid specifications. The second low bidder, Straight Stripe Painting, Inc., withdrew their proposal due to irregularities in their bid. It is, therefore, recommended that we accept the bid of Ennis Paint to furnish the required traffic striping paint for a lump sum total amount of \$53,100.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to reject the two lowest bids as presented and, further, accept the bid from Ennis Paint to furnish the required waterborne rapid dry traffic striping paint for a lump sum total amount of \$53,100.00. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PURCHASE OF ASPHALT MIX

MAY 14, 2009

The Idaho Transportation Department has amended Contract No. 06 811 B108 for Bituminous (Hot Asphalt) Plant Mix to H-K Contractors, Inc. through May, 2010. Therefore, Municipal Services respectfully requests authorization to purchase the City's requirement for ¾", ½", and 3/8" Hot Mix per said contract.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to give authorization for Municipal Services to purchase the City's requirement for ¾", ½", and 3/8" Bituminous (Hot Asphalt) Plant Mix from H-K Contractors, Inc. per State Contract No. 06 811 B108 as presented. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 4, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: APPOINTMENT OF CITY AUDITORS

Attached for our consideration is the audit proposal from Rudd and Company, PLLC for the audit of the City for the fiscal year ending September 30, 2009.

Municipal Services respectfully requests the approval to have Rudd and Company PLLC perform the annual audit for \$38,650.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the audit proposal from Rudd and Company, PLLC for the audit of the City for the fiscal year ending September 30, 2009 in the amount of \$38,650.00 and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

MAY 14, 2009

Motion Carried.

City of Idaho Falls
May 4, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: APPOINTMENT OF ELECTRIC LIGHT FUND AUDITORS

Attached for your consideration is the audit proposal from Moss Adams LLC for the audit of the City's Electric Light Fund for fiscal year ending September 30, 2009.

Municipal Services respectfully requests the approval of Moss Adams LLC to audit the Electric Light Fund for \$48,650.00, plus out of pocket travel expenses.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the audit proposal from Moss Adams, LLC for the audit of the City's Electric Light Fund for fiscal year ending September 30, 2009 in the amount of \$48,650.00 plus out of pocket travel expenses and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
May 14, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PINECREST CLUBHOUSE SPRINKLER SYSTEM

On Tuesday, April 28, 2009 at 2:30 p.m., bids were opened for the Pinecrest Clubhouse Sprinkler System Project. It is the recommendation of the Parks and Recreation Division and Alderson, Karst, Mitro Architects to award the project to Gem State Fire of Idaho Falls in the amount of \$129,655.00 which includes Alternates No. 1 and No. 2.

MAY 14, 2009

The Parks and Recreation Division respectfully requests approval of the plans and specifications as presented and recommends authorization for the Mayor and City Clerk to execute said contract.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Taylor, to approve the plans and specifications for the Pinecrest Clubhouse Sprinkler System, accept the low bid from Gem State Fire in the amount of \$129,655.00 which includes Alternates No. 1 and No. 2, and further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 14, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: UNIVERSITY PLACE PATHWAY – CHANGE ORDER NO. 2

Attached for your consideration is Change Order No. 2 in the amount of \$3,200.00 for the University Place Pathway Project. This payment represents the final contract settlement between the Idaho Transportation Department and Beco Construction Company, Inc.

It is, therefore, submitted for your approval and authorization for the Mayor and City Clerk to sign and execute said Change Order.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Taylor, to approve Change Order No. 2 in the amount of \$3,200.00 to Beco Construction Company, Inc. for the University Place Pathway Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

MAY 14, 2009

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: AMENDMENT TO INTERNATIONAL RESIDENTIAL CODE,
2006 EDITION

Attached is an Ordinance drafted by the Assistant City Attorney which provides for alternative spacing on anchor bolts under the International Residential Code, 2006 Edition. The Division respectfully requests adoption of this Ordinance.

s/ Renee R. Magee

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

ORDINANCE NO. 2811

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING SECTION 7-6-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE AMENDMENTS OF THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION, FOR ONE- AND TWO- FAMILY DWELLINGS; PRESERVING PRIOR ORDINANCE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Parry 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 dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

MAY 14, 2009

The Public Works Director submitted the following memos:

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – SEWER LINE REHABILITATION, 2009

On May 5, 2009, bids were received and opened for Sewer Line Rehabilitation, 2009. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, Insituform Technologies, Inc., in the amount of \$571,977.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to accept the low bid from Insituform Technologies, Inc. in the amount of \$571,977.00 to complete the Sewer Line Rehabilitation, 2009 Project and, further give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – SEWER LINE BURSTING, 2009

On May 5, 2009, bids were received and opened for Sewer Line Bursting, 2009. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, Bodiford Construction, Inc. in the amount of \$66,200.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

MAY 14, 2009

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to accept the low bid from Bodiford Construction, Inc. in the amount of \$66,200.00 to complete the Sewer Line Bursting, 2009 Project and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – 65TH SOUTH WATER STORAGE TANK

On May 5, 2009, bids were received and opened for the 65th South Water Storage Tank. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, Natgun Corporation in the amount of \$1,034,800.00, plus Alternate A in the amount of \$80,500.00; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to accept the low bid from Natgun Corporation in the amount of \$1,034,800.00, plus Alternate A in the amount of \$80,500.00 to complete the 65th South Water Storage Tank and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

MAY 14, 2009

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: FIRE ESCAPE AGREEMENT – EARL BUILDING

Attached are copies of a proposed Agreement with owners of the Earl Building, Thomas Investment, Ltd. Ptshp., to construct a fire escape into the alley right-of-way adjacent to their building. This Agreement, as proposed, stipulates construction and maintenance required under which the fire escape can be constructed.

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

s/ Chad Stanger

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the Agreement with owners of the Earl Building, Thomas Investment, Limited Partnership, to construct a fire escape into the alley right-of-way adjacent to their building and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CH2M HILL – TASK ORDER NO. 17, RISK MANAGEMENT PLAN, FIVE (5) YEAR UPDATE

Attached is proposed Task Order No. 17, Risk Management Plan Update with CH2M Hill. Every five (5) years the City is required to update the Risk Management Plan at the Wastewater Treatment Plan with respect to process hazard analysis, off-site consequence analysis and required EPA submittals. This proposal, the cost of which is not to exceed \$15,200.00, is intended to accomplish this update.

MAY 14, 2009

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

s/ Chad Stanger

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve Task Order No. 17 providing for the Risk Management Plan Five (5) Year Update in an amount not to exceed \$15,200.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 3, BLOCK 1, SUMMERHILL
ADDITION, DIVISION NO. 1

As previously authorized, the City Attorney has prepared the attached documents to vacate easements located in Lot 3, Block 1, Summerhill Addition, Division No. 1.

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

s/ Chad Stanger

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

ORDINANCE NO. 2812

AN ORDINANCE VACATING A CERTAIN UTILITY EASEMENT WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID UTILITY EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED UTILITY EASEMENT TO THE OWNER OF THE ADJACENT LAND, AND NAMING IT; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

MAY 14, 2009

The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Hardcastle 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 dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 33, BLOCK 2, CHANNING WAY
ADDITION, DIVISION NO. 4 AND LOT 10, BLOCK 5, CHANNING
WAY ADDITION, DIVISION NO. 5, FIRST AMENDED

As previously authorized, the City Attorney has prepared the attached documents to vacate easements located in Lot 33, Block 2, Channing Way Addition, Division No. 4 and Lot 10, Block 5, Channing Way Addition, Division No. 5, First Amended.

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

s/ Chad Stanger

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

ORDINANCE NO. 2813

AN ORDINANCE VACATING CERTAIN UTILITY EASEMENTS WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID UTILITY EASEMENTS; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED UTILITY EASEMENTS TO THE OWNER OF THE ADJACENT LAND; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

MAY 14, 2009

The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Hardcastle 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 dispensed with, the Ordinance be passed on all three readings, 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
Councilmember Taylor
Councilmember Cornwell

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing for consideration of a rezone from M-1 (Manufacturing) to HC-1 (Limited Retail and Service Business) on property straddling Foote Drive and located generally south of International Way, north of Grandview Drive, east of North Skyline Drive and west of Interstate 15 and legally described as Lots 1 and 2, Block 6, Airport Industrial Park, Division No. 2 and Lots 7 and 13, Block 1, Airport Industrial Park, Division No. 7. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 5, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM M-1 TO HC-1, LOTS 1 AND 2, BLOCK 6, AIRPORT INDUSTRIAL PARK, DIVISION NO. 2, AND LOTS 7 AND 13, BLOCK 1, AIRPORT INDUSTRIAL PARK, DIVISION NO. 7

Attached is the application to rezone Lots 1 and 2, Block 6, Airport Industrial Park, Division No. 2, and Lots 7 and 13, Block 1, Airport Industrial Park, Division No. 7 from M-1 (Manufacturing) to HC-1 (Limited Retail Business). These parcels are located at the intersection of Olympia Drive and Foote Drive. The Planning Commission considered this request at its April 21, 2009 Meeting and recommended approval of the rezoning. The Department concurs with this recommendation. This rezoning request is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

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

MAY 14, 2009

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Aerial Photo – Close Up
Slide 4	Comprehensive Plan
Slide 5	Site Photo showing existing land use at United Moving
Slide 6	Site Photo showing existing land use at Bateman-Hall Construction Offices
Slide 7	Site Photo showing existing land use at Thrifty Car Rental
Slide 8	Site Photo showing existing land use at Scott's Machinery
Slide 9	Site Photo showing existing land use at Idaho State Police Property
Slide 10	Site Photo showing existing land use at Fire Department Training Center
Exhibit 1	Planning Commission Minutes, April 21, 2009
Exhibit 2	Staff Report, April 21, 2009
Exhibit 3	Vicinity Map
Exhibit 4	Aerial Photo

Scott Eskelson, 425 South Holmes Avenue, stated that he was an Attorney representing Scott Machinery. It was a request from Scott Machinery for a letter of compliance that initiated this rezoning request. The City included other properties that would fit within the HC-1 Zone in this area. He requested the City Council to approve the rezoning request.

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

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the rezone from M-1 (Manufacturing) to HC-1 (Limited Retail and Service Business) on property straddling Foote Drive and located generally south of International Way, north of Grandview Drive, east of North Skyline Drive and west of Interstate 15 and legally described as Lots 1 and 2, Block 6, Airport Industrial Park, Division No. 2 and Lots 7 and 13, Block 1, Airport Industrial Park, Division No. 7, and, further, 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 Cornwell
Councilmember Parry
Councilmember Taylor
Councilmember Hardcastle
Councilmember Hally

Nay: None

Motion Carried.

Mayor Fuhrman requested Councilmember Parry to conduct a public hearing to consider changing the Comprehensive Plan Designation from Higher Density Residential to Commercial on property located generally south of North Yellowstone Avenue, north of Lincoln Road, east of the Idaho Canal, and west of Woodruff Circle and legally described as 7.4 Acres in the Southeast Quarter of Section 8, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

MAY 14, 2009

City of Idaho Falls
May 5, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REQUEST TO CHANGE COMPREHENSIVE PLAN DESIGNATION FROM HIGHER DENSITY RESIDENTIAL TO COMMERCIAL, 7.4 ACRES OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 38, EAST OF THE BOISE MERIDIAN (SHADY REST TRAILER PARK)

Attached is the request to change the Comprehensive Plan Designation from high density residential to commercial. This parcel is located south and adjacent to North Yellowstone Highway, west of Woodruff Avenue, and east of and adjacent to the Idaho Canal. Until the annexation of this parcel, the property was designated commercial in the Comprehensive Plan in accordance with the plan policies. The Planning Commission considered this request and recommended approval. The Department concurs with this recommendation. This amendment to the Comprehensive Plan is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Comprehensive Plan
Slide 4	Site Photo looking east along Yellowstone Highway
Slide 5	Site Photo looking west along Yellowstone Highway
Slide 6	Site Photo showing vacant and commercial uses to the south
Exhibit 1	Planning Commission Minutes dated April 7, 2009
Exhibit 2	Staff Report dated April 7, 2009
Exhibit 3	Vicinity Map
Exhibit 4	Aerial Photo

The Assistant Planning and Building Director explained, further, that the comprehensive plan change would be consistent with City policies and surrounding uses in the area.

Ray Prigge, 2021 Malibu Drive, appeared to state that it came to his attention in October, 2008, that this property had been annexed into the City of Idaho Falls approximately a year earlier. He stated that he knew nothing about the annexation. He stated that it did not make sense to him to keep the RMH (Residential Mobile Home) Zoning, as only about 25% of the property is mobile homes. This area is more business oriented. This is the only property on Yellowstone Highway, south of Woodruff Avenue, that is not zoned commercial.

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

MAY 14, 2009

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the changing of the Comprehensive Plan Designation from Higher Density Residential to Commercial on property located generally south of North Yellowstone Avenue, north of Lincoln Road, east of the Idaho Canal, and west of Woodruff Circle and legally described as 7.4 Acres in the Southeast Quarter of Section 8, Township 2 North, Range 38, East of the Boise Meridian. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing for consideration of a rezone from RMH (Residential Mobile Home) to HC-1 (Limited Retail and Service Business) on property located generally south of North Yellowstone Avenue, north of Lincoln Road, east of the Idaho Canal and west of Woodruff Circle and legally described as 7.4 Acres in the Southeast Quarter of Section 8, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 5, 2009

MEMORANDUM

TO: Mayor and City Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REQUEST TO CHANGE ZONING FROM RMH TO HC-1, 7.4 ACRES OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 38, EAST OF THE BOISE MERIDIAN (SHADY REST TRAILER PARK)

Attached is the request to rezone the Shady Rest Trailer Park from RMH (Residential Mobile Home) to HC-1 (Limited Retail). This parcel is located south and adjacent to North Yellowstone Highway, west of Woodruff Avenue, and east of and adjacent to the Idaho Canal. The Planning Commission considered this request, found it to be in compliance with surrounding zoning and the comprehensive plan policies, and recommended approval. The Department concurs with this recommendation. This request to rezone is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

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

MAY 14, 2009

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Slide 3 Comprehensive Plan
Slide 4 Site Photo looking east along Yellowstone Highway
Slide 5 Site Photo looking west from site along existing mobile home park
Exhibit 1 Planning Commission Minutes dated February 3, 2009
Exhibit 2 Staff Report dated February 3, 2009
Exhibit 3 Vicinity Map
Exhibit 4 Aerial Photo

Councilmember Parry explained, for the Mayor and City Council, what is allowed in the HC-1 (Highway Commercial) Zone. The primary use of land in the HC-1 Zone is retail stores and service establishments to serve the traveling public. The HC-1 Zone is usually located along highways leading into the City.

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

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the rezone from RMH (Residential Mobile Home) to HC-1 (Limited Retail and Service Business) on property located generally south of North Yellowstone Avenue, north of Lincoln Road, east of the Idaho Canal and west of Woodruff Circle and legally described as 7.4 Acres in the Southeast Quarter of Section 8, Township 2 North, Range 38, East of the Boise Meridian and, further, that the City Planner be instructed to reflect said amendment and zoning change on the Comprehensive Plan and official Zoning Map located in the Planning Office. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing for consideration of a Conditional Use Permit to relocate a modular classroom from Hawthorne Elementary School to Edgemont Elementary School located generally south of 17th Street between Azalea Drive and 21st Street, east of Jennie Lee Drive, and west of St. Clair Road and legally described as a Metes and Bounds Legal Description in the East Half of the Northeast Quarter of Section 29, Township 2 North, Range 38, East of the Boise Meridian (1240 Azalea Drive). At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 5, 2009

MEMORANDUM

TO: Mayor and City Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REQUEST FOR TEMPORARY MODULAR CLASSROOM,
EDGEMONT ELEMENTARY SCHOOL

MAY 14, 2009

Attached is the site plan for a second modular classroom unit for Edgemont Elementary School. The District is proposing to locate the unit on the east side of the building on an area formerly housing a swing set. This request has been reviewed by staff and the Department recommends approval. This request is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Aerial Photo – Close Up
Slide 4	Site Plan
Slide 5	Site Photo showing proposed location of modular unit
Exhibit 1	Aerial Photo
Exhibit 2	Site Plan
Exhibit 3	Vicinity Map

The Assistant Planning and Building Director stated that this request is in compliance with the Zoning Ordinance and other regulations.

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

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the Conditional Use Permit to relocate a modular classroom from Hawthorne Elementary School to Edgemont Elementary School located generally south of 17th Street between Azalea Drive and 21st Street, east of Jennie Lee Drive, and west of St. Clair Road and legally described as a Metes and Bounds Legal Description in the East Half of the Northeast Quarter of Section 29, Township 2 North, Range 38, East of the Boise Meridian (1240 Azalea Drive). Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing for consideration of an Amendment to the Fiscal Year 2008 Annual Action Plan for the Community Development Block Grant. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

MAY 14, 2009

City of Idaho Falls
May 7, 2009

MEMORANDUM

TO: Mayor and City Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: PUBLIC HEARING, AMENDMENT TO THE FISCAL YEAR 2008 ANNUAL ACTION PLAN

Attached is the memorandum from Jan Blickenstaff, Grant Administrator, explaining the request to amend the 2008 Annual Action Plan to allocate \$109,000.00 of stimulus monies. After the public hearing on this request this evening, there will be a seven-day comment period to submit written or oral comments on the amendment.

s/ Renee R. Magee

City of Idaho Falls
May 7, 2009

MEMORANDUM

TO: Mayor and City Council
FROM: J. P. Blickenstaff, Grant Administrator
SUBJECT: CDBG-R STIMULUS FUNDING

The U. S. Department of Housing and Urban Development has issued instructions for the planning and use of the additional CDBG Fund provided by the American Recovery and Reinvestment Act of 2009 (stimulus funding). The instructions allow 30 days to develop and hold a public hearing on the use of the \$109,234 CDBG-R funds allocated to the City. The hearing notice and comment periods have been abbreviated to accommodate this short time period.

The usual CDBG projects can be funded with the additional requirement that the projects preserve and/or create jobs. I think the current list of Council approved projects can meet the additional requirements. Attached is the list of the approved projects and my recommended allocation of funds to the approved projects from all three sources: \$407,088.00 FY09 Allocation, \$125,000.00 FY07, and the \$109,234.00 stimulus. The shifting of funding among the three sources of funding does not change the totals that Council approved.

Because the formula for administrative costs is only 10%, a balance of \$17,546.00 – FY07 is unallocated to projects. I suggest these funds be allocated to the Senior Center and the Community Council Preschool. The Senior Center needs additional handicapped parking and a gutter system. The Preschool may have cost overruns. A third option is to fund corner handicapped ramps.

s/ Jan Blickenstaff

MAY 14, 2009

FY09 CDBG updated May 11, 2009				FY09 Allocation \$407,088 Official	FY07 Amended \$125,000 Existing	FY09 Stimulus \$34,852 Official	Project Total \$641,322
Applicant	Description	Original Request	Council Approved				
Community Council of Idaho	Roof, Re-flooring, and Paving at Head Start	\$ 34,852	\$ 34,852	\$ 0	\$ 0	\$ 34,852	\$ 34,852
EICAP	New Building at Haven	100,000	100,000	100,000	0	0	100,000
YMCA and Crows Neighborhood Association	Replace Sidewalks	50,000	50,000	0	2,926	47,074	50,000
Development Workshop	Purchase State Building	100,000	100,000	86,610	13,390	0	100,000
LIFE, Inc.	Homeowner Handicapped Access	35,000	48,000	0	48,000	0	48,000
IFDDC	Façade Improvements	100,000	78,000	78,000	0	0	78,000
Senior Center	Kitchen Improvements	6,550	6,550	0	6,550	0	6,550
Habitat for Humanity	Purchase Two Lots for Homes	30,000	0	0	0	0	0
Domestic Violence	Teen Dating Violence Pilot Program	49,432	0	0	0	0	0
Housing First Pilot Project	Program to House High Cost Homeless	20,900	20,000	20,000	0	0	20,000
Crisis Intervention Housing	For Mentally Ill Chronic Homeless	100,500	Maximum Allowed	41,063	36,588	16,385	94,036
Crisis Intervention Training	CIT POST Training for 10 Police Officers	11,300	0	0	0	0	0
Administration	20% of Allocation (Estimate \$425,000)		81,415	81,415	0	10,923	92,338
TOTAL			550,000	407,088	107,454	109,234	
					17,546		

The Grant Administrator briefly explained the above information. There will be a 7-day comment period for these amendments. A Resolution will be provided to the Mayor and City Council at the May 28, 2009 Regular Council Meeting for approval of funding.

There being no further business, it was moved by Councilmember Parry, seconded by Councilmember Cornwell, that the meeting adjourn at 8:15 p.m.

CITY CLERK

MAYOR
