

OCTOBER 8, 2015

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 8, 2015, 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 Casper
Councilmember Ed Marohn (by phone)
Councilmember Michael Lehto
Councilmember Barbara Ehardt
Councilmember Tom Hally (by phone)
Councilmember Sharon D. Parry
Councilmember David M. Smith (by phone)

Also present:

Michael Kirkham, Assistant City Attorney
Kathy Hampton, City Clerk
All available Department Directors

Mayor Casper invited Nicholas Stubblefield to come forward and lead those present in the Pledge of Allegiance.

Mayor Casper requested any public comments not related to items on the agenda. No one appeared.

CONSENT AGENDA ITEMS:

Community Development Services Department requested Receipt of Recommendations from the Planning and Zoning Commission, October 6, 2015, meeting.

The City Clerk requested approval of Minutes from the August 27, 2015, Regular Council Meeting, September 8, 2015, Council Work Session.

The City Clerk requested approval of License Applications, all carrying the required approvals.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on October 8, 2015.

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to approve all items on the Consent Agenda according to recommendations presented with the exception of the Community Development Services Department item, Receipt of Recommendations from the Planning and Zoning Commission, October 6, 2015, meeting. Roll call as follows:

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

OCTOBER 8, 2015

Nay: None

Motion carried.

REGULAR AGENDA ITEMS:

Community Development Services Department submitted the following items for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council
From: Brad Cramer, Community Development Services Director
Subject: Annexation with Initial Zoning of HC-1, Annexation Agreement, Annexation and Zoning Ordinances, Final Plat, Development Agreement and Reasoned Statements of Relevant Criteria and Standards, Carlyle-Erma Division No. 3

Attached is the application for Annexation with Initial Zoning of HC-1, Annexation Agreement, Annexation and Zoning Ordinances, Final Plat, Development Agreement and Reasoned Statements of Relevant Criteria and Standards, for Carlyle-Erma Division No. 3. The Planning and Zoning Commission considered this application at its August 4, 2015, and September 1, 2015, meetings and recommended approval. Staff concurs with the recommendation. This application is now being submitted to the Mayor and City Council for consideration.

Mayor Casper opened the public hearing and stated all slides, Planning and Zoning Commission minutes, and staff reports be entered into the record.

Assistant Director Kerry Beutler appeared to explain this application request. Following is a list of exhibits used in connection with this request:

- Slide 1: Zoning map indicating parcel being considered
- Slide 2: Aerial photo of vicinity map
- Slide 3: Additional aerial photo of vicinity map
- Slide 4: Aerial photo of approved preliminary plat with over-lay
- Slide 5: Additional aerial photo of vicinity map
- Slide 6: Proposed Final Plat
- Slide 7: Photo looking east at property
- Slide 8: Photo looking at property along Woodruff Avenue
- Slide 9: Photo looking south on Woodruff Avenue through the area
- Slide 10: Comprehensive Plan Future Land Use map

Brief discussion followed regarding connectivity with the area and acceleration/deceleration lanes. Assistant Director indicated there is not excessive traffic at this point to require the acceleration/deceleration lanes although said lanes may be considered as the future phases of this project progress.

Mayor Casper requested any public comment.

Steve Ellsworth, 253 1st Street, Idaho Falls, appeared. Mr. Ellsworth had no comments but requested any further questions from the Council. There were none.

OCTOBER 8, 2015

Mayor Casper closed the public hearing.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Annexation Agreement for Carlyle-Erma Division No. 3, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Ordinance annexing Carlyle-Erma Division No. 3, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

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

Nay: None

Motion carried.

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

ORDINANCE NO. 3033

AN ORDINANCE ANNEXING APPROXIMATELY 5.8 ACRES EAST AND ADJACENT TO WOODRUFF, SOUTH OF LINCOLN, AND NORTH OF KEARNEY TO THE CITY OF IDAHO FALLS DESCRIBING; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Carlyle-Erma Division No. 3, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

OCTOBER 8, 2015

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

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto to approve the Ordinance assigning a Comprehensive Plan Designation of Commercial and establishing the initial zoning for Carlyle-Erma Division No. 3, as HC-1 (Limited Business), under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, 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 Marohn
Councilmember Lehto
Councilmember Ehardt
Councilmember Hally
Councilmember Parry
Councilmember Smith

Nay: None

Motion carried.

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

ORDINANCE NO. 3034

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 5.830 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS HC-1 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of HC-1 for Carlyle-Erma Division No. 3, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Ehardt
Councilmember Marohn
Councilmember Hally
Councilmember Parry

OCTOBER 8, 2015

Councilmember Smith
Councilmember Lehto

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to accept the Final Plat for Carlyle-Erma Division No. 3, and 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 Smith
Councilmember Hally
Councilmember Ehardt

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Carlyle-Erma Division No. 3, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council
From: Brad Cramer, Community Development Services Director
Subject: Final Plat and Reasoned Statement of Relevant Criteria and Standards, Kingston Plaza Division No. 1, 1st Amended

Attached is the application for a Final Plat and Reasoned Statement of Relevant Criteria and Standards for Kingston Plaza Division No. 1, 1st Amended. The Planning and Zoning Commission considered this application at its May 5, 2015, meeting and recommended approval with the condition that a cross-access agreement was recorded between the lots. This

OCTOBER 8, 2015

condition has been met. Staff concurs with the recommendation. This application is now being submitted to the Mayor and City Council for consideration.

Assistant Director Beutler appeared to explain this application request. Following is a list of exhibits used in connection with this request:

- Slide 1: Zoning map indicating parcel being considered
- Slide 2: Aerial photo of vicinity map
- Slide 3: Additional aerial photo of property
- Slide 4: Additional aerial photo of property
- Slide 5: Final Plat
- Slide 6: Photo looking south from Broadway
- Slide 7: Photo looking southeast
- Slide 8: Photo looking west along Saturn
- Slide 9: Photo looking north along Saturn

Assistant Director Beutler stated the request for this application is to separate the property for separate ownership of properties.

It was moved by Councilmember Parry, seconded by Councilmember Ehardt, to accept the Final Plat for Kingston Plaza Division No. 1, 1st Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

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

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Ehardt, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Kingston Plaza Division No. 1, 1st Amended, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion carried.

OCTOBER 8, 2015

Public Works submitted the following items for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council
From: Chris H Fredericksen, Public Works Director
Subject: Easement Vacation Request – Deed of Easement Referenced as Instrument Number 804366

As earlier authorized, the City Attorney has prepared the documents to vacate a 16 foot power line easement within Section 31, T2N, R38E.

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

s/ Chris H Fredericksen

It was moved by Councilmember Ehardt, seconded by Councilmember Lehto, to approve the Ordinance to vacate a 16 foot power line easement within Section 31, T2N, R38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

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

Nay: None

Motion carried.

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

ORDINANCE NO. 3035

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATION OF A POWER LINE EASEMENT, AS DESCRIBED IN INSTRUMENT NO. 804366, WITHIN THE CITY OF IDAHO FALLS, IDAHO, AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED POWER LINE 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.

MEMORANDUM

To: Honorable Mayor and City Council
From: Chris H Fredericksen, Public Works Director

OCTOBER 8, 2015

Subject: Water Mitigation Plan

Attached for Council review and consideration is a Water Mitigation Plan addressing the Surface Water Coalition's delivery call. The mitigation plan and the delivery call were discussed at the Council Work Session held on September 21, 2015. The City Attorney has reviewed the proposed mitigation plan.

Public Works requests approval of the mitigation plan and authorization to submit to the Idaho Department of Water Resources.

s/ Chris H Fredericksen

Director Fredericksen appeared to explain this item. He believes water is an issue that is taken for granted and his staff (16 employees) ensures safe, clean, reliable water is supplied to the residents of our community. Adequate funding is also required to maintain the water system. The Water Facility Plan was previously presented to ensure the current water system is capable of expansion for the needs of our community. Director Fredericksen stated the next step in utilizing the water system requires a water mitigation plan which has been previously presented to Council. He indicated the City has three (3) options: 1-do nothing, 2-join the groundwater district which calls for an approximately 11% reduction in water flow, or 3-submit a Mitigation Plan. Brief discussion followed.

Councilmember Parry stated this an important decision but believes there should be a second opinion regarding the Water Mitigation Plan. Councilmember Lehto indicated the Public Works liaisons have been in discussion with Director Fredericksen regarding the Water Mitigation Plan and believes all questions and comments have been resolved. He stated the City Legal Staff has also reviewed the Water Mitigation Plan.

It was moved by Councilmember Ehardt, seconded by Councilmember Lehto, to approve the Water Mitigation Plan and give authorization to submit to the Idaho Department of Water Resources. Roll call as follows:

Aye: Councilmember Marohn
Councilmember Lehto
Councilmember Ehardt
Councilmember Hally
Councilmember Smith

Nay: Councilmember Parry

Motion carried.

Idaho Falls Power submitted the following item for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council
From: Jackie Flowers, General Manager
Subject: Approve EnergyAxis System Maintenance Agreement with Elster Solutions LLC

OCTOBER 8, 2015

Idaho Falls Power completed conversion to Elster meters earlier this year. Included in the bid for the conversion was deployment of the EnergyAxis system to manage meters. We maintain an annual agreement with Elster Solutions LLC for maintenance of that system which includes upgrades, troubleshooting, and support.

Idaho Falls Power respectfully requests City Council approve the EnergyAxis System Maintenance agreement with Elster Solutions, LLC in the amount of \$37,903 and authorize the Mayor to sign the document.

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the EnergyAxis System Maintenance agreement with Elster Solutions, LLC in the amount of \$37,903 and authorize the Mayor to sign the document. Roll call as follows:

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

Nay: None

Motion carried.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to adjourn the meeting at 8:30 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR