

CITY OF IDAHO FALLS, IDAHO
COUNCIL MEETING AGENDA
REGULAR MEETING

Thursday, February 13, 2014

7:30 p.m.

COUNCIL CHAMBERS
680 PARK AVENUE

The Mayor, City Council, and Staff welcome you to tonight's meeting. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided following the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding if and when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so as provided in Item Number 3. Please note that City of Idaho Falls Council Meetings are live streamed at www.idahofallsidaho.gov and archived. Thank you for your interest in City Government.

1. **Call to Order and Roll Call.**
2. **Pledge of Allegiance.**
3. **Public Comment and Mayor's Response Time (Limit 15 Minutes):** *For members of the Public to speak to the Council regarding matters NOT on the Agenda, not currently pending before the Planning Commission or Board of Adjustment; not the subject of a pending enforcement action; and not relative to a City personnel matter. Please state your name and address for the record and please limit remarks to three (3) minutes. Mayor and/or staff will respond to comments from previous meeting.*
4. **CONSENT AGENDA:** Any item will be removed from the Consent Agenda at the request of any member of the Council and that item will be considered separately later. Approval by roll call vote:
 - a. Items from the Mayor:
 1. Council Confirmation for Appointments/Re-Appointments to various Boards and Commissions.
 - b. Items from the City Clerk:
 1. Approval of Minutes from the January 22, 2014 Special Council Meeting, the January 23, 2014 Regular Council Meeting, and the February 3, 2014 Executive Session.
 2. Approval of License Applications, including BEER LICENSES to New Yummy House, all carrying the required approvals.
 3. Request for Council ratification for the publication of legal notices calling for public hearings on February 13, 2014.

ACTION: To approve all items on the Consent Agenda according to the recommendations presented.

5. **REGULAR AGENDA:**

A. **Police Chief:**

1. **Ordinance Amending Idaho Falls City Code Title 5, Chapter 6, Sections 1, 6, 7, 9, 10, 11, and 12 (Animal Control):** This Ordinance would amend the City's current Animal Ordinance (Title 5, Chapter 6). The purpose of the amendment is to require spaying and neutering of a dog or cat adopted from the Animal Control Shelter. Additionally, licensing requirements for commercial and non-commercial kennels would be deleted. This amendment also calls for setting a limit on the number of dogs allowed on the premises of any one (1) household or upon the premises of any one (1) business property in the City and to allow impoundment of a nuisance animal.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance, or take such other action deemed appropriate.

B. **Idaho Falls Power Director:**

1. **BPA Energy Conservation Agreement, Contract No. 11ES-11240:** This is Amendment No. 1 to Idaho Falls Power's Energy Conservation Agreement with the Bonneville Power Administration. This Amendment extends the expiration date of the original agreement by one year to September 30, 2015. This Amendment is the mechanism which enables Idaho Falls Power to receive our conservation program funding monies from Bonneville Power Administration (BPA).

ACTION: To approve Amendment No. 1 to the Bonneville Power Administration (BPA) Contract Number 11ES-11240 and authorize the Mayor to execute the document, or take other action deemed appropriate.

2. **Power Transmission Confirmation Agreements:** This involves multiple Purchase and Sale Agreements for power transactions with Shell Energy. The agreements consist of selling 10 megawatts of March through June, light load energy; selling 15 megawatts of May, heavy load energy; and purchasing 15 megawatts of August, heavy load energy. The total from these transactions is \$964,592.00, of which \$610,160.00 is the above stated sales of energy and \$354,432.00 is the August purchase. This bundle of forward power transactions enables the Idaho Falls Power Division to better match expected loads with resources.

ACTION: To ratify the execution of multiple Purchase and Sale Agreements for power transactions with Shell Energy, or take other action deemed appropriate.

D. **Municipal Services Director:**

1. **Holiday Motor Coach Company Lease Agreement:** The proposed Lease Agreement is between the City of Idaho Falls and Holiday Motor Coach Company for City-owned property located at 1800 International Way in Idaho Falls. The City Attorney has prepared and approved the Lease Agreement.

ACTION: To approve the Lease Agreement between the City of Idaho Falls and Holiday Motor Coach Company for City-owned property located at 1800 International Way in Idaho Falls and give authorization for the Mayor and City Clerk to execute the necessary documents, or take such other action deemed appropriate.

D. Public Works Director:

1. **Engineering Services – Waste Water Treatment Plant, Primary Treatment Upgrade:** The Public Works Division has solicited and received proposals for providing engineering design services related to the Waste Water Treatment Plant Primary Treatment Upgrade Project. Responses to the proposal request were received and evaluated. Based upon those evaluations, Public Works Division recommends selecting Murray, Smith and Associates to perform the described services.

ACTION: To approve Murray, Smith and Associates proposal to provide engineering design services related to the Waste Water Treatment Plant Primary Treatment Upgrade Project, and to authorize the Public Works Division to negotiate a scope of work and fee schedule for this project, or take other action deemed appropriate.

2. **Professional Appraisal Services Agreement with Linford Real Estate Appraisal, Incorporated – Pancheri Drive Reconstruction Bellin Road to Skyline Drive:** This is a Professional Appraisal Services Agreement with Linford Real Estate, Inc., with respect to Pancheri Drive Reconstruction Bellin Road to Skyline Drive Project. Under the Agreement, Linford Real Estate Appraisal will perform appraisals on 10 parcels for a not-to-exceed amount of \$11,000.00. This Agreement has been reviewed by the City Attorney.

ACTION: To approve the Professional Appraisal Services Agreement with Linford Real Estate Appraisal, Incorporated – Pancheri Drive Reconstruction Bellin Road to Skyline Drive Project and give authorization for the Mayor and City Clerk to execute the necessary documents, or take such other action deemed appropriate.

E. Planning and Building Director:

1. **Resolution for Destruction of Residential Building Plans:** This is a Resolution for the destruction of residential building plans which have been stored at least two years following final inspection and approval of the project. Idaho Code allowed for these plans to be destroyed after the specified time period.

ACTION: To approve the Resolution for the Destruction of Residential Building Plans and give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

2. **Amendments To and Adoption of International Building Code, Property Maintenance Code, Plumbing Code, and Energy Conservation Code:** This is an Ordinance pertaining to the adoption of the 2012 International Codes, as well as proposed amendments to portions of those Codes. Adoption of the 2012 International Codes is required in accordance with the Idaho State Building Board, as published in Idaho Statute, Title 39, Chapter 41 of the Idaho Building Code Act, Idaho Code 39-4116 for local government adoption and enforcement of building codes, and in IDAPA 07.03.01, “Rules of Building Safety”, and Division of Building Safety.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance, or take such other action deemed appropriate.

F. Parks and Recreation Director:

1. Short-Term Event Lease Agreement (IDA Racing at Sandy Downs):

This is a Short-Term Event Lease Agreement with IDA Racing at Sandy Downs. This Agreement has been reviewed and approved by the City Attorney.

ACTION: To approve the Short-Term Lease Agreement with Intermountain Racing and Entertainment LLC (Ida Racing) for racing events at Sandy Downs in August and September of 2014 and give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

2. Noise Park Caretaker Lease Agreement: This is a Caretaker Lease Agreement at Noise Park between the City of Idaho Falls and Matt Psalto. The City Attorney has reviewed and approved the Lease Agreement.

ACTION: To approve the Noise Park Caretaker Lease Agreement between the City of Idaho Falls and Matt Psalto and give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

3. Professional Services Agreement with Alderson, Karst and Mitro Architects, P. A.: This is an Agreement for Professional Services related to architectural services for the Pinecrest Golf Course Clubhouse in an amount not to exceed \$2,500.00. This Agreement is for conceptual plans and drawings for a potential Pinecrest Golf Course Clubhouse Remodel. The City Attorney has reviewed and approved said Professional Services Agreement.

ACTION: To approve the Professional Services Agreement with Alderson, Karst and Mitro Architects, P. A. in an amount not to exceed \$2,500.00 for conceptual plans and drawings for a potential Pinecrest Golf Course Clubhouse Remodel and give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

4. Tautphaus Park Zoo Concessions Agreement: This is a Concession Agreement for the Tautphaus Park Zoo. The Agreement is between the City of Idaho Falls and Mountain Foods for a one (1) year term ending December 31, 2014. The City Attorney has reviewed and approved said Tautphaus Park Zoo Concessions Agreement.

ACTION: To approve the Tautphaus Park Zoo Concessions Agreement between the City of Idaho Falls and Mountain Foods for a one (1) year term ending December 31, 2014 and give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

G. **Fire Chief:**

1. **MEDSTAT Mini Ambulance and Trailer:** The Fire Chief respectfully requests authorization to accept delivery and ownership of a MEDSTAT Mini Ambulance. The Bureau of Homeland Security, through Tom Lenderink, Bonneville County Emergency Planner, has paid for this vehicle in full. The cost of the vehicle is \$55,465.00. This money will be paid directly to the company building the ambulance and will not pass through the City. It will be used at different venues, such as the 4th of July Parade and Fireworks, the Duck Races, and other activities where there are a lot of people down by the Greenbelt. This vehicle will be easier to maneuver through crowds and down sidewalks. Also, the Fire Chief respectfully requests approval and authorization to purchase an enclosed trailer and safety equipment for this vehicle. The cost of said trailer is \$6,531.00. Division Chief Dave Coffey secured donations of \$10,000.00 from Mountain View Hospital to help purchase this Mini Ambulance. Since the Bureau of Homeland Security has paid the full amount for the vehicle, the Idaho Falls Fire Department would like to procure the above-mentioned trailer with the grant from Mountain View Hospital. This would allow it to be utilized if dispatched to areas where roadways are not conducive to full-size ambulance travel.

ACTION: To give the Fire Chief authorization to accept the delivery and ownership of a MEDSTAT Mini Ambulance which was funded from the Bureau of Homeland Security in the amount of \$55,465.00; and, further, authorize the purchase of an enclosed trailer and safety equipment for this vehicle in the amount of \$6,531.00 through a secured donation of \$10,000.00 from Mountain View Hospital, or take other action deemed appropriate.

2. **Amendments, Changes, and Adoption of the International Fire Code:** This is an Ordinance pertaining to the adoption of the 2012 International Fire Code with proposed amendments to Title 3, Chapter 2 of Fire and Public Safety Division. Adoption of the 2012 International Fire Code is required in accordance with the Idaho State Fire Marshall's Office.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance, or take such other action deemed appropriate.

6. **PUBLIC HEARING – Adoption of Permit Fees for Soil Erosion Control Plan Approvals and Contractor Certificates:** This is a Resolution for adoption of fees for Soil Erosion Control Plan Permits and Contractor Certificates. The creation of the fees was approved by the Council in February, 2013 as part of changes to the City's Storm Water Management Program. At that time, the amount of the fees had not yet been established. These proposed fees have been developed by the Public Works Division and will be collected by the Building Department.

ACTION: Conduct the public hearing for the Adoption of Permit Fees for Soil Erosion Control Plan Approvals and Contractor Certificates.

a. To approve the Resolution for the Adoption of Permit Fees for Soil Erosion Control Plan Approvals and Contractor Certificates and give authorization for the Mayor to execute said Resolution, or take such other action deemed appropriate.

7. **PUBLIC HEARING – Rezone from HC-1 to HC-1 with a T-1 Tower Overlay Zone, 1.86 Acres in Section 14, Township 2 North, Range 37, East of the Boise Meridian, and Reasoned Statement of Relevant Criteria and Standards:** This is an application for rezoning from HC-1 to HC-1 with a T-1 Tower Overlay Zone and the Reasoned Statement of Relevant Criteria and Standards. The T-1 Overlay Zone will allow a telecommunication tower to be constructed on the property. The Planning Commission considered this application at its January 7, 2014 Meeting and recommended approval.

ACTION: Conduct the public hearing for the rezoning request, with the following recommendations, in sequential order:

a. To approve the rezone from HC-1 to HC-1 with a T-1 Tower Overlay Zone, and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office.

b. To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance, or take such other action deemed appropriate.

c. To approve the Reasoned Statement of Relevant Criteria and Standards for the rezone from HC-1 to HC-1 with a T-1 Tower Overlay Zone, 1.86 Acres in Section 14, Township 2 North, Range 37, East of the Boise Meridian, and give authorization for the Mayor to execute the necessary documents, or take other action deemed appropriate.

8. **PUBLIC HEARING – Vacation of Plat, Conveyance of Oregon Avenue, Final Plat, and Reasoned Statement of Relevant Criteria and Standards for West Broadway Addition, Division No. 1, First Amended:** This is an application for vacation of a portion of the subdivision plat for West Broadway Addition, Division No. 1, the conveyance of Oregon Avenue to the Idaho Falls Redevelopment Agency, approval of a Final Plat for West Broadway Addition, Division No. 1, First Amended, and the Reasoned Statement of Relevant Standards and Criteria for the Plat. Each of these items are part of an Urban Renewal Project being completed by the Idaho Falls Redevelopment Agency and a private land owner. The Planning Commission considered the Final Plat at its September 3, 2013 Meeting and recommended approval. Staff concurs with this recommendation.

ACTION: Conduct the public hearing for the Vacation of Plat, Conveyance of Oregon Avenue, Final Plat, and Reasoned Statement of Relevant Criteria and Standards for West Broadway Addition, Division No. 1, First Amended, with the following recommendations, in sequential order:

a. To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance, or take such other action deemed appropriate.

b. To approve the Conveyance of Oregon Avenue to the Idaho Falls Redevelopment Agency and give authorization for the Mayor and City Clerk to execute the necessary documents.

c. To accept the Final Plat for West Broadway Addition, Division No. 1, First Amended and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.

d. To approve the Reasoned Statement of Relevant Criteria and Standards for West Broadway Addition, Division No. 1, First Amended and give authorization for the Mayor to execute the necessary documents, or take other action deemed appropriate.

Motion to Adjourn.

If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Rosemarie Anderson at Telephone Number 612-8414 or the ADA Coordinator Lisa Farris at Telephone Number 612-8323 as soon as possible and they will make every effort to adequately meet your needs.