

**CITY OF IDAHO FALLS, IDAHO**  
**COUNCIL MEETING AGENDA**  
**SPECIAL MEETING**

Thursday, December 18, 2014

7:30 p.m.

**COUNCIL CHAMBERS**  
**680 PARK AVENUE**

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*The Mayor, City Council, and Staff welcome you to tonight's meeting. We appreciate and encourage public participation. If you wish to comment on a matter that is NOT on the Agenda, you should comment during Agenda Item Number 3. If you do not know whether the Mayor will allow comments on an Item on tonight's Agenda (other than during a public hearing), your comments should be made during Agenda Item Number 3. An amendment to this Agenda may be made upon passage of a motion that states the reason for the amendment and the good faith reason that the Agenda item was not included in the original Agenda posting. Note: Items listed under 'ACTION' in this agenda are potential outcomes; however, these matters have not yet been decided. City Council Meetings are live streamed at [www.idahofallsidaho.gov](http://www.idahofallsidaho.gov), then 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):** *This is the opportunity for members of the public to speak to the City Council regarding matters that are NOT on the Agenda; NOT noticed for a public hearing; 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. If you want to speak, please state your name and address for the record and please limit your remarks to three (3) minutes. The Mayor and/or staff may respond to comments from a previous meeting. NOTE: The Mayor may exercise discretion to decide if and when to allow public comment on an Agenda Item that does not include a public hearing. If the Mayor determines that your comments may be made later in the meeting, she will let you know when you may make your comments.*
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 City Clerk:
    1. Approval of Minutes from the October 15, 2014 (Idaho Falls Power Board Meeting), and the December 8, 2014 Regular Council Meeting.
    2. Approval of License Applications, including BEER LICENSES to Airport Lounge, Alchemy Bistro, Alexandra's Musica Latina, Bee's Knees Pub and Catering Company, Bella Vita Bistro and Coffeehouse (BV Coffeehouse), Blue Hashi, Bubba's Bar-B-Que, Bushido, Captain's Cove, Carniceria Aguillilla, Carniceria Michoacan Inc., Chef Shane's Perspective, Chili's Grill and Bar, DB's Bar and Grill, D'Railed (Oman Ventures), El Toro Night Club, Elk's Lodge, Famous Dave's BBQ, Ford's Bar, Fred Meyer Stores Inc., Frosty Gator, Garcia's-Best Restaurants, Golden Crown Lounge, Happy's Chinese Restaurant, Hilton Garden

Inn/A&R Food and Beverage, Holmes Speedi Mart, Idaho Brewing Company, Jiffy Mart (Elm Street), Keefer's Island Restaurant, Kelsey's Mexican Market and Variety Store, Krung Thep, La Union Market, Leo's Place, Lucy's New York Style Pizzeria, Mackenie River Pizza, Marcellar's Vintage Wines and Brews, Muddy's Place, Mulligans, Olive Garden Italian Restaurant, Outback Steakhouse, Papa Tom's Pizza (Woodruff Avenue), Paula's Meat Market, Peppertree Lounge DBA Octane LLC, Pizza Hut (17<sup>th</sup> Street - No. 2161), Pizza Hut (Broadway - No. 2159), Plum Loco, Pockets Inc., Puerto Vallarta (Anderson Street), Puerto Vallarta No. 3 (Hitt Road), Quick Stop of Idaho Falls, R & R Bar, Red Robin Restaurant, Republic American Grill and Tapas Bar, Rite Quick Stop No. 1, Sage Lake Café, Sand Creek Café, Sandpiper East LLC, Short Stop Market and Laundry, Sizzler Family Steak House, Smith's Food and Drug, Smitty's Pancake and Steak House, Speedi Mart - Speedi Corporation Inc., Stockman's Restaurant, Taqueria Paula's, The Brickhouse LLC, The Shop Bar, Tiger Market, Tom's Gyro and Burgers, Union Market, Vino Rosso, Walgreens (First Street - No. 11622), Walgreens (Seventeenth Street - No. 05839), Whitewater Grill, Wrangler Roast Beef and Ham, and 3's Company Catering, all carrying the required approvals.

3. Request for Council ratification for the publication of legal notices calling for public hearings on December 18, 2014.

b. Item from the Public Works Division:

1. Request for authorization to advertise to receive bids for the Woodruff Avenue Reconstruction, Caribou Street to Kearney Street Project.

c. Items from the Airport Division:

1. Request for approval of the Airport Ground Lease Agreement between the City of Idaho Falls, Idaho and Skynite, Inc. located at 1805 Foote Drive, and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has prepared and reviewed said Lease Agreement.
2. Request for approval of the Airport Ground Lease Agreement between the City of Idaho Falls, Idaho and Greg Miller located at 1745 Foote Drive, Unit No. 1, and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Lease Agreement.
3. Request for approval of the Airport Ground Lease Agreement between the City of Idaho Falls, Idaho and Henry Harper located at 1745 Foote Drive, Unit No. 2, and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Lease Agreement.
4. Request for approval of the Airport Ground Lease Agreement between the City of Idaho Falls, Idaho and Marland Stanley and Hal Johansen located at 2575 Foote Drive, and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Lease Agreement.

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

5. **REGULAR AGENDA:**

A. **Municipal Services Division:**

1. **Vehicle Use Policy:** This is the new City of Idaho Falls Vehicle Use Policy. Municipal Services Division respectfully requests the Mayor and Council to approve said Policy.

ACTION: To approve the City of Idaho Falls Vehicle Use Policy (or take other action deemed appropriate).

2. **Resolution Authorizing Destruction of Records:** This is a Resolution Authorizing Destruction of Records. These records have been held longer than Idaho Code Section 50-907 requires and are no longer needed for public purposes. Municipal Services Division respectfully requests that the Council authorize the Mayor and City Clerk to sign the Resolution giving authorization for the documents to be destroyed.

ACTION: To approve the Resolution Authorizing Destruction of Records and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

B. **Public Works Division:**

1. **Tabulation and Award of Bid for 25<sup>th</sup> East (Hitt Road) Improvements, 49<sup>th</sup> South to Sunnyside Road:** On December 12, 2014, bids were received and opened for the 25<sup>th</sup> East (Hitt Road) Improvements, 49<sup>th</sup> South to Sunnyside Road Project. Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, DePatco Incorporated in the amount of \$2,154,263.65 and, authorization for the Mayor and City Clerk to sign the contract documents.

ACTION: To approve the plans and specifications for the 25<sup>th</sup> East (Hitt Road) Improvements, 49<sup>th</sup> South to Sunnyside Road Project; to accept the lowest responsive, responsible bid provided by DePatco Incorporated in the amount of \$2,154,263.65; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents (or take other action deemed appropriate).

C. **Idaho Falls Power Division:**

1. **Bonneville Power Administration (BPA) Contract Revision No 3 to Exhibit D:** This is a Revision to Exhibit D of the Power Purchase Agreement with the Bonneville Power Administration. Revision Number 3 was requested by Idaho Falls Power Staff to enable the utility to self-manage our renewable energy credits along with the ability to purchase surplus power from BPA's trading floor. These revisions have been reviewed by the City Attorney. Idaho Falls Power respectfully requests City Council approve Revision Number 3 to Exhibit D of BPA Contract Number 09PB-13056 and authorize the Mayor to execute the document.

**ACTION:** To approve Revision No. 3 to Exhibit D of the Bonneville Power Administration Contract and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**D. Parks and Recreation Division:**

1. **Gift and Park Development Agreement:** This is an Agreement for the gift and development of 9.41 acres of property adjacent to Ryder Park north of Sunnyside Road on the west bank of the Snake River. The Division of Parks and Recreation recommends approval of the contract and requests authorization for the Mayor and City Clerk to sign the contract documents.

**ACTION:** To approve the Gift and Park Development Agreement for 9.41 acres of property adjacent to Ryder Park north of Sunnyside Road on the west bank of the Snake River, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

**E. Police Division:**

1. **Public Transportation Ordinance:** This Ordinance establishes a comprehensive system for the licensing of public transportation services within the City. The current public transportation regulations are not considered to be adequate for the purposes of informing the users of public transportation the information necessary to help them make good choices on whether to use public transportation services, and which services to use. The Police Division respectfully requests approval of the Ordinance under the suspension of 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).

**ACTION:** To approve the Ordinance under the suspension of 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).

**F. Fire Division:**

1. **TargetSolutions:** The Fire Division is requesting approval to purchase a Training Management System called TargetSolutions. This is a WEB-based training management system that allows individual departments to achieve compliance, track training records and reduce costs while increasing productivity. The Fire Division does not currently have the ability to track mandatory training. The other much needed benefit of this program is that all of this classroom training can be done at each station or location in the City. Currently, when we are conducting classroom training, we have to assemble our engines in a central location, which increases response times. This program will also reduce wear and tear on our apparatus and save on fuel costs. Topics for Fire and EMS training are already embedded within the program with the ability to add content as needed. The other benefit of this program is that it meets the needs of the Human Resources Division for mandatory training of all personnel and supervisors. The City of Idaho Falls will have the ability to easily distribute quality on-line training courses to

employees using the comprehensive web-based training catalog features. These on-line training courses include OSHA training, driving safety courses, sexual harassment prevention courses, and much more. Additionally TargetSolutions' records management system enables all the departments to easily track employee training records. When researching the cost and benefits, we discovered that we could use the Public Agency Clause from the bid Boise City used. If the Fire Division were to purchase this alone, the cost per employee would have been \$99.00, however, using the cooperative purchasing process, the cost is \$24.00 per person if we cover all City employees. The Fire Division has the needed funds within its budget for training to cover the entire City's staff, which is \$18,406.00. This includes a start-up fee, license for the Human Resources and Fire Division, and per person costs. With the inclusion of all staff, the Human Resources Division will be able to administer required training to meet our insurance requirements. This will result in a 5% discount from ICRMP, which is valued at saving the City approximately \$30,000.00 annually. The Fire Division respectfully requests Council approval at the December 18, 2014 City Council Meeting to authorize the Fire Chief to sign the Agreements and purchase this web-based management resources at the cost of \$18,406.00.

**ACTION:** To approve the purchase of the Training Management System called TargetSolutions in the amount of \$18,406.00 and give authorization for the Fire Chief to execute the necessary documents (or take other action deemed appropriate).

**G. Airport Division:**

1. **Amendment to Airline Operating Agreement and Terminal Building Lease - Skywest Airlines:** This is an Amendment to the Airline Operating Agreement and Terminal Building Lease by and between the City of Idaho Falls and Skywest Airlines. The City Attorney has reviewed this Lease Agreement. The Airport Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said document.

**ACTION:** To approve the Amendment to the Airline Operating Agreement and Terminal Building Lease between the City of Idaho Falls and Skywest Airlines and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

**H. Planning and Building Division:**

1. **Final Plat - Avalon Village, Division No. 1:** This is an application for a Final Plat and the Reasoned Statement of Relevant Criteria and Standards for Avalon Village, Division No. 1. The Planning Commission considered this application at its May 5, 2014 Meeting and recommended approval. Staff concurs with this recommendation. Neighboring property owners have requested the Development Agreement include four conditions as outlined in the letters attached with this memo. The application is now being submitted to the Mayor and Council for consideration.

**ACTION:** The following recommendations in sequential order (or take other action deemed appropriate):

- a. To approve the Development Agreement for Avalon Village, Division No. 1, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To approve the Final Plat for Avalon Village, Division No. 1 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Avalon Village, Division No. 1 to the City of Idaho Falls, Idaho, and give authorization for the Mayor to execute the necessary documents.

**6. Public Hearing – Annexation Prior to Platting, Initial Zoning of I & M-1, RLS Investments:** This is the application for Annexation Prior to Platting, Initial Zoning of I & M-1 (Industrial and Manufacturing), Annexation Ordinance, Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for RLS Investments. The Planning Commission considered this application at its October 7, 2014 Meeting and recommended approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

**ACTION:** The following recommendations in sequential order (or take other action deemed appropriate):

- a. To approve the Annexation Agreement Prior to Platting with RLS Investments, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To approve the Ordinance annexing a Metes and Bounds Legal Description for a Metes and Bounds Legal Description of 1.744 Acres in the Northeast Quarter of Section 8 and the West Half of Section 9, Township 2 North, Range 38, East of the Boise Meridian, Bonneville County, Idaho, 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).
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Annexation of property located generally at the northwest corner of the intersection of St. Leon Road (15<sup>th</sup> East) and Yellowstone Avenue (U. S. Highway 26), and south of 33<sup>rd</sup> North (Iona Road) and give authorization for the Mayor to execute the necessary documents.
- d. To approve the Ordinance assigning a Comprehensive Plan Designation of Railroad Related Industrial and establishing the initial zoning of I & M-1 (Industrial and Manufacturing) for a Metes and Bounds Legal Description of 1.744 Acres in the Northeast Quarter of Section 8 and the West Half of Section 9, Township 2 North, Range 38, East of the Boise Meridian, Bonneville County, Idaho, 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), 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.
- e. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of I & M-1 Industrial and Manufacturing for property located generally at the northwest corner of the intersection of St. Leon Road (15<sup>th</sup> East) and Yellowstone Avenue (U. S. Highway 26), and south of 33<sup>rd</sup> North (Iona Road), and give authorization for the Mayor to execute the necessary documents.

**7. Public Hearing – Annexation Prior to Platting with Initial Zoning of HC-1, 2.368 Acres in the Northeast Quarter, Section 34, Township 2 North, Range 37, East of the Boise Meridian:** This is the application for Annexation Prior to Platting with Initial Zoning of HC-1 (Highway Commercial), Annexation Agreement, Annexation Ordinance, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for 2.368 Acres in the Northeast Quarter, Section 34, Township 2 North, Range 37, East of the Boise Meridian. The Planning Commission considered this application at its November 5, 2014 Meeting and recommended approval. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

**ACTION:** The following recommendations in sequential order (or take other action deemed appropriate):

a. To approve the Annexation Agreement for 2.368 Acres in the Northeast Quarter, Section 34, Township 2 North, Range 37, East of the Boise Meridian, and give authorization for the Mayor and City Clerk to execute the necessary documents.

b. To approve the Ordinance annexing a Metes and Bounds Legal Description of 2.368 Acres in the Northeast Quarter of Section 34, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, 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).

c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Annexation of 2.368 Acres located south and adjacent to Sunnyside Road, east and adjacent to 1-15 in the Northeast Quarter of Section 34, Township 2 North, Range 37, East of the Boise Meridian, and give authorization for the Mayor to execute the necessary documents.

d. To approve the Ordinance assigning a Comprehensive Plan Designation of Commercial and establishing the initial zoning of HC-1 (Highway Commercial) for a Metes and Bounds Legal Description of 2.368 Acres in the Northeast Quarter of Section 34, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, 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), 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.

e. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of HC-1 Highway Commercial for Property located south and adjacent to Sunnyside Road, east and adjacent to 1-15 in the Northeast Quarter of Section 34, Township 2 North, Range 37, East of the Boise Meridian, and give authorization for the Mayor to execute the necessary documents.

**8. Public Hearing - Zoning Ordinance Amendments:** These are proposed amendments to various sections of the Zoning Ordinance. The purpose of the amendments is to bring consistency in landscaping standards in all commercial and professional office zones, add landscaping standards to industrial and heavy commercial zones, and amend sections to be more consistent with the Religious Land Use and Institutionalized Persons Act. The Planning Commission considered these amendments at its October 21, 2014 Meeting and recommended approval. Staff concurs with this recommendation. The amendments are now being submitted to the Mayor and Council for consideration.

**ACTION:** To approve the Amendments to the Zoning 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).

**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.*