
Thursday, January 12, 2023

7:30 PM

City Council Chambers

1. Call to Order

Present: Mayor Rebecca L Noah Casper, Council President Michelle Ziel-Dingman, Councilor Radford, Councilor Hally, Councilor Freeman, Councilor Francis (Joined Virtually); and Councilor Burtenshaw

Also present:

All available Department Directors
Randy Fife, City Attorney
Corrin Wilde, City Clerk

2. Pledge of Allegiance

Mayor Casper led those present in the Pledge of Allegiance.

3. Special State Agency Project Update: Idaho Transportation Department, I-15/US-20 Connector.

Karen Hiatt Official of ITD and Ryan Day.

Ryan Day indicated that they have made a recommendation preferred alternative for the I-15/US 20 Corridor in Idaho Falls, choosing Option H. Ryan Day explained that ITD has studied this project for 4 years through a Pell process and now is in the EIS Process. Day stated that they have made an informed decision and can recommend alternative H2. They have Federal Highway, Army Corp of Engineers, and FAA, and they have not made the recommendation and want to move further into the EIS document before making a recommendation. As they move further into the EIS document, if something substantial comes up, they will have to reanalyze and decide if they will go to Option 2 or Option E3. Day stated that he is not going through all the information handed out earlier. Day stated that H2 improves the spacing of the interchange and provides more weaving length. There are 6 interchanges in a 2-mile stretch, and they are so close together and conflict with the entrance and exit of the roadway, and this option spreads the spacing out over a mile for interchanges. E3 also met the condition, but it was minimums and that didn't perform as well. Day stated that when H2 is built out it will leave the opportunity to improve bike and pedestrian facilities on US 20 down the existing corridor because the traffic will be reduced 35-40%. H2 had fewer environmental impacts along the existing corridor and that was a substantial difference between the two alternatives. H2 is easier to construct and phase as it has incremental build-out of the project. E3 has little benefit to the public to be staged. H2 can build a northern bypass and build between Broadway and Grandview and H2 will not be built under traffic and that is a benefit on the construction end. Day stood for questions.

Freeman wants Day to help the public understand H2 and where it is going. Freeman understands it goes through the landfill south of Sage Lakes. Day stated that it is north of the airport that will have a system-to-system interchange that will break to the east along 49th south of Fairway Estates and tie back into US 20 at the St. Leon interchange.

Councilor Hally asked for the estimated total cost. Day indicated between \$250 – \$300 million, and that is why phasing is important as they might not be able to come up with the funding package all at once, but funding over time in portions.

President Dingman stated in the alternate H2 it has been documented that there has been a suggestion for a split diamond interchange and asked if that would occur between exits 118 and 119, and would that occur regardless of the alternative chosen, or is that only part of alternate H2? Day stated that is part of H2 and they would want to build the northern bypass 1st and then a split diamond between Broadway and Grandview, and it would be a second phase, unless they get a windfall of cash, and they are looking for ways to fund this project.

Councilor Burtenshaw asked if the traffic coming through town now, will have to be worked through with ITD to figure out what that looks like, and how the city takes it over, but there is an estimated 35% reduction of what comes off Grandview now and heads out to the St. Leon interchange. Day stated that the traffic analysis, depending on the season 35-40% of that traffic is regional traffic that is heading from Pocatello to Yellowstone and not stopping, so it will be a big benefit from Grandview where US 20 peels off and onto Science Center Drive and Lewisville Interchange.

Mayor Casper stated that the Pell Study was designed to jump-start, so the EIS takes less time. Day stated that they started with 16 options and started to pair them down to options that are constructible, and as they analyzed the options, they realized some were too far north, and you wouldn't get the benefit of traffic using that route, and they looked at a western bypass and at this time it wasn't a valid option. Mayor Casper stated that as they analyzed them and before they initiated the Pell Study a year or two was put into generating the options and so this has been being looked at for longer than 4 years. Day stated that from at least 2017 forward, the Pell Study was rolled out in December 2020. Mayor Casper stated that this study at the beginning of the Pell Study had broken records for public attendance at public meetings. Day agreed and stated that they sent out 14,000 flyers in the impact zone to inform people, FaceBook, Newspapers, media, and transportation web page. Day stated that they got more and more people and the meetings got more elaborate with the last meeting having a simulation of what each alternative would look like. During Covid, they had a virtual meeting with 1100 people in attendance and more comments than any other meeting. The 3rd meeting had over 300 people and over 100 comments. Mayor Casper stated that there are some public meetings where you get 3 people and 2 comments, so these numbers are significant.

Mayor Casper asked if there is a website where people can go to get information. Day stated that they can go to I15us20connector.com. This document is not posted, but they will put it on if the mayor wants it. Mayor Casper suggested getting it on the City's website. Mayor Casper stated that it was coming close to areas that are built out for residential purposes, and if someone lives in a residential area, and they want to engage with design is there an additional opportunity? Day stated that they still have a hearing for the late fall this year. Day stated that they are constantly meeting with people in the office to help mitigate concerns, and there are concerns with option H2 because they are close to Fairway Estates, and they are trying to move the alignment away. Day stated that they can mitigate some concerns to make it palatable.

4. Special Presentation: Mayor's Choice Awards.

Mayor Casper will present the State of the City at a different time, and not tonight, but she decided to keep the Mayor's Choice Awards for this evening.

Mayor Casper presented the Mayor's Choice Awards to recognize citizens in Idaho Falls toward improving the quality of life in the city. There are coaches, duck race volunteers, community gardens planting flowers, etc. Mayor Casper stated that this award is taking the large group and finding the best of the best. Mayor Casper presented the awards as follows:

Outstanding Community Spirit Award –Kevin Call. Kevin Call has played an integral part in the Idaho Falls Community. Roy Farr opened a confectionary store in what would become Downtown Idaho Falls. His Son in Law Bill Call stepped up and purchased the business, and his son Kevin Call who is now referred to

as the candy man can be seen handing out goodies, it is his outstanding love and support for the Idaho Falls Community that he is being recognized tonight. Kevin Call is there when the community needs spirit, volunteers, and support he is willing and usually does bring candy. Kevin Call has been the man behind the curtain of the Snake River Duck Race. Kevin Call organizes the car show on Duck Race Day, and it is high class. Mr. Call has raised more than \$5.5 million through the duck race to make improvements along Riverwalk. Kevin Call's smile and love for treats can be seen at celebrations, including celebrations for Idaho Falls Bandits. Each year Kevin Call supports the city by driving his fire truck on the 4th of July Parade. Kevin Call is involved in other supporting efforts including the Interfaith Council to help those in need.

Community Builder Award- Donovan Stokes. Donovan Stokes saw a problem in his community and did not let ongoing challenges stop him from fixing it. The YMCA needed a new playground for its youth and children's program. Donovan Stokes knew that 2021 was the time to make it happen. The cost was around \$80,000 or more, but then inflation came. Donovan Stokes was not stopped, and he pursued a safe place for Idaho Falls Youth to grow and play, and he raised \$140,000 to build the new playground. Donovan Stokes met with anyone that he could share the mission of the YMCA and his aspiration to build that facility. Donovan Stokes built the Christina Anderson Playground. Donovan Stokes is now back at it walking around again to raise money to help the indoor YMCA Sports Complex in Ammon. Donovan Stokes stated that during the process he was walking across the street with his donation box and there was a gentleman that had a backpack and appeared to need help he asked what Donovan Stokes was doing, and they started talking about Christina Anderson who was a supporter that passed from breast cancer. In talking about the playground and the children the gentlemen started crying remembering times when he was young going to the YMCA, and he gave his last dollar in Donovan's hand and Donovan Stokes hugged him and they wished each other well. Donovan Stokes needed that effort to encourage and motivate him to keep going.

Outstanding Philanthropic Contribution Award - Greater Idaho Falls Police Foundation. Mayor Casper stated that during the pandemic many business and community leaders virtually gathered to discuss how to make Eastern Idaho a safer place to work and play based on collective experiences, and with the guidance of Idaho Falls Police Chief Bryce Johnson they saw a meaningful opportunity to provide local law enforcement with an extra measure of support to obtain resources for those who protect our community. Officially organized in 2020 the Greater Idaho Falls Police Foundation worked behind the scenes and donated time and expertise to support the mission of the foundation to build the organization. Several of the founding members of the largest businesses, including Bank of Idaho, Ball Ventures, and Melaleuca, etc. kick started the foundation by making donations and in-kind contributions. In February 2022, the Foundation paid for specialized training on mental health for local law enforcement and spouses, which gave officers, deputies, and troopers a place to gain skills in emotional survival after they experience and witness terrible things as they deal with human trauma each day. This Foundation can promote mental health initiatives and that is significant. In June, they secured a \$30,000 grant for the Idaho Falls Police Department K-9 program which helped to stretch the budget to expand the program. The ongoing philanthropic support for Law Enforcement and promoting a safer place to work and play is the reason that the Greater Idaho Falls Police Department is being recognized. Chairman Eric Isom is present with members of his Board.

Eric Isom introduced his Board- Karli McDaniel, Royce Clements, Nathan Christiansen, Janet Allen, and Don Stevens, as well as acknowledged missing members Kayce Jackman and Chris Lee, and Tony Lima who were instrumental in helping. They have raised \$175,000 so far, and there will be more coming in the future. The 4 pillars they focus on for support are equipment, training, drug and alcohol addiction recovery services, and community outreach. Isom feels they are just getting started. More to come. Outstanding Community Education Award –Karen Leibert, Dr. David Adler, Jeff Carr. Mayor Casper stated that on Thursday, February 24, 2022, more than 5,000 miles away Ukraine and Russia War

escalated. As the entire world's attention has been on this conflict, Karen Leibert, Jeff Carr, and Dr. David Adler have combined their expertise to educate the community on what this conflict means to us in this community. David Adler and the Alturas Institute invited Jeff Carr who is a former Russia and Eastern Europe Analyst for the CIA, and Karen Leibert (wife of Councilor Jim Francis) a retired history professor from ISU with an impressive background in Russian history, and they were brought together on 3 occasions in the past year to help inform the community of this conflict. Their insights have given us an immersive look at the conflict. The insights have helped to think about this intelligently, the way they hope the elected officials in Washington, DC, will be thinking about this as they make policy. Mayor Casper has been calmed and opened her eyes and given new things to think about with the education given. The Alturas Institute partnered with the City Club and as such the presentations are all available to listen to on the City Club website (Google City Club of Idaho Falls and look for past presentations). Karen Leibert thanked the Mayor for the award and is hopeful that people will still keep their eyes on Ukraine, and she is hoping for a good outcome for Ukraine.

Outstanding Humanitarian Service- Juan Contreras. Juan Contreras takes care of the Thanksgiving Community Meal at the Idaho Falls Salvation Army. Juan Contreras gives credit to those around him. Contreras has helped to bring people together to cook and feed. Contreras was short on volunteers and was able to reassemble a team. Contreras has connections as a realtor and uses his connections to get dozens of turkeys donated to feed 700 people on Thanksgiving. Contreras has a heart of gold and puts people at ease with preparing a huge meal. Contreras arrives the day before to prepare and stays after the meal to clean and make preparations for next year. Contreras should get the Dad of the Year award as he brings his sons to help with the service.

Juan Contreras stated he is a realtor, and his passion is cooking. Contreras has been volunteering to cook Thanksgiving dinner for 17 years and he wouldn't know what it would be like to watch the football game on Thanksgiving. Contreras enjoys the service and the volunteers come year after year they are amazing people that make up his core team that gives of time and talent. Contreras has his wife and 4 of his 5 boys with him tonight. Contreras likes the idea that when he is old and can no longer cook his boys will take over. Contreras was approached by the Mayor to host the State of the City at Holiday Inn by Teton Toyota, next Wednesday, they are having the State of the City. Gafar.org to sign up. There is a fee for the meal, and it will be an amazing event.

Outstanding Community Enrichment- Judy and Jim Seydel. They are not in attendance tonight. The Japanese Friendship Garden has brought together City workers, volunteers, and the Japanese Sister City Committee who host and plan the events for the Japanese delegation. The City of Tokai- mura, Japan, is Idaho Fall's Sister City, and they have given Idaho Falls gifts over the years. The Japanese Friendship Garden looks at traditional Japanese landscaping. 100s of volunteers have worked to upgrade the Garden. The Garden would not be possible without the Seydels as they gathered with a volunteer group of gardeners to create the friendship garden when a large stone lantern was donated by Tokai-mura, and they began adding traditional Japanese landscaping. They were excited and needed a gardener that was sensitive to the feelings of peace that need to be conveyed in a Japanese Garden. The Seydels volunteered and Judy put in time, money, and her husband to help the Garden stay beautiful. The moon pavilion was a labor of love, and it has an authentic feeling. In 2015, they added an exposed aggregate to replace the clay path. Without Judy and Jim, the Friendship Garden would not be successful.

Outstanding Community Commitment – Chaplains of Idaho. Chaplains of Idaho was founded in 2020 to fill a void at the scene of tragedies in the community. It began as the Law Enforcement Chaplains of Idaho, which is a non-profit that trains volunteers to provide help to area police officers responding to calls and the people affected by the tragedies associated with these calls. The area grows and so does the service, and in October of 2022, they changed to Chaplains of Idaho to reflect their expanded efforts and partnership with other First Responder agencies. Chaplains are often associated with religious

leadership, but their mission is broader than any faith-based effort. Chaplains provide supportive services during the worst moments of people's lives. They help First responders following a challenging call. They are an essential part of the First Responder team. In 2022, they responded to 122 calls of service with 490 hours of service. One of the special events was the Faith in Blue event when they turned the falls in Idaho Falls blue and it was a very moving ceremony.

Kristin Chenchetta felt humbled by the award. She loves First Responders and the community. Chaplain Melissa is with her, and they stand on behalf of all 35 Chaplains who dedicate time to serving the community in times of crisis. No one should carry the weight of the badge alone and they will walk beside them through it all.

Easy Rider Award – Greater Idaho Falls Transit (GIFT) – GIFT is new. In 2019 TRPTA was dissolved leaving the community without a community transit service, but the fixed route was not working and needed to change. President Michelle Ziel-Dingman used her leadership and expertise to bring something new and great to Idaho Falls, and they introduced GIFT to the community. Working with State Transportation Officials, GIFT took advantage of Federal Grant Dollars and introduced a pilot project. They needed Kade Marquez as the GIFT Director. On June 3, 2022, the new point-to-point on-demand ride-share service began. Unlike the previous model, which was a fixed route with set bus stops, GIFT is an on-demand point-to-point and not stop-to-stop. GIFT service has been so successful and by the end of 2022, 44,000 rides had been provided. Through the execution of the GIFT Micro transit model, State Officials are gathering data to gain insight into the effectiveness of the urban micro transit for expansion to other cities in Idaho. GIFT Provides a modern and clean service that is a true example of vision and innovation. Kade Marquez appreciates the award. Kade Marquez thanked the people that shared their stories with the drivers and the drivers giving good service. Kade Marquez stated that if you are unable or uncomfortable using the app, they have a phone center, and you can call during all hours of operations. Kade Marquez encouraged all to try it and let them know what they think. Rides are \$3 for a ride anywhere in Idaho Falls. President Dingman gave Kade Marquez credit for where they have come. Dingman stated that Kade was the special person that entered their lives and made it happen. Councilor Dingman thanked the Mayor and Council for their continued support of public transit. Dingman relayed a story of a new hire that takes GIFT to work each day, and how GIFT has allowed this person to become employed.

Mayor Casper stated that they needed to change the agenda as something was listed within a department that it didn't belong to.

It was moved by Councilor Freeman, seconded by Councilor Radford to amend the agenda to move item 7A1 on the regular agenda from Municipal Services to Idaho Falls Power, and that Idaho Falls Power is changed to 7B and Public Works as 7B will be moved to 7A and everything subsequently behind that will be numbered appropriately. The motion was carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay –None

5. Public Comment

No one appeared to speak.

6. Consent Agenda

A. Idaho Falls Power

- 1) Idaho Falls Power Board Meeting Minutes as listed on the agenda

B. Public Works

- 1) Bid Award - Mill Run Storm Drain Improvements
- 2) Resolution Allowing Grant Application to Replace the 65th North Bridge over the Idaho Canal

C. Municipal Services

- 1) Bid Award IF-23-E, Purchase Dump Truck for Public Works
- 2) Bid Award IF-23-06, Purchase of Main Line Materials for Public Works
- 3) Sell Used Snow Loader to the City of Shelley

D. Office of the City Clerk

- 1) License Applications, all carrying the required approvals

It was moved by Council President Ziel-Dingman, seconded by Councilor Burtenshaw to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. The motion carried by the following vote: Aye – Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay –None

7. Regular Agenda

A. Public Works

1) Professional Services Agreement with Forsgren Associates, Inc., supporting the Meppen Canal Trail, Idaho Canal to 25th East Project.

Director Chris Frederickson appeared and presented a Professional Service Agreement. The agreement is to establish a contract to provide engineering design construction assistance for 2 bridges needed to support the new pathway. Federal funding of \$1 million is available. This agreement would do all the subsurface evaluation for the 2 pedestrian bridges with an anticipated cost of \$106,900.00 that will be primarily federally funded with a city match at a regional rate of 7.34%. Frederickson showed the location of the bridges extending from the end of the Idaho Canal trail at Lovejoy Street along Northwest Bonneville Drive, and one initial bridge will tie that trail system across the Idaho Canal to where it will proceed along the Meppen Canal. Another bridge will be needed at the intersection of Caribou Street Right of Way. When the trail system is complete that will link the existing pathway to Hitt Road and will give access to CEI (College of Eastern Idaho).

Councilor Freeman asked if the bridges are like the ones on 14th Street. Director Frederickson agreed that they will be. Councilor Hally feels this is wonderful and will increase connectivity within the city they like to apply for grants whenever possible, and they like 93% participation.

It was moved by Councilor Hally, seconded by Council Radford to approve the Professional Services Agreement with Forsgren Associates, Inc., and authorize the Mayor and City Clerk to execute the document. The motion carried with the following vote: Aye-Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay- None

B. Idaho Falls Power

- 1) IFP 23-04 Upper Plant Runner Hub Rebuild.**

Director Prairie stated this is similar to the project they did last year for the lower plant, as the plants need maintenance from time to time. Director Prairie stated that they need to pull the Hub of the

generator out of the actual turbine, do a major refurbishment, and replace all the bearings. Director Prairie stated it is expensive to do, but much needed to keep turbines running in good shape.

Freeman asked when they would do the build. Director Prairie stated that they will do the notice to Proceed in Mid-February to get the unit back by Summer. Director Prairie wrote clauses into the contract to impose penalties if they miss the deadline in July; as well as some performance payments if it is brought back early. There was a carryover on the Notice to Proceed from last year's project with the lower plant, and that has been corrected and when it goes out it will be based upon this year's date February 1.

It was moved by Councilor Radford, seconded by Council Freeman to approve this agreement with Thompson-HCMS of Hayden, Idaho, for Upper Plant's runner hub rebuild at a not-to-exceed amount of \$916,990.00 and give authorization to the Mayor and City Clerk to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay- None

2) IFP 21-38 Fiber Optic Cable Installation Services with Wheeler Electric, Inc.

Director Bear Prairie presented that Idaho Falls Power put out to Bid to do the in-home installation for the Idaho Falls Fiber Network. Wheeler was the only bidder each time they sent out bids. Wheeler and the city have a great working relationship. Wheeler interacts with customers in homes doing fiber installation. Idaho Falls Power wants a positive interaction and they have been happy with Wheeler with positive feedback from customer interaction. They want to continue to use Wheeler again this year, and Wheeler has agreed to maintain pricing. Councilor Radford asked for a status update. Director Prairie stated they have requested authorization for \$ 1 million and don't anticipate spending that much through September, and the plan is they would rebid in September. Director Prairie stated that if they go greater than the plans, they need the spending authority to keep installs going without asking for additional funding. Director Prairie stated that their projections are \$500,000 - \$700,000. They want people to take advantage of the Fiber Optic Network in Idaho Falls. Councilor Radford asked when they will be done. Director Prairie stated this is the 4th year of the 4 years build-out, and they will have some cleanup work to do in the 5th year, but they will have about 98% access to the community at the end of this year to join the fiber optic network. Councilor Freeman had Wheeler in his home, and they were professional, and it was done quickly.

It was moved by Councilor Freeman, seconded by Council Radford to approve Idaho Falls Fiber (IFF) requests for an additional \$1,000,000 spending authority under the original Wheeler Electric, Inc. contract that was approved September 23, 2021, for a contract total of \$2,056,000 including previously approved spending. The motion carried with the following vote: Aye-Councilors Hally, Francis, Radford, Dingman, Burtenshaw, Freeman. Nay- None

3) IFP 21-34 Conduit Fiber Agreement with B. Jackson Construction

Director Bear Prairie presented that this Agreement is with B. Jackson Construction for backbone fiber install to run fiber optic cables in front of homes and subdivisions. Director Prairie stated they bid this out 1 year ago to do a 3-year contract and B. Jackson was the lowest bidder they still hold the per unit price and the City has had good work from B. Jackson, including repairing and replacing front yards after installation.

It was moved by Councilor Radford, seconded by Council Freeman to approve Idaho Falls Fiber's (IFF) requests the FY2023 budgeted spending authority of \$3,773,555.64 be authorized as previously awarded under the multi-year B. Jackson Construction contract approved August 26, 2021. The motion carried with the following vote: Aye-Councilors Freeman, Radford, Burtenshaw, Francis, Dingman, Hally. Nay- None

C. Community Development Services

1) Final Plat and Reasoned Statement of Relevant Criteria and Standards, AmeriGas Propane Division No.

Councilor Burtenshaw stated that there isn't a Development Agreement because this location already has a curb and gutter, and the street is widened.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to accept the Final Plat for AmeriGas Propane Division No. 1 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried with the following vote: Aye-Councilors Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat AmeriGas Propane Division No. 1 and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay- None

2) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Southpoint Subdivision, Division No. 12.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Development Agreement for the Final Plat for Southpoint Subdivision, Division No. 12, and give authorization for the Mayor and City Clerk to sign said agreement. The motion carried with the following vote: Aye-Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to accept the Final Plat for Southpoint Subdivision, Division No. 12, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried with the following vote: Aye-Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to amend the Reasoned Statement of Relevant Criteria and Standards to read 30 lots with 28 buildable (section 1 number 3). The motion carried with the following vote: Aye-Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Southpoint Subdivision, Division No. 12, and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay- None

3) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Roderick Business Park

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Development Agreement for the Final Plat for Roderick Business Park and give authorization for the Mayor and City Clerk to sign said agreement. The motion carried with the following vote: Aye-Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to accept the Final Plat for Roderick Business Park, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried with the following vote: Aye-Councilors Dingman, Burtenshaw, Francis, Freeman, Hally, Radford. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Roderick Business Park and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay- None

4) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 79.716 acres of the South ½ of the NW ¼ of Section 32 and the South ½ of the NE ¼ of Section 31, Township 3 North, Range 38 East.

5) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R3, Multiple Dwelling Residential, with Approach Surface Airport Overlay Zone, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 79.716 acres of the South ½ of the NW ¼ of Section 32 and the South ½ of the NE ¼ of Section 31, Township 3 North, Range 38 East.

Mayor Casper opened the public hearing.

Applicant: Luke Bloxham, representing Holding Entity, 1086 Jaylee Drive, Rigby. Bloxham is looking for annexation and initial zoning of R3 for 79 acres east of Sage Lakes Golf Course.

Interim Director Kerry Beutler appeared and presented the following:

Slide 1 – Property outlined showing adjacent to N. 5th East, east of Fairway Estates. The property is contiguous to the City on the north and west across 5th East. This property is a category A annexation that has been requested by the property owner. The property is outside of the Area of Impact. There are utilities in 5th East that can be extended to serve this property.

Slide 2- Comprehensive Plan shows this area as General Urban and Mixed-Use Center and Corridor. This area is intended for a mix of housing types and uses and the requested R3 designation is consistent with the Comprehensive Plan. Director Beutler showed recent annexations to the north and west of this property and those properties have been annexed with an initial zoning of R3, making the R3 designation for the subject property consistent with the existing land designation in the area.

Slide 3- Airport Overlay Map. This property includes the Airport Overlay. The northwest corner of the property is in the Approach Surface Designation, and this is the least restrictive of the overlays with the airport and there is no limitation on residential development. The R3 designation is consistent and will function and be compatible with the Airport Overlay Designation.

Slide 4 – Aerial showing agriculture uses. This area is transitioning and some existing subdivisions have been developed with the city to the north including Fairway Estates; and County subdivisions to the north that are 1–2-acre lot County subdivisions.

Slide 5 – View of property looking east from N 5th West.

The Planning Commission recommended approval of annexation with initial zoning of R3 and Airport Overlay, and staff concurs and supports approval of the annexation.

Mayor Casper opened the hearing for public comment.

Jennifer Clark lives on the opposite side of the road and asked how this is going to affect her way of living. Mayor Casper stated that they are here to listen and not have a conversation and staff can help offline and after the meeting, but this is not Q&A.

Mayor Casper closed the hearing. Councilor Burtenshaw had nothing extra to add.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Ordinance annexing 79.716 acres of the South ½ of the NW ¼ of Section 32 and the South ½ of the NE ¼ of Section 31, Township 3 North, Range 38 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion carried with the following vote: Aye-Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay-None

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3497

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 79.716 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, 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 Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 79.716 acres of the South ½ of the NW ¼ of Section 32 and the South ½ of the NE ¼ of Section 31, Township 3 North, Range 38 East and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Hally, Francis, Radford, Dingman, Burtenshaw, Freeman. Nay- None

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to Assign a Comprehensive Plan Designations of “Mixed Use Centers and Corridors” and “General Urban” and approve the Ordinance establishing the initial zoning for R3, Multiple Dwelling Residential with Approach Surface Airport Overlay Zone as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be

instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office. The motion carried with the following vote: Aye-Councilors Freeman, Radford, Burtenshaw, Francis, Dingman, Hally. Nay- None

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3498

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 79.716 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R3, MULTIPLE DWELLING RESIDENTIAL AND APPROACH SURFACE AIRPORT OVERLAY ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R3, Multiple Dwelling Residential with Approach Surface Airport Overlay Zone, and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay- None

6) Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 95.362 acres of the NE ¼ of Section 5 and a portion of Section 4, Township 1 North, Range 38 East and a portion of Section 32 and 33, Township 2 North, Range 38 East

7) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC Limited Commercial, R3A Residential Mixed Use, R3 Multiple Dwelling Residential, and R2 Mixed Residential Zones-Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 95.362 acres of the NE ¼ of Section 5, and a portion of Section 4, Township 1 North, Range 38 East and a portion of Section 32 and 33, Township 2 North, Range 38 East

Mayor Casper opened the public hearing on annexation and initial zoning for 95.362 acres.

Applicant: Brad Pickett, 5286 Trayden Drive, Idaho Falls. Pickett represents the development company. Pickett is requesting an annexation and initial zoning on this property including LC, R3, R3A, and R2 zoning.

Councilor Freeman asked about when Pickett went before the Planning and Zoning and the Commission had recommendations, and what changes were made. Pickett stated that they went to a split down the middle with LC going along 15th and R3 on the west side to make it simple to develop. There were concerns raised at the meeting with P&Z and P&Z wanted an R2 buffer along the west property and less LC. Pickett came back with adjustments to limit the LC and made adjustments on the R3 and added the R2.

Interim Community Development Director Kerry Beutler appeared and presented as follows:

Slide 1 – Aerial showing property is contiguous to the City to the east and this annexation includes right of way for 49th South and 15th East.

Slide 2 – Plat map, shows LC (Red) R3A (light blue), R2, and R3 (brown).

Slide 3- The initial proposal showing LC and R3. During the P&Z hearing there was discussion regarding a zone change and one of the residents provided a description as a recommendation, which the Planning Commission considered as noted in the meeting minutes.

Slide 4- a recommendation from the resident and the request was considered as noted in the meeting minutes.

Slide 5 – shows the Planning Commission recommendation. The recommendation didn't have specific acreage or boundary descriptions, and they did not recommend R1, but rather R2 as a buffer along the west side. There was concern among the Commissioners to have a transition from the new property and the existing development in the County.

Slide 6 – Exhibit submitted by a resident showing his proposal with R1, R2, LC, and R3.

Slide 7 – This is the requested zoning map. All the proposals and recommendations shown in the previous slides would fit with the Comprehensive Plan except for the R1 designation.

Slide 8 – Comprehensive Plan showing General Urban and Mixed-Use Centers and Corridors.

Slide 9 – Broader picture of Comprehensive Plan. The city is trying to provide the suburban zone in yellow that provides for traditional housing, single-unit development, and larger lots. The yellow designation exists where there were existing subdivisions and areas that could be developed are General Urban and that designation was deliberate.

Slide 10 – Definition of General Urban and Mixed-use Centers and Corridors. General Urban is to diversify the housing stock and allow for different housing choices including small single units, duplexes, triplexes, fourplexes, courtyard apartments, bungalow courts, townhomes, etc. Mixed Use Corridor is intended to provide daily services for households in immediate proximity to their residence. To manage growth, you have to bring services closer to residences.

Slide 11 – Comprehensive Plan Map provides information.

Slide 12- Imagine IF Transects Model – The intent is as you move across the transect the services and the intensity of uses get more intense and higher as they move across the spectrum. When you are in an urban area, you need to consider it with an urban view.

Slide 13- Comprehensive Plan – Rural use is in the area and has been in the area, but this area has been identified to be used by the city and provides services and housing diversity for this area of town. The city is divided into areas, and this is Area 5. Area 5 did struggle with where in their neighborhoods they could find diversity in housing because the neighborhoods are built and it's hard to envision the neighborhood differently. Area 5 residents recognized the need for housing diversity and to provide housing choices but didn't know where it should be located. Places on the map that it would be appropriate to locate housing diversity would be in this general area with the cross points 49th South which is an arterial, and 15th E which is an arterial. The intersection of two arterials will be built out and widened to deal with traffic and the need associated therewith. This is on the edge of neighborhoods, and this is a good place to introduce housing choice and housing diversity, and the way to introduce that choice is to include the different zoning designations.

R1 would not be consistent with the Comprehensive Plan because it only allows for single-unit dwellings. R2 and R3 and R3A and LC would be consistent with the Comprehensive Plan. R2 and R3 do not allow services, but only residential uses. To provide daily services you need R3A, and LC incorporated.

Slide 14- shows other areas in town that have similar layouts and development occurring. 65th South and 5th West. The intersection of 2 arterial roads with 31 acres of LC and 13 acres of R3 behind and transition into R1 and RP zones to the north.

Slide 15 – Broadway and Skyline. 2 arterial roads intersection, with a mix of a lot of different zones with HC and LC for commercial (30 acres), 9.5 acres of R3, 5 acres of R3A, 8 acres of R2. This is a similar mix of what is being proposed.

Slide 16 – Woodruff and 1st Street – near Old Smith's Grocery. This area is an intersection of 2 arterials with 20 acres of LC, 15 acres of R3A. If you add the other properties to the north, including WinCo, there is an additional 30 acres of commercial. This scenario shows the local daily services, as well as regional centers. This is a similar concept to the proposed zoning designation.

Along arterial streets, the Access Management Plan requires specific spacing between access points (660') and when they lay out zoning designations they need to match up with future road and street networks, and that is what is being shown with the proposed zoning layout.

Slide 17 – aerial showing large county lots to the west with urban development to the east. 49th South is designated as a pedestrian priority with pedestrian connections to achieve walkability and connectivity. 15th East is designated as a truck priority. This area is key for developing the future walkable center.

Slide 18 – Street classification.

Slide 19 – Close up aerial showing the property has been agricultural.

Slide 20 – shows pictures or area

Slide 21- shows pictures of the area.

Councilor Burtenshaw stated and asked for confirmation that as you are coming off 15th on to 49th there can be one access into LC and one access that can split between R3A and R2. Director Beutler stated that it is approximate, and the drawing is scaled. Councilor Burtenshaw stated that P&Z liked what Dr. Traynor presented. Councilor Burtenshaw asked for R3A and LC designation differences. Councilor Burtenshaw asked if the proposal fits the spirit of what P&Z recommended. Director Beutler stated that R3A is a mixed-use zone that allows for residential (single unit to multi-unit) as well as office space, professional services, some retail, and a food store like a grocer, but not traditional commercial uses.

Councilor Francis asked Beutler to confirm that they annex the entire street along the development, and so both roads would be annexed. How is that different than the past policy, considering impact fees?

Director Beutler stated that the City's policy used to be that they would not annex the right of way until there was City property on both sides. But recently that was modified so that as they annex property, they will annex the full right of way for arterial streets and the impact fees are collected for transportation that would go to construct the streets to City Standards. So, there would be a widening,

curb gutter and sidewalk. There have been traffic studies done for the area, and 49th and 15th and there will be a future lighted intersection and as this develops, they will do analysis to know what the right street section and development will look like. Councilor Francis stated that the work on the arterials will add to the walkability in this area. Director Beutler stated that 49th is a pedestrian shared-use priority and it would look similar to Sunnyside with a pathway on one side of the road.

Mayor Casper stated that prior to the impact fees, they would only take and annex the property until there was land on both sides and then they would wait for development to give a development agreement that would help to build out the road. Director Beutler agreed that prior to impact fees, it was the developer's responsibility to develop the road, and the city would participate, but now with impact fees the City will develop the arterials. Mayor Casper asked if that is a significant policy change that will result in fairly significant improvement in infrastructure sooner. Director Beutler stated it will still occur as development occurs.

Councilor Hally stated that there have already been major improvements to the 15th East and 49th South with 4-way stops and both are 40 mph not 50 mph.

Mayor Casper opened for public testimony.

Matt Traynor 5203 S 11th East, Idaho Falls, Idaho. Traynor sent a packet of 30 slides- and is asking for slide 363 and wanted to focus on 5 areas of concern on the zoning request as it is not consistent with the Imagine IF Comprehensive Plan. The requested zoning changes would create a much larger area of commercial zoning, and high-density residential than suggested by the Comprehensive Plan. Traynor had a craft he created to show the area as it is currently with 49th South and 15th East and development in the northeast corner, and the subject area. Traynor stated that the original proposal had more commercial and R3, and Traynor is proposing that it be reduced and have a transition from the surrounding area, and there be less commercial on 49th South. The current proposal has a narrow strip of R2 (smaller than suggested by P&Z) and an addition of R3A that can include commercial. Traynor suggested that the amount of commercial capability between LC and R3A, the original proposal had approximately 61% commercial capability and the current proposal is 60%, so it is not much difference overall in terms of the commercial capability between proposal 1 and the current proposal. Traynor showed the Comprehensive Plan has a smaller area suggested for the future walkable center than what is being proposed by the developer, and Traynor is asking for it to be constrained to what is suggested in the Comprehensive Plan. Traynor stated that it will create a radical change in the surrounding area, and no neighborhood should experience a radical change. 49th South would be strained with the requested changes as 49th South is a pedestrian bike minor arterial with 3 lanes and 15th East is Truck/ auto with 5 lanes. Traynor wants the commercial moved toward 15th and a limited amount of commercial on 49th. The requested zoning changes are overly aggressive at diversifying the housing stock in Area 5 and do not correlate with the feedback from Area 5 residents and actions on Imagine IF. The actions listed in Imagine IF talk about increasing the housing stock with duplex, townhomes, and accessory dwellings, and doesn't discuss high-density residential like apartments. The requested zoning changes do not reflect the recommendations from the P&Z Commission. Traynor had shown a compromise with the western half consisting of 45 acres designated R1 and R2 to allow a transition between farming and RE, and limit LC to 15th East and northeast corner consistent with the Comprehensive Plan. The amount of commercial and high-density residential being requested is 2-3 x the amount on the northeast corner. The apartment complexes being built are a significant change from the surrounding area, and this proposal is 2-3 x that change. P&Z considered the western half of R2, however, Traynor still wants R1

and R2 as a transition and limit commercial to 15th consistent with the walkable center and Comprehensive Plan.

Robert Collett. Collette has lived on his street for 25 years. Collette knew all along that there would be some change, and they are fine with that. Collette stated that Matt Traynor's initial proposal to Planning and Zoning was a "request to be reasonable." Collette joked that they live there because they cannot get along with neighbors, and they will drive people crazy if they have neighbors right up on their back. Planning and Zoning recommended to the City Council and what was brought back by the developer tonight does not represent what the Planning and Zoning Commission recommended. Collette is hoping that you give the staff and Pickett another shot to do this closer to what P&Z has proposed. The transition is a narrow strip with maybe one duplex along the County properties. There is plenty of land to do more transition. Collette does appreciate the 4 way stop.

James Cannard. Cannard agrees with Matt Traynor and is more concerned than what has been expressed regarding how dramatically this development will change the area. All the slides show comparisons in the city, show existing situations with single-family housing, and then duplexes and gradual changes. Cannard strongly recommends looking at examples because 7 families are living on 80 acres. Cannard stated that this area is a valuable resource to the city and the people in this community. 11th East is used by 100's people who bring families to take photos for weddings, special occasions, etc. It is not right to jam hundreds of people up against the property. Cannard feels it would be a safety issue. The zoning with R2 can have triplexes and 4 plexes along the strip overlooking the County properties. High-density housing right next to agricultural and park-like facilities is not right.

Mike Dennier, 5428 South 11th East, Idaho Falls, Idaho. Dennier is a longtime resident. Dennier stated that the presumption that was given by Staff that local residents desire a lot of commercial development, and access to groceries and want walkable services is not valid and they do not want that. Dennier stated that the latest plan shows a narrow strip of R Something on the western border and that is a token strip and a small concession to the desires of the community. Dennier is wondering why the more recent plans do deviate from the plan that Idaho Falls Planning Commission has set out.

Richard Bentley 5529 S 11th East, Idaho Falls, Idaho. Bentley stated there is good access with a gas station within a mile. There is a grocery store within 2 miles and in the City's plan to have the corner develop, that is not unreasonable, but there is no need for a larger commercial zone in the area. There are offices within a mile of the neighborhood. Bentley feels the strip along the property is a token measure. Bentley asked for the transition to be wider.

Councilor Francis asked Pickett how he feels he responded to Planning and Zoning with the new design that has been presented.

Applicant: Pickett stated that the City of Idaho Falls has invested money in the last 4-5 years in growth and development and, how development happens and, how to move the city forward. Pickett stated that the MMHR (Missing Middle Housing Report) was done in September 2020, which was referred to by Beutler; the survey and the Imagine IF Report were done in February and April of 2021 along with the City-Wide Survey done in 2021. Pickett stated that as a public hearing, everyone has a right to speak, but this is the City of Idaho Falls City Council Meeting. Pickett stated it is a delicate situation when the City and County come together. Whenever there is the annexation of County and City issues there are questions. Pickett handed out the three reports that he will be referring to. Pickett stated that a Comprehensive Plan is planned for 8-20 years, and County and City do their best to blend for future growth. Idaho Falls is growing rapidly, and the city is doing the best they can with what they have in front of them. Pickett stated that the MMH Barriers to Missing Middle Housing was done in September 2022. The map refers to the subject area as Area 5. Pickett stated that the next page of the MMH report (page 7) talks about what the study is about. Pickett read from the study on page 7: "Increasing millennials and baby boomers are looking for more housing choices including ... within walking distance... mixed-use neighborhoods... looking to downsize while staying in the same neighborhood".

Pickett moved to Page 9 to talk about why Missing Middle Housing is important in future communities. Pickett read "By 2025 85% of households will not have children, but we are building as if they will... millennials do not want or need large yard or house to maintain." Pickett moved to Page 13 of the MMH Report where it talks about walkability centers. This corner of the subject property was designated as a walkability intersection in the City of Idaho Falls. Pickett read Page 12 defining walkability centers. Pickett moved to walkable context on page 12 and read "A critical characteristic of the MMH types is they are most effective when located within an existing or newly created walkable context ...less space, and less yard to maintain in proximity to services...". Pickett moved to Page 35 of the MMH report where it talks about walkable centers needing to be $\frac{1}{4}$ to $\frac{1}{2}$ mile. Pickett understands that to the neighbors the 95 acres is a huge piece as it is right in their face, but when you take a broad picture from a City of Idaho Falls view the entire 95 acres is a small piece of the property in Idaho Falls consisting of less than .5% of the property in the City of Idaho Falls. It is important to get the zoning right otherwise what you have on corners with just a little commercial you have a gas station and car wash. Pickett referred to the map showing Park and 65th. Pickett stated that when a person goes to develop an area it has to be laid in a certain way. Pickett stated that one of the reasons they designed his property is due to entrance spacing. Pickett showed in his proposal that this area is designated as a walkable center. Pickett showed where access points could be on the property. Pickett stated that to have a neighborhood market it has to be at least 800' deep for commercial usage and anchor the area. Pickett chose R3A for that area because they have commercial, they have rooftops and the services that need to be addressed are office buildings that cannot be used in R3. Pickett used R3A as a bookend to fill the need for professional businesses or housing depending on what the market demands. Pickett is proposing a road between the R2 and LC which will act as an additional buffer. From the LC to the R2 it is 660' to the next entrance. R3A against 15th E is in case there is a need or demand for businesses. The city needs and wants a walkable center and R3 would not create that walkable center. If you reduce the LC, you will get a gas station and car wash, not something that is a designated walkable center where people can walk to work, grocery, etc. Pickett is trying to blend the housing with professional office with commercial and the commercial has to be that deep to get any sort of substantial commercial for the area. Pickett stated that the studies the city has done show what the city wants with a diversity of housing. Pickett stated that Area 5 in the City-Wide Survey stated that "Diversifying housing options is identified as a need and a tool to increase availability and affordability of housing." The action recommended is "to modify zoning to allow housing options including duplex, townhome, twin home ... around major intersections and near major roads." "Area 5 showed high support for focusing on walkable centers where communities do things together Well connected to residential areas, provide amenities such as shopping, services, transit, food, and employment ... areas identified for walkable center potential are listed below." 49th and 15th were listed as walkable areas. Pickett stated that it was found in the studies that Idaho Falls performed that there was a desire for a walkable center. Pickett stated that it is a matter of opinion. Pickett knows it is hard between County and City. Pickett stated that as landowners and neighbors, there are choices in life, including buying the property controlling it, and doing nothing. If you don't like what is going on around you, you can take it in and absorb it or move. This is a growing side of town, and it would be a disservice if this request was not approved.

Mayor Casper closed the public hearing.

Councilor Burtenshaw was leaning toward the recommendation of P&Z feeling like they need a larger buffer, but she appreciates the experience in the room considering what Mr. Pickett has informed the Council of, as she did not understand what kind of land was required for a walkable center. Burtenshaw knows the city is growing and she wishes there was a bigger buffer with another section of R2.

Councilor Freeman stated that it was testified that it is only a mile to the store from this intersection, but 20 years from now this intersection will be the store that is a mile away from 65th South when it gets

developed. It would be naïve to deny the fact the city will go that far. Landowners have rights and who is developing should develop as they wish if it doesn't cause undue stress to those around them. The developer has made concessions already, and Freeman tends to support the zoning as proposed. Councilor Francis thinks the developer's explanation is important. The concept of walkable is bigger than the circle on the Comprehensive Map, and the need for access on roads and the limitations there, make sense as explained the way it is laid out. Councilor Francis stated that the Area 5 survey and the responses stated the residents like the quiet area but noted a lack of easy access to daily goods and services, which is what can be developed here. The residents in Area 5 "noted the need for more commercial and recreation services and wanted actual destinations to go to". Councilor Francis added that the R2 strip is 11 acres and earlier tonight the Council approved 30 lots on 12 acres, so there is a possibility to develop a lot of lots along that acreage. There is complexity and Traynor has nailed it. Traynor's statement to Planning and Zoning has influenced what is being proposed tonight. Councilor Francis noted there is a need and desire for destinations. Councilor Francis is open to ideas but is leaning towards approval.

Councilor Burtenshaw added that growth has come to this area, and the 4-way intersection is a top priority for living in this area. Burtenshaw stated that this has already been warranted for a signal, and the growth is there, and the city is applying for a grant this month to signal this intersection. Burtenshaw feels the extra buffer would be important.

Mayor Casper stated that there is a consideration that has to be given to who owns the property. The hearings are because the government has to be careful about limitations on the right of ownership, and it is a balance between the right of the person who owns versus everybody else's right. Mayor Casper urged the Council to have long-term thinking.

President Dingman stated that she is still struggling with reconciling that what the P&Z Commission recommended is not what is being proposed. President Dingman is trying to figure out how that plays into the decision. President Dingman asked if what is being asked is deviating too far from what they can and cannot approve.

Mayor Casper stated that P&Z is a recommendation. Randy Fife agreed that there is a recommendation from P&Z, and they are a body with knowledge and experience, but there is no need to be bound by the recommendation from P&Z. President Dingman stated that the entire record has testimony from P&Z, and feels the buffer is an interesting choice.

Councilor Burtenshaw was going to move to divide the R3 again one more time in half and designate it as an R2 to see if it sticks to give an extra buffer. Burtenshaw acknowledged R1 is not needed, but more R2 is needed for a buffer. The roads can be wherever roads need to be to make the access work.

Councilor Burtenshaw can accept the R3A on 49th Street as a compromise although she doesn't love it. Mayor Casper asked if that is a motion she wants to make. Councilor Burtenshaw stated if that can be captured as a motion, that would be her recommendation to take the R3 as presented and cut it in half vertically and keep the east side R3 and the west side R2 to allow more transition. Councilor Burtenshaw stated that buffer is the wrong term and transition is a better word.

Mayor Casper stated that the motion would come later because the property hasn't been annexed yet.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Ordinance annexing 95.362 acres of the NE ¼ of Section 5, and a portion of Section 4, Township 1 North, Range 38 East, and a portion of Section 32 and 33, Township 2 North, Range 38 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. The motion carried with the follow vote: Aye-Councilors Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay- None

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3499

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 95.362 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, 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 Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 95.362 acres of the NE ¼ of Section 5, and a portion of Section 4, Township 1 North, Range 38 East and a portion of Section 32 and 33, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay- None

Councilor Francis is ready to make a motion as proposed as he is not comfortable telling a developer he has to make a change, and he feels the developer has heard the thoughts of the Council and that is something that can be worked out as plats are worked out.

It was moved by Councilor Francis, seconded by Councilor Freeman Assign Comprehensive Plan Designations of "Mixed Use Centers and Corridors" and "General Urban" and approve the Ordinance establishing the initial zoning for LC Limited Commercial, R3A Residential Mixed Use, R3 Multiple Dwelling Residential, and R2 Mixed Residential Zones as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office. The motion carried with the following vote: Aye-Councilors Hally, Radford, Freeman, Francis. Nay- Burtenshaw, Dingman.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO.3500

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 95.362 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC, R3A, R3 and R2 ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the initial zoning of LC Limited Commercial, R3A Residential Mixed Use, R3 Multiple Dwelling Residential, and R2 Mixed Residential Zones and give authorization for the Mayor to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Dingman, Radford, Francis, Burtenshaw, Hally, Freeman. Nay- None

E. Executive Session

It was then moved by Councilor Burtenshaw, seconded by Councilor Freeman, to move into Executive Session (at 10:54 p.m.). The Executive Session is being called pursuant to the provisions of Idaho Code Section 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated. The Executive Session will be held in the City Annex Conference Room. At the conclusion of the Executive Session, the Council will reconvene into regular Council Meeting. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay - none.

The City Council of the City of Idaho Falls met in Executive Session, Thursday, January 12, 2023, in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 11:00 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Council President Michelle Ziel-Dingman
Councilor John Radford
Councilor Lisa Burtenshaw
Councilor Jim Francis (Virtually)

Also present:

Randy Fife, City Attorney
Mark Hagedorn, Controller (Joined at 11:07)
Bruce Young, Assistant Director Finance and Administration (Joined at 11:07)

The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated. The Executive Session concluded at 11:26 p.m. Mayor Casper called the Council back to order. The Council then reconvened into regular Council Meeting.

F. City Attorney.

- 1) Resolution to Approve a Direct Loan to Idaho Falls Regional Airport.

It was moved by Councilor President Dingman, seconded by Councilor Freeman approve the resolution to provide a direct loan to the Idaho Falls Regional Airport for the purpose of land acquisition and give authorization for the Mayor and City Clerk to execute the necessary documents. The motion carried with the following vote: Aye-Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay-None

8. Announcements

Mayor Casper announced that Monday is Martin Luther King Day, and the city will be closed. Wednesday is the State of the City address.

Thursday the African American Alliance is hosting its 16th Annual Martin Luther King Junior banquet. Friday is the Association of Idaho Cities Board Meeting, and the Mayor welcomed the Councilor's attendance.

Monday 23rd is a work session.

Tuesday 24th is an airport meeting.

AIC during the week.

Councilor Hally indicated that the Idaho Falls Redevelopment meeting is Thursday.

Mayor Casper BMPO is Wednesday

Councilor Freeman stated 175 acres of growth tonight.

9. Adjourned

There being no further business, the meeting adjourned at 12:00 a.m. Midnight.

s/ Corrin Wilde _____

Corrin Wilde, City Clerk

s/Rebecca L. Noah Casper _____

Rebecca L. Noah Casper, Mayor