



# City Council Meeting

680 Park Avenue  
Idaho Falls, ID 83402

## Minutes - Final

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Thursday, January 27, 2022

7:30 PM

City Council Chambers

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**1. Call to Order.**

**Present:** Council President Michelle Ziel-Dingman, Councilor John Radford, Councilor Jim Francis, and Councilor Lisa Burtenshaw

**Absent:** Mayor Rebecca L Noah Casper, and Councilor Thomas Hally

**Via WebEx:** Councilor Jim Freeman

**2. Pledge of Allegiance.**

Council President Dingman lead those present in the Pledge of Allegiance.

**3. Consent Agenda.**

**A. Municipal Services**

- 1)** Quote IF-22-012, Purchase Mower for Public Works  
This purchase will replace unit #9113, a 2007 Jacobsen Hydro mower that has reached its useful life and scheduled for replacement.
- 2)** Bid IF-22-04, Purchase of Water Pipe Inventory for Public Works  
This purchase will replenish water pipe inventory for Public Works, Water Division.
- 3)** Minutes from Council Meetings  
January 13, 2022 City Council Meeting and January 14, 2022 County-City Growth Discussion
- 4)** License Applications, all carrying the required approvals

***Recommended Action:***

It was moved by Councilor Burtenshaw, seconded by Councilor Francis, 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 Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - none.

**4. Regular Agenda.**

**A. Municipal Services**

- 1)** Quote IF-22-013, Purchase Two 2022 Ford F-150 Lightning (Electric) Crew Cabs for Idaho Falls Power  
As a regular Ford customer, the City of Idaho Falls had the opportunity to reserve the two F-150 electric

crew cabs from Summit Ford, locally owned by Teton Auto Group. These addition-to-the-fleet vehicles will be used to demonstrate and better understand the benefits of electric power pickup trucks for not only the utility and City, but also for the community at large.

Municipal Services Director Pamela Alexander stated a discount was received as the city is a Ford account holder. Council President Dingman stated this item was discussed at the January Idaho Falls Power (IFP) Board Meeting. She also stated these are highly reliable and useful vehicles.

It was moved by Councilor Burtenshaw, seconded by Councilor Radford, to accept the quote to purchase two new 2022 Ford F-150 Lightning (Electric) Crew Cabs for Idaho Falls Power from Summit Ford for a total of \$80,061.34. The motion carried by the following vote: Aye - Councilors Burtenshaw, Radford, Dingman, Freeman, Francis. Nay - none.

**2) Quote IF 22-G, Purchase One Loader Mount Snow Blower for Public Works**

Public Works leased the Loader Mount Snow Blower from SWS Equipment for the purposes of testing the unit's operational compatibility in the field. After testing the unit for approximately four months, Public Works is leveraging costs savings available by purchasing the unit outright. The purchase of the Loader Mount Snowblower is an addition to the Public Works fleet.

It was moved by Councilor Burtenshaw, seconded by Councilor Radford, to accept the quote received to purchase one Loader Mount Snow Blower for Public Works from SWS Equipment, LLC, for a total of \$131,980.25. The motion carried by the following vote: Aye - Councilors Dingman, Burtenshaw, Francis, Freeman, Radford. Nay - none.

**B. Idaho Falls Power**

**1) IFP 22-06 Conduit Purchase for Idaho Falls Power**

Idaho Falls Power (IFP) solicited bids from qualified vendors to purchase annual conduit inventory for electric and fiber service. Adhering to IFP construction timelines, D&S Electric Supply, Irby, GenPac and Border States were the lowest responsive, responsible bidders. Based on construction projections and unit bid prices, the base value is \$316,589.35 with a 5% tolerance of \$15,829.47 for a total cost of \$332,418.82.

IFP Director Bear Prairie explained the bid process. He stated project delays could occur due to the delay of lead time. He expressed his appreciation to HD Fowler for being open and honest regarding the extended lead time. Council President Dingman noted this item was also discussed at the January IFP Board Meeting.

It was moved by Councilor Radford, seconded by Councilor Freeman, to approve the bid awards to D&S Electric Supply, Irby, GenPac and Border States for the unit prices shown as bid, for a not-to-exceed amount of \$332,418.82. The motion carried by the following vote: Aye - Councilors Francis, Dingman, Freeman, Radford, Burtenshaw. Nay - none.

**C. Parks & Recreation**

**1) Lease Agreement Between City of Idaho Falls and the Idaho Falls Motocross Association.**

This agreement, if approved, would allow the Idaho Falls Motocross Association to utilize the Noise Park facilities and bring together owners and users of motorcycles for fun and safe organized riding and racing. It would also allow them to assist in and encourage the continued maintenance and improvements at the Idaho Falls Raceway.

Council President Dingman stated this agreement was discussed at the January 24 City Council Work Session. Parks and Recreation (P&R) Director PJ Holm stated P&R has been working with this group for an extended length of time. Councilor Radford expressed his appreciation to the effort of all involved. He believes it's good to have facilities that can stay open and function.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the agreement between the City of Idaho Falls and the Idaho Falls Motocross Association. The motion carried by the following vote: Aye - Councilors Burtenshaw, Dingman, Radford, Freeman, Francis. Nay - none.

#### **D. City Attorney**

##### **1) 2022 Records Destruction Resolution**

The proposed Resolution would authorize the destruction of certain temporary records which have no intrinsic, historical, or other value. Prior to the destruction of these records, Idaho Code § 50-907 requires that the destruction of temporary records be ordered by the Council. This resolution meets the requirement to order the destruction of the records specifically listed in the resolution.

Mr. Fife stated cities are required to keep documents they create for a minimum of two (2) years. He stated those documents are then categorized into various categories. He noted if there is a document that must be kept only one (1) copy is required which can be kept electronically.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the 2022 Records Destruction Resolution to destroy certain temporary records, pursuant to Idaho Code § 50-907. The motion carried by the following vote: Aye - Councilors Francis, Radford, Dingman, Burtenshaw, Freeman. Nay - none.

##### **RESOLUTION NO. 2022-01**

**A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE CLASSIFICATION AND DESTRUCTION OF CERTAIN TEMPORARY PUBLIC RECORDS PURSUANT TO IDAHO CODE § 50-907; PROVIDING THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL AND PUBLICATION ACCORDING TO LAW.**

#### **E. Community Development Services**

##### **1) Final Plat and Reasoned Statement of Relevant Criteria and Standards, McNeil Business Park Division No. 2, 1st Amended.**

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for the McNeil Business Park Division No. 2, 1st Amended. The Planning and Zoning Commission considered this item at its July 6, 2021, meeting and recommended approval by unanimous

vote. Staff concurs with this recommendation.

Councilor Francis stated Community Development Services Director Brad Cramer confirmed an opaque fence and landscaping will be required along the buffer zone.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to accept the Final Plat for McNeil Business Park Division No. 2, 1st Amended and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye - Councilors Freeman, Radford, Burtenshaw, Francis, Dingman. Nay - none.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for McNeil Business Park Division No. 2, 1st Amended and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Radford, Francis, Dingman, Burtenshaw, Freeman. Nay - none.

- 2) Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 2.446 acres, Southwest ¼ of Section 26, Township 2 North, Range 38 East.

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 2.446 acres, Southwest ¼ of Section 26, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its December 7, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Council President Dingman opened the public hearing and ordered all items presented be submitted into the record. She requested applicant presentation.

Barry Bane, Connect Engineering, appeared. Mr. Bane stated the parcel is completely surrounded by the city. He believes the LC Zone complies with the Comprehensive (Comp) Plan. He noted there is high-density residential to the south, and commercial, identified by a masonry wall, along the north side. He also noted buffering will be required. Mr. Bane stated he understands there will be residential noise although he believes LC will fit. He also believes it gives good flexibility for the area. Per Councilor Burtenshaw, Mr. Bane believes development to the south will match the other area.

Council President Dingman requested staff presentation.

Director Cramer appeared. He presented the following:

Slide - Comprehensive Plan Future Land Use Map

Director Cramer stated this area includes high-density residential and commercial.

Slide - Photo of site

Director Cramer stated this is infill development.

Per Councilor Radford, Director Cramer stated the property to the east is city property. He noted this was different ownership.

Council President Dingman requested public testimony. No one appeared. Council President Dingman

closed the public hearing.

Councilor Francis believes this fits with the desire of infill, he also believes LC is the perfect transition zone for a livable, walkable concept. Councilor Burtenshaw stated she is pleased to see this area be developed. She agreed with Councilor Francis' comments. Councilor Radford also agrees this is good infill. He is hopeful this becomes a walkable, livable area. Council President Dingman agreed with the other councilors' comments.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to approve the ordinance annexing 2.446 acres, Southwest ¼ of Section 26, 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 by the following vote: Aye - Councilors Francis, Dingman, Freeman, Radford, Burtenshaw. Nay - none.

At the request of Council President Dingman, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3436**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 2.446 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.

Following brief discussion, Director Cramer clarified this area is Section 16, not Section 26.

Based on scrivener's error, Councilor Francis amended the original motion to read Section 16 instead of Section 26. The motion was seconded by Councilor Burtenshaw. The motion carried by the following vote: Councilors Burtenshaw, Radford, Freeman, Dingman, Francis. Nay – none.

At the request of Council President Dingman, the City Clerk re-read the ordinance by title only:

**ORDINANCE NO. 3436**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 2.446 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 Francis to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 2.446 acres, Southwest ¼ of Section 16, Township 2 North, Range 38 East and give authorization for the Mayor to execute the necessary documents. The motion was amended to amend any relevant documents that reflect Section 16, not Section 26. The motion was seconded by Councilor Burtenshaw. The motion carried by the following vote: Councilors Freeman, Francis, Radford, Burtenshaw, Dingman. Nay – none.

- 3) Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC, Limited Commercial, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 2.446 acres, Southwest ¼ of Section 16, Township 2 North, Range 38 East.

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 2.446 acres, Southwest ¼ of Section 16, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its December 7, 2021, meeting and recommended approval of LC, Limited Commercial by a unanimous vote. Staff concurs with this recommendation and recommends approval.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to assign a Comprehensive Plan Designation of "Higher Density" and approve the ordinance establishing the initial zoning for LC, Limited Commercial 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 by the following vote: Aye - Councilors Dingman, Radford, Francis, Burtenshaw, Freeman. Nay - none.

At the request of Council President Dingman, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3437**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 2.446 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Francis, seconded by Councilor Burtenshaw, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of LC, Limited Commercial and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Dingman. Nay - none.

**5. Announcements.**

Council President Dingman reminded the public that general public comment has been suspended through February 22.

It was then moved by Councilor Burtenshaw, seconded by Councilor Francis, that Council go into Executive Session (at 8:02 p.m.) 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, and Council will not return to open session. The motion carried with the following vote: Councilors Burtenshaw, Dingman, Freeman, Francis, Radford.

s/ Kathy Hampton  
Kathy Hampton, City Clerk

s/ Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor