

**March 28, 2019**

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, March 28, 2019, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

**Call to Order:**

There were present:

Mayor Rebecca L. Noah Casper  
Councilmember Thomas Hally  
Councilmember Jim Francis  
Councilmember John Radford  
Councilmember Michelle Ziel-Dingman  
Councilmember Shelly Smede  
Councilmember Jim Freeman

Also present:

All available department directors  
Michael Kirkham, Assistant City Attorney  
Kathy Hampton, City Clerk

**Pledge of Allegiance:**

Mayor Casper requested Bud Cranor, City of Idaho Falls Public Information Officer, to lead those present in the Pledge of Allegiance.

**Public Comment:**

Mayor Casper requested any public comment not related to items currently listed on the agenda or not related to a pending matter.

Mr. Ben Hill, Idaho Falls, appeared. Mr. Hill stated since South Boulevard has been re-stripped, kids have been using the middle lane to race, people have attempted to pass him, and excessive speeding has occurred. He also stated he has almost been struck several times while entering his driveway due to people using the center lane rather than slowing down. Mr. Hill stated he is upset with the excessive gravel from snow removal, he is hoping to rake the excessive gravel from his lawn back into the street. He indicated there is also gravel in his driveway from the re-surface as the seal coat was not done well. Mr. Hill requested the promised meeting still be held this spring. Mayor Casper stated a commitment was made to hold a meeting and the commitment has not waned.

It was then moved by Councilmember Freeman, seconded by Councilmember Francis, to amend the agenda and to recommend Item 5.C.1 be moved to Item 4 due to the Paines' being present for the renaming of the Substation. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

**Idaho Falls Power**

**Subject: Paine Substation Naming**

Jeff Paine was the chief engineer of Idaho Falls Power (IFP) from 1970 to 1984. Jeff was known for being organized, competent and having impeccable analytical skills. Jeff was responsible for the day to day operations of the Electric Division (now Idaho Falls Power), and instrumental in many critical utility efforts, such as planning, design, and construction of the 161kV tie line from Sugarmill substation to Westside substation. Many of the major infrastructure improvements that the City of Idaho Falls now enjoys were installed under his term of service. Of all of Mr. Paine's projects, the shining gems are probably the Bulb Turbine Project and the Gem State Project which

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have been so integral to Idaho Falls Power's low rates, which will continue to be true treasures for many years to come.

Councilmember Radford stated it is an honor to recognize those who serve in our community. He believes there is pride in the City's first mayor who saw the ability to use electricity to light the street lights and in the previous visionary people. Councilmember Radford read the resolution in its entirety as follows:

RESOLUTION NO. 2019-02

WHEREAS, the City has adopted a policy for naming of City facilities that are real property owned or permanently controlled by the City; and

WHEREAS, the City acknowledges a sustained and notable contribution to the community from Mr. Jeff Paine; and

WHEREAS, the City still benefits from the contributions made by Mr. Paine 35 years after his leaving City employment; and

WHEREAS, Mr. Paine's significance and good reputation is widely recognized within the City; and

WHEREAS, this location has a historical significance for future generations, and it has symbolic value that transcends ordinary meaning or use and enhances the character and identity of this facility; and

WHEREAS, in addition Mr. Paine has made numerous contributions to the Electric Utility in his tenure with the City that include the planning, design and construction of the 161kV tie line from Sugarmill Substation to the Westside Substation, and construction of the Bulb Turbine and Gem State Projects; and

WHEREAS, deemed appropriate and in compliance with the City's facility naming policy, Idaho Falls Power requests naming its newest electrical substation the Paine Substation.

It was then moved by Councilmember Radford, seconded by Councilmember Hally, to officially name the future substation at the north end of our service area the Paine Substation. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Mr. Paine expressed his appreciation and briefly shared some personal and historical experiences during his tenure at IFP. Mayor Casper stated the City has many great assets and IFP is one of the greatest assets the citizens enjoy. She expressed her appreciation to Mr. Paine for his contribution.

**Consent Agenda:**

Municipal Services requested approval of Quote 19-102, Transformers for Idaho Falls Power; and, Quote 19-103, Power Inventory for Idaho Falls Power.

Public Works requested approval of Bid Award – Community Park Pathway Improvements Phase II; and, Bid Award – Rosehill Cemetery Road Improvements.

The City Clerk requested approval of minutes from the March 11, 2019 Council Work Session; March 14, 2019 Council Meeting; and, March 14, 2019 Executive Session; and, License Applications, all carrying the required approvals.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve all items on the Consent Agenda according to the recommendations presented. Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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**Regular Agenda:**

**Municipal Services**

**Subject: Sole Source Purchase, Complete Portable X-Ray System for Idaho Falls Police Department**

The Municipal Services Department requests authorization to advertise the City's intent to make a sole source procurement following a 14-day period, and then to issue a purchase order to the SmartRay Vision complete portable X-Ray System. The estimate for the purchase is \$63,000 and the procurement will be from SmartRay Vision of Green Bay, Wisconsin. The cost to purchase the equipment will be equally shared by the Idaho Falls Police Department and the Bonneville County Sheriff's Office.

Councilmember Radford stated this item was discussed in the previous budget year.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to advertise the City's intent to make a sole source procurement, and then to issue a purchase order to purchase a Complete Portable X-ray System from SmartRay Vision of Green Bay, Wisconsin. Roll call as follows: Aye – Councilmembers Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

**Subject: Request for Authorization to Purchase Motor Fuel on the Open Market for Municipal Services, City Equipment Maintenance Facility**

The Municipal Services Department is requesting the authorization to purchase motor fuel on the open market. As stated during the March 14, 2019 City Council meeting, Section III of Bid IF-19-20 Motor Fuels and Lubricants was rejected based on vendors recommendations for the City to consider alternative purchasing options to incorporate cost efficiencies within the fuel purchasing process.

Councilmember Radford stated this approach is intended for a pilot program to potentially obtain a better price for fuel. He also stated there are a number of cities finding savings by using this process.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to give authorization to purchase motor fuel on the open market for the City Equipment Maintenance. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

**Public Works**

**Subject: Revised State/Local Agreement with the Idaho Transportation Department (ITD) for a Pavement Management System**

For consideration is a revised State/Local Agreement with the ITD and accompanying Resolution with respect to the Pavement Management System project. This project had an original State/Local agreement that Council approved last November. The revision places the procurement responsibility on the City and the City will then be reimbursed. ITD requests this change, as it is not their usual process for procurement. The modification creates no additional cost to the City.

Councilmember Francis stated this agreement involves the City acquiring software for a Pavement Management System which will help analyze wear and rutting on pavement and will help to prioritize repaving in the City. He also stated the City is obligated to pay 7.34% of the cost with the approximate total cost of \$75,000.

It was moved by Councilmember Francis, seconded by Councilmember Freeman, to approve the revised State/Local Agreement with the ITD, and accompanying Resolution, with respect to the Pavement Management System project, and give authorization for the Mayor and City Clerk to execute the necessary. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

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RESOLUTION 2019-03

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Agreement stating obligations of the STATE and the CITY OF IDAHO FALLS, hereafter called the CITY, for development of a pavement management system.

**Community Development Services**

**Subject: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, 7Synergy Subdivision**

For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, 7Synergy Subdivision. The Planning and Zoning Commission considered this item at its January 9, 2019, meeting and recommended approval by unanimous vote. Staff concurs with that recommendation.

Councilmember Smede stated this property was annexed into the City in 1971 and rezoned in April 2018 to Limited Commercial. A Conditional Use Permit for a carwash was issued in November of 2018. She also stated the property has not been previously platted. The proposed final plat is located with frontage roads as Sunnyside and Yellowstone Highway. The property is currently vacant. Councilmember Smede stated access will be approved by the ITD and new approaches are proposed to be more distant from the current curb cuts. The plat is located along a principle arterial and a strategic arterial. Councilmember Francis questioned the lack of access points noted on the plat and questioned which authority will require the compliance. Director Cramer clarified the access points are not noted as it is not standard to place them on the plat. He also stated the authority lies with the ITD although the ITD standards used are similar to the City.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Development Agreement for 7Synergy Subdivision, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to accept the Final Plat for 7Synergy Subdivision, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for 7Synergy Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

**Subject: Final Plat and Reasoned Statement of Relevant Criteria and Standards, Linden Park Addition, Division 1, 3<sup>rd</sup> Amended**

For consideration is the application for Final Plat and Reasoned Statement of Relevant Criteria and Standards, Linden Park Addition, Division 1, 3<sup>rd</sup> Amended. The Planning and Zoning Commission considered this item at its October 2, 2018, meeting and recommended approval by unanimous vote. Staff concurs with that recommendation.

Councilmember Smede stated this plat includes two (2) lots and is primarily a clean-up of a previously illegal splitting of land. This plat amendment recognizes the parcel has been broken up and establishes the new lots. She also stated the parcels currently have two (2) buildings, one (1) with associated parking, and the remainder of the parcel is vacant land. Access and frontage will be from Linden Drive.

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It was moved by Councilmember Smede, seconded by Councilmember Dingman, to accept the Final Plat for Linden Park Addition, Division 1, 3<sup>rd</sup> Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilmembers Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Linden Park Addition, Division 1, 3<sup>rd</sup> Amended, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

**Public Hearing – Annexation and Initial Zoning of R1, Annexation and Zoning Ordinances, Reasoned Statements of Relevant Criteria and Standards, Approximately 0.43 acres, Section 16, T 2N, R 38E**

For consideration is the City-initiated application for Annexation and Initial Zoning of R1, Annexation and Zoning Ordinances, Reasoned Statements of Relevant Criteria and Standards, Approximately 0.43 acres, Section 16, T 2N, R 38E. This property was part of a larger City-initiated annexation that was approved by the City Council in August 2018, in the Lincoln Road area. Upon review of the legal description associated with that annexation it was determined that these parcels were inadvertently left out of the description that was approved in August 2018, approval action. In order to correct this discrepancy the City Council will need to take action again regarding annexation of these parcels. These parcels are associated with an Outside Water Service Contract that consented to annexation at the time the parcels became contiguous to City Limits. The Planning and Zoning Commission considered this item at its June 19, 2018, meeting and recommended approval by unanimous vote. Staff concurs with that recommendation.

Mayor Casper opened the public hearing and ordered all items presented be included in the official record.

Community Development Services Director Brad Cramer stated this is a clean-up item as this parcel was inadvertently omitted from the legal description during the previous City-initiated annexation of the Lincoln Road area.

Slide 1 – Aerial photo of property under consideration

Director Cramer stated the parcel currently receives City water and has an agreement, signed in 1975, to be annexed. Councilmember Freeman questioned if a sewer line was available in the location to which Director Cramer confirmed there is.

Mayor Casper requested any public comment. No one appeared. Mayor Casper closed the public hearing.

Councilmember Smede reiterated Director Cramer’s comments and stated the individual currently residing on the land is amenable to be annexed.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Ordinance annexing approximately 0.43 acres, Section 16, T 2N, R 38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

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

ORDINANCE NO. 3242

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 0.43 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE

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CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for approximately 0.43 acres, Section 16, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to assign a Comprehensive Plan Designation of “Lower Density Residential” and to approve the ordinance establishing the initial zoning for approximately 0.43 acres, Section 16, T 2N, R 38E as R1 (Single Dwelling Residential) Zone, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by, 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. Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3243

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 0.43 ACRES DESCRIBED IN SECTION 1 AND EXHIBIT A OF THIS ORDINANCE AS R1 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R1 Zone for Approximately 0.43 acres, Section 16, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

**Announcements and Adjournment:**

Mayor Casper stated she was recently privileged to attend the All Veterans Appreciation Night dinner. She indicated Idaho Falls and Ammon have more veterans moving in than all other surrounding areas and, the veterans are working to bring a Veterans Center to the area. She also stated March 29<sup>th</sup> is Vietnam Veterans Day. Councilmember Radford noted Idaho Falls was recently ranked in the top 50 cities for livability and Idaho Falls was announced as #21 on the National Chamber of Commerce list of top small cities to do business in.

**Executive Session:**

It was moved by Councilmember Francis, seconded by Councilmember Radford, to move into the Executive Session. The Executive Session has been called pursuant to the provisions of Idaho Code Section 74-206(1)(j) To consider labor contract matters authorized under Idaho Code Section 74-206(1)(a) and (b). The Executive Session will be held in the City Annex Conference Room. At the conclusion of the Executive Session the Council will not reconvene into Regular Council Meeting. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

There being no further business, the Council Meeting adjourned at 8:12 p.m.

The City Council of the City of Idaho Falls met in Special Council Meeting (Executive Session), Thursday, March 28, 2019, in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 8:17 p.m.

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There were present:

Mayor Rebecca L. Noah Casper  
Councilmember Thomas Hally  
Councilmember Jim Francis  
Councilmember John Radford  
Councilmember Michelle Ziel-Dingman  
Councilmember Shelly Smede  
Councilmember Jim Freeman

Also present:

Pamela Alexander, Municipal Services Director  
Ryan Tew, Human Resources Director  
Michael Kirkham, Assistant City Attorney

The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(j) To consider labor contract matters authorized under Idaho Code Section 74-206(1)(a) and (b).

There being no further business, the Executive Session concluded at 8:57 p.m.

s/ Kathy Hampton \_\_\_\_\_  
CITY CLERK

s/ Rebecca L. Noah Casper \_\_\_\_\_  
MAYOR