



City Council Meeting Minutes

680 Park Avenue
Idaho Falls, ID 83402

Thursday, May 11, 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; 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.

Public Comment

No one appeared.

Consent Agenda

A. Office of the Mayor

- 1) Appointments to City Boards, Committees, and Commissions

B. Public Works

- 1) Bid Award - Sewer Dig and Point Repairs 2023

C. Idaho Falls Power

- 1) Idaho Falls Power Board Meeting Minutes - February and March Meetings

D. Office of the City Clerk

- 1) Minutes from Council Meetings
- 2) License Applications

It was moved by President Ziel -Dingman, 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 Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay – None

5. Regular Agenda

A. Fire Department

1) Hughes Purchase Agreement and PNC Lease Schedule No. 98987736-2 for (3) Pierce Enforcer Pumpers for the Fire Department

Fire Chief Duane Nelson appeared.

Department's compliance with the National Fire Protection Association (NFPA) 1901 Standard for Automotive Fire Apparatus regarding life expectancy for fire apparatus over the next 3 years. With Fire, apparatus build times currently between 36-44 months, advanced planning and approval are essential for the Fire department to maintain compliance with NFPA. The approval and purchase of the fire apparatus are to replace a front-line apparatus unit and implement the department's capital plan for an add-to fleet for a future station and rotate a current unit to reserve status. Chief Nelson stated a year ago we purchased a piece of property to the north with plans and the need as the City continues to grow to the north and response times extending there. He said the capital planning for that station to be built on St. Leon in the future and one of these apparatuses will be housed there. Chief Nelson stated we should be able to use impact fees to offset the cost as those come in depending on when these apparatuses arrive. Chief Nelson stated these are within the budget so they can be maintained under our equipment replacement fund and plan for their replacement in 25 years.

It was moved by Councilor Freeman, seconded by Councilor Dingman to accept, and approve the Hughes Purchase Agreement through cooperative purchasing contact NPPGov PS20240 with the PNC Lease Schedule for (3) Pierce Enforcer Pumpers for a total of \$3,009,845.05. The motion carried by the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman Nay – None

B. Public Works

1) Agreement for Professional Services with Consor North America for the Wastewater Treatment Plant Dewatering Project.

Director Fredericksen stated this consultant was selected to do the design and is best suited to continue in that role for supporting construction. He said the agreed cost to perform services is not to exceed the amount of \$843,581, this is a large project and will extend through December 2024.

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

2) Local Agreement with the Idaho Transportation Department (ITD) for the US 20/26 (Yellowstone Highway) and Birch Street Railroad Crossing Vehicle Height Detection Project.

The project is intended to install early warning detection to over-height vehicles that would otherwise come in contact with the railroad structures over US 26 (Yellowstone Highway) and Birch Street the total anticipated cost of this project is \$600,000 of which no match is required from the City. Director Fredrickson stated we are working together with ITD to enhance the static signs that warn about the

height restrictions associated with those two bridges and hopefully minimized those contacts that we experience.

It was moved by Councilor Hally, seconded by Councilor Freeman to approve the State Local Agreement with ITD for US 20/26 (Yellowstone Highway) and Birch Street Railroad Crossing Vehicle Height Detection project and authorize the Mayor and City Clerk to sign the documents. The motion carried by the following vote: Aye – Councilors Radford, Freeman, Burtenshaw, Francis, Dingman, Hally. Nay -None.

3) Agreement to Purchase Water Rights from Idaho Water Company, LLC.

The purpose of the Agreement is to purchase a water right with a priority date of May 3, 1971, a diversion rate of 0.76 cubic feet per second, and an annual volumetric limit of 182 acre-feet. Director Fredericksen stated the total cost to purchase the water right is \$312,000 which is associated with around 6,000 dollars per irrigated acre.

It was moved by Councilor Burtenshaw, seconded by Councilor Hally to approve the Agreement to Purchase Water Right from the Idaho Water Company, LLC, and authorize the Mayor and City Clerk to execute the document. The motion carried by the following vote: Aye – Councilors Hally, Burtenshaw, Dingman, Freeman, Francis, Radford. Nay - None.

C. Community Development Services

1) A vacation of a portion of the right-of-way of Tara Street and public utility easements associated with Freeway Commercial Center Division No. 4

A vacation of a portion of Tara Street located in a portion of the SW ¼ of Section 24, Township 2 North, Range 37 East, a Vacation of a portion of a public utility easement located in a portion of the SW ¼ of Section 24, Township 2 North, Range 37 East, and a Vacation of a public utility easement and a public storm pond easement located in a portion of the SW ¼ of Section 24, Township 2 North, Range 37 East. The vacations must occur before the approval of the plat for the Freeway Commercial Center Division No. 4. Staff recommends approval of the ordinance for vacations.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the ordinance vacating a portion of the right-of-way of the Tara Street and public utility easements under a suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. The motion carried by the following vote: Aye – Councilors Burtenshaw, Hally, Radford, Dingman, Freeman, Francis. Nay - None.

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

ORDINANCE NO. 3515

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATIONS OF RIGHT-OF-WAY LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED RIGHT-OF-WAY SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS

ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

2) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Freeway Commercial Center Division No. 4

Councilor Francis pointed out that in the notes from planning and zoning, there is a reference to some kind of gated access. He stated the gate is only for security for Camping World and does not cut off the turnaround for emergency vehicles. He noted the turnaround will be accessible as needed.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Development Agreement for the Final Plat for Freeway Commercial Center Division No. 4 and give authorization for the Mayor and City Clerk to sign said agreement. The motion carried by 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 Final Plat for Freeway Commercial Center Division No. 4 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 Francis, Dingman, Freeman, Hally, Radford, Burtenshaw. Nay - None.

It was moved by Councilor Burtenshaw, seconded by Councilor Francis approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Freeway Commercial Center Division No. 4, and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay - None.

3) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Maverik Idaho Falls Subdivision

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

It was moved by Councilor Burtenshaw, seconded by Councilor Francis to approve the Final Plat for Maverik Idaho Falls Subdivision and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. The motion carried by the following vote: Aye – Freeman, Radford, Burtenshaw, Francis, Dingman, Hally. 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 Maverik Idaho Falls Subdivision and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye – Councilors Hally, Radford, Francis, Dingman, Burtenshaw, Freeman. Nay - None.



City Council Meeting Minutes

680 Park Avenue
Idaho Falls, ID 83402

3. Announcements

Mayor Casper announced our next City Council meeting is on May 24th. Councilor Francis stated Tuesday, May 16th is an election for Dist.91 plant facility levy there is also a Dist. 93 levy and auditorium District Board member, May 16th for issues on the ballot. Mayor Casper said on May 18th there will be a speaker at City Club to talk about the water issues that were mentioned tonight as we did business associated with the water right. She said Matt Weaver is the speaker and will be there from 12 pm to 1:30 pm. Councilor Radford stated on May 20th there will be a resource fair at CEI (College of Eastern Idaho) for the Hispanic community for resources around community services from 11 am to 1pm. Councilor Freeman wanted to wish everyone a Happy Mother's Day this Sunday.

4. Adjournment.

There being no further business, the meeting adjourned at 7:59 PM

s/ Corrin Wilde _____
Corrin Wilde, City Clerk

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