



City Council Meeting

680 Park Avenue
Idaho Falls, ID 83402

Minutes - Final

Thursday, September 23, 2021

7:30 PM

City Council Chambers

1. Call to Order.

Present: Mayor Rebecca L Noah Casper, Councilor John Radford, Councilor Thomas Hally, Councilor Jim Freeman, Councilor Jim Francis, and Councilor Lisa Burtenshaw

Absent: Council President Michelle Ziel-Dingman

2. Pledge of Allegiance.

Mayor Casper requested Councilor Burtenshaw to lead those present in the Pledge of Allegiance.

3. Public Comment.

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

No one appeared.

4. Consent Agenda.

A. Municipal Services

- 1) Minutes from Council Meetings
September 7, 2021 City Council Work Session and September 9, 2021 City Council Meeting.
- 2) License Applications, all carrying the required approvals

Recommended Action:

It was moved by Councilor Burtenshaw, seconded by Councilor Radford, to accept all items on the Consent Agenda according to the recommendations presented. The motion carried by the following vote: Aye - Councilors Freeman, Francis, Hally, Radford, Burtenshaw. Nay - none.

5. Regular Agenda.

A. Municipal Services

- 1) Public Hearing to Auction City Property
The Fire and Municipal Services Departments have determined this property, formerly known as Fire Station 6, is no longer needed and recommend the sale of this property with a minimum appraised value of \$181,000. The Notice of Public Hearing was published on Sunday, September 5, 2021. The

public hearing is scheduled for Thursday, September 23, 2021, at 7:30 pm in the Council Chambers of the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho. At the conclusion of the hearing, Council will have met the notice and hearing requirements to auction the property. Following the conclusion of the public hearing and the Council's direction to staff to auction the property, pursuant to Idaho Code §50-1403(1), the City of Idaho Falls will publish a Notice to Auction the property in the Post Register on Sunday, October 3, 2021, and Sunday, October 10, 2021, with the public auction held on Friday, October 22, 2021, at 10:00 am (mountain time zone).

Mayor Casper opened the public hearing. Municipal Services Director Pamela Alexander appeared. She stated the building, approximately 4,017 square feet, was constructed in the 1950's for Fire Station 6. Mayor Casper requested any public comment. No one appeared. Mayor Casper closed the public hearing. Councilor Freeman stated this building was originally Fire Station 2. He noted he previously served out of this building as a former Idaho Falls Firefighter.

It was moved by Councilor Burtenshaw, seconded by Councilor Radford, to authorize the auction of city property located at 525 E. 8th Street and declare a minimum bid of \$181,000. The motion carried by the following vote: Aye - Councilors Radford, Francis, Burtenshaw, Hally, Freeman. Nay - none.

B. Police Department

1) Memorandum of Understanding between District 91 and IFPD regarding School Resource Officers (SRO)

This is a Memorandum of Understanding (MOU) between District 91 and the Idaho Falls Police Department (IFPD) establishing each entity's obligation under the School Recourse Officer (SRO) program. IFPD has provided sworn officers to work as SROs within Idaho Falls School District 91 for many years. IFPD is pleased to continue the SRO services. This MOU is the same as last year's Council-approved MOU with a change of dates to make it effective during the 2021-2022 school year.

IFPD Lieutenant John Marley appeared. He stated SROs are placed in the high schools, the junior high schools, and the elementary schools throughout the city. He also stated the School District will cover 50% of the cost of two (2) SROs and 70% of the cost for two (2) SROs. Councilor Francis stated, as a former school teacher, he has seen the SROs work really well. He believes this is a type of community policing as officers are having positive interaction with school staff and students.

It was moved by Councilor Francis, seconded by Councilor Freeman, that council approve the MOU between the Idaho Falls Police Department and School District #91. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Hally. Nay - none.

2) Operation Underground Railroad Donation

Operation Underground Railroad is donating a forensic recovery of evidence data center (FREDC) module. This is a secure data server that will be used for management of evidence in child pornography and other like evidence associated with ICAC (Internet Crimes Against Children) cases. The value of the FREDC is \$107,544. This server is anticipated to meet IFPD needs for the next 5 years. Operation Underground Railroad is also donating an electronic detection dog and training. The canine

will be certified to find hidden electronic devices that contain evidence of child pornography, sexual assault, or any other crime that may be contained as evidence on an electronic device. The estimated value of the electronic detection dog and the training is \$19,000. The final value will be determined after the dog is selected and the training is complete.

The Council was briefed when this donation was discussed in detail at the August 9 City Council work session.

Lieutenant Marley stated the Operation Underground Railroad is an organization that helps with the protection of children in child trafficking, child sex trafficking, and child abuse. He believes the K9 will be a big benefit in serving warrants. He noted the server is needed for the amount of volume of cases and for the security of the cases in order to protect the victim(s). Councilor Francis stated acceptance of the grant will save \$10,000 per year for use of the current server.

It was moved by Councilor Francis, seconded by Councilor Freeman, that council accept the donation of a Forensic Recovery of Evidence Data Center Module from the Operation Underground Railroad in the amount of \$145,000 and give authorization to the mayor or her designees to sign the necessary documents. The motion carried by the following vote: Aye - Councilors Hally, Burtenshaw, Francis, Freeman, Radford. Nay - none.

C. Idaho Falls Power

1) Ordinance Amendment - Title 8, Chapter 13

The expansion and improvement of the Idaho Falls Fiber system has prompted the revision of Title 8, Chapter 13 of the City Code to reflect current requirements and functions of IFF by revising City open access network regulations and functions, providing severability, codification, publications by summary and establishing the effective date.

Idaho Falls Power (IFP) Assistant Director Stephen Boorman appeared. He believes the city began with the fiber business in the late 1990's. Councilor Radford stated the city is proud of the fiber progression. Per Councilor Radford, Assistant Director Boorman explained the dark fiber network versus the lit fiber network. Councilor Radford stated fiber allows the opportunity for residents to work from home. Councilor Francis explained changes to the ordinance that was amended following the agenda posting, including termination of any public utility service from damage that may occur from a customer. Per Councilor Burtenshaw, Assistant Director Boorman stated the utility services could be shut off due to non-payment, he indicated disconnection for fiber damage would be a judgment call per incident. He believes these incidents would be unusual. Per Mayor Casper, Mr. Fife stated the damage amount would be tied to the utility bill and if the bill is not paid there could be consideration to shut off all utilities or just the fiber utility. Councilor Hally believes the city would recover reasonable damages. Councilor Freeman stated he is comfortable with the ordinance, noting the ordinance states 'may be'. Councilor Francis continued explaining changes to the ordinance.

It was moved by Councilor Radford, seconded by Councilor Freeman, to rescind the current Title 8, Chapter 13 ordinance in its entirety and approve the revised hard copy Title 8, Chapter 13 ordinance

language 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 Burtenshaw, Hally, Radford, Freeman, Francis. Nay - none.

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

ORDINANCE NO. 3411

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; REVISING PUBLIC FIBER OPTIC SYSTEM AND CITY OPEN ACCESS NETWORK REGULATIONS AND FUNCTIONS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

2) IFP 21-38 Fiber Optic Cable Installation Services

Idaho Falls Power solicited bids from qualified contractors to install the fiber network service inside our new customers' homes. Wheeler Electric, Inc. was the only responsive, responsible bidder. Based on the quantities installed in the first two years of the fiber project and the per unit bid prices, the value is estimated to be \$456,000.00.

Assistant Director Boorman noted this is specialized work. He believes this contract will take the project to the remainder of the deployment.

It was moved by Councilor Radford, seconded by Councilor Freeman, to approve this bid award to Wheeler Electric, Inc. of Idaho Falls, Idaho for the unit prices shown as bid, for a not-to-exceed amount of \$456,000.00 and give authorization to the Mayor and City Clerk to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Burtenshaw, Francis, Freeman, Hally, Radford. Nay - none.

D. Public Works

1) State Local Agreement and Resolution with the Idaho Transportation Department (ITD) for the Intersection of 5th Street and Holmes Avenue Signal project.

Attached for your consideration is a State Local Agreement for project development with ITD for this intersection improvement project. The project is intended to remove the existing wire hung signals and replace them with standard signal poles. The project will also update the existing signal control cabinetry and vehicular & pedestrian detection.

Public Works Director Chris Fredericksen appeared. He expressed his appreciation to Legal staff for their assistance. He stated the overall project is anticipated to cost \$486,000 with the city match of just under \$36,000. Per Councilor Francis, Director Fredericksen stated the new signal radar detection system will serve better functions in the roadway. Councilor Freeman noted the similar light at 7th Street and Holmes will be replaced in the future.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approve the State Local Agreement and Resolution with ITD for the Intersection of 5th Street and Holmes Avenue Signal

project and authorization for Mayor and City Clerk to sign the documents. The motion carried by the following vote: Aye - Councilors Francis, Freeman, Hally, Radford, Burtenshaw. Nay - none.

RESOLUTION 2021-27

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 PROJECT DEVELOPMENT OF THE INTERSECTION OF 5TH AND HOLMES SIGNAL.

- 2) State Local Agreement and Resolution with the Idaho Transportation Department (ITD) for the Intersection of East 17th Street and South Woodruff Avenue project.

Attached for your consideration is a State Local Agreement for construction with ITD to reconstruct this intersection. Intersection reconstruction will include a new traffic signal controlling seven lanes of traffic at each leg of the intersection. Proposed lane configurations will be similar to those at the intersection of East 17th Street and South 25th East.

Director Fredericksen stated this project has been discussed for several years. He also stated the overall project is anticipated to cost \$4.1M with the city match of \$306,000. He noted the water line will also be replaced, which is non-participating work, and will be paid by the Water Division. Therefore, the overall cost to the city would amount to \$372,970. Director Fredericksen stated the lane configuration would be reconstructed as similar to the 17th and Hitt Road intersection. Per Councilor Burtenshaw, Director Fredericksen stated approval will allow the bid through ITD during fall, winter, and spring with construction for next summer. He anticipates this project will take the entire summer to complete. He noted one (1) corner at a time will be constructed in order to move all modes of transportation during the construction. Per Mayor Casper, Director Fredericksen stated all businesses will remain open. He noted discussions have and will continue to occur with those specific businesses. Councilor Radford noted the value of the ITD costs. Discussion followed regarding match amounts from other entities. Councilor Freeman believes this project has been discussed for decades. He noted this project will be completed once the 1st Street project is completed to assist with traffic.

It was moved by Councilor Freeman, seconded by Councilor Burtenshaw, to approve the State Local agreement and Resolution with ITD for the Intersection of East 17th Street and South Woodruff Avenue project and authorization for Mayor and City Clerk to sign the documents. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Radford, Freeman, Francis. Nay - none.

RESOLUTION 2021-28

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 CONSTRUCTION OF THE INTERSECTION OF E 17TH STREET AND S WOODRUFF.

- 3) State Local Agreement and Resolution with the Idaho Transportation Department (ITD) for the Science Center Drive; North Boulevard to Holmes Avenue project.

Attached for your consideration is a State Local Agreement for project development with ITD to reconstruct the intersection of North Boulevard and Science Center Drive, including the construction

of new traffic signal and rehabilitating the pavement on Anderson Street from North Boulevard to Holmes Avenue.

Director Fredericksen stated the overall project is anticipated to cost \$1.3M with the city match of just under \$100,000.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approve the State Local Agreement and Resolution with ITD for the Science Center Drive; North Boulevard to Holmes Avenue project and authorization for Mayor and City Clerk to sign the documents. The motion carried by the following vote: Aye - Councilors Hally, Francis, Radford, Burtenshaw, Freeman. Nay - none.

RESOLUTION 2021-29

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 PROJECT DEVELOPMENT OF THE SCIENCE CENTER, N. BOULEVARD TO HOLMES PROJECT.

4) Professional Services Agreement with Stantec Consulting Services, Inc. for Wastewater Treatment Plant Biogas Cogeneration project.

The purpose of this Agreement is to establish a contract with Stantec Consulting Services, Inc. to investigate biogas utilization options at the Wastewater Treatment Plant that may put the potential energy to beneficial use.

Director Fredericksen stated this project developed in 2008 with the Wastewater Treatment Plant (WWTP) to produce and utilize methane. He also stated a Request for Proposal (RFP) was submitted for this project. The proposed agreement is for the scope of work for the initial phases. Director Fredericksen stated the contract amount is just under \$145,000 for the first phase to evaluate how to move forward, and to firm up the actual cost for overall project. Mayor Casper noted the first phase is to be completed by February 2022. Director Fredericksen believes this will be a good project with possible assistant from IFP. Councilor Freeman believes this will make the city portfolio more green. Councilor Radford referred to the resolution regarding a non-carbon emitting footprint. He expressed his gratitude for moving forward with green solutions. Councilor Francis also referred to resolution for clean energy use.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approve a Professional Services Agreement and authorization for Mayor and City Clerk to execute the document. The motion carried by the following vote: Aye - Councilors Freeman, Radford, Burtenshaw, Francis, Hally. Nay - none.

5) Resolution - Adopting the Idaho Standards for Public Works Construction (ISPWC), 2020 Edition, with Amendments.

The City adopted the 2017 Edition of the Idaho Standards for Public Works Construction, with various amendments, in May of 2018 for use as the City's Standard Drawings and Specifications. City staff has reviewed the newer 2020 Edition and finds it, as amended, to reflect local desires and conditions to be appropriate standards for the Council to adopt.

Director Fredericksen believes these amendments are beneficial and are in the city's best interest for approval.

It was moved by Councilor Freeman, seconded by Councilor Burtenshaw, to approve the resolution and authorization for Mayor and City Clerk to sign the document. The motion carried by the following vote: Aye - Councilors Hally, Radford, Francis, Burtenshaw, Freeman. Nay - none.

RESOLUTION NO. 2021-30

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE 2020 EDITION OF THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION, WITH AMENDMENTS, FOR USE BY IDAHO FALLS PUBLIC WORKS AND OTHERS AS CONSTRUCTION STANDARDS IN THE CITY; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

6) Resolution - Adopting an Engineering Design Policy Manual (EDPM)

City Public Works staff has collected, updated and supplemented existing City design policies and best practices into a proposed single, cohesive, set of design policies referred to as the EDPM, and recommends it in order to provide developers and City staff criteria to aid them in bringing public infrastructure projects to successful completion.

Director Fredericksen believes this single document will be beneficial to consultants and staff. Per Mayor Casper, Director Fredericksen believes the most substantial change referred to potentially reducing the roadway section per the pavement analysis.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approve the resolution and authorization for Mayor and City Clerk to sign the document. The motion carried by the following vote: Aye - Councilors Francis, Freeman, Hally, Radford. Burtenshaw. Nay - none.

RESOLUTION NO. 2021-31

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING AN ENGINEERING DESIGN POLICY MANUAL, FOR USE BY IDAHO FALLS PUBLIC WORKS AND OTHERS AS DESIGN STANDARDS IN THE CITY; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

7) Ordinance to Establish an Engineering Design Policy Manual (EDPM) within City code.

City Public Works staff has collected, updated and supplemented existing City design policies and best practices into a proposed single, cohesive, set of design policies referred to as the EDPM, and recommends it in order to provide developers and City staff criteria to aid them in bringing public infrastructure projects to successful completion.

The proposed ordinance revision was written to recognize and establish the EDPM within City code.

No discussion occurred.

It was moved by Councilor Freeman, seconded by Councilor Radford, to approve the ordinance revision 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 Freeman, Francis, Hally, Radford, Burtenshaw. Nay - none.

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

ORDINANCE NO. 3412

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING CITY CODE TO REQUIRE USE OF AN ENGINEERING DESIGN POLICY MANUAL WHERE INDICATED; REORGANIZING GENERALLY APPLICABLE CODE PROVISIONS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

E. Community Development Services

- 1)** Business Improvement District Management Agreement between the City of Idaho Falls and the Downtown Development Corporation.

As part of the Business Improvement District (BID) for the downtown area, each year the City has renewed an agreement with the Idaho Falls Downtown Development Corporation (IFDDC). The agreement establishes what funds IFDDC will receive in support of achieving identified goals and objectives. The agreement also requires IFDDC to hold an annual meeting with BID members and report to the City Council.

Community Development Services Director Brad Cramer appeared. He stated this agreement is similar to the previous years' agreement.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Business Improvement District Management Agreement between Idaho Falls Downtown Development Corporation and the City of Idaho Falls. The motion carried by the following vote: Aye - Councilors Radford, Francis, Burtenshaw, Hally, Freeman. Nay - none.

- 2)** Parking Management Agreement between IF-1, LLC and the City of Idaho Falls for The Broadway parking garage.

The attached agreement is for management of parking facilities at The Broadway. The parking spaces are public but managed by IF-1, LLC. The agreement is a renewal for one year.

Director Cramer stated this agreement is also similar to the previous years' agreement.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Parking Management Agreement between IF-1, LLC and the City of Idaho Falls. The motion carried by the following vote: Aye - Councilors Radford, Freeman, Burtenshaw, Francis, Hally. Nay - none.

- 3)** Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 13.282 acres, Lots 5-11, Block 1, And Lots 1-5, Block 6, Hodson Addition, Division No. 1, and adjacent right-of-way for Woodruff Circle and Hawthorne

Street.

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R3A which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 13.282 acres, Lots 5-11, Block 1, And Lots 1-5, Block 6, Hodson Addition, Division No. 1, and adjacent right-of-way for Woodruff Circle and Hawthorne Street. The Planning and Zoning Commission considered this item at its August 3, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record. She requested applicant presentation.

Brice Sadler, appeared. Mr. Sadler stated the proposed property is currently surrounded by city property. He noted there are current easements on both ends of the property that connect to Woodruff Avenue, and there are two (2) accesses onto Woodruff Avenue. He also noted a third access will be from Hawthorne Street which will provide accessibility from all the major streets. Per Councilor Freeman, Mr. Sadler stated there is no current use on the property, and Woodruff Circle will be developed as there is currently a sewer line that runs through the property.

Mayor Casper requested staff presentation.

Director Cramer appeared. He presented the following:

Slide 1 - Property under consideration in current zoning

Director Cramer stated there is current residential zoning in the immediate vicinity. He described the current zoning.

Slide 2 - Comprehensive Plan Future Land Use Map

Director Cramer stated the requested R3A is consistent with the principles of the Comp Plan.

Slide 3 - Aerial photo of property under consideration

Slide 4 - Additional aerial photo of property under consideration

Director Cramer stated Woodruff Circle was platted in the early 1970's with a platted connection to Hawthorne Street as well. He noted some of the area is partially developed.

Slide 5 - Photos of property looking from the west

Director Cramer noted differences for this specific request versus other similar requests is due to the existing plat which connects to the existing neighborhood, R3A is a natural transition between commercial and a low-dense development, and the businesses do not have developed accesses from Woodruff Circle. Per Councilor Radford, Director Cramer stated an old Local Improvement District (LID) built a regional sewer system in this area, and water is close by. Per Councilor Francis, Director Cramer stated this was zoned commercial with the county.

Mayor Casper requested any public comment.

Eldon Halford, long-time city resident, appeared. Mr. Halford stated he has a business in close proximity to this property. He expressed his concern for the areas that adjoin this property as they are mobile homes. He questioned if the area will be developed for mobile homes as he believes this area

will be advantageous for mobile homes.

Mayor Casper closed the public hearing.

Councilor Radford believes there is a need for infill to build houses. He also believes this will be a nice area to develop. Councilor Freeman agreed.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the ordinance annexing 13.282 acres, Lots 5-11, Block 1, And Lots 1-5, Block 6, Hodson Addition, Division No. 1, and adjacent right-of-way for Woodruff Circle and Hawthorne Street 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 Hally, Burtenshaw, Freeman, Francis, Radford. Nay - none.

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

ORDINANCE NO. 3413

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 13.282 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 Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation as previously described and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Burtenshaw, Hally, Radford, Freeman, Francis. Nay - none.

- 4) Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R3A-Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 13.282 acres, Lots 5-11, Block 1, And Lots 1-5, Block 6, Hodson Addition, Division No. 1, and adjacent right-of-way for Woodruff Circle and Hawthorne Street.

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R3A which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 13.282 acres, Lots 5-11, Block 1, And Lots 1-5, Block 6, Hodson Addition, Division No. 1, and adjacent right-of-way for Woodruff Circle and Hawthorne Street. The Planning and Zoning Commission considered this item at its August 3, 2021, meeting and recommended approval of R3A by a unanimous vote. Staff recommends the requested zoning of R3A.

It was moved by Councilor Radford to assign a Comprehensive Plan Designation of "Higher Density and Commercial" and approve the Ordinance establishing the initial zoning for R3A 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.

Councilor Francis stated he looks for the transition with the initial zoning. He believes this requested initial zoning will transition with a walkable livable development. He then seconded the motion. The motion carried by the following vote: Aye - Councilors Burtenshaw, Francis, Freeman, Hally, Radford. Nay - none.

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

ORDINANCE NO. 3414

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 13.282 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R3A RESIDENTIAL MIXED USE ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R3A and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Francis, Freeman, Hally, Radford, Burtenshaw. Nay - none.

- 5) Public Hearing-Rezone from RMH to R3A, Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 0.22 acres of Lots 1-3 and a Portion of Lots 6-7, Block 1, Hodson Addition, Division No. 1.

Attached is the application for Rezoning from RMH to R3A, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for 0.22 acres of Lots 1-3, Portion of Lots 6-7, Block 1, Hodson Addition, Division No. 1. The Planning and Zoning Commission considered this item at its August 3, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record. She requested applicant presentation.

Brice Sadler appeared. Mr. Sadler indicated the main reason for the rezone is that staff believed the R3A would be the best zoning due to adjacent R3A zoning. He also indicated he anticipates to put in some livable area or commercial as a mixed use. He noted sewer is currently in the area, water is close by, and power and fiber are located in the northwest corner of the property. He believes this is a great area for the R3A zone.

Mayor Casper requested staff presentation.

Director Cramer appeared. He presented the following:

Slide 2 - Comprehensive Plan Future Land Use Map

Director Cramer stated this area is shown as a higher-density area and the R3A is a higher-density zone.

Slide 1 - Property under consideration in current zoning

Director Cramer stated without the rezoning an isolated piece of RMH would remain and may or may not fit with the remaining land. He indicated the R3A zone would make Woodruff Circle consistent. Councilor Burtenshaw questioned if an access to Yellowstone Highway would be prohibited. Director Cramer believes an access may be too close, he noted any access would need to be 660' from the intersection. He noted there may be spacing on the southwest end which will be reviewed as plats and site plans are presented. Per Mayor Casper, Director Cramer stated as the property is redeveloped it must come into compliance with current standards and practices which will change some of the current accesses. He noted access cannot be denied, there must be access somewhere. Mayor Casper noted the R3A does not preclude mobile home development.

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

There was no additional discussion.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the ordinance rezoning 0.22 acres of Lots 1-3 and a Portion of Lots 6-7, Block 1, Hodson Addition, Division No. 1, from RMH to R3A 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 Burtenshaw, Hally, Radford, Freeman, Francis. Nay - none.

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

ORDINANCE NO. 3415

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF APPROXIMATELY 0.22 ACRES AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM RMH RESIDENTIAL MOBILE AND MANUFACTURED HOME ZONE TO R3A RESIDENTIAL MIXED USE ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilor Radford, seconded by Councilor Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from RMH to R3A, and give authorization for the Mayor to execute the necessary documents. The motion carried by the following vote: Aye - Councilors Hally, Francis, Radford, Burtenshaw, Freeman. Nay - none.

6. Announcements.

Councilor Freeman expressed his frustration regarding Coronavirus (COVID-19) stating there are 44.6 active cases per 10,000 individuals. He believes this is one of the highest rates. He encouraged individuals to take COVID-19 serious and to get vaccinated. Mayor Casper noted the State is reporting numbers in the thousands for several days. She also noted being vaccinated is showing a benefit. Councilor Radford stated vaccination is the best approach, however, there are other available treatments. Councilor Burtenshaw noted the school district in Filer, Idaho has closed for 10 days due to the lack of substitute teachers. She also noted substitute teachers are currently in high demand. Mayor Casper announced Columbus Day on October 11, noting city offices will be closed, City Council Work Session on October 12, and City Council Meeting on October 14.

7. Adjournment.

There being no further business, the meeting adjourned at 8:58 p.m.

s/ Kathy Hampton
Kathy Hampton, City Clerk

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