



City Council Agenda

City of Idaho Falls
Regular Council Meeting
680 Park Avenue

Thursday
February 23, 2023
7:30 p.m.

Mayor

Rebecca Casper

City Council

Michelle Ziel-Dingman
Council President

John Radford
Council Seat 5

Jim Freeman
Council Seat 6

Tom Hally
Council Seat 3

Jim Francis
Council Seat 4

Lisa Burtenshaw
Council Seat 2



Livestream at www.idahofallsidaho.gov/429/Live-Stream

PUBLIC PARTICIPATION

Welcome to the Idaho Falls City Council Meeting.

Regularly scheduled City Council meetings are open to the general public. City Council meetings are also live-streamed and archived on [the City website](#). Please be aware that the meeting agenda will differ from the published version if amendments to the agenda are made by the Council during the meeting.

The Council encourages public input. While a general public comment option is not required by Idaho law, the Idaho Falls City Council welcomes general public input as part of regular City Council meetings. General public comment will be allowed for up to 20 minutes. However, citizens are always welcome to contact their Council representatives via e-mail or telephone, as listed on [the City website](#). The Council is committed to an atmosphere that promotes equal opportunity, civility, mutual respect, property decorum and freedom from discrimination or harassment.

Those who wish to address City Council during the council meetings are encouraged to adhere to the guidelines below.

Public Comment Guidelines

Speakers are encouraged to:

- State their name and city of residence.
- Focus comments on matters within the purview of the City Council.
- Limit comments to three (3) minutes or less.
- Refrain from repeating information already presented to preserve time for others to speak. Large groups are encouraged to select one or two speakers to represent the voice of the entire group.
- Practice civility and courtesy. City leaders have the right and the responsibility to maintain order and decorum during the meeting. Time may be curtailed for those speakers whose comments are profane or disruptive in nature.
- Refrain from comments on issues involving matters currently pending before the City's Planning and Zoning Commission or other matters that require legal due process, including public hearings, City enforcement actions, and pending City personnel disciplinary matters.
- Comments that pertain to activities or performance of individual City employees should be shared directly with the City's Human Resources Director (208-612-8248), the City's Legal Department (208-612-8178) or with the Office of the Mayor (208-612-8235).

Public Hearing Guidelines

- In-person Comment. Because public hearings must follow various procedures required by law, please wait to offer your comments until comment is invited/indicated. Please address comments directly to the Council and try to limit them to three (3) minutes.
- Written Comment. The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at IFClerk@idahofalls.gov. Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received no later than forty-eight (48) hours prior to the date of the hearing to ensure inclusion in the permanent City record.
- Remote Comment. When available, the public may provide live testimony remotely via the WebEx meeting platform using a phone or a computer. Those desiring public hearing access should send a valid and accurate email address to virtualattend@idahofalls.gov no later than twenty-four (24) hours prior to the date of the hearing so log-in information can be sent prior to the meeting. Please indicate which public hearing the testimony is intended for on the agenda. Please note that this remote option will not be available for all meetings.

If communication aids, services, or other physical accommodations are needed to facilitate participation or access for this meeting, please contact the City Clerk at (208) 612-8414 or the ADA Coordinator at (208) 612-8323 not less than 48 hours prior to the meeting. They will help accommodate special needs wherever possible.



City Council Meeting

Agenda

680 Park Avenue
Idaho Falls, ID 83402

Thursday, February 23, 2023

7:30 PM

City Council Chambers

City Council Agenda:

1. Call to Order.
2. Pledge of Allegiance.
3. Public Comment.

Please see guidelines above.

4. Consent Agenda.

A Consent Agenda item may be moved to the Regular Agenda for separate consideration if requested by a Council member. Other changes to this agenda may require the approval of a majority of Council.

A. Idaho Falls Power

- 1) IFP 23-14 Fiber Materials for Idaho Falls Fiber - Anixter 21-794

Idaho Falls Power (IFP) solicited bids from qualified vendors to purchase fiber material inventory. There were four bids received with Anixter Power being the lowest responsive, responsible bidder for all items.

Attachments: Bid tabulation IFP 23-14.pdf

- 2) Idaho Falls Power Board Meeting Minutes - February Special Meeting 21-809

The Idaho Open Meeting Law requires that the governing body of a public agency provide for the taking of written minutes for all of its public meetings.

Attachments: 2023 0201 IFP Board Meeting minutes.pdf

B. Municipal Services

- 1) Purchase two 2022 North Star 153-1 Ambulances for the Fire Department 21-798

This purchase will replace units 848 and 849 that are approaching their useful life and scheduled for replacement. The request for immediate purchase is due to manufacturer availability, extended build times, and current inventory that would allow the Fire Department to purchase prior to the next manufacturer inflation adjustment that is estimated to be over \$50,000 due to F-450 Chassis increases, labor, and material costs. As discussed during the Tuesday, February 21, 2023, City Council work session, the Fire Department currently has a fleet of twelve ambulances, with a MERF replacement schedule of six years and the vehicles are estimated to be ready for delivery in the next 60-days.

Attachments: Idaho Falls FD_HGAC Prop pdf.pdf

C. Public Works**1) Bid Award - Tautphaus Park Utility Installations 21-801**

On Wednesday, February 1, 2023, bids were received and opened for the Tautphaus Park Utility Installation project. The tabulation of bid results is attached. The purpose of the proposed bid award is to bore and case for water main and sewer service under the Butte Arm Canal for future park improvements.

Attachments: PRK-2023-11 Bid Tab.pdf

2) State Local Agreement and Resolution with the Idaho Transportation Department (ITD) for the Woodruff Avenue - US 26 to Lincoln Road Project. 21-802

Attached for your consideration is a State Local Agreement for development and resolution with ITD for the Woodruff Avenue - US 26 to Lincoln Road project. The proposed project involves widening Woodruff Avenue in between US 26 and Lincoln Road to a full urban street section including five-lanes, curb, gutter, lighting and sidewalk.

Attachments: 23302 SLA Woodruff US26 to Lincoln.pdf

D. City Attorney**1) Improve and Expand Terminal Idaho Falls Regional Airport Project Closeout Agreement 21-808**

In June 2020, the City entered into a contract with Ormond Builders, Inc., for construction of the Improve and Expand Terminal Idaho Falls Regional Airport Project (FAA / AIP Project No. 3-16-0018-047). Disputes arose in connection with the contract and the Project. In order to settle and mutually compromise those disputes and to closeout the project, the Airport and Ormond Builders have negotiated and agreed to the terms set forth in the Closeout Agreement.

Attachments: 2023-02-03 Project Closeout Agreement final.pdf

E. Office of the City Clerk

License Applications, all carrying the required approvals

Action Item:

Approve, accept, or receive all items on the Consent Agenda according to the recommendations presented (or take other action deemed appropriate).

5. Regular Agenda.**A. Parks & Recreation****1) Agreement Between the City of Idaho Falls and Amuse LLC for renovations at Funland at the Zoo. 21-800**

The purpose of this agreement is to establish a contract with Amuse LLC, a ride and rollercoaster installation firm, to provide professional inspection and repair services at Funland at the Zoo in order to put the amusement park rides in a safe and operational condition.

Action Item:

Approval of the agreement with Amuse LLC for renovations at Funland at the Zoo in the not-to-exceed amount of \$97,240.

Attachments: Professional Services Agreement - Amuse Rides 2.8.23

B. Police Department**1) Memorandum of Understanding with School District 91 21-803**

IFPD was approached by District 91 to add a fifth School Resource Officer (SRO) to work at Compass Academy. We were informed that this was a priority and District 91 would fund 100% of the cost for the new SRO. As the recruitment, retention, and hiring of police officers has greatly improved at IFPD, we are able to add this position at this time.

The SRO program is a great partnership between District 91 and the Idaho Falls Police Department. The SRO's are among the busiest and most productive police officers at IFPD. The SRO's are an integral part of the safety plans for the schools, they create lasting and positive relationships with the students, they investigate crimes that occur at the schools so patrol officers do not have to be pulled out of the neighborhoods, and they make the schools a safer place for learning.

This will bring the total number of SRO's to five. Each SRO has a primary high school or middle school that they are responsible for and then they also cover the feeder elementary schools. During the summer months when schools are not in session, the SRO's are deployed to help with the most urgent needs of the City. They currently are deployed into general patrol during the summer months.

The salary and benefits of the five SROs are cost shared between District 91 and the City of Idaho Falls. For two of the SRO's District 91 pays 70% of the cost and the City pays 30% of the cost. For two of the SRO's District 91 pays 50% of the cost and the City pays 50% of the cost. And for this new fifth SRO position District 91 will pay 100% of the cost.

District 91 and the Idaho Falls Police Department work collaboratively to select the officers who will serve as SRO's. A joint interview panel composed of IFPD officials, school administrators, and other District 91 representatives jointly selects the officers for the schools.

Action Item:

Authorization for the Mayor to sign the updated Memorandum of Understanding with School District 91

Attachments: SRO Agreement.docx

C. Community Development Services**1) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Energy Plaza Division 2. 21-804**

Attached is the application for the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Energy Plaza Division 2. The Planning and Zoning Commission considered this item at its November 1, 2022, meeting and unanimously voted to recommend approval for the final plat as presented. Staff concurs with this recommendation.

Action Item:

1. Approve the Development Agreement for the Final Plat for Energy Plaza Division 2 and give authorization for the Mayor and City Clerk to sign said agreement (or take other action deemed appropriate).
2. Accept the Final Plat for Energy Plaza Division 2 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
3. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Energy Plaza Division 2 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
 Aerial
 Final Plat
 Staff Report
 Land Use Tables.pdf
 PC Minutes
 Reasoned Statement
 Development Agreement

- 2)** Final Plat, Development Agreement, and Reasoned Statement of
 Relevant Criteria and Standards, Teton View Estates Division 1, First
 Amended.

21-807

Attached is the application for the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Teton View Estates Division 1, First Amended. The Planning and Zoning Commission considered this item at its August 3, 2021, meeting and voted to recommend approval for the final plat as presented by a 3-1 vote. Staff concurs with this recommendation.

Action Item:

1. Approve the Development Agreement for the Final Plat for Teton View Estates Division 1, First Amended and give authorization for the Mayor and City Clerk to sign said agreement (or take other action deemed appropriate).
2. Accept the Final Plat for Teton View Estates Division 1, First Amended and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
3. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Teton View Estates Division 1, First Amended and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
Aerial
Final Plat
Staff Report
PC Minutes
Reasoned Statement
Development Agreement

- 3)** Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Valo at Bellin. **21-811**

Attached is the application for the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Valo at Bellin. The Planning and Zoning Commission considered this item at its September 6, 2022, meeting and unanimously voted to recommend approval for the final plat as presented. Staff concurs with this recommendation.

Action Item:

1. Approve the Development Agreement for the Final Plat for Valo at Bellin and give authorization for the Mayor and City Clerk to sign said agreement (or take other action deemed appropriate).
2. Accept the Final Plat for Valo at Bellin and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
3. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Valo at Bellin and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
Aerial
Valo at Bellin Plat.pdf
Council Staff Report.docx
PC Minutes
Reasoned Statement.docx
Valo at Bellin Dev Agreement SIGNED 2.16.23.pdf

- 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 7.09 acres including 1055 W Sunnyside Road, and 4114, 4129, and 4167 N 5th West. **21-805**

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R1, Single Dwelling Residential, RE, Residential Estate, and I&M, Industrial and Manufacturing which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 7.09 acres including 1055 W Sunnyside Road, and 4114, 4129, and 4167 N 5th West. The Planning and Zoning Commission considered this item at its October 4, 2022, meeting and unanimously voted to recommended approval of the annexation with initial zonings of R1, RE, and I&M.

Action Item:

1. Approve the Ordinance annexing 7.09 acres including 1055 W Sunnyside Road, and 4114, 4129, and 4167 N 5th West and assign a Comprehensive Plan Designation of “Special Use Transect”, “Suburban Transect” and “Industrial Transect” and under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 7.09 acres including 1055 W Sunnyside Road, and 4114, 4129, and 4167 N 5th West and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments:

Zoning IM
Zoning R1, RE
Aerial In IM
Aerial In R1, RE
Comp Plan IM
Comp Plan R1, RE
Staff Report
Airport LU R1, RE
Land Use Tables
PC Minutes.docx
Ordinance
Exhibit A and Exhibit Maps
Reasoned Statement Annexation
4129 N 5th West - Jerry Cotterell
4167 N 5th West - EJ & Diana Sargis
Annexation FAQ
Annexation Plan
Statement of Annexation Principles

- 5) Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of R1, Single Dwelling Residential, RE, Residential Estate, including the Limited Development Airport Overlay Zone, and I&M, Industrial and Manufacturing -Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 7.09 acres including 1055 W Sunnyside Road, and 4114, 4129, and 4167 N 5th West. **21-806**
- Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R1, Single Dwelling Residential, RE, Residential Estate, including the Limited Development Airport Overlay Zone, and I&M, Industrial and Manufacturing which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 6.414 acres including 1055 W Sunnyside Road, and 4114, 4129, and 4167 N 5th West. The Planning and Zoning Commission considered this item at its October 4, 2022, meeting and unanimously voted to recommended approval of the annexation with initial zonings of R1, RE, and I&M. Staff concurs with this recommendation.

Action Item:

1. Approve the Ordinance establishing the initial zoning for R1, Single Dwelling Residential, RE, Residential Estate, including the Limited Development Airport Overlay Zone, and I&M, Industrial and Manufacturing 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 (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the initial zoning of R1, Single Dwelling Residential, RE, Residential Estate, including the Limited Development Airport Overlay Zone, and I&M, Industrial and Manufacturing and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map I&M
 Zoning R1, RE
 Aerial I&M
 Aerial In R1, RE
 Comp Plan Map I&M
 Comp Plan R1, RE
 Ordinance
 Exhibit A Proposed Zoning.pdf
 Reasoned Statement

D. City Attorney

- 1) Nuisance Ordinance Amendments Regarding Weeds and Plantings **21-774**
Current language in the Public Nuisance Ordinance (Title 5, Chapter 8) is updated to better define “weeds” and other plantings to bring it in line with community expectations and practices and to allow for appropriate non-traditional yards.

Action Item:

Approve amendments to Title 5, Chapter 8 changing definitions and requirements related to weed nuisances under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or take other action deemed appropriate).

Description, Background Information & Purpose

Attachments: Ordinance

6. Announcements.

7. Adjournment.