

AUGUST 14, 2008

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, August 14, 2008, in the Council Chambers located in the City Annex Building at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Michael Lehto
Councilmember Karen Cornwell
Councilmember Thomas Hally
Councilmember Sharon Parry
Councilmember Ken Taylor

Absent was:

Mayor Jared D. Fuhriman

Also present:

Dale Storer, City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor ProTem Hardcastle requested Will Wightman to come forward to lead those present in the Pledge of Allegiance.

Mayor ProTem Hardcastle and Councilmembers honored Delbert Lloyd, Community Forrester by presenting the Parks and Recreation Director Dave Christiansen with the following letter and certificate:

America in Bloom
2130 Stella Court, Suite 200
Columbus, Ohio 43215-1033
July 3, 2008

Mayor Jared D. Fuhriman
P. O. Box 50220
Idaho Falls, Idaho 83405

Dear Mayor Fuhriman:

It is with great honor to recognize Idaho Falls with this America in Bloom Certificate of Recognition. America in Bloom (AIB) is a national beautification campaign that fosters civic pride and economic development. During a recent personal trip to Idaho Falls, one of our volunteers noticed the many positive things happening in your city. This Certificate of Recognition is our way of congratulating you for your efforts.

I'm also taking this time to introduce you to America in Bloom. Cities officially involved in the program are evaluated by professionally trained judges in eight categories – landscaped areas, floral displays, heritage preservation, community involvement, environmental awareness, urban forestry, tidiness, and turf and ground cover areas.

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In the first seven years of the AIB program, more than 21 million people in 165 communities have learned how to gather their municipal, social, economic resources to make significant, often crucial, improvements in the lives of their citizens, providing a solid basis for true community sustainability.

Most communities already have activities and resources that fit AIB's spirit and judging criteria. What the program does is bring all efforts geared toward improving the quality of life under one umbrella, creating a sense of unity. All participants win by improving their community.

Enclosed is an America in Bloom participation guide that explains the program and how to get your community involved. Also, enclosed is a sample community evaluation. This metrics report is an example of what judges prepare for you following their visit to your city.

Another great way to learn about the program is to attend the symposium and awards program October 2-4 in Columbus, Ohio. Please visit our web site, www.americainbloom.org, for more information.

Congratulations on your America in Bloom Certificate of Recognition.

Sincerely,

s/ Laura A. Kunkle

Laura A. Kunkle

America in Bloom Executive Director

Planting pride in our communities!
America in Bloom

Certificate of Recognition
Awarded To
Idaho Falls, Idaho

Idaho Falls is recognized as a community that embodies the spirit and values of the America in Bloom Program. Its mild climate allows for diverse vegetation. Congratulations on maintaining such a beautiful city!

s/ Laura A. Kunkle

Laura A. Kunkle, Executive Director

July 7, 2008

Date

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the July 24, 2008 Regular Council Meeting and the August 5, 2008 Council Work Session.

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented the following Expenditure Summary dated July 1, 2008 through July 31, 2008, after having been audited by the Fiscal Committee and paid by the Controller:

AUGUST 14, 2008

FUND	TOTAL EXPENDITURE
General Fund	\$ 738,250.81
Street Fund	63,709.71
Recreation Fund	28,734.35
Library Fund	49,534.31
Municipal Equipment Replacement Fund	133,770.34
Electric Light Public Purpose Fund	33,647.74
Golf Fund	55,615.34
Sanitary Sewer Capital Improvement Fund	2,000.00
Water Capital Improvement Fund	47,182.00
Surface Drainage Fund	51,472.90
Traffic Light Capital Improvement Fund	6,972.02
Airport Fund	212,459.57
Water and Sewer Fund	750,195.92
Sanitation Fund	21,034.91
Ambulance Fund	16,427.93
Electric Light Fund	3,015,843.78
Payroll Liability Fund	2,980,870.76
TOTALS	\$ 8,207,722.39

The City Clerk presented several license applications, including a BEER TO BE CONSUMED ON THE PREMISES LICENSE to Iggy's Idaho Falls, Inc., all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on August 14, 2008.

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, that the Consent Agenda be approved in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Parry
 Councilmember Cornwell
 Councilmember Taylor
 Councilmember Hardcastle
 Councilmember Lehto
 Councilmember Hally

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Fuhriman requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda.

Jerry Jayne, 1568 Lola Street, appeared to discuss the value of public walking space in Idaho Falls. He requested the Council to consider not letting the Segway (electric personal assistive mobility device) on the Greenbelt as that would be in conflict with the walking path. Mr. Jayne compared the State Statute with the City Code regarding allowing bicycles on sidewalks. Councilmember Hardcastle explained that the Traffic Safety Committee has recently considered this Code. That issue will come before the City Council to determine whether that Code should be eliminated.

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The memo from the Airport Director regarding the Lease Agreement with Rosewood Development was withdrawn by the Division Director.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
August 5, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg, Assistant Idaho Falls Power Director
SUBJECT: CONFIRMATION AGREEMENT WITH UAMPS

Attached for your consideration are two confirmation agreements to purchase power through UAMPS for January-March 2009 and January-March 2010. The agreement is for 15 megawatts on peak at \$76.00 and \$79.75 per megawatt hour respectively. The total cost is \$2,821,740.00.

Idaho Falls Power respectfully requests ratification of the confirmation agreements.

s/ Jo Elg

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to ratify the execution of two confirmation agreements to purchase power through UAMPS for January-March 2009 and January-March 2010 for a total cost of \$2,281,740.00. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
August 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SIX MILE ENGINEERING TO COMPLETE TRAFFIC MODELING SERVICES FOR ARTERIAL TRAFFIC CONTROL COORDINATION

On May 19, 2008, City Council authorized Idaho Falls Power to solicit proposals for traffic modeling services to complete arterial traffic signal coordination in Idaho Falls.

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Idaho Falls Power received four proposals on the project. Idaho Falls Power and Public Works staff jointly completed review of the proposals, ranking them based upon their relevant experience with similar type projects and their proposed project approach.

Staff recommends awarding this project to Six Mile Engineering for an amount not to exceed \$120,000.00.

s/ Jackie Flowers

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to approve the Professional Services Agreement with Six Mile Engineering to complete Traffic Modeling Services for Arterial Control Coordination and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
August 11, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: FY2009 LINE CLEARANCE PROJECT – RECOMMEND AWARD

Attached for your consideration is the bid tabulation for the FY2009 Line Clearance Project. The sole bid received was from Davey Tree. This is the same company who has subcontracted for this work over the past year and in prior years under a contract we had with Idaho Power Solutions.

Idaho Falls Power staff has been very pleased with the work done by Davey Tree. Additionally, we have noticed significant reduction in vegetation related outages due to the proactive line clearance resulting from this contract.

Idaho Falls Power respectfully recommends award of the bid to Davey Tree Surgery Company for a not to exceed amount of \$250,000.00.

s/ Jackie Flowers

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to accept the sole bid from Davey Tree Surgery Company to provide the Fiscal Year 2009 Line Clearance Project for a not to exceed amount of \$250,000.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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Aye: Councilmember Hally
Councilmember Taylor
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

City of Idaho Falls
August 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg, Assistant Idaho Falls Power Director
SUBJECT: GOOD FAITH ESTIMATE OF SLICE PURCHASE

In order to be eligible to purchase the Slice/Block product being offered by Bonneville Power Administration (BPA) a Good Faith Estimate must be submitted by August 25, 2008. The maximum amount of Slice that may be purchased is 70% of the utility's Net Requirement load. BPA will provide data necessary to calculate the Good Faith Estimate, per the attached letter, by August 15th.

Idaho Falls Power respectfully requests approval to submit a Good Faith Estimate to BPA in an amount equal to 70% of our Net Requirement load and authorization for the Mayor to sign the request.

s/ Jo Elg

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Good Faith Estimate to Bonneville Power Administration (BPA) in an amount equal to 70% of our Net Requirement Load and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

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City of Idaho Falls
August 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PUBLICATION OF "NOTICE OF PUBLIC HEARING" FOR IMPOSITION OF FEE INCREASES GREATER THAN 105% FOR FISCAL YEAR 2008-2009

Municipal Services respectfully requests the Mayor and Council to authorize the publication of the attached "Notice of Public Hearing" regarding the imposition of fee increases greater than 105% for Fiscal Year 2008-2009, with publication dates set for August 17, 2008 and August 24, 2008.

The Public Hearing is scheduled for 7:30 p.m., Thursday, August 28, 2008, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

s/ S. Craig Lords

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the City of Idaho Falls proposes to increase existing fees beginning October 1, 2008, by amounts that exceed one hundred five percent (105%) of respective fees from the current fiscal year. The fee increases are necessary to cover increased costs associated with these programs.

<u>SOURCE OF FEES</u>	<u>CURRENT FEES</u>	<u>PROPOSED NEW FEES</u>
Planning Department:		
Variance	\$150.00	\$300.00
Rezoning	\$350.00	\$450.00
Comprehensive Plan Amendment	\$100.00	\$200.00
Conditional Use Permit (PC Only)	\$100.00	\$200.00
Conditional Use Permit (Council)	\$200.00	\$300.00
Building Department:		
Sign Permits	\$ 15.00	\$ 90.00
LED Signs (Electronic, Animated)	\$ 15.00	\$150.00
LED Billboards	\$ 15.00	\$150.00
Residential Plan Check Fees	10% of Permit Fee	25% of Permit Fee
Child Care Licensing:		
Family Child Care (1 - 5 Children)	\$.00	\$ 50.00
Group Child Care (6 - 12 Children)	\$.00	\$100.00
Child Care Center (13 or More Children)	\$.00	\$150.00
Background Check - Fingerprints	\$.00	\$ 50.00
Parks:		
Small Shelter Rental	\$ 40.00	\$ 50.00
Band Shell Rental	\$150.00	\$175.00

AUGUST 14, 2008

<u>SOURCE OF FEES</u>	<u>CURRENT FEES</u>	<u>PROPOSED NEW FEES</u>
Parks, continued:		
Multi-Purpose Shelter Rental	\$175.00	\$200.00
Bleacher Rental	\$ 5.00	\$ 25.00
Picnic Table Rental (6 Table Minimum)	\$ 25.00	\$ 50.00
Additional Picnic Tables (Each)	\$ 2.00	\$ 5.00
Banners (Set of 10)	\$125.00	\$150.00
Sandy Downs:		
Grandstand/Arena Rental	\$500.00	\$600.00
4H Arena Rental	\$115.00	\$125.00
North Arena Rental	\$115.00	\$125.00
Grandstand Cleaning Deposit	\$300.00	\$500.00

Any person who desires to provide comments regarding such fee increases may appear at 7:30 p.m. on Thursday, August 28, 2008, at the City of Idaho Falls Council Chamber, City Hall Annex, 680 Park Avenue, Idaho Falls, Idaho.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

Publish: August 17 and August 24, 2008

Councilmember Hally expressed his concern for the large increase in the sign permit fees. He stated, further, that he would support all of the fee increases.

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to authorize the publication of the "Notice of Public Hearing" regarding the imposition of new fees and fee increases greater than 105% for Fiscal Year 2008-2009 with publication dates set for August 17, 2008 and August 24, 2008. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally
Councilmember Parry
Councilmember Taylor
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
August 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PUBLICATION OF "NOTICE OF PUBLIC HEARING" FOR
2008-2009 FISCAL YEAR BUDGET

Municipal Services respectfully requests the Mayor and Council to tentatively approve the 2008-2009 Fiscal Year Budget in the amount of \$171,747,702.00.

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Approval is also requested to publish the attached "Notice of Public Hearing" of the 2008-2009 Fiscal Year Budget with publication dates set for August 17, 2008 and August 24, 2008.

The Public Hearing is scheduled for 7:30 p.m., Thursday, August 28, 2008, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho.

s/ S. Craig Lords

NOTICE OF PUBLIC HEARING
PROPOSED BUDGET FOR FISCAL YEAR 2008-2009
CITY OF IDAHO FALLS, IDAHO

A public hearing pursuant to Idaho Code 50-1002, will be held for consideration of the proposed budget for the fiscal year from October 1, 2008 to September 30, 2009. The hearing will be held at the City of Idaho Falls Council Chambers, in the City Annex Building, located at 680 Park Avenue, Idaho Falls, Idaho at 7:30 p.m., Thursday, August 28, 2008. All interested persons are invited to appear and provide comments regarding the proposed budget. Copies of the proposed budget are available at the Idaho Falls City Controller's Office during regular office hours (8:00 a.m. to 5:00 p.m., weekdays). City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities in order to allow access to the budget documents or to the hearing should contact the City Controller's Office at 612-8230 at least 48 hours prior to the public hearing. The proposed FY 2009 budget is shown below as FY 2009 proposed expenditures and revenues.

PROPOSED EXPENDITURES			
Fund Name	FY 2007 Actual Expenditures	FY 2008 Budget Expenditures	FY 2009 Proposed Expenditures
General Fund			
Mayor and Council	\$ 152,564	\$ 173,517	\$ 190,000
Legal	141,935	212,091	216,651
Municipal Services	3,824,726	8,042,214	9,902,216
Planning and Building	1,999,468	2,274,010	2,347,878
Human Resources	-0-	-0-	111,769
Police	10,442,074	11,386,081	11,460,527
Fire	8,404,660	9,246,496	9,002,408
Parks	11,629,278	6,447,936	5,410,867
Public Works	1,518,331	1,975,542	2,042,232
General Fund Total	<u>\$ 38,113,036</u>	<u>\$ 39,757,887</u>	<u>\$ 40,684,548</u>
Special Revenue Funds			
Street Fund	\$ 2,774,655	\$ 3,557,478	\$ 4,116,594
Recreation Fund	1,008,338	1,113,326	1,237,747
Library Fund	1,840,403	2,886,947	2,958,571
Airport Passenger Facility Charge Fund	606,879	600,000	625,000
Municipal Equipment Replacement Fund	934,061	1,568,000	2,046,000
Electric Light Public Purpose Fund	448,396	550,000	550,000
Business Improvement District	45,600	60,000	57,400
Golf Fund	-0-	1,790,015	1,867,134
Special Revenue Funds Total	<u>\$ 7,628,332</u>	<u>\$ 12,125,766</u>	<u>\$ 13,458,446</u>

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Fund Name	FY 2007 Actual Expenditures	FY 2008 Budget Expenditures	FY 2009 Proposed Expenditures
Capital Projects Funds			
Sanitary Sewer Capital Improvement Fund	\$ 269,581	\$ -0-	\$ -0-
Municipal Capital Improvement Fund	145,334	3,500,000	3,900,000
Street Capital Improvement Fund	5,316,414	-0-	-0-
Bridge and Arterial Street Fund	222,301	1,000,000	1,500,000
Water Capital Improvement Fund	203,266	500,000	500,000
Surface Drainage Fund	-0-	200,000	50,000
Traffic Light Capital Improvement Fund	216,993	1,000,000	1,100,000
Capital Projects Funds Total	<u>\$ 6,373,889</u>	<u>\$ 6,200,000</u>	<u>\$ 7,050,000</u>
Enterprise Funds			
Airport Fund	\$ 4,582,787	\$ 8,914,839	\$ 9,011,344
Water and Sewer Fund	12,380,416	12,536,549	22,243,799
Sanitation Fund	3,033,203	3,734,860	4,418,828
Ambulance Fund	2,703,998	2,787,893	3,030,082
Electric Fund	54,426,856	64,975,485	71,850,655
Enterprise Funds Total	<u>\$ 77,127,250</u>	<u>\$ 92,949,626</u>	<u>\$110,554,708</u>
Total Expenditures - All Funds	<u>\$129,242,507</u>	<u>\$151,033,279</u>	<u>\$171,747,702</u>
PROJECTED REVENUES			
Fund Name	FY 2007 Actual Revenues	FY 2008 Budget Revenues	FY 2009 Projected Revenues
Property Tax Levy			
General Fund	\$ 17,760,364	\$ 19,486,308	\$ 21,189,662
Recreation Fund	370,518	425,327	463,931
Library Fund	1,359,901	1,525,046	1,663,466
Municipal Capital Improvement Fund	544,912	611,130	1,166,599
Fire Retirement	843,287	843,287	1,044,000
Liability Insurance	670,000	580,000	602,000
Property Tax Levy Total	<u>\$ 21,548,982</u>	<u>\$ 23,471,098</u>	<u>\$ 27,129,658</u>
Revenue Sources Other Than Property Tax			
General Fund	\$ 15,260,625	\$ 16,118,252	\$ 14,848,886
Street Fund	3,416,777	3,186,854	3,068,609
Recreation Fund	768,642	714,350	785,650
Library Fund	766,931	816,806	928,565
Passenger Facility Fund	606,879	600,000	625,000
Municipal Equipment Replacement Fund	362,322	200,000	200,000
Electric Light Public Purpose Fund	503,707	550,000	550,000
Business Improvement District Fund	53,469	60,000	58,700
Electric Rate Stabilization Fund	971,413	400,000	400,000
Golf Fund	-0-	1,782,700	1,850,600
Sanitary Sewer Capital Improvement Fund	330,886	216,750	243,750
Municipal Capital Improvement Fund	137,426	25,000	25,000
Street Capital Improvement Fund	4,898,706	1,000	1,000
Bridge and Arterial Street Fund	458,741	255,000	260,000
Water Capital Improvement Fund	400,282	283,750	288,750
Surface Drainage Fund	95,492	50,000	52,000
Traffic Light Capital Improvement Fund	402,578	281,900	369,768
Airport Fund	4,625,471	8,481,409	8,554,000
Water and Sewer Fund	13,576,633	12,478,000	16,075,400
Sanitation Fund	3,334,110	3,605,000	4,533,000
Ambulance Fund	1,733,292	2,661,239	2,916,194

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Fund Name	FY 2007 Actual Revenues	FY 2008 Budget Revenues	FY 2009 Projected Revenues
Revenue Sources Other Than Property Tax, continued			
Electric Fund	61,036,412	53,356,060	51,994,170
Fund Transfers	1,916,379	1,889,500	2,095,100
Fund Balance Carryover	17,162,365	19,548,611	34,393,902
Other Revenue Sources Total	<u>\$133,819,538</u>	<u>\$127,562,181</u>	<u>\$145,618,044</u>
Total Revenues – All Funds	<u>\$133,819,538</u>	<u>\$127,562,181</u>	<u>\$145,618,044</u>

I, Rosemarie Anderson, City Clerk of the City of Idaho Falls, Idaho certify that the above is a true and correct statement of the proposed expenditures by fund and the entire estimated revenues and other sources of the City of Idaho Falls, Idaho for the Fiscal Year 2008-2009; all of which have been tentatively approved by the City Council on August 14, 2008 and entered at length in the Journal of Proceedings.

Dated this 14th day of August, 2008.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

Publish: August 17 and August 24, 2008

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to tentatively approve the 2008-2009 Fiscal Year Budget in the amount of \$171,747,702.00. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to give authorization for publication of the "Notice of Public Hearing" for the 2008-2009 Fiscal Year Budget with publication dates set for August 17, 2008 and August 24, 2008. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally
Councilmember Parry
Councilmember Taylor
Councilmember Lehto

AUGUST 14, 2008

Nay: None

Motion Carried.

City of Idaho Falls
July 8, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: OPEN MEETINGS ORDINANCE

Please find attached a copy of the Ordinance to change the Open Meetings Ordinance.

It is respectfully requested that the Mayor and City Council adopt said Ordinance.

s/ S. Craig Lords

The City Attorney explained that there is no substantive change to the Ordinance. There have been an increasing number of cases brought before the courts where the calling of Executive Sessions has not been done in a proper fashion. This Ordinance will conform to the State Law regarding how to conduct an Executive Session.

At the request of Councilmember Taylor, the City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2771

AN ORDINANCE AMENDING SECTION 1-6-3 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR A CHANGE TO THE OPEN MEETINGS ORDINANCE; ESTABLISHING METHODOLOGY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PRESERVATION OF PRIOR ORDINANCE AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Taylor moved, and Councilmember Hardcastle seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

AUGUST 14, 2008

Nay: None

Motion Carried.

City of Idaho Falls
August 5, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-08-29, STRUCTURAL STEEL MATERIAL FOR WESTSIDE
SUBSTATION

Attached for your consideration is the tabulation for Bid IF-08-29, Structural Steel Material for Westside Substation.

It is the recommendation of Municipal Services to accept the low evaluated bid of Valmont to furnish the required material for an amount of \$160,339.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the low evaluated bid from Valmont to furnish the required structural steel material for the Westside Substation for an amount of \$160,339.00. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
August 4, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-08-31, RENTAL OF CRANE – RATED AT A MINIMUM
CAPACITY OF 70 TON WITH OPERATOR

Attached for your consideration is the tabulation for Bid IF-08-31, Rental of Crane – Rated at a Minimum Capacity of 70 Ton with Operator.

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It is the recommendation of Municipal Services to accept the sole bid of Mullen Crane and Transport to furnish the crane with operator for a Lump Sum Total Amount of \$76,150.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the sole bid from Mullen Crane and Transport to furnish the Crane with Operator as specified for a Lump Sum Total Amount of \$76,150.00. Roll call as follows:

Aye: Councilmember Hally
Councilmember Taylor
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
August 11, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: AMENDMENTS TO CONTRACTOR LICENSING ORDINANCE

Attached is an Ordinance amending the Contractor Licensing Ordinance. This Ordinance removes the provision which provides for provisional licenses and reduces fees for those licensed in equivalent out-of-state programs and eliminates fees for those with equivalent in-state licenses. The Division respectfully requests passage of this Ordinance.

s/ Renee R. Magee

Reggie Fuller, Building Official, appeared to further explain this Ordinance.

At the request of Councilmember Parry, the City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2772

AN ORDINANCE AMENDING TITLE 4, CHAPTER 7,
OF THE CITY CODE OF IDAHO FALLS, IDAHO;
PROVIDING FOR AMENDMENTS TO THE
CONTRACTOR LICENSING ORDINANCE;
PROVIDING FOR SEVERABILITY; AND
ESTABLISHING EFFECTIVE DATE.

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The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Hally seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

The Police Chief submitted the following memos:

City of Idaho Falls
August 13, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Steve Roos, Chief of Police
SUBJECT: COUNCIL AGENDA ITEM

I respectfully request approval of the attached Ordinance repealing Section 5-29-15 and enacting Sections 5-33-1 through 5-33-7 of the City Code of Idaho Falls, Idaho providing for prohibitions of graffiti and procedures for graffiti removal.

This Ordinance will be presented for your approval at the City Council Meeting of Thursday, August 14, 2008.

Thank you for your consideration.

s/ Steve Roos

Councilmember Hardcastle stated that members of the Graffiti Removal Team from the Police Department were present in support of this Ordinance.

The Police Chief appeared to state that in a perfect world, if you see graffiti on your way to work, he would like it to be gone by the time you go home from work. This ordinance would deny recognition of the graffiti and further violence. Quick removal is important to reduce crime. This Ordinance allows the Police Department to work quickly to remove any graffiti. The Police Chief explained the process for removal of graffiti.

At the request of Councilmember Hardcastle, the City Attorney read the following Ordinance by title only:

AUGUST 14, 2008

ORDINANCE NO. 2773

AN ORDINANCE REPEALING SECTION 5-29-15 AND ENACTING SECTIONS 5-33-1 THROUGH 5-33-7 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR PROHIBITIONS OF GRAFFITI, AND PROCEDURES TO REMOVE GRAFFITI; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Taylor seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

City of Idaho Falls
August 13, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Steve Roos, Chief of Police
SUBJECT: COUNCIL AGENDA ITEM

I respectfully request approval of the attached Ordinance amending Section 4-13-11 of the City Code of Idaho Falls, Idaho; providing for pawnbrokers, secondhand precious metals dealers and secondhand stores to make a record of serial numbers of property sold or received.

This Ordinance will be presented for your approval at the City Council Meeting of Thursday, August 14, 2008.

Thank you for your consideration.

s/ Steve Roos

The Police Chief appeared to explain that pawnbrokers, secondhand precious metal dealers, and secondhand stores provide serial numbers wherever available.

Councilmember Lehto commended the Chief for working with businesses to implement the new internet information registration.

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David Nygard, 3748 East 190 North, Rigby, Idaho appeared to state that he is the owner of Variety Mart on Park Avenue. He appeared to request assistance from the Police Chief in establishing a method whereby Police Officers must identify serial numbers and description of property before confiscating "stolen" property from his business.

The Police Chief appeared to state that Mr. Nygard has not spoken with him regarding this issue. He stated that he would be more than happy to meet with Mr. Nygard regarding this. Mr. Nygard was invited to attend the next Public Safety Council Committee to discuss his concerns.

At the request of Councilmember Hardcastle, the City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2774

AN ORDINANCE AMENDING SECTION 4-13-11 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR PAWN BROKERS, SECONDHAND PRECIOUS METALS DEALERS AND SECONDHAND STORES TO MAKE A RECORD OF SERIAL NUMBERS OF PROPERTY SOLD OR RECEIVED; ESTABLISHING METHODOLOGY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PRESERVATION OF PRIOR ORDINANCE AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Taylor seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
August 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – CHANNING WAY AND 25TH STREET TRAFFIC LOOP REPLACEMENT

AUGUST 14, 2008

On July 22, 2008, bids were received and opened for the Channing Way and 25th Street Traffic Loop Replacement Project. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, Ideal Contractors, Inc., in the amount of \$151,798.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to accept the low bid from Ideal Contractors, Inc. in the amount of \$151,798.00 to complete the Channing Way and 25th Street Traffic Loop Replacement and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Taylor
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
August 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD - CROWS ADDITION SIDEWALK REPAIR,
BOULEVARD TO HOLMES AVENUE

On July 22, 2008, bids were received and opened for the Crows Addition Sidewalk Repair, Boulevard to Holmes Avenue Project. A tabulation of the bids results is attached.

Public Works recommends award to the low bidder, Shane Woolf Concrete, Inc., in the amount of \$48,200.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to accept the low bid from Shane Woolf Concrete, Inc. in the amount of \$48,200.00 to complete the Crows Addition Sidewalk Repair, Boulevard to Holmes Avenue Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
August 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – IDAHO FALLS PUBLIC LIBRARY SOUTH ACCESS
RAILROAD PLANKING REPLACEMENT

On July 22, 2008, bids were received and opened for the Idaho Falls Public Library South Access Railroad Planking Replacement Project. A tabulation of the bid results is attached.

Public Works recommends award to the low bidder, TMC Contractors, Inc., in the amount of \$32,223.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to accept the low bid from TMC Contractors, Inc. in the amount of \$32,223.00 to complete the Idaho Falls Public Library South Access Railroad Planking Replacement Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Taylor
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

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City of Idaho Falls
August 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PROPERTY TRADE – WESTRIDGE ADDITION, DIVISION NO. 1

The owner and developer of certain properties located within Westridge Addition, Division No. 1 has requested a trade of real properties with the City of Idaho Falls. The parcels proposed for trade are of equal size and located adjacent to each other within the referenced development. Each parcel contains approximately 2,383 square feet and is located next to a parcel of property the City owns for purposes of a parking lot. The proposed trade provides the developer with a parcel needed for public right-of-way and the City with a parcel to expand the size of a parking lot next to a soccer field.

Public Works recommends approval of this trade; and, authorization for the Mayor and City Clerk to sign the necessary documents.

s/ Chad Stanger

Following a brief discussion regarding the process whereby property can be transferred, it was moved by Councilmember Lehto, seconded by Councilmember Parry, to give authorization for the City Attorney to prepare documents necessary to accomplish this trade of certain properties located within the Westridge Addition, Division No. 1. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hally
Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
August 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – THE NARROWS ADDITION, DIVISION NO. 2

The Developer of “The Narrows” Subdivision has requested a relocation and vacation of a portion of the storm line located within the subdivision. The request to reconfigure the storm line better accommodates development of the property.

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Public Works requests for the City Attorney to prepare documents needed to accomplish the easement vacation.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to give authorization for the City Attorney to prepare the documents necessary to vacate a portion of the storm line easement located within The Narrows Addition, Division No. 2. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

City of Idaho Falls
August 7, 2008

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: STREET DEDICATION ORDINANCE

Attached is a proposed Ordinance dedicating a portion of City owned property as public right-of-way to the new Candlewood Hotel and the City's Greenbelt Project south of Pancheri Drive, along the east bank of the Snake River.

Public Works recommends approval of this Ordinance; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

At the request of Councilmember Lehto, the City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2775

AN ORDINANCE OF THE CITY OF IDAHO FALLS,
IDAHO, DEDICATING CERTAIN REAL PROPERTY
ADJACENT TO PANCHERI DRIVE AS A PUBLIC
STREET; PROVIDING FOR SEVERABILITY AND
ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Parry seconded, that the provisions of Idaho Code Section 50-902 requiring

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all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Hally
Councilmember Parry
Councilmember Taylor
Councilmember Lehto

Nay: None

Motion Carried.

The memo from the Public Works Director regarding the street right-of-way and easement vacation in Bel-Aire Addition, Division No. 3, portions of Rowland Street and Waid Street, and a utility easement was withdrawn by the Division Director.

Mayor ProTem Hardcastle requested Councilmember Parry to conduct a public hearing consideration of a rezoning from PB (Professional and Business Office) to C-1 (Limited Retail Business) of property located generally south and adjacent to First Street, north of Alturas Circle, east of Woodruff Avenue and west of Alturas Street, and legally described as a portion of Lot 2, Block 1, J. Earl West Addition, Division No. 1. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
August 8, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REZONING FROM PB TO C-1 – WESTERN 33.5 FEET OF LOT 2,
BLOCK 1, J. EARL WEST ADDITION, DIVISION NO. 1

Attached is the application to rezone the western 33.5 feet of Lot 2, Block 1, J. Earl West Addition, Division No. 1, from PB (Professional Business) to C-1 (Limited Commercial). This 4,500 square foot parcel is located east of Woodruff Avenue, south of First Street, and north of Alturas Circle. The Planning Commission recommended approval at its July 1, 2008 Meeting. Staff concurs with this recommendation. This request is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

The Assistant Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this rezoning request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo

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Slide 3	Comprehensive Plan
Slide 4	Site Photo showing view of site
Slide 5	Site Photo showing view of site
Slide 6	Site Photo showing view of existing wall
Exhibit 1	Planning Commission Minutes dated July 1, 2008
Exhibit 2	Staff Report dated July 1, 2008
Exhibit 3	Vicinity Map
Exhibit 4	Aerial Photo
Exhibit 5	Copy of approved site plan

Councilmember Taylor requested to know whether the change in zoning would require a barrier or additional landscaping. The Assistant Planning and Building Director stated that it would not. The adjacent residential zoning is R-2 with no buffering being required. Should this area be used for loading/unloading activities or commercial parking, there is a provision under the parking requirements that would require both a landscape buffer as well as an opaque fence.

There being no further questions or comments in favor of or in opposition to this rezoning request, Mayor ProTem Hardcastle closed the public hearing.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the rezone from PB (Professional and Business Office) to C-1 (Limited Retail Business) of property located generally south and adjacent to First Street, north of Alturas Circle, east of Woodruff Avenue and west of Alturas Street, and legally described as the western 33.5 feet of Lot 2, Block 1, J. Earl West Addition, Division No. 1 and that the City Planner be instructed to reflect said zoning change on the official Zoning Map located in the Planning Office. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested Councilmember Parry to conduct a public hearing for consideration of a rezoning from C-1 (Limited Commercial) to R-3A (Apartments and Professional Offices) of property located generally south and adjacent to West Broadway, north of Pancheri Drive, east of Old Butte Road, west of Donna Drive, and legally described as a portion of Lot 2, Block 1, Westridge Addition, Division No. 1. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
August 8, 2008

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REZONING FROM C-1 TO R-3A – NORTHEASTERN 3.8 ACRES
OF LOT 2, BLOCK 1, WESTRIDGE ADDITION, DIVISION NO. 1

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Attached is the application to rezone the northeastern 3.8 acres of Lot 2, Block 1, Westridge Addition, Division No. 1 from C-1 (Limited Commercial) to R-3A (Offices and Apartments). This parcel is located south of West Broadway, east of Old Butte Extended, and north of Pancheri Drive. The Planning Commission recommended approval at its July 1, 2008 Meeting. This request is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

The Assistant Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this rezoning request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Comprehensive Plan
Slide 4	Site Photo of existing homes to the east
Slide 5	Site Photo looking south across the site

There being no further comments or questions either in favor of or in opposition to this rezoning request, Mayor ProTem Hardcastle closed the public hearing.

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the rezone from C-1 (Limited Commercial) to R-3A (Apartments and Professional Offices) of property located generally south and adjacent to West Broadway, north of Pancheri Drive, east of Old Butte Road, west of Donna Drive, and legally described as the northeastern 3.8 acres of Lot 2, Block 1, Westridge Addition, Division No. 1, and that the City Planner be instructed to reflect said zoning change on the official Zoning Map located in the Planning Office. Roll call as follows:

Aye: Councilmember Hally
Councilmember Taylor
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

It was moved by Councilmember Taylor, seconded by Councilmember Cornwell, that the Mayor and City Council retire into Executive Session in the Public Works Director's Office in the City Annex Building located at 380 Constitution Way in Idaho Falls, Idaho, pursuant to Idaho Code Section 67-2345 (1) (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agenda; and, Idaho State Code Section 67-2345 (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. The mere presence of legal counsel at an executive session does not satisfy this requirement. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Hally

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Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Michael Lehto
Councilmember Karen Cornwell
Councilmember Thomas Hally
Councilmember Sharon Parry
Councilmember Ken Taylor

Absent was:

Mayor Jared D. Fuhriman

Also present:

Dale Storer, City Attorney
S. Craig Lords, Municipal Services Director
Chad Stanger, Public Works Director
Chandra Evans, General Services Administrator
Rosemarie Anderson, City Clerk

There being no further business, it was moved by Councilmember Cornwell, seconded by Councilmember Hally, that the Mayor and City Council retire out of Executive Session at 9:15 p.m., which motion passed following a roll call vote as follows:

Aye: Councilmember Hardcastle
 Councilmember Lehto
 Councilmember Cornwell
 Councilmember Hally
 Councilmember Parry
 Councilmember Taylor

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Hally, seconded by Councilmember Taylor, that the meeting adjourn at 9:15 p.m.

CITY CLERK

MAYOR
