

**SEPTEMBER 27, 2007**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 26, 2007, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor ProTem Ida Hardcastle  
Councilmember Karen Cornwell  
Councilmember Joe Groberg  
Councilmember Michael Lehto

Absent was:

Mayor Jared D. Fuhriman  
Councilmember Thomas Hally

Also present:

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

Mayor ProTem Hardcastle requested Boy Scout Gage Siddoway to come forward to lead those present in the Pledge of Allegiance.

**CONSENT AGENDA ITEMS**

The City Clerk requested approval of the Minutes from the September 12, 2007 Work Session, the September, 2007 Regular Council Meeting, and the September 24, 2007 Work Session and Executive Session.

The City Clerk presented several license applications, including a BEER TO BE CONSUMED ON THE PREMISES LICENSE to Aussie Eats, Inc./Koala Klub, 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 September 27, 2007.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls  
September 24, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: CONSENT AGENDA – REQUEST FOR AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS FOR THE UPPER PLANT REWIND

Idaho Falls Power respectfully requests authorization to advertise to receive bids for the Upper Plant Rewind. This project was budgeted for in the Fiscal Year 2008 budget. Attached for your review is a copy of the project detail sheet from the Capital Improvement Plan explaining the project.

s/ Jackie Flowers

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It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Cornwell

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls  
September 24, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jackie Flowers, Idaho Falls Power Director  
SUBJECT: FISCAL YEAR 2008 LINE CLEARANCE PROJECT –  
RECOMMEND AWARD

Attached for your consideration is the bid tabulation for the Fiscal Year 2008 Line Clearance Project. The sole bid received was from Davey Tree Surgery Company of Livermore, California. This is the same company who has subcontracted the work from Idaho Power Solutions over the last few years. Idaho Power Solutions is closing their doors effective December, 2008; as such, they are no longer bidding new work.

Idaho Falls Power staff has been very pleased with the work done by Davey Tree Surgery Company. Additionally, we have noticed significant reduction in vegetation related outages due to the proactive program 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 \$450,000.00.

s/ Jackie Flowers

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to accept the sole bid from Davey Tree Surgery Company of Livermore, California to complete the Fiscal Year 2008 Line Clearance Project in an amount not to exceed \$450,000.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Lehto

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Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls  
September 24, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jo Elg, Assistant Manager  
SUBJECT: AMENDMENT TO THE BPA SLICE AND BLOCK POWER SALES AGREEMENT

Attached for your consideration are Revision No. 6 to Exhibit J and Revision No. 6 to Exhibit C of the BPA Slice and Block Power Sales Agreement. The Revisions have been reviewed by the City Attorney.

Idaho Falls Power respectfully recommends approval of the Revisions and authorization for the Mayor to sign the documents.

s/ Jo Elg

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve Revision No. 6 to Exhibit J and Revision No. 6 to Exhibit C of the Bonneville Power Administration Slice and Block Power Sales Agreement and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls  
September 24, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jo Elg, Assistant Manager  
SUBJECT: SLICE RETENTION, COST SHARING AND REIMBURSEMENT AGREEMENT

Attached for your consideration is a Slice Retention, Cost Sharing and Reimbursement Agreement for engagement of legal counsel to advise Slice

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customers on Slice product design in Regional Dialogue negotiations. The agreement has been reviewed by the City Attorney. Also, attached is a Pre-Engagement Conflicts Waiver.

Idaho Falls Power respectfully requests approval of the Agreement and Conflict Waiver and authorization for the Mayor to sign the documents.

s/ Jo Elg

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Slice Retention, Cost Sharing, and Reimbursement Agreement for engagement of legal counsel to advise Slice customers on Slice product design in Regional Dialogue negotiations; approve the Pre-Engagement Conflict Waiver; and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
September 21, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AIRPORT LEASE AGREEMENT – YOST DEVELOPMENT LLC

Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and Duane L. Yost, dba Development LLC, for a proposed Airport Hangar located at 2751 Foote Drive.

Shan Perry, Assistant City Attorney, has prepared and approved said lease.

It is respectfully requested that Council approve the proposed Lease Agreement and authorize the Mayor to execute said documents.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Hangar Lease Agreement between the City of Idaho Falls and Duane L. Yost, dba Development LLC, 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 Cornwell  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
September 21, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AIRPORT LEASE AGREEMENT – M7 LLC

Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and David Miller, dba M7 LLC, for a proposed Airport Hangar located at 2050 International Way.

Shan Perry, Assistant City Attorney has prepared and approved said lease.

It is respectfully requested that Council approve the proposed Lease Agreement and authorize the Mayor to execute said documents.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Hangar Lease Agreement between the City of Idaho Falls and David Miller, dba M7 LLC, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls  
September 21, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AIRPORT LEASE AGREEMENT – ACTION MOTOR SPORTS

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Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and Kris Wright, dba Action Motor Sports, for a proposed Airport Hangar located at 2845 Foote Drive.

Shan Perry, Assistant City Attorney has prepared and approved said lease.

It is respectfully requested that Council approve the proposed Lease Agreement and authorize the Mayor to execute said documents.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Hangar Lease Agreement between the City of Idaho Falls and Kris Wright, dba Action Motor Sports, 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 Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
September 21, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ASSIGNMENT OF LEASE – AIRPORT INDUSTRIAL PARK

Attached for your consideration is a proposed Assignment of Lease between the City of Idaho Falls and Van C. Briggs, Kim Hall, Dan and Connie Moon for the Airport Industrial Park located at 1385 Foote Drive.

Shan Perry, Assistant City Attorney, has prepared and approved said lease.

It is respectfully requested that Council approve the proposed Assignment of Lease and authorize the Mayor to execute said documents.

s/ S. Craig Lords

Mike Shiverdecker, 1920 Melody Drive, appeared to question whether there would be more air traffic as more hangars are being approved and constructed. Councilmember Groberg explained that all of the hangars presented at this time are located in the area of civil aviation or the commercial area.

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It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Assignment of Lease Agreement between the City of Idaho Falls and Van C. Briggs, Kim Hall, Dan Moon and Connie Moon for the Airport Industrial Park located at 1385 Foote Drive and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls  
August 31, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: 2007-2008 LEGAL SERVICES

Attached for your consideration is the Retainer Agreement for the City Attorney and a general Legal Services Retainer for Holden Kidwell to provide legal services to the City of Idaho Falls for a one year period beginning October 1, 2007.

It is the recommendation of Municipal Services to approve said Retainer and authorize the Mayor to sign.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Retainer Agreement for the City Attorney and a general Legal Services Retainer for Holden Kidwell to provide legal services to the City of Idaho Falls for a one year period beginning October 1, 2007 and, further, give authorization for the Mayor to execute said Agreements. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

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City of Idaho Falls  
September 21, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUCTION SALE TO DISPOSE OF SURPLUS MERCHANDISE

Municipal Services respectfully requests authorization to conduct a City Auction Sale for City surplus merchandise. The sale is scheduled for Thursday, October 18, 2007.

Municipal Services also respectfully requests to retain Great Western Auctions International to set up said auction, tag merchandise, provide crew to man the auction, and provide accounting of sales and proceeds at the cost of five percent (5%) for all large equipment/vehicles and any other items selling for more than \$200.00, and ten percent (10%) for the remainder of net proceeds of the auction.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to give authorization to conduct a City Auction Sale for City Surplus merchandise on Thursday, October 18, 2007 and, further, to retain Great Western Auctions International to set up said auction, tag merchandise, provide crew to man the auction, and provide accounting of sales and proceeds at the cost of five percent (5%) for all large equipment/vehicles and any other items selling for more than \$200.00, and ten percent (10%) for the remainder of net proceeds of the auction. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
September 21, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: GENERAL LIABILITY, PROPERTY, VEHICLE LIABILITY, E & O OF PUBLIC OFFICIALS, POLICE PROFESSIONAL, FIDELITY, EXCESS LIABILITY AND BOILER AND MACHINERY INSURANCE COVERAGE PLACEMENT AT OCTOBER 1, 2007

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Municipal Services respectfully requests placement of insurance contracts for the above coverage with ICRMP. The broker is The Hartwell Corporation. The Contract begins on October 1, 2007. The price for this contract is \$544,134.00 for one year.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve placement of insurance coverage for General Liability, Property, Vehicle Liability, E & O of Public Officials, Police Professional, Fidelity, Excess Liability and Boiler and Machinery Insurance Coverage with ICRMP, The Hartwell Corporation as the broker, in the amount of \$544,134.00 for one year, with coverage to begin on October 1, 2007. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls  
September 27, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: GRINDLINE SKATEPARKS, INC. DESIGN CONTRACT

Attached for your consideration is a contract between the City of Idaho Falls and Grindline Skateparks, Inc. in the amount of \$14,400.00 for the purpose of providing design services for a 10,000 square foot skate park to be constructed at Tautphaus Park. The contract has been reviewed and prepared by the City Attorney.

The Parks and Recreation Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said contract agreement.

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Hardcastle, to approve the contract for the design of a 10,000 square foot skate park with Grindline Skateparks, Inc. in the amount of \$14,400.00 and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg

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Councilmember Hardcastle  
Councilmember Cornwell

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls  
September 20, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: EASEMENT VACATION – LOT 42, BLOCK 3, PANCHERI  
ADDITION

The owner of Lot 42, Block 3, Pancheri Addition has requested vacation of the south 10 feet of a 20-foot platted easement along the north property line of the subject property.

Public Works requests authorization for the City Attorney to prepare documents needed to vacate this easement.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to give authorization for the City Attorney to prepare the documents necessary to vacate 10 feet of a 20-foot platted easement along the north property line of Lot 42, Block 3, Pancheri Addition. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
September 20, 2007

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: EASEMENT VACATION – SOUTH TOWN INDUSTRIAL PARK  
2270, BLOCK 1

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The owner of South Town Industrial Park 2270, Block 1, has requested vacation of a 10 foot platted utility easement along the east lot line of the referenced property.

Public Works requests authorization for the City Attorney to prepare documents needed to vacate this utility easement.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to give authorization for the City Attorney to prepare the documents necessary to vacate a 10 foot platted utility easement along the east lot line of South Town Industrial Park 2270, Block 1. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to recess Annexation Proceedings for Berrybrook Estates Addition, Division No. 2 to the October 11, 2007 Regular Council Meeting. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Cornwell

Nay: None

Motion Carried.

Councilmember Lehto requested the Idaho Falls Power Director to come forward to introduce the Annual Open House for Idaho Falls Power. The Idaho Falls Power Director stated that the Open House will be held on Saturday, September 29, 2007. She gave a brief description of this Open House and commented that there will be many displays for the citizens of Idaho Falls to participate in.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Cornwell, that the meeting adjourn at 7:50 p.m.

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CITY CLERK

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MAYOR

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