

OCTOBER 12, 2006

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 12, 2006, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Thomas Hally
Councilmember Joe Groberg
Councilmember Michael Lehto
Councilmember Karen Cornwell
Councilmember Larry Lyon

Absent was:

Mayor Jared D. Fuhriman

Also present:

Shan Perry, Assistant City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

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

CONSENT AGENDA ITEMS

Mayor ProTem Hardcastle requested Council confirmation for the Appointment of Karla LaOrange to serve on the Traffic Safety Committee.

The City Clerk requested approval of the Minutes from the September 28, 2006 Regular Council Meeting and the October 6, 2006 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 September 1, 2006 through September 30, 2006, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$ 1,888,872.68
Street Fund	351,995.77
Recreation Fund	15,749.11
Library Fund	59,620.24
Municipal Equipment Replacement Fund	310,758.39
Electric Light Public Purpose Fund	49,595.86
Sanitary Sewer Capital Improvement Fund	224,285.60
Street Capital Improvement Fund	266,244.15
Water Capital Improvement Fund	29,766.40
Traffic Light Capital Improvement Fund	25,186.07
Airport Fund	411,743.28
Water and Sewer Fund	576,991.70

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FUND	TOTAL EXPENDITURE
Sanitation Fund	2,019.53
Ambulance Fund	16,179.96
Electric Light Fund	3,312,456.28
Payroll Liability Fund	2,058,867.60
TOTALS	\$ 9,600,332.62

The City Clerk presented several license applications, 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 October 12, 2006.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
October 6, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ADVERTISEMENT FOR BIDS

Municipal Services respectfully requests authorization to advertise and receive bids for the following items approved in the 2006-2007 Budget:

1. Equipment;
2. Equipment and Materials for Electrical Generation, Transmission, Distribution, Fiber Optics, Metering and Signalization;
3. Water Pipe Fittings and Other Water Line Equipment and Materials;
4. Sewer Department Materials and Supplies;
5. Road Salt and Sand (Street Department);
6. Aggregate (Crushed Gravel) (Street Department);
7. Asphalt Plant Mix/Modified Crack Sealant (Street Department);
8. Traffic Striping Paint and Solvent; and,
9. Motor Fuels, Lubricants and Services; and the Fuel obtained through a computerized fuel dispensing system.

s/ S. Craig Lords

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

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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REGULAR AGENDA ITEMS

Mayor ProTem Hardcastle requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda.
The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
October 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Fikstad, Power Manager
SUBJECT: CONFIRMATION AGREEMENT WITH THE CARGILL

Attached for your consideration are two confirmation agreements to purchase power from Cargill Power Markets. The combined agreements constitute a 7 megawatt flat product (7 x 24) for January, 2007 and February, 2007.

Idaho Falls Power respectfully requests ratification of the agreements.

s/ Jo Fikstad

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to ratify the two Confirmation Agreements to purchase power from Cargill Power Markets constituting a 7 megawatt flat product (7 x 24) for January, 2007 and February, 2007. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Hally
Councilmember Cornwell

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls
October 4, 2006

MEMORANDUM

TO: Mayor and Council
FROM: J. K. Livsey, Chief of Police
SUBJECT: COUNCIL AGENDA ITEM

I respectfully request approval of the attached ordinance providing for a change to clarify a small language change in the notice procedures on parking

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violation penalties. This ordinance will be presented for your approval at the City Council Meeting on Thursday, October 12, 2006.

Thank you for your consideration.

s/ J. K. Livsey

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

ORDINANCE NO. 2673

AN ORDINANCE AMENDING SECTION 9-4-25, OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR CHANGES TO CLARIFY THE NOTICE PROCEDURES; PROVIDING FOR SEVERABILITY; PRESERVING PRIOR ORDINANCE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Cornwell 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 sign the necessary documents. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Cornwell
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
October 4, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUNNYSIDE ROAD, YELLOWSTONE TO HOLMES – STATE/
LOCAL AGREEMENT

Attached is a State/Local Agreement for the Sunnyside Road Project, Yellowstone to Holmes Avenue. By this agreement and prior to advertisement for bids, the City is required to provide the State with \$3,852,270.00. This amount is estimated to be the City's share of project costs.

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

s/ Chad Stanger

RESOLUTION NO. 2006-16

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 Sunnyside Road; and,

WHEREAS, the STATE is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and,

WHEREAS, certain functions to be performed by the STATE involve the expenditure of funds as set forth in the Agreement; and,

WHEREAS, the STATE can only pay for work associated with the State Highway System; and,

WHEREAS, the CITY is fully responsible for its share of project costs; and,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Highway Project STP-7446(101) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on October 12, 2006.

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the State/Local Agreement with the Idaho Transportation Department for the Sunnyside Road Project, Yellowstone to Holmes Avenue, providing the State with \$3,852,270.00 which is the estimated City's share of the project costs and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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Aye: Councilmember Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon

Nay: None

Motion Carried.

Annexation Proceedings for Sunnyside Crossroads Regional Center were withdrawn by the Applicant.

Mayor ProTem Hardcastle requested Councilmember Groberg to conduct a public hearing for consideration of a Zoning Ordinance Amendment regarding M-1 Lot Coverage and PB Landscaping. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 10, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: AN ORDINANCE AMENDING M-1 ZONE LOT COVERAGE AND
LANDSCAPING REQUIREMENTS IN THE PB ZONE

Attached is an ordinance amending Section 7-14.E., Coverage, in the M-1 Zone and adding Section 7-8-8.C., Required Perimeter Landscaping. The amendment to lot coverage responds to comments received at a previous public hearing on changes to the M-1 Zone, and the requirement for landscaping brings the PB Zone into conformance with other office and commercial zones. This ordinance has been reviewed by the Assistant City Attorney, and the Planning Commission has reviewed these changes and recommended approval. This Department respectfully requests approval of the ordinance.

s/ Renée R. Magee

The Assistant Planning and Building Director gave a further explanation for this Ordinance Amendment. He explained that the changes before the City Council were as a result of the input received as part of the Comprehensive Plan approximately six years ago. The changes were implemented into the Comprehensive Plan and addressed through Annexation Agreements. This Amendment will allow the language to be removed from the Annexation Agreement and become part of the Ordinance so that it is a standard for all PB and M-1 Zone uses.

At the request of Councilmember Groberg, the Assistant City Attorney read the following Ordinance by title:

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ORDINANCE NO. 2674

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO; AMENDING SECTION 7-14-8.E., COVERAGE IN THE M-1 ZONE; AMENDING SECTION 7-8-8, LOT COVERAGE AND LANDSCAPING IN P-B ZONE; DECLARING ORDINANCE METHODOLOGY; PROVIDING FOR PRESERVATION OF PRIOR ORDINANCE; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Groberg 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 sign the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Lyon, seconded by Councilmember Lehto, that the meeting adjourn at 7:40 p.m.

CITY CLERK

MAYOR
