

**DECEMBER 22, 2005**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 22, 2005, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam  
Councilmember Thomas Hally  
Councilmember Larry Lyon  
Councilmember Michael Lehto  
Councilmember Joe Groberg

Absent were:

Councilmember Ida Hardcastle  
Councilmember Bill Shurtleff

Also present:

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

**CONSENT AGENDA ITEMS**

Mayor Milam presented the following Appointments and Re-Appointments for Council confirmation: Re-Appointment of Sharon Parry to serve as the Idaho Falls Planning Commission Liaison to the Bonneville County Planning Commission (Term Coincident with City Planning Commission Term); Appointment of Kurt Roland to serve on the Board of Adjustment (Term to expire on December 31, 2008); Appointment of Leslie Polson to serve on the Board of Adjustment (Term to expire on December 31, 2009); Re-Appointment of Hal Latin to serve on the Board of Adjustment (Term to expire on December 31, 2008); Re-Appointment of Stephanie Austad to serve on the Board of Adjustment (Term to expire on December 31, 2010); Re-Appointment of Kendal Phillips to serve on the Board of Adjustment (Term to expire on December 31, 2010); Appointment of Kirk Larsen to serve on the Idaho Falls Business Assistance Corporation (Term to expire on December 31, 2007); and, Appointment of Larry Callin to serve on the Idaho Falls Business Corporation (Term to expire on December 31, 2008).

The City Clerk requested approval of the Minutes from the December 8, 2005 Regular Council Meeting.

The City Clerk presented several license applications, including BEER LICENSES to ABC Food Service-Bistro Off Broadway, Barbeque Pit, Blue Bell Gas, Brownstone Companies, Inc., Clark's Shell, Diamond Concessions, Elk's Lodge, Fanatics Sports Grill, Garcias-Best Restaurants, Holmes Speedi Mart, J. R.'s Lounge, Jiffy Mart (Elm Street), Karen's Park Avenue Club, La Ramada, La Union Market, Las Pulgas Cantina and Dance Hall, Las Pulgas Night Club/Restaurant, Los Jerezanos, LLC, Los Primos, Marcellar's Vintage Wines and Brews, Maverik Country Store (Broadway), Maverik Country Store (Woodruff Avenue), Midget Market, Muddy's Place, Outback Steakhouse, Papa Tom's Pizza (Woodruff Avenue), Pinecrest Fish and Steak House, Inc., Puerto Vallarta, Puerto Vallarta Restaurant No. 2, Reelax Lounge, Rite Quick Stop No. 1, S & K Konvenience - S & K Shell, Samoa Club, Sand Bar, Sato's Oriental Market, LLC, Saving Center (Memorial Drive), Short Stop Market and Laundry, Skipper's Fish and Chips (17<sup>th</sup> Street), Snake Bite, Snake River

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RV Park and Campground, Speedi Corporation, Inc.-Speedi Mart, Sports Page, Tom's Gyro and Burgers, Vino Rosso, Wal-Mart Super Center No. 5494, Whitewater Grill, LLC, Willards Arts Center/Colonial Theater, and Nineteenth Hole Café, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on December 22, 2005.

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

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Milam requested Councilmember Groberg to conduct Annexation Proceedings for The Village Addition, Division No. 12 (Recessed from the November 22, 2005 Regular Council Meeting). It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to recess Annexation Proceedings for The Village Addition, Division No. 12 to the January 26, 2006 Regular Council Meeting. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Groberg to conduct a public hearing for consideration of the Fiscal Year 2006 Annual Action Plan and Potential Projects for the City of Idaho Falls' Community Development Block Grant (CDBG) Program. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
December 20, 2005

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: ANNUAL PLAN, FISCAL YEAR 2006, COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG)

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Attached is a list of potential projects for the Fiscal Year 2006 Community Development Block Grant. After the public hearing this evening, written comments will be accepted until January 26, 2006. A copy of the draft annual plan and potential projects is available in Jan Blickenstaff's Office, Planning and Building Division. Adoption of the annual plan is scheduled for early February.

s/ Renée R. Magee

<b>POTENTIAL PROJECTS FISCAL YEAR 2006 PROGRAM</b>						
<b>Project Sponsor</b>	<b>Project Description</b>	<b>Amount Requested</b>	<b>Consolidated Plan Priority</b>	<b>National Objective</b>	<b>Eligible Activity</b>	<b>HUD Reg. CFR Cite</b>
Club, Inc., Mardee Harper	Homeless prevention funding	\$ 30,000.00	PS Social Services	LMI Household/direct	Public Service	570.201(e)
Club, Inc., Mardee Harper	To rehab or purchase new homes for families with disabilities	36,000.00	H Special Needs	LMI Household	Acquisition	570.201(a)
EICAP, Russ Spain	Housing Rehabilitation Loan Program	60,000.00	H Services	LMI Household	Rehab and Preserve	570.202(a)(3)
Shepherd's Inn, Tom Zahn	New roof and building mods for pregnancy crisis center	15,000.00	H Special Needs	LMI Facility	Public Facility	570.201(c)
Community Policing, Dave Walters	Equipment for LMI property graffiti removal program	5,000.00	CD Code Enforcement	LMI Direct	Public Service	570.201(e)
FAITH, Melody Burns	Matching \$ to purchase large family duplex 4 to 5 bedrooms	36,000.00	H Rental Stock	LMI Household	Acquisition	570.201(a)
Habitat for Humanity, Melody Burns	Funding to purchase lots for 2 homes	50,000.00	H Home Buyers	LMI Household	Acquisition	570.201(a)
Life, Inc., Valerie Johnson	Requesting City construct sidewalk along Rollandet Park	52,000.00	CD Neighborhood	LMI Facility	Public Facility	570.201(c)
CIF Municipal Services, Craig Lords	Handicapped Access (Annex, City Hall, Council Chambers)	?	CD Accessibility	LMI Clientele	Public Facility	570.201(c)
City of Idaho Falls Library, Robert Wright	New railing for interior ramp	?	CD Accessibility	LMI Clientele	Public Facility	570.201(c)
Downtown Revitalization, IFDDC	Façade Loan/Grant Program	100,000.00	ED Downtown	Slum and Blight	Rehab and Preserve	570.202(a)(3)
EICAP	Food Warehouse Lease/Support - Cheryl Bailey	18,000.00	PS Social Service	LMI Direct	Public Service	570.201(e)
<b>Existing Projects:</b>						
TRPTA, Lynn Seymour	Special Riders' Pickup	15,000.00	CD Accessibility	LMI Direct	Public Service	570.201(e)
EITC Center for New Directors, Connie	Job Training	15,000.00	PS Job Training	LMI Direct	Public Service	570.201(e)
Code Enforcement, Cherise Frei	Neighborhood Code Enforcement	13,000.0	CD Code Enforcement	LMI Area	Public Service	570.201(e)
City Public Works, Chris Frederickson	Highland Park Paving (Cost Overruns?)	80,000.00	CD Neighborhood	LMI Area	Public Facility	570.201(c)
City Parks and Recreation, Dave Christiansen	Parks and Recreation Accessibility	?	CD Accessibility	LMI Clientele	Public Facility	570.201(c)
Community Development Office	Grant Administration	84,000.00		General	General	570.206
	<b>Total Amount Requested</b>	<b>\$609,000.00</b>				
<b>Consolidated Plan Priorities</b>				<b>Budget by Formula</b>	<b>\$420,000.00</b>	<b>Requested:</b>
CD – Community Development				\$100,000.00	Slum & Blight	\$100,000.00
ED – Economic Development				63,000.00	Public Service	96,000.00
PS – Public Service				173,000.00	LMI Facilities	329,000.00
H – Housing				84,000.00	Administration	84,000.00
				<b>\$420,000.00</b>	<b>Total</b>	<b>\$609,000.00</b>

Jan Blickenstaff, Grants Administrator appeared to describe the Annual Plan for Fiscal Year 2006 and further explained the request. Following is a list of exhibits used in connection with this Community Development Block Grant Annual Plan:

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Exhibit 1      Potential Projects for Fiscal Year 2006 CDBG Program

The Grants Administrator explained, further, that the Congress has not set the budget for Fiscal Year 2006. In running some rough calculations, he has estimated the City's allotment to be approximately \$420,000.00. All during the fall, he asked all City departments and non-profit agencies, whether they had projects that could use CDBG funding. He has received Letters of Request describing projects. At the time he received those letters, he qualified the projects according to the Department of Housing and Urban Development regulations to be sure that the projects meet the national objectives. The above list is preliminarily qualified under the Department of Housing and Urban Development regulations. There is more on the list than there is money available. The list is not prioritized. One priority that the Grants Administrator suggested was to complete the Highland Park Project. Money has been held of two years and more money is needed to complete this project. The Grants Administrator explained, further, that the Department of Housing and Urban Development allows a certain percentage of funds to be set aside for certain types of projects. Only the LMI Facilities Funding is unlimited. He stated that the one major change that he would propose for the year would be to advance the start date for the program year from August 1 to April 1. The Department of Housing and Urban Development can not get the money to the communities in Idaho any sooner than April. That better maximizes the construction season.

Councilmember Lehto clarified that this is the time and the place for the City Council to receive verbal public comments. There is now a 30-day period of time where written and verbal comments will be received in the Grants Administrator's Office in the Planning and Building Division.

Russ Spain, 357 Constitution Way, appeared as the Executive Director for the Eastern Idaho Community Action Partnership. They have submitted two proposals on the list. The Food Bank request is for one year of rent for the Food Bank in the amount of \$18,000.00. That would allow them time to either look for another location for the Food Bank or the possible construction of a building to house the Food Bank and other services that are currently being rented out around town. The other request is for \$60,000.00 for low to moderate income home modifications in conjunction with their own weatherization program. This would be for a forgivable loan program for a minimum of 12 homes with a maximum expenditure per home of \$5,000.00. This would provide for wheel chair ramps, bathroom modifications, and possible roof repairs for the elderly.

Shirley Chastain, Executive Director for the Idaho Falls Downtown Development Corporation, 450 B Street, appeared to request City Council's support for the \$100,000.00 for slum and blight. With their budget, it has been difficult to assist the property owners in the downtown area in fixing up their buildings. This is especially true on Broadway. This money would give the Idaho Falls Downtown Development Corporation the ability to offer better assistance to the property owners through a grant or loan program. Timing is critical as the Idaho Falls Downtown Development Corporation, in conjunction with the City, is bringing in a revitalization expert to develop a plan for the downtown area.

Tom Zahn, 437 Parkway Circle, appeared as the representative for The Shepherd's Inn. They recently moved to Idaho Falls. Prior to choosing a location, they visited with representatives from Bingham County, Bonneville County, City of Ammon, and the City of Idaho Falls Planning and Building Division. They chose Idaho Falls because of the Department of Housing and Urban Development money that was available. Under some of the Department of Housing and Urban Development documentation, The Shepherd's Inn could be considered a group home for handicapped, homeless, or low income people. The Shepherd's Inn is requesting \$15,000.00 because the house that was purchased for this facility is in need of a roof replacement and a second entrance into the basement to

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accommodate the services that the girls need from counselors that are brought in to work with the girls.

Melody Burns, P. O. Box 2553, appeared as a representative for F.A.I.T.H. They are requesting matching dollars to purchase a larger family unit, either a duplex or a single structure dwelling with four to five bedrooms and at least two bathrooms. One in ten client families come into their door for assistance. In the last three years, they have had to turn away clients because their maximum occupancy is a family of five. All of their units are two bedroom and one bathroom units.

Melody Burns, P. O. Box 51055, appeared as a representative for Habitat for Humanity. They are requesting funding for the purchase of land for development in the City of Idaho Falls. For the first time since 1994, Habitat for Humanity is out of land. With real estate prices and construction costs increasing, it is imperative for the low to moderate income families to have land to build on. They are received inquiries in the last year totaling 41 families that would like to partner with Habitat for Humanity. They are requesting assistance with two lots for construction. They are the last Habitat for Humanity group in the State of Idaho to encounter this problem. They have been fortunate thus far to be able to acquire land through donation or at a moderate cost.

David Walters, 405 North Capital Avenue, appeared as a representative for Community Policing. They are requesting \$5,000.00 for graffiti clean-up. They are requesting this \$5,000.00 as a non-profit organization within the Citizens Watch group.

There being no further discussion either in favor of or in opposition to the Fiscal Year 2006 Annual Plan for the Community Development Block Grant, Mayor Milam closed the public hearing. Mayor Milam stated that public comment will be received up to and including January 26, 2006.

The Airport Director submitted the following memos:

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: M. R. Humberd, Director of Aviation  
SUBJECT: ESTOPPEL CERTIFICATE FOR AIRLINK, INC.

Attached for City Council approval is the Estoppel Certificate for Airlink, Inc. Airlink, Inc. is attempting to gain a bank loan and is using their hangar as collateral not the airport property it sits on.

The City Attorney has reviewed this document.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the Estoppel Certificate for Airlink, Inc. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon

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Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: M. R. Humberd, Director of Aviation  
SUBJECT: AIRLINE OPERATING AGREEMENTS

Attached for City Council approval is the Airline Operating Agreement renewals for Skywest, Horizon Air and Pinnacle Airlines. The terms of this agreement is for three years.

The City Attorney has reviewed this document.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the Airline Operating Agreements for Skywest, Horizon Air, and Pinnacle Airlines 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 Hally  
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: M. R. Humberd, Director of Aviation  
SUBJECT: SCASDG AGREEMENT WITH UNITED AIRLINES

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Attached for City Council approval is the Small Community Air Service Development Grant with United Airlines. This Agreement details how the Federal Funds will be spent in connection with their new air service from Idaho Falls to Denver beginning in the Spring of 2006.

The City Attorney has reviewed this document.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the Small Community Air Service Development Grant with United Airlines and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: M. R. Humberd, Director of Aviation  
SUBJECT: AMENDMENT TO THE MTB INVESTMENTS, INC. HANGAR  
LEASE AGREEMENT

Attached for City Council approval is an Amendment to the MTB Investments Hangar Lease Agreement for additional leased property. All other terms and conditions remain the same.

The City Attorney has reviewed this document.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the Amendment to the MTB Investments, Inc. Hangar Lease Agreement 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 Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
December 20, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: CONTRACT OF SALE – DEAN PACK

Attached for your consideration are the Contract of Sale and Quitclaim Deed for the Dean Pack property.

It is respectfully requested that City Council approve and authorize the Mayor to execute these documents.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Contract of Sale and Quitclaim Deed for the Dean Pack property 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 Hally  
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: CENTER PARTNERS LEASE EXTENSION AGREEMENT

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Attached for your consideration is the Parking Lot Extension Agreement for Center Partners for additional term of one (1) year commencing on January 1, 2006 and terminating on December 31, 2006. The City Attorney has reviewed and approved this extension.

It is respectfully requested that City Council approve the extension agreement and authorize the Mayor to execute the documents.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Parking Lot Extension Agreement with Center Partners for an additional one year term commencing January 1, 2006 and terminating on December 31, 2006 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
December 16, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: REQUEST TO PURCHASE ONE (1) NEW CATERPILLAR MOTOR GRADER – GSA CONTRACT

It is the recommendation of Municipal Services to purchase a new motor grader from Western States Equipment per GSA Contract. Per the City Attorney's request, the General Services Administrator confirmed that the GSA Contract was competitively bid.

They would furnish One (1) New Caterpillar Motor Grader for an amount of \$166,599.00 which includes \$34,000.00 for Trade-In Unit No. 34.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to authorize the purchase of One (1) New Caterpillar Motor Grader from Western States Equipment per the General Services Administration Contract in the amount of \$166,599.00 which includes \$34,000.00 for Trade-In Unit No. 34. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Hally

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Councilmember Lehto  
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls  
December 15, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUTHORIZATION TO ESTABLISH INVESTMENT ACCOUNT WITH SMITH BARNEY

Attached for your consideration is the Resolution to open an Investment Account with Smith Barney Citigroup.

It is respectfully requested that Council approve and authorize the Mayor to sign said Resolution.

s/ S. Craig Lords

**RESOLUTION NO. 2005-15**

**RESOLUTION NAMING AUTHORIZED OFFICERS  
(Association or Owner Non-Corporate Organization)**

Please read carefully, sign and return to:

Smith Barney  
New Accounts Department  
333 West 34<sup>th</sup> Street  
New York, NY 10001

Account No.:

Branch	Account		

Be It Resolved That:

1. Name(s) and Title(s) of Officer(s): Craig Rockwood, City Treasurer

Is hereby authorized to sell, assign and endorse any transfer, certificates representing stocks, bonds, or other securities now registered or hereafter registered in the name of this

2. Type of Organization: Municipal Government

3. Name and Title of Officer: Linda Milam, Mayor

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4. Name of Organization: City of Idaho Falls

Hereby certify that the foregoing is a true copy of a resolution duly adopted by the

5. Name of Governing Body of the Organization: City Council

Of the Organization, at a meeting duly held on the 22<sup>nd</sup> day of December, 2005

At which a quorum was present and voting and that the same has not been repealed or amended and remains in full force and effect and does not conflict with the

Name of Document under which Organization is Operating: Articles of Incorporation and City Code  
Of the Organization.

**THIS DOCUMENT MUST BE SIGNED IN THE PRESENCE OF AN NOTARY PUBLIC**

December 23, 2005

Date

(SEAL)

s/ Rosemarie Anderson

Secretary's (or other attesting official's) Signature

s/ Linda Milam

Must be signed by official(s) other than the individual(s) designated in Section 1.

Subscribed and Sworn to Before Me this 23<sup>rd</sup> day of December, 2005.

s/ Diana Sargis

Notary Public

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Resolution providing for an Investment Account with Smith Barney Citigroup and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
December 15, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-06-08, MOTOR FUEL AND LUBRICANTS

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Attached for your consideration is the tabulation for Bid IF-06-08, Motor Fuels, Lubricants, and Services and the Fuel obtained through a computerized fuel dispensing system beginning March 1, 2006.

It is the recommendation of Municipal Services that we accept the low bid for all sections as follows:

SECTION I:

Group A:	Fuel Picked Up by City Truck Unleaded Gas, Cold Weather Additive and Diesel No. 1 and No. 2	Conrad and Bischoff
Group B:	Motor Oil	Conrad and Bischoff

SECTION II:

Services and Fuel obtained through a Computerized Fuel Dispensing System Unleaded Gas, Cold Weather Additive And Diesel No. 1 and No. 2	Conrad and Bischoff
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s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to accept the low bid from Conrad and Bischoff for Motor Fuel and Lubricants as presented. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
December 15, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-06-09, WESTERN RED CEDAR POWER POLES

Attached for your consideration is the tabulation for Bid IF-06-09, Western Red Cedar Power Poles.

It is the recommendation of the Municipal Services Division to accept the low bid of J. H. Baxter and Company, per the evaluated lump sum amount of \$68,587.00. Per bid specifications, we will only purchase the quantity of poles

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required of Item No. 5 to make three full truck loads. With the required pole quantity at fifty (ten less than specified), the final purchase amount is \$63,107.00. The breakdown of quantity, description, and price for the power poles is listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to accept the low bid of J. H. Baxter and Company to furnish Western Red Cedar Power Poles as presented. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
December 15, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: IF-06-10, PARALLELOGRAM PLATFORM LIFT

Attached for your consideration is the tabulation for Bid IF-06-10, Parallelogram Platform Lift to be used in the new Vehicle Maintenance Facility.

It is the recommendation of Municipal Services to accept the low bid of Del Bigelow Enterprises LLC to furnish a Rotary/Advantage drive through lift for an amount of \$79,990.00.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to accept the low bid of Del Bigelow Enterprises, LLC to furnish a Rotary/Advantage Drive Through Lift for an amount of \$79,990.00. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

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City of Idaho Falls  
December 15, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: UPDATED 457 DEFERRED COMPENSATION PLAN

Attached for your consideration is a copy of the updated 457 Deferred Compensation Plan Document. The Plan is intended to be an Eligible Deferred Compensation Plan under Section 457 of the Internal Revenue Code of 1986, as amended.

It is respectfully requested that Council approve and authorize the Mayor to sign said document.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Updated 457 Deferred Compensation Plan and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
December 15, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: RESOLUTION AUTHORIZING DESTRUCTION OF DOCUMENTS

It is respectfully requested that the Council pass the attached Resolution, which would authorize, pursuant to Idaho Code Section 50-907, the destruction of certain records.

s/ S. Craig Lords

**RESOLUTION NO. 2005-16**

**AUTHORIZING DESTRUCTION OF RECORDS**

**WHEREAS**, certain records have been held longer than Idaho Code Section 50-907 requires and are no longer needed for public purposes; and,

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**WHEREAS**, pursuant to Idaho Code Section 50-907, the City is authorized to destroy certain records;

**NOW, THEREFORE**, be it resolved that the City Treasurer, City Controller, City Clerk, General Services Administrator, and Personnel Administrator are hereby authorized to destroy the records listed below:

Documents from the Treasurer's Office:

1. Cancelled payroll checks written prior to April 1, 2003.
2. All ambulance and accounts receivable billing statements and payment receipts written prior to October 1, 2000.
3. All receipts issued by the Library, Police Department, Recreation Division, Golf Course, Zoo, Animal Shelter, City Clerk's Office, and for parking violations and all Building and Zoning receipts, as well as any other miscellaneous receipts originated by the Treasurer's Office written prior to October 1, 2000.
4. All checks written prior to October 1, 2000.
5. All deposit books containing records of deposits made no later than October 1, 2000.
6. All receipts and documents pertaining to the investment of City funds written prior to October 1, 2000.
7. Quarterly Treasurer's Reports and Proofs of Publication published prior to October 1, 2000.

Documents from the Controller's Office:

1. Claims Vouchers from October, 1999 through September, 2000.
2. Journal Entries from October, 1999 through September, 2000.
3. Payroll Time Sheets for the 2000 Year.
4. Vacation, Sick Leave, and Attendance Reports through September, 2004.
5. Duplicate copies of Claims Checks through September, 2000.
6. Check Registers through September 30, 2004.
7. Encumbrance Reports through September 30, 2004.

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Documents from the City Clerk's Office:

1. Monthly Reports from the Building Maintenance Department, Building Official, Electric Division, Engineering Department, Fire Department, Garage, Parks and Recreation Division, Personnel Department, Police Department, Sanitation Department, Sewer Department, Street Department and Water Department prior to December, 2000.
2. License applications for businesses and tradesmen prior to December, 2000, and related documentation.
3. City Council Call Sheets prior to December, 2000.
4. Council Meeting Agendas prior to December, 1995.
5. Auction Records prior to December, 2000.
6. Election Records for the year 1995 to be turned over to the Bonneville County Election Office for disposition.
7. Damage Claims prior to December, 1995.
8. Contracts for Construction prior to December, 2000.
9. City Clerk's Office Receipts prior to December, 2000.
10. Other related documents prior to December, 2000.

Documents from the Purchasing Department:

1. Purchase Orders prior to October, 2000.
2. Bid Documents prior to October, 1995.
3. Other related documents prior to October, 2000.

Documents from the Personnel Department:

1. Civil Service Applications and related materials (i.e., tests, transcripts and recommendations, etc. prior to December, 2000).

APPROVED by the City Council on the 22<sup>nd</sup> day of December, 2005.

s/ Linda Milam  
Linda Milam  
Mayor

ATTEST:

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

(SEAL)

**DECEMBER 22, 2005**

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It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Resolution Authorizing Destruction of Records and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
December 16, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BONNEVILLE COUNTY PROSECUTOR

Attached for your consideration is a contract with the Bonneville County Prosecutor's Office to provide Prosecuting Services. It is the recommendation that Council approve said contract and authorize the Mayor to sign.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Contract with the Bonneville County Prosecutor's Office to provide Prosecuting Services and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
December 20, 2005

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: RESOLUTION ON ISSUANCE OF BUILDING PERMITS WITHOUT FURTHER INQUIRY

**DECEMBER 22, 2005**

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Attached is a Resolution authorizing the Building Department to make no further inquiry on State Contractor Registration other than requesting the Registration Number on the application for a building permit and displaying the Idaho Registration Number or a statement "No State Contractor Registration Provided" on the permit. The City of Idaho Falls has had a licensing ordinance for twenty years. The City's ordinance requires evidence of construction experience and knowledge of the applicable codes, which are requirements not found in the State law, and no permits will be issued to any contractor not licensed in the City of Idaho Falls.

s/ Renée R. Magee

**RESOLUTION NO. 2005-17**

WHEREAS, Idaho Code § 54-5201 *et seq.* now requires all construction contractors to be registered with the State of Idaho;

WHEREAS, Idaho Code § 54-5209 requires that all building inspectors with a municipality who are charged with issuing building permits or other permits for construction shall only issue the permit with the presentment of an Idaho Contractors Registration Number, which shall be conspicuously entered on the face of the permit so issued, unless the contractor is exempt;

WHEREAS, the building inspector is not required under Idaho Code § 54-5209(1) to verify that the person applying for such permit is exempt;

WHEREAS, municipalities are not required to be the primary enforcement responsible for the contractors licensing statute, rather that accountability rests primarily with the Bureau of Occupational Licenses and the Idaho Contractors Board.

NOW, THEREFORE, BE IT RESOLVED:

That the City of Idaho Falls hereby adopts the following policy:

1. The City shall follow the requirements of Idaho Code § 54-5209 requiring conspicuous display of the State of Idaho Contractor's Registration Number, on all building permits.

2. The City shall require that the contractor provide the Idaho Contractors Registration Number, or inquire as to whether the contractor claims they are exempt.

3. The City shall conspicuously place in the permit the registration number, or if the contractor claims they are exempt, the phrase "no contractor registration provided" shall be put on the permit.

4. The City may issue building permits to contractors who are licensed with the City of Idaho Falls without further inquiry as to the validity of a State Contractors License Number or the validity of an exemption.

**DECEMBER 22, 2005**

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PASSED BY THE COUNCIL this 22<sup>nd</sup> day of December, 2005.

APPROVED BY THE MAYOR this 23<sup>rd</sup> day of December, 2005.

s/ Linda M. Milam  
Linda M. Milam  
Mayor

ATTEST:

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

(SEAL)

It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the Resolution authorizing the Building Department to make no further inquiry on State Contractor Registration other than requesting the Registration Number on the application for a building permit and displaying the Idaho Registration Number or a statement "No State Contractor Registration Provided" on the permit and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Lyon

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: TEMPORARY EASEMENTS – SUNNYSIDE ROAD PROJECT,  
PARCEL NOS. 8, 55, 50, 77, 72, AND 84

Attached are six (6) temporary construction easement agreements for a total expenditure of \$5,624.00, representing Parcel Nos. 8, 55, 50, 77, 72, and 84 on the Sunnyside Road Project.

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

s/ Chad Stanger

**DECEMBER 22, 2005**

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It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the six (6) temporary construction easement agreements for a total expenditure of \$5,624.00, representing Parcel Nos. 8, 55, 50, 77, 72, and 84 on the Sunnyside Road Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Hally  
Councilmember Lyon  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
December 19, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: POSSESSION AGREEMENT – SUNNYSIDE ROAD PROJECT,  
PARCEL NO. 15, SUNNYSIDE ACRES TRAILER PARK

Attached is a Possession Agreement for the Sunnyside Road Project, Parcel No. 15, Sunnyside Acres Trailer Park. By this Agreement, the City pays the owner \$10,000.00 for the right to immediately possess and use the right-of-way and for a temporary construction easement.

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

s/ Chad Stanger

It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the Possession Agreement for the Sunnyside Road Project, Parcel No. 15, Sunnyside Acres Trailer Park and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg

Nay: None

Motion Carried.

**DECEMBER 22, 2005**

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City of Idaho Falls  
December 13, 2005

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: CITY OF AMMON SEWER SERVICE AREA EXPANSION

The City of Ammon has requested expansion of their sewer service area to correspond with lands recently annexed to the City of Ammon as follows:

- S ½ Section 24, T 2 N, R 38, E. B. M.
- All of Section 31, T 2 N, R 39, E. B. M.
- Remainder of Section 34, T 2 N, R 38, E. B. M., not currently included in the service area.
- All of Section 35, T 2 N, R 38, E. B. M.
- N ½ and SE ¼ of Section 2, T 1 N, R 38, E. B. M.
- SE ¼ of Section 19, T 2 N, R 39, E. B. M.
- E ½ of Section 30, T 2 N, R 39, E. B. M.
- W ½ of Section 29, T 2 N, R 39, E. B. M.

Public Works submits this request for City Council consideration.

s/ Chad Stanger

Councilmember Lehto requested to know how many acres this involved. Mayor Milam stated that this covers approximately 2,400 acres.

Councilmember Groberg stated that this is a large amount of land. It was explained to the City of Ammon, and previously to the Iona-Bonneville Sewer District, that land could be added to the sewer service area, but it did not mean that there would be sewer service available to that land.

It was moved by Councilmember Lyon, seconded by Councilmember Hally, to approve the City of Ammon Sewer Service Area Expansion. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Lyon  
Councilmember Groberg  
Councilmember Lehto

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Lyon, seconded by Councilmember Hally, that the meeting adjourn at 8:10 p.m.

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CITY CLERK

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MAYOR

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