

NOVEMBER 9, 2004

The City Council of the City of Idaho Falls met in Special Council Meeting, Tuesday, November 9, 2004, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Ida Hardcastle
Councilmember Mike Lehto
Councilmember Bill Shurtleff (By Telephone)
Councilmember Larry Lyon
Councilmember Joe Groberg

Absent was:

Councilmember Thomas Hally

Also present:

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

Mayor Milam requested Boy Scout Jordan Christiansen to come forward and lead those present in the Pledge of Allegiance.

Mayor Milam and Councilmembers honored Mikki Fitch on her retirement from Idaho Falls Power.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the October 28, 2004 Special Council Meeting and the October 28, 2004 Regular Council Meeting.

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 October 1, 2004 through October 31, 2004, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$1,014,570.81
Street Fund	153,183.50
Recreation Fund	17,685.68
Library Fund	25,790.23
Municipal Equipment Replacement Fund	10,269.36
Electric Light Public Purpose Fund	47,531.73
Sanitary Sewer Capital Improvement Fund	1,647.24
Street Capital Improvement Fund	39,374.62
Water Capital Improvement Fund	264,714.84
Surface Drainage Fund	40,160.00
Airport Fund	180,683.57
Water and Sewer Fund	679,707.11

NOVEMBER 9, 2004

FUND	TOTAL EXPENDITURE
Sanitation Fund	1,284.09
Ambulance Fund	217,307.13
Electric Light Fund	3,007,780.49
Payroll Liability Fund	1,943,321.04
TOTALS	\$7,445,011.44

The City Clerk presented several license applications, including BEER LICENSES to Bubba's Bar-B-Que Restaurant, Get-N-Go Convenience Store, La Reyna Meat Market, O'Callahan's Restaurant, Savings Center, and Skyline Lanes, 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 November 9, 2004.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
November 5, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: STANDBY POWER SYSTEM FOR CITY HALL AND ANNEX BUILDINGS

Municipal Services respectfully requests authorization to advertise and receive bids for a Standby Power System for City Hall and City Hall Annex Buildings.

s/ S. Craig Lords

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
November 9, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: AUTHORIZATION TO BID DEHUMIDIFICATION COILS FOR AQUATIC CENTER

The Division of Parks and Recreation respectfully requests authorization to advertise to receive bids for the replacement of dehumidification coils at the City's Aquatic Center.

s/ David J. Christiansen

Councilmember Groberg explained that the Standby Power System was not part of the budget for this fiscal year. The new telephone system is operated through the fiber optic network. When the power goes out, the telephone system does not function until the power comes back on which could be a long period of time. This power source should be centrally located so that in case of power failure, the City could still operate as a

NOVEMBER 9, 2004

command center. Mayor Milam gave an example of how the moneys would be provided for this Standby Power System.

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

Aye: Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Lyon to conduct a public hearing for consideration of a rezoning from I & M-1 (Industrial and Manufacturing) to HC-1 (Highway Commercial) on property located east of I-15, west of Utah Avenue, south of Houston Street and West Broadway, and north of Pancheri Drive, legally described as Lots 1 and 2, Block 1, Renaissance Center, Division No. 1. At the request of Councilmember Lyon, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
November 4, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM I & M-1 TO HC-1 – RENAISSANCE CENTER, DIVISION NO. 1

Attached is the application for Wal-Mart to rezone portions of the parcel on which the new Wal-Mart Supercenter is being constructed from I & M-1 to HC-1. The Planning Commission considered this request at its October 5, 2004 Meeting and recommended approval. Staff concurs with the recommendation. This rezoning request is now being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

The 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 Aerial Photo showing property under consideration
Slide 2 Vicinity Map showing surrounding zoning
Slide 3 Comprehensive Plan

NOVEMBER 9, 2004

Slide 4 Site Photo of Wal-Mart Supercenter
Slide 5 Site Photo of Fairfield Inn
Slide 6 Old Aerial Photo
Exhibit 1 Planning Commission Minutes dated October 5, 2004
Exhibit 2 Staff Report dated October 5, 2004
Exhibit 3 Vicinity Map

The Planning and Building Director stated that this rezoning request is in compliance with the Comprehensive Plan. This also implements the plans and policies of the Idaho Falls Redevelopment Agency. Due to the recent land use changes in the area, the Redevelopment Agency actions in this area, and the Comprehensive Plan, Staff and the Planning Commission recommended approval of the rezoning.

Dean Logsten, CLC Associates, 12730 East Marabou Parkway, Suite 100, Spokane Valley, Washington, appeared as the representative from Wal-Mart for this rezoning request. He stated that they have read and understand the Staff Report. They concur with the findings and the recommendations in the Staff Report. They concur with the recommendations of the Planning Commission. He requested the City Council to approve the zone change.

There being no further discussion either in favor of or in opposition to this rezoning request, Mayor Milam closed the public hearing.

It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to approve the rezoning request from I & M-1 (Industrial and Manufacturing) to HC-1 (Highway Commercial) on property located east of I-15, west of Utah Avenue, south of Houston Street and West Broadway, and north of Pancheri Drive, legally described as Lots 1 and 2, Block 1, Renaissance Center, 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 Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Lyon

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Lyon to conduct Annexation Proceedings for George Washington Estates Addition, Division No. 4. At the request of Councilmember Lyon, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
November 4, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING, AND FINAL PLAT – GEORGE WASHINGTON ESTATES ADDITION, DIVISION NO. 4

NOVEMBER 9, 2004

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for George Washington Estates Addition, Division No. 4. The requested initial zoning is PB on Purcell Drive and Bennington Drive and R-1 on Patriot Lane. This parcel is located south of Sunnyside Road and Eastern Idaho Regional Medical Center. The Final Plat contains 8 lots for offices and 20 single-family lots. The Planning Commission considered this annexation request at its October 5, 2004 Meeting and recommended approval with conditions which have been incorporated into the Annexation Agreement. This annexation request is now being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

The 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 the annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing Preliminary Plats approved in the area
Slide 3	Final Plat under consideration
Slide 4	Comprehensive Plan
Exhibit 1	Planning Commission Minutes dated October 5, 2004
Exhibit 2	Staff Report dated October 5, 2004
Exhibit 3	Vicinity Map

The Planning and Building Director stated that the proposed zoning for the Final Plat reflects the Comprehensive Plan. Staff and the Planning Commission recommend that this annexation be approved with the final plat and the initial zoning as requested.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that Staff has done a good job in explaining the annexation. He stated that the owner was present and would answer any questions from the Mayor and City Council. There were none.

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Milam closed the public hearing.

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Annexation Agreement for George Washington Estates Addition, Division No. 4 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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

NOVEMBER 9, 2004

ORDINANCE NO. 2561

GEORGE WASHINGTON ESTATES ADDITION, DIVISION NO. 4

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lyon moved, and Councilmember Groberg 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 Groberg
Councilmember Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Lyon, seconded by Councilmember Groberg, to establish the initial zoning of George Washington Estates Addition, Division No. 4 as PB (Professional Business) Zoning on Purcell Drive and Bennington Drive (Lot 7, Block 3; Lots 10-12, Block 4; Lots 1-3, Block 5; and, Lot 12, Block 6) and R-1 (Single-Family Residential) Zoning on Patriot Lane (Lots 1-11, Block 6; Lots 4-6, Block 5; and, Lots 1-3, Block 7) as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lyon
Councilmember Lehto
Councilmember Groberg
Councilmember Shurtleff

Nay: None

Motion Carried.

NOVEMBER 9, 2004

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to accept the Final Plat for George Washington Estates Addition, Division No. 4 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Lyon to conduct Annexation Proceedings for The Meadows Addition, Division No. 6. At the request of Councilmember Lyon, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
November 4, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING AND FINAL PLAT - THE MEADOWS ADDITION, DIVISION NO. 6

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for The Meadows Addition, Division No. 6. The requested initial zoning is R-1. This parcel is located west of Shadow Mountain Trail and south of Wheatstone Drive. The Final Plat contains 26 single-family lots and the storm water retention pond. The Planning Commission considered this annexation request at its October 5, 2004 Meeting and recommended approval. This annexation request is now being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

The 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 annexation request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Final Plat under consideration
Slide 3 Preliminary Plat
Exhibit 1 Planning Commission Minutes dated October 5, 2004
Exhibit 2 Staff Report dated October 5, 2004
Exhibit 3 Vicinity Map

The Planning and Building Director stated that the Final Plat was in compliance with the Subdivision Ordinance and the Comprehensive Plan.

NOVEMBER 9, 2004

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to answer any questions from the Mayor and City Council. He stated that the owner was present to answer any questions. There were none.

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Milam closed the public hearing.

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Annexation Agreement for The Meadows Addition, Division No. 6 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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

ORDINANCE NO. 2562

THE MEADOWS ADDITION, DIVISION NO. 6

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lyon moved, and Councilmember Groberg 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 Lyon
Councilmember Lehto
Councilmember Groberg
Councilmember Shurtleff

Nay: None

Motion Carried.

NOVEMBER 9, 2004

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Lyon, seconded by Councilmember Groberg, to establish the initial zoning of The Meadows Addition, Division No. 6 as R-1 (Single-Family Residential) Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Shurtleff
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to accept the Final Plat for The Meadows Addition, Division No. 6 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Lyon to conduct Annexation Proceedings for The Meadows Addition, Division No. 7. At the request of Councilmember Lyon, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
November 4, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING, AND FINAL PLAT – THE MEADOWS ADDITION, DIVISION NO. 7

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for The Meadows Addition, Division No. 7. The requested initial zoning is R-1. This parcel is located east and adjacent to the Idaho Canal and south of Wheatstone Drive. The Final Plat contains 28 single-family lots. The Planning

NOVEMBER 9, 2004

Commission considered this annexation request at its October 5, 2004 Meeting and recommended approval. This annexation request is now being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

The 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 annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Exhibit 1	Planning Commission Minutes dated October 5, 2004
Exhibit 2	Staff Report dated October 5, 2004
Exhibit 3	Planning Commission Minutes dated July 17, 2001
Exhibit 4	Staff Report dated July 17, 2001
Exhibit 5	Vicinity Map

The Planning and Building Director stated that this was the final division in The Meadows Subdivision. The Planning Commission discussed the issue of the access to the Idaho Canal. The Planning Commission, at the Preliminary Plat stage, recommended the pedestrian path to the Idaho Canal with the hope that one day the City could bridge the canal so that students could move through this area to their respective schools. This Final Plat complies with the Subdivision Ordinance and the Comprehensive Plan.

Councilmember Hardcastle stated that there was a great deal of discussion regarding the path at the Planning Commission Meeting. She requested to know whether the path and bridge were discussed in the Development Agreement. The Planning and Building Director stated that the path was not addressed in the Development Agreement, but was addressed in the Improvement Drawings. The path was shown as a portion of the public right-of-way to be paved when the street is paved. The Developer would bear the cost of the pathway, but the cost of the bridge would be borne by the City or the Homeowners' Association as both sides of the canal are not in the City.

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Milam closed the public hearing.

Councilmember Groberg stated that the Preliminary Plat was approved in the way that the Final Plat is drawn. The Preliminary Plat should lead to the Final Plat. This area was originally planned in the County. The street being developed in the County is not going to be realized. He also discussed the traffic flow in and out of The Meadows Subdivision.

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Annexation Agreement for The Meadows Addition, Division No. 7 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye:	Councilmember Groberg Councilmember Lehto Councilmember Lyon Councilmember Shurtleff Councilmember Hardcastle
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Nay:	None
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NOVEMBER 9, 2004

Motion Carried.

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

ORDINANCE NO. 2563

THE MEADOWS ADDITION, DIVISION NO. 7

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lyon moved, and Councilmember Groberg 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 Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Lyon, seconded by Councilmember Groberg, to establish the initial zoning of The Meadows Addition, Division No. 7 as R-1 (Single-Family Residential) Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Lyon

Nay: None

Motion Carried.

NOVEMBER 9, 2004

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to accept the Final Plat for The Meadows Addition, Division No. 7 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Lyon to conduct Annexation Proceedings for King's Island Addition, Division No. 3. At the request of Councilmember Lyon, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
November 4, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING, AND FINAL PLAT – KING'S ISLAND ADDITION, DIVISION NO. 3

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for King's Island, Division No. 3. The requested initial zoning is R-1. This parcel is located east of East River Road (5th West), south of Tower Road (65th North), and is surrounded by the Sage Lakes Golf Course. The final plat contains 18 single-family lots and a large landscape lot. The Planning Commission considered this annexation request at its April 6, 2004 Meeting and recommended approval. This annexation request is now being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

The 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 annexation request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Slide 3 Final Plat
Exhibit 1 Planning Commission Minutes dated April 6, 2004
Exhibit 2 Staff Report dated April 6, 2004
Exhibit 3 Vicinity Map

NOVEMBER 9, 2004

The Planning and Building Director stated that this Final Plat is in accordance with the Subdivision Ordinance and the Comprehensive Plan.

Kevin Allcott, P. O. Box 3082, appeared to state that the small lot on the right hand side of Shadow Creek Drive does not attach to the building lot in Division No. 1. That small lot will provide a green space access from the street into the commons area.

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Milam closed the public hearing.

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Annexation Agreement for King's Island Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

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

ORDINANCE NO. 2564

KING'S ISLAND ADDITION, DIVISION NO. 3

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Lyon moved, and Councilmember Groberg 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 Shurtleff
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

NOVEMBER 9, 2004

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Lyon, seconded by Councilmember Groberg, to establish the initial zoning of King's Island Addition, Division No. 3 as R-1 (Single-Family Residential) Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Lyon

Nay: None

Motion Carried.

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to accept the Final Plat for King's Island Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls
November 3, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: APPROVAL OF BIDS AND AGREEMENT FOR THE ON-AIRPORT
AUTOMOBILE RENTAL CONCESSION

Attached for City Council approval is the Bid Tabulation and Agreement for the On-Airport Automobile Rental Concession. Six companies bid for four counter spaces for five years.

The City Attorney has approved this Agreement.

NOVEMBER 9, 2004

The Airport Division recommends approval of the top four bids from Avis, Hertz, Alamo/National, and Budget Rental Cars and request the Mayor be authorized to execute the documents.

s/ Mike Humberd

Councilmember Lyon requested the Airport Director to come forward to explain the process taken in achieving these agreements. The Airport Director appeared to state that this is the first time in 25 years that the Automobile Concession Agreements have been redone. This will give the Airport an opportunity to come to market value on the areas leased within the Airport. All of the companies that bid were either allowed space in the Airport Terminal or Off-Airport Automobile Concession Agreements.

Councilmember Groberg stated that he did not understand the process. With some companies bidding more and some companies bidding less, he requested to know whether all companies would pay the same in the end. The Airport Director stated that all companies pay the same space rental rate. The minimum annual guarantee rate and the 10% of the gross revenue varies by company.

It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to approve the four On-Airport Automobile Rental Concessions from Avis, Hertz, Alamo/National, and Budget Rental Cars 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 Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
November 3, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: APPROVAL OF OFF-AIRPORT AUTOMOBILE RENTAL
CONCESSION AGREEMENT

The Airport requests City Council approval of the Off-Airport Automobile Rental Concession Agreements with Enterprise and Thrifty Rental Cars for five years. This allows the unsuccessful bidders to pick-up customers at the Airport. For this privilege, these concessions will pay the City 8% of their gross revenues from traffic generated at the Airport.

The City Attorney has approved this Agreement.

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

s/ Mike Humberd

NOVEMBER 9, 2004

It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to approve the Off-Airport Automobile Rental Concession Agreements with Enterprise and Thrifty Rental Cars and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
November 8, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: SPCC ONSITE REVIEWS AND SPCC PLAN DEVELOPMENT -
CONTRACT

Attached for your consideration is a contract with PacifiCorp Environmental Remediation Company for performance on SPCC onsite reviews and SPCC Plan Development. The agreement has been reviewed by the City Attorney.

Idaho Falls Power requests approval of this contract and authorization for the Mayor to execute the document.

s/ Mark Gendron

Councilmember Lehto explained that this Contract puts together a Spill Prevention Program for substations to meet the requirements of the Environmental Protection Agency. It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the contract with PacifiCorp Environmental Remediation Company for performance on SPCC onsite reviews and SPCC Plan Development and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Shurtleff
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

NOVEMBER 9, 2004

The Municipal Services Director submitted the following memos:

City of Idaho Falls
November 5, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-05-01, ROAD SALT

Attached for your consideration is the tabulation for Bid IF-05-01, Road Salt.

It is the recommendation of Municipal Services to accept the low bid of Doug Andrus Distributing, Inc. to furnish the required road salt for an amount of \$34.75 per ton.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the low bid from Doug Andrus Distributing, Inc. to furnish the required road salt for an amount of \$34.75 per ton. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls
November 5, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-05-02, ROAD SANDING MATERIALS

Attached for your consideration is the tabulation for Bid IF-05-02, Road Sanding Materials.

It is the recommendation of Municipal Services to accept the low bid of Rhodehouse Construction to furnish the required sanding material for the amount of \$8.20 per cubic yard.

s/ S. Craig Lords

NOVEMBER 9, 2004

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the low bid of Rhodehouse Construction to furnish the required sanding material for the amount of \$8.20 per cubic yard. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
November 4, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MANAGEMENT AGREEMENT WITH THE IDAHO FALLS
DOWNTOWN DEVELOPMENT CORPORATION

Attached is the Management Agreement with the Idaho Falls Downtown Development Corporation for administration of the Business Improvement District. This agreement has been reviewed by the City Attorney. The Division respectfully requests approval of this agreement.

s/ Renée R. Magee

It was moved by Councilmember Lyon, seconded by Councilmember Groberg, to approve the Management Agreement with the Idaho Falls Downtown Development Corporation for administration of the Business Improvement District and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Lyon
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

NOVEMBER 9, 2004

City of Idaho Falls
November 5, 2004

MEMORANDUM

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

I respectfully request the attached Ordinance amending Sections 4-3-4(B) and 4-4-4(B) of the City Code of Idaho Falls, Idaho, providing for changes to the Ordinance for fingerprint requirements on beer and wine licenses be heard at the City Council Meeting of Tuesday, November 9, 2004.

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. 2565

AN ORDINANCE AMENDING SECTIONS 4-3-4(B) AND 4-4-4(B), OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR CHANGES TO THE LICENSING PERMITS; PROVIDING FOR SEVERABILITY; PRESERVING PRIOR ORDINANCE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Lyon 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 Lyon
Councilmember Lehto
Councilmember Groberg
Councilmember Shurtleff

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

NOVEMBER 9, 2004

City of Idaho Falls
November 9, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 1, BLOCK 1, CASTLEROCK
ADDITION, DIVISION NO. 1; AND LOT 1, BLOCK 1,
CASTLEROCK ADDITION, DIVISION NO. 4

Attached is an Ordinance prepared by the City Attorney to vacate an easement located in Lot 1, Block 1, Castlerock Addition, Division No. 1; and, an easement located in Lot 1, Block 1, Castlerock Addition, Division No. 4.

Public Works recommends the City Council vacate these easements; and, authorize the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

Councilmember Groberg stated that he had a conflict of interest with regard to this matter and would not be participating in any discussion or decision.

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

ORDINANCE NO. 2566

AN ORDINANCE VACATING A CERTAIN EASEMENT WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED EASEMENT TO THE OWNER OF THE ADJACENT LAND, AND NAMING IT; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Shurtleff moved, and Councilmember Lyon 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 Shurtleff
Councilmember Lyon
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Abstain: Councilmember Groberg

NOVEMBER 9, 2004

Motion Carried.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Councilmember Shurtleff, that the meeting adjourn at 8:25 p.m.

CITY CLERK

MAYOR
