

SEPTEMBER 9, 2004

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 9, 2004, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Bill Shurtleff
Councilmember Ida Hardcastle
Councilmember Thomas Hally
Councilmember Joe Groberg
Councilmember Mike Lehto

There were absent:

Councilmember Larry Lyon

Also present:

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

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the August 26, 2004 Special Meeting and the August 26, 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 August 1, 2004 through August 31, 2004, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$ 636,973.90
Street Fund	142,987.86
Recreation Fund	11,718.36
Library Fund	43,794.33
Municipal Equipment Replacement Fund	139,006.35
Electric Light Public Purpose Fund	49,678.30
Sanitary Sewer Capital Improvement Fund	1,600.00
Street Capital Improvement Fund	109,565.70
Water Capital Improvement Fund	99,848.49
Airport Fund	878,916.14
Water and Sewer Fund	432,976.17
Sanitation Fund	24,626.78
Ambulance Fund	5,897.02
Electric Light Fund	2,915,877.69

Payroll Liability Fund	<u>1,844,839.54</u>
TOTALS	\$7,338,306.63

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The City Clerk presented several license applications, 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 September 9, 2004.

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

Aye: Councilmember Shurtleff
 Councilmember Groberg
 Councilmember Hardcastle
 Councilmember Lehto
 Councilmember Hally

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Councilmember Larry Lyon came in and took his seat at the Council Table at approximately 7:35 p.m.

Mayor Milam requested Councilmember Hally to conduct a public hearing for consideration of an appeal from a decision of the Board of Adjustment for a variance to allow parking to encroach 15 feet into the required 15 foot front setback on property located generally at 511 North Ridge Avenue, legally described as Lot 7, Block 32, Original Townsite. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
September 9, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: APPEAL FROM VARIANCE REQUEST - BOARD OF
 ADJUSTMENT

Attached is the appeal from Trudi Potter, Little People's Academy. On July 20, 2004, the Board of Adjustment reduced the width of the required landscaping on Ridge Avenue from fifteen feet to nine feet and denied a variance request for no landscaping on Poplar Avenue. This denial will require the appellant to place six feet of landscaping adjacent to Poplar Avenue. The appellant is planning to construct a parking lot for child drop-off and wishes to pave the entire eastern 72 feet for parking and not install any landscaping on the eastern portion of the lot. For safety reasons and to meet the objectives of the residential zone, staff concurs with the decision of the Board of Adjustment. This appeal is being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

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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 appeal request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo of site
Slide 3	Site Plan with no landscaping provided, except from sidewalk to sidewalk and from sidewalk to the play area and to the house.
Slide 4	First Presbyterian Church Landscape Plan
Slide 5	Aerial Photo of Trinity Methodist Church
Slide 6	Site Photo submitted by applicant
Slide 7	Site Photo submitted by applicant
Slide 8	Site Photo submitted by applicant
Slide 9	Site Photo submitted by applicant
Slide 10	Site Photo submitted by applicant
Slide 11	Site Photo of parking lot
Slide 12	Site Photo of proposed parking area
Slide 13	Site Photo of parking lot
Slide 14	Site Photo looking south along Ridge Avenue
Slide 15	Site Photo
Exhibit 1	Appeal Application
Exhibit 2	Board of Adjustment Minutes dated July 20, 2004
Exhibit 3	Staff Report dated July 20, 2004
Exhibit 4	Site Plan – Applicant
Exhibit 5	Site Plan illustrating required landscaping under Zoning Ordinance

The Planning and Building Director explained that R-3A is a residential zoning that allows single-family homes, apartments, day care centers, and offices. This zoning was created around the central area of downtown to allow the older homes to convert to offices or apartments. Any conversion was to retain the residential flavor of the neighborhood. Under the Zoning Ordinance, there is no permitted parking in a required front yard or a required side yard that faces the street. A parking lot can not be built in the first 15 feet of the property on the street side. This is an older neighborhood and there is an exception in the Zoning Ordinance in which a required front yard can be reduced by measuring the setback from existing buildings. In this area, that measurement is 6 feet. Landscaping is required on 6 feet of property on Poplar Avenue. There would still need to be 15 feet of landscaping on Ridge Avenue. The Board of Adjustment granted a variance for 6 feet of the 15-foot requirement on Ridge Avenue. The staff agreed with the Board of Adjustment for two reasons. The purpose of the R-3A Zone is to allow higher density housing and offices, but to retain the residential character of the neighborhood. Staff believes that the two parallel parking spaces along Poplar Avenue pose a safety hazard. The parking lot would be safer with the removal of the two parallel parking spaces and installation of landscaping. Clear site triangles are required. Ridge Avenue and Poplar Avenue would require a clear site triangle of 30 feet. Each driveway would require a 15 foot clear site triangle. The Board of Adjustment has in essence reduced those requirements to 9 feet and 6 feet clear site triangles.

Councilmember Groberg questioned where the required landscaping was to be planted. The Planning and Building Director explained that the required landscaping is to be located on the private property on the front setback from the public right-of-way.

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Councilmember Hardcastle questioned how many parking spaces would be lost if the landscaping were implemented per Board of Adjustment recommendations. The Planning and Building Director explained that two parking spaces would be lost.

Councilmember Shurtleff requested to know what Staff recommendation was regarding this variance. The Planning and Building Director explained that the parking spaces are of legal size. If the parking area is being used for drop-off and pick-up, the parallel parking spaces would be less safe. She gave examples of other layouts for the parking lot.

Mayor Milam explained that one of the concerns was for the clear site triangle. This is a busy intersection and there are several streets that come together at this location.

The Planning and Building Director stated that there was a lot of positive feedback regarding this parking lot during the public hearing with the Board of Adjustment. She stated that she had received a telephone call earlier in the day from Ronda Carlson who owns property across the street from the day care center. Ms. Carlson stated that she liked the idea of the off-street parking, but believed that the landscaping should be included for the neighborhood and for safety reasons. The Planning and Building Director stated that this is a public hearing and new testimony can be taken. The decision would take a majority of the City Council to overturn the decision of the Board of Adjustment under the Zoning Ordinance.

Trudi Potter, Little People's Academy, 511 North Ridge Avenue, appeared to state that this is a matter of safety. She stated that if the City Council could be at her day care center at peak drop-off and peak pick-up times, they could see how critical the parking lot is. During those times, parents have to park across the street or down the street in order to drop-off or pick-up their children. Parking has been an issue in this area for a long time. Ms. Potter stated that she has purchased the home and land on the corner of Birch and Water. The home has been remodeled and the land has been developed into a parking lot for employees of Little People's Academy. All neighbors and parents are in support of the new parking lot with as many spaces as can be provided.

The following letters was submitted by interested parties:

September 8, 2004

Honorable Mayor Linda Milam

Re: Trudi Potter "Little People's Academy"
Parking Lot Variance

Dear Ms. Mayor Milam:

As a resident of North Ridge Avenue for most of my life, I have no objection to the parking lot on the northwest corner of North Ridge and Poplar Streets. The intersecting streets of South Boulevard, Birch, North Ridge, and 6th Street is a very confusing and dangerous intersection. I am amazed that there has not been a serious accident at this intersection.

Mrs. Potter is trying to alleviate street parking by adding a parking lot on the corner of North Ridge and Poplar. Please consider the variance on the landscaping so she can add more off-street parking. I have no problem with her proposal as long as she maintains the parking strip greenery. With more cars off the streets, the better motorists can concentrate on driving.

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Also, how do I go about getting a stop sign on the North Ridge and Poplar intersection? Cars going south on North Ridge coming off of South Boulevard don't slow down until the North Ridge intersection at Cedar Street.

Thank you for your time,

s/ Lindsay R. Sargis
Lindsay R. Sargis
442 North Ridge Avenue
Idaho Falls, Idaho 83402

Honorable Mayor Milam and City Council

My name is Debbie Katseanes. I live at 485 North Ridge.

My husband Rich and I have lived as a neighbor to Little People's Academy for many years. I fully support Mrs. Potter's plan for a parking lot to alleviate the traffic situation on our street.

I have a granddaughter that attends the Day Care Center so I am aware it is crucial that the parents who drop off and pick up their children, be able to do this in a safe environment. They need just as many parking stalls as possible to meet these needs.

I feel this parking lot is upgrading our neighborhood and will make traffic flow and street side parking down our street less congested, especially during the winter months when snow builds up on the sides of the street.

I am more than happy to support Mrs. Potter in this request and I hope you consider the neighbors needs when deciding the outcome of this request.

s/ Debbie Katseanes

Transamerica Life Companies

Honorable Mayor Milam and City Council,

I have been a business neighbor to Little People's Academy for 26 years. I have watched the growth and experienced first hand the increased traffic problems on North Ridge, and it is horrendous. I appreciate what Mrs. Potter is doing to alleviate the problem.

I would encourage you to grant her all the parking stalls available, to help with this situation.

The whole neighborhood will be a safer place when this parking lot gets completed.

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Thanks for your consideration.

s/ Tony Marcon

September 8, 2004
Dawn R. Fringley
9949 North 26th East
Idaho Falls, Idaho 83401

Dear Mayor Milam:

RE: Little People's Academy Parking Area Stalls

I am a parent who has three children ages 3, 3, and 5 that attend Little People's Academy. Especially with three it has always been a concern when dropping them off and picking them up that reasonable parking be provided for both parents and employees so that the children are not exposed to the traffic in the academy area. Little People's management has continued through the years to address the problem and has recently obtained additional property to allow for additional much needed parking to allow for improved safety for both academy attendees and staff.

I would ask that you please consider and support along with myself, the maximum number of parking stalls allowed for the new parking area.

Thanks,

s/ Dawn R. Fringley
Dawn R. Fringley
Parent of three attendees to
Little People's Academy

September 8, 2004

Mayor Linda Milam
City of Idaho Falls
P. O. Box 50220
Idaho Falls, Idaho 83405

Dear Mayor Linda Milam and Councilmembers:

We advocate installing the maximum surface area used for parking at Little People's Academy located at 543 North Ridge Avenue, Idaho Falls. We have been clients at the Academy for approximately 10 years. While the Academy provides excellent care for our children, our concern is for their safety while they walk between the transportation vehicle and the Academy.

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The immediate area surrounding the Academy has little street parking available. As a result, local homeowners and business customers tend to park their cars in zones designated for Academy pick-up and delivery only. To further congest the area, the peak delivery and pick-up times correspond to peak traffic patterns.

To increase the safety of our children during arrival and departure times, the Academy is attempting to increase off-street, employee and client parking. It has come to our attention that the parking surface area may have to be reduced substantially to allow for drainage. Although, we do not claim to be schooled in city utility codes, we support the Academy and encourage the City of Idaho Falls to work with the Academy to provide the maximum surface area for parking in order to increase the safety of our children.

Thank you in advance for your consideration of this important matter.

Sincerely,

s/ David Lively
s/ Kelly Lively
David and Kelly Lively
1111 Monaghan Court
Idaho Falls, Idaho 83404

Dear Mayor Milam,

I am a parent with children who attend Little People's Academy. I love the day care and the people who work there, parking is my problem. Everyday when I go to pick up my children, the traffic around the day care is unbelievable. Cars are trying to back out, but can't because they are waiting to find somewhere to park, people speed by because they are frustrated due to the traffic wait, and so on. It is not safe for the drivers nor the kids. So, can you please grant Mrs. Potter at Little People's Academy as many parking stalls as possible.

Sincerely,

s/ April Foster
April Foster

September 8, 2004

To: City Council

Re: Little People's Academy Parking

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To whom it may concern, I have been taking my children to Little People's Academy for almost 11 years, and until now, parking has always been a problem due to the Academy's residential location.

Because Little People's parallels a busy street (Boulevard), traffic tends to use Ridge Avenue as a through way, and cars often take the corner at a high speed (~25 mph). *Our kids* are crossing this street, because we're forced to park along both sides of the street when the driveway (allows for two parked cars) is full. Small children seldom stop to look both ways before bolting across the street either. *Safety* is the most important priority here.

In addition to safety, it is a matter of convenience. At peak drop-off and pick-up times throughout the day, parents have to drive around the block two or three times to wait for a parking spot to open up. Parking along the streets creates a hindrance to the residents of this neighborhood as well. Employees have always been forced to park on the side streets and walk to the Academy.

The new parking lot that Trudy Potter has established has been such a welcome addition to the property, especially for those of us who have struggled with the parking situation for so long.

Every parking slot/space is absolutely necessary to accommodate the large number of Trudy's clients and employees.

Respectfully,

s/ Yvette Leppert
Yvette Leppert

To Mayor Linda Milam and City Councilmen:

I am writing you in regards to the parking situation at Little People's Academy. I have been bringing my daughter to Little People's Academy for over 2 years and I would like to address you about the problem of the parking to drop off and pick up my daughter.

Little People's Academy is the Number 1 Day Care in Idaho Falls. They have been voted that for six years in a row and many people take their children there. They have grown tremendously and the parking is out of control. It is becoming very dangerous. There is very limited parking and the road becomes quite jammed because people are waiting in the middle of the road for a parking spot and no cars can get through. I'm afraid that if we do not get more adequate parking as soon as possible there will be accidents or even worse a child being hit because they are not paying attention with so much traffic and not being able to see because of so many cars.

I am asking you to please consider letting us have as many stalls as possible to make this a safer environment for all involved, especially for our children who are the most important.

Sincerely,

s/ Misty Linsenmann

Misty Linsenmann

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Dear Mayor Milam,

I am writing in regards to the parking lot being built by the Little People's Academy Day Care on Ridge Street in Idaho Falls. I would like you to consider allowing the facility to design the parking lot to allow the maximum amount of parking spaces. My children attend the day care and it is very difficult (and often dangerous) finding parking and loading and unloading the children when parked on the street.

I appreciate your help in this matter.

J. Hope Forsmann
2792 Periska Way
Idaho Falls, Idaho 83402

September 9, 2004

Idaho Falls City Council
Idaho Falls, Idaho

Re: Little People's Academy

To Whom It May Concern:

I have been asked to write this letter in support of the additional parking needed for Little People's Academy. I realize the City Ordinance calls for beautification of the parking area but the lost parking because of this is important to the facility. Many times over the years I have had to park in inconvenient parking spaces, which at times have put my children in harms way. The traffic that comes off of North Boulevard travels at 25 mph and many have no regard for the day care facility and the infants, toddlers, and small children that cross the street. Little People's Academy is a valuable business to the Idaho Falls Community. My children have attended the school for ten years and have been educated and loved by those who own, work, and attend Little People's. Please allow them to have additional safe parking for parents and staff to load and unload the children of all ages.

Thank you,
s/ Cynthia Gonzalez
Cynthia Gonzalez
660 Laurelwood
Idaho Falls, Idaho

September 8, 2004

To Whom It May Concern:

My children attend Summer and Pre-School Programs at Little People's Academy in Idaho Falls. Although I am very pleased with the programs and

the care they receive through Little People's, I have always been concerned with the lack of parking available for drop off and pick up.

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The proprietors of Little People's Academy have gone to great effort and expense to add additional parking to accommodate their patrons. There are times, especially in the evening, when there are many people coming and going all at the same time. For the safety of all, especially the large number of children involved, it is imperative that Little People's Academy be allowed to install as many parking spaces as possible in the new parking lots. This will remove the parking congestion from the pedestrian area and small side streets to an organized parking area.

Thank you,

s/ Andrea K. Gilstrap
Andrea K. Gilstrap
Concerned Little People's Parent

September 9, 2004

To: Mayor Milam and Idaho Falls City Council
From: Vern and Monica Peterson, Idaho Falls Residents
Subject: **Variance to Allow the Maximum Number of Parking Spaces**

As parents of children who attend the Little People's Academy, the idea of additional parking has been a tremendous relief, greatly related to safety. During the seven years we've used the facility, there have been numerous accidents and near misses involving children wandering away from their parents. Small children and high traffic volume, don't work well together, and because of this, we've actually waited as much as ten minutes for a parking space in front of the day care so our children and ourselves would not have to walk into or cross the street.

Little People's Academy offers an exceptional service to the community, and have been good neighbors. The continual improvements the facility has been making are a benefit to everyone, from those that use their service to those who live in the neighborhood, who probably would greatly appreciate the reduction in parked cars in front of their homes and apartments. Safety is something that can never be taken lightly, this parking lot would enable parents to park on the side of the day care and utilize the sidewalk to drop-off and pick-up their children without interfering with heavy traffic and in many cases speeding traffic during prime time commuting hours.

I would hope that the Representatives of Idaho Falls Residents would recognize how greatly this variance is needed for this area, and support the members of the community in making a difference that would benefit many.

The attention in this matter is greatly appreciated.

Mrs. Potter explained that there will be a gate between the parking lot and the playground area. She stated that the parking strip on Poplar Avenue is a 9-foot strip of

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grass. The parking strip on Ridge Avenue is a 7-foot strip of grass. There are 260 children registered at Little People's Academy.

Councilmember Hardcastle requested to know how many parking spaces would be provided in this parking lot. The Planning and Building Director stated that there would be 10 parking spaces in the parking lot.

There being no further discussion either in favor of or in opposition to this appeal from the decision of the Board of Adjustment, Mayor Milam closed the public hearing.

Councilmember Lehto stated that it means a lot to him when all of the testimony and the letters are all in support of this variance for the parking lot.

Mayor Milam requested to know if the City Council approves a plan that does not include a clear site triangle, would there be a liability for Mrs. Potter or for the City of Idaho Falls. The City Attorney stated that this is the type of action that would be shielded by the Idaho Tort Claims Act. He did not believe that there would be a significant liability on the part of the City.

Councilmember Hardcastle stated that it bothered her to approve this variance, when this has not been done for others in the neighborhood making the same type of request.

Councilmember Lyon stated that it is significant that all of the letters submitted are in support of this variance. He continued by saying that the two parallel parking spaces in the parking lot are safer than parking in the street.

Councilmember Hally stated that he agreed that the two parallel parking spaces should be safer than parking on the street.

Councilmember Shurtleff stated that he understood that placing a landscaping requirement would make this blend better with the neighborhood. This corner does not resemble a residential area as is. This day care center is located on the edge of the residential area. He did not believe that the elimination of that small amount of grass from this area would make this look less like a residential area. He stated that he believed that the variance should be granted.

Councilmember Groberg stated that safety is not a question before the City Council as the applicant would have to comply with all legal requirements for a parking lot. The question is consistency in the residential neighborhood. The Board of Adjustment has weighed all of the same considerations that the City Council has. The Board of Adjustment stated that it would be in the best interest of the community to be consistent with the neighborhood. Councilmember Groberg stated that he did not feel good about second guessing the Board of Adjustment.

It was moved by Councilmember Hally, seconded by Councilmember Lyon, to grant the variance request from Trudi Potter, with Little People's Academy, to permit the parking to extend 15 feet into the required 15 foot setback to allow for paving the entire eastern 72 feet for parking and not install any landscaping on the eastern portion of the lot. Roll call as follows:

Aye: Councilmember Lehto
 Councilmember Shurtleff
 Councilmember Hally
 Councilmember Lyon

Nay: Councilmember Hardcastle
 Councilmember Groberg

Motion Carried.

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Mayor Milam requested Councilmember Hally to conduct a public hearing for consideration of a rezoning from R-3A (Apartments and Professional Offices) to RSC-1 (Residential Shopping Center) on property located generally north of First Street, at the southwest corner of Woodruff Avenue and Bonita, legally described as Lot 2, Block 1, Bonita Park Addition. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
September 3, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM R-3A TO RSC-1 – LOT 2, BLOCK 1, BONITA PARK ADDITION

Attached is the application to rezone Lot 2, Block 1, Bonita Park, from R-3A to RSC-1. This parcel is located east and adjacent to Woodruff Avenue and south of Bonita Drive. The Planning Commission recommended approval of this rezoning request at its August 3, 2004 Meeting. Staff concurs with this recommendation. This rezoning request is now being submitted 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	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing the site under consideration
Slide 3	Comprehensive Plan
Slide 4	Site Photo looking north of site
Slide 5	Site Photo showing site
Exhibit 1	Planning Commission Minutes dated August 3, 2004
Exhibit 2	Staff Report dated August 3, 2004

The Planning and Building Director stated that the Comprehensive Plan shows that there is to be commercial development in this area. This rezoning is in accordance with the Comprehensive Plan.

Jack Yasaitis, 1045 South Holmes Avenue, appeared to state that he intends to make this a specialty retail store of baked confections and Italian Gialatto Ice Cream.

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 Hally, seconded by Councilmember Lyon, to approve the rezoning request from R-3A to RSC-1 on Lot 2, Block 1, Bonita Park Addition and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Councilmember Groberg made the observation that there is a circle of R-3A lots around Woodruff Avenue and First Street. If this zone change

is approved, then the City Council would be committed to changing others when they are requested. Roll call as follows:

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

Nay: None

Motion Carried.

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

City of Idaho Falls
September 3, 2004

MEMORANDUM

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

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for Brookside Addition, Division No. 4. This Final Plat is located north of Township Road and west of Sand Creek Canal. The plat contains 17 single family lots. The Planning Commission recommended approval of this final plat and the initial zoning of R-1 at its August 3, 2004 Meeting. Staff concurs with this recommendation. This annexation request is now being submitted to 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	Preliminary Plats
Slide 4	Final Plat under consideration
Exhibit 1	Planning Commission Minutes dated August 3, 2004
Exhibit 2	Staff Report dated August 3, 2004
Exhibit 3	Copy of Final Plat

The Planning and Building Director stated that the Final Plat conforms to the Subdivision Ordinance, the Preliminary Plat, and the Comprehensive Plan.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to answer any questions. There were none.

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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 Hally, seconded by Councilmember Lyon, to approve the Annexation Agreement for Brookside Addition, Division No. 4 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2549

BROOKSIDE 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 Hally 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 Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Hally
Councilmember Shurtleff

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 Hally, seconded

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by Councilmember Lyon, to establish the initial zoning of Brookside Addition, Division No. 4 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
Councilmember Hally

Nay: None

Motion Carried.

It was moved by Councilmember Hally, seconded by Councilmember Lyon, to accept the Final Plat for Brookside 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 Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Lyon

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Hally to conduct Annexation Proceedings for B-C Addition, Division No. 1. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
September 3, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, FINAL PLAT, AND INITIAL ZONING - B-C
ADDITION, DIVISION NO. 1

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for B-C Addition, Division No. 1. This Final Plat is located south of West 17th South and east of South 21st West (Grizzly Road). The plat contains 3 multi-

family lots. The Planning Commission recommended approval of this Final Plat and the initial zoning of R-3 at its August 3, 2004 Meeting, with the

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condition the parking lot be moved when West 17th South is constructed. Such conditions have been incorporated into the Annexation Agreement. This annexation request is now being submitted to 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 the surrounding zoning |
| Slide 2 | Aerial Photo |
| Slide 3 | Final Plat under consideration |
| Slide 4 | Site Photo showing existing parking lot which backs onto an arterial street |
| Slide 5 | Site Photo showing parking and existing apartment building |
| Slide 6 | Site Photo showing south wall of existing apartment building |
| Slide 7 | Site Photo looking north of site |
| Slide 8 | Site Photo showing center of site looking south |
| Slide 9 | Site Photo showing east half of site and adjoining property |
| Exhibit 1 | Planning Commission Minutes dated August 3, 2004 |
| Exhibit 2 | Staff Report dated August 3, 2004 |
| Exhibit 3 | Copy of Final Plat |

The Planning and Building Director explained that this property owner presently receives City sewer, but not City water. When the building was built in Bonneville County, the property owner requested an 8-Plex Apartment Unit. There was a problem, so the property had to curtail construction and build only a 4-Plex. The Planning and Building Director stated that the Comprehensive Plan shows this area to be low-density residential. This is in accordance with the written policies in the Plan as it is located on an arterial street. This is a difficult site to develop. Building higher density residential on one corner may be a way to bring some practical value to the site. It will also be close to I-15 and will act as a buffer.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to answer any questions. He did comment that this was a unique site.

Mayor Milam requested to know how the apartments were to be constructed. The Planning and Building Director stated that there are 4 ground level apartments that are complete. On the lower level floor, one apartment was completed but not used as an apartment. The other three apartment areas were used only as storage. The Planning and Building Director explained that the R-3 Zone would allow for the 8-Plex to be completed.

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 Hally, seconded by Councilmember Lyon, to approve the Annexation Agreement for B-C Addition, Division No. 1 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 Hally

SEPTEMBER 9, 2004

Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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

ORDINANCE NO. 2550

B-C ADDITION, DIVISION NO. 1

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 Hally 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 Hardcastle
Councilmember Hally
Councilmember Lyon
Councilmember Groberg
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 Hally, seconded by Councilmember Lyon, to establish the initial zoning of B-C Addition, Division No. 1 as R-3 (Apartments) 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 Lyon

Councilmember Hardcastle
Councilmember Groberg

SEPTEMBER 9, 2004

Councilmember Hally
Councilmember Shurtleff

Nay: None

Motion Carried.

It was moved by Councilmember Hally, seconded by Councilmember Lyon, to accept the Final Plat for B-C Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls
September 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES
WITH DELTA AIRPORT CONSULTANTS, INC.

Attached for City Council approval is the Amendment to the Delta Airport Consultants Agreement to renew the agreement for an additional five years. All the other terms and conditions remain the same.

The City Attorney has seen and approved the Amendment.

The Airport Director recommends approval and requests the Mayor be authorized to execute the document.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to approve the Amendment to the Agreement with Delta Airport Consultants, Inc. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Hally

SEPTEMBER 9, 2004

Councilmember Lyon
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
September 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CHANGE ORDER NO. 1 TO H-K CONTRACTORS, INC.
CONTRACT FOR RECONSTRUCTION OF RUNWAY 17/35

Attached for City Council approval is the Change Order No. 1 to H-K Contractors, Inc. for \$53,507.51. This change is for a required airfield directional sign and airfield marking of Runway 02/20. Ninety-five percent (95%) of this cost will be funded by the FAA.

This Change Order involves Scope of Service change which has been approved by the FAA. With substantial completion of the project, the project construction costs are about \$100,000.00 less than bid.

The Airport Division recommends approval of this Change Order and requests the Mayor be authorized to execute the documents.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to approve Change Order No. 1 to H-K Contractors, Inc. for the Reconstruction of Runway 17/35 Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

SEPTEMBER 9, 2004

City of Idaho Falls
September 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: POWER PURCHASE AUTHORIZATION REQUEST

Idaho Falls Power requests authorization to purchase power for the November 2006 to March 2007 winter season.

s/ Mark Gendron

Councilmember Lehto explained that over the past two years, the risk management policy has been upgraded. Part of that policy requires the City Council to meet quarterly to view the health and status of the utility. There is also a provision in the risk management policy that the utility not purchase power further than 18 months out into the future. Approval of this memorandum will allow the Electric Division to purchase a portion of power at approximately the same price as what has been purchased for 2005-2006.

The City Attorney requested to know whether Idaho Falls Power was asking for temporary authority to purchase power beyond the 18 month policy, or is the policy to be amended to allow for these purchases. Councilmember Lehto stated that this is for a one time purchase only.

Councilmember Groberg commented that this is to authorize Idaho Falls Power to bring to the City Council possible purchases out two years. Councilmember Lehto explained that the Council Committee discusses prices in the future. This is measured with advise from staff and consultants to come up with target ranges. Once there is an option to purchase, Idaho Falls Power exercises that option and, at that time, bring it to the City Council for ratification.

Councilmember Groberg stated that the turmoil in the electric market has hit the City of Idaho Falls pretty bad, where the City has had to raise electric rates by 60%. He wondered whether part of the problem is that Idaho Falls Power is trying to manage electrical purchases more closely. Councilmember Groberg commented that it might be better to go with the market.

Councilmember Lehto stated that the quarterly meetings are essential. The Council Committee's philosophy is to purchase pieces of the electric portfolio and not manage that on a month-to-month basis. Idaho Falls Power purchases a portion of the load requirements based on study and recommendation.

Mayor Milam stated that part of the issue is that the traditional approach of Idaho Falls Power is no longer available. Bonneville Power Administration can not provide for growth.

Councilmember Shurtleff commented that Idaho Falls Power is not trying to outguess the market. Idaho Falls Power is trying to hedge against the market. They are trying to fill voids in the load and do that by purchasing portions of loads as they become available.

Councilmember Groberg stated that if it appears that the price out two years or two and one-half years is as good as it is for one year or one and one-half years, then Idaho Falls Power should fill that slot. If that appears to be a better approach to risk management, then maybe a policy change is appropriate.

Councilmember Lehto stated that the whole Council needs to participate in the quarterly meetings held by Idaho Falls Power.

SEPTEMBER 9, 2004

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to give authorization to purchase power for the November 2006 to March 2007 winter season as requested. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
August 30, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: CONFIRMATION AGREEMENT WITH SEMPRA ENERGY
TRADING CORPORATION

Attached for your consideration is a confirmation agreement to purchase power from Sempra Energy Trading for the months of January and February 2005. This agreement is for 10 megawatts on-peak. It has been reviewed by the City Attorney.

Idaho Falls Power respectfully requests ratification of this agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the Confirmation Agreement to purchase power from Sempra Energy Trading Corporation for the months of January and February, 2005. Roll call as follows:

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

Nay: None

Motion Carried.

SEPTEMBER 9, 2004

City of Idaho Falls
September 2, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: CONFIRMATION AGREEMENT WITH CARGILL POWER
MARKETS

Attached for your consideration is a confirmation agreement to purchase power from Cargill Power Markets from November 1, 2005 through February 28, 2006. This agreement is for 10 megawatts on-peak.

Idaho Falls Power respectfully requests ratification of this agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the Confirmation Agreement to purchase power from Cargill Power Markets from November 1, 2005 through February 28, 2006 for 10 megawatts of power on-peak. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
September 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: GENERAL LIABILITY, PROPERTY, VEHICLE LIABILITY, E & O
OF PUBLIC OFFICIALS, POLICE PROFESSIONAL, FIDELITY,
EXCESS LIABILITY AND BOILER AND MACHINERY INSURANCE
COVERAGE PLACEMENT AT OCTOBER 1, 2004

Municipal Services respectfully requests placement of insurance contracts for the above coverage with ICRMP. The broker is The Hartwell Corporation. The

contract begins on October 1, 2004. The price for this contract is \$566,533.00 for one year.

s/ S. Craig Lords

SEPTEMBER 9, 2004

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the General Liability, Property, Vehicle Liability, E & O of Public Officials, Police Professional, Fidelity, Excess Liability and Boiler and Machinery Insurance Coverage with ICRMP, The Hartwell Corporation as broker as of October 1, 2004. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
September 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BID FOR UPGRADING THE LOW
 PRESSURE CO₂ FIRE SUPPRESSION SYSTEM AT GEM STATE
 HYDROELECTRIC PROJECT

Attached for your consideration is the tabulation for Upgrading the Low Pressure CO₂ Fire Suppression System at Gem State Hydroelectric Project. Municipal Services recommends awarding said project to Engineered Fire and Safety for Option 3 in the amount of \$87,455.48.

It is respectfully requested that Council approve the plans and specifications, to award the bid, and authorize the Mayor to sign this contract.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to accept the bid from Engineered Fire and Safety to complete the Upgrading of the Low Pressure CO₂ Fire Suppression System at Gem State Hydroelectric Project, approve the plans and specifications for said project and, further, give authorization for the Mayor and City Clerk to sign the necessary contract documents. Roll call as follows:

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

Nay: None

SEPTEMBER 9, 2004

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
September 9, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PRIMATE DISCOVERY CENTER – CHANGE ORDER NO. 3

Attached for your consideration is Change Order No. 3 for the Primate Discovery Center, Phase II and III in the amount of \$1,224.00. The Change Order includes alterations to shift doors, additional paving and a credit for repairs to punctured conduit. The new contract sum including this change order will be \$277,794.00. This project is being funded by a \$300,000.00 grant from the ALSAM Foundation. It is therefore submitted for your approval.

s/ David J. Christiansen

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve Change Order No. 3 to Shook Construction Company, Inc. for the Primate Discovery Center, Phase II and III Project and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
September 3, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CHANGE ORDER NO. 1 – REDWOOD STREET SANITARY SEWER REPAIR PROJECT

SEPTEMBER 9, 2004

Attached is proposed Change Order No. 1 to the Redwood Street Sanitary Sewer Repair Project. This change order, if approved, will provide for pipe liner rather than excavation and replacement of pipe for that portion of the project from Garfield Street to Halsey Street. This requested change will avoid costs associated with significant rock excavation and unsuitable backfill in the existing trench and reduces the contract amount by \$17,747.55.

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

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Groberg, to approve Change Order No. 1 to Edstrom Construction, Inc. for the Redwood Street Sanitary Sewer Repair Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
September 3, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: RIGHT-OF-WAY VACATION - TOWNSHIP ROAD/HEATHER ACRES/GRUPO MODELO AGRICULTURE, INC.

As previously authorized, the City Attorney has prepared the attached documents to vacate a portion of Township Road right-of-way, located in Heather Acres, to Grupo Modelo Agriculture, Inc.

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

s/ Chad Stanger

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

SEPTEMBER 9, 2004

ORDINANCE NO. 2551

AN ORDINANCE VACATING A PORTION OF THE TOWNSHIP ROAD RIGHT-OF-WAY WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE PORTION OF SAID RIGHT-OF-WAY; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED PORTION OF THE RIGHT-OF-WAY TO THE OWNERS OF THE ADJACENT LAND, AND NAMING THEM; PROVIDING FOR EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Shurtleff 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 Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Hally
Councilmember Shurtleff

Nay: None

Motion Carried.

City of Idaho Falls
September 3, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 20, BLOCK 5, VICTORIAN VILLAGE ADDITION, DIVISION NO. 3

As previously authorized, the City Attorney has prepared the attached documents to vacate a portion of a platted utility easement located in Lot 20, Block 5, Victorian Village Addition, Division No. 3.

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

s/ Chad Stanger

SEPTEMBER 9, 2004

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

ORDINANCE NO. 2552

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 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
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
September 3, 2004

MEMORANDUM

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

As previously authorized, the City Attorney has prepared documents to vacate a utility easement located in Lot 1, Block 1, The Narrows Addition, Division No. 1.

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

s/ Chad Stanger

SEPTEMBER 9, 2004

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

ORDINANCE NO. 2553

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 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 Hally
Councilmember Groberg
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Lyon

Nay: None

Motion Carried.

City of Idaho Falls
September 3, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 1, BLOCK 1, KENSINGTON PARK ADDITION

As previously authorized, the City Attorney has prepared the attached documents to vacate and relocate platted utility easements in Lot 1, Block 1, Kensington Park Addition.

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

s/ Chad Stanger

SEPTEMBER 9, 2004

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

ORDINANCE NO. 2554

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 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 Hally
Councilmember Lyon
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Shurtleff, seconded by Councilmember Groberg, that the meeting adjourn at 8:50 p.m.

CITY CLERK

MAYOR
