

JUNE 10, 2004

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 10, 2004, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Also present:

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

CONSENT AGENDA ITEMS

Mayor Milam presented the following Resolution to publicly support the mission and objectives of Family Assistance in Transitional Housing (F.A.I.T.H.):

RESOLUTION NO. 2004-8

By the City Council of Idaho Falls, Idaho

A RESOLUTION TO PUBLICLY SUPPORT THE MISSION AND OBJECTIVES OF FAMILY ASSISTANCE IN TRANSITIONAL HOUSING (F.A.I.T.H.) AND TO ALLOW THIS DECLARATION OF PUBLIC SUPPORT TO BE USED BY F.A.I.T.H. TO SATISFY AN APPLICATION REQUIREMENT FOR FEDERAL FUNDING AND TO SUPPORT HOUSING FOR LOW-INCOME HOMELESS PERSONS IN THE CITY OF IDAHO FALLS; AUTHORIZING THE MAYOR AND CITY CLERK TO MAKE SUCH DECLARATION FOR, AND ON BEHALF OF, THE CITY OF IDAHO FALLS.

WHEREAS, F.A.I.T.H. provides a valuable and necessary service to the residents of the City of Idaho Falls and the surrounding communities and Counties by providing housing and services to homeless and indigent persons; and

WHEREAS, F.A.I.T.H. is in good standing with the City of Idaho Falls and is in compliance with all applicable City Codes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND
CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

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Section 1. That the Mayor and City Clerk be, and they hereby are, declaring public support for F.A.I.T.H.

ADOPTED by the Council of the City of Idaho Falls, Idaho this 8th day of June, 2004.

APPROVED by the Mayor of the City of Idaho Falls, Idaho this 9th day of June, 2004.

APPROVED:

s/ Linda Milam
MAYOR
City of Idaho Falls

ATTESTED:

s/ Rosemarie Anderson
CITY CLERK
City of Idaho Falls

(SEAL)

The City Clerk requested approval of the Minutes for the May 27, 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 May 1, 2004 through May 31, 2004, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$ 665,119.10
Street Fund	28,499.43
Recreation Fund	23,499.43
Library Fund	33,727.98
Municipal Equipment Replacement Fund	112,472.81
Electric Light Public Purpose Fund	41,827.36
Business Improvement District	262.50
Sanitary Sewer Capital Improvement Fund	3,235.38
Municipal Capital Improvement Fund	4,448.66
Street Capital Improvement Fund	3,381.86
Bridge and Arterial Street Fund	23,509.92
Water Capital Improvement Fund	64,631.41
Airport Fund	252,260.22
Water and Sewer Fund	530,710.55
Sanitation Fund	3,027.75
Ambulance Fund	5,911.14
Electric Light Fund	2,690,739.42

Payroll Liability Fund	<u>1,806,706.07</u>
TOTALS	\$6,294,221.74

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The City Clerk presented several license applications, including a BEER TO BE CONSUMED ON THE PREMISES LICENSE to Billie's Bar and Grill (Transfer Only); BARTENDER PERMITS to Danelle M. Clay, Scott R. Duff, Becky K. Elswood, Lisa D. Geisler, Jodi Hess, Lyn E. Nelson, and Andrew M. Sanders, all carrying the required approvals, and requested authorization to issue these licenses.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
June 4, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO BID

Municipal Services respectfully requests authorization to advertise and receive bids for New Traffic Radar Equipment and an In-Car Video Recording System.

s/ S. Craig Lords

City of Idaho Falls
June 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: NEW HVAC SYSTEM AT WASTE WATER TREATMENT PLANT ADMINISTRATION BUILDING

Municipal Services respectfully requests authorization to advertise and receive bids for a New HVAC System at Waste Water Treatment Plant Administration Building.

s/ S. Craig Lords

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 Hardcastle
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hally
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Hally to conduct a public hearing for consideration of a Conditional Use Permit to relocate a modular classroom from Emerson Elementary School to Dora Erickson Elementary School, located generally at 850 Cleveland, and legally described as a parcel of land in the East Half of the Southeast Quarter of Section 17, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 7, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MODULAR CLASSROOM – DORA ERICKSON ELEMENTARY SCHOOL

Attached is the application for a modular building housing two classrooms at Dora Erickson Elementary. The proposed location for the modular is southeast of the entrance to the office. According to the staff of the school, there was a modular classroom in this location approximately nine years ago. Aerial photos reveal this area has been used as a hard surface playground or parking lot, depending on the year. Staff recommends this modular classroom be approved. This 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 Conditional Use Permit request:

Slide 1	Aerial Photo
Slide 2	Site Plan
Slide 3	Site Photo showing western elevation of Dora Erickson Elementary School
Slide 4	Site Photo showing proposed location of modular unit
Slide 5	Site Photo showing proposed location of modular unit
Slide 6	Site Photo showing one-way exit to Garfield Street
Slide 7	Site Photo showing proposed student drop-off area
Exhibit 1	Application
Exhibit 2	Site Plan

The Planning and Building Director explained that if the modular classroom is approved, the modular classroom would be fenced off so it would be separated from any vehicular traffic in the area.

Craig Ashton, 3915 Woodhaven Lane, appeared as the representative for School District No. 91. He stated that the proposed location for this modular unit is the same location of a previous modular unit. The concern for this location was with regard to

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parent pick-up. To alleviate that concern, Mr. Ashton explained how the traffic would flow around the school. There would be fencing around the modular classroom so that traffic would not flow through this area at all.

Gary Mills, 824 Maplewood Drive, appeared to share the following letter:

824 Maplewood Drive
Idaho Falls, Idaho 83401

Dear Mayor Milam and City Councilmembers:

The purpose of this letter is to address my concerns about the placement of two modular classrooms at Erickson Elementary School.

Presently, the Erickson School has one of the most dangerous situations in this community for the drop off and pick up of students. It is the only school in the city where you can literally park within inches of the front entrance. At the west entrance of the school, bus loading, pedestrian traffic, private automobile and day care vehicles, plus visitor parking is blended together in a very crowded area. At present, vehicles waiting to pick up students are usually parked bumper-to-bumper, while filling the entire 800 block of Cleveland Street. In case of an emergency, this creates an extremely unsafe situation for the school and adjacent residents.

From how I interpret the map submitted by the District for the hearing, a large percentage of this congested and busy area will be taken up by the proposed two-classroom structure. The School District may claim that the additional students being placed at Erickson will all be bused to the school. That may sound good in the ideal world, but in today's automobile centered world, many of those parents will either find it more convenient or view it as safer to drop their children off directly at the school. Thus, there will be one additional bus, plus many new cars dropping off students.

The biggest difficulty with the Erickson School main entrance area is that it essentially sits at the end of a cul-de-sac situation, which would never be permitted under the current ordinance. With some creativity and of course money, a plan where buses, vehicles, and pedestrians do not mix together could be implemented.

In closing, I ask that the City Council postpone any decision regarding the placement of modular classrooms until a written plan for mitigation of student safety at the school entrance is submitted.

Sincerely,

Gary Mills

Craig Ashton re-appeared to state that the area to the west of the school is reserved for bus pick-up, safety vans, and child care vans that come after school. The School District has a plan that has been submitted to the City Council at this time. He

reviewed for the Mayor and Council the proposed traffic pattern and parking area for Dora Erickson Elementary School.

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

Councilmember Lyon questioned Mr. Ashton as to how many additional students would be attending Dora Erickson Elementary next year. Mr. Ashton stated that there would be an additional 70 students attending.

Councilmember Hally requested to know how many students that the modular unit houses at any given time. Mr. Ashton stated that the modular unit houses 50 students between the two classrooms.

Councilmember Shurtleff requested to know whether traffic was separated at the time that the previous modular unit was located at this school. Mr. Ashton stated that he did not believe that there were problems at that time. He, also, stated that more parents are dropping off their children at school then they did a decade ago. The plan as proposed takes any traffic and parking issues into account and would accommodate the traffic flow.

Councilmember Hally requested to know whether the schedules for drop-off and pick-up coincided with the schedule for the Clair E. Gale Junior High School. Mr. Ashton stated that the schedule for the Junior High and the Elementary School are different. There is a 15 minutes overlap between the time that the Elementary School dismisses and the time that the Junior High dismisses.

Councilmember Lyon requested to know whether scenarios have been run for projected growth in traffic with the increase in the student population. Mr. Ashton stated that School District No. 91 has been losing students at approximately 100 students per year, and projections are that the loss would be approximately 700 additional students in the next five years.

Councilmember Groberg recognized the desire of the parent to make sure that his children are safe. He commented that the School District has the safety of their students as the highest priority. If the School District does not act prudently in the protection of the children, the public has the right to appear before that body to express their concerns, and if necessary, elect new officials that would make safety their priority.

Councilmember Hally commented that school closures would add some students to other schools. The School District has addressed the safety issues

It was moved by Councilmember Hally, seconded by Councilmember Lyon, to approve the Conditional Use Permit to relocate a modular classroom from Emerson Elementary School to Dora Erickson Elementary School, located generally at 850 Cleveland, and legally described as a parcel of land in the East Half of the Southeast Quarter of Section 17, Township 2 North, Range 38, East of the Boise Meridian. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Hally to conduct a public hearing for consideration of a Conditional Use Permit to relocate a relocatable modular classroom from Emerson Elementary School to Linden Park Elementary School, located generally at 1305

9th Street, legally described as a parcel of land in Tract 50, Section 20, Township 2 North,

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Range 38, East of the Boise Meridian. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 7, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MODULAR CLASSROOM - LINDEN PARK ELEMENTARY SCHOOL

Attached is the application for a modular building housing two classrooms at Linden Park Elementary. The proposed location for the modular is west of the school in a location in which a modular classroom used to sit. It is proposed to be north of 9th Street and the adjacent parking area. Staff recommends this modular classroom be approved. This 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 Conditional Use Permit request:

Slide 1	Aerial Photo
Slide 2	Site Plan showing location of modular unit
Slide 3	Site Photo showing site where modular will be located
Slide 4	Site Photo showing where the previous modular unit used to be
Slide 5	Site Photo showing location of modular unit
Exhibit 1	Application
Exhibit 2	Site Plan

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

It was moved by Councilmember Hally, seconded by Councilmember Lyon, to approve the Conditional Use Permit to relocate a relocatable modular classroom from Emerson Elementary School to Linden Park Elementary School, located generally at 1305 9th Street, legally described as a parcel of land in Tract 50, Section 20, Township 2 North, Range 38, East of the Boise Meridian. Roll call as follows:

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

Nay: None

Motion Carried.

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Mayor Milam requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda.

Alice Benson, 1275 South Woodruff Avenue, Mountain Falls Apartments, appeared to state that she was a foster grandparent at a school here in Idaho Falls. The CART Bus System is not very desirable any longer. She stated that the last couple of days she has been picked up by a van, which is difficult for her to get into and out of. She stated that the CART Bus System needs to be operated through the City of Idaho Falls and should not charge \$3.00 one way for their tickets. She stated that the PTA buses are cheaper, but she is required to make a transfer at the YMCA. This is very difficult for her to do in the middle of winter.

Mayor Milam explained that public transit is a difficult issue. She stated that to her knowledge there is no public transit system in the country that pays for itself. In 1994, the people in this County established a regional transit authority as a county-wide authority. This authority receives federal funds if they receive funds from local governments to use as a match. The CART System is not a public transit authority. This is a privately owned organization. The City Council has expressed their concern for the level of funding that is currently provided to the public transit authority. If the City were to take on a bus system of its own, it would be more expensive. The bus system is a very expensive system to operate. Mayor Milam referred this issue to the Municipal Services Council Committee for consideration, as that Division is currently working on the budget.

Councilmember Hally explained that mass transit is a need for growing cities. The City Council is considering an increase to the public transit system to allow for equal contribution with the other communities. He expressed his appreciation for her comments.

Councilmember Groberg suggested that Ms. Benson address her concern to the TRPTA Board.

Mayor Milam stated that the City's representative to the TRPTA Board is Councilmember Hally. She requested Councilmember Hally take Ms. Benson concerns to the next Board Meeting for TRPTA.

Ida Kay Richins, 1960 Martha Avenue, Elk Creek Apartments, appeared to state that there is a \$500,000.00 community grant in place. She suggested that a great percentage of that money be used to expand and improve the transportation system for Idaho Falls. She commented that Pocatello spends approximately \$300,000.00 per year on their transportation system. The City of Idaho Falls does not spend near that amount. The City of Idaho Falls needs a better transportation system.

Mayor Milam stated that she appreciated Ms. Richins' comments. The City of Idaho Falls is currently in a 30-day comment period on the plan that would be submitted on the community grant. She requested that a record of the above comments be submitted to the Planning Department to be included with other comments that have been received for submittal with the application. The Mayor explained that this community grant would be a year by year appropriation and shared examples of issues that would be addressed by the grant funds.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
June 4, 2004

MEMORANDUM

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

SUBJECT: BID IF-04-16, ONE (1) NEW 2004 CAB AND CHASSIS MOUNTED
WITH DUMP BODY

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Attached for your consideration is the tabulation for Bid IF-04-16, One (1) New 2004 Cab and Chassis mounted with Dump Body (10-Wheel).

It is the recommendation of Municipal Services to accept the low evaluated bid of Hirning Truck Center/Volvo Truck North to furnish a 2004 Volvo Cab and Chassis mounted with a Crysteel Tipper 14-Foot Dump Bed for an amount of \$106,317.00 with trade-in Unit No. 39.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to accept the low evaluated bid of Hirning Truck Center/Volvo Truck North to furnish a 2004 Volvo Cab and Chassis mounted with a Crysteel Tipper 14-Foot Dump Bed for an amount of \$106,317.00 with trade-in Unit No. 39. 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
June 4, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-04-18, NEW TELEPHONE EQUIPMENT

Attached for your consideration is the tabulation of Bid IF-04-18, New Telephone Equipment.

It is the recommendation of Municipal Services to accept the low bid of ProActive Network Management Corporation with products manufactured by ShoreTel. They will furnish equipment and technical support for a lump sum amount of \$231,902.95.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to accept the low bid of ProActive Network Management Corporation with products manufactured by ShoreTel for equipment and technical support for the new telephone equipment. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Hally

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Councilmember Lyon
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
June 8, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ENGINEERING SERVICES – CH2M HILL, TASK ORDER NO. 14
(LOCAL LIMITS STUDY UPDATE)

Attached is proposed Task Order No. 14 to the Engineering Services Agreement with CH2M Hill in an amount not to exceed \$24,727.00. The purpose of this Task Order is to provide a Local Limits Study Update to the U. S. Environmental Protection Agency. This study evaluates water quality, pollutants, treatment plant loadings and supportive calculations with respect to discharge from the City's waste water treatment plant and in compliance with the City's current USEPA National Pollutant Discharge Elimination System Permit.

Public Works requests City Council approval of Task Order No. 14; 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 Task Order No. 14 to the Engineering Services Agreement with CH2M Hill for a Local Limits Study Update in an amount not to exceed \$24,727.00 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 Hally
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

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City of Idaho Falls
June 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – YORK ROAD WATER LINE, ANHEUSER-BUSCH
TO PARK TAYLOR ROAD

On June 1, 2004, bids were received and opened for the York Road Water Line from Anheuser-Busch to Park Taylor Road. A tabulation of the bid results is attached.

The low bid was provided by BECO Construction Company, Inc., in the amount of \$230,276.20. Public Works recommends the City Council accept the plans and specifications; and, authorize the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Groberg, to accept the plans and specifications for the York Road Water Line, Anheuser-Busch to Park Taylor Road, accept the low bid provided by BECO Construction Company, Inc. in the amount of \$230,276.20 and, further, give authorization for the Mayor and City Clerk to sign the necessary contract 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
June 7, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT AND STREET RIGHT-OF-WAY VACATION -
HOUSTON STREET AND POITEVIN ADDITION

As previously authorized, the City Attorney has prepared documents needed to vacate a portion of Houston Street right-of-way and certain easements located in the Poitevin Addition to accommodate the Wal-Mart Development. These

documents have been prepared, deeds signed by the Mayor and City Clerk and delivered to the landowner, Renaissance Partners, LLC.

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Public Works requests approval of the attached ordinances, authorization for the Mayor and City Clerk to sign these ordinances; and, ratification of the Mayor and City Clerk's signatures on the deeds.

s/ Chad Stanger

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

ORDINANCE NO. 2535

AN ORDINANCE VACATING A PORTION OF HOUSTON STREET, WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE PORTION OF SAID STREET; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED STREET TO THE OWNER OF THE ADJACENT LAND; AND 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 Council ratification 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.

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

ORDINANCE NO. 2536

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.

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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 Council ratification 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.

Mayor Milam expressed her appreciation to the Public Works Staff and the City Attorney for their hard work in completing this transaction.

There being no further business, it was moved by Councilmember Shurtleff, seconded by Councilmember Lehto, that the meeting adjourn at 8:15 p.m.

CITY CLERK

MAYOR
