

MARCH 25, 2004

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, March 25, 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
Councilmember Thomas Hally
Councilmember Larry Lyon
Councilmember Joe Groberg

Also present:

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

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

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the appointment of Cid Chaides to serve on the Idaho Falls Public Library Board (Term to expire on April 30, 2006).

The City Clerk requested approval of the Minutes for the March 11, 2004 Work Session, March 11, 2004 Regular Council Meeting, March 17, 2004 Work Session, and March 18, 2004 Work Session.

The City Clerk presented several license applications, including BEER LICENSES to La Reyna Meat Market and Los Primos de Jalisco, Inc.; BARTENDER PERMITS to Crystal G. Carroll, Yvette M. Johnson, Katie M. Lovell, Debbie L. Sloan, Jeremy L. Waite, and Shari K. Wall, all carrying the required approvals, and requested authorization to issue these licenses.

The Public Works Director submitted the following memo:

City of Idaho Falls
March 19, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – NORTH LLOYD CIRCLE STORM DRAINAGE, PHASE II

Public Works requests authorization to advertise to receive bids for the North Lloyd Circle Storm Drainage, Phase II Project.

s/ Chad Stanger

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Mayor Milam requested to know whether there were any items on the Consent Agenda that should be withdrawn and considered under the Regular Agenda.

Councilmember Lyon stated that he would like to have the appointment of Cid Chaides withdrawn from the Consent Agenda to be considered under the Regular Agenda.

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, that the Consent Agenda be approved, with the exception of the appointment to the Idaho Falls Public Library Board, in accordance with the recommendations presented. Roll call as follows:

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Hally to conduct a public hearing for Annexation Proceedings for The Meadows, Division No. 5. At the request of Councilmember Hally, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 22, 2004

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, FINAL PLAT, AND INITIAL ZONING – THE MEADOWS, DIVISION NO. 5

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for The Meadows, Division No. 5, a 27-lot subdivision for single-family homes. The requested initial zoning is R-1. This final plat is located south of Sunnyside Road, west of South 15th East (St. Clair Road), and east of Idaho Canal. At its February 3, 2004 Meeting, the Planning Commission recommended to the Mayor and City Council approval of the annexation, final plat, and initial zoning of R-1. The Department concurs in this recommendation. This annexation 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 annexation request:

Slide 1 Vicinity Map showing surrounding zoning

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Slide 2	Aerial Photo
Slide 3	Final Plat under consideration
Slide 4	Preliminary Plat
Exhibit 1	Planning Commission Minutes dated February 3, 2004
Exhibit 2	Staff Report dated February 3, 2004
Exhibit 3	Copy of Plat submitted January 26, 2004

The Planning and Building Director stated that the Final Plat conforms to the City Subdivision Ordinance. It is in accordance with the Comprehensive Plan which designates this area as lot density residential. The Final Plat is in accordance with the approved Preliminary Plat.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to answer any questions.

There being no 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 The Meadows Addition, Division No. 5 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2530

THE MEADOWS ADDITION, DIVISION NO. 5

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:

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

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 The Meadows Addition, Division No. 5 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 Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Hally
Councilmember Shurtleff

Nay: None

Motion Carried.

It was moved by Councilmember Hally, seconded by Councilmember Lyon, to accept the Final Plat for The Meadows Addition, Division No. 5 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:

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City of Idaho Falls
March 23, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: APPROVAL FOR CONSENT TO ASSIGNMENT

Attached for City Council approval is the Consent to Assignment between Boyd McCormick and Willis Weichel.

The City Attorney has seen and approved the documents.

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

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to approve the Consent to Assignment of Hangar Lease Agreement between Boyd McCormick and Willis Weichel and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 23, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: ACCEPTANCE OF FISCAL YEAR 2004 FEDERAL AVIATION
ADMINISTRATION GRANT

Attached for City Council acceptance is the Fiscal Year 2004 FAA Grant for \$5,461,921.00. This funding will be used for this year's Runway and Taxiway Construction Project.

The Airport Division recommends accepting the Federal Aviation Administration Grant and authorizing the Mayor and City Clerk to execute the necessary documents.

s/ Mike Humberd

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It was moved by Councilmember Lyon, seconded by Councilmember Hardcastle, to accept the Federal Aviation Administration Grant in the amount of \$5,461,921.00 to be used for the Runway and Taxiway Construction Project 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.

Mayor Milam, again, requested Council confirmation for the appointment of Cid Chaides to serve on the Idaho Falls Public Library Board (Term to expire on April 30, 2006). It was moved by Councilmember Hardcastle, seconded by Councilmember Hally, to confirm the appointment of Cid Chaides to serve on the Idaho Falls Public Library Board. Councilmember Lyon expressed his concerns about the Library and how it is operated. He wanted to have someone appointed to the Library Board of Trustees that would make a positive difference. Councilmember Lyon expressed his concern over the fund balance for the Library being depleted from \$435,493.00 to \$204,612.00. It took 10 years to achieve the \$435,493.00 balance. He reviewed for City Council where expenditures have been made. Councilmember Lyon stated that he visited with some of the librarians who work at the Library concerning Mr. Chaides. He shared his concerns regarding appointing Mr. Chaides to the Library Board, and stated that he would like more time to check into Mr. Chaides background to determine if he is a suitable candidate for this appointment.

Mayor Milam explained that the Idaho Falls Public Library, along with 23 other libraries in Eastern Idaho, combined their efforts to purchase a central computer system. That was a large expense and was approved by the Library Board to come out of the reserves. The purchase of books and other materials during the 2003 year was considerably less than most years. Last year was the one year that the Library did not have a contract with the Bonneville County Library District. There were not as many funds available for those purchases. Mayor Milam reviewed for Council the following statistics for 2002, which was a more routine year for the Library (2003 was not a routine year):

	Idaho Falls Library	Bannock Library	State-Wide Averages
Full Time Employees per 1,000 Population	.31	.43	.51
Staff Dollars Per Capita	\$12.47	\$14.11	\$14.78
Collection Dollars Per Capita	\$ 3.09	\$ 2.89	\$ 2.83
Total Dollars Per Capita	\$20.17	\$22.18	\$22.76
Circulation Per Capita	7.6	6.8	7.8

Councilmember Hardcastle told Councilmember Lyon that she is completely comfortable with the Library Board's recommendation and would vote in favor of this appointment.

Councilmember Groberg stated that he does not have concerns regarding the financial portion of Councilmember Lyon's comments. Councilmember Lyon made some serious accusations regarding Mr. Chaides. Councilmember Groberg requested the City Attorney to comment as to the appropriate procedure for the City Council at this time.

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The City Attorney stated that any appointment is made by nomination of the Mayor. It is subject to confirmation by the majority of the City Council. The City Council has the discretion at that point, if they wish, to go forward with the motion that is on the floor. The City Council also has the discretion, if they wish, to defer it for further review. In terms of the City Council alone, it is by confirmation by the majority of the City Council.

Councilmember Groberg stated that he was troubled by the suggestion to not approve this candidate at this time, because it came up at the last minute, when the City Council is notified in advance of appointments. He has not heard anything negative about Mr. Chaides until this moment.

Councilmember Lyon stated that he did not get the information for the appointment until 30 minutes before this meeting. Mayor Milam stated that the information for the appointment was in his box on Tuesday afternoon.

Councilmember Groberg stated that if the information that Councilmember Lyon brought to the City Council is true, he would like to have the opportunity to review the accusations.

Mayor Milam stated that it is most improper to have a debate about the character of a person. She requested to withdraw this appointment confirmation at his time, pending further review. Councilmember Hardcastle and Councilmember Hally withdrew the motion confirming the appointment of Cid Chaides to serve on the Idaho Falls Public Library Board.

Councilmember Lehto commented that he was troubled that there were only four applicants for this Board position. There was one brought forth for confirmation. If this type of debate continues, it will be hard to get qualified applicants to apply for these volunteer positions. These conflicts need to be resolved before being brought before the City Council at a meeting.

Councilmember Groberg agreed with Councilmember Lehto. He commented that unless he hears something negative about an appointee, he does not have a reason to object. If he did have some reason to object, he sensed that it was his responsibility to go to the Mayor and explain his concerns regarding an appointment. That should be the policy.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
March 19, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-04-10, ONE (1) NEW 2004 SELF-PROPELLED, RIDE-ON SWEEPER

Attached for your consideration is the tabulation for Bid IF-04-10, One (1) New 2004 Self-Propelled, Ride-On Sweeper for Pinecrest Golf Course.

It is the recommendation of Municipal Services to accept the low bid of Rocky Mountain Turf Equipment to furnish One (1) New Smithco Sweep Star 60 for an amount of \$27,434.00 with trade-in Unit No. 929.

s/ S. Craig Lords

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It was moved by Councilmember Groberg, seconded by Councilmember Hally, to accept the low bid from Rocky Mountain Turf Equipment to furnish One (1) New Smithco Sweep Star 60 for an amount of \$27,434.00 with trade-in Unit No. 929. 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
March 22, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AGREEMENT WITH FREMONT TELCOM

Attached for your consideration is an Agreement with Fremont Telcom providing circuitry for two T-1 lines for a three-year agreement at \$599.00 per line per month. It is respectfully requested that Council approve said agreement and authorize the Mayor to sign.

s/ S. Craig Lords

Councilmember Groberg explained that this agreement is part of a much larger transaction in converting the telephone system for the City of Idaho Falls. It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Agreement with Fremont Telcom providing circuitry for two T-1 lines for a three-year agreement at \$599.00 per line per month and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls
March 23, 2004

MEMORANDUM

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

Attached for your consideration is the proposed property Exchange Agreement between the City of Idaho Falls and William Rigby and Richard I. Clayton, Sr.

It is respectfully requested that City Council approve said Agreement and give authorization for the Mayor to execute the Agreement.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hally, to approve the Exchange Agreement between the City of Idaho Falls and William Rigby and Richard I. Clayton, Sr. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
March 25, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PRIMATE DISCOVERY CENTER PHASE II PROJECT

On March 11, 2004, bids were opened for the Primate Discovery Center Phase II Project taking place at Tautphaus Park Zoo. The apparent low bidder for the project was Shook Construction of Idaho Falls, Idaho with a bid amount of \$265,487.00 for the base bid and Alternates No. 1 and No. 3. The architect's estimate was \$265,000.00. The project is being funded by a grant from the ALSAM Foundation. It is recommended that City Council approve plans and specifications for the aforementioned project and that the bid be awarded to Shook Construction.

s/ David J. Christiansen

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Mayor Milam explained that this would complete the Primate Discovery Center. It was moved by Councilmember Groberg, seconded by Councilmember Lehto, to approve the plans and specifications for the Primate Discovery Center, Phase II Project, accept the low bid from Shook Construction to complete the Primate Discovery Center Phase II Project and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
March 22, 2004

MEMORANDUM

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

Attached is an Amendment to the Management Agreement with Idaho Falls Downtown Development Corporation. The Corporation is requesting an amendment to reprint a brochure which lists a calendar of events and provides a map of cultural, shopping, dining and business opportunities in the downtown area. This Amendment has been forwarded to the City Attorney's office for review. The Department respectfully requests approval of this Amendment.

s/ Renée R. Magee

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

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

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Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
March 19, 2004

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – ASPHALT OVERLAY – 2004 PROJECT

On March 16, 2004, bids were received and opened for the Asphalt Overlay – 2004 Project. A tabulation of the bid results is attached.

Public Works recommends the City Council approve plans and specifications; accept the low bid of HK Contractors, Inc. in the amount of \$249,690.00; 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 approve the plans and specifications for the Asphalt Overlay 2004 Project; accept the low bid from HK Contractors, Inc. in the amount of \$249,690.00; and, give authorization for the Mayor and City Clerk to sign the contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR
