

DECEMBER 18, 2003

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 18, 2003, 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 Robert Barnes
Councilmember Brad Eldredge
Councilmember Mike Lehto
Councilmember Joe Groberg

Also present:

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

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the Appointment of Barbara Castle to serve on the Shade Tree Committee (Term to expire on December 31, 2006); Re-Appointment of Jake Cordova to serve on the Board of Adjustment (Term to expire on December 31, 2008); Re-Appointment of Renee Quinton to serve on the Board of Adjustment (Term to expire December 31, 2008); Re-Appointment of Roxane Mitro to serve on the Historic Preservation Commission (Term to expire December 31, 2006); Re-Appointment of Brenda Ringe Pace to serve on the Historic Preservation Commission (Term to expire on December 31, 2006); Re-Appointment of Robert Barnes to serve on the Idaho Falls Redevelopment Agency (Term to expire December 31, 2008); Re-Appointment of Joe Groberg to serve on the Idaho Falls Redevelopment Agency (Term to expire December 31, 2008); Re-Appointment of Boyd Anderson to serve on the Planning Commission (Term to expire December 31, 2008); Re-Appointment of Val Carpenter to serve on the Planning Commission (Term to expire on December 31, 2008); Re-Appointment of Brent Conan to serve on the Mechanical Board of Appeals (Term to expire December 31, 2006); Re-Appointment of Mart Kent to serve on the Mechanical Board of Appeals (Term to expire December 31, 2006); Re-Appointment of Max Mora (Term to end December 31, 2005); Re-Appointment of Allen Barlow to serve on the Plumbing Board of Appeals (Term to expire December 31, 2006); Re-Appointment of Bob Livsey to serve on the Plumbing Board of Appeals (Term to expire December 31, 2006); Re-Appointment of Darwin Mathews to serve on the Plumbing Board of Appeals (Term to end December 31, 2005); and, the Appointment of Lee Radford to serve on the Idaho Falls Redevelopment Agency (Term to expire December 31, 2004).

The City Clerk requested approval of the Minutes for the December 11, 2003 Work Session and the December 11, 2003 Regular Council Meeting.

The City Clerk presented several license applications, including BEER LICENSES to 19th Hole Café, Babe's Quick Stop, Inc., Beer Billie's, Bistro Off Broadway – ABC Food Service, Blue Bell Gas, Bowlero, Brownstone Companies, Inc., Bubba's Bar-B-Q, Choices Restaurant, Collage, D B's Steak House, Diamond Concessions, Fanatics Sports Grill, Funland/LDML, LLC, Golden Crown Lounge, Great Wall Restaurant, Happy's Chinese Restaurant, Hatricks, Idaho Brewing Company, Inc., J B's Family Restaurant No. 42, Jiffy Mart (Elm Street), Karen's Park Avenue Club, Kwik Shops, Inc., Kwik Shop II, La Ramada, La Union Market, Mama Inez, Maverik Country Store (Broadway), Midget Market, Outlaw,

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Papa Tom's Pizza (Woodruff Avenue), Pinecrest Fish and Steak House, Inc., Plaza Lanes, Puerto Vallarta Restaurant, Puerto Vallarta Restaurant No. 2, Purple Gecko, Rite Quik Stop No. 1, S & K Konvenience Stores, Inc., Sage Lake Café, Samoa Club, Sand Creek Café, Sato's Oriental Market, LLC, Saving Center (Memorial Drive), Snake Bite, Speedi Corporation, Inc., Sports Page, and Tom's Gyro and Burgers; BARTENDER PERMITS to Katie L. Abbott, Michelle Burrows, Rhianna Olzak, and Ryan Spilker, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on December 18, 2003.

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

Aye: Councilmember Barnes
 Councilmember Eldredge
 Councilmember Lehto
 Councilmember Shurtleff
 Councilmember Hardcastle
 Councilmember Groberg

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Annexation Proceedings for St. Clair Estates Addition, Division No. 6 were withdrawn by the Division Director.

Mayor Milam requested Councilmember Barnes to conduct Annexation Proceedings for H-S Addition, Division No. 2. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, FINAL PLAT, AND INITIAL ZONING FOR H-S
 ADDITION, DIVISION NO. 2

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for H-S Addition, Division No. 2. The requested zoning, both for the annexation of 0.5 acres and the rezoning of 0.6 acres, is RSC-1, Residential Shopping Center. This plat is located north of First Street and west of Woodruff Avenue. At its November 4, 2003 Meeting, the Planning Commission recommended approval of the annexation, initial zoning of RSC-1, zoning from R-1 to RSC-1 and final plat for H-S Addition, Division No. 2. This Department concurs with the recommendation. The annexation request is now 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 annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Final Plat superimposed on Vicinity Map
Slide 3	Aerial Photo
Slide 4	Final Plat under consideration
Slide 5	Site Photo showing property east of entrance to Winco
Slide 6	Site Photo showing entrance to Winco on First Street
Exhibit 1	Planning Commission Minutes dated November 4, 2003
Exhibit 2	Staff Report
Exhibit 3	Copy of Final Plat

The Planning and Building Director stated that the Final Plat is in compliance with the Subdivision Ordinance and the zoning change and initial zoning are in compliance with the Comprehensive Plan.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that the purpose of this Final Plat is to adjust a lot line.

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

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for H-S Addition, Division No. 2 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

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

ORDINANCE NO. 2517

H-S ADDITION, DIVISION NO. 2

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.

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The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle 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 Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Barnes
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 Barnes, seconded by Councilmember Hardcastle, to establish the initial zoning of H-S Addition, Division No. 2 as RSC-1 (Residential Shopping Center) Zoning for the 0.5 acres as requested, that the zone be changed from R-1 to RSC-1 on the 0.6 acres, 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 Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for H-S Addition, Division No. 2 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

DECEMBER 18, 2003

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

City of Idaho Falls
December 15, 2003

MEMORANDUM

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

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for The Meadows Addition, Division No. 4, a single-family residential subdivision of eighteen lots. This subdivision is located south of Sunnyside Road and west of St. Clair Road. The requested zoning is R-1 (Single-Family Residential). At its November 4, 2003 Meeting, the Planning Commission recommended approval of the annexation, initial zoning of R-1, and final plat for The Meadows, Division No. 4. This Department concurs with the recommendation. The annexation request is now being presented to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Revised Preliminary Plat
Slide 4	Final Plat under consideration
Slide 5	Site Photo looking east across site from Shadow Mountain Trail
Slide 6	Site Photo looking north from Shadow Mountain Trail to the present end of road
Exhibit 1	Planning Commission Minutes dated November 4, 2003
Exhibit 2	Staff Report
Exhibit 3	Copy of Final Plat

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

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to explain that this area is coming together. The original Developer of this land passed away. It is now progressing forward.

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

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for The Meadows Addition, Division No. 4 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Groberg

Councilmember Barnes
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

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

ORDINANCE NO. 2518

THE MEADOWS 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 Barnes moved, and Councilmember Hardcastle 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 Barnes
Councilmember Eldredge
Councilmember Lehto
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 Barnes, seconded by Councilmember Hardcastle, to establish the initial zoning of The Meadows Addition, Division No. 4 as R-1 (Single-Family Residential) Zoning as requested, 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:

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Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for The Meadows 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 Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

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

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING, FINAL PLAT, AND PLANNED UNIT DEVELOPMENT FOR BROOKSIDE ADDITION, DIVISION NO. 3

Attached are the Annexation Agreement, Annexation Ordinance, Final Plat and Planned Unit Development for Brookside Addition, Division No. 3. The requested initial zoning is R-1 (Single-Family Residential) with a Planned Unit Development Overlay. This subdivision is located south of Sunnyside Road, north of Township Road, and east of Sand Creek Canal. At its November 18, 2003 Meeting, the Planning Commission recommended approval of the annexation, initial zoning of R-1 with a PUD Overlay, final plat, and a planned unit development site plan for twelve attached single-family units. This Department concurs with the recommendation. The annexation request is now 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 annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo with Preliminary Plats superimposed
Slide 3	Final Plat
Slide 4	Planned Unit Development Site Plan
Slide 5	Site and Landscape Plan
Slide 6	Front and Rear Building Elevations
Slide 7	Side Building Elevation
Exhibit 1	Planning Commission Minutes dated November 18, 2003
Exhibit 2	Staff Report
Exhibit 3	Copy of Final Plat
Exhibit 4	Copy of Site Plan

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that he was representing Robert Utterbeck. He stated, further, that this would be a nice development for the community.

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

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Brookside Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

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

ORDINANCE NO. 2519

BROOKSIDE ADDITION, DIVISION NO. 3

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

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The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle 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 Barnes
Councilmember Eldredge
Councilmember Lehto
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 Barnes, seconded by Councilmember Hardcastle, to establish the initial zoning of Brookside Addition, Division No. 3 as R-1 (Single-Family Residential) Zoning with a Planned Unit Development Overlay as requested, 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 Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for Brookside Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

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It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Planned Unit Development as presented on the Site Plan for Brookside Addition, Division No. 3. Roll call as follows:

Aye: Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
December 12, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-04-03 – MOTOR FUELS AND LUBRICANTS

Attached for your consideration is the tabulation for Bid IF-04-03, Motor Fuels, Lubricants, and Services and the Fuel obtained through a computerized fuel dispensing system beginning March 3, 2004.

It is the recommendation of Municipal Services that all low bids be accepted and awarded as follows:

SECTION I:

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

SECTION II:

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

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept all low bids as presented. Roll call as follows:

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Aye: Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
December 12, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-04-04, ONE (1) NEW CAB AND CHASSIS FOR USE AS A
SEWER SLUDGE TRUCK

Attached for your consideration is the tabulation for Bid IF-04-04, One (1) New Cab and Chassis for Use as a Sewer Sludge Truck.

It is the recommendation of Municipal Services to accept the low bid of Lake City International Trucks to furnish One (1) New 2004 International Model 7400 Cab and Chassis (only) for an amount of \$53,000.00 with trade-in Unit No. 177.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid from Lake City International Trucks to furnish One (1) New 2004 International Model 7400 Cab and Chassis (only) as presented. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
December 18, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: COMMERCIAL WATERCRAFT CONCESSION AGREEMENT

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Attached for your consideration is an Agreement between the City of Idaho Falls and Mr. Mike Melville for the purpose of operating a non-exclusive commercial watercraft concession. Mr. Melville's certificate of insurance and State of Idaho Outfitters and Guide License is attached. This Agreement has been reviewed and approved by the Bonneville County Sheriff. The term of the Agreement is for one year terminating December 31, 2004. It is, therefore, submitted for your approval.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Commercial Watercraft Concession Agreement with Mike Melville and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
 Councilmember Eldredge
 Councilmember Hardcastle
 Councilmember Groberg
 Councilmember Barnes
 Councilmember Shurtleff

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE AMENDING SECTIONS 4-7-2 AND 4-7-3,
 LICENSING OF CONTRACTORS

Attached is the proposed Ordinance amending Sections 4-7-2 and 4-7-3 of the Ordinance licensing building contractors. This Ordinance, which was drafted by the Assistant City Attorney, changes the necessary references to the 2000 International Building Code. The Division respectfully requests adoption of this Ordinance.

s/ Renée R. Magee

The Building Official appeared to state that this Ordinance makes minor changes to make the licensing ordinance compatible with the building codes that have been adopted.

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

DECEMBER 18, 2003

ORDINANCE NO. 2520

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, REPEALING AND RE-ENACTING SECTION 4-7-2 AND 4-7-3 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR NECESSARY CHANGES TO REFERENCES DUE TO THE ADOPTION OF THE 2000 INTERNATIONAL BUILDING CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle 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 execute the necessary documents. Roll call as follows:

Aye: Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE AMENDING SECTION 7-5-2 OF THE CITY CODE

Attached is the proposed Ordinance amending Section 7-5-2 of the City Code. This Ordinance, which was drafted by the Assistant City Attorney, established a Plumbing Board of Appeals. The Division respectfully requests adoption of this Ordinance.

s/ Renée R. Magee

The Building Official appeared to explain that when the Planning Division amended the Board of appeal section in the other codes, the Plumbing Code was missed. This makes the language consistent in all of the codes.

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

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ORDINANCE NO. 2521

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 7-5-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE ADOPTION OF A BOARD OF APPEALS OF THE UNIFORM PLUMBING CODE; PROVIDING FOR THE PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle 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 execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE AMENDING SECTION 7-6-2, THE SECTION ADOPTING THE INTERNATIONAL RESIDENTIAL CODE, 2000 EDITION, FOR ONE- AND TWO-FAMILY DWELLINGS

Attached is the proposed Ordinance amending Section 7-6-2. This Ordinance, which was drafted by the Assistant City Attorney, establishes building permits will not be required for accessory structures 120 square feet or less in size, handrails will be required for four risers or more, and renumbers the provision on drainage for consistency. The Division respectfully requests adoption of this Ordinance.

s/ Renée R. Magee

The Building Official appeared to explain that the changes being made with this Ordinance are to become consistent between the International Building Code and the

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International Residential Code. This also remains consistent with requirements from the past.

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

ORDINANCE NO. 2522

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, REPEALING AND RE-ENACTING SECTION 7-6-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE, 2000 EDITION, FOR ONE- AND TWO-FAMILY DWELLINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle 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 execute the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE AMENDING SECTION 7-1-2 OF THE CITY CODE

Attached is the proposed Ordinance amending Section 7-1-2 of the City Code, the section which adopts the 2000 Edition of the International Building Code. This Ordinance clarifies the International Building Code will be the administrative code for the electrical, plumbing, mechanical, and building codes. This Ordinance establishes building permit fees will be set by Resolution, not Ordinance. This Ordinance has been reviewed by the Assistant City Attorney, and the Division respectfully requests adoption of this Ordinance.

s/ Renée R. Magee

DECEMBER 18, 2003

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

ORDINANCE NO. 2523

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, REPEALING AND RE-ENACTING SECTION 7-1-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE ADOPTION OF THE 2000 INTERNATIONAL BUILDING CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle 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 execute the necessary documents. Roll call as follows:

Aye: Councilmember Barnes
Councilmember Groberg
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: RESOLUTION SETTING BUILDING PERMIT FEES

Attached is the proposed Resolution setting building permit fees. The fees do not increase with this Resolution. The Division respectfully requests adoption of this Resolution.

s/ Renée R. Magee

RESOLUTION NO. 2003-5

WHEREAS, the City Council of the City of Idaho Falls, pursuant to City Code 7-1-1 has adopted the International Building Code, 2000 Edition;

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WHEREAS, the International Building Code and other technical codes adopted by the City authorize the City to establish a fee schedule for fees for building permits, inspections and other types of permits;

NOW, THEREFORE, be it hereby resolved by the City of Idaho Falls as follows:

1. That the fees schedule attached as Exhibit "A" to this Resolution be adopted by the City and that all references hereafter in any of the building or technical codes adopted by the City and referring to a fees schedule, shall refer to the document attached hereto as Exhibit "A".

DATED this 19th day of December, 2003.

s/ Linda M. Milam
Linda M. Milam
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

EXHIBIT 'A'

TABLE NO. 108.2-A¹ – BUILDING PERMIT FEES

Total Valuation Up to \$	Fees	Total Valuation Up to \$	Fees	Total Valuation Up to \$	Fees
\$1.00 to \$500.00	\$16.00	\$10,000.00	\$126.00	\$33,000.00	\$326.00
\$600.00	\$18.00	\$11,000.00	\$136.00	\$34,000.00	\$333.00
\$700.00	\$20.00	\$12,000.00	\$145.00	\$35,000.00	\$340.00
\$800.00	\$23.00	\$13,000.00	\$155.00	\$36,000.00	\$346.00
\$900.00	\$25.00	\$14,000.00	\$164.00	\$37,000.00	\$353.00
\$1,000.00	\$27.00	\$15,000.00	\$174.00	\$38,000.00	\$361.00
\$1,100.00	\$29.00	\$16,000.00	\$184.00	\$39,000.00	\$368.00
\$1,200.00	\$31.00	\$17,000.00	\$194.00	\$40,000.00	\$374.00
\$1,300.00	\$33.00	\$18,000.00	\$204.00	\$41,000.00	\$382.00
\$1,400.00	\$35.00	\$19,000.00	\$213.00	\$42,000.00	\$389.00
\$1,500.00	\$37.00	\$20,000.00	\$222.00	\$43,000.00	\$396.00
\$3,000.00	\$58.00	\$21,000.00	\$233.00	\$44,000.00	\$403.00
\$4,000.00	\$68.00	\$22,000.00	\$242.00	\$45,000.00	\$410.00
\$5,000.00	\$78.00	\$23,000.00	\$251.00	\$46,000.00	\$417.00
\$6,000.00	\$87.00	\$24,000.00	\$261.00	\$47,000.00	\$424.00
\$7,000.00	\$98.00	\$30,000.00	\$305.00	\$48,000.00	\$431.00
\$8,000.00	\$107.00	\$31,000.00	\$312.00	\$49,000.00	\$438.00
\$9,000.00	\$116.00	\$32,000.00	\$318.00	\$50,000.00	\$445.00

<ul style="list-style-type: none"> • For total valuation between \$50,001.00 and \$100,000.00, \$445.00 shall be charged for the first \$50,000.00, plus \$4.70 for each additional \$1,000.00 or fraction thereof.
<ul style="list-style-type: none"> • For total valuation between \$100,001.00 and \$400,000.00, \$690.00 shall be charged for the first \$100,000.00, plus \$3.60 for each additional \$1,000.00 or fraction thereof.
<ul style="list-style-type: none"> • For total valuation between \$500,001.00 and \$1,000,000.00, \$2,190.00 shall be charged for the first \$500,000.00, plus \$3.10 for each additional \$1,000.00 or fraction thereof.
<ul style="list-style-type: none"> • For total valuation of \$1,000,001.00 and up, \$3,800.00 shall be charged for the first \$1,000,000.00, plus \$2.05 for each additional \$1,000.00 or fraction thereof.

¹Table numbers correspond with the section numbers of the International Building Code, 2000 Edition.

TABLE NO. 108.2B:

New Residential Buildings and Additions to Residential Buildings.

The following fees shall include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time. The permit fee shall be based upon the total valuation using the following values:

Dwelling Unit	\$3.10 Per Square Foot
Garages	\$1.03 Per Square Foot
Finished Basements	\$1.03 Per Square Foot
Unfinished Basements	No Charge

Total Valuation Up To:	Fee
\$ 1,000.00	\$ 25.75
\$ 1,100.00	\$ 28.75
\$ 1,200.00	\$ 31.90
\$ 1,300.00	\$ 35.00
\$ 1,400.00	\$ 38.10
\$ 1,500.00	\$ 41.20
\$ 1,600.00	\$ 44.30
\$ 1,700.00	\$ 47.40
\$ 1,800.00	\$ 50.45
\$ 1,900.00	\$ 53.50
\$ 2,000.00	\$ 56.65
\$ 2,500.00	\$ 60.25
\$ 3,000.00	\$ 63.85
\$ 3,500.00	\$ 68.50
\$ 4,000.00	\$ 72.10
\$ 4,500.00	\$ 76.75
\$ 5,000.00	\$ 80.35
\$ 5,500.00	\$ 85.00
\$ 6,000.00	\$ 89.10
\$ 6,500.00	\$ 93.20
\$ 7,000.00	\$ 96.80
\$ 7,500.00	\$101.45
\$ 8,000.00	\$104.00

Total Valuation Up To:	Fee
\$ 8,500.00	\$108.65
\$ 9,000.00	\$111.25
\$ 9,500.00	\$115.90
\$10,000.00	\$120.50
\$10,500.00	\$125.15
\$11,000.00	\$129.80
\$11,500.00	\$134.40
\$12,000.00	\$139.00
\$12,500.00	\$143.70
Over \$12,000.00	\$143.70 for the first \$12,500.00 plus \$2.05 for each additional \$1,000.00 or fraction thereof.

TABLE NO. 108.2C:

For alterations and modifications to existing residential buildings, use the Unit Fee Schedule.

UNIT FEE SCHEDULE

Permit Issuance

For issuing each permit \$15.50

(Note: The following do not include permit-issuing fee.)

Unit Fee Schedule for Residential Buildings

Private Swimming Pools \$19.00
Miscellaneous \$ 4.70
Branch Circuit, Each \$ 4.70
Service Temporary or Change Out \$ 4.70

(Note: The following do not include permit-issuing fee.)

Signs, Outline Lighting and Marquees

For signs, outline lighting systems or marquees supplied
from one branch circuit, each \$ 5.25
For additional branch circuits within the same sign,
outline lighting system or marquee, each \$ 3.15

Commercial and Industrial

Permit fee shall be one and one-half percent (1.5%) of the first Twenty Thousand Dollars (\$20,000.00) of wiring costs plus three-fourths percent (.75%) of the wiring costs in excess of Twenty

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Thousand Dollars (\$20,000.00). Wiring costs shall include the total costs of any and all equipment, materials and labor for installations governed by the National Electric Code.

OTHER INSPECTIONS AND FEES

- Inspections outside of normal business hours . . \$31.00 per hour*
(minimum charge – two hours)
- Re-Inspection fees assessed under provisions
of Section 305.8 \$31.00 per hour*
- Inspection for which no fee is specifically
indicated \$31.00 per hour*
(minimum charge – one-half hour)
- Additional plan review required by changes,
additions or revisions to plans \$31.00 per hour*
(minimum charge – one half hour)

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

TABLE 108.2D MECHANICAL PERMIT FEES:

Permit Issuance (Residential)

- 1. For the issuance of each permit \$15.50

Unit Fee Schedule (In Addition to 1 above)

- 1. For the installation or relocation of each
mechanical unit \$ 4.10

Other Inspections and Fees

- 1. Inspections outside of normal business hours
(minimum charge – two hours) . . . \$31.00 per hour*
- 2. Re-Inspection fees assessed under provisions
of Section 305(g) \$31.00 per hour*
- 3. Inspection for which no fee is specifically indicated
(minimum charge – one-half hour) . \$31.00 per hour*
- 4. Additional plan review required by changes, additions,
or revisions to plans (minimum
charge – one-half hour) \$31.00 per hour*

Commercial Buildings

One and one-half percent (1.5%) of the first Twenty Thousand Dollars (\$20,000.00), plus three-fourths percent (0.75%) of amounts over Twenty Thousand Dollars (\$20,000.00), of the bid amount. The bid amount shall include the total costs of any and

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all equipment, materials and labor for installations governed by the Uniform Mechanical Code.

*Or the total hourly cost to the City, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

TABLE NO. 108.2E PLUMBING PERMIT FEES:

Permit Issuance

1. For the issuance of each permit \$15.50

Unit Fee Schedule (in addition to 1 or 2 above)

1. For each plumbing fixture \$ 4.10
2. For each gas piping system \$ 4.10

Other Inspections and Fees

1. Inspections outside of normal business hours
(minimum charge – two hours) . . . \$31.00 per hour*
2. Re-Inspection fees assessed under provisions of
Section 305(g) \$31.00 per hour*
3. Inspection for which no fee is specifically indicated
(minimum charge – one-half hour) . \$31.00 per hour*
4. Additional plan review required by changes, additions,
or revisions to plans (minimum charge –
one-half hour) \$31.00 per hour*

Commercial Buildings

One and one-half percent (1.5%) of the first Twenty Thousand Dollars (\$20,000.00), plus three-fourths percent (0.75%) of amounts over Twenty Thousand Dollars (\$20,000.00), of the bid amount. The bid amount shall include the total costs of any and all equipment, materials, and labor for installations governed by the Uniform Plumbing Code.

*Or the total hourly cost to the City, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to adopt the Resolution setting the building permit fees and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

- Aye: Councilmember Lehto
 Councilmember Groberg
 Councilmember Hardcastle
 Councilmember Eldredge

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Councilmember Barnes
Councilmember Shurtleff

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: AMENDMENT NO. 1, INTERIM STIPULATED AGREEMENT
WATER USERS, IDWR ADMINISTRATIVE BASIN NO. 35

Attached is proposed Amendment No. 1 to the Interim Stipulated Agreement between ground water users and surface water users located within and near Idaho Department of Water Resources Administrative Basin 35. This amendment makes some modification to the original agreement, previously approved by the City, which requires the City to pay an annual fee of \$500.00 to help provide storage water to mitigate depletion of lower valley water supplies. This amendment has been reviewed and approved by Mr. Kent Foster, the City's Legal Counsel for water related issues.

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

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve Amendment No. 1 to the Interim Stipulated Agreement between ground water users and surface water users located within and near Idaho Department of Water Resources Administrative Basin No. 35 and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Barnes

Nay: None

Motion Carried.

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City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ENGINEERING SERVICES AGREEMENT – PARSONS
BRINKERHOFF – SUNNYSIDE ROAD FROM YELLOWSTONE
HIGHWAY TO HOLMES AVENUE

The Engineering Department has completed negotiations with Parsons Brinkerhoff for a scope of work and man-day estimates to complete the final design services for Sunnyside Road Improvements from Yellowstone Highway to Holmes Avenue. The estimated cost to complete this work is \$244,444.93.

Public Works recommends approval of an Agreement to provide these services; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Engineering Services Agreement with Parsons Brinkerhoff for the scope of work and man-day estimates to complete the final design services for Sunnyside Road Improvements from Yellowstone Highway to Holmes Avenue 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 Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
December 15, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: GRANT DEEDS – SUNNYSIDE ROAD FROM YELLOWSTONE
HIGHWAY TO I-15

Attached are Grant Deeds conveying certain parcels of City owned property to the State of Idaho Transportation Department. These parcels are needed for construction of Sunnyside Road from Yellowstone Highway to I-15.

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Public Works recommends this property be conveyed to the State of Idaho; and, the Mayor and City Clerk be authorized to sign the documents.

Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Grant Deeds to convey certain parcels of City owned property to the State of Idaho Transportation Department and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR
