

**JULY 10, 2003**

---

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 10, 2003, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam  
Councilmember Ida Hardcastle  
Councilmember Bill Shurtleff  
Councilmember Mike Lehto  
Councilmember Joe Groberg  
Councilmember Robert Barnes

Absent was:

Councilmember Brad Eldredge

Also present:

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

**CONSENT AGENDA ITEMS**

The City Clerk requested approval of the Minutes for the June 26, 2003 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 June 1, 2003 through June 30, 2003, after having been audited by the Fiscal Committee and paid by the Controller:

<b><u>FUND</u></b>	<b><u>TOTAL EXPENDITURE</u></b>
General Fund	\$ 618,831.88
Street Fund	73,413.60
Recreation Fund	32,922.07
Library Fund	22,860.17
Municipal Equipment Replacement Fund	10,033.88
Electric Light Public Purpose Fund	56,843.29
Business Improvement District	11,400.00
Sanitary Sewer Capital Improvement Fund	7,374.30
Street Capital Improvement Fund	28,501.73
Bridge and Arterial Street Fund	2,565.27
Water Capital Improvement Fund	4,737.50
Surface Drainage Fund	3,454.00
Airport Fund	87,988.75
Water and Sewer Fund	252,229.18
Sanitation Fund	39,992.81
Ambulance Fund	112,529.20
Electric Light Fund	2,782,450.16
Payroll Liability Fund	1,764,167.06

Airport Fund Certificates of Participation	4,219.86
TOTALS	\$5,916,514.71

**JULY 10, 2003**

---

The City Clerk presented several license applications, including a BEER LICENSE to Bubba's Bar-B-Que; BARTENDER PERMITS to Debra Clement, John M. Soule, and Katrina Staples, 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 July 10, 2003.

The Airport Director submitted the following memo:

City of Idaho Falls  
July 9, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Humberd, Director of Aviation  
SUBJECT: AUTHORIZATION TO ADVERTISE TO BID TO REPAIR RED  
BARON HANGAR

Airport Division requests approval to advertise to Bid to Repair Red Baron Hangar.

This is the first of a four-year project to re-chink and oil the exterior logs and replace rotted logs.

s/ Mike Humberd

The Public Works Director submitted the following memo:

City of Idaho Falls  
July 8, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION – SEAL COATING – 2003 PROJECT

Public Works requests authorization to advertise to receive bids for Seal Coating – 2003 Project.

s/ Chad Stanger

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

Aye: Councilmember Lehto  
Councilmember Barnes  
Councilmember Groberg  
Councilmember Shurtleff

Councilmember Hardcastle

Nay: None

**JULY 10, 2003**

---

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Milam announced that the public hearing for consideration of an Ordinance to revise Section 5-8, Board of Adjustment of the Zoning Ordinance to provide the setting of fees by resolution, to revise the criteria for variances to more closely reflect Idaho Statutes, to provide criteria for conditional use permits for off-street parking requirements in the central commercial zone, and to provide an expiration period for variances and conditional use permits was withdrawn by the Division Director.

Mayor Milam requested Councilmember Barnes to conduct a public hearing for consideration of a Planned Unit Development for a mixed use complex on property located generally south of Higham Avenue, east of the Snake River, and legally described as all of Blocks 38, 39, 40, 41, 42, 43, 68, and 69 in the Highland Park Addition (The Narrows). At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 7, 2003

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: PLANNED UNIT DEVELOPMENT, FINAL PLAT, AND  
DEVELOPMENT AGREEMENT FOR THE NARROWS

Attached is the site plan for the Planned Unit Development and Development Agreement for The Narrows as well as the Final Plat for The Narrows, Division No. 1. This Planned Unit Development is located south of Higham Street, east of the Snake River, and west of Fremont Avenue. The property under consideration is zoned C-1 with a PUD Overlay. This development covers 19.1 acres and consists of 99,000 square feet of office space in eight buildings, 11,600 square feet of restaurant in two buildings, and a 19,000 square foot 168 room motel. Phase I, which is the Final Plat entitled The Narrows, Division No. 1, contains four lots. The Planning Commission reviewed this proposed development at its June 3, 2003 Meeting and recommended approval of the Planned Unit Development and Final Plat with conditions as outlined in the attached minutes. The conditions have been addressed in the Development Agreement or revised Site Plans. This request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Barnes stated that he would like to dispel any concerns on any perceived conflict of interest on his part. He works for the Bank of Idaho, of which, one of the developers of this property is Chairman of the Board at the Bank. He stated that he has no financial interest in The Narrows subdivision, nor does the Bank of Idaho, in which he owns stock.

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 Planned Unit Development request:

**JULY 10, 2003**

---

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Site Plan showing Planned Unit Development
Slide 4	Map showing ownership, which is not entirely under this development
Slide 5	Phase I development
Slide 6	Landscape Plan
Slide 7	Elevation of 18,000 square foot building
Slide 8	Final Plat for Phase I
Slide 9	Site Photo showing Fremont and Higham Intersection
Slide 10	Site Photo looking southwest across site at the single-family residence
Slide 11	Site Photo looking north of the site
Slide 12	Site Photo showing existing Greenbelt on Lemhi Avenue right-of-way
Slide 13	Site Photo showing path presently under construction by the developer
Exhibit 1	Planning Commission Minutes dated June 3, 2003
Exhibit 2	Staff Report dated June 3, 2003

The Planning and Building Director stated that staff recommends approval of the Final Plat of The Narrows, Division No. 1, the Development Agreement, the Planned Unit Development, and Phase I of this Planned Unit Development.

Larry Hudson, Mountain River Engineering, 1020 Lincoln Road, appeared to state that he was present to answer any questions.

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

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Planned Unit Development for The Narrows as presented, subject to the filing of Final Plats reflecting the internal traffic pattern and future vacation of public rights-of-way. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve Phase I of The Narrows, as presented. Roll call as follows:

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

Nay:           None

**JULY 10, 2003**

---

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Development Agreement for The Narrows, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for The Narrows, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls  
July 2, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: LINE CLEARANCE PROJECT

Attached is the bid tabulation for the Line Clearance Project. Idaho Falls Power recommends rejection of all bids and requests ratification to rebid this project.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to reject all bids received for the Line Clearance Project and, further, give authorization to rebid said project. Roll call as follows:

Aye: Councilmember Shurtleff

**JULY 10, 2003**

---

Councilmember Hardcastle  
Councilmember Barnes  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
July 2, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: CONFIRMATION AGREEMENT WITH OKANOGAN COUNTY PUD

Attached for your consideration is a Confirmation Agreement for purchase of BPA Point-to-Point Transmission from Okanogan County PUD for the period of July 1, 2003 through October 31, 2003.

Idaho Falls Power respectfully requests ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the Confirmation Agreement for the purchase of BPA Point-to-Point Transmission from Okanogan County PUD for the period of July 1, 2003 through October 31, 2003. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
July 8, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH ECONOMIC AND ENGINEERING SERVICES, INC. (EES)



**JULY 10, 2003**

---

Attached is a Professional Services Agreement with EES for review and update of the Idaho Falls Power electric cost of service model. The City Attorney has reviewed the Agreement.

Idaho Falls Power requests approval of this Agreement and authorization for the Mayor to execute the documents.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the Professional Services Agreement with Economic and Engineering Services, Inc. (EES) for review and update of the Idaho Falls Power electric cost of service model and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
July 3, 2003

MEMORANDUM

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

Municipal Services respectfully requests authorization to purchase the following three (3) used low mileage vehicles: One (1) 2001 Ford F250 Pickup, one (1) 2002 Ford Explorer, 4 X 4 with police package, and one (1) 2001 Chevrolet Suburban for a total amount of \$64,825.00. The vehicles are available through Salt Lake County's vehicle sale.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to purchase the police vehicles as presented. Roll call as follows:

Aye: Councilmember Barnes  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Shurtleff

Councilmember Hardcastle

Nay: None

**JULY 10, 2003**

---

Motion Carried.

City of Idaho Falls  
July 3, 2003

MEMORANDUM

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

Attached for your consideration is the Modification Agreement between the City of Idaho Falls, Bonneville County, the Regional Development Alliance, Inc., and the Idaho Innovation Center.

It is respectfully requested that City Council approve and authorize the Mayor to execute the Agreement.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Modification Agreement between the City of Idaho Falls, Bonneville County, the Regional Development Alliance, Inc., and the Idaho Innovation Center and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
June 20, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-03-23, ONE (1) NEW 2003 TRIPLE COMBINATION PUMPER MOUNTED ON A NEW 2003 CAB AND CHASSIS

Attached for your consideration is the tabulation for Bid IF-03-23, One (1) New 2003 Triple Combination Pumper Mounted on a New 2003 Cab and Chassis.

It is the recommendation of Municipal Services to accept the low bid of Pierce Manufacturing, Inc. to furnish a Pierce pumper unit mounted on an

International 4400 for an amount of \$223,548.00. This price includes discounts offered by the supplier in the amount of \$1,132.00 for accepting

**JULY 10, 2003**

---

Goodyear tires in lieu of Michelin; and, \$1,678.00 for partial payment upon completion of cab and chassis.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the low bid from Pierce Manufacturing, Inc. to furnish a triple combination pumper mounted on a new cab and chassis. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
July 7, 2003

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: FINAL PLAT – SECOND AMENDED PLAT OF LINDEN PARK  
ADDITION, DIVISION NO. 1

Attached is the Final Plat entitled the Second Amended Plat of Linden Park Addition, Division No. 1. This parcel is located on the northwest corner of Linden Drive and 7th Street and is zoned R-3A. At its regular meeting on April 15, 2003, the Planning Commission recommended approval of the Final Plat with four lots. This Final Plat is now being submitted to the Mayor and Council for approval.

s/ Renée R. Magee

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for the Second Amended Plat of Linden Park Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Shurtleff  
Councilmember Hardcastle  
Councilmember Barnes  
Councilmember Lehto

Councilmember Groberg

Nay: None

**JULY 10, 2003**

---

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
July 8, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: CHANGE ORDER NO. 3 – WATER POLLUTION CONTROL PLANT  
HEADWORKS PROJECT

Attached is proposed Change Order No. 3 to the Water Pollution Control Plant Headworks Project. As proposed, this will result in a net increase of \$23,191.00 to the contract amount.

Public Works recommends approval of Change Order No. 3; 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 Change Order No. 3 to R. E. Beck Construction Company for the Idaho Falls Water Pollution Control Plant Headworks Project and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
July 8, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: EASEMENT VACATION – LOT 12, BLOCK 10, MILL RUN  
SUBDIVISION

As previously approved, the City Attorney has prepared documents needed to vacate an easement in Lot 12, Block 10 of Mill Run Subdivision.

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

s/ Chad Stanger

**JULY 10, 2003**

---

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

**ORDINANCE NO. 2496**

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

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

Nay: None

Motion Carried.

City of Idaho Falls  
July 8, 2003

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: RIGHT-OF-WAY VACATION/RELOCATION – HEATHER ACRES – A PORTION OF TOWNSHIP ROAD EAST OF JAMESTON ROAD

Public Works requests authorization for the City Attorney to prepare documents needed to vacate and relocate a portion of Township Road east of Jameston Road. Grupo-Modelo has agreed to dedicate new right-of-way and easement.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to give authorization for the City Attorney to prepare the necessary documents to vacate and relocate a portion of Township Road east of Jameston Road. Roll call as follows:

Aye: Councilmember Barnes

**JULY 10, 2003**

---

Councilmember Groberg  
Councilmember Lehto  
Councilmember Shurtleff  
Councilmember Hardcastle

Nay:           None

Motion Carried.

There being no further business, it was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, that the meeting adjourn at 7:55 p.m.

---

CITY CLERK

---

MAYOR

\*\*\*\*\*