

MAY 8, 2003

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 8, 2003, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Bill Shurtleff
Councilmember Brad Eldredge
Councilmember Mike Lehto
Councilmember Joe Groberg
Councilmember Robert Barnes

Also present:

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

CONSENT AGENDA ITEMS

Mayor ProTem Hardcastle requested Council confirmation for the re-appointment of Keith Kennedy to serve on the Fire Code Board of Appeals (Term to expire in April, 2008).

The City Clerk requested approval of the Minutes for the April 24, 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 April 1, 2003 through April 30, 2003, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$ 787,405.84
Street Fund	12,702.65
Recreation Fund	23,275.36
Library Fund	31,995.76
Municipal Equipment Replacement Fund	123,890.95
Electric Light Public Purpose Fund	34,892.46
Business Improvement District	3,000.00
Street Capital Improvement Fund	190,671.71
Airport Fund	100,687.05
Water and Sewer Fund	478,438.46
Sanitation Fund	5,959.77
Ambulance Fund	8,470.35
Electric Light Fund	3,103,377.86
Payroll Liability Fund	2,242,898.73
Airport Fund Certificates of Participation	12,739.27
TOTALS	\$7,160,406.22

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The City Clerk presented several license applications, including BARTENDER PERMITS to Elissa G. Chapple, Clint D. Isaacson, Michael A. Martinez, Teresa E. Stephens, and Janet L. Wright, 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 May 8, 2003.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
May 6, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS FOR
PEDERSEN/SPORTMAN'S PARK GAZEBO

The Parks and Recreation Division respectfully requests the Mayor and City Council approve the plans and specifications as presented to reconstruct the gazebo at Pedersen/Sportman's Park and that authorization be granted to solicit bids for such project.

s/ David J. Christiansen

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 Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor ProTem Hardcastle requested Councilmember Barnes to conduct a public hearing for consideration of a Conditional Use Permit for a retail showroom for medical home care equipment and supplies on property located generally at 2640 Channing Way, legally described as Lot 8, Block 1, Channing Way Addition. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

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City of Idaho Falls
May 5, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: CONDITIONAL USE PERMIT – LOT 8, BLOCK 1, CHANNING WAY
ADDITION

Attached is the application for a Conditional Use Permit for a retail showroom for medical home care equipment and supplies. Section 7-6-2.E. of the Zoning Ordinance allows a use permitted in the RSC-1 Zone to be located in an R3-A Zone if the use is conducted entirely within an existing building and will not materially conflict with the surrounding area. This property is located west and adjacent to Channing Way between 25th Street and Coronado Street and is zoned R3-A. The Planning Commission considered this request at its April 8, 2003 Meeting and recommended approval. This Department concurs. The Conditional Use Permit is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Assistant Planning 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	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Land Use Plan
Slide 4	Existing Site Plan
Slide 5	Proposed Site Plan
Slide 6	Site Photo showing north view of building
Slide 7	Site Photo showing Retention Pond to the west
Slide 8	Site Photo showing southwest view of building
Slide 9	Site Photo showing northeast view of building
Exhibit 1	Planning Commission Minutes dated April 8, 2003
Exhibit 2	Site Plan

Darin Fluke, J-U-B Engineers, 250 South Beachwood, Boise, Idaho, appeared to state that he is representing the applicant in this request. He stated that they concurred with the Planning Commission and staff on the recommendations presented. This will be a nice addition to this neighborhood of the City. The use fits in well with what the Comprehensive Plan envisions for this area and is an ideal location for this type of business.

There being no one to appear either in favor of or in opposition to this Conditional Permit Use request, Mayor ProTem Hardcastle closed the public hearing.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Conditional Use Permit for a retail showroom for medical home care equipment and supplies on property located at 2640 Channing Way, legally described as Lot 8, Block 1, Channing Way Addition. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff

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Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Barnes

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to recess the public hearing for consideration of a Conditional Use Permit to construct seven single-family attached homes on property located generally south of 20th Street, north of 21st Street, west of Holmes Avenue, legally described as Lots 4 through 11 and Lots 32 through 41, Block 16, Brodbeck's Addition to the May 22, 2003 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to recess the public hearing for the vacation of a portion of 20th Street north of and the alley lying within Block 16, Brodbeck's Addition to the May 22, 2003 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested those present who wished to speak to the City Council regarding issues that were not on the agenda to come forward at this time. Councilmember Groberg explained that State Legislation now allows the City to not hold a public hearing at the City Council level on Planning and Zoning matters. There are a lot of advantages to that legislation, including the savings to the City of not having to re-advertise the public hearings for the City Council Meetings. Councilmember Groberg requested that the City Attorney brief the City Council on what the City Council could do to implement this

State Legislation. Mayor ProTem Hardcastle stated that this issue would be placed on the Planning Council Committee Agenda and requested those Councilmembers present to join the discussion at that time.

MAY 8, 2003

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
April 30, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: SERVICE SCHEDULE NO. 4 TO MEMBER SERVICE AGREEMENT

Attached for your consideration is the First Revised Service Schedule No. 4 to Member Services Agreement between Idaho Energy Authority, Inc. and Idaho Falls Power. The City Attorney has reviewed the document.

Idaho Falls Power requests approval of this agreement and authorization for the Mayor to sign.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the First Revised Service Schedule No. 4 to the Member Services Agreement between Idaho Energy Authority, Inc. and, further, give authorization for the Mayor 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
April 30, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: WESTERN SYSTEMS POWER POOL AGREEMENT

Attached for your consideration is a Netting Agreement to the Western Systems Power Pool Agreement. The City Attorney has reviewed the document.

Idaho Falls Power requests approval of this agreement and authorization for the Mayor to sign.

s/ Mark Gendron

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It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the Netting Agreement to the Western Systems Power Pool Agreement and, further, give authorization for the Mayor 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
April 30, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: SALE OF ENERGY TO ARIZONA PUBLIC SERVICE COMPANY

Attached for your consideration is a Confirmation Agreement between Arizona Public Service Company and Idaho Falls Power for sale of firm energy to Arizona Public Service Company.

Idaho Falls Power respectfully requests Council ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the Confirmation Agreement between Arizona Public Service Company and Idaho Falls Power for sale of firm energy to Arizona Public Service Company. 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
April 30, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: SALE OF ENERGY TO AVISTA ENERGY

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Attached for your consideration is a Confirmation Agreement between Avista Energy and Idaho Falls Power for sale of firm energy to Avista.

Idaho Falls Power respectfully requests Council ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the Confirmation Agreement between Avista Energy and Idaho Falls Power for the sale of firm energy to Avista. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 2, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-03-19, NEW THREE (3) PHASE RELAY TEST SYSTEM

Attached for your consideration is the tabulation for Bid IF-03-19, New Three Phase Relay Test System.

It is the recommendation of Municipal Services to accept the lowest evaluated bid meeting specifications of Doble Engineering Company for an amount of \$46,900.00.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to reject the apparent low bid as it does not meet specifications and accept the lowest evaluated bid meeting specifications of Doble Engineering Company to furnish the New Three Phase Relay Test System as presented. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Eldredge

Councilmember Lehto
Councilmember Groberg
Councilmember Barnes

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Nay: None

Motion Carried.

City of Idaho Falls
May 2, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-03-20, DISTRIBUTION TRANSFORMERS

Attached for your consideration is the tabulation for Bid IF-03-20, Distribution Transformers.

It is the recommendation of Municipal Services to accept the lowest evaluated bid item meeting specifications for a total purchase amount of \$281,970.00.

The complete recommendation for award is listed per Attachment "A" including the reason for not accepting the low bid for Items 10 and 13.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to reject the apparent low bid for Items No. 10 and 13 as they do not meet specifications, and accept the lowest evaluated bid item meeting specifications per Attachment "A" for Distribution Transformers. 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
May 8, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PINECREST GOLF COURSE PARKING LOT PROJECT PHASE III

On Tuesday, April 22, 2003, bids were opened for the above-referenced project. Attached are bid tabulations showing HK Contractors, Inc. of Idaho Falls, Idaho

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as the apparent low bidder at \$51,807.30. The Engineer's Estimate for this project was \$63,221.40. It is therefore submitted for your approval.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to accept the low bid from HK Contractors, Inc. to complete the Pinecrest Golf Course Parking Lot – Phase III Project and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
May 5, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – FAIRWAY ESTATES ADDITION, DIVISION NO. 11

Attached is a Final Plat for Fairway Estates, Division No. 11. This Division was annexed into Idaho Falls and zoned R-1 on October 11, 2002. Prior to recording the previously approved Final Plat, the owner submitted a revised preliminary for Fairway Estates, which was approved by the Planning Commission on April 15, 2003. This revised Final Plat is in accordance with the revised preliminary. The only change from the previously approved Final Plat is that right-of-way for Red Rock Drive is reduced to 50 feet to reflect its status as a cul-de-sac. The Planning Commission, as well as the Department, recommends approval of this Final Plat. This Plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1 Final Plat

Exhibit 1 Planning Commission Minutes dated April 15, 2003
Exhibit 2 Staff Report dated April 15, 2003
Exhibit 3 Final Plat

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It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for Fairway Estates Addition, Division No. 11 and, further, give authorization for the Mayor, City Engineer and City Clerk to sign said Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
May 6, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: HOLMES AVENUE RIGHT-OF-WAY

Attached is a proposed Ordinance dedicating a small portion of City-owned property on the southeast corner of Hemmert Drive and Holmes Avenue as public right-of-way.

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

s/ Chad Stanger

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

ORDINANCE NO. 2490

AN ORDINANCE PROVIDING FOR DEDICATION OF PROPERTY AS A PART OF HOLMES AVENUE AND HEMMERT DRIVE WITHIN THE CITY OF IDAHO FALLS, IDAHO; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

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 Barnes

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Councilmember Groberg
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Shurtleff, that the meeting adjourn at 7:50 p.m.

CITY CLERK

MAYOR
