

NOVEMBER 14, 2002

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, November 14, 2002, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Robert Barnes
Councilmember Brad Eldredge
Councilmember Bill Shurtleff
Councilmember Ida Hardcastle
Councilmember Joe Groberg

Absent was:

Councilmember Mike Lehto

Also present:

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

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

Under Awards and Presentations, Mayor Milam presented the following:

1. The Idaho Falls Police Department was awarded accreditation by the Idaho Chiefs of Police Association (ICOPA) tonight at the Idaho Falls City Council Meeting. Chairman of the Association's Accrediting Committee, Pocatello Police Chief Ed Guthrie, and President-Elect for the Idaho Chiefs of Police Association, Police Chief Dave Moore, presented the Certificate of Accreditation to Idaho Falls Police Chief Kent Livsey. The accreditation comes after three years of preparation to ensure the IFPD policies and practices adhere to the requirements set by ICOPA. When determining an agency's qualifications for accreditation, the ICOPA begins with a review of 94 essential standards and evaluates the agency's adherence to those standards. The standards include things such as procedures concerning police pursuits, use of force, internal affairs investigations, hiring and discipline standards and policies against biased based practices. After reviewing the department policies, the ICOPA rides with and interviews individual officers to ensure that policies are understood and followed. Finally, there is an administrative file review to ensure administrative practices are ethical and proper. By awarding this accreditation, the ICOPA has determined that the Idaho Falls Police Department meets its standards. The IFPD is pleased to be included as one of the few Idaho law enforcement agencies to meet the high standards set by the Idaho Chiefs of Police Association.

2. Councilmember Barnes introduced Cherity Woolf from the Library, whom introduced The Teen Room at the Idaho Falls Public Library, which is sponsored by the Idaho Falls Public Library and the Bonneville Youth Development Council. The mission is to utilize space within the Idaho Falls Public Library in which asset building programming can be provided in a safe and interesting environment. Along with reading areas, homework

assistance and computer access, the Teen Room will also develop and implement member-interest driven programming providing opportunities for youth to socialize with their friends while they improve or learn new skills and participate in socially acceptable forms of

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entertainment. Staffing is currently provided through Memorandum of Understanding between Idaho Falls Public Library and Bonneville Youth Development Council; physical space, utilities, etc. provided by Idaho Falls Public Library. Programming provided in part by both Idaho Falls Public Library and Bonneville Youth Development Council with considerable augmentation through grant funds. Foundation grants submitted for software licensing, purchase computers and audiovisual equipment, and broader programming opportunities. Membership will be open to all teens, ages 12 through 18 years old (grades 7-12), living in either Idaho Falls or Bonneville County. Membership affords access to Teen Room computers for Internet access as well as loan of library materials. Work is underway to establish a Teen Advisory Council to assist in determining priorities for programming, layout issues in the teen area, and promote use of the program. Adult volunteers are being recruited for tutoring, homework help, and maintaining a presence in the Teen Room at times of heaviest use. Kick-off for the Teen Room will be Tuesday evening, December 31, 2002 at 8:30 p.m.

3. William S. and Ida T. Holden Advocate Award presented to the City of Idaho Falls by the Development Workshop, Inc., 2001-2002. Councilmember Hardcastle was also honored as an advocate of people with disabilities.

The City Clerk read a summary of the minutes for the October 24, 2002 Regular Council Meeting. It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, that the minutes be approved as printed. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the following appointments and re-appointments: Appointment of Shirley Chastain to serve on the Historic Preservation Commission (Term to Expire on December 31, 2004); Re-Appointment of John Jensen to serve on the Fire Code Board of Appeals (Term to Expire in April, 2007); and, Appointment of John Stosich to serve on the Civil Service Commission (Term to Expire on January 1, 2005).

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 several license applications, including BEER LICENSES to Albertson's (Anderson Street), Albertson's (17th Street), Albertson's (Broadway), Boozer Quick Stop, Buck's, Chic's Lounge, Fastway Car Wash, Fred Meyer Store, Frosty Gator, Holiday Oil, KC's Food Mart, La Hidalquense, O'Callahan's Restaurant, Outback Steakhouse, Seventeenth Gas and Wash, Shooters Night Club, T.L.C. Pizza/Godfather's, and Winco Foods; BARTENDER PERMITS to Amie A. Anderson, Tonia J. Burgess-Kinghorn, Matt

F. Evancic, William C. Goodwin, Sharron Lewis, Steven C. Montague, Jill Muir, Jack W. Newhard, Karlyne B. Newhard, Rhianna D. Olzak, Mark E. Smoot, Robin K. Sutton, and

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Pamela R. Wilcox, 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 November 14, 2002.

The Public Works Director submitted the following memo:

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – BUTTE ARM CANAL BRIDGE AND GUSTAFSON LATERAL SYPHON, SUNNYSIDE ROAD

Public Works requests authorization to advertise to receive bids for the Butte Arm Canal Bridge and the Gustafson Lateral Syphon Projects. These irrigation structure projects are located at the Sunnyside Road Project.

s/ Chad Stanger

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 Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated October 1, 2002 through October 31, 2002, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$ 618,870.76
Street Fund	92,396.98
Recreation Fund	12,954.70
Library Fund	19,650.19
Municipal Equipment Replacement Fund	53,935.00
Electric Light Public Purpose Fund	39,078.03

Business Improvement District	11,900.00
Bridge and Arterial Street Fund	265,801.06

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FUND	TOTAL EXPENDITURE
Water Capital Improvement Fund	24,727.92
Airport Fund	436,734.77
Water and Sewer Fund	1,110,600.31
Sanitation Fund	15,388.77
Ambulance Fund	9,127.71
Electric Light Fund	2,989,078.40
Payroll Liability Fund	1,776,869.65
Airport Fund Certificates of Participation	206,337.00
TOTALS	\$7,683,451.25

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to ratify the payment of the expenditures for the month of October, 2002. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Barnes to conduct Annexation Proceedings for Fairway Estates Addition, Division No. 10. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 1, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, FINAL PLAT AND INITIAL ZONING, FAIRWAY ESTATES ADDITION, DIVISION NO. 10

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for Fairway Estates Subdivision, Division No. 10. The Plat contains ten residential lots west of Gleneagles Drive and north of LaCosta Drive. The requested initial zone is R-1 (Single Family Residential). The Planning Commission considered this Plat at its August 6, 2002 Meeting and recommended approval of the annexation, final plat, and initial zone of R-1. The Department concurs with this recommendation. This annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

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Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Aerial Photo with Final Plat superimposed
Exhibit 1	Final Plat
Exhibit 2	Planning Commission Minutes dated August 6, 2002
Exhibit 3	Staff Report dated August 6, 2002

The Planning and Building Director stated that this Final Plat has been reviewed by staff and is in compliance with the Subdivision Ordinance, and the R-1 Zone is in compliance with the Comprehensive Plan.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to answer any questions from the Mayor and City Council.

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 Barnes, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Fairway Estates Addition, Division No. 10 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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2465

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

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Councilmember Eldredge
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for Fairway Estates Addition, Division No. 10 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 Shurtleff
Councilmember Hardcastle
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 Fairway Estates Addition, Division No. 10 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:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Barnes to conduct Annexation Proceedings for Fairway Estates Addition, Division No. 11. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 1, 2002

MEMORANDUM

TO: Mayor and City Council

FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, FINAL PLAT AND INITIAL ZONING FOR FAIRWAY
ESTATES ADDITION, DIVISION NO. 11

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Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for Fairway Estates Subdivision, Division No. 11. The Plat contains nineteen residential lots west of Gleneagles Drive and north of Bayhill Drive. The requested initial zone is R-1 (Single Family Residential). The Planning Commission considered this Plat at its August 6, 2002 Meeting and recommended approval of the annexation, final plat, and initial zone of R-1. The Department concurs with this recommendation. This annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Preliminary Plat approved March 12, 2000
Slide 4	Final Plat
Slide 5	Aerial Photo with Final Plat superimposed
Exhibit 1	Final Plat
Exhibit 2	Planning Commission Minutes dated August 6, 2002
Exhibit 3	Staff Report dated August 6, 2002

The Planning and Building Director stated that Staff has reviewed this Final Plat and found it to be in compliance with the Subdivision Ordinance and the R-1 Zone is in compliance with the Comprehensive Plan.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that Fairway Estates Addition, Division No. 9 was the first twin homes in this area. At the time, twin homes were controversial. People who were initially against the twin homes have since complimented the Developer. The twin homes have been built on large lots in Fairway Estates Addition.

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 Barnes, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Fairway Estates Addition, Division No. 11 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

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ORDINANCE NO. 2466

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 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 Fairway Estates Addition, Division No. 11 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 Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

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 Fairway Estates Addition, Division No. 11 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:

Aye: Councilmember Eldredge

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Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Barnes to conduct a public hearing for consideration of a Conditional Use Permit to allow single-family attached homes in an R-1 Zone on property located generally south of 65th North, west of Gleneagles Drive, to the north and south of Tapitio Drive, legally described as Fairway Estates Addition, Division No. 11. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 1, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: CONDITIONAL USE PERMIT FOR ATTACHED SINGLE-FAMILY DWELLINGS – FAIRWAY ESTATES ADDITION, DIVISION NO. 11

Attached is the site plan for the Conditional Use Permit for eighteen single-family attached homes in Fairway Estates Subdivision, Division No. 11. Staff has reviewed this site plan and preliminary elevations and found the site plan meets the requirements of Section 7-3-10 of the Zoning Ordinance. The Planning Commission considered this Conditional Use Permit at its August 6, 2002 Meeting and recommended approval as presented. The Department concurs with this recommendation. This Conditional Use Permit is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Site Plan under consideration
Slide 2	Front Building Elevations
Exhibit 1	Final Plat
Exhibit 2	Planning Commission Minutes dated August 6, 2002
Exhibit 3	Staff Report dated August 6, 2002

The Planning and Building Director explained, further, that Staff found this Conditional Use Permit to be in compliance with the Zoning Ordinance, which means that setbacks are met, each unit has its own pedestrian and vehicular access to the street. There will be separate

utilities to each single-family attached unit. The density is less than seven units per net acre.

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Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to commend the Mayor and City Council for having the courage to approve the twin home concept.

Councilmember Groberg questioned where the pathway would be constructed. Mr. Kofoed explained that the pathway and storm pond would be completed with the next subdivision.

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

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Conditional Use Permit for eighteen (18) attached single-family homes in Fairway Estates Addition, Division No. 11. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Hardcastle to conduct a public hearing for consideration of an Ordinance approving the Second Amended and Restated Urban Renewal Plan for the Lindsay Boulevard Urban Renewal Plan, now referred to as the Idaho Falls Snake River Urban Renewal Plan of the Idaho Falls Redevelopment Agency. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
October 21, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: SECOND AMENDED AND RESTATED LINDSAY BOULEVARD
 URBAN RENEWAL PLAN

Attached is the Ordinance adopting the Second Amended and Restated Lindsay Boulevard Urban Renewal Plan. This second amended and restated plan, which revises the 1992 plan, does not extend the term of the 1992 Lindsay Plan nor the area covered under the plan. It does extend the use of tax increment financing through the end of the existing term and allows for additional Agency activities not previously identified in the 1992 plan, primarily in the area south of Broadway. This expansion of activities has been proposed in response to continuing private investment south of Broadway.

The Idaho Falls Planning Commission reviewed this restated and amended plan at its October 1, 2002 Meeting and found it to be in compliance with the City's

Comprehensive Plan. The Idaho Falls Redevelopment Agency respectfully requests adoption of the Ordinance by the Mayor and City Council.

s/ Renée R. Magee

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Councilmember Barnes stated that he is the Chairman of the Idaho Falls Redevelopment Agency and would withdraw from any discussion and abstain from any decision on this issue.

Councilmember Hardcastle stated that the public hearing for this Ordinance was conducted at the October 24, 2002 Regular Council Meeting. She requested if there was anyone present who wished to speak concerning this Ordinance.

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

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

ORDINANCE NO. 2467

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, APPROVING THE SECOND AMENDED AND RESTATED LINDSAY BOULEVARD URBAN RENEWAL PLAN (NOW REFERRED TO AS THE IDAHO FALLS SNAKE RIVER URBAN RENEWAL PROJECT PLAN), WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

Nay: None

Abstain: Councilmember Barnes

Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls
November 7, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CONSENT TO ASSIGNMENT OF AIRPORT LEASE AGREEMENT

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Attached for City Council approval is the Consent to Assignment of the Hangar Lease Agreement between Ronald and Sandra Frazell and Centennial, LLC.

The City Attorney has reviewed these documents. The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ Mike Humberd

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Consent to Assignment of Hangar Lease Agreement between Ronald and Sandra Frazell and Centennial, LLC and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CONSENT TO ASSIGNMENT OF AIRPORT LEASE AGREEMENT

Attached for City Council approval is the Consent to Assignment of the Industrial Park Agreement between Ronald and Sandra Frazell and David Kingston Properties.

The City Attorney has reviewed these documents.

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

s/ Mike Humberd

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Consent to Assignment of Hangar Lease Agreement between Ronald and Sandra Frazell and David Kingston Properties and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge

Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff

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Councilmember Hardcastle

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: GEM STATE DAM SAFETY INSPECTION

Attached is the evaluation of proposals for the Gem State Project FERC Part 12 Dam Safety Inspection Report.

Idaho Falls Power respectfully recommends award of the bid to CH2M Hill, in the amount of \$25,600.00.

s/ Mark Gendron

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to accept the bid from CH2M Hill to complete the Gem State Project FERC Part 12 Dam Safety Inspection Report and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: FIBER LEASE AGREEMENT WITH FRETTEL COMMUNICATIONS

Attached for your consideration is an Agreement between the City and FreTel Communications for dark fiber services. The City Attorney has reviewed this Agreement.

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

s/ Mark Gendron

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Dark Multimode Fiber License Agreement with FreTel Communications, Inc. 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

Nay: None

Motion Carried.

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: AMENDMENT TO RISK MANAGEMENT POLICY

Attached for your consideration is Amendment No. 1 to the Risk Management Policy. The Amendment primarily addresses reporting requirements.

Idaho Falls Power requests City Council approval of this policy.

s/ Mark Gendron

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve Amendment No. 1 to the Risk Management Policy 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 Groberg

Nay: None

Motion Carried.

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City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: BROADBAND LEGAL SERVICES

Attached for your consideration is an Agreement with Varnum, Riddering, Schmidt, and Howlett for broadband legal services. The City Attorney has reviewed the Agreement.

Idaho Falls Power recommends approval of this Agreement and authorization for the Mayor to sign the documents.

s/ Mark Gendron

Councilmember Groberg requested to know what services would be provided with this Agreement. Councilmember Shurtleff explained that these services would be used, if required, above and beyond what could be handled in-house. This provider specializes in broadband services. The City Attorney stated that this firm is nationally known and have had a fair amount of experience in establishing the setting up of broadband fiber utilities. They also have a broad range of experience in Cable TV Franchising and all types of regulatory matters involving the Federal Communications Commission.

There being no further discussion either in favor of or in opposition to this request, it was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Agreement with Varnum, Riddering, Schmidt, and Howlett for broadband legal services and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: AWARD OF FIBER NETWORK CONSTRUCTION
BID NO. IF 0-00-00-0-ELE-2002-28

Attached is the bid tabulation for the Fiber Optic Installation – Phase I.

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Idaho Falls Power recommends award to the low bidder, DEA Construction Company for the amount of \$443,625.80.

s/ Mark Gendron

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to accept the bid from DEA Construction Company to complete the Fiber Optic Installation – Phase I Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-03-01, ROAD SANDING MATERIALS

Attached for your consideration is the tabulation for Bid IF-03-01, Road Sanding Materials.

It is the recommendation of Municipal Services to accept the low bid of Rhodehouse Construction to furnish the required sanding material for the amount of \$9.85 per cubic yard.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid of Rhodehouse Construction to furnish the required road sanding materials. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls
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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-03-02, ROAD SALT

Attached for your consideration is the tabulation for Bid IF-03-02, Road Salt.

It is the recommendation of Municipal Services to accept the low bid of Doug Andrus Distributing, Inc. to furnish the required road salt for an amount of \$28.45 per ton.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid from Doug Andrus Distributing, Inc. to furnish the required road salt. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 8, 2002

MEMORANDUM

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

Attached for your consideration is the tabulation for Bid IF-03-03, Electrical Conductor.

It is the recommendation of Municipal Services to accept the low evaluated bid for each item as listed below.

Item/Quantity	Description	Bidder	Manufacturing	Item Total
1) 40,000 feet	Cable: #1/0, AWG Primary, 15KV	General Pacific	Pirelli	\$ 44,764.00
2) 21,000 feet	Cable: #1/0, AWG Primary, Triplex 15KV	The Okonite Company	Okonite	\$ 71,757.00
3) 5,000 feet	Conductor: #350-350- 4/0	Montana Electric	General Cable	\$ 7,000.00

TOTAL PURCHASE AMOUNT		\$123,521.00
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s/ S. Craig Lords

NOVEMBER 14, 2002

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low evaluated bid for each section as presented. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-03-04, WESTERN RED CEDAR POWER POLES

Attached for your consideration is the tabulation for Bid IF-03-04, Western Red Cedar Power Poles.

It is the recommendation of Municipal Services to accept the low evaluated bid meeting specifications of J. H. Baxter and Company. The total lump sum bid amount is \$26,691.00.

s/ S. Craig Lords

Councilmember Barnes requested to know why the low bid was not accepted. Councilmember Eldredge stated that the low bidder did not meet specifications for this item. The Idaho Falls Power Director appeared to state that the low bidder bid a full-treated pole instead of a butt-treated pole, which was specified.

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to reject the apparent low bid from R. H. Whelan Company to supply the required Western Red Cedar Power Poles, and award the bid to the low evaluated bid meeting specifications of J. H. Baxter and Company to furnish the required Western Red Cedar Power Poles. Roll call as follows:

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

Nay: None

Motion Carried.

NOVEMBER 14, 2002

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID FOR DEMOLITION OF STRUCTURE AT 345 "E" STREET

Attached for your consideration is the tabulation of bids for the Demolition of the Structure at 345 "E" Street.

Municipal Services recommends accepting the bid of H-K Contractors in the amount of \$15,669.00.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid from H-K Contractors, Inc. to complete the Demolition of the Structure at 345 "E" Street 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 Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
November 13, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: HVAC SYSTEM FOR ACTIVITY CENTER

Municipal Services recommends awarding the bid for the HVAC System at the Parks and Recreation Activity Center to Lewis Corporation in the amount of \$87,400.00.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid from Lewis Corporation to complete the HVAC System at the Parks and

Recreation Activity Center and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

NOVEMBER 14, 2002

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

Nay: None

Motion Carried.

City of Idaho Falls
November 12, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ELECTRIC FUND GENERAL LIABILITY COVERAGE

It is respectfully requested that Mayor and Council ratify the short-term liability coverage for the Idaho Falls Electric Light Fund. The premium for five months beginning November 5, 2002 is \$47,000.00 with Liberty Mutual Insurance. Fred A. Moreton and Company is the Broker.

s/ S. Craig Lords

Councilmember Eldredge stated that it was originally thought that this liability insurance was covered under the existing policy. It was excluded, therefore, it became necessary to obtain the coverage as listed. The City Attorney stated that the City is exploring the possibility of pursuing legal action at this point. The coverage that was originally requested included the request for this coverage. At the time the premium was paid, there was the understanding that this short-term liability coverage was included. When the policy was issued, there was a specific exclusion, which is contrary to what was expected.

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to ratify the short-term liability coverage for the Idaho Falls Electric Light Fund. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

NOVEMBER 14, 2002

City of Idaho Falls
November 8, 2002

MEMORANDUM

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

Attached is the Management Agreement with the Idaho Falls Downtown Development Corporation to provide management services within the Idaho Falls Business Improvement District for this fiscal year. This Agreement mirrors previous Agreements and has been reviewed by the City Attorney. This Division respectfully requests approval of this Agreement.

s/ Renée R. Magee

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Management Agreement with the Idaho Falls Downtown Development Corporation to provide management services within the Idaho Falls Business Improvement District for this fiscal year 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

Nay: None

Motion Carried.

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE CHANGING THE NAME OF SPENCER AVENUE TO
RB WAY

Attached is an Ordinance changing the name of Spencer Avenue to RB Way. There is a Spencer Lane in Ammon, and Bonneville County Road and Bridge Department requested the name of RB Way. This Division respectfully requests passage of this Ordinance.

s/ Renée R. Magee

Mayor Milam brought this change to the attention of Police Chief Livsey so that he could reiterate with Dispatch that RB Way does not mean reporting to a restaurant. Police Chief

NOVEMBER 14, 2002

Livsey expressed his concern over this street name change. As the City of Idaho Falls has lettered streets, this could be confusing in a real emergency. The Planning and Building Director appeared to explain that before streets are named, they are submitted to Janet Cheney with Bonneville County G. I. S. She, in turn, submits them through the Dispatch Center. This same procedure was taken with this street name change.

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

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE NAME OF SPENCER AVENUE, A STREET LOCATED WITHIN THE CITY OF IDAHO FALLS, TO RB WAY; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Following a brief discussion regarding the concern about this name change, it was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to table this Ordinance changing the name of Spencer Avenue to RB Way to the November 26, 2002 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: EXTENSION OF RECORDING DATES FOR WESTRIDGE COMMERCIAL PLAZA, DIVISION NO. 1

Attached is a request from Mountain River Engineering on behalf of the Developer to extend the recording date for Westridge Commercial Plaza. This Division respectfully requests an extension to May 15, 2003 to record this Final Plat.

s/ Renée R. Magee

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the extension of recording date for the Westridge Commercial Plaza, Division No. 1 Final Plat to May 15, 2003. Roll call as follows:

NOVEMBER 14, 2002

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

Nay: None

Motion Carried.

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: EXTENSION OF RECORDING DATES FOR NAUVOO VILLAGE,
DIVISION NO. 1

Attached is a request from Mountain River Engineering on behalf of the Developer to extend the recording date for Nauvoo Village, Division No. 1. This Division respectfully requests an extension to May 15, 2003, to record this Final Plat.

s/ Renée R. Magee

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the extension of recording for Nauvoo Village, Division No. 1 Final Plat to May 15, 2003. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director

SUBJECT: BID AWARD – DRILLING AND TESTING OF PRODUCTION WELL
NO. 15B

NOVEMBER 14, 2002

On October 16, 2002, bids were received and opened for Drilling and Testing of Production Well No. 15B. A tabulation of the bid results is attached.

Public Works recommends award of this bid to the low bidder, Stan Lloyd Drilling Company in the amount of \$99,970.00; 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 accept the low bid from Stan Lloyd Drilling Company to complete the Drilling and Testing of Production Well No. 15B and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – H-S ADDITION

As previously authorized, the City Attorney has prepared an Ordinance vacating a utility easement located in the H-S Addition.

Public Works recommends adoption 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 only:

ORDINANCE NO. 2468

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.

NOVEMBER 14, 2002

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 Hardcastle
 Councilmember Shurtleff
 Councilmember Eldredge
 Councilmember Groberg
 Councilmember Barnes

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Groberg, that the meeting adjourn at 8:35 p.m.

CITY CLERK

MAYOR
