

MAY 9, 2002

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 9, 2002, 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 Brad Eldredge
Councilmember Mike Lehto
Councilmember Joe Groberg
Councilmember Bruce Rose

Also present:

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

Mayor Milam and Councilmembers honored Roland (R. C.) Clark on his retirement from the Fire Division, by presenting him with a watch.

The City Clerk read a summary of the minutes for the April 25, 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 Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

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 BARTENDER PERMITS to Debbie R. Bingham, Robert J. Birch, Sandy L. Heckenbach, Jacob L. Lott, Kali Mann, Veronica L. McLendon, Christine Ott, David Otvos, Kathy Raymond, and John R. Yorgensen, 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 9, 2002.

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:

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated April 1, 2002 through April 30, 2002, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$620,644.25
Street Fund	8,591.36
Recreation Fund	21,321.73
Library Fund	44,877.30
Municipal Equipment Replacement Fund	149,879.22
Electric Light Public Purpose Fund	38,198.67
Sanitary Sewer Capital Improvement Fund	4,026.00
Street Capital Improvement Fund	13,369.45
Water Capital Improvement Fun	30,164.28
Airport Fund	241,544.83
Water and Sewer Fund	646,047.32
Sanitation Fund	1,080.09
Ambulance Fund	4,899.87
Electric Light Fund	3,630,140.21
Payroll Liability Fund	1,715,834.43
Airport Fund Certificates of Participation	556,109.94
TOTALS	\$7,726,728.95

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

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

Nay: None

Motion Carried.

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Mayor Milam requested Councilmember Eldredge to conduct a public hearing, as legally advertised, to consider the adoption of the Amended 2001-2002 Fiscal Year Budget. At the request of Councilmember Eldredge, the City Clerk read the following memo from the Municipal Services Director:

City of Idaho Falls
May 1, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ADOPTION OF THE AMENDED 2001-2002 FISCAL YEAR BUDGET

Attached for your consideration is a copy of the proposed Amended 2001-2002 Fiscal Year Budget that was tentatively approved on April 25, 2002 by the Mayor and City Council and has been advertised as required by Idaho Code.

Municipal Services respectfully requests the adoption of the Amended 2001-2002 Fiscal Year Budget in the amount of \$126,764,964 and the attached Appropriation Ordinance, appropriating the monies to and among the various funds.

s/ S. Craig Lords

**NOTICE OF PUBLIC HEARING
AMENDED BUDGET FOR 2001-2002 FISCAL YEAR
CITY OF IDAHO FALLS, IDAHO**

NOTICE IS HEREBY GIVEN that the City Council of the City of Idaho Falls, Idaho will hold a public hearing for consideration of an amended budget for the fiscal period October 1, 2001 – September 30, 2002 (the “Fiscal Period”) and an amended fiscal appropriation ordinance for such period pursuant to the provisions of Sections 50-1002 and 50-1003 Idaho Code. This hearing will be held at the City Council Chambers located on the second floor of the Idaho Falls Power Building, 140 South Capital Avenue, Idaho Falls, Idaho at 7:30 p.m. on Thursday, May 9, 2002. At this hearing all interested persons may appear and show cause why this amended budget should not be adopted or why the fiscal appropriation ordinance as amended should not be approved in accordance therewith.

PROPOSED EXPENDITURES

The following is an estimate, as set forth in said amended budget, of the increase in the expenditures of the City of Idaho Falls, Idaho for the Fiscal Period. All other expenditures shall remain without change as set forth in the original appropriation ordinance adopted on August 23, 2001. These amounts are set forth by fund as follows:

Fund Name	FY 2000 Actual Expenditures	FY 2001 Actual Expenditures	FY 2002 Original Gross Expenditures	FY 2002 Proposed Gross Expenditures	FY 2002 Net Increase in Expenditures
Airport Fund	\$ 3,327,508	\$ 7,906,118	\$ 2,192,264	\$ 5,192,264	\$3,000,000
Electric Light Fund	39,155,592	48,216,828	54,946,386	60,946,386	6,000,000

All Other Funds	42,715,737	49,369,830	60,626,314	60,626,314	
TOTAL PROPOSED EXPENDITURES	\$85,198,837	\$105,492,776	\$117,764,964	\$126,764,964	\$9,000,000

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ESTIMATED REVENUE

The estimated increase in revenue of the City of Idaho Falls for the Fiscal Period is set forth below. All other revenue shall remain without change as set forth in the original appropriation ordinance.

<u>Fund Name</u>	<u>FY 2000 Actual Revenues</u>	<u>FY 2001 Actual Revenues</u>	<u>FY 2002 Original Proposed Revenues</u>	<u>FY 2002 Proposed Amended Revenues</u>	<u>FY 2002 Net Increase in Revenues and Fund Balance</u>
Airport Fund	\$ 2,507,338	\$ 4,091,128	\$ 3,572,435	\$ 3,572,435	
Electric Light Fund	36,692,249	41,757,479	50,062,446	50,062,446	
All Other Funds	50,447,942	50,879,211	50,686,868	50,686,868	
TOTAL REVENUES	\$89,647,529	\$96,727,818	\$117,764,964	\$126,764,964	
Fund Balance Carryover			\$ 13,443,215	\$ 22,443,215	\$9,000,000
Total Revenues and Fund Balance Carryover	\$89,647,529	\$96,727,818	\$117,764,964	\$126,764,964	\$9,000,000

I, Rosemarie Anderson, City Clerk of the City of Idaho Falls, Idaho certify that the above is a true and correct statement of the proposed expenditures by fund and the entire estimated revenues of the City of Idaho Falls, Idaho for the Fiscal Year 2001-2002, which budget has been tentatively approved by the City Council on April 25, 2002 and entered at length in the Journal of Proceedings.

Dated this 26th day of April, 2002.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

Published: April 28th and May 5th, 2002.

There being no comment either in favor of or in opposition to this Amended 2001-2002 Fiscal Year Budget, Mayor Milam closed the public hearing.

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

ORDINANCE NO. 2446

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING ORDINANCE NO. 2425, BEING THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2001 AND ENDING SEPTEMBER 30, 2002 APPROPRIATING ADDITIONAL MONIES RECEIVED BY THE CITY IN THE FORM OF PREVIOUSLY UNAPPROPRIATED FUND BALANCE; PROVIDING FOR EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Eldredge moved, and Councilmember Groberg seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be

dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a request for an Amendment to the Comprehensive Plan from low density residential and commercial to higher density residential on property located generally north of West Anderson Street, east of A. H. Bush Elementary School, south of Science Center Drive, and west of North Boulevard, legally described as a portion of the Southwest Quarter of Section 7 and the Northwest Quarter of Section 18, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Mayor and Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: COMPREHENSIVE PLAN AMENDMENT – METES AND BOUNDS

Attached is the request to amend the Comprehensive Plan from low density residential and commercial to higher density residential on property located north and adjacent to Anderson Street, west of North Boulevard, east of Bush Elementary School, and south of Science Center Drive. The Planning Commission considered this amendment at its April 2, 2002 Meeting and recommended approval since the policies within the Comprehensive Plan support higher density housing near arterial corners and recommend its location close to commercial areas and adjacent to arterial streets and collectors. The Planning Department concurs in this recommendation. The petition for an amendment is now being submitted to the Mayor and City Council.

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 the Comprehensive Plan Amendment request:

Slide 1 Aerial Photo indicating parcel under consideration
Slide 2 Future Land Use Plan Map from the Comprehensive Plan

- Slide 3 Policies supporting why this amendment complies with the Comprehensive Plan
- Slide 4 Site Photo showing western half of site
- Slide 5 Site Photo showing east portion of site with single-family homes

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Slide 6	Site Photo looking at western portion of site at school and home
Slide 7	Site Photo looking north at site
Exhibit 1	Planning Commission Minutes dated April 2, 2002
Exhibit 2	Staff Report dated April 2, 2002

The Planning and Building Director stated that this amendment is consistent with the Comprehensive Plan. The Planning Commission recommended that this parcel be considered under the Comprehensive Plan as high density residential since it is a buffer between the commercial along Science Center Drive and single-family homes along the south. It is also located south of and close to an arterial street, which is Science Center Drive. It is north and adjacent to West Anderson Street, which is a collector.

Councilmember Lehto questioned which zones allow for high density residential. The Planning and Building Director stated that R-2 (4-Plexes), R-2A (8-Plexes), R-3 (Apartments up to 35 units per acre), and R-3A (Apartments up to 32 units per acre, plus professional offices) all allow high density residential. Councilmember Lehto then questioned which zones allow for low density residential. The Planning and Building Director stated that RP, RP-A, and R-1 are considered as low density residential (7 units or less per acre).

Randy Webb, 2526 Mesa Street, appeared to state that he is the developer and part-owner for this parcel of land. He stated that Idaho Falls has a need for apartments. This is a good location, being so close to the University. This area will be cleaned up and improved.

Carl Peterson, 3890 Taylorview Lane, Ammon, Idaho, appeared to state that he is part-owner of the land. They would like to see this vacant field developed and turned into something nice. He stated, further, that they are planning on constructing eight (8) 4-Plexes at this location.

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

Councilmember Lehto questioned the Planning and Building Director whether there were any other schools in Idaho Falls that have similar land use of high density residential adjacent to them. The Planning and Building Director and the Mayor listed several schools that have high density residential adjacent to them. The Planning and Building Director stated that it is not unusual to plan schools and parks next to higher density residential. The principal from A. H. Bush Elementary School does not have concerns about this development.

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to amend the Comprehensive Plan north of West Anderson Street, east of A. H. Bush Elementary School, south of Science Center Drive, and west of North Boulevard from low density residential and commercial to higher density residential, and the City Planner be instructed to reflect this amendment on the Comprehensive Plan located in the Planning Office. Roll call as follows:

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

Nay: None

Motion Carried.

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Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a rezoning from R-1 (Single-Family Residential) and HC-1 (Highway Commercial) to R-3A (Apartments and Professional Offices) on property located generally north of West Anderson Street, east of A. H. Bush Elementary School, south of Science Center Drive and west of North Boulevard, legally described as a portion of the Southwest Quarter of Section 7 and the Northwest Quarter of Section 18, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Mayor and Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REZONING REQUEST FROM HC-1 AND R-1 TO R-3A (OFFICES AND APARTMENTS)

Attached is the petition to rezone property north and adjacent to Anderson Street, west of North Boulevard, east of A. H. Bush Elementary School, and south of Science Center Drive from HC-1 (Highway Commercial) and R-1 (Single-Family Residential) to R-3A (Offices and Apartments). The Planning Commission considered this request at its April 2, 2002 Meeting and recommended rezoning to R-3 (Apartments). The Commission was concerned R-3A permits parking for adjacent commercial uses on this property; the R-3 Zone does not but does allow apartments. The Planning Department concurs with this recommendation and requests the property be rezoned R-3 (Apartments). The petition for rezoning is now being submitted to the Mayor and City Council.

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 rezoning request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Exhibit 1	Planning Commission Minutes dated April 2, 2002
Exhibit 2	Staff Report dated April 2, 2002

Randy Webb, 2526 Mesa Street, appeared to state that they were concerned with any traffic impacting A. H. Bush Elementary School. It is believed that most traffic in the area will use Science Center Drive, not West Anderson Street. He stated, further, that they have provided an access for children to use through the fence that will surround the apartments.

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

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to approve the rezone from R-1 (Single-Family Residential) and HC-1 (Highway Commercial)

to R-3 (Apartments) of a portion of land located in the Southwest Quarter of Section 7 and the Northwest Quarter of Section 18, Township 2 North, Range 38, East of the Boise

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Meridian, and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a rezoning from R-3A (Apartments and Professional Offices) to C-1 (Limited Commercial) adjacent and east of Woodruff Avenue and north of 17th Street, and rezoning from C-1 (Limited Commercial) to R-3A (Apartments and Professional Offices) on property east of Woodruff Avenue and south of East 16th Street, legally described as portions of Lot 3, Block 2, First Amended Plat of Fairmont Park Addition, Division No. 1 and Division No. 2. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST FOR REZONING, PORTIONS OF LOT 3, BLOCK 2,
FIRST AMENDED PLAT OF FAIRMONT PARK ADDITION,
DIVISIONS NO. 1 AND NO. 2

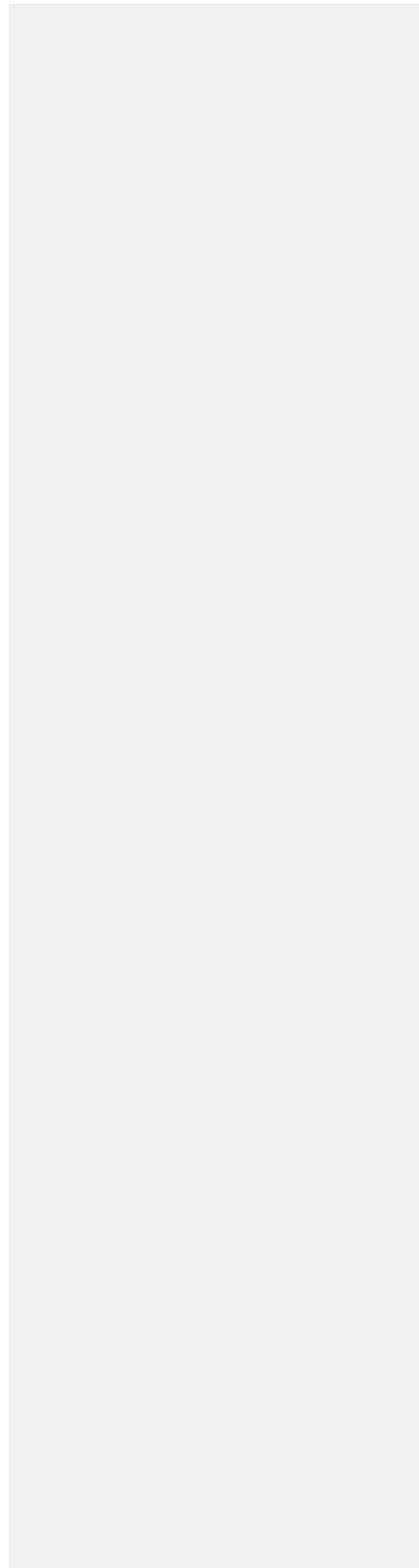
Attached is the application for rezoning a portion of Block 2, First Amended Plat of Fairmont Park Addition, Divisions No. 1 and No. 2, from C-1 (Limited Commercial) to R-3A (Apartments and Professional Offices) adjacent to 16th Street and a portion adjacent to Woodruff Avenue from R-3A to C-1. The Planning Commission considered this rezoning request at its April 9 Meeting, found the request to be in accordance with the Comprehensive Plan, and recommended approval. The Planning Department concurs. This petition is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Groberg stated that he had a conflict of interest on this rezoning request and would not be participating in the discussion or decision on this matter.

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 rezoning request:

Slide 1 Vicinity Map showing surrounding zoning



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Slide 2	Future Land Use Map from the Comprehensive Plan
Slide 3	Aerial Photo showing explanation of proposal
Slide 4	Site Photo showing south portion of site – Intersection of 17 th Street and Woodruff Avenue
Slide 5	Site Photo showing center and north portion of site
Slide 6	Site Photo looking east on 16 th Street
Slide 7	Site Photo showing east of site
Exhibit 1	Planning Commission Minutes dated April 9, 2002
Exhibit 2	Staff Report dated April 9, 2002

Richard Groberg, 1605 South Woodruff Avenue, appeared to state that the intersection of 17th Street and Woodruff Avenue is busy. They are requesting that a 110-foot strip of land adjacent to Woodruff Avenue and north of 17th Street should be zoned commercial as that is the proper use. The area along 16th Street should be changed from commercial to protect the condominium owners in that area. Mr. Groberg stated that this is in harmony with the Comprehensive Plan.

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

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to approve the zone change from R-3A (Apartments and Professional Offices) to C-1 (Limited Commercial) adjacent to Woodruff Avenue and north of 17th Street and approve the zone change from C-1 (Limited Commercial) to R-3A (Apartments and Professional Offices) on property east of Woodruff Avenue and south of East 16th Street, legally described as portions of Lot 3, Block 2, First Amended Plat of Fairmont Park Addition, Division No. 1 and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Rose
Councilmember Shurtleff

Nay: None

Abstain: Councilmember Groberg

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a rezoning from C-1 (Limited Commercial), R-2A (Apartments not to exceed 8-Plexes), and R-3A (Apartments and Professional Offices) to HC-1 (Highway Commercial) on property located generally south of West Broadway, east of Skyline Drive, and north of Laprelle Street, legally described as Lot 1 and the North 96 feet of Lot 2, Block 1, David Smith Addition. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Mayor and Council

FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE PORTIONS OF THE DAVID SMITH
ADDITION FROM C-1, R-2A, AND R-3A TO HC-1

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Attached is the petition to rezone Lot 1 and the north 96 feet of Lot 2, Block 1, David Smith Addition, from C-1 (Limited Commercial), R-2A (Apartments not to exceed eight-plexes) and R-3A (Offices and Apartments) to HC-1 (Highway Commercial). This property is located east and adjacent to Skyline Drive and south of West Broadway. The Planning Commission considered this rezoning at its April 9, 2002 Meeting and recommended approval. The Commission found the rezoning to be in accordance with the Comprehensive Plan. The Planning Department concurs in this recommendation. The petition for rezoning is now being submitted to the Mayor and City Council.

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 rezoning request:

- | | |
|-----------|------------------------------------------------------|
| Slide 1 | Vicinity Map showing surrounding zoning |
| Slide 2 | Aerial Photo showing site |
| Slide 3 | Future Land Use Map from the Comprehensive Plan |
| Slide 4 | Site Photo of southeast corner of site |
| Slide 5 | Site Photo showing condominiums south of site |
| Slide 6 | Site Photo showing north of site along Skyline Drive |
| Exhibit 1 | Planning Commission Minutes dated April 9, 2002 |
| Exhibit 2 | Staff Report dated April 9, 2002 |

Craig Slokam, 250 South 5th, CSHQ Architects/Engineers, Boise, Idaho, appeared to state that he was a representative for the Applicant. He thanked Renée R. Magee, Todd Meyers and Planning Staff, as well as Steve Anderson and Kent Magleby from the Engineering Department, for their work with the Developer over the last fourteen months. This is an overall plan to build a shopping center that is inclusive of the property up to and including the old Ernst Store on Broadway. The Developer has agreed to construct a six-foot masonry fence to protect the residential area from the commercial property. A Traffic Impact Study has been completed and the City Engineer is in concurrence with the recommendations of that study. The Developer is following the recommendations of the Traffic Impact Study, which includes dedication of right-of-way on Skyline Drive and the building out and dedication of enough land for a right-turn lane on Broadway as well.

Councilmember Rose requested those who wished to speak in favor of this rezoning request to come forward at this time. No one appeared.

Councilmember Rose requested those who wished to speak in opposition to this rezoning request to come forward at this time.

Lorraine Cooper, 303 South Skyline Drive, appeared to state that she lives in a townhouse. Presently, she looks out from her dining room and kitchen windows at lawn and trees. There are 24 condominiums/townhouses at this location. The driveway for these townhouses will be next to the 6-foot wall. She expressed her concern over a sight distance problem that would exist if that wall is built. Mrs. Cooper stated that the west side of Skyline Drive, directly across the street from the proposed development, has a setback that no commercial business can go in at this location. Not long ago, a gentleman asked for a rezoning to commercial of that property and the City Council turned him down. A Councilmember, at that time, agreed that there was a bottleneck of traffic coming from the existing Albertson's store and from the service station on the corner of Skyline Drive and Broadway. A similar setback should be required on the east side of Skyline Drive.

Mayor Milam stated that there are site distance rules in terms of fencing, when they abut an exit. She stated that a wall would step down in height adjacent to Skyline Drive and to the exit from the townhouses.

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

The Planning and Building Director re-appeared to state that the applicant has donated the southern 15 feet of their property to the condominiums in order to increase the driveway and the parking area to the north of the garages. The masonry fence would be on the new property line. The apartments, from the zone that they are in, have to set back at least 20 feet from the property line adjacent to Skyline Drive. There are clear site requirements. The wall could extend to within 15 feet of that front property line adjacent to Skyline Drive. That 15-foot would allow a driver to be able to see both north and south for any traffic before pulling onto Skyline Drive. The Planning and Building Director explained, further, that the last request before the City Council was a request by a pharmacy to rezone the R-3A portions, which are immediately adjacent to Skyline Drive on the west. The pharmacy requested a zone change to C-1 (which is what the Fiesta Ole is zoned), due to the large amount of retail sales conducted at the store. The Council decided that since a pharmacy was permitted in an R-3A zone, a zone change was not necessary.

Councilmember Lehto requested the Planning and Building Director to review for City Council what the conditions and requirements of the HC-1 Zone are. The Planning and Building Director explained that this proposal is to redevelop the entire area of 75,000 square feet, from Skyline Drive to Saturn Avenue on the south side of Broadway. This required a Traffic Impact Study, the results of which were to require two dedicated right-hand turn lanes into this new commercial development. There would be one dedicated right-hand turn off of Skyline Drive and one dedicated right-hand turn off of Broadway. It is also recommended that the street be re-stripped so that there is one through lane to the south on Skyline Drive, there is a center turn lane on Skyline Drive, one through lane in the center area north of Carmel, going north, and two right-hand turn lanes into the shopping center. The Planning and Building Director explained, further, that the landscape and buffer requirements in an HC-1 Zone are determined by the parking area. Any parking area that is over 24 parking spaces requires 10% of the area has to be landscaped. There is a provision that a fair amount of that landscape requirement can go along the perimeter, which is what this Developer has proposed. Interior landscaping is also proposed. The setbacks in the HC-1 Zone are 30 feet from a public street.

Councilmember Groberg questioned the Planning and Building as to why the Developer requested an HC-1 Zone as opposed to a C-1 Zone. The Planning and Building Director stated that the Developer chose the HC-1 Zone on the basis of the surrounding zoning, which is HC-1 to the north and to the east.

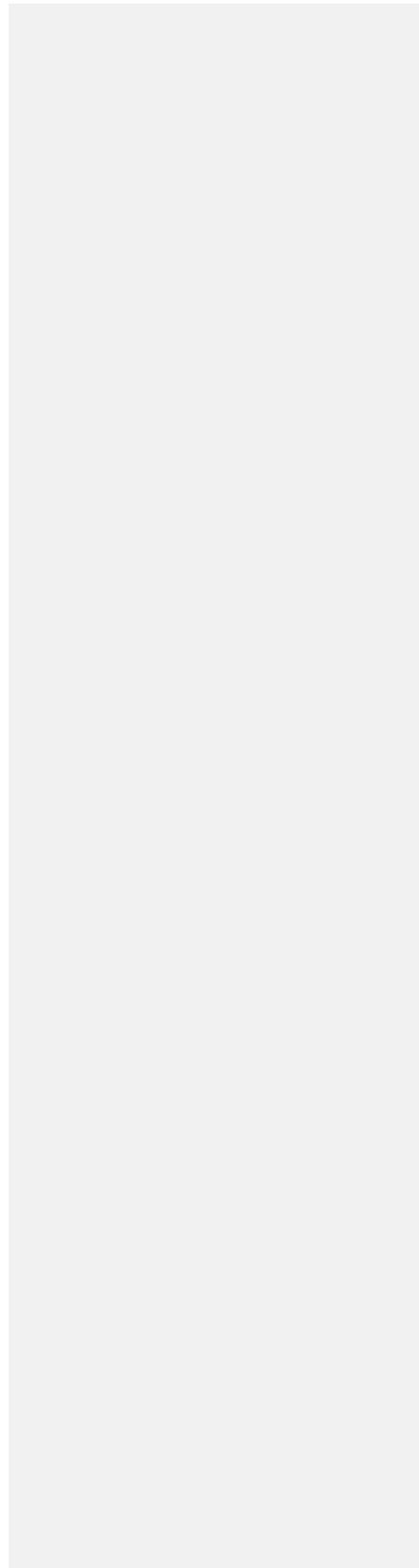
There being no further discussion, it was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to approve the zone change from C-1, R-2A, and R-3A to HC-1 on Lot 1 and the North 96 Feet of Lot 2, Block 1, David Smith Addition and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

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

Nay: None

Motion Carried.

The Airport Director submitted the following memos:



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City of Idaho Falls
May 6, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CHANGE ORDER NO. 3 TO THE TERMINAL RENOVATION
PROJECT

Attached for City Council approval is Change Order No. 3 for \$51,749.00. The Change Order is a consolidation of 33 credits and charges. There is money in the budget for these changes.

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 Change Order No. 3 to Ormond Builders, Inc. for the Airport Terminal Renovation Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CONSENT TO ASSIGNMENT - V-1 OIL/R & V HANGAR
PARTNERS

Attached for City Council approval is the Consent to the Assignment of the Hangar Lease Agreement between V-1 Oil Company and R & V Hangar Partners. All other stipulations of the Lease Agreement remain in effect.

The City Attorney has reviewed this contract.

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The Airport Division recommends approval for the Consent to Assignment and requests the Mayor be authorized to execute the document.

s/ Mike Humberd

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Consent to Assignment of Hangar Lease Agreement between V-1 Oil Company and R & V Hangar Partners 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 Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CONSENT TO ASSIGNMENT - ELLIOTT INDUSTRIAL/SCOTT
MACHINERY LEASE

Attached for City Council approval is the Consent to the Assignment of the Industrial Lease between Elliott Industrial Company and Scott Machinery Company. All other stipulations of the Lease Agreement remain in effect.

The City Attorney has reviewed this contract.

The Airport Division recommends approval for the Consent to Assignment and requests the Mayor be authorized to execute the document.

s/ Mike Humberd

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Consent to Assignment of the Industrial Lease between Elliott Industrial Company and Scott Machinery Company and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Rose
Councilmember Eldredge
Councilmember Lehto

Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

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Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
May 6, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: SLICE CUSTOMERS COMMON INTEREST AGREEMENT

Attached for your consideration is a Slice Customers Common Interest Agreement. The Agreement has been reviewed by the City Attorney.

Idaho Falls Power respectfully requests Council approval of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the Slice Customers Common Interest Agreement and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-02-15, MONOTUBE STEEL STREET LIGHT POLES

Attached for your consideration is the tabulation for Bid IF-02-15, Monotube Steel Street Light Poles.

MAY 9, 2002

It is the recommendation of Municipal Services to accept the first low bid received of Northern Power Equipment. They will furnish a quantity of One Hundred - 30' poles for an amount of \$583.00 each.

s/ S. Craig Lords

The Municipal Services Director appeared to clarify how bids were awarded. He stated that if bids were identical, bids would be awarded first to a vendor located in the City of Idaho Falls, secondly, it would be awarded if they were a vendor in the State of Idaho. If the vendor were from out-of-state, the bid would be awarded to the first bid received in the office. It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the first received low bid from Northern Power Equipment to furnish the required Monotube Steel Street Light Poles. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-02-16, AIRPORT FURNITURE

Attached for your consideration is the tabulation for Bid IF-02-16, Airport Furniture - Tandem Seating, Lounge Seating, and Coffee Tables.

It is the recommendation of Municipal Services to accept the low bid of Intermountain Design, Inc. to furnish the required furniture for a lump sum total amount of \$46,100.00.

The Federal Aviation Administration will fund a percentage of this purchase.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid of Intermountain Design, Inc. to furnish the required Airport Furniture. Roll call as follows:

Aye: Councilmember Hardcastle

Councilmember Shurtleff
Councilmember Eldredge
Councilmember Lehto

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Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-02-17, COMPLETE MULTI-USER FLIGHT INFORMATION
DISPLAY SYSTEM

Attached for your consideration is the tabulation for Bid IF-02-17, Complete Multi-User Flight Information Display System for the Idaho Falls Airport.

It is the recommendation of Municipal Services to accept the low bid of Infax, Inc. to furnish the required system for a total amount of \$29,000.00.

The Federal Aviation Administration will fund a percentage of this purchase.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid of Infax, Inc. to furnish the complete Multi-User Flight Information Display System as requested. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2002

MEMORANDUM

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

SUBJECT: BID IF-02-18, TWO (2) NEW 2002 TRIPLEX RIDING GREENS
MOWERS

MAY 9, 2002

There were no bids received for the above subject bid, therefore, Municipal Services respectfully requests authorization to purchase the required item on the open market.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to give authorization to the Municipal Services Division to purchase Two (2) New 2002 Triplex Riding Greens Mowers on the open market. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BID - CIVIC AUDITORIUM
ASBESTOS ABATEMENT

Attached for your consideration is the tabulation of bids for the Asbestos Abatement at the Civic Auditorium.

Municipal Services recommends awarding the bid to the low bidder of Idaho Abatement and Insulation in the amount of \$6,969.00.

It is respectfully requested that Council approve and authorize the Mayor to execute said bid.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid from Idaho Abatement and Insulation to complete the Asbestos Abatement at the Civic Auditorium and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Rose
Councilmember Eldredge
Councilmember Lehto

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Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

MAY 9, 2002

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
May 7, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: GRID KID FOOTBALL ASSOCIATION LEASE

Attached for your consideration is a proposed Lease Agreement between the Idaho Falls Grid Kid Football Association and the City of Idaho Falls. The purpose of the Lease is to provide rental space in the old log horse barn located at Tautphaus Park for the storage of Grid Kid Football equipment. The proposed term of the Lease is five years. The City Attorney has prepared and reviewed the Agreement. It is, therefore, submitted for your approval.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Lease Agreement with Idaho Falls Grid Kid Football Association and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 7, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: REINHART POOL LEASE

Attached for your consideration is a proposed Lease Agreement between the City of Idaho Falls and the Young Men's Christian Association, Inc. (YMCA) for the purpose of leasing Reinhart Pool. The Lease is for a period of five years.

MAY 9, 2002

The City Attorney has prepared and reviewed said Lease. It is, therefore, submitted for your approval.

s/ David J. Christiansen

Councilmember Hardcastle explained that there has been a great deal of cooperation in keeping Reinhart Pool open. Councilmember Eldredge stated that this pool would remain open to the public; it will not be just for the YMCA members. It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Lease Agreement with the Young Men's Christian Association, Inc. (YMCA) for leasing Reinhart Pool 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 Rose
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – GREEN GABLES ESTATES, DIVISION NO. 1

Attached is the Final Plat entitled Green Gables Estates, Division No. 1. This one-lot plat of 1.75 acres is located east of Bush Elementary School, north and adjacent to West Anderson Street, and south of Science Center Drive. The Planning Commission reviewed this Final Plat at its April 9, 2002 Meeting, found it to be in compliance with the Subdivision Ordinance, and recommended approval. The Planning Department concurs in this recommendation. This Final Plat is now being submitted to the Mayor and City Council.

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 Final Plat approval request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Slide 3 Final Plat

MAY 9, 2002

Exhibit 1 Planning Commission Minutes dated April 2, 2002
Exhibit 2 Staff Report dated April 2, 2002

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to accept the Final Plat for Green Gables Estates, 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 Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Shurtleff

Nay: None

Motion Carried.

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – KINGSTON PLAZA, DIVISION NO. 1

Attached is the Final Plat entitled Kingston Plaza, Division No. 1. This Plat of slightly less than 16 acres contains 6 lots and is located east of Skyline Drive and south of West Broadway. The Planning Commission reviewed this Final Plat at its April 9, 2002 Meeting, found it to be in compliance with the Subdivision Ordinance, and recommended approval. The Planning Department concurs in this recommendation. This Final Plat is now being submitted to the Mayor and City Council.

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 Final Plat approval request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Slide 3 Final Plat superimposed on Aerial Photo
Slide 4 Final Plat
Exhibit 1 Planning Commission Minutes dated April 9, 2002
Exhibit 2 Staff Report dated April 9, 2002

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to accept the Final Plat for Kingston Plaza, 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 Eldredge

MAY 9, 2002

Councilmember Lehto
Councilmember Rose
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls
May 3, 2002

MEMORANDUM

TO: Honorable Mayor Milam and City Councilmembers
FROM: J. K. Livsey, Chief of Police
SUBJECT: CITY COUNCIL AGENDA

I respectfully request that the attached Ordinance proposals be heard at the City Council Meeting of May 9, 2002. These Ordinances are:

- Beer, Wine, and Liquor Licenses – Dancing after 1:00 a.m., revising the provisions of the City Code, relative to dancing after 1:00 a.m. in any premises licensed to sell beer, wine, or liquor at retail; and,
- Kennel Ordinance, addressing changes in the Commercial and Non-Commercial Kennel Ordinance.

Thank you for your consideration.

s/ J. K. Livsey

Councilmember Groberg gave a brief description regarding the changes to the Beer, Wine, and Liquor Licenses Ordinance regarding dance halls. Councilmember Groberg requested the City Attorney to read the Ordinance by title only:

ORDINANCE NO. 2447

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, REPEALING AND RE-ENACTING SECTIONS 4-2-27, 4-3-13, AND 4-4-14 OF THE CITY CODE RELATING TO DANCING ON SUNDAY AND DANCING WITHIN BUSINESSES HOLDING BEER, WINE AND LIQUOR BY THE DRINK LICENSES; ADDING ADDITIONAL PROVISIONS PROHIBITING DANCING ON ANY DAY BETWEEN THE HOURS OF 1:00 O'CLOCK A.M. AND 8:00 A.M.; PROVIDING

FOR SEVERABILITY AND ESTABLISHING
EFFECTIVE DATE.

MAY 9, 2002

The foregoing Ordinance was presented by title only. Councilmember Groberg moved, and Councilmember Lehto 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 Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

Councilmember Groberg reviewed for the Mayor and City Council the changes to the Non-Commercial Kennel and Commercial Kennel Licenses. At the request of Councilmember Groberg, the Assistant City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2448

AN ORDINANCE AMENDING ORDINANCE 5-10-7 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING THAT WRITTEN CONSENT IS NO LONGER REQUIRED BY ADJACENT LAND OWNERS FOR KENNEL LICENSES; PROVIDING FOR KENNEL LICENSES TO EXPIRE ONE YEAR FROM THE DATE IT IS ISSUED; PROVIDING FOR AN INCREASE IN FEES; PROVIDING FOR A LIMIT OF THE NUMBER OF DOGS ALLOWED IN A NON-COMMERCIAL KENNEL; PROVIDING THAT ALL DOGS IN A NON-COMMERCIAL KENNEL MUST BE SPAYED OR NEUTERED; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING EFFECTIVE DATE.

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

Nay: None

Motion Carried.

MAY 9, 2002

The Public Works Director submitted the following memos:

City of Idaho Falls
May 6, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CHANGE ORDER NO. 1 - NORTH IDAHO FALLS SANITARY
SEWER TRUNK LINE

Attached is proposed Change Order No. 1 to the North Idaho Falls Sanitary Sewer Trunk Line Contract. During excavation, an additional water line was discovered and the location conflicted with the sanitary sewer trunk line being replaced. This requires relocating and replacing the water line at an additional cost of \$17,671.50; and, five (5) additional days to the contract time.

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

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Rose, to approve Change Order No. 1 to HK Contractors, Inc. for the North Idaho Falls Sanitary Sewer Trunk Line 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 Rose
Councilmember Shurtleff

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 2002

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ENGINEERING SERVICES AGREEMENT - WELL 15B

Attached is a proposed Engineering Services Agreement for Clearwater Geosciences, LLP to provide geological support services and bid specifications related to the design and drilling of Well 15B.

MAY 9, 2002

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 Rose, to approve the Engineering Services Agreement with Clearwater Geosciences, LLP to provide geological support services and bid specifications related to the design and drilling of Well No. 15B and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Rose, seconded by Councilmember Lehto, that the meeting adjourn at 9:05 p.m.

CITY CLERK

MAYOR
