

**APRIL 11, 2002**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, April 11, 2002, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam  
Councilmember Bill Shurtleff  
Councilmember Ida Hardcastle  
Councilmember Bruce Rose  
Councilmember Brad Eldredge  
Councilmember Mike Lehto  
Councilmember Joe Groberg

Also present:

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

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

Mayor Milam and Councilmembers honored Jim Schwartzenberger on his retirement from the Parks and Recreation Division by presenting him with a Gift Certificate.

The City Clerk read a summary of the minutes for the March 14, 2002 Regular Council Meeting and the March 28, 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 Lehto  
Councilmember Rose  
Councilmember Groberg  
Councilmember Shurtleff  
Councilmember Hardcastle

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 Greg R. Barnes, Nicholas J. Cates, Mary L. Cunningham, Kris Goeken, Courtney J. Hall, Kaeloni D. Jensen, Michael A. Martinez, Jackie L. McRae, Robert F. Pettingill, Michael R. Springer, and Raimie L. Talamantez, 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 April 11, 2002.

The Municipal Services Director submitted the following memo:

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City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: CIVIC AUDITORIUM ASBESTOS ABATEMENT BIDS

Municipal Services respectfully requests authorization to advertise to receive bids for asbestos abatement at the Civic Auditorium.

s/ S. Craig Lords

The Public Works Director submitted the following memos:

City of Idaho Falls  
April 4, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: AUTHORIZATION TO ADVERTISE – SEAL COATING, 2002

Public Works requests authorization to advertise to receive bids for the Seal Coating – 2002 Project.

s/ Chad Stanger

City of Idaho Falls  
April 4, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: AUTHORIZATION TO ADVERTISE – PAVING EQUIPMENT RENTAL, 2002

Public Works requests authorization to advertise to receive bids for the Paving Equipment Rental – 2002 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 Hardcastle  
Councilmember Shurtleff  
Councilmember Eldredge  
Councilmember Lehto

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Councilmember Groberg  
Councilmember Rose

Nay:           None

Motion Carried.

**REGULAR AGENDA ITEMS**

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

<b><u>FUND</u></b>	<b><u>TOTAL EXPENDITURE</u></b>
General Fund	\$543,100.02
Street Fund	72,463.83
Recreation Fund	42,000.24
Library Fund	73,767.15
Municipal Equipment Replacement Fund	81,500.00
Electric Light Public Purpose Fund	48,247.96
Business Improvement District	22,843.19
Street Capital Improvement Fund	180.49
Airport Fund	670,365.60
Water and Sewer Fund	337,616.47
Sanitation Fund	1,537.13
Ambulance Fund	13,121.20
Electric Light Fund	4,301,963.51
Payroll Liability Fund	2,243,833.37
<b>TOTALS</b>	<b>\$8,452,540.16</b>

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

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

Nay:           None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for St. Clair Estates Addition, Division No. 9. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

**APRIL 11, 2002**

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City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: ST. CLAIR ESTATES ADDITION, DIVISION NO. 9

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for St. Clair Estates, Division No. 9. This six-lot subdivision consisting of 8.82 acres is located south of East Sunnyside Road, west of Washington Parkway, and east of Merlin Drive. The requested initial zoning is PB (Professional Business). At its January 8, 2002 Meeting, the Planning Commission reviewed this annexation request and recommended approval of the annexation, final plat, and initial zoning of PB with a PUD Overlay. The Planning Department concurs in this recommendation. This request is now being submitted to the Mayor and Council for your 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	Revised Preliminary Plat
Slide 3	Aerial Photo showing revised Preliminary Plat
Slide 4	Aerial Photo showing surrounding area
Slide 5	Preliminary Plat
Slide 6	Final Plat
Slide 7	Site Photo showing intersection of Martha Avenue and Potomac Way
Slide 8	Site Photo looking north of Division No. 9
Slide 9	Site Photo
Exhibit 1	Planning Commission Minutes dated January 8, 2002
Exhibit 2	Staff Report

The Planning and Building Director stated that this Final Plat is in accordance with the Comprehensive Plan.

Fred Wallin, Mountain River Engineering, 1020 East Lincoln Road, appeared to state that the concept of the Preliminary Plat is being followed.

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

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for St. Clair Estates Addition, Division No. 9 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Shurtleff

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Councilmember Hardcastle  
Councilmember Groberg

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2441**

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 Rose moved, and Councilmember Hardcastle seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to accept the Final Plat for St. Clair Estates Addition, Division No. 9 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Lehto  
Councilmember Rose  
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 Rose, seconded by Councilmember Hardcastle, to establish the initial zoning of St. Clair Estates Addition, Division No. 9 as PB (Professional Business) with a PUD (Planned Unit Development) Overlay as requested, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Southpoint Addition, 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  
April 8, 2002

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: SOUTHPOINT ADDITION, DIVISION NO. 2

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for Southpoint Addition, Division No. 2. This fourteen-lot subdivision of 9.59 acres is located south of Township Road (49<sup>th</sup> South) and east of Mauna Lani Lane. The requested initial zoning is R-1 (Single-Family Residential). At its February 12, 2002 Meeting, the Planning Commission reviewed this annexation request and recommended approval of the annexation, final plat, and initial zoning of R-1 with a variance on the size of the corner lots. However, under the definition of "corner lots" in the Zoning Ordinance, the lots in question are not corner lots due to the landscape lots at the intersection. The Planning Department concurs in the recommendation for approval. This request is now being submitted to the Mayor and Council for your 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

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Slide 2      Aerial Photo  
Slide 3      Preliminary Plat  
Slide 4      Final Plat  
Exhibit 1    Planning Commission Minutes dated February 12, 2002  
Exhibit 2    Staff Report

The Planning and Building Director stated, further, that this Subdivision is in accordance with the Subdivision Ordinance and the Preliminary Plat.

Jeff Freiberg, 985 North Capital Avenue, appeared as a representative to the Developer. He stated that he was present to answer any questions.

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

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

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

Nay:            None

Motion Carried.

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

**ORDINANCE NO. 2442**

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 Rose 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 Rose  
                  Councilmember Eldredge  
                  Councilmember Lehto  
                  Councilmember Shurtleff

Councilmember Hardcastle  
Councilmember Groberg

Nay: None

Motion Carried.

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

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

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to establish the initial zoning of Southpoint Addition, Division No. 2 as R-1 (Single-Family Residential) 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 Lehto  
Councilmember Rose  
Councilmember Groberg  
Councilmember Shurtleff  
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a rezoning from R-1 (Single-Family Residential) to R-3A (Apartments and Professional Offices) on property located generally north of West Broadway and west of North Bellin Road, legally described as Lot 1, Block 1, L & C Haven, Division No. 1. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

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City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: REZONING REQUEST FROM R-1 TO R-3A – LOT 1, BLOCK 1,  
L & C HAVEN, DIVISION NO. 1

Attached is the petition for rezoning Lot 1, Block 1, L & C Haven, Division No. 1 from R-1 (Single-Family Residential) to R-3A (Multi-Family and Offices). At its March 5, 2002 Meeting, the Planning Commission reviewed this rezoning request and recommended approval. The Planning Department concurs in the recommendation. This request is now being submitted to the Mayor and Council for your 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 rezoning request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Site Photo looking west along West Broadway
Exhibit 1	Planning Commission Minutes dated March 5, 2002
Exhibit 2	Staff Report

The Planning and Building Director explained, further, that the rezoning request is in accordance with the Comprehensive Plan. The home will be converted into office space for Reed's Dairy.

Alan Reed, 2660 West Broadway, appeared to answer any questions from the Mayor and City Council.

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 zone change from R-1 to R3-A as requested 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:

**APRIL 11, 2002**

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City of Idaho Falls  
March 25, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Humberd, Director of Aviation  
SUBJECT: PATRICIA NOBLE LEASE EXTENSION

Attached for City Council approval is the Airport Hangar Lease Agreement Amendment for Patricia Noble. The term of this Lease Amendment is an extension for five (5) years.

The City Attorney has reviewed this contract.

The Airport Division recommends approval 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 Airport Hangar Lease Agreement Amendment with Patricia Noble 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  
March 26, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Humberd, Director of Aviation  
SUBJECT: BILL DIXON FARM LEASE

Attached for City Council approval is the Farm Lease Agreement for Bill Dixon. The term of this Lease is one (1) year.

The City Attorney has reviewed this contract.

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

s/ Mike Humberd

**APRIL 11, 2002**

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It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Farm Lease Agreement with Bill Dixon 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

Nay: None

Motion Carried.

City of Idaho Falls  
April 3, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Humberd, Director of Aviation  
SUBJECT: OVERLAND WEST ESTOPPEL CERTIFICATE

Attached for City Council approval are Estoppel Certificates for Overland West. They have requested the City's consent to use the leasehold interest as collateral for a loan.

The City Attorney has seen and approved this document.

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

s/ Mike Humberd

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Estoppel Certificates for Overland West 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.

**APRIL 11, 2002**

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City of Idaho Falls  
April 9, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Humberd, Director of Aviation  
SUBJECT: MEMORANDUM OF AGREEMENT WITH THE TRANSPORTATION  
SECURITY ADMINISTRATION

Attached for City Council approval is a Memorandum of Agreement with the Transportation Security Administration (T.S.A.) to reimburse the Airport for additional part-time police officers as required by a recent T.S.A. directive. These additional officers are replacing the National Guard as they are phased out.

The City Attorney has reviewed this document.

The Airport Division recommends approval and requests the Mayor be authorized to execute the Agreement pending final approval by the T.S.A.

s/ Mike Humberd

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the Memorandum of Agreement with the Transportation Security Administration 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 Idaho Falls Power Director submitted the following memos:

City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: CONFIRMATION LETTER WITH UAMPS

Attached for your consideration is a Confirmation Letter between Utah Associated Municipal Power Systems (UAMPS) and Idaho Falls Power for a storage/exchange of firm energy from March 17, 2001 through March 31, 2003.

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Idaho Falls Power respectfully requests Council ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the Confirmation Letter between Utah Associated Municipal Power Systems (UAMPS) and Idaho Falls Power for a storage/exchange of firm energy from March 17, 2001 through March 31, 2003. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
April 8, 2002

MEMORANDUM

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

Attached for your consideration is an Agreement between Idaho Falls Power and Western Systems Power Pool (W.S.P.P.). The City Attorney has reviewed this Agreement.

Idaho Falls Power respectfully requests Council authorization for the Mayor to sign this Agreement.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the Agreement between Idaho Falls Power and Western Systems Power Pool 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.

**APRIL 11, 2002**

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City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: CONFIRMATION LETTERS WITH IDACORP ENERGY

Attached for your consideration are two Confirmation Letters between IDACORP Energy and Idaho Falls Power for the sale of firm energy.

Idaho Falls Power respectfully requests Council ratification of these Agreements.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to ratify the two Confirmation Letters between IDACORP Energy and Idaho Falls Power for the sale of firm energy. 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  
April 9, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: AMENDMENT TO BONNEVILLE POWER ADMINISTRATION  
POWER SALES AGREEMENT

Attached for your consideration is an Amendment to the Bonneville Power Administration Power Sales Agreement providing for the continued sale of environmentally preferred power. The sale is for 0.5 MW for one year beginning October 1, 2002.

Idaho Falls Power respectfully requests approval of the Amendment.

s/ Mark Gendron

It was moved by Councilmember Lehto, seconded by Councilmember Shurtleff, to approve the Amendment to the Bonneville Power Administration Power Sales Agreement providing for

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the continued sale of environmentally preferred power and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
April 9, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: RETAIL RATE ORDINANCE

Attached for your consideration is an Ordinance providing for adjustments to retail electric rates.

Idaho Falls Power respectfully requests approval of this Ordinance.

s/ Mark Gendron

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

**ORDINANCE NO. 2443**

AN ORDINANCE AMENDING SECTION 8-5-30 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; AMENDING ELECTRICAL RATES FOR CUSTOMERS OF THE ELECTRIC LIGHT DIVISION; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Shurtleff seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Eldredge  
Councilmember Hardcastle

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Councilmember Groberg  
Councilmember Rose  
Councilmember Shurtleff

Nay: None

Motion Carried.

Mayor Milam commented that when the City was faced with a sizeable increase from Bonneville Power Administration in the summer of 2001 and needed to pass that increase on to Idaho Falls Power customers, the City at that time made a commitment to pass along any decrease in rates from Bonneville Power Administration.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
April 5, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PURCHASE OF ASPHALT MIX

The State of Idaho recently awarded the Contract for Bituminous (Hot Asphalt) Plant Mix for 2002 to H-K Contractors, Inc.

Municipal Services respectfully requests authorization to purchase the City's requirements for Hot Mix per State Contract No. CPO 01186.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to approve the purchase of Bituminous (Hot Asphalt) Plant Mix from H-K Contractors, Inc. per State Contract No. CPO 01186. 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  
April 5, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-01-11, ONE (1) NEW 2002 45-FOOT SINGLE BUCKET AERIAL DEVICE MOUNTED ON A NEW 2002 CAB AND CHASSIS

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Attached for your consideration is the tabulation for Bid IF-02-11, One (1) New 2002 45-Foot Single Bucket Aerial Device Mounted on a New 2002 Cab and Chassis.

It is the recommendation of Municipal Services to accept the low bid of Hirning Truck Center to furnish a New 2002 GMC, Conventional Cab and Chassis to be mounted with a New 2002 Aerial Device for an amount of \$83,041.00. This amount includes trade-in Units No. 328 and No. 329 and a deduction of \$1,700.00 to omit auxiliary outriggers that are not required for this unit.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid from Hirning Truck Center to furnish the required Aerial Device mounted on a 2002 Cab and Chassis. 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  
April 5, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-02-12, ONE (1) NEW 2002 REAR HAND LOAD REFUSE  
BODY MOUNTED ON A NEW 2002 CAB AND CHASSIS

Attached for your consideration is the tabulation for Bid IF-02-12, One (1) New 2002 Rear Hand Load Refuse Body Mounted on a New 2002 Cab and Chassis.

It is the recommendation of Municipal Services to accept the low bid meeting specifications of Hirning Truck Center to furnish One (1) New 2002 Rear Hand Load Refuse Body Mounted on a New 2002 GMC Cab and Chassis for an amount of \$81,138.00 with trade in Unit No. 764.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low bid meeting specifications from Hirning Truck Center to furnish One (1) New 2002 Rear Hand Load Refuse Body Mounted on a New 2002 GMC Cab and Chassis. Roll call as follows:

Aye: Councilmember Rose

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Councilmember Eldredge  
Councilmember Lehto  
Councilmember Shurtleff  
Councilmember Hardcastle  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: GENERAL LIABILITY, PROPERTY, VEHICLE LIABILITY, E & O OF  
PUBLIC OFFICIALS, POLICE PROFESSIONAL, FIDELITY, EXCESS  
LIABILITY AND BOILER AND MACHINERY INSURANCE  
COVERAGE PLACEMENT ON APRIL 1, 2002

Municipal Services respectfully requests the renewal of insurance contracts for the above coverage with Kemper & Travelers. The broker is Marsh out of Boise. The contract begins on April 1, 2002. The price for this contract is \$434,918.00 as compared to \$331,677.00 last year.

s/ S. Craig Lords

Councilmember Eldredge explained that the City received three quotes, with this being the lowest quote for insurance coverage. The increase in insurance coverage is a direct result of the events of September 11, 2001. There being no further discussion, it was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to ratify the placement of the insurance coverage with Kemper & Travelers. Roll call as follows:

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

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

**APRIL 11, 2002**

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City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: CEMETERY FEES ORDINANCE

Attached for your consideration is an Ordinance repealing and re-enacting Section 8-11-13 of the Idaho Falls City Code. This Ordinance relates to fees charged for burial spaces and sexton services. These fees were appropriately advertised during the City's adoption of its Fiscal Year 2002 budget. It is, therefore, submitted for your approval.

s/ David J. Christiansen

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

**ORDINANCE NO. 2444**

AN ORDINANCE REPEALING AND RE-ENACTING  
SECTION 8-11-13 OF THE CITY CODE OF THE CITY  
OF IDAHO FALLS, IDAHO, RELATING TO CHARGES  
FOR BURIAL SPACES AND SEXTON SERVICES;  
ESTABLISHING FEES FOR SUCH SERVICES;  
PROVIDING FOR 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 Lehto  
Councilmember Rose  
Councilmember Groberg  
Councilmember Shurtleff  
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: JOHN'S HOLE BRIDGE PATHWAY WIDENING – CHANGE ORDER  
NO. 1

**APRIL 11, 2002**

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Attached for ratification is Change Order No. 1 on the John's Hole Bridge Pathway Widening Project. The Change Order is in the amount of \$29,012.00 and calls for additional structural bracing. In order to ensure that there were no delays in the project, the Change Order had to be signed and returned within 10 days therefore, making ratification necessary. The Change Order has been reviewed by the City's Structural Consultant and City Engineer and is, therefore, submitted for your approval.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to ratify Change Order No. 1 with Idaho Construction, Inc. on the John's Hole Bridge Pathway Widening Project. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: STATE/LOCAL AGREEMENT – UNIVERSITY PLACE PATHWAY PROJECT

Attached for your review is a State/Local Agreement for the University Place Pathway Project. This is an Idaho Transportation Department Enhancement Project, which provides pathway from Freeman Park to the Union Pacific Railroad Right-of-Way. The Agreement calls for \$5,000.00 to be returned with the signed copies. Please note that the appropriate funds have been budgeted for this expense. It is, therefore, submitted for your approval.

s/ David J. Christiansen

**RESOLUTION NO. 2002-01A**

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Agreement stating obligations of the STATE and the CITY OF IDAHO FALLS, hereafter called the CITY, for development of University Place Pathway; and

WHEREAS, the STATE is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction

**APRIL 11, 2002**

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and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and

WHEREAS, certain functions to be performed by the STATE involve the expenditure of funds as set forth in the Agreement; and

WHEREAS, the STATE can only pay for work associated with the State Highway System; and

WHEREAS, the CITY is fully responsible for its share of project costs; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Highway Project STP-7046(100) is hereby approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.

3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

**CERTIFICATION**

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on April 11, 2002.

(SEAL)

s/ Rosemarie Anderson  
City Clerk

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the State/Local Agreement with the Idaho Transportation Department for the University Place Pathway Project and, further, give authorization for the Mayor and City Clerk 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.

The memo from the Planning and Building Director regarding the Final Plat and Development Agreement for Financial Center, Division No. 1 was withdrawn by the Developer.

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The memo from the Planning and Building Director regarding the Final Plat and Development Agreement for Financial Center, Division No. 2 was withdrawn by the Developer.

The Planning and Building Director submitted the following memo:

City of Idaho Falls

April 8, 2002

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: ORDINANCE REVISING SIGN CODE

Attached is an Ordinance revising the Sign Code. This revision reduces the size of billboard signs and provides spacing between billboards as discussed with the Sign Companies. It also makes several small amendments to clarify existing administration of the Ordinance and has been reviewed by the City Attorney. The Planning Department respectfully requests consideration and adoption of this Ordinance.

s/ Renée R. Magee

The Planning and Building Director explained that sign companies requested the Planning Department to look at the spacing of billboards and the size of billboards, and primarily to prohibit the blanketing of billboards within the City of Idaho Falls. This Ordinance proposes that billboards be spaced 750 feet apart and reduces the size of the sign from 1,000 square foot billboards to 380, 480, or 680 square feet, depending on the location of the billboard. This also provides for a buffer zone around the Greenbelt and around historic properties. She explained, further, that amendments were made to clarify administration of the Ordinance on a day-to-day basis. There was one substantive recommendation that was not addressed in this Ordinance. The Ordinance creates a radius buffer around each billboard. The billboard companies are requesting that the radius be confined to one side of the street. This was not addressed in the Ordinance in order to avoid a tunnel effect on the streets from having billboards being placed too close. The system that has been established with this Ordinance for administering the billboard locations is a fairly simple system.

Kent Marboe, Lamar Outdoor Advertising, 255 B Street, appeared to state that he agrees with all other provisions of the Ordinance. He is concerned with the 750-foot radius being applied broadly. He would like to see that 750-foot radius applied to one side of travel on the street. He proposed to the Mayor and Council to keep the 750-foot radius on the same lane of travel or same side of the street. Anything opposite that billboard should have a buffer of 150 feet to 200 feet.

Following a brief discussion regarding the existing placement of billboards and where new ones could be placed, it was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to recess the Ordinance revising the Sign Code. Roll call as follows:

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

**APRIL 11, 2002**

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Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
April 4, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AWARD – DOWNTOWN PARKING DEVELOPMENT AND  
RENOVATION PROJECT

On February 5, 2002, bids were received and opened for the Downtown Parking Development and Renovation Project. A tabulation of the bid results is attached.

The low bidder is BECO Construction, Inc. in the amount of \$241,134.00. Public Works presents this matter to the City Council for their consideration.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Rose, to accept the low bid of BECO Construction, Inc. to complete the Downtown Parking Development and Renovation Project 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.

City of Idaho Falls  
April 8, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AWARD – INTERNATIONAL WAY PARKING LOT  
IMPROVEMENTS

On March 19, 2002, bids were received and opened for the International Way Parking Lot Improvements. A tabulation of the bid results is attached.

**APRIL 11, 2002**

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Subsequent to this project being advertised, it was discovered the City did not have possession of a sizeable portion of the property upon which the project was to be constructed. As a result, the project needs to be redesigned and downsized.

Public Works recommends all bids be rejected and authorization granted to advertise to receive bids for the revised project.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Rose, to reject all bids received for the International Way Parking Lot Improvements and, further, give authorization to advertise to receive bids for the revised project. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
April 4, 2002

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SUPPLEMENTAL AGREEMENT – CITY-WIDE WELLS, SCADA PROJECT

Attached is a Supplemental Agreement to the City-Wide Well SCADA Project. This Supplemental Agreement provides for installation of additional security measures at the City's well and water storage facilities at a cost of \$52,668.57. These security systems will be installed in conjunction with the referenced SCADA Project.

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 Supplemental Agreement with WETCO, Inc. for the City-Wide Well SCADA Project providing for installation of additional security measures at the City's well and water storage facilities and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

**APRIL 11, 2002**

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

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Rose, that the meeting adjourn at 8:50 p.m.

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CITY CLERK

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MAYOR

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