

DECEMBER 13, 2001

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 13, 2001, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Bruce Rose
Councilmember Joe Groberg
Councilmember Mike Lehto
Councilmember Mary Klingler
Councilmember Ida Hardcastle

Absent was:

Councilmember Brad Eldredge

Also present:

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

Mayor Milam and Councilmembers honored Esther Schmuland on her retirement from the Idaho Falls Public Library.

The City Clerk read a summary of the minutes for the November 20, 2001 Regular Council Meeting. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, that the minutes be approved as printed. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the reappointment of Jake Cordova to serve on the Planning Commission (Term to expire on December 31, 2007); the reappointment of Paul Savidis to serve on the Planning Commission (Term to expire on December 31, 2007); the reappointment of Dan Yurman to serve on the Planning Commission (Term to expire on December 31, 2007); the reappointment of Greg Hill to serve on the Idaho Falls Redevelopment Agency (Term to expire on December 31, 2006); the reappointment of Pam Jagosh to serve on the Historic Preservation Commission (Term to expire on December 31, 2004); the appointment of Beverly J. Macaulay to serve on the Historic Preservation Commission (Term to expire on December 31, 2004); the appointment

of Teresa Nelson Simmons to serve on the Historic Preservation Commission (Term to expire on December 31, 2002); the reappointment of Bill Combo to serve on the Parks and

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Recreation Commission (Term to expire on December 31, 2004); the reappointment of Cliff Laughlin to serve on the Parks and Recreation Commission (Term to expire on December 31, 2004); the reappointment of Susanne Miller to serve on the Shade Tree Committee (Term to expire on December 31, 2004); the appointment of Tom Wirth to serve on the Shade Tree Committee (Term to expire on December 31, 2004); the reappointment of Ben Allen to serve on the Golf Advisory Board (Term to expire on December 31, 2004); the reappointment of Rick Carosone to serve on the Golf Advisory Board (Term to expire on December 31, 2004); and, the reappointment of Gary Thinnes to serve on the Fire Code Board of Appeals (Term to expire on January 1, 2006).

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented several license applications, including BEER LICENSES to Albertson's (17th Street), Albertson's (Anderson Street), Albertson's (West Broadway), Applebee's Neighborhood Grill and Bar, Brownstone Companies, Inc., Common Cents Food Store (17th Street), Common Cents Food Store (Boulevard), Common Cents Food Store (West Broadway), Elk's Lodge, Ford's Bar, Frank's Place, Gas 'N' Grub, Happy's Chinese Restaurant, Jaker's of Idaho Falls, JB's Family Restaurant, Karen's Park Avenue Club, Las Pulgas Night Club/Restaurant, Mark and Sindy's First Street Saloon, Maverik Country Store (Woodruff Avenue), Maverik Country Store (Yellowstone Highway), Pizza Hut (17th Street), Pizza Hut (Anderson Street), Pizza Hut (West Broadway), Pockets, Inc., Rutabaga's, Sam's Club, Save Fast Gas Chevron (West Broadway), Save Fast Gas Sinclair (First Street), Shooters, Sizzler Family Steak House, Smith's Food and Drug, Speedi Corporation, Inc., West Coast Hospitality Partnership, Willard Arts Center, Winger's, and Wright Stop No. 1; BARTENDER PERMITS to Bart Z. Albertson, Kenneth C. Barnes, Gregory T. Calderwood, Tabatha J. Cox, Karl J. Hanosky, Stacey J. Jenks, Georgia K. Loveday, Jeannie A. Neidner, Bonnie A. Newman, Lawana M. Parker, Kathleen Sciarra, Heather S. Simmons, Debra Solis, 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 December 13, 2001.

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

Aye: Councilmember Groberg
 Councilmember Rose
 Councilmember Klingler
 Councilmember Hardcastle
 Councilmember Lehto

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated November 1, 2001 through November 30, 2001, after having been audited by the Fiscal Committee and paid by the Controller:

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FUND	TOTAL EXPENDITURE
General Fund	\$704,479.43
Street Fund	48,823.45
Recreation Fund	22,170.41
Library Fund	62,521.34
Municipal Equipment Replacement Fund	24,825.00
Electric Light Public Purpose Fund	47,518.91
Municipal Capital Improvement Fund	26,205.43
Bridge and Arterial Street Fund	16,605.60
Water Capital Improvement Fund	69,363.92
Surface Drainage Fund	16,653.00
Airport Fund	391,515.22
Water and Sewer Fund	322,729.57
Sanitation Fund	20,873.61
Ambulance Fund	11,442.12
Electric Light Fund	3,371,757.92
Payroll Liability Fund	1,973,735.42
TOTALS	\$7,131,220.35

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to ratify the payment of Check No. 22491 in the amount of \$1,203.39, Check No. 64627 in the amount of \$419.40, and Check No. 65244 in the amount of \$30.00, all made payable to the American Red Cross. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Rose (As he is employed by the Red Cross)

Motion Carried.

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to ratify the payment of the remainder of the expenditures for the month of November, 2001. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a public hearing for consideration of a rezoning from I & M-1 (Industrial and Manufacturing) to CC-1 (Central Commercial) on property located generally north of

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Pancheri Drive, west of the Snake River, east of Utah Avenue, legally described as Taylor Crossing on the River, Division No. 2, Block 2, Lots 1 and 2; Block 3, Lot 1; Taylor Crossing on the River, Division No. 3. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 10, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REZONING FROM I & M-1 TO CC-1, TAYLOR CROSSING ON THE RIVER, DIVISION NOS. 2 AND 3

Attached is the request to rezone Lots 1 and 2, Block 2, and Lot 1, Block 3 of Taylor Crossing on the River, Division No. 2, and Lots 2 and 3, Block 6, Taylor Crossing on the River, Division No. 3, which were advertised metes and bounds, from I & M-1, Industrial and Manufacturing, to CC-1, Central Commercial. The Planning Commission considered this rezoning request at its October 16, 2001 Meeting and recommended approval with the recommendation C-1 zoning be retained on Lot 1, Block 2, Taylor Crossing on the River, Division No. 2. The staff concurs with this recommendation. This rezoning request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Site photo looking north at the proposed area of Division No. 3
Slide 4	Site photo looking west from the new Utah Avenue
Slide 5	Comprehensive Plan showing future land use
Exhibit 1	Letter of Request from Mountain River Engineering
Exhibit 2	Planning Commission Minutes dated October 16, 2001
Exhibit 3	Staff Report dated October 16, 2001

The Planning and Building Director stated that the Comprehensive Plan shows this area to be changing from an industrial area to a commercial and business area. The CC-1 zoning request is due to the mixed use shown on the Comprehensive Plan. The Central Commercial Zone is used in the downtown area. The purpose for this zone is to create and maintain a dominant shopping and financial center that is located in the central part of the City where the street pattern makes the business buildings readily accessible to all parts of the City. Business and shopping activities may be carried on in this zone with maximum convenience and it is to be characterized by clean and well-lighted streets and ample pedestrian ways. Vehicular parking lots will be constructed that will be there for the convenience of the public as well as the people who work in the buildings and shop in the buildings.

The City Attorney questioned whether the proposed zoning would be in accordance with the Comprehensive Plan. The Planning and Building Director stated that the proposed zoning is in accordance with the Comprehensive Plan.

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Councilmember Groberg questioned whether the CC-1 Zone is located anywhere outside of the Central Business District. The Planning and Building Director stated that this zone is basically in the central area of the City and not located in other places. Councilmember Groberg questioned whether Taylor Crossing On The River was considered as an extension of the Central Business District. The Planning and Building Director stated that this was correct. Councilmember Groberg questioned whether the zoning recommendation would be the same if it were a mixed-use development, but not located close to the downtown area. The Planning and Building Director stated that she would not recommend the same zone if this type of a development were located outside of the downtown area due to the objectives of the CC-1 Zone.

Loren Walker, 1000 South Milligan Road, appeared to state that he appreciated the Council's review and concurred with the presentation by the Planning and Building Director. They are moving forward on carrying out the master plan for Taylor Crossing on the River as presented to the Mayor and Council on an earlier date.

Councilmember Groberg questioned Mr. Walker as to whether the zoning that is being requested is the one that works out best for this development. Mr. Walker stated that this zone is a good fit for everything that is planned for this area.

There being no one to appear 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 Lehto, to approve the rezoning from I & M-1 to C-1 on Lot 1, Block 2, Taylor Crossing on the River, Division No. 2 and from I & M-1 to CC-1 on Lot 2, Block 2, and Lot 1, Block 3 of Taylor Crossing on the River, Division No. 2, and Lots 2 and 3, Block 6, Taylor Crossing on the River, Division No. 3 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 Lehto
 Councilmember Klingler
 Councilmember Hardcastle
 Councilmember Groberg

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a Conditional Use Permit to allow a temporary trailer during construction on property located generally at the southwest corner of Woodruff Avenue and Chaffin Avenue, legally described as Lot 1, Block 4, Chaffin Addition, Division No. 3. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
December 10, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director

SUBJECT: CONDITIONAL USE PERMIT FOR LOT 1, BLOCK 4, CHAFFIN
ADDITION, DIVISION NO. 3

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Attached is the application from Smith Chevrolet for a temporary trailer to be used as sales office/caretaker's residence on Lot 1, Block 4, Chaffin Addition, Division No. 3. The trailer will be removed when the sales office is completed. The time limit within the Zoning Ordinance is one year. This property is located on the southwest corner of Woodruff Avenue and Chaffin Avenue and is zoned HC-1. This matter is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Site Plan
Slide 4	Site Photo of recreational vehicle
Slide 5	Site Photo showing foundation of sales office, which will be complete in approximately 3-4 months
Exhibit 1	Copy of application

Steve Caverhill, 2825 North Barnes Way, appeared to state that several issues have delayed their project. They have approximately 160 employees in Idaho Falls, with this facility adding another 25 employees. They estimate that their building will be completed in 120 days.

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

It was moved by Councilmember Rose, seconded by Councilmember Lehto, to approve the Conditional Use Permit to allow for a temporary trailer during construction on property located on Lot 1, Block 4, Chaffin Addition, Division No. 3 for a period not to extend beyond July 1, 2002. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls
November 26, 2001

MEMORANDUM

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

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Attached for City Council approval is the Farm Lease Agreement for Walter and Tallene Petersen. The Lease is for an additional three-year term.

The City Attorney has reviewed this document.

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

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Farm Lease Agreement with Walter and Tallene Petersen for an additional three-year term and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

City of Idaho Falls
November 29, 2001

MEMORANDUM

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

Attached for City Council approval is the Farm Lease Agreement for Alan Reed. The Lease is for an additional three-year term.

The City Attorney has reviewed this document.

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

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Farm Lease Agreement with Alan Reed for an additional three-year term and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler

Councilmember Lehto
Councilmember Groberg
Councilmember Rose

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Nay: None

Motion Carried.

City of Idaho Falls
November 29, 2001

MEMORANDUM

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

Attached is the Consent to Assignment between John Richardson and Karl Sorman.

The City Attorney has reviewed these documents.

The Airport Division recommends approval upon execution and requests the Mayor be authorized to sign the documents.

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Consent to Assignment of Hangar Lease Agreement between John Richardson and Karl Sorman and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
December 11, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: NETTING AGREEMENT WITH ARIZONA PUBLIC SERVICE COMPANY

Attached for your consideration is a Netting Agreement between Arizona Public Service Company and Idaho Falls Power. This Agreement has been reviewed by the City Attorney.

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Idaho Falls Power respectfully requests Council approval of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Netting Agreement with Arizona Public Service Company and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
December 7, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: FARM LEASE EXTENSION AGREEMENT – SCHWIEDER

Attached for your consideration is a proposed Extension Agreement for the Waste Water Treatment Plant Farm Lease with Derrald Schwieder.

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

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Extension Agreement for the Waste Water Treatment Plant Farm Lease with Derrald Schwieder 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 Klingler
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

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City of Idaho Falls
November 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS

Attached for your consideration is an Agreement with the American Society of Composers providing for a license to use copyrighted material at the Civic Auditorium. It is respectfully requested that Council approve said Agreement and authorize the Mayor to sign.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Agreement with the American Society of Composers and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
November 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AUTHORIZING DESTRUCTION OF DOCUMENTS

It is respectfully requested that the Council pass the attached Resolution, which would authorize, pursuant to Idaho Code Section 50-907, the destruction of certain documents.

s/ S. Craig Lords

RESOLUTION

AUTHORIZING DESTRUCTION OF RECORDS

WHEREAS, certain records have been held longer than Idaho Code Section 50-907 requires and are no longer needed for public purposes; and,

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WHEREAS, pursuant to Idaho Code Section 50-907, the City is authorized to destroy certain records;

NOW, THEREFORE, be it resolved that the City Treasurer, City Controller, City Clerk, General Services Administrator, and Personnel Administrator are hereby authorized to destroy the records listed below:

Documents from the Treasurer's Office:

1. Cancelled payroll checks written prior to April 1, 1999.
2. All ambulance and accounts receivable billing statements and payment receipts written prior to October 1, 1996.
3. All receipts issued by the Library, Police Department, Recreation Division, Golf Course, Zoo, Animal Shelter, City Clerk's Office, and for parking violations and all Building and Zoning receipts, as well as any other miscellaneous receipts originated by the Treasurer's Office written prior to October 1, 1996.
4. All claims fund checks, OEA checks, Electric Light Impress Checks, and Recreation Fund checks written prior to October 1, 1996.
5. All deposit books containing records of deposits made no later than October 1, 1996.
6. All receipts and documents pertaining to the investment of City funds written prior to October 1, 1996.
7. Quarterly Treasurer's Reports and Proofs of Publication published prior to October 1, 1996.

Documents from the Controller's Office:

1. Claims Vouchers from October, 1995 through September, 1996.
2. Journal Entries from October, 1995 through September, 1996.
3. Payroll Time Sheets for the 1996 Year.
4. Vacation, Sick Leave, and Attendance Reports through September, 2000.
5. Duplicate copies of Claims Checks through September, 1996.
6. Check Registers through September 30, 2000.
7. Encumbrance Reports through September 30, 2000.

Documents from the City Clerk's Office:

1. Monthly Reports from the Building Maintenance Department, Building Official, Electric Division, Engineering Department, Fire Department, Garage, Parks and Recreation Division, Personnel Department, Police Department,

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Sanitation Department, Sewer Department, Street Department and Water Department prior to December, 1996.

2. License applications for businesses and tradesmen prior to December, 1996, and related documentation.
3. City Council Call Sheets prior to December, 1996.
4. Council Meeting Agendas prior to December, 1991.
5. Auction Records prior to December, 1996.
6. Election Records for the year 1991 to be turned over to the Bonneville County Election Office for disposition.
7. Damage Claims prior to December, 1991.
8. Contracts for Construction prior to December, 1991.
9. City Clerk's Office Receipts prior to December, 1996.
10. Other related documents prior to December, 1996.

Documents from the Purchasing Department:

1. Purchase Orders prior to December, 1996.
2. Bid Documents prior to December, 1991.
3. Other related documents prior to December, 1996.

Documents from the Personnel Department:

1. Civil Service Applications and related materials (i.e., tests, transcripts and recommendations, etc. prior to December, 1996).

APPROVED by the City Council on the 13th day of December, 2001.

s/ Linda Milam
Linda Milam
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Resolution Authorizing Destruction of Records 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 Rose
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
December 7, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SNOW PLOW UNIT – OSHKOSH CHASSIS WITH WAUSAU PLOW

It is the recommendation of Municipal Services to accept the bid of Western Power and Equipment to furnish a snowplow unit as per Pullman-Moscow Regional Airport Bid. The supplier has agreed to honor the price of \$295,302.00 for the Oshkosh Chassis and \$23,910.00 for the Wausau Plow. However, there is an additional add-on of \$3,908.00 for a transmission upgrade and additional on site pre-delivery cost to Idaho Falls. Final purchase price is \$323,120.00.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the bid of Western Power and Equipment to furnish the snow plow unit as per Pullman-Moscow Regional Airport Bid along with the transmission upgrade and additional on site pre-delivery cost to Idaho Falls. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

City of Idaho Falls
December 6, 2001

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-02-04, AGGREGATE/CRUSHED GRAVEL

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There were no bids received for the above subject bid, therefore, we are respectfully requesting authorization to purchase the required item on the open market.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the purchase of Aggregate/Crushed Gravel on the open market. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls
December 7, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-02-05, ONE (1) NEW YEAR 2002 SEWER SLUDGE
DISPOSAL TANK MOUNTED ON A NEW 2002 CAB AND CHASSIS

Attached for your consideration is the tabulation for Bid IF-02-05, One New Year 2002 Sewer Sludge Disposal Tank Mounted on a New 2002 Cab and Chassis.

It is the recommendation of Municipal Services to accept the sole bid of Hirning Truck Center to furnish a 2002 GMC Conventional Cab and Chassis to be mounted with a 2002 Sludge Tank for an amount of \$90,254.00 without trade-in.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the sole bid of Hirning Truck Center to furnish the required Sludge Truck Disposal Tank Mounted on a 2002 Cab and Chassis. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

DECEMBER 13, 2001

The Planning and Building Director submitted the following memos:

City of Idaho Falls
December 10, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: DEVELOPMENT AGREEMENT AND FINAL PLAT - TAYLOR
CROSSING ON THE RIVER, DIVISION NO. 3

Attached are the Development Agreement and Final Plat for Taylor Crossing on the River, Division No. 3, which is located north and east of Milligan Road, west of the Snake River, east of the Porter Canal, and south of Broadway. The Planning Commission considered this Final Plat at its October 16, 2001 Meeting and recommended approval of this Plat. The staff concurs with this recommendation. This matter is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Preliminary Plat
Slide 3	Final Plat
Exhibit 1	Copy of Final Plat without final easements (for information only)
Exhibit 2	Planning Commission Minutes dated October 16, 2001
Exhibit 3	Staff Report dated October 16, 2001

The Planning and Building Director stated that the existing Milligan Road would remain open at this time. ABF Freight System, Inc., Ida-Tran Freight System, and United Parcel Service are located in this area and need to have Milligan Road for access for their trucks. Until such time that trucking companies are no longer located in this area, Milligan Road would remain open.

The City Attorney explained that owners have a property right to derive access to a public road. The City cannot take that property right away without compensating them for whatever damages they may suffer. At the point when the City considers vacating Milligan Road, the City will have to address that issue. Alternatively, the City would have some ability to provide alternate access. If that alternate access can be provided in a manner that does not damage the utility of the property, then that is not considered to be a take.

Councilmember Groberg requested to know whether there were some owners in the area that were not part of the Taylor Crossing on the River development. The Planning and Building Director stated that there were several owners in the area that were not part of that development. This is an area in transition.

It was moved by Councilmember Rose, seconded by Councilmember Lehto, to approve the Development Agreement for Taylor Crossing on the River, Division No. 3 and,

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

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Aye: Councilmember Lehto
Councilmember Rose
Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Lehto, to accept the Final Plat for Taylor Crossing on the River, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
December 10, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: AMENDMENTS TO 1998 ONE AND TWO FAMILY DWELLING
CODE

Attached is an Ordinance amending the 1998 One and Two Family Dwelling Code. These amendments will retain the 1995 provisions for egress or rescue windows and treads and risers to be consistent with the 1997 Uniform Building Code, the current edition in effect in Idaho Falls. This Division respectfully requests passage of this Ordinance.

s/ Renée R. Magee

The Planning and Building Director gave a brief explanation of the need for this amendment to the 1998 One and Two Family Dwelling Code. At the request of Councilmember Rose, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2436

AN ORDINANCE OF THE CITY OF IDAHO FALLS,
IDAHO, AMENDING SECTIONS 7-6-2 OF THE CITY
CODE OF THE CITY OF IDAHO FALLS, IDAHO;
PROVIDING FOR AMENDMENTS TO THE 1998 ONE

AND TWO FAMILY DWELLING CODE; PROVIDING
FOR SEVERABILITY; ESTABLISHING AN
EFFECTIVE DATE.

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The foregoing Ordinance was presented by title only. Councilmember Rose 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 Lehto
 Councilmember Klingler
 Councilmember Hardcastle
 Councilmember Groberg

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
December 10, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD - JENNIE LEE ADDITION STORM DRAIN
 IMPROVEMENTS

On November 21, 2001, bids were received and opened for the Jennie Lee Addition Storm Drain Improvement Project. A tabulation of the bid results is attached.

Public Works recommends award of this contract to the low bidder, Landon Excavating, Inc. in the amount of \$51,809.50; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to accept the low bid from Landon Excavating, Inc. to complete the Jennie Lee Addition Storm Drain Improvements Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
 Councilmember Hardcastle
 Councilmember Groberg
 Councilmember Rose
 Councilmember Klingler

Nay: None

Motion Carried.

DECEMBER 13, 2001

City of Idaho Falls
December 10, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: OUTSIDE-THE-CITY WATER SERVICE CONTRACT – KENNETH
AND BARBARA FREI, EAST RIVER ROAD

Attached is an Outside-The-City Water Service Contract for Kenneth and Barbara Frei, East River Road. This service is located in an area in which the City previously agreed to provide water service.

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

s/ Chad Stanger

Councilmember Rose requested to know the nature of the previous agreement to provide water service to this area. The Public Works Director appeared to explain that this area is within 1,000 feet of an existing Bonneville County landfill. Bonneville County requested the City, in order that the County might avoid liability with possible contamination of wells in that area, to provide service. The City of Idaho Falls agreed to do that.

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Outside-The-City Water Service Contract with Kenneth and Barbara Frei and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Rose
Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Klingler, seconded by Councilmember Groberg, that the meeting adjourn at 8:30 p.m.

CITY CLERK

MAYOR
