

NOVEMBER 8, 2001

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, November 8, 2001, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Absent was:

Councilmember Brad Eldredge

Also present:

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

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

The City Clerk read a summary of the minutes for the October 25, 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 Lehto
Councilmember Groberg
Councilmember Hardcastle
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the appointment of Donna Rolfe to serve on the Board of Trustees for the Idaho Falls Public Library (Term to expire on April 30, 2002).

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 2001 BEER LICENSES to Lorenzo's Broken Spoke Restaurant (Transfer Only) and Bowlero Lanes (Transfer Only); 2002 BEER LICENSES to LOML, LLC dba Funland, KC Food Mart, and

Maverik Country Store (Broadway); BARTENDER PERMITS to Lindee B. Brookhart, Cory G. Buster, Lance G. Carpenter, Lelan F. Ferguson, Raymond L. Morris, Mark E. Smoot, and

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Yvette M. Wise, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on November 8, 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 Hardcastle
Councilmember Klingler
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated October 1, 2001 through October 31, 2001, after having been audited by the Fiscal Committee and paid by the Controller:

| FUND | TOTAL EXPENDITURE |
|---|--------------------------|
| General Fund | \$774,588.39 |
| Street Fund | 78,044.68 |
| Recreation Fund | 21,866.80 |
| Library Fund | 39,731.17 |
| Municipal Equipment Replacement Fund | 27,394.04 |
| Electric Light Public Purpose Fund | 9,263.00 |
| Sanitary Sewer Capital Improvement Fund | 2,540.00 |
| Municipal Capital Improvement Fund | 352.29 |
| Street Capital Improvement Fund | 10,398.07 |
| Airport Fund | 352,378.24 |
| Water and Sewer Fund | 336,965.93 |
| Sanitation Fund | 203,602.57 |
| Ambulance Fund | 31,705.59 |
| Electric Light Fund | 4,349,966.66 |
| Payroll Liability Fund | 2,351,123.81 |
| TOTALS | \$8,589,921.24 |

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to ratify the payment of Check No. 22366 in the amount of \$933.35 made payable to the American Red Cross. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Councilmember Lehto

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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 October, 2001. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a Planned Unit Development for a mixed use office complex on property located generally north of Sunnyside Road west of 25th East (Hitt Road), and east of Channing Way, legally described as Lot 1, Block 7, Channing Way 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
November 1, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: PLANNED UNIT DEVELOPMENT – LOT 1, BLOCK 7, CHANNING WAY ADDITION, DIVISION NO. 3

The Planned Unit Development for Lot 1, Block 7, Channing Way Addition, Division No. 3 scheduled for November 8, 2001 will be recessed to November 20, 2001 due to an oversight of posting the public hearing notice on the property and property owner notices not mailed out within the appropriate time period.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Hardcastle, to recess the public hearing for the Planned Unit Development for Lot 1, Block 7, Channing Way Addition, Division No. 3 to the November 20, 2001 Regular Council Meeting. Roll call as follows:

Aye: Councilmember Lehto

Councilmember Groberg
Councilmember Hardcastle
Councilmember Rose

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Councilmember Klingler

Nay: None

Motion Carried.

The Airport Director submitted the following memo:

City of Idaho Falls
November 5, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: AMENDMENTS TO AIRPORT HANGAR AGREEMENTS

Request City Council approval of the following list of Amendments to Airport Hangar Agreements to extend the lease for an additional five-year period. Rental rates are also increasing in each. All Agreements expire on December 3, 2001.

Charles H. McDonald
Partners, LLC
Mike Nitzel
John Mulberry
William S. or Lee Hildreth
Larry and Gloria Hill
Robert E. Clayton
Dennis Ryan Carstens
Mark Ulschmid
Karl Sorman
Mark J. Schell

John I. Sackett and Leon C. Walters
John Richardson and Karl Sorman
John Richardson
David Napper
Kent Linsenmann
James C. Kontes
Thomas W. Higgs and John B. Smith
Steven Hendrickson
Ronald J. Brown
David Wilkins
Evert Uldrich

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 Amendments to the Airport Hangar Lease Agreements upon the proper execution by the tenants as listed above 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

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Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
November 6, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: FIREFIGHTERS LOCAL NO. 1565 WAGE AND BENEFIT PACKAGE
EFFECTIVE SEPTEMBER 23, 2001

Attached for your consideration are wage and benefit increases for the Firefighters Local No. 1565.

It is respectfully requested that the Mayor and Council approve said wage and benefit increases.

s/ S. Craig Lords

Councilmember Klingler commended the Municipal Services Director and the Fire Chief for their hard work in negotiating the Three-Year Contract with the Firefighters Local No. 1565. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the wage and benefit package for Firefighters Local No. 1565 to be effective September 23, 2001. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 6, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: LEASE ADDENDUM WITH NEWCOM, LLC-EDGE WIRELESS, LLC

Attached for your consideration is a copy of a proposed Addendum to the Lease Agreement with Newcom Wireless, LLC ("Telco") for City-owned property on

Fremont Avenue. Said Addendum would officially change the name of Newcom, LLC ("Telco") as tenant to Edge Wireless, LLC.

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

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Addendum to the Lease Agreement with Newcom Wireless, LLC ("Telco") for City-owned property on Fremont Avenue, to change their name to Edge Wireless, LLC and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 5, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-02-01 – ROAD SANDING MATERIALS

Attached for your consideration is the tabulation for Bid IF-02-01, Road Sanding Materials.

It is the recommendation of Municipal Services to accept the low bid of Rhodehouse Construction to furnish the required sanding material for the amount of \$5.90 per cubic yard.

s/ S. Craig Lords

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

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

Nay: None

Motion Carried.

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MEMORANDUM

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

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

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

s/ S. Craig Lords

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

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
November 5, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: RIGHT-OF-WAY AGREEMENTS – SUNNY HEIGHTS FRONTAGE ROAD

Attached are Right-of-Way Agreements between the City and homeowners of Sunny Heights Subdivision, setting forth conditions by which frontage road improvements associated with the Sunnyside Road Project are to be constructed. The obligations, as set forth in these Agreements, are conditioned upon all subject property owners executing the Agreements.

The Agreements essentially obligate the City to construct certain frontage road improvements in exchange for donation of right-of-way by the property owners.

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Public Works requests approval of these Agreements; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

Richard Holman, 170 West Sunnyside Road, appeared to state that this is a unique and significant project. They undertook this project for one significant reason, that being safety. With these Agreements, the roadway will stay safe and property values will stay safe as well. An attractive entrance to the City has been provided without numerous roadways entering onto a primary arterial street. This is an outstanding example of a positive City and citizen relationship. This process has been extremely positive, productive, collaborative and cooperative. Mr. Holman gave direct thanks to City Engineer Kent Magleby and Right-of-Way Agent Shawn McGriff. He, also, gave indirect thanks to Public Works Director Chad Stanger and Councilmember Mike Lehto for their work behind the scenes so that everyone was well understood. Mr. Holman volunteered to assist and advise anyone else in a similar situation as these property owners in developing a plan with the City.

Dale Wahlquist, 190 West Sunnyside Road, appeared to explain the history of this agreement process. He, also, thanked City Engineer Kent Magleby and Right-of-Way Agent Shawn McGriff for their work on this Agreement process. The donation of their properties is in no way worth what they are getting in return. The City will benefit from this request and it is a good showcase for other homeowner groups along Sunnyside Road.

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Right-of-Way Agreements between the City of Idaho Falls and homeowners of Sunny Heights Subdivision setting forth conditions by which frontage road improvements associated with the Sunnyside Road Project are to be constructed 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.

City of Idaho Falls
November 5, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 1, BLOCK 1, BURNS ADDITION,
DIVISION NO. 1

Public Works requests authorization for the City Attorney to prepare the documents needed to vacate an unused utility easement located in Lot 1, Block 1, Burns Addition, Division No. 1.

s/ Chad Stanger

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It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to give authorization for the City Attorney to prepare the documents necessary to vacate an unused utility easement located in Lot 1, Block 1, Burns Addition, Division No. 1. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
November 5, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUNNYSIDE ROAD PROJECT – SUPPLEMENTAL AGREEMENT
SIX MILE ENGINEERING

Attached is a Supplemental Agreement to the Six Mile Engineering Agreement for Sunnyside Road. This Supplemental Agreement requires performance of engineering services involved in evaluating design alternatives developed as a result of historic limitations placed on the project. This work was not in the original scope of work and increases the total contract amount by an additional \$1,060.00.

Public Works recommends approval of this Agreement; 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 approve the Supplemental Agreement to the Six Mile Engineering Agreement for Sunnyside Road 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.

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Mayor Milam announced that the next Council Meeting would be held on Tuesday, November 20, 2001.

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

CITY CLERK

MAYOR
