

**JULY 26, 2001**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 26, 2001, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam  
Councilmember Mary Klingler  
Councilmember Brad Eldredge  
Councilmember Mike Lehto  
Councilmember Joe Groberg  
Councilmember Bruce Rose

Absent was:

Councilmember Ida Hardcastle

Also present:

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

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

The City Clerk read a summary of the minutes for the July 12, 2001 Regular Meeting. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the minutes as printed. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Lehto  
Councilmember Rose  
Councilmember Groberg  
Councilmember Klingler

Nay: None

Motion Carried.

### **CONSENT AGENDA ITEMS**

The City Clerk presented several license applications, including BARTENDER PERMITS to Miles T. Cook, David Cromwell, David R. Hadley, Sindy M. Moorefield, and Kayleen Sessions, 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 July 26, 2001.

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

Aye: Councilmember Rose  
Councilmember Groberg

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Councilmember Lehto  
Councilmember Klingler  
Councilmember Eldredge

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Woodbridge at Ivan's Acres, Division No. 1. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 9, 2001

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: WOODBRIDGE AT IVAN'S ACRES, DIVISION NO. 1

Attached is the Annexation Agreement, Annexation Ordinance, and Final Plat for Woodbridge at Ivan's Acres, Division No. 1. The Final Plat consists of 54 single-family lots east of Hitt Road, west of and adjacent to Sand Creek and north of First Street. The requested initial zone is R-1. At the May 8, 2001 Meeting of the Planning Commission, the Commission recommended approval of the annexation, final plat, and initial zoning for Woodbridge with the conditions that Eastview Drive be improved with construction of this subdivision to provide a second improved access and sidewalks be constructed on Lot 1A, Block 6, and Lot 6A, Block 2, when Mesa Street is constructed. The Annexation Agreement provides for a temporary emergency access on the Eastview right-of-way and sidewalk construction. This annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Vicinity Map indicating that this land is adjacent to the City of Ammon
Slide 3	Aerial Photo
Slide 4	Final Plat under consideration
Slide 5	Site Photo looking northeast along Sand Creek Canal
Slide 6	Site Photo looking northeast from the middle of Block 2
Slide 7	Site Photo looking east from 25 <sup>th</sup> East along Eastview Drive
Exhibit 1	Planning Commission Minutes dated May 8, 2001

Exhibit 2    Staff Report  
Exhibit 3    Final Plat

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David Benton, Benton Engineering, 550 Linden Drive, appeared to state that he was present to answer any questions from the Mayor and Council. There being no questions or comments, Councilmember Rose requested anyone present who wished to make a comment to come forward at this time.

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 Eldredge, to approve the Annexation Agreement for Woodbridge at Ivan's Acres, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Klingler  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2423**

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 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 Klingler  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

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It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Woodbridge at Ivan's Acres, Division No. 1 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 Eldredge  
Councilmember Lehto

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 Eldredge, to establish the initial zoning of Woodbridge at Ivan's Acres, Division No. 1 as R-1 (Single-Family Residential) as requested and, 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 Klingler

Nay: None

Motion Carried.

The memo from the Planning and Building Director regarding Annexation Proceedings for Galasad Addition, Division No. 1 was withdrawn by the Division Director.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Calvary Chapel, Division No. 1. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 13, 2001

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: CALVARY CHAPEL, DIVISION NO. 1

Attached is the Annexation Agreement, Annexation Ordinance, and Final Plat for Calvary Chapel, Division No. 1. Calvary Chapel is one lot of almost 18 acres

located west of and immediately adjacent to Hitt Road, south of Sunnyside Road, and north of Township Road. The requested initial zoning is R-1 (Single-Family Residential) and T-1 Overlay. The Planning Commission heard this

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annexation request at a recent meeting and unanimously recommended approval of the annexation, final plat, and initial zoning of R-1. The Commission recommended denial of the T-1 Overlay. The Department concurs in this recommendation. The annexation 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 annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Aerial Photo with surrounding Preliminary Plats
Slide 4	Final Plat under consideration
Slide 5	Site Photo looking northwest across the site
Exhibit 1	Planning Commission Minutes dated July 10, 2001
Exhibit 2	Staff Report
Exhibit 3	Final Plat

Gordon Boyle, 309 Pinion, appeared to state that he was present to answer any questions on the annexation request. There being no questions or comments, Councilmember Rose requested anyone present who wished to make a comment to come forward at this time.

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 Eldredge, to approve the Annexation Agreement for Calvary Chapel, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Rose  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Klingler  
Councilmember Eldredge

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2424**

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.

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

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Calvary Chapel, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Klingler  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Rose

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 Eldredge, to establish the initial zoning of Calvary, Division No. 1 as R-1 (Single-Family Residential) as requested and, 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 Klingler  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to deny the T-1 Overlay Zone as recommended by the Planning Commission for Calvary Chapel, Division No. 1. Roll call as follows:

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Aye: Councilmember Klingler  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a Planned Unit Development for a pharmacy on property located generally north of Sunnyside Road and east of Channing Way, and legally described as Lot 4, Block 7, First Amended Plat of 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  
July 13, 2001

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: PLANNED UNIT DEVELOPMENT – LOT 4, BLOCK 7, FIRST AMENDED PLAT OF CHANNING WAY ADDITION, DIVISION NO. 3

Attached is the Site Plan for a Planned Unit Development on Lot 4, Block 7, First Amended Plat of Channing Way Addition, Division No. 3. Lot 4 is a part of a larger area immediately north of Sunnyside Road, west of Sand Creek, and east of Channing Way that was annexed and zoned C-1 with a PUD Overlay in 1995 and is the first lot within this area to be developed. If approved, Lot 4 will house Teton Pharmacy. The Planning Commission considered this PUD site plan at its recent meeting and recommended approval. The Department concurs in this recommendation. The site plan is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Groberg declared that he would have a conflict of interest on this Planned Unit Development and stated that he would not participate in the discussion or decision. The Planning and Building Director located the subject area on a map and further explained this request. Following is a list of exhibits used in connection with the Planned Unit Development request:

Slide 1 Vicinity Map showing surrounding zoning  
Slide 2 Aerial Photo  
Slide 3 Landscape Site Plan  
Slide 4 Elevations of building  
Slide 5 Site Photo looking east at the site

Exhibit 1 Planning Commission Minutes dated July 10, 2001  
Exhibit 2 Staff Report

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The Planning and Building Director stated that this request conforms to the Planned Unit Development and C-1 provisions in the Zoning Ordinance.

Ben Stallings, 460 Springwood, appeared to state that he represented Teton Pharmacy and would probably be the contractor for this facility. He stated that he appreciated the assistance that he has received from the Planning and Building Director. He also stated that he complies with all requirements.

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

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Planned Unit Development on Lot 4, Block 7, First Amended Plat of Channing Way Addition, Division No. 3. Roll call as follows:

Aye: Councilmember Klingler  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto

Nay: None

Abstain: Councilmember Groberg (Conflict of Interest)

Motion Carried.

Mayor Milam indicated that this was the time for citizens to appear who had issues for the City Council that are not otherwise listed on the Agenda.

Steve Decker, 242 West 17<sup>th</sup> Street, appeared to invite the Mayor and City Council to the OneWest.Net Open House on Friday afternoon on Jennie Lee Drive. Mayor Milam thanked him for the invitation.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
July 18, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-01-18, ONE (1) NEW 2001 UNDERGROUND LINE  
PULLER/AIR COMPRESSOR, TRAILER MOUNTED

Attached for your consideration is the tabulation for Bid IF-01-18, One (1) New 2001 Underground Line Puller/Air Compressor, Trailer Mounted.

It is the recommendation of Municipal Services to accept the low bid meeting specifications of Sherman and Reilly, c/o Conely Engineering Company to furnish a new 2001 Sherman and Reilly Model for an amount of \$69,975.00.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the low bid meeting specifications of Sherman and Reilly, c/o Conely Engineering to furnish the Underground Line Puller/Air Compressor, Trailer Mounted as requested. Roll call as follows:

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Aye: Councilmember Rose  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Klingler  
Councilmember Eldredge

Nay: None

Motion Carried.

City of Idaho Falls  
July 20, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-01-22, SURPLUS USED EQUIPMENT

Attached for your consideration is the tabulation for Bid IF-01-22, Surplus Used Equipment.

It is the recommendation of Municipal Services to accept the high bid for each item of surplus equipment as listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the high bid for each item of surplus equipment as listed on Attachment "A". Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Groberg  
Councilmember Eldredge  
Councilmember Rose  
Councilmember Klingler

Nay: None

Motion Carried.

City of Idaho Falls  
July 20, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-01-23, ONE (1) NEW 2001 OR NEWER TRUCK MOUNTED TREE TRANSPLANTER

Attached for your consideration is the tabulation for Bid IF-01-23, One (1) New 2001 or Newer Truck Mounted Tree Transplanter.

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It is the recommendation of Municipal Services to accept the low valid bid of Hirning Truck Center to furnish a new 2002 GMC Cab and Chassis mounted with a new 2001-2002 Big John Tree Transplanter for an amount of \$130,534.00 without trade-in.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the low valid bid from Hirning Truck Center to furnish One (1) New 2001 or Newer Truck Mounted Tree Transplanter. Roll call as follows:

Aye: Councilmember Klingler  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls  
July 13, 2001

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: CLEMENT COMMERCIAL PARK, DIVISION NO. 2

Attached is the Development Agreement and Final Plat for Clement Commercial Park, Division No. 2. Clement Commercial Park, Division No. 2 is one lot of 0.92 acres located east of and immediately adjacent to Lindsay Boulevard, south of the access to U. S. 20, and north of U. S. 20. The property is located within Idaho Falls and is zoned GC-1. On July 10, 2001, the Planning Commission recommended the Plat be approved with the condition one access serve this property as well as the property to the immediate north and south. The limitation to one access is addressed in the Annexation Agreement. The Final Plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Development Agreement for Clement Commercial Park, Division No. 2 and, further, give authorization for the Mayor and City Clerk to execute said Agreement. Roll call as follows:

Aye: Councilmember Klingler  
Councilmember Rose

Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg

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Nay: None

Motion Carried.

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

Aye: Councilmember Rose  
Councilmember Groberg  
Councilmember Lehto  
Councilmember Klingler  
Councilmember Eldredge

Nay: None

Motion Carried.

City of Idaho Falls  
July 13, 2001

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: WATERFORD ADDITION, DIVISION NO. 5

After Planning Department Staff recently requested the boundaries of the Final Plat for Waterford Addition, Division No. 5, be altered to assure the plat does not extend beyond the annexation boundaries, the Developer requested an extension on recording the Final Plat. Therefore, this Department respectfully requests an extension to November 1, 2001 for recording Waterford Addition, Division No. 5.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to grant the extension of the recording of the Final Plat for Waterford Addition, Division No. 5 to November 1, 2001. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Rose  
Councilmember Klingler  
Councilmember Eldredge  
Councilmember Lehto

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Klingler, seconded by Councilmember Eldredge, that the meeting adjourn at 8:05 p.m.

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CITY CLERK

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MAYOR

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