

**MAY 24, 2001**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 24, 2001, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam  
Councilmember Bruce Rose  
Councilmember Brad Eldredge  
Councilmember Mike Lehto (Due to a conflict, arrived a few minutes late)  
Councilmember Mary Klingler  
Councilmember Ida Hardcastle  
Councilmember Joe Groberg

Also present:

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

The City Clerk read a summary of the minutes for the May 10, 2001 Regular Meeting. It was moved by Councilmember Klingler, seconded by Councilmember Hardcastle, to approve the minutes as printed. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Klingler  
Councilmember Eldredge  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

**CONSENT AGENDA ITEMS**

The City Clerk presented several license applications, including a BEER LICENSE to Jordan Lodging dba Quality Inn (Transfer Only); BARTENDER PERMITS to Brody G. Frearson, Ardenna A. Goodwin, Shere R. Hill, Linda L. Jones, Cathy S. Schwab, Shelly L. Thiel, Camille L. Walker, and Gregory H. West, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on May 24, 2001.

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

Aye: Councilmember Groberg  
Councilmember Rose  
Councilmember Klingler  
Councilmember Hardcastle

Councilmember Eldredge

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Nay:           None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for a parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 31, Township 2 North, Range 38, East of the Boise Meridian with School District No. 91 at Taylorview Junior High School. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
May 18, 2001

MEMORANDUM

TO:           Mayor and City Council  
FROM:       Renée R. Magee, Planning and Building Director  
SUBJECT:   ANNEXATION – TAYLORVIEW JUNIOR HIGH SCHOOL PROPERTY

Attached is the Annexation Agreement and Annexation Ordinance for the portion of the grounds of Taylorview Junior High School located west of and immediately adjacent to Holmes Avenue. The requested initial zoning is RP-A. The Planning Commission considered this annexation request at its February 20, 2001 Meeting and recommended approval of the annexation request with the initial zoning of RP-A. The Department concurs with this recommendation. The 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 indicating surrounding zoning  
Slide 2       Aerial Photo locating property to be annexed  
Exhibit 1     Planning Commission Minutes dated February 20, 2001  
Exhibit 2     Staff Report for Planning Commission Meeting

Marty Tingey, 460 Coventry Court, appeared to question whether the school would be building anything on this additional property. It was explained that only a portion of the Taylorview Junior High School property was annexed previously. This annexation would bring in the remainder of the Taylorview Junior High School property.

There being no further discussion 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 with School District No. 91 for the eastern portion of the Taylorview Junior High School property and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Hardcastle  
Councilmember Groberg

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Councilmember Rose  
Councilmember Klingler

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2415**

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 Eldredge  
Councilmember Rose  
Councilmember Groberg  
Councilmember Klingler  
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 Eldredge, to establish the initial zoning of the eastern portion of the Taylorview Junior High School Property as RP-A (Single-Family Residential Park) 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 Hardcastle  
Councilmember Klingler  
Councilmember Eldredge  
Councilmember Groberg

Councilmember Rose

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Nay:           None

Motion Carried.

Councilmember Lehto arrived and took his seat at the Council Table.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Castlerock 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  
May 18, 2001

MEMORANDUM

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

Attached is the Annexation Agreement, Annexation Ordinance, and Final Plat for Castlerock Addition, Division No. 2. The requested initial zoning is R-1. This property is located east and immediately adjacent to Holmes Avenue and south of Kinswood Street. The Planning Commission considered this annexation request at its February 13, 2001 Meeting and recommended approval of the annexation request with the condition a pedestrian pathway be provided on the north and east side of Block 2. The pedestrian path has been incorporated into the improvement drawings submitted by the developer. The Department concurs with this recommendation. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Groberg announced that he had a conflict of interest with regard to this annexation and would not participate in the discussion or vote on this matter. The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this Annexation request:

Slide 1	Vicinity Map indicating the surrounding zoning
Slide 2	Aerial Photo with the Final Plat outlined in red
Slide 3	Final Plat under consideration
Slide 4	Preliminary Plat for Castlerock Addition
Slide 5	Site Photo showing entrance or access to Castlerock Addition
Slide 6	Site Photo looking at home to the northeast of the entrance
Slide 7	Site Photo looking at home to the south of the entrance
Slide 8	Site Photo looking south along Kinsmen Lane to area to be developed as Castlerock Addition, Division No. 2
Exhibit 1	Planning Commission Minutes dated February 13, 2001
Exhibit 2	Staff Report for Planning Commission Meeting

The Planning and Building Director stated that this annexation is in accordance with the City's Comprehensive Plan, the City's Subdivision Ordinance, and has been reviewed by staff.

Richard Groberg, 1605 South Woodruff Avenue, appeared to state that he is one of the developers for this property. This is being developed with large lots to give a rural flavor to the addition.

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There being no further discussion 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 Castlerock Addition, Division No. 2 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Klingler  
Councilmember Hardcastle  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto

Nay: None

Abstain: Councilmember Groberg (Conflict of Interest)

Motion Carried.

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

**ORDINANCE NO. 2416**

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 Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Klingler  
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Groberg (Conflict of Interest)

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Castlerock Addition, Division No. 2 and, further, give

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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 Rose  
Councilmember Klingler

Nay: None

Abstain: Councilmember Groberg (Conflict of Interest)

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 Castlerock Addition, Division No. 2 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 Klingler  
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Groberg (Conflict of Interest)

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Taylor Crossing On The River. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
May 18, 2001

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: TAYLOR CROSSING ON THE RIVER, ANNEXATION PRIOR TO PLATTING

The Planning Department respectfully requests this annexation request be recessed to June 7, 2001.

s/ Renée R. Magee

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It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to recess Annexation Proceedings for Taylor Crossing On The River to the June 7, 2001 Special Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

The Airport Director submitted the following memo:

City of Idaho Falls  
May 18, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Humberd, Director of Aviation  
SUBJECT: TRIANGLE RECREATIONAL SALES AND SERVICE LEASE

Attached for City Council approval is the Amendment to Lease Agreement for Triangle Recreational Sales and Service, Inc. This Amendment is associated with some additional property located outside the Runway Protection Zone.

The City Attorney has reviewed this document.

The Airport Division requests approval of the Amendment to Lease and authorization for the Mayor to execute it.

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Amendment to the Lease Agreement with Triangle Recreational Sales and Service, Inc. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls  
May 23, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: CONFIRMATION AGREEMENTS WITH ARIZONA PUBLIC SERVICE COMPANY (APS) AND UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS (UAMPS)

Attached for your consideration are two Confirmation Agreements for the sale of power. The first is to Arizona Public Service Company of 10 MW for \$199 MWh from October 1, 2001 through March 31, 2002. The second is to Utah Associated Municipal Power Systems for 75% of Gem State generation each hour for \$130 MWh from May 9, 2001 through May 31, 2001.

Idaho Falls Power respectfully requests ratification of these Agreements.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to ratify the execution of the Confirmation Agreement with Arizona Public Service Company for 10 MW for \$199 MWh from October 1, 2001 through March 31, 2001. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to ratify the execution of the Confirmation Agreement with Utah Associated Municipal Power Systems for 75% of Gem State generation each hour for \$130 MWh from May 9, 2001 through May 31, 2001. Roll call as follows:

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

Nay:           None

Motion Carried.

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City of Idaho Falls  
May 24, 2001

MEMORANDUM

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

Attached for your consideration is a Rate Mitigation Letter Agreement with the Bonneville Power Administration in its substantially final form.

Idaho Falls Power respectfully requests approval of this Agreement and authorization for the Mayor to execute the documents upon selection of the options and completion of the exhibits.

s/ Mark Gendron

Councilmember Eldredge explained that Bonneville Power Administration is requesting customers to reduce the amount of power taken from Bonneville Power Administration in the upcoming rate period by 10%. He commended Idaho Falls Power for being one of the first utilities to execute one of these agreements. It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to approve the Rate Mitigation Letter Agreement with Bonneville Power Administration and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
May 21, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PUBLICATION OF "NOTICE OF PUBLIC HEARING" TO AMEND  
THE 2000-2001 FISCAL YEAR BUDGET

Municipal Services respectfully requests the Mayor and Council to tentatively approve the amended 2000-2001 Fiscal Year Budget in the amount of \$124,450,946.00 on May 24, 2001.

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Approval is also requested to publish the attached "Notice of Public Hearing" of the Amended 2000-2001 Fiscal Year Budget with publication dates set for June 17, 2001 and June 24, 2001.

The Public Hearing is scheduled for 7:30 p.m., Thursday, June 28, 2001, in the Council Chambers in the Idaho Falls Power Building at 140 South Capital Avenue in Idaho Falls, Idaho.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to tentatively approve the Amended 2000-2001 Fiscal Year Budget in the amount of \$124,450,946.00 and, further, give authorization to publish the "Notice of Public Hearing" of said amended budget on June 17, 2001 and June 24, 2001 as requested. Roll call as follows:

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

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls  
May 24, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: TAUTPHAUS PARK QUARANTINE HOSPITAL, CHANGE ORDER NO. 2

Attached for our consideration is Change Order No. 2 for the Tautphaus Park Quarantine Hospital. Total cost for the Change Order is \$9,791.00. I have attached an itemized cost sheet indicating the proposed changes for your review. It is, therefore, submitted for your approval and to have the Mayor sign and send Change Order.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Rose, to approve Change Order No. 2 to Shook Construction Company, Inc. for the Tautphaus Park Hospital Quarantine Facility and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Rose

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Councilmember Klingler  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
May 18, 2001

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: FINAL PLAT – DIANNE T. JOHNSON ADDITION, DIVISION NO. 1

Attached is the Final Plat for Dianne T. Johnson Addition, Division No. 1. This property is located west and adjacent to Channing Way to the northwest of Teton Plaza. The property is within the City of Idaho Falls and is zoned C-1. The Planning Commission considered this Final Plat at its May 8, 2001 Meeting and recommended approval with the condition access to this lot be shared with the parent lot. Shared access will be a condition of site plan approval by staff. This Final Plat 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 Final Plat approval:

Slide 1 Vicinity Map showing surrounding zoning  
Slide 2 Aerial Photo with Final Plat superimposed  
Slide 3 Final Plat  
Exhibit 1 Planning Commission Minutes dated May 8, 2001  
Exhibit 2 Staff Report for Planning Commission Meeting

The Planning and Building Director stated that the Final Plat is in compliance with the City Subdivision Ordinance and the Comprehensive Plan.

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

Aye: Councilmember Groberg  
Councilmember Rose  
Councilmember Klingler

Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto

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Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls  
May 23, 2001

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SUPPLEMENTAL ENGINEERING AGREEMENT NO. 1 – FIRST STREET AND FREEMAN AVENUE INTERSECTION IMPROVEMENTS

Attached is proposed Supplemental Engineering Agreement No. 1 to the Engineering Services Agreement between the City and Six Mile Engineering for intersection improvements at First Street and Freeman Avenue. The Supplemental Agreement expands the scope of work to include an evaluation of the proposed improvements to adjacent intersections at an additional cost of \$570.00; and, contract extension time of four (4) weeks.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve Supplemental Engineering Agreement No. 1 to the Engineering Services Agreement with Six Mile Engineering for intersection improvements at First Street and Freeman Avenue and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

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CITY CLERK

MAYOR

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