

APRIL 12, 2001

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, April 12, 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
Councilmember Mary Klingler
Councilmember Ida Hardcastle
Councilmember Joe Groberg

Also present:

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

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

Mayor Milam honored David Christiansen, Parks and Recreation Director, by presenting him with Governor's Community Beautification Award from the Idaho State Department of Commerce for the Idaho Falls City Flower Program. She shared the following letter from Governor Dirk Kempthorne:

State of Idaho
Governor's Office

Mayor Linda Milam
City of Idaho Falls
P. O. Box 50220
Idaho Falls, Idaho 83405

Dear Mayor Milam:

Congratulations on the success of your beautification and revitalization efforts. I want to take this special opportunity to recognize Idaho Falls for its outstanding beautification project.

The public/private partnerships and the community spirit demonstrated by this project are wonderful examples of what can be accomplished through a shared vision and community-wide involvement. I understand that much of the success of the project can be attributed to Dave Christiansen, Director of the Idaho Falls Parks and Recreation Division, and Delbert Lloyd, your City Horticulturist.

Coming events such as the 2002 Winter Olympics and the Lewis and Clark Bicentennial Commemoration will be attracting many additional visitors to

Idaho. Projects such as yours improve communities, increase citizen pride, and welcome guests to our beautiful State.

APRIL 12, 2001

Again, congratulations on a job well done.

s/ Dirk Kempthorne
Governor, State of Idaho

Dave Christiansen, Parks and Recreation Director, stated that a special thanks needs to be given to Maxine Elliott for her monetary gifts and the vision she had for this project to go forward. He, further, thanked his employees for their hard work.

The City Clerk read a summary of the minutes for the March 22, 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 Hardcastle
 Councilmember Klingler
 Councilmember Eldredge
 Councilmember Lehto
 Councilmember Groberg
 Councilmember Rose

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

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

The City Clerk presented several license applications, including BARTENDER PERMITS to Barbara L. Arehart, Robert J. Birch, Jessica C. Bright, Mary L. Cunningham, Blake A. Hawkins, Karen L. Ingelstrom, and Matthew C. Marquez, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on April 12, 2001.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
March 29, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO BID

Municipal Services respectfully requests authorization to advertise and receive bids for five (5) Thermal Imaging Camera Systems.

s/ S. Craig Lords

The Parks and Recreation Director submitted the following memo:

APRIL 12, 2001

City of Idaho Falls
April 12, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: SOUTH TOURIST R. V. PARK EXPANSION PROJECT – PROJECT
NO. 2-37-25-3-PRK-2001-17

The Division of Parks and Recreation respectfully requests authorization to advertise for bids for the expansion of the R. V. Park located at South Tourist Park. A grant from the Idaho State Parks and Recreation Department's Recreational Vehicle Grant Program has been awarded to the City for this project.

s/ David J. Christiansen

The Public Works Director submitted the following memo:

City of Idaho Falls
March 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – ROGERS STREET SANITARY SEWER

Public Works requests authorization to advertise to receive bids for Rogers Street Sanitary Sewer Project.

s/ Chad Stanger

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 Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

APRIL 12, 2001

REGULAR AGENDA ITEMS

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

FUND	TOTAL EXPENDITURE
General Fund	\$535,492.84
Street Fund	25,115.71
Recreation Fund	19,033.12
Library Fund	57,098.34
Municipal Equipment Replacement Fund	57,879.25
Electric Light Public Purpose Fund	28,685.73
Business Improvement District	22,800.00
Street Capital Improvement Fund	81,935.64
Airport Fund	56,362.68
Water and Sewer Fund	153,400.52
Sanitation Fund	2,879.09
Ambulance Fund	13,989.84
Electric Light Fund	3,811,818.36
Payroll Liability Fund	1,771,793.27
TOTALS	\$6,638,284.39

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve Check No. 21552 in the amount of \$1,152.75 made payable to the American Red Cross. Roll call as follows:

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

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 March, 2001. Roll call as follows:

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

Nay: None

APRIL 12, 2001

Motion Carried.

Mayor Milam requested Councilmember Hardcastle to conduct a public hearing, as legally advertised, for the purpose of receiving comments or objections to the proposed exchange of the following described two parcels of real property: 1) Parcel I (City Property) – A parcel of land in Section 4, Township 1 North, Range 38 East of the Boise Meridian, containing 6.44 Acres; and, 2) Parcel II (Double Vision Properties, LLC Property) - All of Lot 1C, Block 1 and Lots 1B, 7, 8, 9, and 10, Block 3, of The Dunes At Sand Creek, Division No. 1, and Lot 13A, Block 3, and Lot 8A, Block 1 of The Dunes at Sand Creek, Division No. 2, City of Idaho Falls, Bonneville County, Idaho. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Parks and Recreation Director:

City of Idaho Falls
April 12, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PROPERTY EXCHANGE AT SAND CREEK GOLF COURSE WITH
DOUBLE VISION PROPERTIES, LLC

At a City Council Meeting on March 8, 2001, the City Council approved an Ordinance, which provided for an exchange of properties between the City and Double Vision Properties, LLC; and, established the date of April 12, 2001, as the date for the City Council to conduct a public hearing on the matter.

The proposal allows for 3.87 acres of Double Vision Property LLC to be exchanged for 6.44 acres of City property. Attached for your review is a site map of the proposed exchange indicating the land parcels to be exchanged. The State of Idaho has released the City from all Federal Land and Water Conservation restrictions pertaining to the City's property so an exchange and conversion of the properties can be executed.

s/ David J. Christiansen

At the request of Councilmember Hardcastle, the Parks and Recreation Director appeared to give a brief explanation of the purpose for this exchange. He stated that this exchange is directly related to the conversion of the properties due to the fact that Federal restrictions were placed on the property at Sand Creek Golf Course through the Land and Water Conservation Funds. One of the direct benefits that the City will receive from this exchange is that the City will tie into the storm water retention to the Golf Course. The storm water retention will be delivered onto the Golf Course just adjacent to the exchange property. This will serve as a water feature on the Golf Course, but will also serve as a storm water retention pond. The 3.87 acres will be developed as a neighborhood park, with a 16-foot easement that will be developed as a pedestrian/bicycle pathway.

There being no one to appear either in favor of or in opposition to this property exchange, Mayor Milam closed the public hearing. It was moved by Councilmember Hardcastle, seconded by Councilmember Rose, to instruct the City Attorney to prepare the

necessary Exchange Agreement for this property exchange between the City of Idaho Falls and Double Visions Properties, LLC. Roll call as follows:

APRIL 12, 2001

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing, as legally advertised, for consideration of a rezoning from R3-A (Apartments and Professional Offices) to C-1 (Limited Commercial) on property located generally at 1785 East 17th Street and 1775 East 17th Street, legally described as Block 2, South 144.98' X 100', Lot 2; 80.49' X 144.98' Southeast Corner of Lot 1, Block 2, Strobel Addition. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REZONING REQUEST, PORTIONS OF LOTS 1 AND 2, BLOCK 2, STROBEL ADDITION

Attached is the application for rezoning the above-described property from R3-A to C-1. The Planning Commission considered this rezoning request at its March 13, 2001 Meeting and recommended approval of the rezoning request. The Department concurs. This request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Assistant Planning 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 Aerial Photo showing subject property
Slide 2 Close-Up Aerial Photo of Site
Slide 3 Vicinity Map showing surrounding zoning
Slide 4 Land Use Map
Slide 5 Site Photo looking south at site from across 17th Street
Slide 6 Site Photo looking south at properties along east side from across 17th Street
Slide 7 Site Photo looking west at site
Slide 8 Site Photo looking north from site
Slide 9 Site Photo looking east from site

Exhibit 1 Planning Commission Minutes dated March 13, 2001
Exhibit 2 Staff Report
Exhibit 3 Application with separate letter

APRIL 12, 2001

Dee Martin, 2965 Devonwood, appeared to state that he represents the company that owns this parcel of land. He is requesting the zoning change to broaden the scope and use of the buildings and to enlarge their prospective tenant base. With the Comprehensive Plan on 17th Street being C-1, they believe that what they are doing would work well. He does not see any negative impact to the area with the zone change.

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

Councilmember Groberg stated that he had a conflict of interest and would not be involved in any discussion regarding this rezoning request.

Councilmember Lehto requested the Assistant Planning Director to come forward to identify the uses allowed in the C-1 Zone. The Assistant Planning Director stated that the C-1 Zone allows for any type of dwelling from single-family residential to multi-family residential, along with office buildings and retail, including restaurants.

There being no further discussion, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the zone change from R3-A to C-1 on the portions indicated of Lot 1 and Lot 2, Block 2, Strobel Addition, 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 Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Rose
Councilmember Klingler

Nay: None

Abstain: Councilmember Groberg

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Sugar Mill Substation and Park. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION REQUEST – SUGAR MILL SUBSTATION AND PARK

Attached is the application for annexation and initial zoning for R-1 of the City-owned property described above. The Planning Commission considered this annexation request at its February 20, 2001 Meeting and recommended annexation and initial zoning of R-1, Single-Family Residential. The Department concurs. This annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

APRIL 12, 2001

The Assistant Planning 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	Aerial Photo indicating the subject property
Slide 2	Vicinity Map showing surrounding zoning
Slide 3	Site Photo looking at the substation with 12.37 acres
Exhibit 1	Planning Commission Minutes dated February 20, 2001
Exhibit 2	Staff Report
Exhibit 3	Map of annexation request

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

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

ORDINANCE NO. 2410

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; 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 Hardcastle
Councilmember Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

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 Sugar Mill Substation and Park 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:

APRIL 12, 2001

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for the Sand Creek Golf Course. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION REQUEST – SAND CREEK GOLF COURSE

Attached is the application for annexation and initial zoning of R-1 for the Sand Creek Golf Course, a municipal facility. The Planning Commission considered this annexation request at its February 20, 2001 Meeting and recommended annexation and initial zoning of R-1, Single-Family Residential. The Department concurs. This annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Assistant Planning 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 Aerial Photo indicating site
Slide 2 Vicinity Map showing surrounding zoning
Slide 3 Comprehensive Plan for Parks and Recreation
Exhibit 1 Planning Commission Minutes dated February 20, 2001
Exhibit 2 Staff Report
Exhibit 3 Map of annexation request

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

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

ORDINANCE NO. 2411

AN ORDINANCE ANNEXING CERTAIN LANDS TO
THE CITY OF IDAHO FALLS; DESCRIBING THESE
LANDS; REQUIRING THE FILING OF THE

APRIL 12, 2001

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 Lehto
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 Sand Creek Golf Course 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 Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing, as legally advertised, for consideration of a rezoning from RP-A (Single-Family Residential Park) to R-1 (Single-Family Residential) on property located generally south of Iona Street, east of Elmore Avenue, west of Canyon Avenue and north of Riverside Drive, legally described as Lots 21-29, Block 71, Highland Park Addition. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

APRIL 12, 2001

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REZONING REQUEST, LOTS 21-29, BLOCK 71, HIGHLAND PARK
ADDITION

Attached is the application for rezoning the above-described property from RP-A to R-1. The Planning Commission considered this rezoning request at its February 20, 2001 Meeting and recommended denial of the request. The Department concurs. This request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Assistant Planning 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	Aerial Photo indicating site
Slide 2	Vicinity Map showing surrounding zoning
Slide 3	Vicinity Map indicating petitioners for possible zone change
Slide 4	Site Photo looking at northwest corner of site
Slide 5	Site Photo looking at northeast corner of site
Slide 6	Site Photo looking west from site
Slide 7	Site Photo looking north of site
Slide 8	Site Photo looking north of site
Exhibit 1	Planning Commission Minutes dated February 20, 2001, with written testimony
Exhibit 2	Staff Report
Exhibit 3	Application
Exhibit 4	Letter from Whittiers

The Assistant Planning Director explained that the main reason for this zone change is to allow for a Home Occupation in the home at 990 Elmore Avenue for a day care. He explained, further, regarding the people in support of a zone change and the actual zone change request.

Councilmember Lehto requested to know what the Comprehensive Plan shows for this area. The Assistant Planning Director stated that the Comprehensive Plan divides residential into two groups, lower density (up to 7 units per acre) and higher density (up to 35 units per acre). The area under request is considered lower density residential.

Patricia Boden-Crandall, 990 Elmore Avenue, appeared to state that she was the applicant for the zone change. She stated that she operates a day care out of her home and many of the things that were stated at the Planning Commission Meeting regarding her day care were untrue. There is no noise level or traffic increase with regard to her operating her day care. The day care is a 24-hour service with no more than 12 children. Mrs. Boden-Crandall stated that of the nine homes located in this area, three homes have operating Home Occupations. They are a private family and a private business. She requested that

her home be considered for the rezone. Mrs. Boden-Crandall submitted the following letters in support of the zone change:

APRIL 12, 2001

April 11, 2001

To Whom It May Concern:

The day care being operated directly across the street at 990 Elmore Street from our front door has created no problems for us.

We have lived at this address for three years and were here before the day care center opened. We have noticed no increase in traffic, that has affected us adversely, as a result of the center nor have we been affected with any increased activity at the home in question.

We feel that the zoning change requested should be allowed.

s/ Kenneth Radford
s/ Norma S. Radford
1060 Iona Street

April 12, 2001

Planning and Building
City of Idaho Falls
P. O. Box 50220
Idaho Falls, Idaho 83405

Re: Request for Rezoning to R-1
990 Elmore, Idaho Falls

Dear Commissioners:

At the recommendation of my cousin Bob Wackerli, who started Wackerli Realty, I have invested in Idaho Falls real estate and purchased a home at 990 Elmore.

I am writing today to ask you to approve the rezoning of my property at 990 Elmore. This house, along with only 8 other houses in the entire development, is currently zoned RP-A. This home has been used for elder care and is now being used for residential child care. Unless it is rezoned to R-1 Residential, Patty Boden Crandall will be unable to continue providing day care for children at her home.

Your affirmative response to my request would be greatly appreciated.

Yours Truly,

s/Theodore F. Richardson
Theodore F. Richardson

Councilmember Rose requested those in favor of this rezoning request, to come forward at this time.

Kiersten Holland, 1025 Iona Street, appeared to state that she would not mind having the zone of her home changed from RP-A to R-1. There has been no problem with the day care, in that no additional traffic has been generated as a result of the day care being at

this site. Ms. Boden-Crandall offers a service that is much needed. The children are kept within a well-fenced back yard and are well cared for. Both Mrs. Holland and her husband give full support for the zone change.

APRIL 12, 2001

Melanie Orchard, 950 Elmore Avenue, appeared to state that she and her husband support the zone change. This is not a wild family and the yard is well cared for, along with the house being very clean.

Shawnie Browning, Wackerli Property Management, appeared to state that she has rented to Patty Boden-Crandall for approximately five years, with the last three being at 990 Elmore Avenue. She stated that she operates a large property management business, and Patty Boden-Crandall is her star tenant, and hopes to purchase this property some day. Ms. Browning stated that she is in support of beautifying the river, but the needs of the community also need to be met. She did not want Ms. Boden-Crandall to move, and she did not want the investor to have to sell his property if this rezoning does not pass. Ms. Boden-Crandall has also taken care of her yard.

Councilmember Lehto questioned Shawnie Browning as to whether she was the property owner's representative. Ms. Browning stated that she was functioning as the representative for Mr. Richardson, and also requested that he provide a letter stating his wishes.

Councilmember Rose questioned Ms. Browning as to who was responsible for the maintenance of the property. Ms. Browning stated that the property owner and renter are responsible for the maintenance of the property. She stated, further, that she inspects the properties that she is responsible for through the Property Management Company.

Nina Haroldsen, 975 Iona Street, appeared to state that her property was rezoned to R-1 prior to moving in. This is a common practice in the area that she lives in. Ms. Haroldsen stated that this is not about the applicant and her practices, but it is about whether or not to rezone the property. She stated that she supports the zone change.

Jessica Lopez, 131 South Placer, appeared to state that Ms. Boden-Crandall provides day care for her children. She stated that the use of the CART bus picking up her daughter to take her to a private school was an issue at the last public hearing. She explained her circumstances and stated that the CART bus only picks up her daughter one to two times per week at this location. Ms. Lopez stated that she supports the zone change.

Councilmember Rose announced that the issue before City Council at this time was the rezoning request from RP-A to R-1, and not the applicant.

Michelle Lott, 965 Canyon Avenue, appeared to state that it is a great opportunity to be self-employed, and stated that she supports the zone change.

Councilmember Rose requested those in opposition to this rezoning request, to come forward at this time.

Garald R. Beazer, 142 West 19th Street, appeared to share the following statement:

April 12, 2001

MAYOR AND CITY COUNCIL MEETING

Thank you very much for the opportunity to address you on the zoning matter before you at this time. My name is Garald R. Beazer and I have had in conjunction with my father, Roland C. Beazer, a long history of building in this area. My father, Roland, began building in this area in 1930 and I have continued in that field and in fact still maintain a current City of Idaho Falls Contractor's License. Between my father and I, we have designed and built or remodeled many of the homes in this general area. Roland and others as well as previous Idaho Falls City Building Officials designated a generally two block area along the east bank of the Snake River as a Residential Park Zoning. This

higher standard of construction and density was desired because of the view of and the close proximity to the riverbank. A number of structures were preexisting and needed to be grand fathered into that zoning, but all new

APRIL 12, 2001

construction had to carefully follow those restrictions. The new sites were selected and built by those having faith in the standard of zoning as it exists to this day.

You now have before this control group a proposal to modify one piece of property within that area. It would be my recommendation that this group deny that request for the following reasons.

Number One It is my feeling that we lose faith in those who have gone before us if we resort to spot zoning of this nature. I would be the first to admit that times do change and decisions need to be made in relationship to existing conditions. This is not the case of this request. The situation as far as zoning is concerned is very stable in this area. We have only one request here to change one particular spot within a given housing development.

Number Two To grant this request would not only tend to devalue the neighbors surrounding property but also the property in question. We have a party here using this rental property in a non-conforming way to existing zoning standards. Certainly the owner and occupant are taking a rather simplistic approach to the problem by requesting to change the zoning to match what they want to do with the rental property.

Number Three It seems evident to me that the occupant of the building will not suffer any appreciable monetary loss in the denial of this request. They can simply terminate whatever rental agreement they have with the owners and move to a property that will conform to their existing business. The existing owners will not suffer any loss since they are then free to rent the property to others.

Based upon this reasoning, I personally feel this Board should deny this request for a zoning change on this piece of property.

Thank you very much for the opportunity to address this group and I thank you for your time.

Garald R. Beazer
142 West 19th Street
Idaho Falls, Idaho 83402

Mr. Beazer stated, further, that in meeting previously with the Planning Commission, comments were made concerning a property that was considered non-conforming and operating outside of the law. At the time the property was in question and the zoning was addressed, there were a number of people who wanted to have a protection from businesses operating in the area. They could not afford to purchase all remaining properties, so they came to a compromise of RP-A Zoning. The existing businesses in this area were grandfathered in at the time of the rezoning to RP-A.

Councilmember Groberg questioned whether Mr. Beazer had any present ownership interest in any of the land affected by the property. Mr. Beazer stated that he did

not have a personal interest, but that his sister, Velma Hurley owns property in the area. He stated, also, that he wanted to keep the wishes of those that have gone before him left in tact.

Joel Palmer, 1100 Iona Street, appeared to state that the day care is not causing any problems to the area right now. He expressed his concern over what type of

APRIL 12, 2001

business could be operated from the home at a later date. He stated that he would support a temporary measure that would allow the day care to stay at the home as long as Ms. Boden-Crandall were to live at this location. He stated that he felt that he was fighting a semi-commercialism creeping into his residential neighborhood. Mr. Palmer shared the following note from neighbors:

Dear Mayor and City Council:

We are opposed to the proposed zoning change on the south side of Iona Street from RP-A to R-1. We enjoy our neighborhood just as it is now and feel that changing the zoning classification for a single residence that is not even owner occupied would be short sighted.

s/ Ronda Palmer

s/ Bill and Ada Kishiyama

Velma Hurley, 1101 Iona Street, appeared to state that she lives directly to the west of the property in question. She stated that her and her husband built their home upon leaving the service in 1945 and have lived in this location for a long time. They have tried to improve their neighborhood by purchasing shacks that were left behind and then tearing them down to allow for nicer homes to be built. She stated, further, that she was part of the original group requesting the RP-A zoning. She is strongly opposed to the zone change on Elmore, as the only reason for the rezoning would be to accommodate the day care at that location. This day care has been operating in violation of the Zoning Ordinance for approximately three years. Mrs. Hurley stated that Mrs. Henry Ruiz at 1030 Elmore requested that it be known that she is also opposed to the requested rezoning.

Patty Boden-Crandall, 990 Elmore Avenue, re-appeared to explain that she is not just a renter in this home, but is considering the purchase of this home. She would hate to think that she is being thrown out of her home at this time, because she is just a "renter". She stated that when they moved into the neighborhood, they had no idea that they were in an RP-A zone and would not be allowed to operate a business from that home. Ms. Boden-Crandall stated that it would be a huge problem to move her family and business from this location.

Councilmember Groberg pointed out that the only interest that the City Council would have in the difference between a renter and an owner, is that the owner's views correspond with the request.

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

The Assistant Planning Director re-appeared to clarify that the existing RP-A Zone dates back to the 1947 Comprehensive Plan. Councilmember Rose requested the Assistant Planning Director to explain why the RP-A Zone was established and why this zone has remained in this location. The Assistant Planning Director stated that the issue is the Home Occupation. Home Occupations were designed to allow for a business inside of a home, with the intent being not to take away from the value or the character of that neighborhood. There are nine requirements that must be met in order to have a Home Occupation.

Councilmember Lehto questioned whether a Conditional Use Permit would be allowed in an RP-A zone. The Assistant Planning Director explained that Conditional Use

Permits are only allowed when the zone lists that as being allowed for that particular use. There are no Home Occupations allowed in an RP-A zone.

Mayor Milam explained that a considerable effort was made at the Planning Commission to provide for Home Occupations in an RP-A zone under very limited

APRIL 12, 2001

circumstances. This was an incredibly contentious issue, with many people stating that they purchased a home in an RP-A zone in large part because Home Occupations were not allowed. Others stated that, in this day and age with computer operated consulting firms, this should be allowed. It was very difficult to define what types of businesses would and would not be allowed, without impacting those who did not want home businesses allowed. After much consideration, it was left as is.

Councilmember Eldredge requested to know how many people in this area were interested in changing their property to R-1. The Assistant Planning Director stated that the Planning Commission, following their decision, suggested that those interested in changing the zoning on their homes come together to make a request for a larger area to rezone, so that this would not be a spot zoning request.

Mayor Milam clarified that there is not an issue with CART buses performing point-to-point pickups and deliveries. She also restated that the only issue under consideration by the City Council is a zone change from RP-A to R-1. People renting property should inform the renters of the zone that the property is located in.

Councilmember Hardcastle cited examples of different home businesses that were considered at the Planning Commission level when Home Occupations were considered for the RP-A zone. She understood that times are changing and more businesses are being operated from homes. When this issue was considered by the Planning Commission, it was a hell storm and she expressed concern about broaching the subject again.

Councilmember Eldredge stated that he was concerned that the Council would be considering a spot zone with this request. It would be useful for all property owners who want to be rezoned to R-1 to get together for a large area rezoning. Although he expressed concern for spot zoning, he expressed support for Ms. Boden-Crandall who is providing a service that is useful and necessary. If the City Council follows the recommendation of the Planning Commission, Councilmember Eldredge stated that he would like to allow Ms. Boden-Crandall time to join other property owners in her area for a larger area for the rezoning request.

Councilmember Groberg stated that he considers this to be the very best opportunity in City Government, to have good people on both sides of the issue concerned about their neighborhood. He appreciated all of the comments that have been made with regard to this rezoning request. He stated that he has continuously opposed the idea of having multiple single-family residential zones for this reason, but he also understood that people have the right to rely upon the zones as they are now established. Councilmember Groberg commented that he has not heard any specific evidence that would suggest that there were any change in the neighborhood that would require the zone change.

Councilmember Klingler stated that she was concerned with spot zoning. She repeated the Mayor's comments, in that realtors and property managers need to inform people of the zoning of the property they are considering.

Councilmember Lehto stated that Commissioner Mills made a good statement when he suggested that the whole neighborhood gather together, and perhaps the whole neighborhood would consider a rezone. He did not share the rest of the Council's opinions that this is spot zoning. The proposed rezone is in close proximity to the R-1 zone. He is sympathetic to both sides and applauds both sides for presenting a good case.

Councilmember Eldredge stated that the neighborhood has not changed very much. The RP-A zone changed. The minimum lot size requirements are different than what the homes in this area are generally sitting on. The general character of the neighborhood generally matches an R-1 zone better than an RP-A zone. Councilmember Eldredge concurred with the Planning Commission in that spot zoning should not be considered.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to deny the rezoning request from RP-A to R-1 on Lots 21-29, Block 71, Highland Park Addition. Roll call as follows:

APRIL 12, 2001

Aye: Councilmember Klingler
Councilmember Rose
Councilmember Eldredge
Councilmember Groberg

Nay: Councilmember Hardcastle
Councilmember Lehto

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.

Douglas V. Toomer, 870 Rainier, appeared as the Chairman and CEO of Eagle Crest Independent School, Inc. He shared the following letter with the Mayor and City Council:

Eagle Crest Independent
School, Inc.
870 Rainier Street
Idaho Falls, Idaho 83402
Phone & Fax:
(208) 529-1664

The Honorable Linda Milam, Mayor
City of Idaho Falls
308 Constitution Way
Idaho Falls, Idaho 83402

Reference: Surplus U. S. Army Reserve Center property located at 1575 North Skyline Drive, Idaho Falls, Idaho 83402 (GSA Control No. 9-D-ID-544, HUD Property No. 21199720207).

Dear Mayor Milam:

As you are aware, the City of Idaho Falls Parks and Recreation Division and Eagle Crest Independent School, Inc. both applied for conveyance of the above-referenced surplus federal property, and both organizations were approved to receive it through their respective federal agencies. As you are also aware, Mr. Blaine Hastings of the General Services Administration (GSA) recently recommended that the property be transferred to the Parks and Recreation Division rather than to Eagle Crest. Eagle Crest believes that Mr. Hastings' recommendation is in error and does not reflect the highest and best use for the property. The school is, therefore, appealing the recommendation and is preparing to do whatever is necessary to obtain a recommendation in the school's behalf.

In pursuing the appeal, I have contacted the offices of Senator Craig, Senator Crapo, and Representative Simpson and have requested their assistance in having the recommendation reversed. During my discussions with Senator Craig's office, I was warned that if the appeal were pushed too hard, the GSA

would probably exercise its right to sell the property at a public sale in lieu of dealing with an arduous appeal. If this were to occur, it is most likely that neither the City nor the school would acquire the property. The school

APRIL 12, 2001

obviously has no desire to see the property put up for public sale. However, the school does believe it is obligated to pursue the appeal as far as necessary to have the recommendation reversed. This obligation is based on the fundamental and moral question of: **“What’s more important – machines or kids?”**

It should be noted that the potential for “joint usage” between the school and the Parks Department has been evaluated. The primary issues that surfaced were associated with the proposed “day use” of the facilities. However, the Parks Department’s proposal also identified several potential “community” uses for portions of the facility. Even though “day use” of the facilities is not compatible, if Eagle Crest were to acquire the property, the school would be very amenable to working with the Parks Department, and other entities, in making the facilities available for these uses after school hours. This includes the gun range, which appears to be a very important item to many Councilmembers. The school believes this would satisfy many of the “community” uses identified in the Parks Department’s proposal.

In light of the potential risk of both the City and the school losing the property, the school respectfully requests that a meeting between the City Council and the School’s Board of Directors be arranged, within the next week if at all possible, to discuss possible alternatives which may satisfy both of our needs as much as possible.

Please contact me at the number above when a time and place for the requested meeting is established or if there are any questions.

Sincerely,

s/ Douglas V. Toomer
Chairman and CEO
Eagle Crest Independent
School, Inc.

Mr. Toomer stated, further, that he contacted the General Services Administration earlier in the day and they still have not made a decision on this property as yet. The school is hoping to work out a solution.

Mayor Milam stated that she received his letter and at that time recommended that it be placed on the Parks and Recreation Council Committee Agenda, which met this morning, for their consideration. She stated, further, that Mr. Toomer has contacted each of the Councilmembers and they have told him that there is no interest in having the City relinquish the award of that property. Federal agencies considered the applications. After consideration, the GSA awarded the property to the City of Idaho Falls. There is citywide benefit planned for that property, which includes protecting and enhancing the investment of the taxpayers of this community. There is no precedent for an agency that is awarded a federal property to use that as a basis for them relinquishing that award. Mayor Milam stated that she is disappointed that Mr. Toomer has misrepresented what the City intends to do with the property. There are more uses planned than machines. The City Council has expressed no interest in relinquishing the property and she knows no basis for appeal.

Following the discussion held in the Parks and Recreation Council Committee Meeting held this morning; she drafted a response letter to Mr. Toomer.

APRIL 12, 2001

Mr. Toomer restated that the General Services Administration has not made a decision or awarded this property as of this date. Mr. Toomer also stated that he was not aware of the Parks and Recreation Council Committee Meeting and would like to have been present at the time of discussion.

Councilmember Rose stated that he operated as the Chairman for the Parks and Recreation Council Committee for the meeting this morning, and stated that Mr. Toomer's letter was discussed, along with whether to schedule a meeting with Mr. Toomer and his Board of Directors. The overall issue was not discussed. It was discussed whether to schedule the meeting.

Mr. Toomer, again, told the Mayor and Council that the property has not been awarded and the deed has not been passed on. He is pursuing other avenues. He requested that the Mayor and Council and the school work out differences so that this property can best serve the community.

Mayor Milam stated that she understood that this was an original request of the agencies. Following a discussion between Mr. Toomer and Mr. Christiansen on an earlier date, there was not a feeling on his part that there were compatible uses for the amount of space that the City and the school felt was needed.

Mr. Toomer explained that he intended to use the whole property as a school campus. He understood that Mr. Christiansen wanted to use the property as a Parks Department support facility, including vehicle maintenance facility, seasonal worker facility, etc. As a school campus, he needed to control the campus as a safety issue. Mr. Toomer indicated that the City could use any number of vacant buildings for the Parks Department, but he could not find another facility that could operate as a school. Mr. Toomer stated, further, that he could afford a utility payment, but could not afford a rent and utility payment. It is very important to work this issue out. This community needs this school. He explained that this school has been approved by the U. S. Department of Education.

Councilmember Lehto stated that Mr. Toomer has requested that the City Council meet with him and his Board of Directors. He questioned whether that could happen at the next Parks and Recreation Council Committee Meeting. Councilmember Rose stated that at the meeting held earlier in the day, it was determined that the school was given the opportunity to apply and the City was given an opportunity to apply. The City received the award. Councilmember Rose stated that if the school chose to appeal the award that would be their choice. Councilmember Lehto stated that the City Council should accommodate Mr. Toomer's wishes and arrange a meeting between the City Council and the School's Board. Councilmember Hardcastle stated that Mr. Toomer would be notified of the next Parks and Recreation Council Committee Meeting.

Following a brief recess, the Airport Director submitted the following memo:

City of Idaho Falls
April 6, 2001

MEMORANDUM

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

Attached for City Council approval is the Lease with Bill Dixon, Jr. The term of this Agreement is for one year.

The City Attorney has reviewed this document.

APRIL 12, 2001

The Airport Division requests approval of the 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 Farm Lease Agreement with Bill Dixon, Jr. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
March 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: LEASE EXTENSION FOR SOUTH EAST IDAHO PRACTICAL SHOOTERS

The proposed Extension Agreement between the City of Idaho Falls and the South East Idaho Practical Shooters (SEIPS) would extend the term of the original Agreement for five (5) years. The City-owned property is located approximately six (6) miles west of Idaho Falls and just north of the Arco Highway. The City does not anticipate that the property will be needed for public purposes during the term of the Lease.

It is respectfully requested that Council approve the Extension Agreement 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 Lease Extension Agreement with South East Idaho Practical Shooters and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto

Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg

APRIL 12, 2001

Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

City of Idaho Falls
March 29, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-01-09, WATER LINE MATERIALS

Attached for your consideration is the tabulation for Bid IF-01-09, Water Line Materials.

It is the recommendation of Municipal Services to accept the low evaluated proposal meeting specifications as per Attachment "A". As per the bid specifications, the bids were evaluated according to lump sum amounts in each section.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the low evaluated proposal meeting specifications as per Attachment "A". Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: WAREHOUSE LEASE FOR WESTERGARD MANAGEMENT, INC.

The proposed Lease Agreement between the City of Idaho Falls and Westergard Management, Inc. is for leasing 8,000 square feet of warehouse space for Idaho Falls Power.

APRIL 12, 2001

It is respectfully requested that the City Council approve the Lease Agreement and authorize the Mayor to execute the documents.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Lease Agreement with Westergard Management, Inc. 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 Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls
April 6, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUCTION SALE TO DISPOSE OF IMPOUNDED, UNCLAIMED,
AND SURPLUS MERCHANDISE

Municipal Services respectfully requests authorization to conduct a City Auction Sale for impounded, unclaimed, and City surplus merchandise. The sale is scheduled for Friday, May 4, 2001 at 5:00 p.m.

Municipal Services also respectfully requests to retain Great Western Auction International to set up said auction, tag merchandise, provide crew to man the auction, and provide accounting of sales and proceeds at the cost of ten percent (10%) of net proceeds if auction total is over \$5,000.00, or twelve percent (12%) of net proceeds if auction total is under \$5,000.00.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to give authorization to conduct a City Auction Sale for impounded, unclaimed, and City surplus merchandise and, further, retain Great Western Auction International to set up said auction, tag merchandise, provide crew to man the auction and provide accounting of sales and proceeds at the cost of ten percent (10%) of net proceeds if auction total is over \$5,000.00, or twelve percent (12%) of net proceeds if auction total is under \$5,000.00. Roll call as follows:

Aye: Councilmember Groberg

Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle

APRIL 12, 2001

Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: CLEMENT COMMERCIAL PARK, DIVISION NO. 1

Attached is the Development Agreement and Final Plat for Clement Commercial Park, Division No. 1. This property is located east and adjacent to Lindsay Boulevard, south of the U. S. Highway 20 access, and north of U. S. Highway 20 and is located within Idaho Falls. The zoning is GC-1. The Plat consists of three commercial lots slightly less than one acre in size each. The Planning Commission reviewed this Final Plat at its April 10 Meeting. Conditions previously recommended by the Commission during an earlier review have been incorporated into the Development Agreement. This Agreement and Final Plat are now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Assistant Planning 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	Aerial Photo showing subject area
Slide 2	Vicinity Map showing surrounding zoning
Slide 3	Final Plat of property under consideration
Exhibit 1	Planning Commission Minutes dated March 21, 2001
Exhibit 2	Staff Report
Exhibit 3	Final Plat

The Assistant Planning Director stated that the Final Plat has been reviewed by the Planning staff, City Surveyor, and City Engineer and has been found to be in compliance with the Subdivision Ordinance.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Development Agreement for Clement Commercial Park, Division No. 1 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 Eldredge
Councilmember Lehto

APRIL 12, 2001

Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Final Plat for Clement Commercial Park, 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

Nay: None

Motion Carried.

City of Idaho Falls
April 5, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST FROM THE IDAHO FALLS DOWNTOWN
DEVELOPMENT CORPORATION

Attached is an Amendment to the Management Agreement with the Idaho Falls Downtown Development Corporation. This Agreement increases the amount to be paid to the Downtown Development Corporation from \$45,600 to \$47,100. The additional \$1,500.00 will be used to reimburse the Corporation for the designs for the reconstruction of the Park Avenue and B Street Park, a City-owned pocket park. The Division respectfully requests approval of this Agreement.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Amendment to the Management Agreement with the Idaho Falls Downtown Development Corporation and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Rose
Councilmember Eldredge

Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle

APRIL 12, 2001

Councilmember Groberg

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: RIGHT-OF-WAY VACATION – BUCKINGHAM DRIVE, ST. CLAIR
ESTATES, DIVISION NO. 1

As previously authorized, the City Attorney has prepared the documents needed to vacate that portion of Buckingham Drive as recorded on the plat of St. Clair Estates, Division No. 1.

Public Works recommends approval of this right-of-way vacation; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

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

ORDINANCE NO. 2412

AN ORDINANCE VACATING A PORTION OF BUCKINGHAM DRIVE WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE PORTION OF SAID STREET; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED STREET TO THE OWNERS OF THE ADJACENT LAND, AND NAMING THEM; PROVIDING FOR EFFECTIVE DATE OF THE ORDINANCE.

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

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle

APRIL 12, 2001

Councilmember Groberg
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOTS 6 AND 7, BLOCK 109, ROSE
NIELSEN ADDITION, DIVISION NO. 110

The owner of the above-described property has requested vacation of an easement located on that same property. There are no existing or planned utilities for this easement.

Public Works requests authorization for the City Attorney to prepare documents needed to vacate this easement.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to authorize the City Attorney to prepare the documents necessary to vacate an easement in Lots 6 and 7, Block 109, Rose Nielsen Addition, Division No. 110. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
April 9, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CHANGE ORDER NO. 1 – 14TH STREET CANAL LINER

APRIL 12, 2001

Attached is proposed Change Order No. 1 to the 14th Street Canal Liner Project. This Change Order, if approved, will extend the completion date to April 15, 2001, with no additional cost.

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 Change Order No. 1 to HK Contractors, Inc. for the 14th Street Canal Liner Project 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.

There being no further business, it was moved by Councilmember Klingler, seconded by Councilmember Lehto, that the meeting adjourn at 9:40 p.m.

CITY CLERK

MAYOR
