

MARCH 8, 2001

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

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Mike Lehto
Councilmember Brad Eldredge
Councilmember Joe Groberg
Councilmember Bruce Rose
Councilmember Mary Klingler

Absent was:

Mayor Linda Milam

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 February 22, 2001 Regular Council Meeting. It was moved by Councilmember Lehto, seconded by Councilmember Rose, that the minutes be approved as printed. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor ProTem Hardcastle requested Council confirmation for the appointment of Gary Thinner to serve on the Fire Appeals Board (Term to expire in 5 years).

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 a BEER LICENSE to Las Pulgas Nightclub; BARTENDER PERMITS to Debbie R. Bingham, Rebecca A. Clinger, Shirley M. DeLaGarza, Kris R. Goeken, Vicky L. Heron, David W. Kelley, Queenie M. Linderman, Tod D. McBride, and Ray J. Nessen, all carrying the required approvals, and requested authorization to issue these licenses.

The Public Works Director submitted the following memos:

MARCH 8, 2001

City of Idaho Falls
February 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – WATER AND SEWER EXTENSIONS,
NORTH HOLMES AVENUE FROM HEMMERT AVENUE TO
HIGHWAY 20

Public Works requests authorization to advertise to receive bids for Water and Sewer Extensions, North Holmes Avenue from Hemmert Avenue to Highway 20.

s/ Chad Stanger

City of Idaho Falls
February 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – HITT ROAD SANITARY SEWER, LINCOLN
ROAD TO MESA STREET – PROJECT NO. 2.38.15.2.SWR.2001.10

Public Works requests authorization to advertise to receive bids for the Hitt Road Sanitary Sewer, Lincoln Road to Mesa Street.

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 Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated February 1, 2001 through February 28, 2001, after having been audited by the Fiscal Committee and paid by the Controller:

MARCH 8, 2001

FUND	TOTAL EXPENDITURE
General Fund	\$466,755.13
Street Fund	148,427.20
Recreation Fund	32,286.58
Library Fund	73,607.24
Airport PFC Fund	66.48
Municipal Equipment Replacement Fund	55,972.98
Electric Light Public Purpose Fund	34,028.30
Street Capital Improvement Fund	12,377.47
Bridge and Arterial Street Fund	23,466.80
Airport Fund	177,774.09
Water and Sewer Fund	120,448.70
Sanitation Fund	21,865.73
Ambulance Fund	4,415.82
Electric Light Fund	2,990,031.22
Payroll Liability Fund	1,507,695.75
TOTALS	\$5,669,219.49

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve Check No. 21456 in the amount of \$1,336.30 made payable to the American Red Cross. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle
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 February, 2001. Roll call as follows:

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

Nay: None

Motion Carried.

The Airport Director submitted the following memo:

MARCH 8, 2001

City of Idaho Falls
March 5, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: APPROVE A CONTRACT TO PURCHASE 1/3-ACRE IN THE
RUNWAY SAFETY AREA

Attached for City Council approval is a Contract to purchase 1/3-acre from the Reed's Dairy located in the runway safety area. When the City purchased the 19 acres two years ago this portion was inadvertently left from the purchase. The cost of this 1/3-acre is \$4,175.00. This is the same rate the City purchased the other acreage.

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

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve the Contract with Reed's Dairy for purchase of 1/3-acre in the Runway Safety Area and, further, give authorization for the Mayor 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.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
March 2, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ONE (1) CCTV VIDEO PIPELINE INSPECTION VEHICLE

It is the recommendation of Municipal Services to accept the bid of Hirning Truck Center, Pocatello, Idaho, to furnish One (1) New CCTV Video Pipeline

Inspection Vehicle per City of Pocatello's Bid of October 24, 2000. Hirning
Truck Center has agreed to honor the price amounts bid at that time.

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They would furnish One (1) New 2001 GMC Cab and Chassis equipped with a New Pearpoint 400 Series Video Pipeline Inspection System (includes required equipment and software) per the original bid amount of \$165,542.00. We would like to delete the rear restroom and plumbing for a credit of \$1,250.00 and the grip strut bumper for a credit of \$100.00. The bumper will be replaced with a man-lift rated bumper crane for an add-on of \$2,995.00. With these adjustments, the final purchase price will be \$167,187.00.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to accept the bid from Hirning Truck Center in Pocatello to furnish One (1) New CCTV Video Pipeline Inspection Vehicle per the City of Pocatello's Bid of October 24, 2000 with the requested changes. 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
March 2, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CHARGE OFF – UNPAID UTILITY ACCOUNTS 1996

Municipal Services respectfully requests authorization to charge off as uncollectable, all utility accounts that have not had a transaction since 1996, which includes, but not limited to, bankruptcies, skips, deceased persons, and those with no assets. These accounts total \$190,584.81, which is .44% of sales for that year.

It is further requested that authorization be given to charge off the following accounts as uncollectable: Ambulance \$256,835.79; Accounts Receivable \$549.04; and, Returned Checks \$492.08.

s/ S. Craig Lords

Councilmember Klingler explained that the large amount for Ambulance to be charged off represents the balance left after Medicaid has paid their share. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to charge off as uncollectable,

all utility accounts, ambulance accounts, accounts receivable, and returned checks as requested. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 6, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: 2001 LEGAL SERVICES CONTRACT

Attached for your consideration is an Amended Legal Services Contract with Holden Kidwell Hahn and Crapo and Dale Storer to provide legal services. It is the recommendation of Municipal Services that the City Council approve said Contract and authorize the Mayor to sign.

s/ S. Craig Lords

Councilmember Hardcastle expressed her gratitude for the fine legal services provided by Mr. Storer. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the Amended Legal Services Contract with Holden Kidwell Hahn and Crapo and Dale Storer as submitted and, further, give authorization for the Mayor to execute the necessary documents. 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 memos:

City of Idaho Falls
March 8, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director

SUBJECT: LAND AND WATER CONSERVATION FUND – RESOLUTION
AUTHORIZING FILING OF APPLICATION

MARCH 8, 2001

Attached for ratification is a Resolution authorizing the filing of an application for Land and Water Conservation Funds. The funds applied for are to be used for the Idaho Falls Tennis Court Reconstruction Project. School District No. 91 will be participating in the project by funding 50% of the needed match for the project. It is, therefore, submitted for your approval and to have the Mayor sign said documents.

s/ David J. Christiansen

**RESOLUTION AUTHORIZING FILING OF APPLICATION
RESOLUTION NO. 2001-01
IDAHO FALLS TENNIS COURT UPGRADE
Project Title**

WHEREAS, the Federal Land and Water Conservation Fund (L&WCF) Act of 1964 (Public Law 88-578) provides financial assistance to the Idaho Department of Parks and Recreation (IDPR) for outdoor recreation purposes; and,

WHEREAS, the City of Idaho Falls desires financial assistance under the L&WCF Fund Program.

NOW, THEREFORE, BE IT RESOLVED by the City of Idaho Falls as follows:

1. That the City of Idaho Falls has received L&WCF requirements and hereby approves filing an L&WCF application.
2. That Dave Christiansen, Director, Parks and Recreation is hereby authorized and directed to execute and file an application with the IDPR.
3. That the City of Idaho Falls hereby agrees to finance the initial 100 percent of the project cost, half of which will be totally reimbursed upon completion of the project.

<u>\$96,050</u>	+	<u> </u>	+	<u> </u>	=	<u>\$96,050</u>
(Budgeted Funds and Other Cash)		(Force Account)		(Donations)		(Total Project Cost)

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the Resolution adopted by the City Council held on the 8th day of March, 2001, and that I am duly authorized to execute this certificate.

s/ Linda Milam
(C.E.O. Signature)

s/ Rosemarie Anderson

(Witness)

(SEAL)

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It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to ratify the execution of the Resolution authorizing the filing of an application for Land and Water Conservation Funds for the Idaho Falls Tennis Court Reconstruction Project. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 8, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PROPERTY EXCHANGE – SAND CREEK GOLF COURSE/THE DUNES

Attached for your approval is an Ordinance providing for the exchange of real property between the City of Idaho Falls (Sand Creek Golf Course) and Double Vision Properties, LLC (The Dunes). 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 property can be made. See attached letter.

The Ordinance provides for a public hearing to be held on April 12, 2001. It is, therefore, submitted for your approval and authorization for the Mayor and City Clerk to sign and execute the necessary documents.

s/ David J. Christiansen

Attached letter from Idaho Department of Parks and Recreation:

Idaho Department of
Parks and Recreation
February 12, 2001

City of Idaho Falls
Attention: Dave Christensen
P. O. Box 50220
Idaho Falls, Idaho 83405

Re: Sand Creek Golf Course
No. 16-00132

MARCH 8, 2001

Dear Dave:

This letter is to inform you that your conversion proposal on the above-referenced project is approved and that you may proceed with the actions stated in your final proposal.

We will be receiving signed NPS amendments shortly and will forward an official amendment for your signature.

Again, we appreciate working with you on this proposal and hope this letter will help to get the needed final actions moving.

Sincerely,

s/ James B. Poulsen
James B. Poulsen
Alternate State Liaison
Officer

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

ORDINANCE NO. 2408

AN ORDINANCE PROVIDING FOR THE EXCHANGE OF A PARCEL OF REAL PROPERTY OWNED BY THE CITY OF IDAHO FALLS, IDAHO, PURSUANT TO THE PROVISIONS OF TITLE 50, CHAPTER 14, IDAHO CODE; PARTICULARLY DESCRIBING SAID PARCELS; SETTING A DATE FOR A PUBLIC HEARING PRIOR TO SAID EXCHANGE; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

MARCH 8, 2001

City of Idaho Falls
March 2, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: RESOLUTION TO ESTABLISH DOWNTOWN REDEVELOPMENT
AREA

Attached is a Resolution defining the boundaries of the Downtown Revitalization Project for the City's application for Community Development Block Grant monies. The boundaries of the project area are G Street, Memorial Drive, the railroad tracks north of Cliff Street, and North Eastern Avenue. If the grant is approved, the monies will be used to rehabilitate parking areas in and near the downtown area to encourage employees to park in off-street parking lots. This Division respectfully requests approval of this Resolution.

s/ Renée R. Magee

A RESOLUTION TO ESTABLISH A DOWNTOWN REDEVELOPMENT AREA
RESOLUTION NO. 2001-02

WHEREAS, a geographic area exists in the City of Idaho Falls in which the following slum and blight conditions exist; risks to public safety; deteriorating, dilapidated or abandoned buildings; undeveloped and poorly maintained properties; unsanitary and/or unsafe conditions; deteriorating sites and sidewalks; defective and/or inadequate parking layout or design; deteriorating curb and gutter; inadequate infrastructure; and faulty lot layout in relation to size, adequacy, accessibility, and usefulness;

WHEREAS, all of the above are impediments to sound community growth and economic liabilities to the community;

WHEREAS, the boundaries of this geographic area are shown on Exhibit A attached hereto and by this reference made a part hereof, such area including the legally formed boundaries of the "Business Improvement District" (BID) as delineated on Exhibit B, attached hereto and by this reference made a part hereof, as well as spot areas of slum and blight existing outside the formal boundaries of the BID;

WHEREAS, the City of Idaho Falls desired to eliminate slum and blight conditions within this geographic area in conformance with the City's Comprehensive Plan through assistance provided by the City and through an Idaho Community Block Grant;

WHEREAS, activities planned to eliminate slum and blight conditions including infrastructure improvements and may include land acquisition, demolition and clearance;

WHEREAS, all land activities planned to eliminate slum and blight conditions involved in the planned revitalization project will be governed by the following provisions:

MARCH 8, 2001

1. No specific site or property needs to be acquired, although the City of Idaho Falls may limit its search to a general geographic area.

2. Any property to be acquired, if any, is not part of an intended, planned, or designated project area where all or substantially all of the property within the area is eventually to be acquired.

3. All acquisition activities shall be consistent with the City's "Anti-Residential and Displacement/Relocation Plan" adopted on September 10, 1998.

4. No households will be displaced from the designated area as a result of this revitalization plan.

NOW, THEREFORE, be it resolved by the Mayor and City Council of Idaho Falls the geographic area shown as Exhibit A shall be designated as a redevelopment area which boundaries shall form the project area for a Downtown Revitalization Project.

DATED this 8th day of March, 2001.

s/ Linda Milam
Linda Milam, Mayor
City of Idaho Falls,
Bonneville County

(SEAL)

Exhibit "A" – Map showing boundaries of the Downtown Redevelopment Area is on file in the City Clerk's Office.

Exhibit "B" – Map showing boundaries of the Business Improvement District is on file in the City Clerk's Office.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Resolution establishing the Downtown Redevelopment Area and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

MARCH 8, 2001

City of Idaho Falls
February 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: RIGHT-OF-WAY VACATION – ST. CLAIR ESTATES

Public Works requests authorization for the City Attorney to prepare documents needed to vacate Buckingham Drive as recorded in the plat of St. Clair Estates, Division No. 1. A portion of this same property will be replatted as a pedestrian walkway and easement in St. Clair Estates, Division No. 3.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to give authorization for the City Attorney to prepare the documents necessary to vacate Buckingham Drive as recorded in the Plat of St. Clair Estates, Division No. 1. 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
February 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: INDUSTRIAL WASTEWATER RATE RESOLUTION

Attached is a Resolution establishing industrial wastewater rates for the City. As proposed, these rates are the second transition step to cost-of-service rates, as recommended by the 1998 CH2M Hill Study and are consistent with the applicable Ordinance; and, have been agreed upon by the industrial customers.

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

s/ Chad Stanger

MARCH 8, 2001

RESOLUTION
RESOLUTION NO. 2001-03

ESTABLISHING INDUSTRIAL RATES FOR CERTAIN USERS OF SANITARY SEWER FACILITIES INSIDE THE CITY OF IDAHO FALLS.

WHEREAS, the City of Idaho Falls owns, operates, and maintains a publicly-operated wastewater treatment and collection work (the "POTW"); and,

WHEREAS, the capital cost and the cost of operation, maintenance and replacement of the POTW must be derived from user fees based upon their proportionate share of use; and,

WHEREAS, the City desires to establish an equitable method for apportioning such costs in a manner that is proportionate to the demand or impact each user has upon the public sewer and wastewater treatment facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

1. **Establishment of Rates.** The following rates are established for existing industrial customers of the City as follows:

<u>NAME OF USER</u>	<u>RATE</u>
Penford Products Company	Flow: \$0.2297 per 1,000 gallons BOD: \$0.1671 per lb. TSS: \$0.0659 per lb.
BARI	Flow: \$0.1876 per 1,000 gallons BOD: \$0.3008 per lb. TSS: \$0.1185 per lb.

2. **Method of Billing.** Billings shall be rendered on a monthly basis and shall be due and payable within fifteen (15) days after conclusion of the monthly billing cycle and delivery of a billing statement to each industrial user.

3. **Effective Date.** The rates herein shall be effective with respect to the first full monthly cycle after March 1, 2001.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR
THIS 8th day of March, 2001.

s/ Linda M. Milam
Linda M. Milam
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

MARCH 8, 2001

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Resolution establishing industrial wastewater rates for the City and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
February 28, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CH2M HILL ENGINEERING SERVICES AGREEMENT – TASK
ORDER NO. 12, SEWAGE SCREENING IMPROVEMENTS
CONSTRUCTION SERVICES

Attached is Task Order No. 12 to the Engineering Services Agreement with CH2M Hill. This Task Order provides for construction services with respect to Sewage Screening Improvements at the Idaho Falls Water Pollution Control Plant. The cost of providing these services as described in the Task Order is estimated to be, but not exceed, \$397,000.00.

Public Works requests approval of Task Order No. 12; 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 Task Order No. 12 to the CH2M Hill Engineering Services Agreement and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR PROTEM
