

DECEMBER 21, 1999

The City Council of the City of Idaho Falls met in Special Council Meeting, Tuesday, December 21, 1999, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Joe Groberg
Councilmember Gary Mills
Councilmember Beverly Branson
Councilmember Ida Hardcastle
Councilmember Brad Eldredge
Councilmember Larry Carlson

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 December 9, 1999 Regular Meeting. It was moved by Councilmember Branson, seconded by Councilmember Eldredge, that the minutes be approved as printed. Roll call as follows:

Aye: Councilmember Hardcastle
 Councilmember Branson
 Councilmember Eldredge
 Councilmember Carlson
 Councilmember Groberg
 Councilmember Mills

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation of the re-appointment of Bill Combo to serve on the Parks and Recreation Commission (Term Ending December 31, 2001); the re-appointment of Steve Janes to serve on the Parks and Recreation Commission (Term Ending December 31, 2000); the re-appointment of Paul Keele to serve on the Parks and Recreation Commission (Term Ending December 31, 2002); the re-appointment of Tom Baird to serve on the Shade Tree Committee (Term Ending December 31, 2000); the appointment of Gerry Bates to serve on the Shade Tree Committee (Term Ending December 31, 2002); the appointment of Susanne Miller to serve on the Shade Tree Committee (Term Ending December 31, 2001); the re-appointment of Ben Allen to serve on the Golf Advisory Board (Term Ending December 31, 2001); the re-appointment of Jim Dalton to serve on the Golf Advisory Board (Term Ending December 31, 2000); the re-appointment of Jerry Foss to serve on the Golf Advisory Board (Term Ending December 31, 2000); the re-appointment of Jim

Garshow to serve on the Golf Advisory Board (Term Ending December 31, 2002); and, the appointment of Rick Carosone to Golf Advisory Board (Term Ending December 31, 2001).

The City Clerk presented several license applications, including BEER LICENSES to Albertson's (17th Street No. 138), Albertson's (East Anderson Street No. 133),

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Albertson's (West Broadway No. 145), Ashley's Italian Restaurant, Barbecue Pit, Beer Billie's, Bleacher's Sports Bar, Blue Bell Gas, Blue Room, Blues Bar, Bowlero, Broadway 66, Bubba's Bar-B-Que Restaurant, Cavanaugh's on the Falls, Chicago Connection, Chili's Grill and Bar, Choices, Inc., Common Cents Food Store (Broadway), Common Cents Food Store (Boulevard), Common Cents Food Stores (17th Street), Company Club, D. D. Mudd, D. B.'s Steak House, Diamond Concessions, Doc's Broadway Lounge, Dolores' Place at the Airport, Earl's Food Store, El King Kong, Elk's Lodge, Ford's Bar, Garcia's Mexican Restaurant, Gas 'N' Goodies, Golden Crown Lounge, Happy's Chinese Restaurant, Idaho Brewing Company, Inc., Jaker's of Idaho Falls, JB's Family Restaurant (No. 42), Jiffy Mart (Elm Street), Karen's Park Avenue Club, Kwik Shops, Inc., La Hidalquense, La Yaquesita, Leo's Place (West Broadway), Leo's Place (First Street), Littletree Inn, Lorenzo's Broken Spoke Restaurant, MacFarlane's IGA, Made in Idaho, Mama Inez, Marcellar's Vintage Wines and Brews, Melina's Fine Mexican Food, Mi Casa, Inc., Midget Market, Milpilla's Mexican Restaurant, O'Callahan's Restaurant, Outback Steakhouse, The Outlaw, Papa Tom's Pizza (Woodruff Avenue), Plaza Lanes, Remos of Idaho Falls, Inc., Rite Aid (West Broadway No. 5406), Rite Aid (Northgate Mile No. 5405), Ritz DBA Rocking Horse and Opie's, Sage Lake Café, Samoa Club, Sandpiper Restaurants East, Save Fast Gas (West Broadway), Saving Center (Memorial Drive), Seventeenth Gas and Wash, Short Stop Market and Laundry, Skipper's Fish and Chips (North Yellowstone Avenue), Skipper's Fish and Chips (Seventeenth Street), Skyline Lanes, Snake Bite, Speedi Mart, Spinners, Stardust Restaurant and Lounge, Tom's Gyro and Burgers, Winger's, and 19th Hole Café; BARTENDER PERMITS to LaNae L. Parsons, Kathleen M. Sciarra, and Charles L. Thomas, 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 December 21, 1999.

The Public Works Director submitted the following memo:

City of Idaho Falls
December 13, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION - ALLEY IMPROVEMENTS BETWEEN CAPITAL AVENUE AND MEMORIAL DRIVE, "A" STREET TO BROADWAY

Public Works requests authorization to advertise to receive bids for Alley Improvements Between Capital Avenue and Memorial Drive, "A" Street to Broadway.

s/ Chad Stanger

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

Aye: Councilmember Mills
Councilmember Groberg

Councilmember Carlson
Councilmember Branson

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Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The public hearing scheduled to consider an appeal from a decision of the Board of Adjustment for a variance to increase the sign copy area from the maximum of 100 square feet to 135 square feet on property located generally at 620 North Utah Avenue (Chili's Restaurant), legally described as a portion of Blocks 10 and 14, West Broadway Addition, was withdrawn by the applicant.

The Airport Director submitted the following memos:

City of Idaho Falls
December 17, 1999

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: ADDENDUM TO ADL LEASE AGREEMENT

Attached for City Council approval is an addendum to the ADL Lease Agreement. This addendum is for additional leased area used by Federal Express.

The City Attorney has reviewed and approved this addendum.

The Airport Division requests approval of the addendum and authorization for the Mayor to execute the addendum.

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve the Addendum to the ADL Lease Agreement and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Branson
Councilmember Hardcastle
Councilmember Mills
Councilmember Eldredge
Councilmember Carlson
Councilmember Groberg

Nay: None

Motion Carried.

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City of Idaho Falls
December 16, 1999

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: WORK ASSIGNMENT NO. 2 TO THE AIRPORT ENGINEERS
AGREEMENT FOR THE TERMINAL RENOVATION STUDY

Attached for City Council approval is Work Assignment No. 2 to the Airport Engineers Agreement for the Terminal Study. This is the first phase of the Terminal Renovation Project and will include programming, conceptual design and cost projections.

The estimated cost for the Terminal Study is \$83,728.00. Ninety percent (90%) of this study will be federally funded.

The Airport Division requests approval of the Terminal Study and authorization for the Mayor to execute this Agreement.

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve Work Assignment No. 2 to the Engineering Agreement with Delta Airport Consultants, Inc. and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Branson
Councilmember Eldredge
Councilmember Carlson
Councilmember Groberg
Councilmember Mills

Nay: None

Motion Carried.

City of Idaho Falls
December 16, 1999

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: ADDENDUM TO WESTWOOD TREE FARM LEASE AGREEMENT

Attached for City Council approval is an Addendum to the Westwood Tree Farm Lease Agreement. This Addendum is for additional leased area used by the tree farm.

The City Attorney has reviewed and approved this Addendum.

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The Airport Division requests approval of the Addendum and authorization for the Mayor to execute the Addendum.

s/ Mike Humberd

It was explained that there were trees removed from the Clear Zone around the Airport, and this represents an area along Foote Drive, which was not in the lease originally. It was moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve the Addendum to the Westwood Tree Farm Lease Agreement and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Mills
Councilmember Eldredge
Councilmember Carlson
Councilmember Branson
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
December 16, 1999

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: RENEWAL OF PETERSEN FARM LEASE AGREEMENT

Attached for City Council approval is the renewal of the Petersen Farm Lease Agreement.

The term of this Agreement is for three years.

The City Attorney has reviewed and approved this Agreement.

The Airport Division requests approval of the Petersen Farm Lease Agreement and authorization for the Mayor to execute the Agreement.

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve the Petersen Farm Lease Agreement and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Branson
Councilmember Hardcastle
Councilmember Mills

Councilmember Eldredge
Councilmember Carlson
Councilmember Groberg

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Nay: None

Motion Carried.

The Electric Director submitted the following memo:

City of Idaho Falls
December 17, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Director
SUBJECT: TRANSMISSION SERVICE

The Electric Division desires to submit an application for transmission service to Idaho Power. The Idaho Power FERC tariff provides for a deposit of \$291,750.00. The deposit plus accrued interest will be returned to the City.

The Electric Division respectfully requests City Council approval of the expenditure.

s/ Mark Gendron

Following a brief description of this proposal, it was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the application for transmission service to Idaho Power Company. Roll call as follows:

Aye: Councilmember Carlson
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Mills
Councilmember Branson

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
December 13, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-00-03, QUIKSALT ROAD SALT

Attached for your consideration is the tabulation for Bid IF-00-03, Quiksalt Road Salt.

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It is the recommendation of Municipal Services to accept the low bid of Waddell Brothers Trucking, Inc. to furnish the required Quiksalt Road Salt for an amount of \$23.35 per ton.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to accept the low bid from Waddell Brothers Trucking, Inc. to furnish the required Quiksalt Road Salt. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

City of Idaho Falls
December 14, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CHANGE ORDER NO. 4, ANIMAL CONTROL FACILITY

Attached for your consideration is the Change Order No. 4 for the new Animal Control Facility in the amount of \$397.00 for the items as specified on the attached documents.

It is respectfully requested that City Council approve said Change Order and authorize the Mayor to sign the documents.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to approve Change Order No. 4 to Shook Construction Company for the Animal Control Facility and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Carlson
Councilmember Mills
Councilmember Groberg
Councilmember Branson
Councilmember Hardcastle

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Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
December 17, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: TAUTPHAUS PARK ZOO CAPITAL CAMPAIGN AGREEMENT

Attached for your consideration is an Agreement between the City of Idaho Falls and Tautphaus Park Zoological Society, Inc. for the purpose of coordinating a capital campaign to raise the necessary funds for the zoo expansion as called for in the Tautphaus Park Zoo Master Plan.

The Council has previously approved the Tautphaus Park Zoo Master Plan.

The attached Agreement has been drafted and reviewed by the City Attorney. It is, therefore, being submitted for your approval.

s/ David J. Christiansen

Following a brief description of this Agreement, Councilmember Mills requested Karen Cornwell from the Tautphaus Park Zoological Society, Inc. to come forward and explain this Agreement further.

Mrs. Cornwell appeared to explain that three candidates have been interviewed for the Campaign Chairperson position, with one more interview to follow in the near future. They are hoping to have the Chairperson in place by the end of January, 2000.

Mayor Milam introduced Thea Wilcox, who is President of the Tautphaus Park Zoological Society, Inc.

There being no further discussion either in favor of or in opposition to this request, it was moved by Councilmember Mills, seconded by Councilmember Carlson, to approve the Agreement with the Tautphaus Park Zoological Society, Inc. for the purpose of coordinating a capital campaign to raise the necessary funds for the zoo expansion and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge
 Councilmember Carlson
 Councilmember Mills
 Councilmember Groberg
 Councilmember Branson
 Councilmember Hardcastle

Nay: None

Motion Carried.

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The Planning and Building Director submitted the following memo:

City of Idaho Falls
December 6, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: SECOND AMENDED PLAT OF FAIRMONT PARK ADDITION,
DIVISION NO. 3

Attached is the Final Plat for Second Amended Plat of Fairmont Park Addition, Division No. 3. This is a two-lot Plat immediately adjacent and east of Woodruff Avenue and south of 12th Street. In response to safety concerns at the driveway access to Woodruff Avenue, this Plat provides a second access to 12th Street from the elderly house project. The Planning Commission reviewed this Final Plat at its August 10, 1999 Meeting and recommended approval with the condition that an access to 12th Street be obtained. The Department concurs in this recommendation. The Final Plat is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map
Slide 2	Aerial Photo
Slide 3	Final Plat
Slide 4	Site Photo Looking East at Site
Exhibit 1	Planning Commission Minutes
Exhibit 2	Staff Report, including Plat considered by Commission

The Planning and Building Director explained that this Final Plat is in accordance with the Subdivision Ordinance and, further, complies with the Zoning Ordinance.

Councilmember Groberg stated that he would strongly recommend limiting the access from Woodruff Avenue to right-turn only into this area.

Mayor Milam requested the Public Works Director to take this information back to the Engineering Department for recommendations as to how this could be signed.

A discussion was held among Council regarding the access points to and from Woodruff Avenue. It was determined that the access to 12th Street might eliminate many problems associated with the access to Woodruff Avenue.

There being no further discussion, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Final Plat of the Second Amended Plat for Fairmont Park Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Branson

Councilmember Eldredge
Councilmember Carlson

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Councilmember Groberg
Councilmember Mills

Nay: None

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Findings of Fact, Conclusions of Law and Decision for the Final Plat of the Second Amended Plat of Fairmont Park Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Mills
Councilmember Eldredge
Councilmember Carlson
Councilmember Branson
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
December 15, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BLACK AND VEATCH ENGINEERING SERVICES AGREEMENT -
WELL NOS. 8 AND 13

Attached is an Engineering Services Agreement with Black and Veatch in the amount of \$24,954.00. These services involve electrical and control system modifications to Well Nos. 8 and 13.

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

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to approve the Engineering Services Agreement with Black and Veatch for the electrical and control system modifications to Well No. 8 and Well No. 13 and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

Aye: Councilmember Mills
Councilmember Groberg
Councilmember Carlson

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Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

City of Idaho Falls
December 17, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SEWER ORDINANCE AMENDMENT

Attached is an Ordinance amending the method by which industrial wastewater rates are established. The methods are consistent with the 1998 CH2M Hill Study.

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

s/ Chad Stanger

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

ORDINANCE NO. 2357

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, ADOPTING CERTAIN MODIFICATIONS TO THE CITY SEWER ORDINANCE; REPEALING AND RE-ENACTING SECTIONS 8-1-6, 8-1-85, 8-1-87, AND 8-1-94; REPEALING IN THEIR ENTIRETY SECTIONS 8-1-86 AND 8-1-88; ADDING A NEW PROVISION PROHIBITING DISCHARGE INTO SANITARY SEWERS UNLESS SPECIFICALLY AUTHORIZED OR PERMITTED BY THE APPROPRIATE AUTHORITIES; CLARIFYING AND MODIFYING THE METHOD FOR CALCULATION AND OF INDUSTRIAL SEWER USE CHARGES BASED UPON THE 1998 SEWER RATE STUDY PREPARED BY CH2M HILL; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Carlson moved, and Councilmember Hardcastle 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 and the Ordinance be passed on all three readings. Roll call as follows:

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Aye: Councilmember Groberg
Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

The memo from the Public Works Director regarding the Sewer Rate Resolution was withdrawn by the Division Director.

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

CITY CLERK

MAYOR
