

JUNE 22, 1999

The City Council of the City of Idaho Falls met in Special Council Meeting, Tuesday, June 22, 1999, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Absent was:

Councilmember Brad Eldredge

Also present:

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

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

The City Clerk read a summary of the minutes for the June 10, 1999 Regular Meeting. It was moved by Councilmember Branson, seconded by Councilmember Mills, that the minutes be approved as printed. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

The City Clerk presented several license applications, including BARTENDER PERMITS to Jayann Donahue, Jennifer M. Quinton, Stacey L. Rose, Suzanne S. Smith, and Scott A. Stawski, 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 June 22, 1999.

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

Aye: Councilmember Branson
 Councilmember Hardcastle

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Councilmember Mills
Councilmember Carlson
Councilmember Groberg

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Mills to conduct Annexation Proceedings for Pi-R Square Addition. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 7, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: PI-R SQUARE SUBDIVISION, LOT 2, AN ADDITION TO THE CITY

Attached is the Final Plat, Annexation Agreement, and Annexation Ordinance for Pi-R Square Subdivision. The requested zoning is I & M-1. The bulb of the cul-de-sac is the land being annexed. The remainder of the Plat is within the City and is zoned I & M-1. The Planning Commission considered this request at its July 14, 1998 Meeting and recommended approval. This Department concurs. This annexation request is now being submitted for consideration.

s/ Renée R. Magee

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

| | |
|-----------|-----------------------------|
| Slide 1 | Vicinity Map |
| Slide 2 | Aerial Photo |
| Slide 3 | Final Plat |
| Exhibit 1 | Staff Report |
| Exhibit 2 | Planning Commission Minutes |

The Planning and Building Director stated that this annexation request is in accordance with the Comprehensive Plan, the Zoning Ordinance, and the Subdivision Ordinance.

Councilmember Branson questioned how to get to and from this development. The Planning and Building Director gave two directions of access.

Councilmember Carlson questioned whether City water and sewer would be provided to Dome Lane. The Planning and Building Director stated that no water and sewer is provided to this area, with the nearest lines being approximately 1/2 mile from this location.

A brief discussion was held with regard to the street development. It was explained that Barry South from Dome Technology is the developer of this property.

There being no further discussion either in favor of or in opposition to this Annexation request, it was moved by Councilmember Mills, seconded by Councilmember

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Groberg, to accept the Final Plat for Pi-R Square Addition and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Annexation Agreement for Pi-R Square Addition and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2329

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

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

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

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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 Mills, seconded by Councilmember Groberg, to establish the initial zoning of Pi-R Square Addition as I & M-1 (Industrial and Manufacturing) 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 Groberg
Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Carlson

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct the Annexation Proceedings for Fairway Estates Addition, Division No. 8. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 17, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FAIRWAY ESTATES ADDITION, DIVISION NO. 8

Attached is the Final Plat, Annexation Agreement, and Annexation Ordinance for Fairway Estates Addition, Division No. 8. The requested zoning is R-1. The Final Plat consists of one single-family lot which is 0.34 acres in size. The Planning Commission considered this request at its May 11, 1999 Meeting and recommended approval. The Department concurs in this recommendation. The annexation request is now being submitted to the Mayor and City Council for consideration.

s/ Renée R. Magee

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

Slide 1 Vicinity Map
Slide 2 Aerial Photo
Slide 3 Final Plat
Slide 4 Looking east at site toward golf course

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Exhibit 1 Planning Commission Minutes
Exhibit 2 Staff Report

The Planning and Building Director stated that this annexation is in accordance with the Comprehensive Plan, the Zoning Ordinance, and the Subdivision Ordinance.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that he is the representative of the developer of this property. He explained that there was an access to the golf course through this area, which they did not realize at the time that Fairway Estates Addition, Division No. 4 was annexed. They have taken care of this with this Division No. 8 annexation.

There being no further discussion either in favor of or in opposition to this Annexation request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to accept the Final Plat for Fairway Estates Addition, Division No. 8 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Annexation Agreement for Fairway Estates Addition, Division No. 8 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2330

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

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

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

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 Mills, seconded by Councilmember Groberg, to establish the initial zoning of Fairway Estates Addition, Division No. 8 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 Mills
Councilmember Groberg
Councilmember Carlson
Councilmember Branson
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct a public hearing for consideration of a Land Use Change in the Planned Transition Zone for the purpose of constructing two 8-unit apartment buildings on property located generally at the southeast corner of Fremont Avenue and Presto Street, and the southwest corner of Presto Street and Elmore Avenue, legally described as Lots 19 through 30, Block 24, Highland Park Addition. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 17, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: PT LAND USE CHANGE, LOTS 19-30, BLOCK 24, HIGHLAND
PARK ADDITION

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Attached is the Site Plan and Development Agreement for Lots 19-30, Block 24, Highland Park Addition. The property is zoned PT-1 and PT-2, and the Site Plan has been submitted as the application for a land use change. The Planning Commission reviewed the Site Plan at its April 13, 1999 Meeting and recommended approval with the conditions that a lighting plan be submitted which held the foot candles to a maximum of 0.5 on neighboring residential properties and an opaque fence be installed on the south property line. The Department concurs with the recommendation. The request for approval of the land use change is now being submitted to the Mayor and City 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 Land Use Change:

| | |
|-----------|---|
| Slide 1 | Vicinity Map |
| Slide 2 | Aerial Photo |
| Slide 3 | Site Plan Review for Land Use Change |
| Slide 4 | Lighting Plan |
| Slide 5 | Looking south at site from intersection of Fremont Avenue and Presto Street |
| Slide 6 | Looking southeast at site from intersection of Fremont Avenue and Presto Street |
| Slide 7 | Looking west at site from intersection of Elmore Avenue and Presto Street |
| Exhibit 1 | Planning Commission Minutes |
| Exhibit 2 | Staff Report |

The Planning and Building Director stated that the Site Plan is in accordance with the Planned Transition Zone, and it is also in compliance with the Planning Commission's recommendations.

Councilmember Groberg questioned how the Development Agreement addresses the paving of the unpaved streets. The Planning and Building Director stated that the Development Agreement requires the installation of curb, gutter, and sidewalk, along with the necessary paving at the time that the areas to the north are developed.

A brief discussion was held regarding the development of the street sections. The Planning and Building Director stated that there would be a problem if only half streets were to be constructed. The neighbors would have to become involved in order to develop a full street.

Jeff Freiberg, Harper-Leavitt Engineering, 985 North Capital Avenue, appeared as a representative of the developer. He stated that the apartments that are being built are a single level. The Site Plan includes pavement in the alley.

Councilmember Carlson questioned Mr. Freiberg as to whether there would be a problem on constructing the curb, gutter, and sidewalk on half of a street. Mr. Freiberg stated that the improvements can be installed, but he would include pavement along with installing the curb, gutter, and sidewalk. He stated that a maintenance problem would develop. He believed that the whole street should be constructed at this time or none of the street should be constructed.

Steve Anderson, Engineering Administrator, appeared to state that the City, years ago, used to build half streets. When half a street is built, a maintenance problem does develop. He explained that if just the curb, gutter, and sidewalk is installed, during the

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winter plowing time, the plows cannot stay away from the lip of the curb and it becomes chipped. The City has determined that it is much better to put the stipulation into the Development Agreement that the property owner will build his half of the street as the adjacent properties begin to develop. This provides for a completed street.

Councilmember Mills questioned whether the City negotiated with any of the adjacent property owners regarding whether they were willing to build their section of the street at this time. The Engineering Administrator stated that no property owners were contacted for this development. This has been done in the past, but until a property owner is ready to develop their property, they are not usually willing to put out the funds for street improvements.

Councilmember Groberg stated that it may be in the City's interest to contact adjacent property owners to determine whether they were ready to develop their portion of the street, in a circumstance such as this. He stated that maybe some incentives might be offered to encourage the adjacent property owners to develop the unpaved streets. It was not determined what these incentives could be.

Councilmember Mills suggested that maybe the City should look at finishing a street development, where one property owner has agreed to pay for one half of a street construction.

The Engineering Administrator explained that when an arterial street is developed, which is generally wider than the residential streets, the City has to participate on the additional width of street due to the fact that the developer pays for 21-1/2 feet of street improvements.

There being no further discussion either in favor of or in opposition to this request, it was reluctantly moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Site Plan for a Land Use Change under the Planned Transition Zone for Lots 19 through 30, Block 24, Highland Park Addition. Roll call as follows:

Aye: Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Groberg

Nay: Councilmember Carlson

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Development Agreement for Lots 19 through 30, Block 24, Highland Park Addition and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

The Airport Director submitted the following memo:

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City of Idaho Falls
June 17, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Airport Director
SUBJECT: GRANT OFFER FROM THE STATE OF IDAHO

The Airport has received a grant offer from the State of Idaho in the amount of \$15,000.00 for Fiscal Year 2000.

The State requests that we complete this action and supply them with the ratified Agreement by August 31, 1999.

The Airport Division requests authorization for the Mayor to accept the grant offer.

s/ Mike Humberd

CITY RESOLUTION (Resolution No. 1999-09)

**EXTRACT FROM THE MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO
HELD ON JUNE 22, 1999.**

The following Resolution was introduced by Councilmember Groberg, read in full, considered and adopted:

RESOLUTION NO. -- OF THE CITY OF IDAHO FALLS, IDAHO ACCEPTING THE GRANT OFFER OF THE STATE OF IDAHO THROUGH THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF AERONAUTICS, IN THE MAXIMUM AMOUNT OF \$15,000.00 TO BE USED UNDER THE AIRPORT DEVELOPMENT AID PROGRAM PROJECT NO. IDA-2000 IN THE DEVELOPMENT OF THE IDAHO FALLS, FANNING FIELD AIRPORT; AND,

Be it resolved by the Mayor and Council of the City of Idaho Falls, Idaho (herein referred to as the "CITY") as follows:

Section 1. That the CITY, shall accept the Grant Offer of the State of Idaho in the amount of \$15,000.00, for the purpose of obtaining State Aid under Project No. IDA-2000, in the development of the Idaho Falls, Fanning Field Airport; and,

Section 2. That the Mayor of the CITY is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Part II - Acceptance) on behalf of the CITY. The CITY Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the CITY on the aforesaid statement of Acceptance; and,

Section 3. A true copy of the Grant Offer referred to herein be attached hereto and made a part thereof.

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PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR
THIS 22ND DAY OF JUNE, 1999.

s/ Linda Milam
Linda Milam, Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson, City Clerk

CERTIFICATE

I, Rosemarie Anderson, City Clerk, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. -- adopted at a Special Meeting of the Council held on the 22nd day of June, 1999, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the CITY, this 23rd day of June, 1999.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

Councilmember Groberg explained that these funds are unrestricted and can be used for any Airport improvement, such as the roof repair on the Terminal Building. It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Grant Offer from the State of Idaho Department of Transportation, Division of Aeronautics 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 Carlson
Councilmember Groberg

Nay: None

Motion Carried.

The Electric Director submitted the following memo:

City of Idaho Falls
June 18, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Director
SUBJECT: NORTH BOULEVARD SUBSTATION - BAY TWO ADDITION

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Attached is the bid tabulation and contract documents for the North Boulevard Substation Bay Two Addition. Anderson and Wood Construction Company, Inc. is the only responsive bidder.

The Electric Division respectfully requests City Council award of this Contract to Anderson and Wood and authorization for the Mayor to execute the necessary contract documents.

s/ Mark Gendron

It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to accept the low responsive bid from Anderson and Wood Construction Company, Inc. and, further, give authorization for the Mayor and Clerk to sign the necessary Contract Documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Fire Chief submitted the following memos:

City of Idaho Falls
June 14, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Bob Drake, Fire Chief
SUBJECT: ORDINANCE REPEALING AMBULANCE ORDINANCE

Attached for your review is a copy of an Ordinance repealing Title 4, Chapter 16 of the City Code. This Chapter is no longer applicable in our City Code, due to the recent adoption of the Emergency Medical Services Ordinance. The Emergency Medical Services Ordinance, which now defines ambulance operations and details the process for licensing ambulance services, makes Title 4, Chapter 16 unnecessary.

The Fire Department respectfully requests approval of the Ordinance and authorization for the Mayor and City Clerk to sign the document.

s/ Bob Drake

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

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ORDINANCE NO. 2331

AN ORDINANCE REPEALING TITLE 4, CHAPTER 16
OF THE CITY CODE OF IDAHO FALLS, IDAHO; AND
ESTABLISHING EFFECTIVE DATE

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Branson 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:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 18, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Bob Drake, Fire Chief
SUBJECT: PROFESSIONAL SERVICES AGREEMENT

Attached for your review is a copy of a Professional Services Agreement between the Idaho Falls Fire Department and Eastern Idaho Health Services, Inc., d.b.a. Eastern Idaho Regional Medical Center. The Professional Services Agreement details the provision of ambulance transport services by the Idaho Falls Fire Department/EMS Department to Eastern Idaho Regional Medical Center at our standard published rates.

The Fire Department respectfully requests authorization for the Fire Chief to execute the Agreement.

s/ Bob Drake

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to approve the Professional Services Agreement between the Idaho Falls Fire Department and Eastern Idaho Health Services, Inc. d.b.a. Eastern Idaho Regional Medical Center and, further, give authorization for the Fire Chief to execute the Agreements. Roll call as follows:

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

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Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
June 16, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-99-26, CERAMIC VENEER FOR INTERIOR AND EXTERIOR WALLS OF CITY HALL (MATERIALS ONLY)

Attached for consideration is the tabulation for Bid IF-99-26, Ceramic Veneer (Terra Cotta) for Interior and Exterior Walls of City Hall (Materials Only).

It is the recommendation of Municipal Services to accept the low bid of Gladding, McBean to furnish the required material for an amount of \$26,950.00, including option for glaze development.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Mills, to accept the low bid of Gladding, McBean to furnish the Ceramic Veneer for Interior and Exterior Walls of City Hall (Materials Only). Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 16, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-99-25, ONE (1) TRAFFIC VIDEO DETECTION UNIT

Attached for your consideration is the tabulation for Bid IF-99-25, One (1) Traffic Video Detection Unit.

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It is the recommendation of Municipal Services to accept the sole bid of Northwest Signal Supply, Inc. to furnish the traffic video detection unit manufactured by Peek, Model VT-900 for an amount of \$30,000.00.

s/ S. Craig Lords

Van Ashton, Electric Division, appeared to explain that this video detection unit has been in place for approximately 2-1/2 years. The Electric Division agreed to try out this unit from the dealer as a beta test for them. This allowed the dealer to work out any bugs that were in the system. Now that the unit is functioning properly, the City has agreed to purchase this video detection unit.

It was moved by Councilmember Branson, seconded by Councilmember Mills, to accept the sole bid from Northwest Signal Supply, Inc. to furnish the traffic video detection unit as requested. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
June 17, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: AMENDMENT TO FINANCIAL AGREEMENT BETWEEN CITY OF IDAHO FALLS AND TARGHEE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (TRPTA)

Attached is the Amendment to the Financial Agreement with TRPTA which was approved by the City Council on October 15, 1998. Under the original Agreement, the City of Idaho Falls agreed to loan TRPTA up to \$200,000.00 to fund public transportation until monies were received from the Federal Transit Administration (FTA). TRPTA has applied for Fiscal Year 1998 monies but has not yet received approval from the FTA. This Amendment will increase the maximum amount to be loaned in this fiscal year to \$300,000.00, an increase of \$100,000.00. TRPTA, through this Division, respectfully requests the approval of this Amendment.

s/ Renée R. Magee

Jake Cordova, 855 9th Street, appeared to give a further explanation of the need for the loan from the City of Idaho Falls in order to fund the Targhee Regional Public Transportation Authority (TRPTA). He stated that it is a 20/80 match money.

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It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Amendment to the Financial Agreement between the City of Idaho Falls and Targhee Regional Public Transportation Authority (TRPTA) and, further, give authorization for the Mayor and City Clerk to execute the necessary documents to increase the loan to a maximum of \$300,000.00. Roll call as follows:

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

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls
May 14, 1999

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers
FROM: J. K. Livsey, Chief of Police
SUBJECT: LASER POINTER ORDINANCE

Attached please find a copy of the proposed Laser Pointer Ordinance enacting Section 5-21-8 of the City Code of Idaho Falls, Idaho, providing for the governing of possession and use of laser pointing devices.

The Idaho Falls Police Department has been experiencing problems related to the misuse of laser pointers by the general public. This is a problem for Law Enforcement Officers nationwide, not just in Idaho Falls. The attached article from the May, 1999 issue of the "FBI Law Enforcement Bulletin" details problems that are occurring with increasing frequency.

I respectfully request adoption of this Ordinance.

s/ J. K. Livsey

Following a brief explanation regarding the need for this Ordinance, Councilmember Hardcastle requested the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2332

AN ORDINANCE ENACTING SECTION 5-21-8 OF THE CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE UNLAWFUL ABUSE OF LASER POINTING DEVICES; PROVIDING A PENALTY THEREFORE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

JUNE 22, 1999

The foregoing Ordinance was presented by title only. Due to the fact that this Ordinance was passed on the first reading only at the June 10, 1999 City Council Meeting, Councilmember Hardcastle moved, and Councilmember Branson 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 the second and third readings. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
June 21, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION - MOODY DITCH

Public Works requests authorization for the City Attorney to prepare the documents needed to vacate a portion of an easement occupied by the Moody Ditch.

s/ Chad Stanger

The Engineering Administrator located the subject area on a map and further explained the request. The easement was granted to the City when the Moody Ditch was an open channel. The developer will be closing the ditch into a concrete pipe and the 30-foot easement is no longer needed. The City will retain the west 15-foot easement in this location. Councilmember Groberg questioned whether this would leave enough room for a bike/pedestrian pathway. The Engineering Administrator stated that this would still allow for the bike/pedestrian pathway.

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to give authorization for the City Attorney to prepare the necessary documents to vacate a portion of an easement occupied by the Moody Ditch. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Branson
Councilmember Groberg
Councilmember Mills

Nay: Councilmember Carlson

Motion Carried.

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City of Idaho Falls
June 15, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASTERN IDAHO RAILROAD PIPELINE CROSSING AT HEMMERT AVENUE

Attached is a copy of a Crossing Agreement between the City and Eastern Idaho Railroad for a water line project on Hemmert Avenue. The fee for this crossing is \$1,750.00.

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 Crossing Agreement between the City of Idaho Falls and Eastern Idaho Railroad for a water line project on Hemmert Avenue and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 15, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PANCHERI DRIVE PROJECT NO. 2.37.24.4.STR.88.01
CHANGE ORDER NO. 18

Attached is proposed Change Order No. 18 to the Pancheri Drive Project which, if approved, will provide for removal of existing pavement markings and installation of temporary pavement markings. These markings are needed to direct traffic until the seal coat and final pavement markings are installed and will add \$7,072.80 to the project cost; and, one (1) day to the contract time.

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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 Carlson, seconded by Councilmember Hardcastle, to approve Change Order No. 18 to Idaho Construction Company, Inc. to complete the Pancheri Drive Project and, further, give authorization for the Mayor to sign said documents. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam announced that the next scheduled Council Meeting will be held on July 1, 1999.

There being no further business, it was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, that the meeting adjourn at 8:40 p.m.

CITY CLERK

MAYOR
