

MAY 20, 1999

The City Council of the City of Idaho Falls met in Special Council Meeting, Thursday, May 20, 1999, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Absent was:

Councilmember Joe Groberg

Also present:

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

Mayor Milam requested Boy Scout Jordan Livingston from Troop No. 383 to come forward and lead those present in the Pledge of Allegiance.

The City Clerk read a summary of the minutes for the April 22, 1999 Regular Council Meeting and the May 13, 1999 Regular Council Meeting. It was moved by Councilmember Branson, seconded by Councilmember Eldredge, that the minutes be approved as read. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the Appointment of Linda Weiss to serve on the Idaho Falls Business Assistance Corporation; Appointment of Harold L. Latin to serve on the Board of Adjustment (Term to expire on December 31, 2000); Appointment of Brent Dixon to serve on the Planning Commission (Term to expire on December 31, 2000); and, the Appointment of Irene Bailey to serve on the Civil Service Commission (Term to expire on December 31, 2000).

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 Debbie R. Bingham, Josh E. Dixon, Chris Gee, Destry W. Green, Adam Hawkins, Jay Hebdon, Russell W. Hooker, Dixie L. Mackay, Merri Anna Morris, Bradley J. Roker, Jose

MAY 20, 1999

A. Soto, James F. Thompson, Esther M. Thornock, Teresa E. Tremayne, Wanda J. Walton, and Jill M. Winter, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on May 20, 1999.

The Electric Director submitted the following memo:

City of Idaho Falls
May 10, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Mark Gendron, Electric Director
SUBJECT: NORTH BOULEVARD SUBSTATION

The Electric Division respectfully requests Council authorization to advertise to receive bids for the North Boulevard Substation, Bay Two Addition Construction Contract. This is a budgeted item.

s/ Mark Gendron

The Public Works Director submitted the following memo:

City of Idaho Falls
May 11, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – SCOTTS ADDITION SEWER SEPARATION PROJECT

Public Works requests authorization to receive bids for the Scotts Addition Sewer Separation Project.

s/ Chad Stanger

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

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

Nay: None

Motion Carried.

MAY 20, 1999

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated April 1, 1999 through April 30, 1999, after having been audited by the Fiscal Committee and paid by the Controller:

<u>FUND</u>	<u>SERVICE AND MATERIALS</u>	<u>GROSS PAYROLL</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$891,319.64	\$1,563,270.24	\$2,454,589.88
Street Fund	25,735.77	82,514.38	108,250.15
Airport Fund	36,629.85	34,348.97	70,978.82
Water and Sewer Fund	413,616.20	187,364.19	600,990.39
Electric Light Fund	2,139,240.19	333,570.18	2,472,810.37
Sanitation Fund	216,514.26	84,584.95	301,099.21
Recreation Fund	27,768.18	44,141.13	71,909.31
Sanitary Sewer Capital Improvement Fd.	104,212.23	.00	104,212.23
Municipal Capital Improvement Fund	657,556.65	.00	657,556.65
Library Fund	45,895.04	77,012.08	122,907.12
Water Capital Improvement Fund	76,061.93	.00	76,061.93
Ambulance Fund	8,170.55	95,461.41	103,631.96
Municipal Equipment Replacement Fund	242,813.82	.00	242,813.82
BPA Weatherization Loan Fund	25,856.09	.00	25,856.09
Swimming Pool G. O. Bond	625.00	.00	625.00
Surface Drainage Fund	2,835.00	.00	2,835.00
Business Improvement District	20,000.00	.00	20,000.00
TOTALS	4,934,860.40	2,502,267.53	7,437,127.93

It was moved by Councilmember Branson, seconded by Councilmember Hardcastle, to approve Check No. 45099 in the amount of \$455.00 made payable to the University of Idaho. Roll call as follows:

Aye: Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Carlson

Nay: None

Abstain: Councilmember Eldredge (as he is employed by the University of Idaho)

Motion Carried.

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to approve Check No. 45515 in the amount of \$151.45 made payable to Barnes and Noble BookSellers. Roll call as follows:

Aye: Councilmember Carlson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Branson

MAY 20, 1999

Nay: None

Abstain: Councilmember Mills (as he is employed by Barnes and Noble BookSellers and also owns stock in the Company)

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to ratify the payment of the remainder of the expenditures for the month of April, 1999. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct Annexation Proceedings for Waterford Addition, Division No. 3. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 9, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Reneé R. Magee, Planning and Building Director
SUBJECT: WATERFORD ADDITION, DIVISION NO. 3

Attached are the Final Plat, Annexation Agreement, and Annexation Ordinance for Waterford Addition, Division No. 3. The requested initial zoning is R-1, Single-Family Residential. This 42-lot subdivision is located immediately west and adjacent to Stonebrook subdivision, east of Gustafson Canal, and south of Hickory Lane. The Planning Commission in March, 1999, recommended approval of the Final Plat, annexation request, and initial zoning of R-1. The Department concurs with this recommendation. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Reneé 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 Preliminary Plat
Exhibit A Planning Commission Minutes for March, 1999

MAY 20, 1999

Becky Bowcutt, Briggs Engineering from Boise, Idaho, appeared as a representative of the Developer G. L. Voigt Construction, 1900 East Jennie Lee Drive. She stated that this development consists of 42 lots with 1 common lot that will be used as a micropath for pedestrians and bicycle traffic within the subdivision. Ms. Bowcutt stated that the density for this development is 2.733 dwelling units per acre. She reviewed for the Mayor and Council how the streets were reconfigured in this area to comply with requests from the Harvest Run residents not to have Harvest Run be a straight through connection resulting in more traffic in their residential area. Ms. Bowcutt explained that larger lots were developed along the Stonebrook subdivision to make a better transition to Waterford Addition.

Councilmember Hardcastle questioned how many lots were in the entire Waterford Addition. Ms. Bowcutt stated that there would be 148 single-family residential lots.

Councilmember Mills requested an explanation as to how the traffic will enter and exit from this subdivision, along with how traffic will move through the subdivision. Ms. Bowcutt explained that there are two types of traffic in neighborhoods. First, there is the traffic that moves within the development, such as between homes or between home and school. Second, there is cut-through traffic. This happens when someone finds a shortcut through the residential area. High volumes of traffic area not wanted on the local streets within subdivisions.

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 Eldredge, to accept the Final Plat for Waterford Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Eldredge, to approve the Annexation Agreement for Waterford Addition, Division No. 3 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 Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

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

MAY 20, 1999

ORDINANCE NO. 2323

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 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 and the Ordinance be passed on all three readings. Roll call as follows:

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

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 Eldredge, to establish the initial zoning of Waterford Addition, Division No. 3 as R-1 (Single-Family Residential) as requested and, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

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

Nay: None

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.

Kathryn Anderson, 569 Starlite Drive, appeared to express her appreciation for the manner in which the Mayor and Council handled her problem. She stated that the Mayor and Council are here to help the citizens of Idaho Falls and she appreciated their hard work.

The Airport Director submitted the following memo:

MAY 20, 1999

City of Idaho Falls
May 10, 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 \$20,000.00.

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

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

s/ Mike Humberd

CITY RESOLUTION (Resolution No. 1999-07)

**EXTRACT FROM THE MINUTES OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO
HELD ON MAY 20, 1999.**

The following Resolution was introduced by Councilman Eldredge, read in full, and adopted:

RESOLUTION 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 \$20,000.00 TO BE USED UNDER THE AIRPORT DEVELOPMENT AID PROGRAM PROJECT NO. IDA-99 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 \$20,000.00, for the purpose of obtaining State Aid under Project No. IDA-99, 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.

MAY 20, 1999

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR
THIS 20th DAY of May, 1999.

s/ Linda Milam
Linda Milam, Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson, Clerk

CERTIFICATE

I, Rosemarie Anderson, City Clerk do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted at a Special Meeting of the Council held on the 20th day of May, 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 21st day of May, 1999.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

The Airport Director appeared to further explain the grant offer. He stated that annually the State of Idaho, Division of Aeronautics, gives to each Airport in the state a support grant to fund Airport improvement projects. The State has requested that the City accept this grant to be used as desired for Airport improvements.

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the Grant Offer from the State Transportation Department, Division of Aeronautics and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Electric Director submitted the following memos:

City of Idaho Falls
April 29, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Director
SUBJECT: IDAHO POWER COMPANY AGREEMENTS

MAY 20, 1999

Attached for your consideration are two Transmission Service Agreements allowing the City of Idaho Falls to purchase transmission capacity from Idaho Power. One Agreement provides for purchase of firm capacity, the other for non-firm capacity.

The City Attorney has reviewed both Agreements. The Electric Division respectfully requests Council approval and authorization for the Mayor to sign these Agreements.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the two Transmission Service Agreements with Idaho Power Company and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 17, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Director
SUBJECT: UTILITY EASEMENTS ON PARK-TAYLOR ROAD

Attached for your consideration are Easement Agreements with Theodore A. Olsen, Jr. and Jacquelyn J. Olsen, and Michael L. Myers and L. Diane Myers. The Electric Division requests approval of these Agreements and authorization for the Mayor to sign said documents.

s/ Mark Gendron

The Electric Director appeared to state that these easements are located on the east side of Park-Taylor Road adjacent to the Waterford Addition. The easements are outside the City limits, thereby requiring the City to negotiate for the easements for overhead power lines on Park-Taylor Road.

There being no further discussion, it was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the Utility Easement Agreements with Theodore A. Olsen, Jr., and Jacquelyn J. Olsen, and Michael L. Myers and L. Diane Myers and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Carlson
Councilmember Eldredge
Councilmember Hardcastle

MAY 20, 1999

Councilmember Mills
Councilmember Branson

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 6, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: APPOINTMENT OF ELECTRIC LIGHT FUND AUDITORS

Attached for your consideration is the audit proposal from Deloitte and Touche for the audit of the City's Electric Light Fund for fiscal year ending September 30, 1999.

Municipal Services respectfully requests the approval of Deloitte and Touche to audit the Electric Fund for \$39,000.00.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to approve the appointment of Deloitte and Touche to complete the audit for the City's Electric Light Fund for fiscal year ending September 30, 1999 and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: APPOINTMENT OF CITY AUDITORS

Attached for your consideration is the audit proposal from Rudd and Company PLLC for the audit of the City for fiscal year ending September 30, 1999.

MAY 20, 1999

Municipal Services respectfully requests the approval to have Rudd and Company PLLC perform the annual audit for \$29,250.00.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to approve the appointment of Rudd and Company PLLC to complete the audit for the City for fiscal year ending September 30, 1999 and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-99-20, ONE (1) NEW 1999 OR NEWER TYPE III
AMBULANCE

Attached for your consideration is the tabulation for Bid IF-99-20, One (1) New 1999 or Newer Type III Ambulance.

It is the recommendation of Municipal Services to accept the low bid including trade-in and meeting specifications of Pacific Emergency Vehicles, Inc. to furnish One (1) New Type III Ambulance mounted on a 1999 Ford Super Duty cab and chassis. They will provide a 1999 Apollo Model ambulance body constructed by Medtec Ambulance Corporation. The total purchase amount is \$92,844.00 with trade-in of Unit No. 823. This price includes a deduction of \$3,600.00 for a Pro Pac Monitor. The bids from Rocky Mountain Sales do not include the cost of this monitor; they were unable to get a price.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to accept the low bid including trade-in and meeting specifications of Pacific Emergency Vehicles, Inc. to furnish One (1) New Type III Ambulance as requested. Roll call as follows:

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

MAY 20, 1999

Nay: None

Motion Carried.

City of Idaho Falls
May 10, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-99-21, ROAD SANDING MATERIALS

Attached for your consideration is the tabulation for Bid IF-99-21, Road Sanding Materials.

It is the recommendation of Municipal Services to accept the low bid of Rhodehouse Construction to furnish the required sanding material for the amount of \$4.48 per cubic yard.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to accept the low bid of Rhodehouse Construction to furnish the required sanding material. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 6, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-99-22, MOBILE RADIOS, SIRENS, OVERHEAD EMERGENCY LIGHTS, BARRIER CAGES, AND RELATED EQUIPMENT FOR POLICE VEHICLES

Attached for your consideration is the tabulation for Bid IF-99-22, Mobile Radios, Sirens, Overhead Emergency Lights, Barrier Cages, and related equipment for Police Vehicles.

It is the recommendation of Municipal Services to accept the low bid of Teton Communications, Inc. to furnish the required specified equipment and required

MAY 20, 1999

technical service for both sections. As per bid specifications, evaluation for award was according to the Lump Sum Total Amount of each section.

Section I	Radios and Related Equipment for six (6) Patrol Sedans and One (1) SUV	\$20,628.00
Section II	Radios and Related Equipment for two (2) Detective Sedans	\$ 4, 188.00

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to accept the low bid from Teton Communications, Inc. to furnish the mobile radios, sirens, overhead emergency lights, barrier cages, and related equipment for police vehicles. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 7, 1999

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 Saturday, June 5, 1999 at 11:00 a.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 the auction total is under \$5,000.00.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, 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

MAY 20, 1999

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 the auction total is under \$5,000.00. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 10, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION OF PROPOSALS AND AWARD OF BID FOR THE ANIMAL SHELTER

Attached for your consideration is the tabulation for bids received for the new Animal Shelter. It is the recommendation of Municipal Services to award the bid to the low responsive bidder of Shook Construction in the amount of \$586,841.00, which includes Alternate No. 1.

It is respectfully requested that Council approve the bid to Shook Construction and authorize the Mayor to execute the contract documents.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to accept the low responsive bid of Shook Construction to complete the Animal Control Facility including Alternate No. 1 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Abstain: Councilmember Carlson (due to a relative working as a subcontractor on the facility)

Motion Carried.

The Parks and Recreation Director submitted the following memo:

MAY 20, 1999

City of Idaho Falls
May 18, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: NOISE PARK CARETAKERS LEASE AGREEMENT

The attached is a Lease Agreement between the City of Idaho Falls and Adam Ackerman for the purpose of providing caretaker and other related assigned duties at the City's Noise Park in exchange for allowing Mr. Ackerman to reside at the residence located on said property. This Agreement is for a period of one-year commencing May 7, 1999 and terminating May 6, 2000. This Agreement has been prepared and reviewed by the City Attorney. It is, therefore, being submitted for your approval.

s/ David J. Christiansen

The Parks and Recreation Director appeared to state this Agreement is already in place, with this Agreement providing for a renewal. He stated, further, that Mr. Ackerman is responsible for a number of duties at the racetrack.

It was moved by Councilmember Mills, seconded by Councilmember Carlson, to approve the Noise Park Caretakers Lease Agreement between the City of Idaho Falls and Adam Ackerman and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
May 9, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FIRST AMENDED PLAT, ROSE NIELSEN ADDITION, DIVISION NO. 109

Attached is the amended plat for Rose Nielsen Addition, Division No. 109. The replat will create four lots from two originally platted in 1996. The Division is presently zoned C-1 and is located immediately west and adjacent to Hitt Road,

MAY 20, 1999

east of Sand Creek, and north of Sunnyside Road. The Planning Commission in April, 1999, recommended approval of the Final Plat. The Department concurs with this recommendation. This replat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1 Vicinity Map
Slide 2 Aerial Photo
Slide 3 Final Plat
Exhibit A Planning Commission Minutes for April 20, 1999

Councilmember Mills questioned the Planning and Building Director as to what is proposed for these sites. The Planning and Building Director stated that at the present time, two restaurants are proposed for this location. Also, a small shopping center is proposed for another portion of this development.

There being no further discussion either in favor of or in opposition to this request, it was moved by Councilmember Mills, seconded by Councilmember Eldredge, to accept the First Amended Plat for Rose Nielsen Addition, Division No. 109 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Plat. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 9, 1999

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ORDINANCE VACATING LANDSCAPE MOUND EASEMENT IN
SUMMIT RUN SUBDIVISION AND SHADOW MOUNTAIN
SUBDIVISION

In early Fall, 1998, the Mayor and City Council authorized the City Attorney to prepare an Ordinance to vacate the twenty-five foot landscape mound easement located south and immediately adjacent to Sunnyside Road at the entrances to Summit Run and Shadow Mountain Subdivisions. Attached is a copy of such Ordinance. This Department respectfully requests its adoption.

s/ Renée R. Magee

MAY 20, 1999

Councilmember Eldredge questioned whether the responsibility of caring for the landscape mound would be placed with the individual owners. The City Attorney stated that there is a provision under the Ordinance that requires that there be a certain distance between an arterial street and the property lines. In this case, the distance was not maintained. There is another provision in the Ordinance that allows for a shorter distance, as long as there are landscaping or fences. The fences have been constructed and the Ordinance is now satisfied. The easement is no longer required.

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

ORDINANCE NO. 2424

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

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

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

Nay: None

Motion Carried.

The Police Chief submitted the following memos:

City of Idaho Falls
May 6, 1999

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers
FROM: J. K. Livsey, Chief of Police
SUBJECT: DENIAL OF BARTENDER LICENSE

The application for Bartender for Melissa Ann Nieves is hereby submitted with the recommendation it be denied. I make this recommendation because the

MAY 20, 1999

applicant hosted a party on January 16, 1999 where beer was served to minors. The applicant herself was in possession at that party. She was 18 years old at the time. Please see attached report.

s/ J. K. Livsey

Melissa A. Nieves, 1980 Cabellaro Drive, appeared to request the City Council to reconsider this denial, as her living arrangements are now different. She stated that she has returned to school and is now living with her parents.

Mark Moorefield, 1980 Cabellaro Drive, appeared to state that he is the owner of Mark and Sindy's First Street Saloon and Melissa is his daughter. He said that Melissa moved back into their home and he thought this would be a good way for her to be around people and also to help them in their business once in a while. He was hoping that she would at least be able to apply after she was released from probation.

Councilmember Hardcastle questioned Melissa as to how long she had left on probation. Melissa stated that she would be released next month. Councilmember Hardcastle explained that the arrest happened in January, 1999, this being a fairly new arrest. She suggested that Melissa visit with the Police Chief in a few months, if she still wished to obtain a Bartender's Permit.

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to deny the Bartender Permit to Melissa Ann Nieves based upon the recommendation of the Police Chief. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 10, 1999

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers
FROM: J. K. Livsey, Chief of Police
SUBJECT: DENIAL OF BARTENDER PERMIT

The application for a Bartender Permit for Kimberly Ann Beasley is hereby submitted with the recommendation it be denied. I make this recommendation because the applicant has been convicted of a felony within the last five (5) years and she failed to disclose this conviction on her application.

s/ J. K. Livsey

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to deny the Bartender Permit to Kimberly Ann Beasley based upon the recommendation from the

MAY 20, 1999

Police Chief. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
April 30, 1999

MEMORANDUM

TO: Mayor and Council
FROM: J. K. Livsey, Chief of Police
SUBJECT: DENIAL OF NON-COMMERCIAL KENNEL LICENSE

Attached please find an application for a Non-Commercial Kennel License submitted by Linda Lee Jones, 1010 11th Street, Idaho Falls, Idaho.

The Animal Control Division conducted the required survey of the neighbors of Ms. Jones that live within one hundred feet of her property. The survey reveals that the required 75 percent approval was not attained. Therefore, it is my recommendation that the license be denied.

s/ J. K. Livsey

Councilmember Hardcastle stated that Ms. Jones received 42% approval from her neighbors to have this Non-Commercial Kennel License. It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to deny the Non-Commercial Kennel License to Linda Lee Jones at 1010 11th Street. Roll call as follows:

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

Nay: None

Motion Carried.

The memo from the Police Chief regarding the Traffic Safety Issue about the on-street parking on the north side of Sawtelle Street was withdrawn by the Division Director. The Public Works Director submitted the following memos:

MAY 20, 1999

City of Idaho Falls
May 10, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – PAVEMENT EQUIPMENT RENTAL

On May 4, 1999, bids were received and opened for Pavement Equipment Rental, 1999. A tabulation of the bid results is attached.

Public Works recommends award of this bid to the low bidder, HK Contractors, Inc., in the amount of \$80,800.00; and, authorization for the Mayor and City Clerk to sign the Contract Documents.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to accept the low bid of HK Contractors, Inc. to complete the Pavement Equipment Rental – 1999 Project and, further, give authorization for the Mayor and City Clerk to sign the necessary Contract Documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 4, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOTS 6 AND 7, BLOCK 6, HODSON ADDITION

The owners of Lots 6 and 7, Block 6, Hodson Addition, have requested vacation of utility easements which border these lots.

Public Works requests authorization for the City Attorney to prepare the documents needed to vacate these easements.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to give authorization for the City Attorney to prepare the necessary documents to vacate easements in Lots 6 and 7, Block 6, Hodson Addition. Roll call as follows:

MAY 20, 1999

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

Nay: None

Motion Carried.

City of Idaho Falls
May 17, 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. 16

Attached is proposed Change Order No. 16 to the Pancheri Drive Project. This Change Order supersedes Change Order No. 8 and is necessary to facilitate repair to abutment walls on the existing bridge. If approved, this change will increase the project cost by an estimated \$9,942.00.

Public Works recommends approval of this Change Order; and, authorization for the Mayor to sign the Contract Documents.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to approve Change Order No. 16 to Idaho Construction Company and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 17, 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. 17

MAY 20, 1999

Attached is proposed Change Order No. 17 to the Pancheri Drive Project. This Change Order includes the installation of compression seals on the existing Pancheri Bridge. If approved, this Change Order will add an estimated \$3,000.00 to the cost of the project and one (1) additional day to the contract time.

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. 17 to Idaho Construction Company and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 17, 1999

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: STORM DRAINAGE AGREEMENT - SCHOOL DISTRICT NO. 91
(IDAHO FALLS HIGH SCHOOL)

Attached is a proposed Storm Drainage Easement Agreement between the City and School District No. 91. As proposed, School District No. 91 will convey an easement to the City for the purpose of constructing and maintaining a storm drainage pond on property owned by the School District. In consideration for obtaining the easement, the City agrees to construct certain improvements on the subject property.

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

s/ Chad Stanger

The Public Works Director appeared to explain that this Agreement facilitates using the Practice Field between Idaho Falls High School and Ravsten Stadium for the storm pond to accommodate the storm water generated in the Crow Creek Drainage area. This Agreement specifies that the City will construct improvements which enhance that property for the use of the School District. In turn, the School District will allow the City to drain the storm water on the School District property.

MAY 20, 1999

Councilmember Mills stated that he is very appreciative of how responsive the Public Works Division and Engineering Department have been in dealing with this issue.

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to approve the Storm Drainage Easement Agreement between the City of Idaho Falls and School District No. 91 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, that the meeting adjourn at 8:35 p.m.

CITY CLERK

MAYOR
