

**JULY 9, 1998**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 9, 1998, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Absent was:

Councilmember Brad Eldredge

Also present:

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

Mayor Milam recognized Todd Bower from the Sanitation Department for his design and construction of the City's float in the 4<sup>th</sup> of July Parade, by presenting him with a trophy. Mayor Milam presented pictures from the Safety Expo '98 to Police Chief Kent Livsey and Fire Chief Don Gosswiller, for the parts their Divisions played in this Expo.

The City Clerk read a summary of the minutes for the June 25, 1998 Regular Council Meeting. It was moved by Councilmember Branson, seconded by Councilmember Mills, that the minutes be approved as read. Roll call as follows:

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

Nay:            None

Motion Carried.

**CONSENT AGENDA ITEMS**

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

The City Clerk presented several license applications, including BARTENDER PERMITS to Mark Moorefield, Sindy Moorefield, and Cheryl A. Mower, 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 July 9, 1998.

The Airport Director submitted the following memo:

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City of Idaho Falls  
July 6, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jim Thorsen, Airport Director  
SUBJECT: ADVERTISEMENT FOR BIDS

The Airport Division respectfully requests ratification from the Mayor and Council to authorize advertisement and receive bids for a toll booth canopy, restroom addition, and incidental work at the Idaho Falls Airport.

s/ Jim Thorsen

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
July 2, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ADVERTISEMENT FOR BIDS

Municipal Services respectfully requests authorization to advertise and receive bids for City-owned vehicles and equipment that are surplus and no longer needed nor used by the City of Idaho Falls.

s/ S. Craig Lords

City of Idaho Falls  
July 2, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUTHORIZATION TO ADVERTISE AND RECEIVE STATEMENTS  
OF QUALIFICATIONS AND PERFORMANCE DATA FOR  
ARCHITECTURAL SERVICES

Municipal Services respectfully requests authorization to advertise for and receive statements of qualifications and performance data for selecting an architect to design an Animal Shelter for the City of Idaho Falls.

s/ S. Craig Lords

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

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

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

The City Clerk presented the following Expenditure Summary dated June 1, 1998 through June 30, 1998, after having been audited by the Fiscal Committee and paid by the Controller:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER &amp; SEWER</u>
SERV/MAT	\$ 914,219.65	\$ 69,536.69	\$ 464,675.90	\$ 345,407.34
SALARY	<u>1,033,753.90</u>	<u>56,494.94</u>	<u>28,395.81</u>	<u>124,926.22</u>
TOTAL	\$1,947,973.55	\$ 126,031.63	\$ 493,071.71	\$ 470,333.56
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>LIBRARY</u>
SERV/MAT	\$2,021,351.97	\$ 33,119.69	\$ 26,682.17	\$ 61,786.41
SALARY	<u>220,476.13</u>	<u>60,992.63</u>	<u>32,973.55</u>	<u>48,701.76</u>
TOTAL	\$2,241,828.10	\$ 94,112.32	\$ 59,655.72	\$ 110,488.17
	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>	<u>BPA WEATH LN FD</u>	<u>BUS IMPR DIST</u>
SERV/MAT	\$ 46,670.19	\$ 99,860.00	\$ 24,847.51	\$ 2,208.00
SALARY	<u>57,451.55</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 104,121.74	\$ 99,860.00	\$ 24,847.51	\$ 2,208.00
	<u>TOTALS</u>			
SERV/MAT	\$4,110,365.52			
SALARY	<u>1,664,166.49</u>			
TOTAL	\$5,774,532.01			

It was moved by Councilmember Branson, seconded by Councilmember Mills, to ratify the payment of the expenditures for the month of June, 1998. Roll call as follows:

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

Nay: None

Motion Carried.

**JULY 9, 1998**

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Mayor Milam requested Councilmember Mills to conduct Annexation Proceedings for H-S Addition, Division No. 1. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 6, 1998

MEMORANDUM

TO: Mayor and Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: ANNEXATION, FINAL PLAT, INITIAL ZONING, AND SITE PLAN APPROVAL FOR H-S ADDITION, DIVISION NO. 1

Attached is a copy of the Annexation Agreement, Annexation Ordinance, and Final Plat for H-S Addition, Division No. 1. The Final Plat consists of 26.22 acres and 13 lots. The property is located northwest of the intersection of Woodruff Avenue and First Street. The requested zoning is RSC-1, Residential Shopping Center Zone. The Planning Commission reviewed the annexation request in May and recommended approval upon the condition that the concrete wall on the northern edge of the property be included in the Annexation Agreement. At its June Meeting, the Commission reviewed the Site Plan and recommended approval upon the completion of seven conditions. The seven conditions have since been incorporated into the Final Plat and Site Plan.

Staff is requesting the public hearings on this annexation request be recessed to the July 23, 1998 Regular Council Meeting. The applicant has not closed on the property. Therefore, the department is requesting (1) consideration of the Final Plat, Annexation Ordinance and Initial Zoning be recessed, and (2) the Annexation Agreement be approved tonight subject to consideration of the recessed items on July 23, 1998. This request is now being submitted to the Mayor and Council.

s/ Renée R. Magee

Darrell Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared as the Representative for the Developer. He stated that Mountain River Engineering has requested bids be submitted for the fence.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to recess consideration of the Final Plat, Annexation Ordinance, and Initial Zoning of H-S Addition, Division No. 1 to the July 23, 1997 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

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The Planning and Building Director located the subject area on the map and further explained the request.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Annexation Agreement for H-S Addition, Division No. 1 subject to the approval of the Final Plat, Annexation Ordinance, and Initial Zoning of H-S Addition, Division No. 1 to be considered at the July 23, 1998 Regular Council Meeting and, further, give authorization for the Mayor and City Clerk to sign said Agreement. 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 to consider a rezone from R-3A (Apartments and Office Buildings) to RSC-1 (Residential Shopping Center) of Lots 1 through 8, Block 2, Bonita Park Addition, Division No. 1, located generally on the west side of Woodruff Avenue, south of Garfield Street, and north of First Street. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 6, 1998

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: REZONING REQUEST FOR LOTS 1-8, BLOCK 2, BONITA PARK ADDITION, DIVISION NO. 1

Attached is the application to rezone Lots 1-8, Block 2, Bonita Park Addition, Division No. 1 from R-3A (Apartments and Offices) to RSC-1, Residential Shopping Center. This request covers approximately 2.11 acres immediately west of and adjacent to Woodruff Avenue and approximately 500 feet north of First Street. The Planning Commission recommended approval of this request at its June 9, 1998 meeting. The Department concurs in this recommendation, and the matter is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Mills explained that this rezoning request is in connection with the H-S Addition, Division No. 1 for the proposed Waremart development. It was moved by Councilmember Mills, seconded by Councilmember Groberg, to recess the public hearing for

the rezone of Lots 1 through 8, Block 2, Bonita Park Addition, Division No. 1 to the July 23, 1998 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct the public hearing to consider a rezone from R-1 (Single-Family Residential) to RSC-1 (Residential Shopping Center) of approximately 2.1 acres in the Southwest Corner of Section 16, Township 2 North, Range 38, East of the Boise Meridian, located generally on the north side of First Street and on the east side of the Idaho Canal. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 6, 1998

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: REZONING REQUEST FOR METES AND BOUNDS, FIRST STREET

Attached is the application to rezone approximately 2.1 acres from R-1, Single Family Residential, to RSC-1, Residential Shopping Center. The property is approximately 600 feet west of Woodruff Avenue and immediately north and adjacent to First Street. This proposal is a portion of the property proposed for H-S Addition. The Planning Commission recommended approval of this request at its June 9, 1998 meeting. The Department concurs in this recommendation, and the matter is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Due to the fact that this property is also a part of the Waremart development, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to recess this rezoning request for approximately 2.1 acres in the Southwest Corner of Section 16, Township 2 North, Range 38, East of the Boise Meridian to the July 23, 1998 Regular Council Meeting. Roll call as follows:

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

Nay: None

Motion Carried.

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Mayor Milam requested Councilmember Mills to conduct a public hearing to consider the request for a Conditional Use Permit for a one-year extension of a modular unit to house elementary classrooms on property located generally at 2071 12<sup>th</sup> Street (Hope Lutheran Church), and legally described as Lot 1, Block 3, R & V Park Addition, Division No. 2. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
July 6, 1998

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: EXTENSION OF CONDITIONAL USE PERMIT, HOPE LUTHERAN CHURCH

Attached is the application of Hope Lutheran Church, 2071 12<sup>th</sup> Street, to extend the use of the modular classroom on the property for another year. The property is zoned R-1. The classroom building is located on the east side of the Church and is 28 feet by 70 feet. This matter 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. The following is a list of exhibits used in connection with this Conditional Use Permit request:

Slide 1 Exhibit 1	Map showing surrounding zoning.
Slide 2 Exhibit 2	Aerial photograph of site showing the location of the modular classroom.
Slide 3 Exhibit 3	Site Plan for Conditional Use Permit

Mayor Milam presented the following letter in support of the Conditional Use Permit:

TO: R. R. Magee, Director of Planning and Building Division

We support the above request for a Conditional Use Permit. Please acknowledge our support at the above public hearing on July 9, 1998. Thank you for your assistance and your letter.

s/ Burton R. Baldwin  
s/ Susan Baldwin  
970 Nixon

Idaho Falls, Idaho 83404

cc: Linda Milam and Wm. Shimkus

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Mayor Milam closed the public hearing. It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the request of Hope Lutheran School to extend the Conditional Use Permit for a modular classroom unit for a period not to exceed one year. Roll call as follows:

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

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.

C. E. White, Jr., 3280 Chaparral Drive, appeared to request that the traffic signal lights on Broadway be adjusted to be more accommodating to the side street entrances. There are long periods of delay waiting for the lights to change. Mayor Milam stated that the City could request the State to make the changes, as they are responsible for the timing control of these traffic lights.

The Electric Division Director submitted the following memo:

City of Idaho Falls  
July 2, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Electric Division Director  
SUBJECT: POWER SALES CONFIRMATION WITH APS

Attached for your consideration is a Confirmation Agreement to sell power to Arizona Public Service Company (APS) for the month of July only. This Agreement is for 10 megawatts.

The Electric Division respectfully requests ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Hardcastle, seconded by Councilmember Carlson, to ratify the execution of the Confirmation Agreement to sell power to Arizona Public Service Company for the month of July only. Roll call as follows:

Aye: Councilmember Branson  
Councilmember Hardcastle  
Councilmember Carlson  
Councilmember Groberg

Nay:           None

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Abstain: Councilmember Mills (As he owns stock in Arizona Public Service Company)

Motion Carried.

The memo from the Fire Chief regarding the Bureau of Land Management (BLM) Agreement was withdrawn by the Division Director.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
July 2, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-98-21, TRAFFIC SIGNAL EQUIPMENT

Attached for your consideration is the tabulation for Bid IF-98-21, Traffic Signal Equipment.

It is the recommendation of Municipal Services to accept the low bid of Northwest Signal Supply, Inc. They would furnish Items 1-3 (Control Cabinets and Modules), for a lump sum total amount of \$118,200.00.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Mills, the low bid of Northwest Signal Supply, Inc. to furnish the required Traffic Signal Equipment. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
July 2, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-98-22 – PRE-CAST, MODULAR, REINFORCED, CONCRETE UNDERPASS

Attached for your consideration please find attached the tabulation for Bid IF-98-22, Pre-cast, Modular, Reinforced, Concrete Underpass.

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It is the recommendation of Municipal Services, in conjunction with the City Engineer, to accept the low bid meeting specifications of Amcor Pre-Cast to furnish the pre-cast, modular, reinforced, concrete underpass for a total amount of \$62,232.76.

s/ S. Craig Lords

The Municipal Services Director appeared to explain that the other bidder did not meet specifications with his bid. He explained further, that the railroad will be shut down for a certain period and the other bidder was not able to make that time frame, which would substantially increase the cost of installing this underpass. There being no further questions, it was moved by Councilmember Branson, seconded by Councilmember Mills, to accept the low bid meeting specifications of Amcor Pre-Cast to furnish the pre-cast, modular, reinforced, concrete underpass. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
July 6, 1998

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: FIRST AMENDED PLAT OF LINCOLN PARK SUBDIVISION,  
DIVISION NO. 5, BONNEVILLE COUNTY

Attached is the Final Plat for First Amended Plat, Lincoln Park Subdivision, Division No. 5. This is a County Plat located east of Ammon-Lincoln Road and south of Lincoln at the eastern end of Greenwillow Lane. The Planning Commission considered this Plat at its June 16, 1998 Meeting and recommended approval. This matter 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 County Plat approval:

Slide 1      Final Plat of First Amended Plat of Lincoln Park Subdivision,  
Exhibit 1      Division No. 5 (County Plat).

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Slide 2 Vicinity Map locating subdivision.  
Exhibit 2

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the County Plat of the First Amended Plat of Lincoln Park Subdivision, Division No. 5 as presented and, further, give authorization for the Mayor, City Engineer, City Surveyor, and City Clerk to sign said Plat. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls  
July 2, 1998

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: PARKING ORDINANCE FOR A PERSON WITH DISABILITIES

Attached is a proposed amendment to the Ordinance concerning parking for persons with disabilities, as prepared by the City Attorney's Office.

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

s/ Chad Stanger

The City Attorney explained that the City is now "politically correct" in the terminology for the City Code. This Amendment to the Ordinance changes "handicapped person" to read "persons with disabilities". Mayor Milam stated that it is no longer a requirement to paint the surface of the parking stall blue. There is a requirement for signage for these spaces. At the request of Councilmember Carlson, the City Attorney read the following Ordinance by title:

**ORDINANCE NO. 2280**

AN ORDINANCE REPEALING AND RE-ENACTING  
SECTIONS 9-4-21 AND 9-4-22 OF THE CITY CODE  
OF IDAHO FALLS, IDAHO; PROVIDING FOR THE  
DESIGNATION OF PARKING SPACES FOR PERSONS

WITH DISABILITIES; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING EFFECTIVE  
DATE.

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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:

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

Nay:            None

Motion Carried.

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

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CITY CLERK

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MAYOR

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