

MAY 14, 1998

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 14, 1998, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Also present:

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

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

Mayor Milam commended 4 of the City Divisions (Fire Division, Police Division, Public Works Division/Sewer Department, and Electric Division) for their presentations at the Safety Expo.

The City Clerk read a summary of the minutes for the April 23, 1998 Regular Meeting. It was moved by Councilmember Branson, seconded by Councilmember Eldredge, that the minutes be approved as read. Roll call as follows:

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

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 Warren C. Hemming, David J. Lansberry, Dixie L. MacKay, John E. Martin, Brenda C. Mills, Renée M. Moss, and Raymond O. Thomas, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on May 14, 1998.

The Public Works Director submitted the following memo:

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City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – PAVING CREW

Public Works requests authorization to advertise and receive bids for an Asphalt Paving Crew to complete miscellaneous paving projects.

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 Groberg
Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated April 1, 1998 through April 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 & SEWER</u>
SERV/MAT	\$ 899,392.98	\$ 27,487.89	\$ 48,550.50	\$ 165,499.23
SALARY	<u>1,460,152.01</u>	<u>85,784.06</u>	<u>40,968.47</u>	<u>173,638.93</u>
TOTAL	\$2,359,544.99	\$ 113,271.95	\$ 89,518.97	\$ 339,138.16
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>LIBRARY</u>
SERV/MAT	\$2,180,330.86	\$ 28,788.53	\$ 25,058.58	\$ 80,975.26
SALARY	<u>313,143.06</u>	<u>81,956.77</u>	<u>38,881.67</u>	<u>72,007.86</u>
TOTAL	\$2,493,473.92	\$ 110,745.30	\$ 63,940.25	\$ 152,983.12
	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>	<u>BPA WEATH LN FD</u>	<u>BUS IMPR DIST</u>
SERV/MAT	\$ 39,224.13	\$ 13,325.00	\$ 10,233.85	\$ 40,000.00

SALARY	<u>86,583.08</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 125,807.21	\$ 13,325.00	\$ 10,233.85	\$ 40,000.00

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TOTALS

SERV/MAT	\$3,558,866.81
SALARY	2,353,115.91
TOTAL	\$5,911,982.72

It was moved by Councilmember Branson, seconded by Councilmember Mills, to approve Check No. 37370 made payable to the University of Idaho in the amount of \$640.00. Roll call as follows:

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

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 ratify the payment of the remainder of the expenditures for the month of April, 1998. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct a public hearing to consider the request for a Conditional Use Permit for a modular unit to be placed on property located generally at 1240 Azalea (Edgemont Elementary School), legally described as the East Half of the Northeast Quarter of Section 29, Township 2 North, Range 35, East of the Boise Meridian. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MODULAR UNIT, EDGEMONT ELEMENTARY SCHOOL

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Attached is the application and site plan for the Conditional Use Permit request from Edgemont Elementary School. The request is to place a modular unit which measures 12 feet by 56 feet to the west of the elementary school. The unit will be used as part of the science-technology laboratory for the students. Under Section 4.15 of the City's Zoning Ordinance, the City Council may grant a Conditional Use Permit for modular or mobile units. 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 Site Plan for Edgemont Elementary School
Exhibit 1

Exhibit 2 Aerial photo, Edgemont Elementary School

There being no one to appear in favor of or in opposition to this Conditional Use Permit request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Conditional Use Permit request to place a modular unit at Edgemont Elementary School for a period not to exceed one year. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct the public hearing to consider a rezone from R-3A (Apartments and Office Buildings) to C-1 (Limited Commercial) of 2.09 unplatted acres located west of Jennie Lee Drive and north of 21st Street extended. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REZONING REQUEST, JENNIE LEE DRIVE NORTH OF 21ST
 STREET EXTENDED

MAY 14, 1998

Attached is a request to rezone 2.09 unplatted acres located west of Jennie Lee Drive and north of 21st Street extended from R-3A to C-1. The Planning Commission considered this request at its April 14 meeting and recommended approval. The Department concurs in this recommendation. 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 rezoning request:

Slide 1 Exhibit 1	Aerial photo of area under consideration for rezoning request.
Slide 2 Exhibit 2	Vicinity slide, surrounding zoning and extension of East 23 rd Street.
Exhibit 3	Application for rezoning.

The Planning and Building Director explained that 21st Street extended was originally proposed early in the development of this area. The Planning Commission recommended that the development of 21st Street extended be abandoned.

Gary Voigt, 1908 East Jennie Lee Drive, appeared as the Developer of this subject property. He stated that this area was zoned R-3A originally, to allow the parking to be kept adjacent to the street. As 21st Street extended is going to be abandoned, they are requesting this zone change to be the same as the other portion of his property. Mr. Voigt stated that all of his accesses will be off of Jennie Lee Drive.

There being no other discussion regarding this rezoning request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to grant the zone change from R-3A to C-1 as requested, and that the City Planner be instructed to reflect said amendment and zoning change on the Comprehensive Plan and Official Zoning Map located in her office. Councilmember Groberg commented that this request is based on the abandonment of 21st Street being extended. Roll call as follows:

Aye: Councilmember Carlson
Councilmember Groberg
Councilmember Hardcastle
Councilmember Eldredge
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.

Teresa Gohr, 749 North Skyline Drive, appeared to question what the Mayor and Council are proposing to do about the issue of weapons in public schools. Mayor Milam explained that the City of Idaho Falls has Ordinances in place relating to weapons. She

explained, further, that the School Board is elected to handle such issues and told Mrs. Gohr that she might want to appear before the School Board with her concerns.

The Electric Director submitted the following memo:

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City of Idaho Falls
May 4, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Division Director
SUBJECT: POWER PURCHASE AGREEMENT WITH BONNEVILLE POWER
ADMINISTRATION

Attached for your consideration is an Agreement to purchase power from BPA during May, 1998 only. This Agreement is for 20 megawatts.

The Electric Division respectfully requests ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to ratify the Agreement with Bonneville Power Administration for the purchase of 20 megawatts of power for the month of May, 1998 only. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AMENDMENT TO PERSI POLICE AGREEMENT

Attached for your consideration is an Amendment to the Agreement between the City of Idaho Falls and the Public Employee Retirement System of Idaho entered into September 29, 1974 relating to the merger of the Idaho Falls Policeman's Retirement Fund with PERSI. This Amendment discontinues the excess benefit costs and credits to the City excess costs from July 1, 1997. The Amendment further provides payments will resume if it is actuarially determined that excess benefit costs exist.

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Municipal Services respectfully requests that the Mayor and Council approve said Amendment and authorize the Mayor to sign.

s/ S. Craig Lords

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to approve the Amendment to the Agreement between the City of Idaho Falls and the Public Employee Retirement System of Idaho and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
May 7, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Dave Christiansen, Parks and Recreation Director
SUBJECT: NOISE PARK CARETAKER LEASE AGREEMENT

Attached is a Lease Agreement for the purpose of providing a caretaker for the Noise Park property for a period of one year with Mr. Adam Ackerman. Mr. Ackerman will provide services to the City of Idaho Falls in lieu of renting the residence located at the park facility. This Agreement has been prepared by the City Attorney and is therefore being submitted for your approval.

s/ Dave Christiansen

It was moved by Councilmember Mills, seconded by Councilmember Carlson, to approve the Noise Park Caretaker Lease Agreement with Mr. Adam Ackerman and, further, give authorization for the Mayor to execute said Agreement. Roll call as follows:

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

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Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: AUTHORIZATION TO SEEK BIDS FOR PUBLIC TRANSPORTATION SERVICE

The Federal Transit Administration, which funds public transportation through Section 5307 grants, requires grant recipients to provide such services through an open and competitive process. To comply with grant requirements, this department is requesting authorization to request proposals for provision of public transportation services in our urban area. Such services will be funded by federal monies under Section 5307.

s/ Renée R. Magee

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to give authorization for the City Planner to advertise and request proposals for the provision of a public transit service in the urban area. Roll call as follows:

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

Nay: None

Motion Carried.

The memo from the Police Chief regarding the denial of a Bartender Permit to Jonathan Lancaster was withdrawn by the Division Director.

The Public Works Director submitted the following memos:

City of Idaho Falls
April 30, 1998

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – 17TH STREET WATER LINE PROJECT, HOLMES
AVENUE TO EMERSON AVENUE

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On April 21, 1998, bids were received and opened for the 17th Street Water Line Project, Holmes Avenue to Emerson Avenue. A tabulation of the bid results is attached.

Public Works recommends award of the contract to the low bidder, Ferguson 4T Construction at \$143,646.50; 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 Ferguson 4T Construction to complete the 17th Street Water Line Project from Holmes Avenue to Emerson Avenue and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION – LOT 18, BLOCK 8, MILL RUN ADDITION,
DIVISION NO. 6

The owner of Lot 18, Block 8, Mill Run Addition, Division No. 6 has requested vacation of a platted utility easement located on the property. There are no utilities located in the easement and future use is not anticipated.

Public Works recommends authorization for the City Attorney to prepare the documents needed to vacate this easement.

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 the utility easement in Lot 18, Block 8, Mill Run Addition, Division No. 6. Roll call as follows:

Aye: Councilmember Branson

Councilmember Hardcastle
Councilmember Mills
Councilmember Eldredge

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Councilmember Carlson
Councilmember Groberg

Nay: None

Motion Carried.

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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: WESTSIDE GREENBELT PROJECT – BITTERROOT “CONTRACT OF SALE”

Attached is a “Contract of Sale” by Bitterroot Investments in the amount of \$46,706.25. This purchase is for property needed in the Westside Greenbelt Project.

Public Works recommends approval of this purchase; 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 Contract of Sale with Bitterroot Investments and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 11, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: WELL NO. 5 ELECTRICAL MODIFICATION – CHANGE ORDER NO. 2

Attached is a proposed Change Order No. 2 to the Well No. 5 Electrical Modifications Project. The Contractor, Electri/Con, Inc. experienced delays in

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obtaining equipment from the manufacturer and requested a change in completion dates from March 31, 1998 to April 21, 1998.

Public Works recommends approval of this Change Order 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 approve Change Order No. 2 to Electri/Con, Inc. for completion of the Well No. 5 Electrical Modification Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Carlson, that the meeting adjourn at 8:00 p.m.

CITY CLERK

MAYOR
