

**OCTOBER 23, 1997**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 23, 1997, 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 Brad Eldredge  
Councilmember Larry Carlson  
Councilmember Melvin Erickson  
Councilmember Gary Mills

Also present:

Shan Perry, Assistant City Attorney  
Rosemarie Anderson, City Clerk  
All available Division Directors

Mayor Milam requested Boy Scout Travis Allen to come forward and lead all those present in the Pledge of Allegiance.

The City Clerk read a summary of the minutes for the October 9, 1997 Regular Meeting. It was moved by Councilmember Eldredge, seconded by Councilmember Mills, that the minutes be approved as read. Roll call as follows:

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

Nay:            None

Motion Carried.

**CONSENT AGENDA ITEMS**

The City Clerk presented several license applications, including a BEER NOT TO BE CONSUMED ON THE PREMISES LICENSE to Grandview Texaco (1998 Renewal); BARTENDER PERMITS to Brian T. Canfield, Jeramie Deede, Alma M. Manzanares, Kenneth A. Reeder, Loretta J. Stamper, and Denise M. Wray, 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 October 23, 1997.

The Public Works Director submitted the following memo:

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City of Idaho Falls  
October 20, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION – VETERANS MEMORIAL REPAIRS

Public Works requests authorization to advertise to receive bids for repairs to the Veterans Memorial damaged by the flood water this past spring.

s/ Chad Stanger

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

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

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Milam requested Councilmember Branson to conduct Annexation Proceedings for Growth Center Addition. At the request of Councilmember Branson, the City Clerk read the following explanatory memo from the Planning and Building Director:

City of Idaho Falls  
October 20, 1997

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: ANNEXATION – GROWTH CENTER ADDITION

Attached is the Annexation Ordinance and Agreement for Growth Center Addition, which is a request for the annexation of approximately 27 acres prior to platting. The requested zoning is I & M-1. The Planning Commission recently considered this annexation request and recommended annexation to the City and approval of the initial zoning of I & M-1. This Division concurs with that recommendation. The matter is now being submitted to the Mayor and City Council for consideration.

s/ Renée R. Magee

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

Councilmember Branson requested those in favor of this proposed annexation to come forward at this time.

Darrell Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that this is a premium example of a positive thing that the City Council is doing. When a large company comes to Idaho Falls, the first thing they look at is whether the property is already annexed and zoned. If it has not been annexed and zoned, the company will more than likely go to another area to establish their business.

C. E. White, Jr., 3280 Chaparral, appeared to agree with Mr. Kofoed. Companies shy away from annexing the land themselves, due to the time involved in processing annexations.

There being no comments in opposition to this annexation, it was moved by Councilmember Branson, seconded by Councilmember Carlson, to approve the Annexation Agreement for Growth Center Addition and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay:            None

Motion Carried.

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

**ORDINANCE NO. 2250**

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; 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 Branson moved, and Councilmember Carlson 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  
Councilmember Erickson

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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 Branson, seconded by Councilmember Carlson, to establish the initial zoning of Growth Center Addition as I & M-1 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 her office. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam announced that the Annexation Proceedings for Safari 66 will be re-advertised and rescheduled to be considered at the November 13, 1997 Regular Meeting. The Electric Division Director submitted the following memos:

City of Idaho Falls  
October 20, 1997

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 November 1997 through February 1998. This Agreement is for 20 megawatts during heavy load hours only.

The Electric Division respectfully requests ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Hardcastle, to approve the Power Purchase Agreement with Bonneville Power Administration and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
October 20, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Electric Division Director  
SUBJECT: BULB TURBINE WATER RIGHTS

Attached for your consideration is an Agreement with the Idaho Department of Water Resources relinquishing Water Right No. 01-07025. This right is associated with the Lower Power Plant and relinquishment is part of a favorable conclusion to negotiations for final rights for the Bulb Turbine Project.

The City Attorney has reviewed this Agreement. The Electric Division respectfully requests approval of the Agreement and authorization for the Mayor to sign.

s/ Mark Gendron

The Electric Division Director appeared to explain that in the early 1980's, the City of Idaho Falls held numerous water rights in the form of decrees and licenses going back as far as 1898. The bulb turbines required more water than the old projects required, so additional water was applied for at that time. A final conclusion was reached recently on the quantity of water needed for all three bulb turbine projects. For the Lower Plant, the City had actually requested more water than what was needed and that is the reason for relinquishing Water Right No. 01-07025.

It was moved by Councilmember Eldredge, seconded by Councilmember Hardcastle, to approve the Agreement with the Idaho Department of Water Resources relinquishing Water Right No. 01-07025 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay:           None

Motion Carried.

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The Municipal Services Director submitted the following memos:

City of Idaho Falls  
October 9, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PLACEMENT OF BOILER AND MACHINERY AND PROPERTY  
COVERAGE FOR THE GEM STATE GENERATION PLANTS

It is the recommendation of Municipal Services to bind Gem State Plant Boiler and Machinery and Property Coverage with Allendale Insurance Company. The premium is \$47,816.00 and they have increased the deductible for the business interruption coverage from 15 days to 30 days. The renewal date is October 29, 1997.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the Gem State Plant Boiler and Machinery and Property Coverage with Allendale Insurance Company. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
October 10, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: APPOINTMENT OF JUDGES AND CLERKS FOR GENERAL  
MUNICIPAL ELECTION TO BE HELD NOVEMBER 4, 1997

Attached for your consideration is a list of names appointing and setting compensation for Election Judges and other such workers necessary for each voting precinct within the City.

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It is respectfully requested that the Mayor and City Council authorize each appointment as per the attached list and, further, authorize compensation for such workers as indicated.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to authorize the appointments of Election Judges and such other workers necessary for each voting precinct within the City and, further, authorize compensation for such workers as indicated. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
October 20, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: EASEMENT VACATION – LOT 1, BLOCK 3, R & V PARK  
ADDITION, DIVISION NO. 2

As previously authorized, the City Attorney has prepared the documents needed to vacate an easement located in Lot 1, Block 3, R & V Park Addition, Division No. 2.

Public Works recommends approval of this easement vacation and authorization for the Mayor to sign the necessary documents.

s/ Chad Stanger

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

**ORDINANCE NO. 2251**

AN ORDINANCE VACATING A CERTAIN EASEMENT  
WITHIN THE CITY OF IDAHO FALLS, IDAHO;

DESCRIBING THE SAID EASEMENT; AUTHORIZING  
AND DIRECTING THE MAYOR AND CITY CLERK TO  
EXECUTE AND DELIVER ON BEHALF OF THE CITY

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A QUITCLAIM DEED CONVEYING THE VACATED 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 Erickson moved, and Councilmember Mills 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 Carlson  
Councilmember Erickson  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Mills  
Councilmember Branson

Nay: None

Motion Carried.

City of Idaho Falls  
October 20, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: ALLEY RIGHT-OF-WAY VACATION – BLOCK 8, RAILROAD ADDITION

District Seven Health Department has requested vacation of the alley right-of-way located east of Shoup Avenue between “E” Street and “F” Street. The Health Department owns the entire block and access to other property is not an issue.

Public Works recommends authorization for the City Attorney to prepare the documents needed to vacate this alley right-of-way, retaining the same as a utility easement.

s/ Chad Stanger

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to give authorization for the City Attorney to prepare the documents necessary to vacate this alley right-of-way in Block 8 of Railroad Addition. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Carlson  
Councilmember Mills

Councilmember Erickson  
Councilmember Branson  
Councilmember Hardcastle

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Nay: None

Motion Carried.

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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: EASEMENT VACATION - LOTS 3, 5, AND 7, BLOCK 15,  
MELBOURNE PARK ADDITION, DIVISION NO. 10

The owner of Lots 3, 5, and 7, Block 15, Melbourne Park Addition, Division No. 10, has requested vacation of the storm drainage easements located along the interior lot lines of the subject lots. These easements are not needed to accommodate the storm drainage associated with this development.

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 Erickson, seconded by Councilmember Mills, to give authorization for the City Attorney to prepare the documents necessary to vacate the easements in Lots 3, 5, and 7, Block 15, Melbourne Park Addition, Division No. 10. Roll call as follows:

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

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Councilmember Mills, that the meeting adjourn at 7:50 p.m.

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CITY CLERK

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MAYOR

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