

MAY 22, 1997

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 22, 1997, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Gary Mills
Councilmember Melvin Erickson
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

The City Clerk read a summary of the minutes for the May 8, 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 Erickson
Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation of the appointment of Mike Toombs to serve on the Planning Commission.

The City Clerk presented several license applications, including TRANSFER OF BEER TO BE CONSUMED ON THE PREMISES LICENSE to P. J.'s Food, Fun and Spirits, BARTENDER PERMITS to Jamie D. Adams, Kerry M. Adams, Toni Jo Dustin, Wallace B. Gardiner, Brenda C. Mills, Holly Jo Raymond, Robert L. Rish, and Esther M. Thornock, 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 22, 1997.

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:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Branson to conduct a public hearing to consider a rezone from PT-2 to PB on property located generally at 1653 Austin, legally described as Lot 2, Block 4, Fairmont Park Addition, Division No. 1 (Recessed from the May 8, 1997 Regular Council Meeting). At the request of Councilmember Branson, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 5, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée Magee, Planning and Building Director
SUBJECT: REZONING REQUEST FOR LOT 2, BLOCK 4, FAIRMONT PARK
ADDITION, DIVISION NO. 1

Attached is a copy of the petition to rezone the legally described property from PT-2 to PB. The petitioner is requesting this rezoning in order to construct a new office building for Tall Dentistry. The Planning Commission, at their regular meeting in April, considered this matter at a public hearing and recommended approval of the rezoning as requested. This Department concurs with the Commission's recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Renée Magee

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

Councilmember Branson requested those in favor of this proposal, to come forward at this time.

Richard Kelley, 2325 Baltic Circle, appeared to state that he is representing the Tall brothers in this rezoning request. He stated that the original intent of this rezoning was to improve this facility as a dental office. Mr. Kelley explained the lay-out for the new building and parking area, along with the curb cut that would be made on Austin and the one that would be removed on Seventeenth Street. He stated further that he did not just want to meet the requirements of the City for landscaping, but wanted to make this corner especially nice.

Councilmember Eldredge stated that the following letter was submitted from the neighbors supporting the rezone. He further clarified other concerns addressed in the letter.

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City of Idaho Falls, Idaho
City Council

Dear Members, Idaho City Council

Due to the rescheduling of this hearing on the Tall Family Dentistry's request to rezone their property adjacent to their current office, a representative from our Fairmont Park neighborhood group will be unable to attend. Please accept this letter as our group's endorsement of the proposed change.

During the past six months, our group has met with Mark and Mike Tall on several occasions to discuss our many concerns. Those concerns being: 1) the safety of the children traveling to and from Theresa Bunker Elementary; 2) affects on general traffic patterns in a predominantly residential area; and, 3) landscaping and environmental affects of the new building to the immediate area. We found the Talls to be as concerned, if not more so, about these topics as we are and they are more than willing to find amicable solutions to those concerns.

To help ensure a safe route for local school children, the Talls have agreed to provide appropriate signage to notify motorists using Austin that they are in an area utilized by school children for travel. They have also stated that they will notify their own patrons to be cautious when exiting their facility to watch for youngsters. They have also agreed to block the entrance and exits of their building during non-business hours to prevent motorists from using it as a short-cut when traffic backs up at Seventeenth Street and St. Clair. The curb along their facility will also be painted yellow to prevent vehicles from parking on the street and blinding motorists to children cutting between cars to cross Austin to get to school. In addition, they join us in asking Councilwoman Hardcastle to explore the need of placing some sort of traffic control device at the corner of Austin and Stanger.

Although we will lose three beautiful old growth trees to the expansion, the Talls have agreed to accommodate their neighbors directly effected by the loss by creating a new and more consistent shield of trees along the adjoining property lines. Their overall landscape plan is far above and beyond the zoning requirements and it is now our belief they may be the only business in the immediate area to provide a respite from the acres of parking lots and cars that currently dominate Seventeenth Street, between Woodruff and St. Clair.

We would like to thank Mr. Carlson and Mr. Erickson for their support in giving us the time to thoroughly and properly work out an arrangement that is truly in the "best interest of the community". Tall Family Dentistry should also be commended for their spirit of community, caring, and cooperation. Please support them in their plans to make this a better place to live.

Sincerely,

s/ Dan Killigrew

Fairmont Park
Neighborhood Spokesman

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Richard Kelley stated that some blockade will be furnished for the driveways during after-business hours. Councilmember Eldredge told Mr. Kelley that it would be wise to contact the Fire Department regarding the blocking of these driveways to provide for emergency vehicles if necessary. Mr. Kelley stated that the Talls will be placing a new fence between the dental office and the neighborhood.

Councilmember Carlson questioned as to how large the two lots are in square footage. Mr. Kelley stated that the two lots combined are approximately 15,000 square feet.

Councilmember Mills stated that it is admirable to be communicating with the neighbors and to comply with many of their requests. He stated that it may be wise, especially while in the construction phase of this project, to notify the neighbors that with construction workers and customers of the business, the parking may have to stay along Austin until such time that the construction is complete.

Councilmember Carlson stated that along Seventeenth Street, the zone calls for 30,000 square feet. He is not in agreement with allowing the Tall Dentistry office to go into this location without the 30,000 square feet.

It was moved by Councilmember Branson, seconded by Councilmember Hardcastle, to approve the zone change from PT-2 to PB on Lot 2, Block 4, Fairmont Park Addition, Division No. 1, 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. Roll call as follows:

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

Nay: Councilmember Carlson

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.

Dave Heath, 475 West Anderson, appeared to state that on May 14, he was cited for unsightly conditions, no "Home Occupation" permit, and debris at his residence. He stated that when his yard is cleaned up, he has one of the prettiest gardens in Idaho Falls. He stated that he uses approximately 3,600 square feet of the 92,000 square feet of his property to store items for that garden. He stated that he paid \$1,500.00 to have this item dismissed in Court last year. He wanted the City Council to let this item go to Court so that he might settle this matter once and for all.

The Airport Director submitted the following memo:

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jim Thorsen, Director of Aviation
SUBJECT: MISCELLANEOUS ENGINEERING SERVICE CONTRACT

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The consulting firm of CH2M Hill has agreed to perform miscellaneous engineering services under a contract similar to their contract with the Public Works Division.

Most of the services to be provided will be to perform Independent Fee Analyses required by the FAA to assure reasonableness of proposed fees by Sverdrup Aviation.

s/ James H. Thorsen

It was moved by Councilmember Carlson, seconded by Councilmember Branson, to approve the contract for miscellaneous engineering services with CH2M Hill and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Fire Chief submitted the following memo:

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Don Gosswiller, Fire Chief
SUBJECT: FIRE CODE AMENDMENTS

Enclosed is a proposed Ordinance amending the Fire Code to clarify the duties of the Fire Prevention Bureau. I would like to submit the Ordinance for approval by the Mayor and City Council at the May 22, 1997 Council Meeting.

The only change that has been made in the Ordinance is related to who shall manage the Bureau of Fire Prevention. The previous Ordinance indicated the Fire Marshall shall manage the Bureau of Fire Prevention, and the Fire Marshall shall be appointed by the Mayor subject to confirmation by the City Council.

With the reorganization of the Fire Department staff last year, one of the four division chiefs is now responsible for managing the Fire Prevention Bureau/Public Relations Division of the Idaho Falls Fire Department. Because of the reorganization, it was suggested the wording changes be made.

s/ Don Gosswiller

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

ORDINANCE NO. 2229

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-10-2 AND 7-10-3 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO, RELATING TO THE ESTABLISHMENT AND DUTIES OF FIRE PREVENTION BUREAU; PROVIDING FOR ENFORCEMENT OF THE UNIFORM FIRE CODE AND MANAGEMENT OF THE BUREAU OF FIRE PREVENTION; AUTHORIZING THE FIRE CHIEF TO ASSIGN INSPECTORS AND PROVIDING FOR EXAMINATION THEREOF; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Branson seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with and the Ordinance be passed on all three readings. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 16, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BID FOR REROOFING MAINTENANCE BUILDING AND FILTER PUMP STATION AT THE WASTEWATER TREATMENT PLANT

Attached for your consideration is the tabulation of bids for Reroofing the Maintenance Building and Filter Pump Station at the Wastewater Treatment Plant. Municipal Services recommends awarding the bid to Thomas D. Robison

Roofing, Inc., in the amount of \$20,251.00 for the Maintenance Building and \$15,340.00 for the Filter Pump Station, for a total of \$35,591.00.

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It is respectfully requested that City Council approve and authorize Mayor to execute said document.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Erickson, to accept the bid of Thomas D. Robison Roofing, Inc. to complete the reroofing of the Maintenance Building and Filter Pump Station at the Wastewater Treatment Plant and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 12, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BID FOR DATA AND TELECOMMUNICATIONS CABLING FOR CITY HALL

Attached for your consideration is the tabulation of bids for the Data and Telecommunications Cabling for City Hall. Municipal Services recommends awarding the bid to Professional Business Systems in the amount of \$23,450.00.

It is respectfully requested that City Council approve and authorize the Mayor to execute the Contract.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the bid of Professional Business Systems to complete the Data and Telecommunications Cabling for City Hall and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Mills
Councilmember Erickson
Councilmember Carlson
Councilmember Branson

Councilmember Hardcastle
Councilmember Eldredge

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Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-97-17, WESTERN RED CEDAR POWER POLES

Attached for your consideration is the tabulation for Bid IF-97-17, Western Red Cedar Power Poles.

It is the recommendation of Municipal Services to accept the low bid of Poles, Incorporated for Items No. 2 through No. 6. It is also recommended that we accept the second low bid of Bell Lumber and Pole Company for Item No. 1. The low bidder for Item No. 1, J. H. Baxter, required a truck load quantity of 80-85 poles, the bid specifications required a quantity of only 50. Each item number was evaluated separately, except Items No. 2 and No. 3, whose amounts were combined and evaluated as one to make a complete truck load. The quantity, description, and price for the required power poles is listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the bids as recommended to furnish Western Red Cedar Power Poles. 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
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-97-16, MONOTUBE STEEL STREET LIGHT POLES

Attached for your consideration is the tabulation for Bid IF-97-16, Monotube Steel Street Light Poles.

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It is the recommendation of Municipal Services to accept the low bid of Electrical Wholesale to furnish fifty (50) Valmont street light poles for a total amount of \$23,900.00.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the low bid of Electrical Wholesale to furnish the required Monotube Steel Street Light Poles as recommended. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-97-15, ONE (1) NEW 1997 ARTICULATED MOTOR GRADER

Attached for your consideration is the tabulation for Bid IF-97-15, One (1) New 1997 Articulated Motor Grader.

It is the recommendation of Municipal Services to accept the low bid of Arnold Machinery Company to furnish a 1998 Champion 720A-VHP, Series V for an amount of \$88,215.00 with trade-in Unit No. 144.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the low bid of Arnold Machinery Company to furnish the 1998 Articulated Motor Grader as recommended. Roll call as follows:

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

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Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Director, Parks and Recreation
SUBJECT: BENCH CRAFT COMPANY AGREEMENT AMENDMENT

Attached for your consideration is an amended Agreement with Bench Craft Company of Portland, Oregon for the purpose of extending the original Agreement seven years allowing placement of tee markers on Pinecrest and Sand Creek Golf Courses.

Bench Craft Company also agrees with this amendment to donate to the Parks and Recreation Division eighteen (18) redwood benches. Extension of this Agreement will coincide with the existing expiration date for Sage Lakes Golf Course. It is, therefore, respectfully requested that the Mayor sign and execute the amended Agreement.

s/ David J. Christiansen

It was moved by Councilmember Mills, seconded by Councilmember Erickson, to approve the amended Agreement with Bench Craft Company and, further, give authorization for the Mayor to execute the necessary document. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Director, Parks and Recreation
SUBJECT: CEMETERY REGULATIONS ORDINANCE AMENDMENT

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Attached for your consideration is a copy of the amended Ordinance regarding Cemetery Regulations. Sections 8-11-12 Improvements of Cemetery Lots, 8-11-13 Charges and Fees have been amended. Section 8-11-16 Cremation Burials and Restriction of Grave Site have been added.

This amended Ordinance has been drafted and reviewed by the City Attorney and is, therefore, submitted for your approval and the Mayor and City Clerk to sign and execute.

s/ David J. Christiansen

It was clarified that this Ordinance repeals and re-enacts Sections 8-11-11, 8-11-12, and 8-11-13, and that new Sections 8-11-16 and 8-11-17 are being added at the present time. At the request of Councilmember Mills, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2230

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 8-11-11 THROUGH 8-11-13 AND ADOPTING NEW SECTIONS 8-11-16 AND 8-11-17 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ESTABLISHING RESTRICTION ON MARKING GRAVES AND ON PLANTING TREES OR SHRUBS IN ROSE HILL AND FIELDING MEMORIAL PARK CEMETERIES; PROVIDING FOR A FEE TO RESERVE A NICHE WALL SPACE; PROHIBITING BURIAL OF CREMAINS IN TRADITIONAL BURIAL SPACES AS OF JUNE 1, 1997; LIMITING THE NUMBER OF REMAINS ALLOWED IN A BURIAL SPACE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Mills moved, and Councilmember Erickson seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with and the Ordinance be passed on all three readings. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

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City of Idaho Falls
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MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: BID AWARD - UTAH AVENUE IMPROVEMENTS

On May 6, 1997, bids were received and opened for the Utah Avenue Improvements. Attached is a tabulation of the bid results.

The low bidder is HK Contractors, Inc. of Idaho Falls, in the amount of \$791,827.00. The Planning and Building Division is submitting this matter for the Idaho Falls Redevelopment Agency to the City Council for award and authorization for the Mayor to sign the Contract Documents. The Contract for Utah Avenue Improvements is a joint Contract between the City and the Redevelopment Agency. The Agency is responsible for street improvements and the City is responsible for water and sewer line improvements.

s/ Renée R. Magee

C. E. White, Jr., 3280 Chaparral, appeared to state that he is on the Idaho Falls Redevelopment Agency. He wanted the City Council to know that this is a good bid. The Engineer's Estimate was over \$1,000,000.00. Mr. White further explained how the utilities would be installed in this location, along with the concern for the amount of lava in this area. He commended the City Engineering Department, along with Mountain River Engineering, for their hard work on bringing this project to bid.

It was moved by Councilmember Branson, seconded by Councilmember Carlson, to accept the low bid of HK Contractors, Inc. to complete the Utah Avenue Improvements and, further, give authorization for the Mayor and City Clerk to execute the necessary contract. 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
May 19, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director

SUBJECT: GRANT AMENDMENT FOR SECTION 5307 GRANT, FEDERAL
TRANSIT ADMINISTRATION

MAY 22, 1997

Attached is a copy of the application to amend the Section 5307 Grant from the Federal Transit Administration. The Grant Amendment is for \$16,000.00 in Federal Funds and \$4,000.00 in local match. The funds will be used to hire a consultant and attorney to assist the Targhee Regional Public Transportation Authority (TRPTA) to establish objectives, guidelines, and operating procedures for administering public transportation services in this area. This Division requests the City Council approve the application and authorize the Mayor to sign the necessary documents.

s/ Renée R. Magee

Councilmember Eldredge stated that he is the Chairman of the Targhee Regional Public Transportation Authority and further explained this request. There being no further discussion, it was moved by Councilmember Branson, seconded by Councilmember Carlson, to approve the Application to amend the Section 5307 Grant from the Federal Transit Administration and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MODEL ENERGY CODE

Attached is a copy of the Ordinance adopting the 1995 edition of the Model Energy Code. This Code was reviewed by the Mayor and City Council during a Work Session in December, 1996, and provides a "fuel blind" energy conservation code for the City of Idaho Falls. This Ordinance has been prepared by the City Attorney's Office. This Division respectfully requests this Ordinance be adopted on all three readings.

s/ Renée R. Magee

The Planning and Building Director further explained this Ordinance by stating that energy conservation measures for residential and commercial buildings are not only electric fuel, but for gas fuel also. She further explained, with regard to the next Ordinance, that a \$50.00 fee has been established for the review of residential structures. This will cover the

review of the plans, review of the computer-generated program being used to make sure that

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buildings comply, and the additional inspection time required to look at residential and commercial buildings for all fuels.

Dave Heath, 475 West Anderson, appeared to state that the Energy Conservation Code created a lot of sick buildings. He stated that he is concerned that this Model Energy Code will make this problem worse. He requested that the City Council make a very thorough study of this Code before it is passed.

The Planning and Building Director re-appeared to state that the Model Energy Code requires insulation to be put in the walls and in the roof to insure energy conservation. She stated further that the windows will also be looked at to make sure that they meet energy conservation measures. Also required under this Code, is a mechanical ventilation system that will provide minimum ventilation rates in all homes.

There being no further comments, Councilmember Branson requested the City Attorney to read the following Ordinance by title:

ORDINANCE NO. 2231

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-11-1 AND 7-11-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO, AND ADOPTING THE 1995 MODEL ENERGY CODE AS AMENDED BY THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

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 Eldredge
Councilmember Carlson
Councilmember Mills
Councilmember Erickson
Councilmember Branson
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: UNIFORM ADMINISTRATIVE CODE AMENDMENT TO PROVIDE FOR MODEL ENERGY CODE COMPLIANCE

Attached is an Ordinance which provides a plan check and inspection fee for Model Energy Code compliance. The fee will be \$50.00 per residential building

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less than four stories in height. This Division respectfully requests this Ordinance be adopted on all three readings.

s/ Renée R. Magee

Councilmember Branson stated that she and Councilmember Carlson were concerned about initiating another fee. Councilmember Eldredge stated that in years past, Bonneville Power Administration provided funding for the City of Idaho Falls to enforce provisions of the Energy Code. Bonneville Power Administration no longer provides this type of funding; therefore, this provides a means to insure that the Model Energy Code is followed.

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

ORDINANCE NO. 2232

AN ORDINANCE AMENDING SECTION 7-4-2(D) OF THE CITY CODE OF IDAHO FALLS, IDAHO, RELATING TO THE ESTABLISHMENT OF BUILDING PERMIT FEES; ESTABLISHING FEES FOR THE ISSUANCE OF BUILDING PERMITS AND PLAN CHECK AND INSPECTION FEES FOR THE MODEL ENERGY CODE; PRESERVING PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Branson 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 Eldredge
Councilmember Mills
Councilmember Erickson
Councilmember Branson
Councilmember Hardcastle

Nay: Councilmember Carlson

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT - BOOZER ADDITION, DIVISION NO. 1

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Attached is a copy of the Final Plat for the above-described property. This property is located on the north side of Broadway, east of I-15. This property is currently within the City and zoned HC-1 and I & M-1.

The Planning Commission recently considered this matter and, at that time, recommended approval of the Final Plat. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. There being no further discussion, it was moved by Councilmember Branson, seconded by Councilmember Carlson, to accept the Final Plat for Boozer Addition, Division No. 1 and, further, give authorization for the Mayor and City Clerk to execute same. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: SCHOOL DISTRICT PLAN REVIEW

Attached is a copy of an Ordinance providing for plan reviews by the City Building Official for any new school building, addition, or alteration which costs over \$25,000.00. This Ordinance is being proposed in response to recent state legislation. This Division respectfully requests this Ordinance be adopted on all three readings.

s/ Renée R. Magee

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

ORDINANCE NO. 2233

AN ORDINANCE OF THE CITY OF IDAHO FALLS,
IDAHO, ADOPTING A NEW CHAPTER 3, TITLE 7 OF
THE CITY CODE, ENTITLED "SCHOOL DISTRICT

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PLAN REVIEW"; ADOPTING CERTAIN UNIFORM BUILDING CODES FOR THE PURPOSE OF COMPLIANCE WITH IDAHO CODE, SECTION 39-4113(4); REQUIRING THE REVIEW OF DRAWINGS AND SPECIFICATIONS FOR NEW SCHOOL BUILDINGS CONSTRUCTED WITHIN THE CITY; PROVIDING FOR 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 Carlson
Councilmember Erickson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Mills
Councilmember Branson

Nay: None

Motion Carried.

City of Idaho Falls
May 20, 1997

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: PROPOSED STREET NAME CHANGES

In cooperation with Bonneville County and the 911 Emergency Response System, the following street name changes are proposed. These changes are being proposed to eliminate the confusion when locating the streets.

Of the two street name changes listed below, one has only one address, and the second has six addresses of which all have been contacted and are in favor of the change.

The proposed changes are as follows:

1. Park Road (from West Sunnyside Road south along Ridgewood Park Addition) to South 5th West.
2. Harvest Run (from Stonebrook Lane east) to Harvest Circle.

This Department respectfully requests the City Attorney be directed to prepare the necessary Ordinances to make the changes.

s/ Renée R. Magee

MAY 22, 1997

It was moved by Councilmember Branson, seconded by Councilmember Carlson, to give authorization to the City Attorney to prepare the necessary Ordinances to make the street name changes. Roll call as follows:

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

Nay: None

Motion Carried.

The Police Chief submitted the following memos:

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers
FROM: Chief J. K. Livsey, Police Chief
SUBJECT: NON-COMMERCIAL KENNEL LICENSE

Attached is an application for a Non-Commercial Kennel License submitted by Lois Radford, 660 North Freeman.

The Animal Control Department conducted the required survey of neighbors of Ms. Radford's that live within one-hundred feet of this property. The survey revealed that Ms. Radford has not received the required 75% approval from her neighbors. Therefore, it is recommended that this license not be issued.

s/ J. K. Livsey

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to deny the Non-Commercial Kennel License to Lois Radford. Roll call as follows:

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

Nay: None

Motion Carried.

MAY 22, 1997

City of Idaho Falls
May 20, 1997

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers
FROM: Chief J. K. Livsey, Police Chief
SUBJECT: MESSAGE THERAPIST LICENSE

Enclosed for your consideration is an Ordinance revising Section 2 of 4-21-17 of the City Code relating to temporary massage licenses. This Ordinance extends time of expiration from thirty days to ninety days. This would allow more time for the required records checks to be processed.

Your consideration in approving this revision is appreciated.

s/ J. K. Livsey

The City Attorney clarified for City Council that this Ordinance provides for a temporary license that is indefinite, but also allows the termination of the license at will. At the request of Councilmember Hardcastle, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2234

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 4-1-5 AND 4-21-15 AND ADOPTING NEW SECTION 4-21-17 OF THE CITY CODE OF IDAHO FALLS, IDAHO; CORRECTING TYPOGRAPHICAL ERRORS; PROVIDING FOR A TEMPORARY LICENSE FOR MESSAGE ESTABLISHMENT LICENSES AND/OR MESSAGE THERAPIST LICENSES WHICH MAY BE REVOKED BY THE CLERK AT ANY TIME WITH TEN (10) DAY WRITTEN NOTICE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Branson seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with and the Ordinance be passed on all three readings. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

MAY 22, 1997

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD - WELL NO. 5 ELECTRICAL UPGRADES

On May 13, 1997, bids were received and opened for Well No. 5 Electrical Upgrades. A tabulation of the bid results is attached.

Public Works recommends award of this bid to Electri/Con, Inc., in the amount of \$122,700.00; and, authorization for the Mayor to sign the Contract Documents.

s/ Chad Stanger

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to accept the low bid of Electri/Con, Inc. to complete the Well No. 5 Electrical Upgrades and, further, give authorization for the Mayor and City Clerk to execute the Contract Documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
May 19, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD - SEAL COATING, 1997

On May 13, 1997, bids were received and opened for Seal Coating - 1997. A tabulation of the bids results is attached.

Public Works recommends award of this bid to HK Contractors, Inc. in the amount of \$105,123.00; and, authorization for the Mayor to sign the Contract Documents.

s/ Chad Stanger

MAY 22, 1997

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to accept the low bid of HK Contractors, Inc. to complete the Seal Coating - 1997 Project and, further, give authorization for the Mayor and City Clerk to execute the Contract Documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR
