

SEPTEMBER 12, 1996

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 12, 1996, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

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 August 22, 1996 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 Branson
 Councilmember Hardcastle
 Councilmember Mills
 Councilmember Eldredge
 Councilmember Carlson
 Councilmember Erickson

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation of the re-appointments of Craig Rockwood as Chairman (Term to expire in February, 1999), Bob Holm (Term to expire in February, 1998), Mark Gendron (Term to expire in February, 1998), and Gary Rose (Term to expire in September, 1998); and, the appointment of Deborah Allen (Term to expire in September, 1999) to the Deferred Compensation Committee.

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 transfer of BEER TO BE CONSUMED ON THE PREMISES LICENSE to Bleachers Too, and BARTENDER PERMITS to Chris Bird, June Bird, Maquel Ellis, Gary Flora, JoAnn Hess, Marie Huston, Teri Kiddy, Tommy Morgan, Bettie Richan, and Matthew Winterbottom, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publishing of legal notices calling for public hearings on September 12, 1996.

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The Electric Division Director submitted the following memo:

City of Idaho Falls
September 9, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Division Director
SUBJECT: GOVERNOR AND STATIC EXCITER BID

The Electric Division respectfully requests ratification of authorization to advertise for bids for one governor upgrade and one static exciter for the Bulb Turbine Project. Both items are budgeted.

s/ Mark Gendron

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

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated August 1, 1996 through August 31, 1996, 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	\$1,284,032.52	\$ 286,136.86	\$ 788,593.22	\$ 442,161.89
SALARY	<u>997,118.48</u>	<u>52,240.53</u>	<u>28,538.44</u>	<u>115,212.30</u>
TOTAL	\$2,281,151.00	\$ 338,377.39	\$ 817,131.66	\$ 557,374.19
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN SEW CAP IMP</u>
SERV/MAT	\$2,381,137.60	\$ 60,697.99	\$ 37,693.77	\$ 300.00
SALARY	<u>200,161.69</u>	<u>53,864.33</u>	<u>36,951.88</u>	<u>.00</u>
TOTAL	\$2,581,299.29	\$ 114,562.32	\$ 74,645.65	\$ 300.00

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	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>WAT CAP IMPR</u>	<u>AMBULANCE</u>
SERV/MAT	\$ 66,229.16	\$ 25,199.90	\$ 1,445.00	\$ 64,269.86
SALARY	<u>40,168.63</u>	<u>.00</u>	<u>.00</u>	<u>49,119.79</u>
TOTAL	\$ 106,397.79	\$ 25,199.90	\$ 1,445.00	\$ 113,389.65

	<u>MUN EQUIP REPL</u>	<u>BPA WEATH LN FD</u>	<u>TOTALS</u>
SERV/MAT	\$ 8,054.00	\$ 5,961.30	\$5,451,913.07
SALARY	<u>.00</u>	<u>.00</u>	<u>1,573,376.07</u>
TOTAL	\$ 8,054.00	\$ 5,961.30	\$7,025,289.14

It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to ratify the payment of Check No. 26234 to the University of Idaho in the amount of \$490.00. Roll call as follows:

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

Nay: None

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

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Eldredge, to ratify the payment of the remainder of the August, 1996 expenditures as presented. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Branson to conduct the public hearing in relation to the rezoning of Lot 2, Block 4, Fairmont Park Addition, Division No. 1 on property located generally at the corner of Austin and Seventeenth Street (1653 Austin). This item was recessed from the August 8, 1996 Regular Council Meeting. At the request of Councilmember Branson, the City Clerk read the following memo:

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City of Idaho Falls
August 5, 1996

MEMORANDUM

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

This property is located generally at the corner of Austin and Seventeenth Street and is currently zoned PT-2. The owner and petitioner currently owns the property at the corner of Seventeenth Street and Austin and operates the Tall Family Dentistry at that location. They are requesting a rezoning of the property to PB for the purpose of constructing a dental office on the subject property. This matter was recently considered by the Planning Commission at a public hearing. At that time, the Planning Commission recommended approval of the request. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

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

Councilmember Branson requested those present who wished to speak in favor of this rezoning to come forward at this time.

Richard Kelly, 2325 Baltic, appeared to state that the doctors have met with the neighbors. He felt that there were several issues that the neighbors and the doctors could address. Mr. Kelly stated that the corner of Austin and Seventeenth Street could be enhanced. With everyone working together, the City, the Builder, Drs. Tall, and the Developer, this corner could be made to enhance the safety of the children who use this street to go to school. This project will be completed in phases to be sure that all issues are completely thought out.

Dan Killigrew, 1571 Stanger Drive, appeared to state that the neighbors have met with the doctors. He reviewed this intersection, as compared to other intersections along Seventeenth Street. In meeting with the doctors, it was negotiated that they would block off their lot to prevent cars from using this corner to avoid the traffic light. Further, at the ingress/egress on Austin, the doctors have agreed to place signs stating that this area is a school zone. Mr. Killigrew requested of Councilmember Hardcastle, to see the traffic report for their area. He stated further that the surrounding neighbors to this development will not object to the plans from the doctors. Mr. Killigrew commented regarding the Hitt Road and Seventeenth Street development and new businesses locating in Ammon. He stated that the neighbors of Tall Family Dentistry have contacted an attorney regarding the legality of these zoning changes. He commented further that he is not sure that the members of the Planning Commission are qualified to be planning our City. Mr. Killigrew stated that he will become more involved in zoning issues in the future and does not feel that they have been represented on the Council. The surrounding neighbors will continue to submit petitions for zoning changes to their neighborhood, back to the R-1 status, in order to protect their neighborhood.

Councilmember Branson requested those present who wished to speak in opposition of this rezoning to come forward at this time. No one appeared to oppose this zone change.

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Councilmember Hardcastle wanted to clarify if Mr. Killigrew was representing the neighborhood. Mr. Killigrew stood and stated that he was representing the neighborhood. He stated further that the neighborhood is willing to work with the Talls.

Councilmember Branson told Mr. Killigrew that the City Council is very concerned about growth, neighborhoods, and the quality of life in Idaho Falls. It is a difficult process to go to residents to request a change to their lifestyle and quality of life. She stated further that the Talls will be good neighbors.

Councilmember Mills defended the Planning Commission members, in that, they are twelve individuals who are dedicated to the City of Idaho Falls in their planning efforts.

Councilmember Carlson stated that if this zone change is granted, and the Talls are allowed to build their new building and parking lot, the City Council will undo the good it has done with other decisions along Seventeenth Street. Councilmember Carlson further stated that he believes that the residents in this area have been scared into their decision.

Councilmember Mills stated that with the PB zone, a smaller amount of traffic will be seen in the area, as compared to the PT-2 zone (which would require approximately 3 of the lots along Seventeenth Street), which would mean a larger business that would generate a greater amount of traffic. Further, the PB zone has strong guidelines for landscaping, as compared to other zones in the City.

Councilmember Erickson stated that this area is within one-half block of a very busy intersection. If the dentist office is allowed to expand their parking area, it stands to reason that more traffic will be generated in this area. This corner does not need more traffic.

Kelly Thompson-Miller, 1583 Stanger Drive, appeared to state that members of the Planning Commission did not come to look at the property in question. This does not put them in very good standing with the neighborhood.

There being no further discussion, it was moved by Councilmember Branson, seconded by Councilmember Eldredge, to approve the zone change from PT-2 to PB as requested, for the purpose of constructing the Tall Family Dental Office. Roll call as follows:

Aye: Councilmember Eldredge
 Councilmember Mills
 Councilmember Branson

Nay: Councilmember Carlson
 Councilmember Erickson
 Councilmember Hardcastle

Vote Tied. Due to a lack of a one-half plus one vote (Supermajority) from the City Council, the zone will remain PT-2.

The Planning and Building Director was instructed to prepare a Findings of Fact/Conclusions of Law for this rezoning matter in Lot 2, Block 4, Fairmont Park Addition, Division No. 1.

Mayor Milam requested Councilmember Branson to conduct annexation proceedings for Intermountain Business and Technology Park. At the request of Councilmember Branson, the City Clerk read the following memo from the Planning and Building Director:

SEPTEMBER 12, 1996

City of Idaho Falls
September 9, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: ANNEXATION PRIOR TO PLATTING - INTERMOUNTAIN
BUSINESS AND TECHNOLOGY PARK

Attached is a copy of the Annexation Ordinance and Annexation Agreement for the above-named property. This property is located generally on the east side of North Boulevard and north of East Anderson. It is located adjacent to the Bonneville County Technology Park. The Planning Commission, earlier this year, reviewed this matter and, at that time, recommended annexation of the property, and initial zoning of I & M-1. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

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

Charlie White, 3280 Chapparral Drive, appeared to state that he is actively involved with the Eastern Idaho Economic Development Council (EIEDC) in trying to bring new business to the area. He stated that there is a great interest in bringing technology to this area. Mr. White stated that this development is greatly needed, and he is in favor of this being approved.

Charles Boge, 1452 Three Fountains Drive, appeared to state that he is the developer of Intermountain Business and Technology Park. He stated further that it has been a pleasure to work with the City of Idaho Falls and Bonneville County. Dr. Boge stated that he is in favor of this project.

It was moved by Councilmember Branson, seconded by Councilmember Carlson, to accept the Annexation Agreement for Intermountain Business and Technology Park and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

SEPTEMBER 12, 1996

ORDINANCE NO. 2209

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

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

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no further comment, it was moved by Councilmember Branson, seconded by Councilmember Carlson, to establish the initial zoning for Intermountain Business and Technology Park as I & M-1, 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 his office. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Branson to conduct a public hearing to consider an appeal from the Board of Adjustment decision concerning a request for a variance from the provisions of the Sign Code to increase the maximum height of a billboard sign from 45' to 65' on property legally described as Lot 12, Block 6, Solaria Amended No. 2 (820 Mercury Avenue). Councilmember Branson requested the City Clerk to read the following explanatory memo:

SEPTEMBER 12, 1996

City of Idaho Falls
September 9, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: APPEAL FROM BOARD OF ADJUSTMENT DECISION - 820
MERCURY AVENUE

Young Electric Sign Company (YESCO) requested a variance from the provisions of the Sign Code at 820 Mercury Avenue, which is also Lot 12, Block 6, Solaria Amended No. 2. They requested permission to increase the maximum height of an off-site billboard, from 45' to 65'. The Board of Adjustment, after consideration, denied the request. YESCO is appealing that decision to the Mayor and City Council. This Department concurs with the decision of the Board of Adjustment. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The Planning and Building Director located the area on a map and further explained the request. He stated that both appeals this night are for the same request at two different locations along Mercury Avenue. The Planning and Building Director stated that the petitioner has examined the areas where they wish to install these signs, and have lowered the request from 65' in height to 55' in height at both locations.

Councilmember Carlson questioned if any variances have been issued for signs over the 45' height along the highway. The Planning and Building Director stated that there are no signs along the highway that have a variance.

Councilmember Branson requested those present who wished to speak in favor of this rezoning to come forward at this time.

Roger Jones, 1451 South Woodruff Avenue, appeared to state that he is the Branch Manager for Young Electric Sign Company. He felt that YESCO has made a compromise with the City by dropping 10' off of the height for their signs, and still be able to maintain visibility for those using the highways.

John Smeading, 2677 East 25 South, Layton, Utah, appeared to state that he is the Outdoor Manager for Young Electric Sign Company. He commented that YESCO has been a good corporate citizen of Idaho Falls for over 35 years. Mr. Smeading passed out photographs to the Mayor and City Council showing a panel on a boom truck measuring the 45', 55', and 65' height of the signs requested. He does not feel that a 45' sign is tall enough to be visible from the highway. Mr. Smeading stated that these are rented signs and reviewed for Council what type of businesses might use them. Both locations are approved by the State and the City at 45'. He also reviewed for Council some safety issues studied by Mr. Richard M. Schwab, the Director of Transportation over outdoor signs. Mr. Smeading requested that these signs be approved at 55' for commercial usage and for the safety factor involved.

Roger Jones re-appeared to state that the following criteria has been given to YESCO from the Planning and Building Division:

1. Necessary to adequately identify and advertise the premise. Without the proper height, they do not feel that they will be able to do this.

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2. Will not be detrimental to its neighborhood environment. These are not in a residential neighborhood. There are few businesses in the area. This would create business.

3. Required because of unique characteristics of the site. Because of the height of the guardrail, the 55' height is needed. At 820 Mercury, the northbound lane is not as critical to visibility as the southbound lane.

4. The viewing of the signs will not create an unusual safety hazard if they are 55' in height, thus eliminating accidents.

5. This will generate additional revenue for the client-advertiser who uses these signs.

Mr. Jones requested that these signs be approved at the 55' height, based on all five points listed.

The Planning and Building Director appeared to state that he has met with Mr. Smeading several times to discuss this matter. He does not have a problem with the northern sign being at 55' in height. The Planning and Building Director stated that he still has a problem with the southerly sign as there is little grade difference on that one. According to a number of surveys conducted across the country, the recommended height for a sign is 25'-35' above highway grade.

A brief discussion was held regarding the height of some signs in the area. The Planning and Building Director stated that the Sign Code restricts off-site billboard signs to 45' in height, with on-site pole signs being restricted to 60' in height.

Alan Steel, 3544 East Aleen Street, appeared to state that he owns the property at 1376 Mercury Avenue. He stated that this location would be a benefit to his business (a small body and paint business), in assisting customers to be able to locate his business. He requested the appeal be approved.

Steve Jones, 4215 Edschell Drive, Ogden, Utah, appeared to state that he also represents Young Electric Sign Company. He commented that YESCO appreciates the City Council for the good work that they do for this community. He feels that YESCO has had a good reputation with the community.

Councilmember Branson requested those present who wished to speak in opposition of this rezoning to come forward at this time.

C. E. White, Jr., 3280 Chapparral, appeared to state that he is Vice Chairman of the Redevelopment Agency in Idaho Falls. This area is within the Redevelopment Agency. The Agency has gone to great lengths to discourage high signs and high buildings in this area. On behalf of the Redevelopment Agency, they would not like to see a variance issued for higher signs.

Councilmember Eldredge questioned the Planning and Building Director as to what would be a criteria for the Board of Adjustment to grant a variance. The Planning and Building Director stated in order for the Board of Adjustment to grant a variance, a hardship must be shown.

A general discussion followed regarding the height of the signs at the two locations and whether a hardship is involved with either sign.

Mayor Milam explained the possible actions that can be taken with regard to this appeal from the Board of Adjustment. A brief discussion was held among Council regarding these options.

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Councilmember Eldredge questioned Roger Jones as to whether there is a critical time issue regarding the installation of these signs, should they be approved. Roger Jones re-appeared to explain that if these signs are not mostly complete by December 1, then the sign company would have to wait until spring, delaying the projects for approximately 5-6 months.

There being no further discussion, it was moved by Councilmember Branson, seconded by Councilmember Carlson, to deny the appeal from the Board of Adjustment decision concerning the request for a variance from the provisions of the Sign Code to increase the maximum height of a billboard sign from 45' to 55', leaving the height of this sign at 45', at 820 Mercury Avenue. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Branson to conduct a public hearing to consider an appeal from the Board of Adjustment decision concerning a request for a variance from the provisions of the Sign Code to increase the maximum height of a billboard sign from 45' to 65' on property legally described as Lot 1, Block 6, Solaria Amended No. 2 (1376 Mercury Avenue). At the request of Councilmember Branson, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
September 9, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: APPEAL FROM BOARD OF ADJUSTMENT DECISION - 1376
 MERCURY AVENUE

Young Electric Sign Company (YESCO) requested a variance from the provisions of the Sign Code at 1376 Mercury Avenue, which is also Lot 1, Block 6, Solaria Amended No. 2. They requested permission to increase the maximum height of an off-site billboard, from 45' to 65'. The Board of Adjustment, after consideration, denied the request. YESCO is appealing that decision to the Mayor and City Council. This Department concurs with the decision of the Board of Adjustment. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Councilmember Mills stated that he would be more comfortable sending this back to the Board of Adjustment for a decision regarding the requested 55' height of the sign, to enable them to further study the height of this sign from all directions.

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There being no further discussion, it was moved by Councilmember Branson, seconded by Councilmember Carlson, to approve the appeal from the Board of Adjustment concerning the request for a variance from the provisions of the Sign Code to increase the maximum height of the billboard sign to the requested 55' at 1376 Mercury Avenue. Roll call as follows:

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

Nay: Councilmember Mills

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, 3280 Chapparral, appeared to commend Dave Christiansen, Parks and Recreation Director and his staff for the beautiful flowers that have been planted around the City.

The Electric Division Director submitted the following memo:

City of Idaho Falls
September 9, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Electric Division Director
SUBJECT: ELECTRIC RATES ORDINANCE

Attached for your consideration is a proposed rate ordinance providing for a change in retail electric rates. The Electric Division respectfully requests approval of this ordinance.

s/ Mark Gendron

Councilmember Eldredge stated that this ordinance provides for a decrease in electric rates for the citizens of Idaho Falls. This is due in large part to the rate reduction that the City received from Bonneville Power Administration. He explained further that this is 5.7% overall decrease, 4.2% residential and 7.5% commercial and industrial. This will become effective on the bills on and after November 1, 1996. The Electric Division reserves will continue to grow at \$500,000.00 per year. Councilmember Eldredge stated that there are approximately 100 customers that will see an increase in their monthly bills, with approximately 50 of those seeing around a 10% increase. The reason for this is because of load factors, a big load for a short time, with the demand charges making the difference.

Councilmember Mills questioned Van Ashton, representative from the Electric Division, regarding examples of load factors. Mr. Ashton stated that some companies have a motor that they run for a short time each month. This uses a lot of power for a short period of time. If these companies could run that motor for a longer period of time, the load factor would go up. The decrease that they see in the energy rate, would offset the demand rate. A

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thorough cost analysis was done in relation to the rates from Bonneville Power Administration. The Electric Division is confident that these rates are justified.

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

ORDINANCE NO. 2210

AN ORDINANCE AMENDING SECTION 8-5-30 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; REDUCING ELECTRIC RATES FOR CUSTOMERS OF THE ELECTRIC LIGHT DIVISION; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Eldredge moved, and Councilmember Hardcastle seconded, that this Ordinance be passed on its first reading only. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
September 6, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SALARY AND BENEFIT INCREASE

Attached for your consideration are wage and benefit increases for the Police Association, Municipal Employees Association, and all other non-covered employees.

It is respectfully requested that the Mayor and Council approve said wage and benefit increases.

s/ S. Craig Lords

Following a brief description of the salary and benefit increases, it was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the proposed salary

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and benefit increases for the Police Association, Municipal Employees Association, and all other non-covered employees. 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
September 9, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: 1996 LEGAL SERVICES PROPOSAL

Attached for your consideration is a proposal from Holden, Kidwell, Hahn, and Crapo to provide legal services for the 1996-1997 fiscal year.

It is the recommendation of Municipal Services that the City Council approve said proposal and authorize the Mayor to sign.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the 1996 Legal Services Proposal from Holden, Kidwell, Hahn, and Crapo and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls
September 10, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: REQUEST FOR PURCHASE OF VEHICLES

It is respectfully requested that the Mayor and Council authorize the purchase for five used cars for the Police Department pending available budget.

s/ S. Craig Lords

Chief Livsey appeared to explain that in April of this year, it was proposed to purchase 6 vehicles. Approximately 6 weeks ago, 2 vehicles were purchased. The additional 4 cars are for the school resource officers, with 1 additional car being purchased for the Narcotics Department out of the Narcotics Department budget. It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to give authorization to purchase the five used vehicles as requested by the Police Division, pending available budget. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
September 9, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: ANNEXATION ORDINANCE TO CORRECT LEGAL DESCRIPTION

Attached is a copy of a corrected legal description for the Dunkley Addition, Division No. 1. This property was recently annexed to the City of Idaho Falls and a Final Plat was approved. At the time the legal description was written, a 15' strip of property lying between this subdivision and an existing County Plat to the east was omitted. This legal description corrects that to accept the 15' strip of land. We respectfully request the Mayor and City Council accept this corrected annexation ordinance.

s/ Rod Gilchrist

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

ORDINANCE NO. 2211

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

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

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls
September 6, 1996

MEMORANDUM

TO: Honorable Mayor Milam and City Councilmembers
FROM: Chief Kent Livsey, Police Division
SUBJECT: SCHOOL CROSSING GUARD AGREEMENT

The Wackenhut Corporation has provided the City with the school crossing guards for several years. It is our desire to renew their contract for the 1996-1997 school year. The cost to the City will increase slightly due to the minimum wage increase. However, the services they provide have been essential to the safety of our children.

Therefore, we respectfully request authorization for the Mayor to execute the Agreement.

s/ Kent Livsey

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Councilmember Hardcastle explained that School District No. 91 pays approximately half of this cost. It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to renew this School Crossing Guard Agreement with Wackenhut Corporation and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
September 4, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: FIELDING MEMORIAL ACCESS ROAD PAVING - 1996, PROJECT
NO. 2.37.35.4.PRK.96.26

On August 27, 1996, bids were received and opened for Fielding Memorial Access Road Paving - 1996, a tabulation of which is attached.

Public Works recommends approval of the low bid provided by H-K Contractors, Inc., in the amount of \$13,520.00; and, authorization for the Mayor to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to accept the low bid from H-K Contractors, Inc. to complete the Fielding Memorial Access Road Paving - 1996 Project and, further, give authorization for the Mayor 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.

SEPTEMBER 12, 1996

City of Idaho Falls
September 4, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SEWER LINE REPLACEMENTS - 1996, PROJECT NO.
2.38.18.2.SWR.96.01

On August 27, 1996, bids were received and opened for Sewer Line Replacements, a tabulation of which is attached. The low bid did contain some minor irregularities which, in the opinion of the City Attorney, were not significant.

Public Works recommends approval of the low bid provided by H-K Contractors, Inc., in the amount of \$148,388.00; 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 from H-K Contractors, Inc. to complete the Sewer Line Replacements - 1996 Project and, further, give authorization for the Mayor 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.

City of Idaho Falls
September 4, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION - WESTLAND HEIGHTS ADDITION,
DIVISION NO. 3

As previously authorized by the City Council, the City Attorney has prepared the documents necessary for the City Council to consider the vacation of a storm drainage ditch located in Westland Heights Addition, Division No. 3.

SEPTEMBER 12, 1996

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

s/ Chad Stanger

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

ORDINANCE NO. 2212

AN ORDINANCE VACATING A CERTAIN EASEMENT WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED EASEMENT TO THE OWNER OF THE ADJACENT LAND, AND NAMING IT; 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 Hardcastle
Councilmember Branson
Councilmember Eldredge
Councilmember Carlson
Councilmember Erickson
Councilmember Mills

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Mills, seconded by Councilmember Branson, that the meeting adjourn at 8:55 p.m.

CITY CLERK

MAYOR
