

JUNE 13, 1996

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 13, 1996, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

There was absent:

Councilmember Ida Hardcastle

Also present:

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

The City Clerk read a summary of the minutes for the May 23, 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 Carlson
Councilmember Erickson
Councilmember Eldredge
Councilmember Mills
Councilmember Branson

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation of the re-appointments of Randy Drake (State Department of Transportation, Term to expire on December 31, 1996), Captain Bruce Jones (Idaho Falls Police Department, Term to expire on December 31, 1996), Chief J. Kent Livsey (Idaho Falls Police Department, Term to expire on December 31, 1996), Ed Turner (Idaho Falls Public Works Engineering Department, Term to expire on December 31, 1996), Sharon Parry (Citizen-At-Large, Term to expire on December 31, 1996), Tom White (Citizen-At-Large, Term to expire on December 31, 1996), John Gural (Lockheed Martin Transportation Services, Term to expire on December 31, 1997), Jim Lingo (Idaho Falls Electric Division, Term to expire on December 31, 1997), Kay Moore (Idaho Falls School District No. 91, Term to expire on December 31, 1997), Lieutenant Del Sprague (Idaho Falls Police Department, Term to expire on December 31, 1997), and, Kay Yaegle (Citizen-At-Large, Term to expire on December 31, 1997) to serve on the Traffic Safety Committee. Mayor Milam further requested Council confirmations of the re-appointment of Charlie

JUNE 13, 1996

White to serve on the Idaho Falls Redevelopment Agency for a five-year term ending in 2001, the appointment of Ira Koplow to serve on the Idaho Falls Redevelopment Agency (replacing Denny Austad) for a term ending in 1999, and the appointment of James Tortarelli to serve on the Idaho Falls Board of Adjustment for a term ending in June, 1999.

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 a BEER NOT TO BE CONSUMED ON THE PREMISES LICENSE to La Hidalguense, and BARTENDER PERMITS to Kris Cottle, Kenneth H. Johnson, Jacqueline J. Kolbet, Sharon McCafferty, Cheryle Padgen, Jan R. Roberts, Stacey Lynn Stilson, and James L. Thomas, all carrying the required approvals, and requested authorization to issue these licenses.

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 Branson
 Councilmember Eldredge
 Councilmember Carlson
 Councilmember Erickson
 Councilmember Mills

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated May 1, 1996 through May 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	\$ 492,433.33	\$ 38,548.59	\$ 99,699.53	\$ 352,946.85
SALARY	<u>1,411,292.50</u>	<u>72,298.61</u>	<u>39,096.36</u>	<u>172,498.75</u>
TOTAL	\$1,903,725.83	\$ 110,847.20	\$ 138,795.89	\$ 525,445.60
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN SEW CAP IMP</u>
SERV/MAT	\$2,172,935.86	\$ 2,965.76	\$ 23,268.17	\$ 30,079.62
SALARY	<u>304,694.65</u>	<u>75,098.84</u>	<u>37,594.43</u>	<u>.00</u>
TOTAL	\$2,447,630.51	\$ 78,064.60	\$ 60,862.60	\$ 30,079.62
	<u>MUN CAP IMPR</u>	<u>LIBRARY</u>	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>
SERV/MAT	\$ 295.50	\$ 27,854.64	\$ 6,558.60	\$ 24,542.00
SALARY	<u>.00</u>	<u>60,074.56</u>	<u>70,022.00</u>	<u>.00</u>
TOTAL	\$ 295.50	\$ 87,929.20	\$ 76,580.68	\$ 24,542.00

JUNE 13, 1996

	<u>BPA WEATH LN FD</u>	<u>TOTALS</u>
SERV/MAT	\$ 8,041.40	\$3,280,169.85
SALARY	<u>.00</u>	<u>2,242,670.78</u>
TOTAL	\$ 8,041.40	\$5,522,840.63

It was moved by Councilmember Mills, seconded by Councilmember Erickson, to ratify the payment of Check No. 23629 made payable to the University of Idaho for Civil Service Test Proctoring and Grading in the amount of \$775.00. Roll call as follows:

Aye: Councilmember Erickson
Councilmember Mills
Councilmember Branson
Councilmember Carlson

Nay: None

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

Motion Carried.

Further, it was moved by Councilmember Mills, seconded by Councilmember Erickson, to ratify the remainder of the payment of the May, 1996 expenditures as presented. Roll call as follows:

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

Nay: None

Motion Carried.

The Airport Director submitted the following memo:

City of Idaho Falls
June 4, 1996

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Jim Thorsen, Director of Aviation
SUBJECT: BID TABULATION AND RECOMMENDATION OF AWARD FOR
COMMUTER AIRLINE GATE MODIFICATIONS

Bids were opened May 30, 1996 on the project to construct the enclosed commuter airline boarding gate.

Vern Clark and Sons submitted the low bid for the base and the two alternates of \$167,514.00. The high bid was \$209,900 by Burnside Construction.

JUNE 13, 1996

The funds for this project have been collected from the Passenger Facility Charge program.

The Airport Division respectfully requests authorization to award the bid to Vern Clark and Sons Company.

s/ James H. Thorsen

It was moved by Councilmember Carlson, seconded by Councilmember Branson, to accept the low bid of Vern Clark and Sons Construction Company, Inc. for the Commuter Airline Gate Modifications. Roll call as follows:

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

Nay: None

Motion Carried.

The Electric Division Director submitted the following memos:

City of Idaho Falls
June 7, 1996

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Mark Gendron, Electric Division Director
SUBJECT: UAMPS MEMBERSHIP, JOINT ACTION AGREEMENT, AND
POOLING AGREEMENT

Attached for your consideration is a resolution agreeing to membership in Utah Associated Municipal Power Systems (UAMPS) and authorizing execution of the UAMPS Amended and Restated Agreement for Joint and Cooperative Action (Joint Action Agreement) and a Power Pooling Agreement (Pooling Agreement). The Electric Division respectfully requests the City Council adopt the resolution and authorize the Mayor to execute and deliver the Joint Action Agreement and Pooling Agreement.

s/ Mark Gendron

Councilmember Eldredge announced that it was necessary to consider the adoption of a resolution approving the execution, terms and provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action (the "Joint Action Agreement"), approving the execution and delivery of a Power Pooling Agreement (the "Power Pooling Agreement") between the City and UAMPS and related matters. Copies of the forms of the Joint Action Agreement and Power Pooling Agreement were distributed to and considered by the members of the Council present at the meeting.

JUNE 13, 1996

Thereupon, the following resolution was considered:

RESOLUTION (Resolution No. 1996-06)

A RESOLUTION AGREEING TO MEMBERSHIP IN UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS; AUTHORIZING THE EXECUTION AND DELIVERY OF THE UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS AMENDED AND RESTATED AGREEMENT FOR JOINT AND COOPERATIVE ACTION AND A POWER POOLING AGREEMENT WITH UAMPS; AND RELATED MATTERS.

***** ***** *****

WHEREAS, the City of Idaho Falls, Bonneville County, Idaho, a municipal corporation and a political subdivision of the State of Idaho (the "*City*") is authorized by the Constitution and laws of the State of Idaho to (i) acquire, construct, own and operate electric generating and distribution facilities, (ii) enter into contracts for the purchase and sale of electric power and energy and (iii) enter into agreements for the joint exercise of powers with other public entities located within and without the State of Idaho;

WHEREAS, Utah Associated Municipal Power Systems, a political subdivision of the State of Utah ("*UAMPS*") has been organized pursuant to the laws of the State of Utah by certain political subdivisions of the States of Utah and Arizona (collectively, the "*Members*") each of which possesses legal power and authority to (i) acquire, construct, own and operate electric generating and distribution facilities, (ii) enter into contracts for the purchase and sale of electric power and energy and (iii) enter into agreements for the joint exercise of powers with other public entities;

WHEREAS, UAMPS has been organized to accomplish the purposes of the joint and cooperative action of the Members as set forth in the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action dated as of April 19, 1995 (the "*Joint Action Agreement*"), which purposes include the acquisition, construction, ownership and operation of facilities for the generation of electric power and energy, the execution of contracts for the purpose and sale of electric power and energy and various other purposes so as to secure reliable and economic sources of power and energy for the Members and thereby enhance the operations of the Members' respective municipal electric systems;

WHEREAS, the City now desires to become a member of UAMPS pursuant to the provisions of the Joint Action Agreement and in accordance with the provisions of applicable Idaho law, including Sections 67-2326 and 67-2333, Idaho Code, as amended (the "*Idaho Joint Powers Act*");

WHEREAS, the Joint Action Agreement requires that the City adopt and file with UAMPS a resolution agreeing to membership in UAMPS and accepting the terms and conditions of the Joint Action Agreement and that the City enter into a Power Pooling Agreement (the "*Power Pooling Agreement*") with UAMPS; and,

WHEREAS, the City now desires to authorize the execution and delivery of the Joint Action Agreement and the Power Pooling Agreement and the taking of other necessary actions in consideration therewith;

JUNE 13, 1996

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of City of Idaho Falls, Bonneville County, Idaho, as follows:

Section 1. Membership in UAMPS; Execution, Delivery, and Filing of the Joint Action Agreement. (a) The City hereby agrees to become a member of UAMPS under and pursuant to the Joint Action Agreement as heretofore executed by the Members of UAMPS and the By-Laws adopted by the Board of Directors of UAMPS thereunder, in the forms attached as *Exhibit A* and *Exhibit B*, respectively to this Resolution. The Joint Action Agreement is hereby authorized and approved, and the Mayor is hereby authorized, empowered and directed to execute and deliver the Joint Action Agreement on behalf of the City, and the City Clerk is hereby authorized, empowered and directed to attest, countersign and affix the corporate seal of the City to the Joint Action Agreement.

(b) Promptly upon its execution, the Joint Action Agreement shall be filed in the official records of the City and, in accordance with the provisions of the Idaho Joint Powers Act, shall be submitted to the Secretary of State of the State of Idaho for approval.

Section 2. Execution of Power Pooling Agreement. The Power Pooling Agreement, in the form attached as *Exhibit C* to this Resolution, is hereby authorized and approved, and the Mayor is hereby authorized, empowered and directed to execute and deliver the Power Pooling Agreement on behalf of the City, and the City Clerk is hereby authorized, empowered and directed to attest, countersign and affix the corporate seal of the City to the Joint Action Agreement.

Section 3. Other Actions with Respect to the Joint Action Agreement. (a) Mark O. Gendron is hereby appointed as the City's Representative to UAMPS for all purposes of the Joint Action Agreement. Such appointment shall remain in effect until the resignation or removal of such individual as the City's Representative to UAMPS.

(b) The Mayor, the City Clerk and other officers and employees of the City shall take all actions necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all actions necessary to carry out the execution and delivery of the Joint Action Agreement, the Power Pooling Agreement and the performance of each thereof.

Section 4. Miscellaneous: Effective Date. (a) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

(b) In case any provision in this resolution shall be invalid, illegal, or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(c) This resolution shall take effect immediately upon its adoption and approval.

JUNE 13, 1996

ADOPTED AND APPROVED, this 13th day of June, 1996.

CITY OF IDAHO FALLS,
BONNEVILLE COUNTY

s/ Linda Milam
Mayor

ATTEST AND COUNTERSIGN:

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Eldredge, seconded by Councilmember Carlson, to adopt this resolution as presented and, further, give authorization for the Mayor and City Clerk to sign the necessary documents and deliver the Amended and Restated Agreement for Joint and Cooperative Action and Power Pooling Agreement to UAMPS. Roll call as follows:

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

Nay: None

Motion Carried.

The resolution was thereupon signed by the Mayor, attested by the City Clerk, and declared to be in effect.

The Electric Division Director submitted the following memorandum of explanation:

City of Idaho Falls
June 7, 1996

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: Mark Gendron, Electric Division Director
SUBJECT: UAMPS POWER SALES AND PURCHASE AGREEMENT

Attached for your consideration is a resolution authorizing execution of the Power Sales and Purchase Agreement with UAMPS. The Electric Division respectfully requests the City Council adopt the resolution and authorize the Mayor to execute and deliver the Power Sales and Purchase Agreement.

s/ Mark Gendron

Councilmember Eldredge announced that it was necessary to consider the adoption of a resolution approving the execution, terms, and provisions of the Power Sales and Purchase

JUNE 13, 1996

Agreement between the City of Idaho Falls and Utah Associated Municipal Power Systems. Copies of the form of the Power Sales and Purchase Agreement were distributed to and considered by the members of the Council present at this meeting.

Thereupon, the following resolution was considered:

RESOLUTION (Resolution No. 1996-07)

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A POWER SALES AND PURCHASE AGREEMENT BETWEEN THE CITY OF IDAHO FALLS AND UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS; AND RELATED MATTERS.

WHEREAS, the City of Idaho Falls, Bonneville, County, Idaho, a municipal corporation and a political subdivision of the State of Idaho (the "City") is authorized by the Constitution and laws of the State of Idaho to, among other things, enter into contracts for the purchase and sale of electric power and energy;

WHEREAS, Utah Associated Municipal Power Systems, a political subdivision of the State of Utah ("UAMPS") has been organized to the laws of the State of Utah and is authorized to enter into contracts for the purchase and sale of electric power and energy;

WHEREAS, the City and UAMPS have negotiated a Power Sales and Purchase Agreement (the "Power Sales and Purchase Agreement") that provides the basis for one or more power purchase and sales transactions between them; and

WHEREAS, the City now desires to authorize the execution and delivery of the Power Sales and Purchase Agreement and the taking of other necessary actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of City of Idaho Falls, Bonneville County, Idaho, as follows:

Section 1. Authorization of the Power Sales and Purchase Agreement. The Power Sales and Purchase Agreement is hereby authorized and approved, and the Mayor is hereby authorized, empowered and directed to execute and deliver the Power Sales and Purchase Agreement on behalf of the City, and the City Clerk is hereby authorized, empowered and directed to attest, countersign, and affix the corporate seal of the City to the Power Sales and Purchase Agreement.

Section 2. The Mayor, the City Clerk and other officers and employees of the City shall take all actions necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all actions necessary to carry out the execution and delivery of the Power Sales and Purchase Agreement and the performance thereof.

Section 3. Miscellaneous: Effective Date. (a) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

JUNE 13, 1996

(b) In case any provision in this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(c) This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this 13th day of June, 1996.

CITY OF IDAHO FALLS,
BONNEVILLE COUNTY

s/ Linda Milam
Mayor

ATTEST AND COUNTERSIGN:

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Eldredge, seconded by Councilmember Carlson, to adopt the resolution and, further, give authorization for the Mayor and City Clerk to execute and deliver the Power Sales and Purchase Agreement as presented. Roll call as follows:

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

Nay: None

Motion Carried.

The resolution was thereupon signed by the Mayor, attested by the Clerk and declared to be in effect.

City of Idaho Falls
June 5, 1996

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Mark Gendron, Electric Division Director
SUBJECT: ANGLE AND ASSOCIATES CHANGE ORDER

Attached for your consideration is Change Order No. 1 to the Gem State Mitigation Contract with Angle and Associates in the amount of \$45,009.00. It

JUNE 13, 1996

is respectfully requested that the City Council authorize the Mayor to execute this Change Order.

s/ Mark Gendron

Councilmember Eldredge explained the reason for this Change Order. It was moved by Councilmember Eldredge, seconded by Councilmember Carlson, to approve Change Order No. 1 to Angle and Associates for the Gem State Mitigation Contract and, further, give authorization for the Mayor to sign said document. Roll call as follows:

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

Nay: None

Motion Carried.

The Fire Chief submitted the following memo:

City of Idaho Falls
June 5, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Dennis D. Johnson, Fire Chief
SUBJECT: RESOLUTION ADOPTING AMBULANCE SERVICE CHARGES

Attached for the City Council's consideration is a resolution pertaining to a change in the fees charged for ambulance service. This change reflects an increase in the charges in addition to a consolidation of several procedural fees under the Advanced Life Support (ALS) charge. The intent of the change is to facilitate an increase in revenues by adapting billing practices more readily accepted by insurance companies.

The Fire Department respectfully requests Council approval of this resolution and authorization for the Mayor to sign.

s/ Dennis D. Johnson

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

RESOLUTION REGARDING AMBULANCE SERVICE CHARGES (Resolution No. 1996-08)

WHEREAS, the City of Idaho Falls owns and operates an ambulance service which provides ambulance services within the City of Idaho Falls and Bonneville County;

JUNE 13, 1996

WHEREAS, the present rate structure is insufficient to allow operation of the ambulance service within the City and Bonneville County on a fiscally-sound basis;

WHEREAS, a proposed rate structure has been presented to, discussed and agreed by the Bonneville County Commissioners;

NOW, THEREFORE, be it hereby resolved that the rate structure set forth in Exhibit "A" attached hereto be and hereby is adopted for all ambulance services provided to patients located within the City of Idaho Falls and Bonneville County. Such rate structure shall become effective upon passage and adoption of this Resolution by the Mayor and City Council.

DATED this 13th day of June, 1996.

s/ Linda M. Milam
Linda M. Milam
Mayor

EXHIBIT "A"

AMBULANCE SERVICE CHARGES

City of Idaho Falls - Bonneville County

<u>Medical Code</u>	<u>Rate Description</u>	<u>Rate</u>
	Base Rate - Bonneville County	\$280.00
	Additional Mileage Charge	5.00 per mile
	Advanced Life Support (ALS) ¹	420.00

Specialized Services Charges

<u>Medical Code</u>	<u>Rate Description</u>	<u>Rate</u>
	Spinal Immobilization	\$ 60.00
	Intravenous Infusion	20.00
	Oxygen	20.00
	Electrocardiography	25.00
	Defibrillation	50.00
	Endotracheal Intubation	100.00
	Medication Administration	25.00
	Vacuum Splint	30.00
	Traction Splint	30.00
	MAST Application	45.00

¹ Rate includes charges for spinal immobilization, intravenous infusion, oxygen and electrocardiography.

JUNE 13, 1996

A brief discussion was held regarding any fee increases to surrounding Counties that utilize the City of Idaho Falls' services. Chief Johnson stated that he would take the same process as was done with Bonneville County, in that he would meet with the County Commissioners from the other counties affected to get their approval. It was moved by Councilmember Branson, seconded by Councilmember Mills, to approve the Resolution adopting Ambulance Service Charges as presented and, further, give authorization for the Mayor to sign. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
June 7, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-96-20, ELECTRICAL CONDUCTOR

Attached for your consideration is the tabulation for Electrical Conductor to be used by the Electric Division.

It is the recommendation of Municipal Services and the Electric Division to accept the low evaluated bids as listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Carlson, to accept the low evaluated bids for Electrical Conductor as presented. Roll call as follows:

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

Nay: None

Motion Carried.

JUNE 13, 1996

City of Idaho Falls
June 11, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RETAINER FOR OUTSIDE LEGAL COUNSEL

Attached for your consideration is a proposed legal retainer with Curt Thomsen. It is respectfully requested that the Mayor and Council approve said retainer and authorize the Mayor to sign.

s/ S. Craig Lords

Councilmember Eldredge requested City Attorney Dale Storer to explain why this is necessary. Mr. Storer stated that a lawsuit was filed against the City for employment discrimination. The City tendered this lawsuit to the City's former insurance carrier, who denied and refused to accept coverage. Because of the City Attorney's personal involvement in dealing with the underlying suit, he has been asked to be a witness. This precludes the City Attorney from handling the case for the City. It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the legal retainer with Curt Thomsen and, further, give authorization for the Mayor to execute said document. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
June 10, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: FINAL PLAT - COMMUNICATIONS ADDITION, DIVISION NO. 1

Attached is a copy of the above-described Final Plat. This is a replat of a portion of the Paul Roberts Addition, and is a four-lot subdivision which is currently within the City and zoned I & M-1. No Development Agreement accompanies this Plat as the improvements have been installed. The Planning

JUNE 13, 1996

Commission recently considered this matter, and at that time, recommended approval of the Final Plat. 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 the map and further explained the request. It was moved by Councilmember Carlson, seconded by Councilmember Branson, to accept the Final Plat for Communications Addition, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Plat. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 10, 1996

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: GRANT APPLICATION - FEDERAL TRANSIT ADMINISTRATION

Attached is a copy of the application for a grant to the Federal Transit Administration for the purpose of funding the operations of CART for the period of October 1, 1996 to September 30, 1997. This is a pass-through grant with the money going directly to CART. The total amount is \$576,000, of which \$200,000 is from the FTA. This Department respectfully requests the City Council approve the application and authorize the Mayor to sign the necessary documents.

s/ Rod Gilchrist

Councilmember Mills asked for clarification as to where the money over the \$200,000.00 was coming from. The Planning and Building Director explained that the total amount of the application shows the total amount of funds, which includes the local share plus the grant amount needed to fund CART. Mayor Milam gave a brief explanation of where the additional monies will come from. It was moved by Councilmember Carlson, seconded by Councilmember Branson, to approve this Grant Application with the Federal Transit Administration and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

JUNE 13, 1996

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

Nay: None

Motion Carried.

City of Idaho Falls
June 10, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: ORDINANCE AND QUITCLAIM DEED - LOT 7, BLOCK 7 OF
ORLIN PARK ADDITION

Attached is a copy of an Ordinance providing for the vacation of the easterly two feet of a five-foot utility easement located across Mr. Len Izatt's property. There is also an Easement Deed for the property immediately to the rear of this property, which dedicates an additional two feet to the utility easement from that side of the property line. This document has been reviewed by the Electric Utility and City Attorney's offices. This Department recommends approval of the Ordinance and Quitclaim Deed. They are now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

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

ORDINANCE NO. 2204

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 OWNERS OF THE ADJACENT LAND AND NAMING THEM; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Carlson 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:

JUNE 13, 1996

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

Nay: None

Motion Carried.

The Police Chief submitted the following memos:

City of Idaho Falls
June 6, 1996

MEMORANDUM

TO: Honorable Mayor Milam and City Councilmembers
FROM: Chief J. Kent Livsey, Police Division
SUBJECT: REQUEST FOR PURCHASE OF VEHICLES

We respectfully request permission to purchase two used cars for official police department use.

Your consideration is appreciated.

s/ J. Kent Livsey

Captain Hagen explained that one of the vehicles will be used by Lieutenant Smart (who is the Administrative Lieutenant), and one would replace the car that died on route to the schools (used by the Resource Officers). It was moved by Councilmember Branson, seconded by Councilmember Mills, to approve the purchase of two used vehicles to be used by the Police Division. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 10, 1996

MEMORANDUM

TO: Honorable Mayor Milam and City Councilmembers
FROM: Chief J. Kent Livsey, Police Division
SUBJECT: OFFICER MARK BURNELL LEAVE OF ABSENCE

JUNE 13, 1996

Officer Mark Burnell has asked for a one-year leave of absence from the Police Department to serve with United Nations forces in Bosnia. His specific duties there would entail working with and training Bosnian police officers.

I am requesting that the Council grant the leave. I feel it would be beneficial to both Officer Burnell and the Idaho Falls Police Department. Officer Burnell is already a certified instructor with our department. We rely on his expertise in areas of use of force and arrest techniques. I believe that the additional training he would receive with the United Nations would benefit our department when he returns and again instructs our officers.

It is my understanding that nearly every other officer in the program has been granted a leave by their departments. I believe that granting Officer Burnell a leave is within City policy because it is certainly going to be educational.

It is my opinion that a leave of absence implies that a position would await the officer upon his return. I have explained to Officer Burnell that I would, in good faith, try to have a position open when he returns. However, if budget or other considerations make it impractical, he would have to wait for an opening. He understands and would accept the leave under those conditions.

s/ J. Kent Livsey

Mayor Milam clarified that the year that Officer Burnell is absent, will not count toward longevity, will not count toward accumulation of vacation time, and will not count toward retirement. Further, he will not receive pay or benefits during this year. When Officer Burnell returns, for a term of one year following, if a position is available, he will be able to come back onto the Police force. Further, a position would not automatically be made available to Officer Burnell. It was moved by Councilmember Branson, seconded by Councilmember Mills, to approve the leave of absence for Officer Mark Burnell as requested and, further, allow for a one (1) year window of opportunity upon his return from Bosnia to fill an opening in the Police Department. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

JUNE 13, 1996

City of Idaho Falls
June 10, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION - RIDGEWOOD PARK ADDITION,
DIVISION NO. 1

Attached are copies of the documents needed to vacate a utility easement located in Lot 2, Block 1, of Ridgewood Park Addition, Division No. 1.

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. 2205

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 Eldredge
Councilmember Carlson
Councilmember Mills
Councilmember Erickson
Councilmember Branson

Nay: None

Motion Carried.

JUNE 13, 1996

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

CITY CLERK

MAYOR
