

JUNE 8, 1995

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 8, 1995, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho. There were present: Mayor Linda Milam; Councilmembers Melvin Erickson, Gary Mills, Beverly Branson, Ida Hardcastle, Brad Eldredge, and Larry Carlson. Also present: Rosemarie Anderson, City Clerk; Dale Storer, City Attorney; and all available Division Directors.

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

Mayor Milam and Councilmembers honored Eagle Scout Scott Hobbs.

The City Clerk read a summary of the minutes for the May 30, 1995 Special Meeting. It was moved by Councilmember Hardcastle, seconded by Branson, that the minutes be approved as read. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

CONSENT AGENDA

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented several license applications, including BARTENDER PERMITS to David M. Abell, R. Alan Bashaw, Kevin Golder, Jack K. Jensen, and Tiffany S. Walker, all carrying the required approvals.

The City Clerk requested Council ratification for the publishing of legal notices calling for public hearings on June 8, 1995.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
June 5, 1995

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Council
FROM: Dave Christiansen, Director of Parks and Recreation
SUBJECT: WEST BROADWAY PROJECT - IRRIGATION AND SEEDING

The Division of Parks and Recreation respectfully requests authorization to advertise and receive bids for the installation of an irrigation system and grass seeding for the West Broadway Project.

s/ Dave Christiansen

It was moved by Councilmember Hardcastle, seconded by Branson, that the Consent Agenda be approved in accordance with the recommendations presented. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated May 1, 1995 through May 30, 1995, after having been audited by the Fiscal Committee and paid by the Controller:

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	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER & SEWER</u>
SERV/MAT	\$ 947,004.03	\$ 46,215.29	\$ 51,065.39	\$ 234,538.45
SALARY	<u>877,647.14</u>	<u>51,185.85</u>	<u>24,783.69</u>	<u>112,411.25</u>
TOTAL	\$1,824,651.17	\$ 97,401.14	\$ 75,849.08	\$ 346,949.70
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>LIBRARY</u>
SERV/MAT	\$1,978,190.84	\$ 28,402.30	\$ 18,765.82	\$ 47,485.96
SALARY	<u>183,580.05</u>	<u>51,568.38</u>	<u>22,221.63</u>	<u>40,485.88</u>
TOTAL	\$2,161,770.89	\$ 79,970.68	\$ 40,987.45	\$ 87,971.84
	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>	<u>SWIM POOL GO BD</u>	<u>MCS</u>
SERV/MAT	\$ 27,839.08	\$ 42,260.00	\$ 1,334.11	\$ 1,200.00
SALARY	<u>44,180.80</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 72,019.88	\$ 42,260.00	\$ 1,334.11	\$ 1,200.00
	<u>TOTAL</u>			
SERV/MAT	\$3,424,301.27			
SALARY	<u>1,408,064.67</u>			
TOTAL	\$4,832,365.94			

It was moved by Councilmember Hardcastle, seconded by Branson, to ratify the payment of the May, 1995 expenditures as presented. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

Mayor Milam asked Councilmember Erickson to conduct the Annexation Proceedings for Stonebrook Addition, Division No. 11. At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls
June 3, 1995

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT, ANNEXATION ORDINANCE, ANNEXATION AGREEMENT - STONEBROOK ADDITION, DIVISION NO. 11

This is a proposed single-family subdivision which will complete the street pattern in this area and provide a connection between Stonebrook Drive and Nathan Drive. The Planning Commission recently reviewed this matter and recommended approval of the Plat, Annexation to the City, and initial zoning of RP-A. 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 the map and further explained the request.

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There being no discussion or comment, it was moved by Councilmember Erickson, seconded by Carlson, that the Final Plat for Stonebrook Addition, Division No. 11 be accepted and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said plat. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

It was moved by Councilmember Erickson, seconded by Carlson, that the Annexation Agreement for Stonebrook Addition, Division No. 11 be accepted and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

Councilmember Erickson requested the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2175

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 Erickson 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: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

The Mayor declared open a public hearing to consider the initial zoning of the newly annexed area.

There being no discussion or comment, it was moved by Councilmember Erickson, seconded by Carlson, that the initial zoning of the Stonebrook Addition, Division No. 11 be established as RP-A as recommended and that the Comprehensive Plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the Comprehensive Plan on the Comprehensive Plan and zoning maps located in his office. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

The Airport Director submitted the following memo:

City of Idaho Falls
June 2, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jim Thorsen, Director of Aviation
SUBJECT: HANGAR LEASE

Mr. Mark Schell has submitted a signed Lease Agreement for the hangar that he owns.

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This is one of the hangars formerly owned by Mr. Ed Browning.

The City Attorney prepared the Lease Agreement.

The Airport Division respectfully requests authorization for the Mayor to execute the Lease Agreement.

s/ James H. Thorsen

It was moved by Councilmember Mills, seconded by Erickson, to approve this Lease Agreement with Mark Schell and, further, give authorization for the Mayor to execute said document. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

The Electric Division Director submitted the following memo:

City of Idaho Falls
June 5, 1995

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: Mark Gendron, Electric Division
SUBJECT: JOINT USE AGREEMENT WITH UTAH POWER AND LIGHT

Attached for your consideration is a Joint Use Agreement permitting U P & L to use City easements east of Sugarmill Substation for the construction of an electrical transmission line.

This Agreement will formalize the details of a 1980 Agreement providing for U P & L use of these easements. As a condition of this Agreement, the City will receive space on the U P & L transmission line for a three-phase distribution circuit and also space on the existing U P & L 161 kV transmission line north on Hitt Road to Lincoln Road for a future City 161 kV transmission circuit.

The City Attorney has reviewed the Agreement. The Electric Division requests City Council approval of this Agreement and authorization for the Mayor to execute same.

s/ Mark Gendron

The Electric Division Director located the subject area on a map and further explained the Joint Use Agreement and future plans for electric distribution around the City. Mayor Milam requested further information on the Joint Use Agreement with Utah Power and Light Company regarding the City Electric Division use. The Electric Division Director explained that this Agreement provides for Utah Power and Light Company's use of the easement as it exists and, further, for reciprocal compensation for Utah Power and Light Company's use of the City Easement as defined in the original 1980 Agreement, along with the City's right to attach transmission conductors on Utah Power and Light's line north out of Sugarmill in the future. This Agreement provides further for compensation from the City to Utah Power and Light Company to attach the distribution line to the new Utah Power and Light line. The City Attorney explained that the Agreement was made by the City in 1980 to allow Utah Power and Light Company to use the easement. In 1980, the only issue that was not resolved was the dollar amounts for compensation for either organization. The City Attorney

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explained that there was one additional issue that Utah Power and Light Company agreed upon that would allow the City to underbuild the line on the east-west line that goes to Lincoln Road. Councilmember Carlson questioned as to why there are thirteen power poles standing in the easement that have no power going to or running from them. The City Attorney explained that there was a provision in the U & I Sugar Company Agreement providing that this easement would terminate if the property was not used. As this was vague, negotiations were conducted resulting in a 1983 Amendment to the Agreement giving the City until 1987 to commence construction of facilities.

Dr. Larry Nelson, 2687 Martin Court, appeared to state that the residents in the area have a number of issues with these power lines, among those being health risks and a decrease in their property values. He further questioned as to whether this is a valid easement. The property owners in the area do not feel that it is, as a distribution line was never constructed. Dr. Nelson further requested that this issue be tabled and not voted on at this time, until such time as it has been determined whether an easement exists for Utah Power and Light Company to use. The owner of the land, Mr. Beck, has instructed his attorneys to send a letter to Utah Power and Light Company telling them to stay off of his land or they will be considered as trespassers until it is determined whether an easement exists.

Evan Thomas, 2717 Martin Court, appeared to state that the residents need to know what the intent of the City Council is. There is essentially a "No Trespass" on the land in question. Mr. Thomas questioned as to whether it is the intent of the City Council to seek a Declaratory Judgment in Court to gain right to this easement. The City Attorney stated that this would be Utah Power and Light Company's issue, not the City's issue. Mr. Thomas stated that this was a hot issue in court in 1979-1980 when these lines were first addressed. He stated that he understood that these lines were supposed to follow public corridors (along the roads). Therefore, instead of using this easement, he wished to have this line follow one of the public roads. He further stated that the City Council is letting him down because he would like to have the opportunity to minimize the impact of this project.

The City Attorney explained with respect to the issue of a power corridor, that this was one of the issues that the County looked at during their own zoning hearing. The County has made that determination.

Mr. Fred Hall, 830 Beulahs Lane, appeared to question why the power poles need to be 82 feet high for only a 69 kV line. He stated that if a 69 kV line is all that will be installed, the existing poles should be of sufficient height to accommodate this size of line. Mr. Hall further recommended that if a 161 kV line is contemplated for the future, to build it out of the Goshen Substation.

The Electric Division Director stated that the City is not in a position to influence the design of Utah Power and Light Company's line. This is not the City's line, it belongs to Utah Power and Light Company. Mr. Gendron further stated that a 69 kV line could not be constructed on the structures that are existing.

Sean Breen, Attorney for Law Firm of Beard, St. Clair, Peterson and Sullivan, appeared to state that he has prepared a letter to the Mayor regarding the validity of the easement. Mr. Breen took issue with Mr. Storer's summary dismissal and it being Utah Power and Light's issue and position to obtain the Declaratory Judgment, as opposed to the City obtaining this Judgment. He felt that the homeowners in this area do not have the resources or leverage that the City does or that Utah Power and Light Company has. The homeowners of the area want the City and Utah Power and Light to bear the cost of determining if there is a valid easement.

Evan Thomas appeared again to question if the Council was working in good faith in that the City should establish the easement itself. He feels that the City is benefiting from the Agreement and turning it over to Utah Power and Light. It is the City's responsibility to establish whether the easement is valid or not.

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Councilmember Erickson questioned the City Attorney as to whether we have a Contract with Utah Power and Light Company and, further, whether the City has performed as far as the Easement Agreement is concerned. Mr. Storer stated that we do have a Contract with Utah Power and Light Company that was established in 1980. If we were to take the position now, as the homeowners are urging, that we deny the validity of the easement or challenge the validity of the easement, we would be in breach of that contract.

Dr. Larry Nelson, re-appeared to state that the Contract expired. Utah Power and Light Company knew it was going to expire and the City knew it was going to expire. The poles were installed to save the easement. Dr. Nelson further stated that if distribution lines are to be installed, go ahead and install them. If a transmission line is to be installed, bury it.

It was moved by Councilmember Carlson to deny the Joint Use Agreement with Utah Power and Light Company. For lack of a second to Councilmember Carlson's motion, the motion failed.

Councilmember Eldredge questioned the City Attorney if the validity of the easement is at issue here. The City Attorney stated that the City has an obligation to convey to Utah Power and Light Company the easement for whatever exists. It was moved by Councilmember Eldredge, seconded by Erickson, to approve the Joint Use Agreement with Utah Power and Light Company and, further, give authorization for the Mayor to execute said document. Roll call as follows: Ayes, Councilmembers Erickson, Hardcastle, Eldredge, Mills, and Branson; No, Councilmember Carlson; motion carried.

Evan Thomas re-appeared to request of Council that the existing poles be removed. The Electric Division Director stated that the poles will be removed within one month.

Mayor Milam stated that any entity acquires easements and sometimes those easements are acquired years before they are needed. The necessary utility construction is not implemented until growth in that area occurs. The City acquired this easement for that purpose back in the late 1970's.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
June 6, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RENEWAL OF AIRPORT LIABILITY INSURANCE

Municipal Services respectfully requests that the Mayor and Council ratify the renewal of the City's Airport Liability Insurance with Associated Aviation Underwriters and Janice Rash as Agent for Tandy and Wood. There will be a five percent (5%) increase from the previous year. The premium is \$27,143.00 and the renewal is for a one year period beginning June 30, 1995.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Branson, to ratify the renewal of the City's Airport Liability Insurance with Associated Aviation Underwriters. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

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City of Idaho Falls
May 16, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AUTHORIZING DESTRUCTION OF DOCUMENTS

It is respectfully requested that the Council pass the attached Resolution which would authorize, pursuant to Idaho Code, Section 50-907, the destruction of certain documents.

s/ S. Craig Lords

RESOLUTION (Resolution No. 1995-06)

AUTHORIZING DESTRUCTION OF RECORDS

WHEREAS, storage space at the Office of the City Treasurer is limited;

WHEREAS, certain records have been held longer than Code Section 50-907 requires and are no longer needed for public purposes;

WHEREAS, pursuant to Idaho Code Section 50-907, the City is authorized to destroy certain records;

NOW, THEREFORE, be it hereby resolved that the City Treasurer and the City Clerk are hereby authorized to destroy the records on the attached list.

APPROVED, by the City Council on the 8th day of June, 1995.

s/ Linda Milam
MAYOR

ATTEST:

s/ Rosemarie Anderson
CITY CLERK

(SEAL)

It was moved by Councilmember Hardcastle, seconded by Branson, to approve the Resolution authorizing the destruction of certain documents. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

City of Idaho Falls
June 2, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-95-24, WESTERN RED CEDAR POWER POLES

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Attached for your consideration is the tabulation for Bid IF-95-24, Western Red Cedar Power Poles.

It is the recommendation of Municipal Services to accept the low bid of L. D. McFarland Company to furnish the required power poles as listed on Attachment A. As per bid specifications, award will be per lump sum total amount of \$31,338.00.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Branson, to accept the low bid of L. D. McFarland Company to furnish the required Western Red Cedar Power Poles. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

City of Idaho Falls
June 2, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-95-22, ONE (1) NEW 1995 AERIAL DEVICE--65 FOOT,
MOUNTED ON A 1995 OR NEWER CAB AND CHASSIS

Attached for your consideration is the tabulation for Bid IF-95-22, One (1) New 1995 Aerial Device - 65 Foot, Mounted on a 1995 or Newer Cab and Chassis.

It is the recommendation of Municipal Services to accept the low bid of Hirning Truck Center, Bid "B", to furnish a 1996 GMC "Top Kick" mounted with a Teco V6-65 aerial device and with Option No. 1 - Boom tip mounted Winch and Jib for an amount of \$105,102.00, with trade-in Unit No. 306.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Branson, that the low bid of Hirning Truck Center be approved as presented. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

City of Idaho Falls
June 5, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: 1995-1996 FEDERAL TRANSIT ADMINISTRATION GRANT FOR
CART

Attached for your consideration are copies of the 1995-1996 Federal Transit Administration Grant Application. Municipal Services respectfully requests the

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City Council approve and authorize the Mayor and City Attorney to sign said grant.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Branson, to approve this Grant Application and, further, give authorization for the Mayor and City Attorney to sign said documents. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
June 3, 1995

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: ADOPTION OF UNIFORM CODES

Attached are Ordinances providing for the adoption of the 1994 Uniform Building Code, Uniform Plumbing Code, Uniform Administrative Code, Uniform Housing Code, and Uniform Mechanical Code. All Uniform Codes are periodically reviewed and updated to the national level. The Uniform Plumbing Code and the Uniform Mechanical Code, as presented, contain no significant changes. The Uniform Housing Code is an update from the 1976 Code and the major change is in the notification procedures. The Administrative Code contains adjusted fee schedules and provides for raising building permits approximately 4%. The primary change to the Uniform Building Code is a change in format to bring it in line with the two other model codes utilized in the United States. There is also a change to bring the regulations in line with the Americans with Disabilities Act (ADA). The third major change is in the lumber values and seismic bracing.

The City Attorney has reviewed these codes and prepared the necessary Ordinances for adoption. This department respectfully requests the Mayor and City Council adopt these various codes.

s/ Rod Gilchrist

Councilmember Erickson further explained the request from the Planning and Building Director.

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

ORDINANCE NO.

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-4-1 AND 7-4-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE 1994 EDITION OF THE UNIFORM ADMINISTRATIVE CODE; PROVIDING FOR PROSECUTION UNDER

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PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Erickson moved, and Councilmember Carlson seconded, that this Ordinance be passed on the first reading only. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

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

ORDINANCE NO. 2177

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-1-1 AND 7-1-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE 1994 EDITION OF THE UNIFORM BUILDING CODE; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Erickson 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: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

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

ORDINANCE NO. 2178

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-2-1 AND 7-2-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE 1994 EDITION OF THE UNIFORM HOUSING CODE; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Erickson 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: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

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

ORDINANCE NO. 2179

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-7-1 AND 7-7-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE UNIFORM MECHANICAL CODE, 1994 EDITION; REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF HEATING, VENTILATING, COOLING, REFRIGERATION SYSTEMS, INCINERATORS, OR OTHER MISCELLANEOUS HEAT-PRODUCING APPLIANCES; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Erickson 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: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

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

ORDINANCE NO. 2180

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-5-1 THROUGH 7-5-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE 1994 EDITION OF THE UNIFORM PLUMBING CODE; REGULATING THE ERECTION, INSTALLATION, ALTERATION, ADDITION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING AND PLUMBING SYSTEMS WITHIN THE CITY; REQUIRING PERMITS FOR THE INSTALLATION OR ALTERATION OF PLUMBING WITHIN THE CITY AND ESTABLISHING PERMIT FEES; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

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The foregoing Ordinance was presented by title only. Councilmember Erickson 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: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

City of Idaho Falls
June 3, 1995

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: BURLWOOD ESTATES ADDITION, DIVISION NO. 4

Attached is the final copy of an Amended Plat for Burlwood Estates, Division No. 4. The amendment to this original plat provides for an extension to the cul-de-sac, Amanda Court. This extension provides for the addition of two more lots adjacent to the cul-de-sac. The Planning Commission recently reviewed 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/ Rod Gilchrist

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 Erickson, seconded by Carlson, that the Amended Plat for Burlwood Estates Addition, Division No. 4 be accepted and, further, give authorization for the Mayor and City Clerk to sign said Plat. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
June 2, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: SUPPLEMENTAL AGREEMENT - PANCHERI DRIVE
ENGINEERING SERVICES

Attached is a proposed Supplemental Agreement to the Engineering Services Agreement between the City and Harper-Leavitt Engineering, Inc., for Pancheri Drive. The subject of this Supplemental Agreement is additional test borings required of Terracon Consultants Western, Inc., in the amount of \$4,623.81.

Public Works requests authorization for the Mayor to sign this Agreement.

s/ Chad Stanger

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It was moved by Councilmember Eldredge, seconded by Branson, to accept this Supplemental Agreement to the Engineering Services Agreement between the City and Harper-Leavitt Engineering, Inc., for Pancheri Drive and, further, give authorization for the Mayor to execute said Agreement. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

The Traffic Safety Committee submitted the following memo carrying one recommendation:

City of Idaho Falls
June 2, 1995

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Gary L. Hagen, Acting Police Chief
SUBJECT: TRAFFIC SAFETY

At the May 16, 1995 Traffic Safety Committee Meeting, we reviewed a request for Vericom Signs on Saturn just North of Cassiopeia and South of Scorpius, for the safety of children walking to Templeview Elementary School.

Signalization Superintendent, Jim Lingo, contacted my office to request we submit his recommendation that due to the maintenance and high cost of Vericom Signs, we install bouncing balls in place of the Vericom Signs.

This request is submitted for your approval.

s/ Gary L. Hagen

Councilmember Mills further explained the request and stated that the sign proposed for this location is the same as the sign placed on Nathan Drive close to the Elementary School location. It was moved by Councilmember Mills, seconded by Hardcastle, to approve the request to install bouncing balls as presented. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; No, none; motion carried.

Councilmember Branson commented with regard to the residents of Ivan's Acres and the 69 kV line to be installed in their area. She stated that she discussed the issue of health hazards with Engineers from Northwest Public Power Administration. The Engineers assured her that there were many studies conducted on this issue and that no health hazard has been found.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Eldredge, that the meeting adjourn at 8:30 p.m.

CITY CLERK

MAYOR
