

**SEPTEMBER 14, 1995**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 14, 1995, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho. There were present: Mayor ProTem Melvin Erickson; Councilmembers Gary Mills, Beverly Branson, Ida Hardcastle, Brad Eldredge, and Larry Carlson. Absent was: Mayor Linda Milam. Also present: Rosemarie Anderson, City Clerk; Dale Storer, City Attorney; and all available Division Directors.

Mayor ProTem Erickson requested Boy Scout Darin Harris to come forward and lead those present in the Pledge of Allegiance.

Mayor ProTem Erickson and Councilmembers honored Eagle Scouts Darin Scott Harris and Mike Messervy.

The City Clerk read a summary of the minutes for the August 24, 1995, Regular Meeting. It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, that the minutes be approved as read. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

**CONSENT AGENDA ITEMS**

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 Jackie Bailey, Jerry C. Batie, Paul L. Blas, Francene D. Jamison, Shelly M. Lott, Dustin S. Mori, Jodi R. Nicholas, Leon O. Noel, and Bettie M. Richan, all carrying the required approvals, and further, requested approval to issue these licenses.

The City Clerk requested Council ratification for the publishing of legal notices calling for public hearings on September 14, 1995.

The Electric Division Director submitted the following memo:

City of Idaho Falls  
September 11, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Electric Division Director  
SUBJECT: ROOF REPAIR

The Electric Division requests authorization to advertise for bids for the repair of the roof on the Control and Maintenance Building.

s/ Mark Gendron

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

**REGULAR AGENDA ITEMS**

The City Clerk presented the following Expenditure Summary dated August 1, 1995 through August 31, 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 &amp; SEWER</u>
SERV/MAT	\$ 773,497.12	\$ 178,495.23	\$ 52,521.86	\$ 342,766.72
SALARY	<u>951,951.80</u>	<u>56,993.11</u>	<u>26,489.73</u>	<u>113,909.55</u>
TOTAL	\$1,725,448.92	\$ 235,488.34	\$ 79,011.59	\$ 456,676.27
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN SEW CAP IMP</u>
SERV/MAT	\$2,095,761.39	\$ 28,635.18	\$ 28,963.43	\$ 136,679.87
SALARY	<u>209,502.63</u>	<u>53,577.90</u>	<u>34,663.86</u>	<u>.00</u>
TOTAL	\$2,305,264.02	\$ 82,213.08	\$ 63,627.29	\$ 136,679.87
	<u>LIBRARY</u>	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>	<u>SURF DRAIN FD</u>
SERV/MAT	\$ 42,089.33	\$ 117,977.96	\$ 92,136.00	\$ 12,000.00
SALARY	<u>40,195.33</u>	<u>44,604.38</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 82,284.66	\$ 162,582.34	\$ 92,136.00	\$ 12,000.00
	<u>TOTALS</u>			
SERV/MAT	\$3,901,524.09			
SALARY	<u>1,531,888.29</u>			
TOTAL	\$5,433,412.38			

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to ratify the payment of Check No. 18295 in the amount of \$87,971.00 to Shook Construction as presented. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Erickson, and Mills; Abstain, Councilmember Carlson; No, none; motion carried.

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

Mayor ProTem Erickson requested Councilmember Carlson to conduct Annexation Proceedings for a parcel of unplatted property adjacent to the Interstate and to the south of Ironwood Estates, Division No. 10. At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls  
September 11, 1995

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: UNPLATTED PROPERTY SOUTH OF IRONWOOD ADDITION,  
DIVISION NO. 10

Attached is a copy of an Annexation Ordinance and Annexation Agreement for a parcel of unplatted property adjacent to the Interstate and to the south of Ironwood Estates, Division No. 10. This parcel of ground is approximately .3 acres in size and was involved in a trade of land between the Developer--Rosewood--and the City of Idaho Falls. The Planning Commission recently

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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 the map and further explained the request.

There being no question or comment from the public or from the Councilmembers, it was moved by Councilmember Carlson, seconded by Councilmember Mills, that the Annexation Agreement for this small parcel of property located generally south of Ironwood Addition, Division No. 10 be accepted and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

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

**ORDINANCE NO. 2185**

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

The Mayor ProTem Erickson 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 Carlson, seconded by Councilmember Mills, that the initial zoning of this small parcel of property located generally to the south of Ironwood Estates Addition, Division No. 10 be established as I & M-1 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 Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

Mayor ProTem Erickson requested Councilmember Carlson to conduct a public hearing for the purpose of determining whether or not a one-year extension to a Conditional Use Permit shall be granted for a modular unit to house two elementary classrooms on property located generally at 2071 12th Street (Hope Lutheran Church and School). At the request of Councilmember Carlson, the City Clerk read the following memo:

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City of Idaho Falls  
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MEMORANDUM

TO: Mayor and City Council  
FROM: William R. Gilchrist, Planning and Building Director  
SUBJECT: CONDITIONAL USE PERMIT - HOPE LUTHERAN CHURCH

Attached is a copy of a request to extend a Conditional Use Permit for one additional school year. Approximately one year ago, the Hope Lutheran Church and School, located on 12th Street, was granted a Conditional Use Permit to utilize a modular building for classroom purposes. The Church is requesting a one year extension to that permit. This Department recommends approval of the request. This matter is now being submitted to the Mayor and City Council for consideration.

s/ William R. Gilchrist

There being no question or comment, it was moved by Councilmember Carlson, seconded by Councilmember Mills, to grant the one-year extension of the Conditional Use Permit to Hope Lutheran Church and School. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

Mayor ProTem Erickson 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.

Liz Frankhauser, 1843 Whitney, appeared to invite everyone present to attend Community Awareness Day to be held on Saturday, September 16, 1995, beginning at 10:00 a.m. and ending at 5:00 p.m. at the Grand Teton Mall. Mayor ProTem Erickson further told Mrs. Frankhauser that he appreciated the good job that she was doing on the Mayor's Committee for the Disabled.

The two memorandums from the Airport Director regarding Ground Leases at the Airport, were withdrawn by the Division Director.

The Electric Division Director submitted the following two memos:

City of Idaho Falls  
September 8, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Electric Division Director  
SUBJECT: TRAFFIC SIGNAL AGREEMENT

Attached for your consideration is a Cooperative Signal Maintenance Agreement with the Idaho Transportation Department. This Agreement will consolidate all previous Traffic Signal Agreements and establish a means for recovering costs borne by the City for maintaining the State signals. The City Attorney has reviewed this Agreement.

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

s/ Mark Gendron

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Councilmember Carlson further explained this request. Mike Toombs, 498 Ruth, appeared to question how much of a savings this represented. The Electric Division Director stated the savings from maintaining the State signals alone represented approximately \$10,000.00 to \$20,000.00 per year. It was moved by Councilmember Carlson, seconded by Councilmember Eldredge, to approve the Cooperative Signal Maintenance Agreement with the Idaho Transportation Department and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried. Councilmember Eldredge stated that he would like to commend Mark Gendron and the former Electric Division Director, Steve Harrison, for their persistence in developing this Agreement.

City of Idaho Falls  
September 12, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Electric Division Director  
SUBJECT: RESOLUTION

Attached for Council consideration is a Resolution relating to B.P.A. Rates. The Resolution is self-explanatory.

The Electric Division recommends Council approval of this Resolution and authorization for the Mayor to sign.

s/ Mark Gendron

**RESOLUTION (Resolution No. 1995-10)**

WHEREAS, the City of Idaho Falls operates an electric utility system owned and controlled by the residents of the City;

WHEREAS, the City is a preference wholesale power customer of Bonneville Power Administration;

WHEREAS, the City recognizes that B.P.A. must remain a competitive and efficient supplier of electricity for the well-being of the region and our residents; and,

WHEREAS, the City wishes to maintain low and stable rates for all of its electric customers.

THEREFORE, BE IT RESOLVED, that the City of Idaho Falls supports B.P.A.'s proposed eight percent (8%) average rate reduction in 1996 for public power utilities.

AND BE IT, THEREFORE, RESOLVED, that the City supports the reduction of rates through B.P.A.'s cost cuts, a limit to fish spending, and lowering of the residential exchange.

s/ Linda Milam  
Mayor

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ATTEST:

s/ Rosemarie Anderson  
City Clerk

There being no questions, it was moved by Councilmember Carlson, seconded by Councilmember Eldredge, that this Resolution be accepted and, further, give authorization for the Mayor to sign said Resolution. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
September 11, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: SUBLEASE - NORTHERN ROCKY MOUNTAIN EASTER SEAL SOCIETY GROUND LEASE

Attached for your consideration is a request from the Easter Seal Society for permission to sublease two (2) offices in the Idaho Falls Center located at 2110 Rollandet.

The non-profit independent living center would like to lease the office space. The terms of Easter Seal Society's ground lease requires written permission from the City of Idaho Falls for any sublease.

It is respectfully requested that Mayor and Council authorize for this sublease.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to approve this sublease subject to review by legal counsel. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

City of Idaho Falls  
September 12, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-95-34, VARIOUS LIVE LEAF AND EVERGREEN TREES

Attached for your consideration is the tabulation for Bid IF-95-34, Various Live Leaf and Evergreen Trees.

It is the recommendation of Municipal Services to accept the low bid of Riverside Greenhouse to furnish both the leaf type trees as listed in Section I

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for a lump sum amount of \$13,222.00 and the evergreen type trees as listed in Section II for a lump sum amount of \$1,860.00.

As per bid specifications, the bids were evaluated according to lump sum amounts in each section.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to accept the low bid of Riverside Greenhouse as presented. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION AND AWARD - UTILITY BUILDING AT SOCCER COMPLEX

Attached for your consideration is the tabulation of bids for the Utility Building located at the Soccer Complex on Old Butte Road. It is the recommendation of Municipal Services to award the bid to Paul Davis Systems in the amount of \$40,661.00.

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

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to award this bid to Paul Davis Systems as presented and, further, give authorization for the Mayor to execute said documents. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION OF BIDS - QUARANTINE FACILITY AT TAUTPHAUS PARK ZOO

Attached for your consideration is the tabulation of bids for the Tautphaus Park Zoo's Quarantine Facility. Since all the bids were over the budgeted

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amount, it is the recommendation of Municipal Services that all bids be rejected.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to reject all bids for the Quarantine Facility at Tautphaus Park Zoo. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

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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, the International Association of Firefighters Local No. 1565, 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

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to approve said wage and benefit increases. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
September 11, 1995

MEMORANDUM

TO: Mayor and City Council  
FROM: William R. Gilchrist, Planning and Building Director  
SUBJECT: WATKINS ADDITION, DIVISION NO. 1

Attached is a copy of the Final Plat of the above-described parcel of property. This property is currently within the City, zoned HC-1, and contains approximately 3.70 acres. It is adjacent to and on the westerly side of Utah Avenue. The property is being platted inasmuch as it is currently unplatted and the owner is preparing to develop it. No Development Agreement is needed as the required improvements have been installed. The Planning Commission recently reviewed this matter and at that time recommended approval of the

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Final Plat. This matter is now being submitted to the Mayor and City Council for consideration.

s/ William R. Gilchrist

The Planning and Building Director located the subject area on a map and further explained the request. After a brief discussion, it was moved by Councilmember Carlson, seconded by Councilmember Mills, to accept the Final Plat of Watkins Addition, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Plat. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

The Police Chief submitted the following memo:

City of Idaho Falls  
September 7, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chief J. Kent Livsey  
SUBJECT: COPS FAST GRANT

It is requested the City Council approve the attached Cops Fast Grant for the fiscal year 1995-1996 and authorize the Mayor to sign same.

This request is respectfully submitted for your approval.

s/ J. Kent Livsey

Councilmember Mills stated that this is the Federal Program from Congress that is designed for neighborhood policing. This will provide funding for officers to be placed in the junior highs and high schools in the City for three years. It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to approve the Cops Fast Grant for Fiscal Year 1995-1996 and, further, give authorization for the Mayor to sign the required document. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
September 11, 1995

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: CHANGE ORDER NO. 1 - CHLORINATION/DECHLORINATION PROJECT

Attached is proposed Change Order No. 1 to the Contract with Bateman-Hall, Inc. for the Chlorination/Dechlorination Project at the Wastewater Treatment Plant. The proposed Change Order involves a number of minor additions and deductions with a net addition to the contract amount of \$2,102.48.

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

s/ Chad Stanger

It was moved by Councilmember Eldredge, seconded by Councilmember Branson, to approve Change Order No. 1 and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: HOLMES AVENUE WATER LINE PROJECT

On August 22, 1995, bids were received and opened for the Holmes Avenue Water Line Project. The Engineer's Estimate for this project was \$286,521.00. H-K Contractors, Inc. submitted the sole bid in the amount of \$340,743.00.

Public Works recommends award of this bid to H-K Contractors, Inc. and authorization for the Mayor to sign the documents.

s/ Chad Stanger

Councilmember Eldredge explained that this was the second time that this project has been bid. Each rebid has become increasingly higher. After a brief discussion regarding the bid from last year, it was moved by Councilmember Eldredge, seconded by Councilmember Branson, to award the bid to H-K Contractors, Inc. and, further, give authorization for the Mayor to sign the required documents. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

The memo from the Public Works Director regarding the Property Purchase and Easement Reconfiguration with Rosewood Development was withdrawn.

City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: PANCHERI DRIVE - APPRAISAL AGREEMENT

Attached is a proposed Agreement between the City and C. K. Thompson and Associates Real Estate Appraisers for appraisal work pertaining to the Pancheri Drive Project. The fee for appraisal performance is \$4,500.00.

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

s/ Chad Stanger

It was moved by Councilmember Eldredge, seconded by Councilmember Branson, to approve this Agreement with C. K. Thompson and Associates Real Estate Appraisers for the Pancheri Drive Project and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; motion carried.

Councilmember Eldredge stated that Bonneville Power Administration is passing on a four percent (4%) surcharge to be effective October 1, 1995 on the City's power rates. This would result in an approximate two percent (2%) increase to the power users in the City. In the Electric Division Council Committee Meeting, it was concluded that since the Electric Division has strong reserves and a surplus budget, an increase to the power users would not be implemented at this time. These rates would be reviewed quarterly to determine if income and expenditures are still working.

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

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CITY CLERK

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MAYOR

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