

**DECEMBER 22, 1994**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 22, 1994, 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.

The City Clerk read a summary of the minutes for the December 8, 1994 Regular Meeting. Mayor Milam stated that the re-appointment of Beverly Branson to the ICRMP Board should be to approve her name to be placed on the ballot to be elected to serve on the ICRMP Board. It was moved by Councilmember Hardcastle, seconded by Erickson, that the minutes be approved with the correction as noted. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

**CONSENT AGENDA ITEMS:**

The City Clerk presented several license applications, including BEER LICENSES to Albertson's (17th Street), Bonneville Lounge, Boozer Quick Stop, Broadway 66, Chevron One Stop, Chic's, Circle K, Common Cents Food Stores (Broadway, Boulevard, and 17th Street), Debbie's Brother, Doc's Broadway Lounge, Earl's, Elk's Lodge, Filling Station (John Adams Parkway), First Street IGA, Flying J, Golden Crown Lounge, Happy's Chinese Restaurant, Hitching Post, Holiday Oil, Jakes of Idaho Falls, Inc., Kwik Shops, Inc., Leo's Place, Littletree Inn, Made in Idaho, Mama Inez, Maverick Country Store (Broadway), Melina's Fine Mexican Food, Mi Casa, Inc., O'Callahan's Restaurant, Payless Drug Store (Broadway), Plaza Lanes, Pockets, Inc., Press Box Sports Bar, R & R Bar, Samoa Club, Saving Center (Memorial Drive), Seventeenth Gas and Wash, Shoup's Eatery and Pub, Sizzler Family Steak House, Skyline Lanes, Sneekers, Speedi Mart, Tom's Gyro and Burgers, and 17th Street Car Wash, all carrying the required approvals.

The City Clerk requested Council ratification for the publishing of legal notices calling for public hearings on December 22, 1994.

Memo from the Municipal Services Director:

City of Idaho Falls  
December 19, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUTHORIZATION TO BID

Municipal Services respectfully requests authorization to advertise and receive bids for Traffic Striping Paint and Solvent.

s/ S. Craig Lords

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

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**REGULAR AGENDA ITEMS:**

The Mayor asked Councilmember Erickson to conduct annexation proceedings for Cottle Addition, Division No. 1. At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls  
December 19, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT AND ANNEXATION - COTTLE ADDITION

Attached is a copy of the final plat, annexation ordinance, and annexation agreement of Cottle Addition, Division No. 1. This is a one-lot subdivision located adjacent to Hemmert Avenue. This property was recently considered by the Planning Commission and at that time, by a split vote, it was recommended the property be annexed to the City, the final plat be approved, and initial zoning of I & M-1 be established. There was some dissenting vote at the Planning Commission level over concern of the configuration of the lot and access to the property. Under this ownership, the problem of the access has been resolved with the dedication of a street which was the recommendation of the Planning Commission. This department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

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

There being no discussion or questions, it was moved by Councilmember Erickson, seconded by Carlson, to accept the Final Plat as presented for Cottle Addition, Division No. 1, and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; No, none; motion carried.

It was moved by Councilmember Erickson, seconded by Carlson, that the Annexation Agreement for Cottle Addition, Division No. 1 be accepted and authorization given for the Mayor and City Clerk to sign. 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 Title:

**ORDINANCE NO. 2165**

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.

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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 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. It was moved by Councilmember Erickson, seconded by Carlson, that the initial zoning of the Cottle Addition, Division No. 1 be established 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 and zoning maps located in his office. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

The Airport Director submitted the following memos:

City of Idaho Falls  
December 14, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jim Thorsen, Director of Aviation  
SUBJECT: LEASE AMENDMENT - HORIZON AIR

Horizon Air Industries, d/b/a Horizon Air has submitted an Amendment to Airport Use Agreement that extends their lease through 1995, at the current rental rates.

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

s/ James Thorsen

It was moved by Councilmember Mills, seconded by Branson, that this Amendment to the Airport Use Agreement be approved and authorization given for the Mayor to sign same. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; No, none; motion carried.

City of Idaho Falls  
December 15, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: James Thorsen, Director of Aviation  
SUBJECT: GLOBAL TRAVEL LEASE AGREEMENT

On October 1, 1994, the City and Global Travel entered into an Airport Lease Agreement for expanded space in the terminal and corresponding increased rentals.



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The expansion of Global was predicated upon a decision by the D.O.E.'s new contractor, Lockheed, on award of a new travel services contract. However, the unanticipated delay in award of the main contract to Lockheed has also delayed award of any travel services contracts.

Global has never occupied the additional space, and is requesting that the increased rentals be waived until they do so.

The Airport Division respectfully requests Council authorization to waive the increased rentals. The City Attorney will prepare the necessary Amendment to Lease Agreement when the expansion actually occurs.

s/ James Thorsen

It was moved by Councilmember Mills, seconded by Branson, that approval be given to waive the increased rental rates for Global Travel. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

The Electric Division Manager submitted the following memo:

City of Idaho Falls  
December 20, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: G. S. Harrison, Manager, Electric Light Division  
SUBJECT: GEM STATE PROPERTY PURCHASE

Attached for your consideration is a Memorandum of Understanding between the City and PacifiCorp which provides for an immediate transfer to the City of the PacifiCorp property upon which the Gem State Hydroelectric Project is situated in part. Currently, the City has a long-term lease of such property and PacifiCorp is proposing to sell it to the City for its fair market value, less the value of the lease-hold interest held by the City. The MOU further contemplates that the terms and conditions of the sale would be negotiated at a later date. The agreement also requires payment of the sum of \$5,000.00 as partial payment for the property. In the event the parties are unable to reach agreement, the conveyance may be rescinded without cost or obligation to the City. The City Attorney has reviewed the MOU.

The Electric Division respectfully requests the City Council authorize the Mayor to sign the MOU.

s/ G. S. Harrison

It was moved by Councilmember Carlson, seconded by Eldredge, that approval be given for the Memorandum of Understanding and authorization given for the Mayor to sign same. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

The Municipal Services Director submitted the following memos:

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City of Idaho Falls  
December 19, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: DRUG TESTING POLICY

Attached for your consideration is a copy of the City's proposed Drug Testing Policy. This policy is mandated by Federal Law and will be applicable to all employees required to have a Commercial Driver's License (C.D.L.).

It is respectfully requested that the Council adopt said policy as part of the City's personnel policy.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Erickson, that this Drug Testing Policy be adopted as part of the City's Personnel Policy. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

City of Idaho Falls  
December 16, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ORLAND BUCK PROPERTY PURCHASE

Attached for your consideration is a Real Estates Sales Agreement between the City and Orland Buck for certain real property as described in Exhibit A. The purchase price is \$300,000.00. It is respectfully requested that the Council approve and authorize the Mayor to sign said agreement.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Erickson, that approval be given to purchase this property and authorization given for the Mayor to sign said Agreement. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

City of Idaho Falls  
December 19, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director

SUBJECT: BID IF-95-4, POLYMER MODIFIED CRACK SEALANT

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Attached for your consideration is the tabulation for Bid IF-95-4, Polymer Modified Crack Sealant. It is the recommendation of Municipal Services to accept the low bid of Maxwell Products, Inc. to furnish approximately 30 tons of crack sealant for the amount of \$430.00 per ton, extended to \$12,900.00.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Erickson, that the low bid of Maxwell Products, Inc. be accepted. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
December 19, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT - TURNBULL ADDITION

Attached is a copy of Turnbull Addition, Division No. 1. This is a one-lot subdivision currently within the City and zoned PT-2. The platting of the property is required inasmuch as this is a parcel of previously unplatted property. There is no Development Agreement involved due to the fact that all the improvements have been installed. 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 Director of the Planning and Building Division further explained the request. It was moved by Councilmember Erickson, seconded by Carlson, that the Final Plat for Turnbull Addition, Division No. 1 be accepted and authorization given for the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

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

City of Idaho Falls  
December 19, 1994

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers  
FROM: Monty G. Montague, Chief  
SUBJECT: TRAFFIC SAFETY RECOMMENDATIONS

On November 8, 1994, the Traffic Safety Committee reviewed the request that a crossing guard be placed at the intersection of Cobblestone and Nathan,

adjacent to Sunnyside Elementary. This request is respectfully submitted with the recommendation that it be approved.

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Further research determined it did not meet warrants according to the national standards.

This department recommends that the request be denied because of the findings of research.

s/ Monty G. Montague

Councilmember Mills explained that he gave the traffic counts completed by the Traffic Engineering Department in the Public Works Division to the Councilmembers. He further explained the request. After a brief discussion, it was moved by Councilmember Mills, seconded by Hardcastle, that the request for a crossing guard at Cobblestone and Nathan be denied, and further, to encourage the residents of this area to develop parent-volunteers to assist the children in crossing the street at this location. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Eldredge; No, Councilmember Carlson; motion carried.

Councilmember Branson stated that she had been re-elected to the ICRMP Board.

There being no further business, it was moved by Councilmember Eldredge, seconded by Hardcastle, that the meeting adjourn at 8:00 p.m.

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CITY CLERK

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MAYOR

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