

**NOVEMBER 22, 1994**

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The City Council of the City of Idaho Falls met in Special Council Meeting, Tuesday, November 22, 1994, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho. There were present: Mayor Linda Milam; Councilmembers Ida Hardcastle, Beverly Branson, Brad Eldredge, Larry Carlson, Melvin Erickson, and Gary Mills. 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 November 10, 1994 Regular Meeting and the November 17, 1994 Special Meeting. It was moved by Councilmember Hardcastle, seconded by Erickson, that the minutes of both meetings be accepted as written. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

**CONSENT AGENDA ITEMS:**

The City Clerk presented several license applications, including BEER LICENSES to Albertson's (West Broadway), Buck's, Hall Park Gas, McFarlane's I.G.A., Pizza Hut (Anderson, Broadway, and 17th Street), The Snake Bite, Stardust Restaurant and Lounge, and Westbank Inn, all carrying the required approvals.

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

**REGULAR AGENDA ITEMS:**

The Electric Division Director presented the following memo:

City of Idaho Falls  
November 17, 1994

MEMORANDUM

TO: Honorable Mayor and Councilmembers  
FROM: G. S. Harrison, Manager  
SUBJECT: YORK ROAD SUBSTATION ENGINEERING SERVICES CHANGE ORDER

Attached is Change Order No. 1 for \$2,500.00 with ECSI for engineering services relating to the York Road Substation. The change order is necessary to compensate the engineer for services provided over and above the agreed scope of work.

The Electric Division recommends City Council approval of this change order along with the final payment for this contract.

s/ G. S. Harrison

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

The Fire Chief submitted the following memo:

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City of Idaho Falls  
November 17, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Richard E. Hahn, Fire Chief  
SUBJECT: ADVERTISEMENT FOR BID ON FIRE STATION NO. 5

It is respectfully requested that the City Council authorize the Fire Department to advertise and receive bids for Fire Station No. 5 located at Mill and Bellin Roads.

s/ Richard E. Hahn

It was moved by Councilmember Mills, seconded by Hardcastle, that authorization be given to advertise for bids for Fire Station No. 5. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; No, none; motion carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
November 17, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-95-2, REFUSE CONTAINERS

Attached for your consideration is the tabulation for Bid IF-95-2, Twelve (12) Thirty Yard Open Top Roll-Off Refuse Containers and Forty (40) Three Yard Refuse Containers.

It is the recommendation of Municipal Services to accept the low bid of Rocky Mountain Welding and Fab., Inc. to furnish the thirty yard containers at a unit price of \$2,450.00 extended to \$29,400.00 for a quantity of twelve and to accept the low bid of S & T Development Corporation to furnish the three yard containers at a unit price of \$414.95 extended to \$16,598.00 for a quantity of forty.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Erickson, that the bids as described above be accepted. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; motion carried.

City of Idaho Falls  
November 17, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUCTION OF PUBLIC PROPERTY IN THE HIGHLAND PARK  
ADDITION

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Pursuant to Mayor and Council direction, a public auction was conducted on November 15, 1994 for a parcel of real property owned by the City of Idaho Falls described as Lots 46, 47, and 48, Block 59, Highland Park Addition.

Since there were no bids received, it is respectfully requested that the Mayor and Council authorize Municipal Services to negotiate a sale of said property pursuant to the restrictions that it should be used solely for the purpose of providing housing for low and moderate income persons, as defined by the regulations of the U. S. Department of Housing and Urban Development and the applicable regulations for the Community Development Block Grant Program guidelines to which the original purchase of the property was made subject.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Erickson, that Municipal Services Division be authorized to negotiate the sale of this property. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

City of Idaho Falls  
November 18, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: RECREATION CENTER EXTERIOR RENOVATION, VERN CLARK AND SONS CONSTRUCTION - CHANGE ORDER NO. 1

Attached for your consideration is the Change Order No. 1 in the amount of \$6,440.00 for the above-referenced project. The Change Order has been reviewed and approved by the Project Architect.

The fascia of the Recreation Center is deteriorating and needs to be repair as soon as possible. The change on the paint is for an elastomeric paint that will last longer.

Municipal Services respectfully requests that City Council approve and authorize the Mayor to execute said Change Order.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Erickson, that this Change Order be accepted and the Mayor authorized to sign. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Erickson, and Mills; No, Councilmember Carlson; motion carried.

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City of Idaho Falls  
November 14, 1994

MEMORANDUM

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

Attached for your consideration is the Policy Endorsement from Delta Dental to provide dental insurance for the period November 1, 1994 to October 31, 1995.

The rates on the policy endorsement reflect a thirteen percent (13%) increase which is the percentage that was used in the budget.

It is respectfully requested that the Council approve said endorsement and authorize the Mayor to sign.

s/ S. Craig Lords

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

The time was turned over to the City Attorney, and he introduced the Bond Council, Mr. Nick Miller from Hawley Troxell Ennis and Hawley, along with Mr. Joe Barrows from Dougherty Dawkins Strand and Bigelow Incorporated. The City Attorney further explained the steps that needed to take place to provide for the Taxable Electric Revenue Refunding Bonds, Series 1994. The first item before the Council was the adoption of the supplemental Ordinance No. 2162. Mr. Storer read the following Ordinance title:

**ORDINANCE NO. 2162**

SUPPLEMENTAL ORDINANCE AUTHORIZING THE  
ISSUANCE OF SALE OF \$18,220,000.00 TAXABLE  
ELECTRIC REVENUE REFUNDING BONDS, SERIES  
1994 AND THE REFUNDING OF \$40,425,000.00  
ELECTRIC REVENUE BONDS, SERIES 1985.

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

Supplemental Ordinance No. 2162 was thereupon signed by the Mayor in evidence of her approval, was attested by the City Clerk and was ordered recorded, and the summary thereof in the form presented at the meeting was ordered to be published in accordance with law.

The City Attorney further explained that Supplemental Ordinance No. 2162 contains within it the ratification or approval of the following documents in connection with the issuance and initial delivery of the Bonds:

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1. Bond Purchase Agreement dated November 17, 1994, between the City and Dougherty Dawkins Strand and Bigelow Incorporated and Piper Jaffray Inc. (collectively, the "Underwriters", (Section 210 of Supplemental Ordinance) (the "Bond Purchase Agreement"), and
2. Escrow Agreement between the City and West One Bank, Idaho (Section 213 of Supplemental Ordinance) (the "Escrow Agreement") providing for defeasance of the Refunded Bonds.

The ratification of the Bond Purchase Agreement and the approval of the Escrow Agreement were duly noted, and copies of the same were ordered to be placed on file in the Office of the City Clerk.

The City Attorney then presented to the City Council a copy of the Preliminary Official Statement dated November 10, 1994, and a copy of the Final Official Statement to be dated November 30, 1994, in connection with the issuance and sale of the Bonds. The Preliminary Official Statement and the copy of the Final Official Statement were ordered to be placed on file in the Office of the City Clerk. The City Attorney read the following Resolution:

**RESOLUTION (Resolution No. 1994-10)**

RESOLVED, that the use of the Preliminary Official Statement by the Underwriters in connection with the offering of the Bonds to the public is hereby ratified. The Mayor is hereby authorized to deliver to the Underwriters a Final Official Statement to be used in connection with the offering of the Bonds substantially in the form of the Preliminary Official Statement presented to the Council at this meeting, with such changes therein as are not inconsistent herewith and with the documents hereby approved.

It was moved by Councilmember Hardcastle, seconded by Erickson, that this Resolution be adopted and authorization be given for the Mayor and City Clerk to execute said Resolution. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

Ordinance No. 2163 relating to the funds and accounts created in the Ordinance and the disposition of such funds and accounts at the time the Bonds are paid in full was thereupon introduced in written form by the City Attorney and was read by title:

**ORDINANCE NO. 2163**

AN ORDINANCE PROVIDING FOR THE TRANSFER OF CERTAIN BOND FUNDS ON PAYMENT OF BONDS TO WHICH THE FUNDS RELATE; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Erickson 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 Planning and Building Director submitted the following memos:

**NOVEMBER 22, 1994**

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City of Idaho Falls  
November 16, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT - PARK RIDGE ESTATES, DIVISION NO. 1

Attached is a copy of a county plat titled Park Ridge Estates. This is an eight-lot, large-lot, single-family plat, located south of Township Road, and adjacent to and on the west side of Park Road. It is being submitted to the Mayor and City Council inasmuch as it is within one mile of the City limits. The Planning Commission recently reviewed this matter and at that time unanimously recommended approval of the plat. This Department concurs and it is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

It was moved by Councilmember Erickson, seconded by Carlson, to accept the Final Plat of Park Ridge Estates, Division No. 1 as presented and give authorization for the Mayor and City Engineer to sign. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; No, none; motion carried.

City of Idaho Falls  
November 16, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT - GATEWAY WEST ADDITION, DIVISION NO. 1

Attached is a Final Plat and Development Agreement for the above named Plat. This is a three-lot subdivision currently within the City and zoned HC-1. The property is currently unplatted. The Planning Commission recently reviewed this matter and recommended approval of the plat with the stipulation that access to Lindsay Boulevard be limited to two driveways. The developer has agreed to this condition. This Department concurs with the recommendation and the plat is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

It was moved by Councilmember Erickson, seconded by Carlson, that the Final Plat of Gateway West Addition, Division No. 1 be accepted as presented 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. It was further moved by Councilmember Erickson, seconded by Carlson, that the Development Agreement as presented be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; No, none; motion carried.

The Police Chief submitted the following memo:

**NOVEMBER 22, 1994**

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City of Idaho Falls  
November 9, 1994

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers  
FROM: Monty G. Montague, Chief  
SUBJECT: SAMMY/NARCOTICS K-9

Sammy, the first K-9 purchased for this department, has reached the age where she is unable to perform her duties and it is my suggestion that she be retired. She was purchased by this department in 1988 and has been used continuously since that time.

We have budgeted for a replacement for her in this budget.

It is my suggestion that we return her, and if possible, give title of her to her handler Todd Ericsson.

If there are any other thoughts concerning the disposition of Sammy, please advise.

s/ Monty G. Montague

It was moved by Councilmember Mills, seconded by Hardcastle, that Sammy be retired and that she be given to her handler, Todd Ericsson. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; motion carried.

The Traffic Safety Committee submitted the following memo carrying two recommendations:

City of Idaho Falls  
November 18, 1994

MEMORANDUM

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

The following recommendations were made at the Traffic Safety Meeting held November 8, 1994:

1. It is respectfully recommended that the request for a protected left turn lane on Woodruff Avenue for north and south bound traffic at 12th Street be denied. (Note: This location will be looked at again by the Traffic Safety Committee after the new system is installed at 17th Street and Woodruff.)
2. It is respectfully recommended that the request for short-term parking in front of Vac-Mart, 840 Park Avenue, be approved for two "20-Minute Parking" spaces.

s/ Monty G. Montague

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Recommendation No. 1: Councilmember Mills gave an explanation of this request. It was moved by Councilmember Mills, seconded by Hardcastle, to approve the request for a protected left turn lane, with actuated equipment to be installed when available. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; motion carried.

Recommendation No. 2: It was moved by Councilmember Mills, seconded by Hardcastle, that the request for two "20-Minute Parking" spaces in front of Vac-Mart, 840 Park Avenue, be approved. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; motion carried.

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

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CITY CLERK

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MAYOR

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