

**OCTOBER 20, 1994**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 20, 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 Mayor requested Spencer Gardner, Boy Scout, come forward to lead those present in the Pledge of Allegiance.

**CONSENT AGENDA ITEMS**

The City Clerk read a summary of the minutes for the October 6, 1994 Regular Meeting.

The City Clerk presented several license applications, including a BEER TO BE CONSUMED ON THE PREMISES LICENSE to Lost Arts Brew and Bread Works, all carrying the required approvals.

The City Clerk requested Council ratification for the issuance of several licenses, including BEER NOT TO BE CONSUMED ON THE PREMISES LICENSE to Grandview Texaco, all carrying the required approvals.

The City Clerk requested Council ratification of the publishing of legal notices calling for public hearings on October 20, 1994.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
October 17, 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 Twelve (12) each, Thirty (30) Cubic Yard Roll-Off Refuse Containers and Forty (40) each, Three (3) Yard Refuse Containers.

s/ S. Craig Lords

City of Idaho Falls  
October 17, 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 Crack Sealant used in street repair.

s/ S. Craig Lords

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

**REGULAR AGENDA ITEMS**

The Mayor asked Councilmember Erickson to conduct Annexation Proceedings for Stonebrook Addition, Division No. 9. At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls  
October 17, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: FINAL PLAT AND ANNEXATION OF STONEBROOK ADDITION,  
DIVISION NO. 9

Attached is a copy of the Final Plat, Annexation Agreement, and Annexation Ordinance for Stonebrook Addition, Division No. 9. This is a twelve-lot single-family subdivision located on the easterly side of the Stonebrook development. The developer is requesting RPA zoning.

The City Planning Commission recently reviewed this matter at a public hearing and recommended approval of the Final Plat, Annexation to the City, and initial zoning of RPA. This Division concurs with that recommendation and this plat is not being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The Assistant 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 Councilmember Carlson, to accept the Final Plat as presented, for Stonebrook Addition, Division No. 9, and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; Motion Carried.

It was moved by Councilmember Erickson, seconded by Councilmember Carlson, that the Annexation Agreement for Stonebrook Addition, Division No. 9 be accepted and authorization given for the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; Motion Carried.

Councilmember Erickson asked the City Attorney to read the following Ordinance title:

**ORDINANCE NO. 2158**

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 Branson, Hardcastle, Mills, Eldredge, Carlson, and Erickson; 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 Councilmember Carlson, that the initial zoning of Stonebrook Addition, Division No. 9 be established as RPA 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 Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls  
October 18, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jim Thorsen, Director of Aviation  
SUBJECT: AMENDMENT TO LEASE AGREEMENT - AVIS RENT-A-CAR

Avis Rent-A-Car System, Inc. has exercised its option to renew its Lease and Concession Agreement, and to rent additional office space in the terminal.

The Agreement was prepared by the City Attorney.

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

s/ James H. Thorsen

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

City of Idaho Falls  
October 4, 1994

MEMORANDUM

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

Idaho Investments, a firm associated with Melaleuca, Inc. has requested a Lease Agreement for the construction of an aircraft hangar. The hangar site is within the leasehold of Rainbow Investments/d.b.a. Aeromark, and Aeromark has agreed to the release of their interest in order to accommodate the new building.

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The Airport Division respectfully requests authorization for the Mayor to execute an Amendment to Aeromark/Rainbow's Lease and enter into a new Lease Agreement with Idaho Investments, Inc.

s/ James H. Thorsen

It was moved by Councilmember Mills, seconded by Councilmember Branson, to approve the Lease Agreement with Idaho Investments, subject to the approval of the Amendment to the Lease Agreement with Rainbow Investments d.b.a. Aeromark. 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  
October 13, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR  
HANDICAPPED ACCESS TO FORMER PARAMOUNT THEATER,  
466 A STREET

Since April, the Planning and Building Division has been working with the Idaho Falls Arts Council and the Idaho Department of Commerce to secure federal monies for a portion of the renovation of the Paramount Theater-Carousel buildings (now referred to as the Colonial Arts Center). As Council is aware, the establishment of a gallery, classrooms, and offices has been a major goal of the Arts Council. With the urging of the Idaho Falls Downtown Development Corporation, the Arts Council has decided to renovate the buildings at 466 A Street. The Division Staff feels that an arts center will be an anchor in our downtown and will implement a portion of the City's comprehensive plan. When we conducted the citizen participation program for the plan, residents told us that they wanted to preserve downtown's historic character as well as "have a reason to come downtown." The arts center will do both.

Attached are the resolutions required for a Community Development Block Grant (CDBG). The monies from the grant, if it is awarded, will be used to install a three-floor elevator, construct handicapped accessible restrooms, and provide entrance/exit modifications. The purpose of these improvements is to bring the building into compliance with the requirements of the American Disabilities Act.

The CDBG application must be submitted by November 5, 1994. The total cost of the project is estimated to be \$637,700 to secure the envelope of the buildings (roof, windows, and doors) and to provide handicapped access. The grant amount being requested is \$250,000. The Idaho Falls Arts Council will provide a local match of \$384,700. The City will provide an in-kind match of \$3,000 for the audit. The City's responsibility will be to administer the grant. The Division is recommending that the City, with administration funds provided by the Grant, contract with an experienced administrator to assure

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compliance with federal regulations. Don Watson, who developed the Economic Development Administration Grant for the technological park north of Idaho Falls, has been assisting the Arts Council and the Division.

The City of Idaho Falls has passed the Fair Housing Resolution, the Citizen Participation Plan, and the Residential Anti-Displacement and Relocation Assistance Plan before - most recently when the City received CDBG monies for the water line to Anheuser-Busch malting facility. However, the wording required to comply with federal and state regulations has changed.

The Division recommends that the City Council authorize the Mayor to apply for Community Development Block Grant Funds to improve handicapped accessibility to the Colonial Arts Center and to enter into an Agreement with the Idaho Falls Arts Council to be a sub-grantee. The Division recommends that the Fair Housing Resolution, the Citizen Participation Plan, and the Residential Anti-Displacement and Relocation Assistance Plan be adopted by the Mayor and City Council.

s/ Rod Gilchrist

**AUTHORIZING RESOLUTION (Resolution No. 1994-09)**

“Authorizing Resolution for Mayor of the City of Idaho Falls to Submit an Application for, and to Accept, a Public Facility Grant from the Idaho Department of Commerce and to enter into a Grant Agreement with the Idaho Falls Arts Council, Inc.”

RESOLUTION:

BE IT RESOLVED by the City Council of the City of Idaho Falls, Bonneville County, Idaho:

WHEREAS, on the 20th day of October, 1994, the Council of the City of Idaho Falls was duly convened upon notice properly given and a quorum was duly noted;

WHEREAS, the City deems it necessary to apply to the Idaho Department of Commerce for a Public Facility Grant under the Idaho Community Development Block Grant Program which will assist the Idaho Falls Arts Council, Inc. make certain handicapped accessible improvements and accommodations at the Colonial Arts Center located on A Street in downtown Idaho Falls;

WHEREAS, the estimated project is \$637,700 and the City is applying for an estimated \$250,000 Idaho Community Development Block Grant and the Idaho Falls Arts Council, Inc. will provide local match of \$384,700, and the City will provide for the audit of the Grant which is estimated to represent a value of \$3,000 of in-kind services;

NOW, THEREFORE, by resolution duly adopted on the date first written above,

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1. The Mayor is hereby authorized to make application to the Idaho Department of Commerce for Grant funds for the above-noted project, to accept said award, and to sign all documents as are required therefor;

2. The Mayor is hereby authorized to negotiate a Grant Agreement between the City and the Idaho Falls Arts Council, Inc. for the purpose of accomplishing the scope of work contemplated in the Idaho Development Block Grant Application.

RESOLVED this 20th day of October, 1994.

s/ Rosemarie Anderson  
City Clerk of Idaho Falls City Council  
City of Idaho Falls

**FAIR HOUSING RESOLUTION**  
**City of Idaho Falls, Idaho**

LET IT BE KNOWN TO ALL PERSONS of the City of Idaho Falls that discrimination of the sale, rental, leasing, financing, or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, sex or national origin is prohibited to Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of the City of Idaho Falls to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include handicapped persons and families with children. Therefore, the City of Idaho Falls does hereby pass the following Resolution.

BE IT RESOLVED that within available resources that City of Idaho Falls will assist all persons who feel they have been discriminated against because of race, color, religion, sex, national origin, handicap, or familial status to seek equity under federal and state laws with filing a complaint with the Idaho Human Rights Commission or the U. S. Department of Housing and Urban Development, Seattle Regional Office Compliance Division.

BE IT FURTHER RESOLVED that City of Idaho Falls shall publicize this Resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and any applicable state or local laws or ordinances.

SAID PROGRAM will include a minimum, but not limited to: (1) the print and publicizing of this policy and other applicable fair housing information through local media and community contracts; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity housing.

EFFECTIVE DATE: October 20, 1994

City of Idaho Falls

s/ Linda Milam  
Chief Elected Official

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It was moved by Councilmember Erickson, seconded by Councilmember Carlson, that the Mayor be authorized to submit the application for the Community Development Block Grant. 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 Councilmember Carlson, to adopt the Fair Housing Resolution, the Citizens Participation Plan, the Residential Anti-Displacement and Relocation Assistance Plan by Resolution. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls  
October 3, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SNOW REMOVAL ORDINANCE

Attached is an Ordinance prepared by the City Attorney, as previously authorized by the City Council, amending the Snow Removal Ordinance. The amended Ordinance expands the area known as Zone A to include those streets from 17th Street to 25th Street, between Rollandet and Holmes Avenue.

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

s/ Chad Stanger

At the request of Councilmember Eldredge, the City Attorney read the following Ordinance:

**ORDINANCE NO. 2159**

AN ORDINANCE REPEALING AND RE-ENACTING  
SECTION 9-5-2 OF THE CITY CODE OF THE CITY  
OF IDAHO FALLS, IDAHO; DEFINING TERMS FOR  
PURPOSES OF SNOW REMOVAL PARKING  
RESTRICTIONS; PROVIDING FOR EFFECTIVE DATE  
OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Eldredge moved, and Councilmember Erickson seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title only, 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 Traffic Safety Committee submitted the following memo:

**OCTOBER 20, 1994**

City of Idaho Falls  
October 17, 1994

MEMORANDUM

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

1. It is respectfully recommended that the request for a stop sign on Bear at Iona, be approved.
2. It is respectfully recommended that the request to change the yield sign to a stop sign on the corner of Lake Avenue and "G" Street, be approved.
3. It is respectfully recommended that the request for a stop sign on Science Center Drive at the entry to Freeman Park, be approved.
4. The Traffic Safety Committee respectfully requests the consideration of the Council for the removal of parking on the east side of Vissing Circle and Latah.

s/ Monty G. Montague

Recommendation No. 1: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that the request for a stop sign on Bear Avenue at Iona Street be approved. 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 Councilmember Hardcastle, that the request to change the yield sign to a stop sign on the corner of Lake Avenue and "G" Street b approved. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; Motion Carried.

Recommendation No. 3: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to approve the request for a stop sign to be placed for eastbound traffic from the park area at University Place, allowing for right-of-way to and from University Place. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; Motion Carried.

Recommendation No. 4: Mr. Dave Powers, 1300 Vissing Circle, appeared to state that he would not mind people parking at his residence on the 4th of July, if the Council should approve the "No Parking" that has been requested. Mrs. Helen Stanton, 1020 Latah, appeared to state that she has a problem with people parking in front of her mailbox. The Post Office will not deliver her mail when this happens. It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to approve the removal of parking on the east side of Vissing Circle, north of Latah, and both sides of Latah for the portion that extends between Highway 20 and Vissing Circle. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; Motion Carried.

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

s/ Rosemarie Anderson  
CITY CLERK

s/ Linda Milam  
MAYOR

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