

SEPTEMBER 8, 1994

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 8, 1994, in the Council Chambers at 140 South Capital Avenue, Idaho Falls, Idaho. There were present: Mayor Linda Milam; Councilmembers Larry Carlson, Melvin Erickson, Ida Hardcastle, Gary Mills, and Beverly Branson. Absent was: Councilmember Brad Eldredge. Also present: Rosemarie Anderson, City Clerk; Dale Storer, City Attorney; and, all available Division Directors.

The Mayor requested Ryan Argyle, Boy Scout, to come forward to lead those present in the Pledge of Allegiance.

The City Clerk read a summary of the minutes for the August 18, 1994 Regular Meeting. It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that the minutes be accepted as written. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Carlson; No, none; Motion Carried.

The Mayor and City Council honored Phillip M. Marlowe, Eagle Scout, with a Certificate and handshake.

The Mayor and City Council honored Richard Hahn, Fire Chief, Gary Mills, and Ida Hardcastle for their participation in and contributions to Firebusters 1994. The Mayor further presented Richard Hahn with a framed Certificate and mug. Mr. Hahn expressed his appreciation to Shane Walker from the Fire Inspection team, for his many hours of work to accomplish this.

The Mayor asked Councilmember Erickson to conduct the Annexation Proceedings for Victorian Village Addition, Division No. 4. At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: FINAL PLAT AND ANNEXATION - VICTORIAN VILLAGE
ADDITION, DIVISION NO. 4

This matter was originally scheduled to be heard on September 8. The Developer has withdrawn this item and will not be considered at this time.

s/ Rod Gilchrist

Councilmember Erickson explained that this item has been withdrawn by the Developer, and no further action is required at this time.

At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director

SUBJECT: MARTIN ADDITION

SEPTEMBER 8, 1994

The rezoning of a portion of the Martin Additional originally scheduled for September 8, has been recessed until September 15. At that time, a special Council Meeting will be held in the Conference Room at the Electric Building. We received a request to recess this meeting. It is respectfully requested the Mayor and City Council recess this matter until that date.

s/ Rod Gilchrist

Councilmember Erickson explained that due to a conflict of scheduling, this item will be considered on September 21, 1994. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, that this item be moved to September 21, 1994 at Noon in the City Electric Building, Conference Room, at 140 South Capital Avenue. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

The Mayor declared open a public hearing, as legally advertised, to consider the rezoning of a portion of the Original Townsite, property that is bordered generally by Ash Street, South Boulevard, Poplar, and the alley between North Eastern and Water Avenues. At the request of Councilmember Erickson, the City Clerk read the following memo:

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: REZONING - PORTION OF ORIGINAL TOWNSITE

Attached is a copy of a rezoning petition requesting rezoning from R-3A to R-1, property that is bordered generally by Ash Street, South Boulevard, Poplar, and the alley between North Eastern and Water Avenues. This petition was submitted by property owners within the area described. This area is a portion of the Ridge Avenue Historic District which was established some time ago. The property owners are requesting the rezoning to preserve the integrity of the area. This matter was considered by the Planning Commission earlier this year and at that time, after some discussion, the Planning Commission recommended approval of the request. This Department concurs with that recommendation. This matter is 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.

Mr. Dirk Gombert, 353 North Ridge Avenue, stood to explain that approximately one-third of the people in attendance were present to show support of this zone change. He further explained that many of the property owners in this area have spent alot of time and money in renovating these homes and want to see them remain "as is" for historic purposes.

Mrs. Donna Cosgrove, 425 Ash Street, appeared to state that 69% of the property owners in the affected area signed the petition for this zone change, 15% opposed

this zone change, and the balance were unable to be reached. Mrs. Cosgrove further submitted a map of the area showing these property owners in favor of the zone change.

SEPTEMBER 8, 1994

Mrs. Iola Houghton, 557 North Ridge, appeared to state that she wants to keep her home as is.

Councilmember Erickson presented the following letter submitted to the Planning and Zoning Division, and wished to have it become a matter of record.

August 4, 1994

TO: Idaho Falls City Council
FROM: Sheila Kellogg, Administrator
Ashton Memorial Chemical Dependency Center
275 Ash
Idaho Falls, Idaho

I would like to take this opportunity to state for the record our concerns regarding the rezoning of the area that includes Ashton Memorial property. I have attended the previous Planning Commission Meetings and have listened as well as commented on the change being considered. While our facility agrees whole-heartedly with the premise that Idaho Falls' historic homes within the historic district should be protected, we disagree that rezoning to R-1 is the appropriate way to accomplish this. If, as the homeowners contend, the intent is to protect the historic district, why is not the whole historic section of this area not being rezoned but only a portion? Other zoning and designation options were mentioned in passing at the various planning meetings, however, these were not explored in depth and only the option of rezoning from R-3A to R-1 was considered as it was the request on the table.

In reality, this rezoning was directed at Ashton Memorial as was made very clear in the first Planning Meeting in June. Because Ashton Memorial deals with a clientele consisting of substance abusers, we have been assumed to be causing the problems being experienced in the neighborhood. As I have learned in the past few weeks from staff observations, the majority of the people and traffic this neighborhood is so concerned about actually come from outside the area as it is drawn at present. My point is that if the neighborhood wishes to prevent these kinds of people from infiltrating the neighborhood and preserve their homes, this rezoning project will not solve the problem.

In addition, we have a concern regarding the limitations on use with regard to the investment potential for this building should its use be restricted in the future. It eliminates the potential, say, to convert to apartments should the rezoning take place.

I realize that Ashton Memorial is a single business voice in this neighborhood, but this happens to have been a planned occurrence due to the way the lines were drawn for this rezoning. Right across the street are professional offices, a funeral home, and shelter homes. Which brings me back to my original question, if the overriding concern and desire is for Idaho Falls to protect its historic section, then the City should protect the entire area and not just a portion thereof. I should request the City Council deny this rezoning proposal and send it to the appropriate office or committee for development of more appropriate options for preserving this important section of the City.

Councilmember Erickson stated that the Council needs to do everything possible to maintain the integrity of the Original Townsite. It was moved by Councilmember Erickson,

SEPTEMBER 8, 1994

seconded by Councilmember Carlson, that this property be rezoned from R-3A to R-1 as requested. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

At this time, Mayor Milam asked if anyone present had any issues for the Council that were not a part of the Agenda. Mrs. Bertha Cartee, 2155 Henryanna Avenue, appeared to state that she and her husband purchased a townhouse (Super Good Cents Home). She stated that 40% of the roofs leak in the 84-unit complex, due to inadequate ventilation as required in the Super Good Cents regulations. Mrs. Cartee then reviewed, for the Council, the Super Good Cents specifications for venting and baffle requirements. The City Attorney and the Attorney representing the Bonneville Power Administration advised the Cartees to hire an Attorney to take this matter up with the Contractor. Mrs. Cartee wished for the Planning and Building Department to admit that they did not inspect these townhouses adequately for Super Good Cents specifications with the hope that the builder would correct his errors. She stated further that the City Officials have not responded to the lack of mandatory requirements for vents and baffles required under Super Good Cents regulations. Sixty percent of the homeowners in this complex have signed a petition requesting answers for this. Mrs. Cartee explained that this problem can be fixed at approximately \$1,500.00 per unit.

Mayor Milam requested the City Attorney to respond to this. Mr. Storer explained that the entire code is mandatory and allows for the inspector to choose an alternate method of meeting the code requirements. The intent of this Code is not to require a specific method but only that the code requirements are met. Mr. Storer further stated that Mr. Klomp, the Building Inspector, has reviewed this matter, and it meets the building requirements and concurs with that analysis. Mr. Storer stated that Mrs. Cartee has a dispute with the Contractor, and should pursue her complaint with an Attorney.

The City Clerk presented the following monthly bills, dated August 1, 1994 through August 31, 1994, after having been audited by the Fiscal Committee and paid by the Controller.

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER & SEWER</u>
SERV/MAT	\$1,162,049.00	\$ 102,789.47	\$ 300,228.61	\$ 394,307.41
SALARY	<u>906,850.98</u>	<u>51,474.66</u>	<u>24,771.65</u>	<u>106,670.49</u>
TOTAL	\$2,068,899.98	\$ 154,254.13	\$ 325,000.26	\$ 500,977.90
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMP</u>
SERV/MAT	\$1,788,877.24	\$ 30,082.99	\$ 35,323.14	\$ 89,829.90
SALARY	<u>193,387.51</u>	<u>53,088.16</u>	<u>33,529.35</u>	<u>.00</u>
TOTAL	\$1,982,264.75	\$ 83,171.15	\$ 68,852.49	\$ 89,829.00
	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>
SERV/MAT	\$ 41,155.51	\$ 38,985.95	\$ 38,578.77	\$ 52,203.33
SALARY	<u>37,595.87</u>	<u>.00</u>	<u>43,653.76</u>	<u>.00</u>
TOTAL	\$ 78,751.38	\$ 38,985.95	\$ 82,232.53	\$ 52,203.33
	<u>MCS</u>	<u>TOTALS</u>		
SERV/MAT	\$ 6,000.00	\$4,080,411.32		

SALARY	<u> .00</u>	<u>1,451,022.43</u>
TOTAL	\$ 6,000.00	\$5,531,433.75

SEPTEMBER 8, 1994

It was moved by Councilmember Hardcastle, seconded by Councilmember Carlson, to ratify the payment of Check No. 10919 to Harris Graphics in the amount of \$540.00. Roll call as follows: Ayes, Councilmembers Mills, Branson, Hardcastle, and Carlson, with Councilmember Erickson abstaining from the vote; No, none; Motion Carried. It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that the payment of the remainder of the bills as presented be duly ratified. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

The City Clerk presented monthly reports from various Division and Department Heads. These reports were accepted and ordered placed on file in the Office of the City Clerk.

The City Clerk presented several license applications, carrying all required approvals. It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that these licenses be issued. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

The City Clerk requested Council ratification of the issuance of several licenses, all carrying the required approvals. It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

The City Clerk requested Council ratification of the publishing of legal notices calling for public hearings on September 8, 1994. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Carlson; No, none; Motion Carried.

The Airport Director submitted the following memos:

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Jim Thorsen, Director of Aviation
SUBJECT: SUPPLEMENT FOUR TO CONTRACT FOR CONSULTING
ENGINEERING SERVICES

Sverdrup Aviation has submitted Supplement Four to their Contract to provide Construction Inspection and Project Administration. The fees are based on cost plus fixed fee, not to exceed \$157,000.00. The inspection costs are primarily soils and pavement testing to assure quality and compliance with specifications. This is required by FAA and is eligible for grant funding. The additional inspection was required by unforeseen conditions such as lava and subwater.

The City Attorney has reviewed the Supplement.

The Airport Division respectfully requests authorization to execute this Supplement.

s/ James H. Thorsen

SEPTEMBER 8, 1994

It was moved by Councilmember Mills, seconded by Councilmember Branson, that Supplement No. 4 be approved and authorization be given for the Mayor to sign. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Jim Thorsen, Director of Aviation
SUBJECT: CHANGE ORDER NO. 9 - BURGGRAF CONTRACT

The City's consulting engineers and the contractor on the Runway Safety Area Project have submitted Change Order No. 9. The Change Order is to construct a storm drainage pond connected to the existing storm sewer system. The need for this was unforeseen during design, but made apparent during this year's spring run off.

The drainage improvements have been approved by the City Engineer, Sewer Superintendent, and FAA. The Change Order has been reviewed by the City Attorney.

The amount of the Change Order is \$111,099.00.

The work is 90% FAA and 10% Passenger Facility Charge funded.

The Airport Division respectfully requests authorization to execute the Change Order.

s/ Jim Thorsen

It was moved by Councilmember Mills, seconded by Councilmember Branson, that this Change Order No. 9 be approved and authorization given for the Mayor to sign. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, and Hardcastle; No, none; Motion Carried.

The Fire Chief submitted the following memo:

City of Idaho Falls
September 6, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Richard E. Hahn, Fire Chief
SUBJECT: AUTHORIZATION TO REJECT BIDS

It is respectfully requested that the City Council authorize the Fire Department to reject all bids received for Fire Station No. 5. This is due to all bids being high.

s/ Richard E. Hahn

SEPTEMBER 8, 1994

It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that all bids be rejected for the construction of Fire Station No. 5. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
August 26, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CITY GARAGE REROOFING PROJECT - CHANGE ORDER NO. 1 -
BRIGGS ROOFING COMPANY

Attached for your consideration is Change Order No. 1 in the amount of \$250.00 for the above-referenced project. The Change Order is for additional metal soffit and fascia which costs \$2,870.00 on the Garage's north addition, and for a \$2,260.00 credit for the difference in cost between 5/8" plywood which wasn't needed and gypboard.

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

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that Change Order No. 1 to this reroofing project be approved and authorization given for the Mayor to sign. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

City of Idaho Falls
August 26, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: 1994-1995 LEGAL SERVICES AGREEMENT

Attached for your consideration is a proposal from Holden, Kidwell, Hahn, and Crapo to provide legal services for the 1994-1995 budget year.

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

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that this Legal Services Agreement be approved and authorization be given for the Mayor to sign.

Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Carlson; No, none; Motion Carried.

SEPTEMBER 8, 1994

City of Idaho Falls
September 2, 1994

MEMORANDUM

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

Municipal Services respectfully requests ratification of the advertisement to receive bids for aggregate (crushed gravel).

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, to ratify this previous action. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-94-32, VARIOUS LIVE SHRUBS, EVERGREEN, AND LEAF TREES

Attached for your consideration is the tabulation for Bid IF-94-32, Various Live Shrubs, Evergreen, and Leaf Trees. It is the recommendation of Municipal Services to accept the low valid bid of Porter Lane Wholesale Nursery for a total amount of \$62,383.06 for both sections (Omitting Item No. 1).

It is also recommended that we reject all bids received for Item No. 1 - Burning Bush of Section 1, because of an error in our specification, and therefore, request authorization to buy said item on the open market.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that the low bid, omitting Item No. 1, of Porter Lane Wholesale Nursery be accepted and authorization be given to purchase the Burning Bush on the open market. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, and Hardcastle; No, none; Motion Carried.

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-94-33, GRASS SEED

SEPTEMBER 8, 1994

Attached for your consideration is the tabulation for Bid IF-94-33, Grass Seed, for use in planting the soccer fields at the Old Butte Road Park.

It is the recommendation of Municipal Services to accept the low bid of Barenbrug USA to furnish 150 bags (50 lb./bag) of grass seed for a total amount of \$7,200.00.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that the low bid of Barenbrug USA be accepted to furnish this grass seed. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

City of Idaho Falls
September 1, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-94-28, INTERNET ACCESS SYSTEM FOR LIBRARY

Attached for your consideration is the tabulation for Bid IF-94-28, Internet Access System for the Idaho Falls Public Library in conjunction with the Pocatello Public Library and the Madison County District Library.

It is the recommendation of Municipal Services to accept the low bid for US West Communications to furnish the required equipment, then install and provide training as required, for an amount of \$47,745.76.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that the low bid of US West Communications be accepted. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

City of Idaho Falls
August 29, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BID - RESURFACING TENNIS COURTS AT CLAIR E. GALE AND LINCOLN ROAD PARK

Attached for your consideration is the tabulation of bids for resurfacing three (3) tennis courts at Clair E. Gale Junior High and two (2) tennis courts at

Lincoln Road Park. It is the recommendation of Municipal Services to award the bid to the sole bidder of BECO Construction in the amount of \$11,975.00.

SEPTEMBER 8, 1994

School District 91 will reimburse the City of Idaho Falls \$3,592.50 which is 50% of the cost to resurface the three (3) tennis courts at Clair E. Gale Junior High.

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

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that the sole bid of BECO Construction be accepted and authorization given for the Mayor to execute the Contract. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Carlson; No, none; Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: FINAL PLAT - ACTION MOTOR SPORTS

Attached is a copy of the Final Plat of Action Motor Sports Addition, Division No. 1. This property is currently within the City and zoned HC-1. The Final Plat is necessary inasmuch as the property was originally platted in one large lot. A smaller lot is being created. The Planning Commission, earlier this year, reviewed this plat and recommended approval. 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. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, that the Final Plat for Action Motor Sports Addition, Division No. 1 be accepted, and authorization given for the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: ANNEXATION ORDINANCE - COOK ADDITION

Attached is a corrected copy of the Ordinance annexing the Cook Addition. It has come to our attention that the original Ordinance contained an error in the legal description. The attached Ordinance contains the corrected legal

SEPTEMBER 8, 1994

description. It is respectfully requested the Mayor and City Council approve this Ordinance.

s/ Rod Gilchrist

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

ORDINANCE NO. 2153

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 Mills, Erickson, Carlson, Branson, and Hardcastle; No, none; Motion Carried.

City of Idaho Falls
September 6, 1994

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: SALE OF CITY OWNED PROPERTY

Attached is an Ordinance providing for the sale of City owned property located in Highland Park. The legal description of this property is Lots 46, 47, and 48, Block 59, Highland Park Addition. This property is currently owned by the City, but is not needed for public purposes. This property was originally purchased with Community Development Block Grant monies, and therefore, has restrictions as to the use of the property. It is being sold and subject to the restrictions that it shall be used solely for the purpose of providing housing for low and moderate income persons as defined by regulation 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.

This Department respectfully requests the Mayor and City Council pass this Ordinance on all three readings.

s/ Rod Gilchrist

SEPTEMBER 8, 1994

The City Attorney explained that a public hearing needs to be conducted in order to meet the statute requirements for the sale of this property. Upon the publishing of the Ordinance, the public hearing will be established for October 6, 1994. If the Council elects at that time to proceed with the sale, a time for a public auction will be established. At the request of Councilmember Erickson, the City Attorney read the following Ordinance title:

ORDINANCE NO. 2154

AN ORDINANCE PROVIDING FOR THE SALE OF A PARCEL OF REAL PROPERTY OWNED BY THE CITY OF IDAHO FALLS, IDAHO, PURSUANT TO THE PROVISIONS OF TITLE 50, CHAPTER 14, IDAHO CODE; PARTICULARLY DESCRIBING SAID PARCEL; REQUIRING THAT SAID PROPERTY BE APPRAISED AND SOLD AT PUBLIC AUCTION FOR NOT LESS THAN THE APPRAISED VALUE THEREOF; SETTING DATE FOR A PUBLIC HEARING PRIOR TO SAID SALE; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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, Mills, and Branson; No, none; Motion Carried.

The Police Chief submitted the following memos:

City of Idaho Falls
August 4, 1994

MEMORANDUM

TO: Honorable Mayor Linda Milam, City Councilmembers
FROM: Monty G. Montague, Chief of Police
SUBJECT: DENIAL OF BARTENDER PERMIT

It is respectfully recommended that the Bartender License Application for Jeffrey Scott Kuehni, employed at Charlie's Restaurant, be denied.

Your consideration in this matter is appreciated.

s/ Monty G. Montague

It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that this Bartender Permit be denied. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

SEPTEMBER 8, 1994

City of Idaho Falls
September 2, 1994

MEMORANDUM

TO: Honorable Mayor Milam, City Councilmembers
FROM: Monty G. Montague, Chief of Police
SUBJECT: BEER/WINE LICENSE VARIANCE

The Geranium has requested a variance to the Beer and Wine requirements at their place of business, 405 River Parkway.

It is my recommendation that the variance be granted as there are businesses within 300 feet of the church currently operating with these same type of licenses.

Your consideration is appreciated.

s/ Monty G. Montague

Mr. Wesley Beard, 340 Third Street, appeared to state that the church is located in the Eagle Rock Station temporarily and asked Council to please approve this variance. It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that approval be given to grant this variance. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, and Hardcastle; No, Councilmember Carlson; Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
August 26, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PARKS ASPHALT PAVEMENT - 1994

On August 23, 1994, bids were received and opened for Parks Asphalt Pavement - 1994. Attached is a tabulation of bid results.

Public Works recommends award to the low bidder, H-K Contractors, Inc. in the amount of \$26,825.70 and authorization for the Mayor to sign the Contract Documents.

s/ Chad Stanger

It was moved by Councilmember Branson, seconded by Councilmember Hardcastle, that this bid be awarded to H-K Contractors, Inc. and authorization be given for the Mayor to sign the Contract. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

SEPTEMBER 8, 1994

City of Idaho Falls
September 1, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD - ELECTRIC SUPPLY AND MOTOR CONTROLS,
WELL NO. 3

On August 30, 1994, bids were received and opened for modifying the electric supply and motor controls at Well No. 3, as per the attached bid tabulation. The apparent low bid was deemed to be nonresponsive.

Public Works recommends the bid be awarded to the next low bid, Electrical Equipment Company, Inc. in the amount of \$42,087.10 and authorization for the Mayor to sign the Contract Documents.

s/ Chad Stanger

It was moved by Councilmember Branson, seconded by Councilmember Mills, that this bid be awarded to the second low bidder, Electrical Equipment Company, Inc. and authorization be given for the Mayor to sign the Contract. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, and Hardcastle; No, none; Motion Carried.

City of Idaho Falls
September 1, 1994

MEMORANDUM

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

On August 30, 1994, bids were received and opened for replacement of a portion of the City water line located in North Holmes Avenue. This amount substantially exceeds the amount budgeted for this item. Public Works recommends rejection of this bid.

s/ Chad Stanger

It was moved by Councilmember Branson, seconded by Councilmember Mills, that this bid be rejected. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

City of Idaho Falls
September 1, 1994

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Chad Stanger, Public Works Director
SUBJECT: CHANGE ORDER NO. 1 - WELL NO. 17 PUMP STATION
CONTRACT

SEPTEMBER 8, 1994

Attached is proposed Change Order No. 1 to the Well No. 17 Pump Station Contract, increasing the Contract amount by \$3,290.81. This change is required to provide additional fill material for the site and add a section of piping which was omitted from the design of the pump station and the tank construction projects.

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

s/ Chad Stanger

It was moved by Councilmember Branson, seconded by Councilmember Mills, that Change Order No. 1 be accepted as presented and authorization given for the Mayor to sign. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

City of Idaho Falls
September 1, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: TIME EXTENSION - HARPER-LEAVITT ENGINEERING, INC.,
PANCHERI DESIGN AGREEMENT

The City currently has an Engineering Services Agreement with Harper-Leavitt Engineering, Inc. to provide design services for Pancheri Drive, Utah Avenue to Capital Avenue. The contract time for that Agreement is 360 calendar days. Attached is a proposed supplement to the Agreement, extending the contract time to 540 calendar days. This supplement is requested because of additional time needed to accommodate delays experienced in processing the submittals and receiving the foundation reports; and, does not include any additional monetary compensation.

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

s/ Chad Stanger

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

City of Idaho Falls
August 26, 1994

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Chad Stanger, Public Works Director
SUBJECT: EASEMENT VACATION - LOT 4, BLOCK 4, GRANT BOWEN
ADDITION

SEPTEMBER 8, 1994

As previously authorized, the City Attorney has prepared the documents needed to vacate the above-referenced easement. Public Works recommends vacation of this easement and authorization for the Mayor to sign related documents.

s/ Chad Stanger

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

ORDINANCE NO. 2155

AN ORDINANCE VACATING A CERTAIN EASEMENT WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED EASEMENT TO THE OWNER OF THE ADJACENT LAND, AND NAMING IT; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Branson 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 Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

City of Idaho Falls
September 1, 1994

MEMORANDUM

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

Public Works requests authorization for the City Attorney to prepare an Ordinance for Council consideration which amends the definition contained in the current Snow Removal Parking Ordinance of the area denoted as Zone A. The intent of this amendment is to expand Zone A and the corresponding parking restrictions to include the remainder of the numbered streets and intersecting avenues south of 17th Street to 25th Street.

s/ Chad Stanger

It was moved by Councilmember Branson, seconded by Councilmember Mills, that authorization be given for the City Attorney to prepare the requested Ordinance. Roll call as

follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, and Hardcastle; No, none; Motion Carried.

SEPTEMBER 8, 1994

City of Idaho Falls
September 1, 1994

MEMORANDUM

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

Attached is a proposed Ordinance amending the amounts of the various water user fees charged by the City. The proposed Ordinance, as prepared by the City Attorney, reflects the 10% increase to user fees discussed during the budget preparation and adoption process. Additionally, included is an annual fee of \$3.00 per connection to the City's water system which corresponds with the annual water quality assessment fee being charged by the Idaho Department of Environmental Quality.

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

s/ Chad Stanger

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

ORDINANCE NO. 2156

AN ORDINANCE REPEALING AND RE-ENACTING
SECTION 8-4-36 OF THE CITY CODE OF THE CITY
OF IDAHO FALLS, IDAHO; PROVIDING FOR
EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Branson 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 Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

City of Idaho Falls
September 1, 1994

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CH2M HILL AGREEMENT - TASK ORDER NO. 4,
CHLORINATION/DECHLORINATION FACILITIES DESIGN

The City's Sewage Treatment Plant is operating under a discharge permit issued effective November 1, 1993, placing limits on the amount of residual

chlorine to be discharged from the plant; limits the plant is currently incapable of achieving. Following issuance of the subject permit, the City authorized

SEPTEMBER 8, 1994

CH2M Hill, under Task Order No. 3 of the Engineering Services Agreement, to proceed with an analysis of alternative methods by which compliance with permit limits could be achieved. That analysis is complete and EPA has authorized a facility modification and compliance by December 31, 1996.

Attached are copies of proposed Task Order No. 4 to the CH2M Hill Engineering Services Agreement for design of the chlorine modifications and dechlorination facilities in the amount of \$110,145.00.

Public Works recommends approval of Task Order No. 4 and authorization for the Mayor to sign the required documents.

s/ Chad Stanger

A brief discussion among Council followed concerning any apportionment of costs to Ucon, the Iona-Bonneville Sewer District, and Ammon. The Public Works Director explained that in this year's budget, a rate study will be conducted to determine the answer to this. It was moved by Councilmember Branson, seconded by Councilmember Mills, that approval be given for Task Order No. 4. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

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

City of Idaho Falls
September 6, 1994

MEMORANDUM

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

The Traffic Safety Committee submits the following items for your approval:

1. It is respectfully recommended that the request for a stop sign on Coronado be denied.
2. It is respectfully recommended that the request to place speed bumps, speed limit signs and children at play signs in the alley behind 280 First Street, No. 13, be denied.
3. It is respectfully recommended that the request for a Handicap Parking Space by Merrill Lynch, 496 "A" Street be placed on Capital Avenue, just north of "A" Street.
4. It is respectfully recommended that the request to install a Handicap Parking Space in front of 360 "A" Street be approved.
5. It is respectfully recommended that the request to change the one-way arrow that leads to the Library Book Drop be approved.

s/ Monty G. Montague

SEPTEMBER 8, 1994

Recommendation No. 1: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to deny the request for a stop sign on Coronado. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Carlson; No, none; Motion Carried.

Recommendation No. 2: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to deny the request for the placement of speed bumps, speed limit signs, and "children at play" signs in the alley behind 280 First Street, No. 13. Roll call as follows: Ayes, Councilmembers Branson, Hardcastle, Mills, Carlson, and Erickson; No, none; Motion Carried.

Recommendation No. 3: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to approve the placement of a "Handicap Parking" space on Capital Avenue, just north of "A" Street. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Mills, and Branson; No, none; Motion Carried.

Recommendation No. 4: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to approve the placement of a "Handicap Parking" space in front of 360 "A" Street. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Carlson, Erickson, and Mills; No, none; Motion Carried.

Recommendation No. 5: It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, to approve the change of the one-way arrow that leads to the Library Book Drop. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, and Carlson; No, none; Motion Carried.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Councilmember Branson, that the meeting adjourn at 8:45 p.m.; Motion Carried.

s/ Rosemarie Anderson
CITY CLERK

s/ Linda Milam
MAYOR
