

MAY 19, 1994

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 19, 1994, in the Council Chamber at 140 South Capital Avenue, Idaho Falls, Idaho. There were present: Mayor Linda Milam; Councilmembers Beverly Branson, Larry Carlson, Brad Eldredge, Melvin Erickson, Ida Hardcastle, and Gary Mills. Also present: Chandra Evans, Acting City Clerk; Dale Storer, City Attorney; and, all available Division Directors.

The Mayor then requested Boy Scout Josh Storer, come forward to lead those present in the Pledge of Allegiance.

The Acting City Clerk read a summary of the minutes of the May 5, 1994 Regular Meeting. Councilmember Mills indicated that the information following the memo from the Airport Director, where he indicated a 60-day lease, needed to be shown as a 60-day termination clause. With this change to the minutes being noted, it was moved by Councilmember Hardcastle, seconded by Councilmember Carlson, that the minutes be accepted. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; Motion Carried.

The Mayor and Councilmembers honored Jeffrey Bates and Josh Storer as Eagle Scouts with Certificates and handshakes.

The Mayor asked if there were any citizens present who wished to address the Council. Mr. Dan Ruddell, from Sneekers Grill and Spirits, stood to state that they are in the process of opening a restaurant and lounge in a P-T Zone (which would only allow them to stay open until 11:00 p.m.). He requested the Council to extend that time limitation to 1:00 a.m. in order to stay competitive with other restaurants and lounges. Mayor Milam explained that the reason for these restrictions are to protect the surrounding neighborhood. She further explained that this matter needed to be addressed by the Planning Commission, and asked the Director of Building and Planning to explain the steps necessary to make such a change. Mr. Gilchrist indicated that he has had previous conversations with Mr. Ruddell and, further, the time limitations are contained in the body of the Zoning Ordinance, necessitating the need for a public hearing process. Mr. Storer, the City Attorney, agreed and added that the only other process would be to rezone the property (Legends Restaurant on Fremont Avenue).

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

The Acting City Clerk requested Council ratification of the issuance of several licenses, all carrying 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 Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; Motion Carried.

The Airport Director submitted the following memo:

City of Idaho Falls  
April 4, 1994

MEMORANDUM

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

Horizon Airlines has submitted an Amendment to their Lease Agreement that increases the amount of office space to be occupied by them.

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The term of the lease is until December 31, 1994.

The space was formerly occupied by American Airlines, and the Amendment provides flexibility should another airline need it to initiate service.

The Airport Division respectfully requests authorization to accept the Lease Amendment.

s/ Jim Thorsen

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

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
May 17, 1994

MEMORANDUM

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

Attached for your consideration is Change Order No. 1 in the amount of \$26,582.00 for finishing the south side of the Electric Building. Municipal Services respectfully requests the City Council to approve and authorize the Mayor to execute the document.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that Change Order No. 1 be authorized. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; Motion Carried.

City of Idaho Falls  
May 13, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: 1993-1994 SECOND HALF FEDERAL TRANSIT ADMINISTRATION GRANT FOR CART

Attached for your consideration are copies of the 1993-1994 second half Federal Transit Administration Grant Application. Municipal Services respectfully requests the City Council approve and authorize the Mayor and City Attorney to sign said Grant.

s/ S. Craig Lords

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It was moved by Councilmember Hardcastle, seconded by Councilmember Erickson, that this Grant Application be approved and the Mayor and City Attorney be authorized to sign. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; Motion Carried.

City of Idaho Falls  
May 17, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: LEASE AGREEMENT - J. M. & S. FARMS, INC. (FAIRWAY ESTATES ADDITION)

Attached for your consideration is a proposed Lease Agreement between J. M. & S. Farms and the City of Idaho Falls for a temporary ground lease on Sage Lake Golf Course. Said Agreement has been prepared by the City Attorney. The Parks and Recreation Division and Municipal Services Division do not anticipate that this property will be needed for public purposes during the term of this Agreement. Municipal Services respectfully requests the City Council to approve and authorize the Mayor to sign said Lease Agreement.

s/ S. Craig Lords

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

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls  
May 11, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David Christiansen, Director of Parks and Recreation  
SUBJECT: GOLF ADVISORY BOARD

The Division of Parks and Recreation respectfully requests consideration on an ordinance amending Section 2-6-1 through 2-6-8 of the City Code which pertains to the Golf Advisory Board.

Recommended changes are reflective of the reorganization of both Idaho Falls Men's and Women's Golf Association during the past year. It is, therefore, submitted for your approval.

s/ David Christiansen

Mayor Milam stated that Councilmember Erickson will represent the Council on that Board, with Ben Allen serving as Chairman. The other members of that Board are Kim Berrett,

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Harold Tobin, Carol Arpke, Cathy Cook, and Cathryn Nelson. The 5 At-Large members are Lynn Smith, Jerry Foss, Jim Dalton, Wes Deist, and Sharon Roh.

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

**ORDINANCE NO. 2139**

AN ORDINANCE AMENDING SECTIONS 2-6-1 THROUGH 2-6-8 OF THE CITY CODE OF IDAHO FALLS, IDAHO; MAKING CERTAIN CHANGES TO TITLE 2, CHAPTER 6 OF THE CITY CODE RELATING TO THE GOLF ADVISORY BOARD, AND PROVIDING FOR EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Erickson moved, and Councilmember Branson 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. Councilmember Erickson further motioned to appoint the Golf Advisory Board as previously stated, with Councilmember Branson seconding that motion. Roll call as follows: Ayes, Councilmembers Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls  
May 16, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: FINAL PLAT - FIRST AMENDED PLAT OF A PORTION OF ASHMENT ADDITION, DIVISION NO. 4

Attached is a copy of the Final Plat and Development Agreement of a portion of Ashment Addition, Division No. 4. This property is currently within the City and zoned C-1. The property owner is proposing to divide the existing Lot 1, Block 2, into three parcels of property.

The Plat was previously reviewed by the Planning Commission and, at that time, it was recommended the Final Plat be approved. This Department concurs with that recommendation. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The Director of Planning and Building located the subject area on a map and further explained the request. A brief discussion followed among the Mayor and Council regarding the total layout of the Addition. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, that the Final Plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills,

Erickson, Branson, and Hardcastle; No, none; Motion Carried. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, to accept the Development

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Agreement and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Branson, Hardcastle, and Eldredge; No, none; Motion Carried.

City of Idaho Falls  
May 16, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: FINAL PLAT - NEIL BRADLEY ADDITION, DIVISION NO. 2

Attached is a copy of the Final Plat and Development Agreement of Neil Bradley Addition. This is a one-lot subdivision located adjacent to and on the easterly side of Wabash Avenue. This property has never been platted. The Plat is being processed for the purpose of sale and development. It is currently within the City and zoned R-2A.

The Planning Commission recently considered this matter and at that time it was recommended the Final Plat be approved. This Department concurs with that recommendation. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Councilmember Erickson requested the Planning and Building Director to locate the subject area on the map and further explain the request. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, to accept the Final Plat and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; Motion Carried.

City of Idaho Falls  
May 16, 1994

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: FINAL PLAT AND DEVELOPMENT AGREEMENT - RIDGEWOOD PARK ADDITION, DIVISION NO. 1

Attached is a copy of the Final Plat and Development Agreement of Ridgewood Park Addition, Division No. 1. This Plat was previously approved as Peachtree Village. This property had changed hands and the new owners are requesting a change in the name of the Plat and all streets contained therein. A Final Plat and new Development Agreement are being processed inasmuch as all the names are changed and the location of several utility easements have been changed.

The Planning Commission recently considered this matter and, at that time, recommended the Final Plat be approved and the property be annexed to the\_

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City. This Department concurs with that recommendation. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Councilmember Erickson requested the Director of Planning and Building to locate the subject area on the map and further explain the request. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, to accept the Final Plat and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Branson, Hardcastle, Eldredge, and Carlson; No, none; Motion Carried. It was moved by Councilmember Erickson, seconded by Councilmember Carlson, to accept the Development Agreement and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Eldredge, Carlson, Mills, Erickson, Branson, and Hardcastle; No, none; Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls  
May 16, 1994

MEMORANDUM

TO: Honorable Mayor Linda Milam, City Councilmembers  
FROM: Monty G. Montague, Chief of Police  
SUBJECT: CURFEW ORDINANCE

For several months, the Public Safety Committee has been researching the benefits of a curfew for the City of Idaho Falls.

At this time, it is the consensus of the Committee, that in order to move forward, we must have an Ordinance drafted by the City Attorney. This also would allow for input from the public concerning this issue.

Therefore, this matter is respectfully submitted for your consideration.

Your assistance in doing so, is greatly appreciated.

s/ Monty G. Montague

Councilmember Mills stated that for a matter of clarification, this Ordinance would be for a Juvenile Curfew. Mayor Milam indicated that once the City drafts and accepts an Ordinance, Bonneville County would follow. A brief discussion followed regarding the implementation of such an Ordinance. It was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that the City Attorney be authorized to draft a Juvenile Curfew Ordinance. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Hardcastle, Eldredge, Mills, and Branson; No, none; Motion Carried.

The Public Works Director submitted the following memo:

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City of Idaho Falls  
May 12, 1994

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: RIGHT-OF-WAY VACATION - UTAH AVENUE

Attached is an Ordinance prepared by the City Attorney, vacating a portion of the Utah Avenue right-of-way. Upon re-alignment of Utah Avenue, a portion of the previously used right-of-way was retained to serve the properties currently occupied by Tiffany Metals and American Fabrication. The proposed Ordinance proposes vacating approximately one-half of the described right-of-way to each owner of the adjoining two (2) properties.

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

s/ Chad Stanger

Councilmember Eldredge requested the City Attorney to read the following Ordinance title:

**ORDINANCE NO. 2140**

AN ORDINANCE VACATING A PORTION OF UTAH AVENUE WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE PORTION OF SAID STREET; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY QUITCLAIM DEEDS CONVEYING THE VACATED STREET TO THE OWNERS OF THE ADJACENT LAND, AND NAMING THEM; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Eldredge moved, and Councilmember Branson seconded, that the provisions of Idaho Code Section 50-902 requiring all ordinances 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 Hardcastle, Branson, Eldredge, Carlson, Erickson, and Mills; No, none; Motion Carried.

There being no further business to discuss, it was moved by Councilmember Eldredge, seconded by Councilmember Hardcastle, that the meeting adjourn at 8:06 p.m.; Carried.

s/ Chandra Evans  
ACTING CITY CLERK

s/ Linda Milam  
MAYOR

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