

OCTOBER 7, 1993

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 7, 1993, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Brian Wood to come forward and lead all those present in the Pledge of Allegiance to the Flag. The Mayor then called the meeting to order and, upon roll call, the following were found to be present: Mayor ProTem Melvin L. Erickson; Councilmember Larry Carlson, Joseph Groberg, Linda Milam, Gary Mills, and Ralph Wood. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney and all available Division Directors.

The Mayor and Council honored Eagle Scout Doug Stokes.

The City Clerk read a summary of the minutes of a Regular Council Meeting held September 23 and a Special Meeting held October 6, 1993. The minutes of both meetings were approved.

The Mayor declared open a public hearing, recessed from the September 23 Meeting, to consider proposed amendments to the planned transition zone. He called upon Councilmember Mills to conduct the hearing. At the request of Councilmember Mills, the City Clerk read the following memo:

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: PROPOSED AMENDMENTS TO THE PLANNED TRANSITION ZONE

Attached is a copy of the Ordinance providing for several amendments to the Planned Transition (PT) Zone. The proposed amendments are primarily housekeeping amendments providing for clarification of several sections of the present Ordinance and limiting the permitted uses in the PT-2 Zone.

The matter was considered earlier this year by the Planning Commission. At that time they recommended approval of the proposed amendments. This has also been the subject of a work session with the Mayor and City Council. This Department respectfully requests approval of this proposal as presented.

S/Rod Gilchrist

Councilmember Mills reminded the Councilmembers that they had held a work session on this matter recently. He asked the Director of Planning & Zoning to give a brief synopsis of the proposal.

The Director of Planning & Zoning reviewed the changes made after the work session, including hours of operation, noise and traffic levels.

Councilmember Mills further explained the proposed changes and then invited comments from the floor.

Mr. Kevin Twitchell, 1580 June Ave., appeared to address several concerns that he had about this proposal. He stated that the changes made to the PT Zone are an improvement that will enhance future efforts by both citizens and developers. He said that he is concerned about the hours of operation which creates headlights that disturb the resident's sleep. He said that six A.M. is much too early and eleven P.M. is much too late for business operations near residential zones. He said that the PT zone has some contradictory goals stated within it. He reviewed the areas he feels are contradictory. He asked the

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Council to enforce the present ordinances that have been adopted. He recommended that the developer be allowed to re-build existing structures to make it more compatible with the use and that more public input be allowed.

Mr. Glen Hancock, 3061 S. Blvd., appeared to state that he owns property at June and 17th Street and he asked the Council to delay action on this issue until an overall look can be taken of the PT Zone requirements.

Rue Stears, 1235 Bannock Ave., appeared briefly to ask if there are limitations of the type of business to be allowed? Councilmember Mills said that this is defined in the ordinance.

During discussion that followed, it was felt that further review was necessary in the PT Zone requirements to address problems for future control, the lack of precision in the PT Zone ordinance, and the thirty thousand foot requirement, but that adoption of this ordinance was a good start.

The City Attorney read the following ordinance title:

ORDINANCE NO. 2118

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 7-18-2, 7-18-3, 7-18-4, 7-18-7, AND 7-18-8 OF THE ZONING ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO; DEFINING CERTAIN TERMS USED THEREIN; PROVIDING FOR PERMITTED USES; PROVIDING FOR PERFORMANCE STANDARDS; PROVIDING FOR PRE-APPLICATION CONFERENCES; PROVIDING FOR APPLICATION CONFERENCES; PROVIDING FOR SEVERABILITY; PRESERVING PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR EFFECTIVE DATE.

The foregoing ordinance was presented in title. It was moved by Councilmember Mills, seconded by Groberg, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE FULLY READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Milam, Wood, and Groberg; No, none; carried.

Bills for the month of September, 1993 were presented:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>	<u>ELECTRIC</u>
SERV/MAT:	\$ 816,329.01	\$249,649.62	\$356,300.17	\$ 209,453.08	\$1,695,245.01
SALARY:	<u>823,034.00</u>	<u>45,544.11</u>	<u>24,017.59</u>	<u>100,348.98</u>	<u>173,551.62</u>
TOTAL:	\$1,639,363.01	\$295,193.73	\$380,317.76	\$ 309,802.06	\$1,868,796.63

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	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN SEWER</u>	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>
SERV/MAT:	\$ 23,316.06	\$ 24,517.32	\$ 34,561.69	\$ 34,573.57	\$ 2,850.00
SALARY:	<u>52,326.77</u>	<u>28,411.10</u>	<u>.00</u>	<u>36,653.51</u>	<u>.00</u>
TOTAL:	\$ 75,642.83	\$ 52,928.42	\$ 34,561.69	\$ 71,227.08	\$ 2,850.00

	<u>AMBULANCE</u>	<u>MUN EQUIP</u>	<u>ELEC/CAP FD.</u>	<u>MCS ADOPTION</u>	<u>CITY TOTALS</u>
SERV/MAT:	\$ 32,327.16	\$ 35,418.00	\$385,560.00	\$ 35,700.00	\$3,935,800.69
SALARY:	<u>41,428.46</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>1,325,316.14</u>
TOTAL:	\$ 73,755.62	\$ 35,418.00	\$385,560.00	\$ 35,700.00	\$5,261,116.83

It was moved by Councilmember Milam, seconded by Wood, that the Council ratify the payment of check #3770 to Arco Electric. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, and Milam; No, none; carried. Councilmember Carlson abstaining.

It was then moved by Councilmember Milam, seconded by Wood, that the Council ratify payment of the remaining bills. Roll call as follows: Ayes, Councilmembers Erickson, Milam, Carlson, Mills, Wood, and Groberg; No, none; carried.

The City Clerk presented monthly reports from Division and Department Heads. There being no objection, these were accepted and ordered placed on file in the Office of the City Clerk.

The City Clerk presented a journeyman electrician license application. It was moved by Councilmember Mills, seconded by Wood, that this license be issued. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

The City Clerk asked for Council ratification of the issuance of several licenses. It was moved by Councilmember Mills, seconded by Wood, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Groberg, Milam, Mills, and Wood; No, none; carried.

The City Clerk asked for Council ratification of the publishing of a legal notice calling for a public hearing on October 21, 1993. It was moved by Councilmember Mills, seconded by Wood, that the Council ratify this action. Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

From the Airport Manager came this memo:

City of Idaho Falls
September 30, 1993

MEMORANDUM

TO: Mayor ProTem and Council
FROM: James Thorsen, Director of Aviation
SUBJECT: CHANGE ORDER NO. 5--BURGGRAF CONTRACT

The City's Consulting Engineer, Sverdrup Aviation, has submitted Change Order Number 5 to the Contract with Robert V. Burggraf Company for the safety area improvement project.

The Change Order is in the amount of \$97,310 and is primarily for changes and additions requested by the FAA Airways and Facilities Division in order to relocate the instrument landing system.

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The Change Order has been reviewed by the FAA's Airport District Office and they concur on it. The FAA Grant covers 90% of this expense, and the Passenger Facility Charge the City's 10% share.

The City Attorney has reviewed the Change Order.

The Airport Division respectfully requests authorization to accept Change Order Number 5.

S/ James Thorsen

There being no questions, it was moved by Councilmember Wood, seconded by Groberg, that this Change Order be approved. Roll call as follows: Ayes, Councilmember Wood, Erickson, Mills, Groberg, Milam, and Carlson; No, none; carried.

From the Electric Department Manager came this memo:

City of Idaho Falls
October 4, 1993

MEMORANDUM

TO: Mayor and Council
FROM: G.S. Harrison, Manager
SUBJECT: RETAIL RATE CHANGE

The Bonneville Power Administration has implemented a wholesale rate increase which will affect the City of Idaho Falls in the amount of 16.2% effective October 1, 1993. Accordingly, the Electric Division has prepared a revised retail rate schedule for your consideration. The proposed rates would become effective for all billing after October 15, 1993.

The revised rate schedule is attached and the Electric Division recommends Council approval of this proposal.

S/ G.S. Harrison

Mr. C.A. White appeared to state that it is his understanding that the years of drought had created the need for a rate increase and he questioned the proposed increase now that the drought is over.

Councilmember Groberg explained the reasons for the increase, namely; the drought, which is still a factor as much of the water for producing electricity for BPA comes from the Canadian Rockies where there is still low runoff; fish costs, and aluminum costs. He said that it is likely that BPA will continue to increase the cost to the City whereby they may not be the best source for the City to purchase power from.

The City Attorney read the following ordinance title:

ORDINANCE NO. 2119

AN ORDINANCE REPEALING AND RE-ENACTING
SECTION 4-4-10, CITY CODE TO THE CITY OF
IDAHO FALLS, IDAHO; PROVIDING FOR
SCHEDULE OF RATES FOR ALL COMMERCIAL,
INDUSTRIAL, RESIDENTIAL AND PUBLIC_

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CUSTOMERS AND FOR SECURITY LIGHTING, CONSTRUCTION SERVICE AND TRAILER COURT SERVICES; ESTABLISHING A POWER FACTOR PENALTY FOR COMMERCIAL AND INDUSTRIAL CUSTOMERS; PROVIDING FOR ROUNDING OF BILLING CHARGES AND ESTABLISHING RESPONSIBILITY OF CUSTOMERS FOR SELECTION OF RATE SCHEDULES; PROVIDING FOR EFFECTIVE DATE.

The foregoing ordinance was presented in title. It was moved by Councilmember Groberg, seconded by Carlson, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE FULLY READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, Councilmembers Erickson, Carlson, Milam, Mills, Groberg, and Wood; No, none; carried.

From the Chief of Police came this memo:

City of Idaho Falls
October 4, 1993

MEMORANDUM

TO: Honorable Mayor ProTem Erickson and City Councilmembers
FROM: Monty G. Montague, Chief
SUBJECT: TOWING AGREEMENTS

Attached are contracts signed by R&D Service, Bergmans Action Towing, Miller Towing, Majestic Towing, Smith Chevrolet, Sunkiss, Lindsay Auto, Nauvoo Towing, Hendrickson Pro Tow, B&M Auto & Towing, Westgate, Inc., and Classic Auto, setting forth the terms and conditions for the Wrecker Service to be placed on the Police Department's rotation list for towing vehicles through September 30, 1994.

The Public Safety Committee, the City Attorney, and the Police Department have reviewed the agreements and respectfully submit them with the recommendation that the Mayor ProTem be authorized to sign same.

S/ Monty G. Montague

It was moved by Councilmember Mills, seconded by Wood, that these towing agreements be approved and the Mayor authorized to sign. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, Groberg, and Milam; No, none; carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
October 5, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: ENGINEERING SERVICES AGREEMENT - ELM & ASH STREET
RAILROAD CROSSING

Attached is a proposed agreement between the City and Power Engineers, Inc., to provide engineering design and construction document services for the signalization of the Elm & Ash Streets railroad crossings. The engineering services and construction for this project are included in the current year budget under a local federal-aid highway project.

Public Works requests approval of this agreement and authorization for the Mayor to sign the necessary documents.

S/ Chad Stanger

There being no questions, it was moved by Councilmember Carlson, seconded by Milam, that this agreement be approved and the Mayor authorized to sign the document. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

The Municipal Services Director submitted the following seven memos:

City of Idaho Falls
October 5, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO ADVERTISE AND BID ELECTRICAL &
VENTILATION UPGRADES AT WASTE WATER TREATMENT
PLANT LAB

Municipal Services respectfully requests authorization from Mayor and City Council to advertise and receive bids to upgrade the electrical and ventilation systems at the WWTP Lab.

S/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Groberg, Milam, Mills, and Wood; No, none; carried.

City of Idaho Falls
October 4, 1993

MEMORANDUM

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

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Municipal Services respectfully requests authorization to advertise and receive bids for the following items approved in the 1993-1994 budget.

- 1) Equipment
- 2) Electrical Apparatus & Conductor
- 3) Water Pipe Fittings and Other Water Line Equipment and Materials
- 4) Road Salt and Sand
- 5) Sewer Department Materials and Supplies

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the Council authorize the advertisement for bids as requested. Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

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MEMORANDUM

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

Municipal Services respectfully requests authorization to advertise and receive bids for motor fuels and lubricants, and the service and fuel obtained through a computerized fuel dispensing system for the 1994 year.

S/ S. Craig Lords

Councilmember Mills drew attention to the problems that had occurred last year when bidding these fuels and services. At the request of the Council, Attorney Storer, Don Gosswiller and Sharon Roh reviewed the problems and explained why they do not anticipate the same problems this year. It was moved by Councilmember Milam, seconded by Wood, that authorization be given to advertise and receive bids as requested. Roll call as follows; Ayes, Councilmembers Milam, Carlson, Mills, Erickson, Wood, and Groberg; No, none; carried.

City of Idaho Falls
October 4, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-94-1, REFUSE CONTAINERS

Attached is the tabulation for bid IF-94-1, Two (2) 30 Yard Open Top Roll-Off Containers and Forty (40) Three Yard Refuse Containers with Lids. It is the recommendation of Municipal Services to accept the low bid of \$3,250.00 each and the three yard containers at a unit price of \$442.50 each.

S/ S. Craig Lords

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It was moved by Councilmember Milam, seconded by Wood, that the bids be awarded. Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson and Erickson; No, none; carried.

City of Idaho Falls
September 29, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AUTHORIZING DESTRUCTION OF CERTAIN RECORDS

Attached for your consideration is a resolution prepared by the City Attorney authorizing the destruction of certain old documents. It is respectfully requested that the Mayor and Council adopt said resolution.

S/ S. Craig Lords

RESOLUTION (Resolution No. 1993-12)

WHEREAS, storage space at the office of the City Treasurer is limited;

WHEREAS, certain records have been incorporated into electronic media or computer disc and the hard copies thereof, are no longer needed for public purposes;

WHEREAS, pursuant to Idaho Code Section 50-907, the City is authorized to destroy certain records.

NOW, THEREFORE, be it hereby resolved that the City Treasurer and City Clerk are hereby authorized to destroy the following records.

1. Canceled payroll checks written prior to October 1, 1991.
2. All ambulance and accounts receivable billing statements and payment receipts written prior to October 1, 1987.
3. All receipts issued by the Library, Police Department, Recreation Division, Golf Courses, Zoo, Animal Shelter, City Clerk's Office and for parking violations and all Building and Zoning receipts issued prior to October 1, 1987.
4. All claims fund checks and City warrants written prior to October 1, 1987.
5. All deposit books containing records of deposits made no later than October 1, 1987.

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APPROVED by the City Council on the 8 day of October, 1993.

ATTEST: s/ Velma Chandler
CITY CLERK

s/ Melvin L. Erickson
MAYOR PROTEM

It was moved by Councilmember Milam, seconded by Wood, that this resolution be approved and the Mayor authorized to sign same. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, Groberg, and Milam; No, none; carried.

City of Idaho Falls
September 30, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PERSONNEL POLICY CHANGE RELATED TO LIBRARY PERSONNEL

It is respectfully requested that the City Council authorize the City Personnel Policy, under Section IX, paragraph A, related to Holidays for the Library employees, be amended as per the attachment.

S/ S. Craig Lords

Councilmember Milam explained the need for these changes. It was moved by Councilmember Milam, seconded by Wood, that the Council authorize the Personnel Policy changes. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

City of Idaho Falls
October 4, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: APPOINTMENT OF JUDGES AND CLERKS FOR GENERAL MUNICIPAL ELECTION - NOVEMBER 3, 1993

Attached is a list of names appointing and setting compensation for election judges and other such workers necessary for each voting precinct within the City. Municipal Services respectfully requests the Mayor and City Council to authorize each appointment as per the attached list.

S/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the Council appoint the judges and clerks for the General Municipal Election to be held on November 2, 1993, and approve the compensation for them. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Groberg, Milam, Mills, and Wood; No, none; carried.

The Traffic Safety Committee presented the following four recommendations:

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1. It was requested that at 12th Street and St. Clair a 4-way Stop be installed. After much consideration and fact finding, it was recommended by the Traffic Safety Committee that the 4-way stop be installed at this location.

2. It was requested that a Handicap Parking Space be installed on Curtis Avenue just north of the intersection of Curtis and 15th Street. Investigation revealed when the concrete was poured for the curb and gutter handicap ramp was installed at this location. Therefore, it is recommended the handicap space requested be installed at this location.

3. It was requested that a Stop sign be installed on Chamberlain at Lava. After investigation, it was revealed this location will not meet the state warrant for stop sign placement. Therefore, it is recommended that this request be denied.

4. Bernice Hansen requested a loading zone be placed in front of her Day Care Center at 685 North Water. We have installed these type of zones in front of all Day Care Centers that have requested such signing, therefore, this request is respectfully submitted with the recommendation the loading zone be installed.

It was moved by Councilmember Mills, seconded by Groberg, that the Council uphold the recommendation of the Traffic Safety Committee on all four items. Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

There being no further business, it was moved by Councilmember Wood, seconded by Groberg, that the meeting adjourn at 8:45 P.M.; carried.

Velma Chandler
CITY CLERK

Melvin L. Erickson
MAYOR PROTEM