

SEPTEMBER 23, 1993

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 23, 1993, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Scout Eric Armbrister 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; Councilmembers Larry Carlson, Joseph Groberg, Linda Milam, Gary Mills, and Ralph Wood. Also present: Velma Chandler, City Clerk; Todd Erickson, Assistant City Attorney and all available Division Directors.

The City Clerk read a summary of the minutes of a Regular Council Meeting held September 9 and Special Meetings held September 14 and September 21, 1993. The minutes of all three meetings were approved by the Mayor and Council.

The Mayor declared open a public hearing, as legally advertised, to consider proposed amendments to the Planned Transition Zone. It was moved by Councilmember Mills, seconded by Groberg, that this matter be recessed until the next Regular Council Meeting on October 7, 1993. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, Milam, and Carlson; No, none; carried.

Mayor ProTem Erickson then asked Councilmember Mills to conduct annexation proceedings for The Village, Div. #1. At the request of Councilmember Mills, the City Clerk read the following memo:

City of Idaho Falls
September 22, 1993

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT, ANNEXATION - THE VILLAGE, DIVISION NO. 1

Attached is a copy of the final plat, annexation ordinance, and annexation agreement of Division No. 1 of The Village. This is a 10 lot subdivision containing one large lot which the developer proposes building single-family attached dwellings on, and nine residential lots. They are requesting an R-3 zoning on the property, but intend to build single-family and/or single-family attached dwellings.

The Planning Commission earlier reviewed this matter, and at that time recommended approval of the final plat, annexation to the City, and initial zoning of R-3. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

S/ Rod Gilchrist

The Director of Planning and Zoning located the subject area on a map on the wall and further explained the request. Several questions were asked by Councilmembers. These questions were answered by other Councilmembers and the Public Works Director.

Councilmember Mills then opened the meeting to comments from those in the audience who may wish to speak.

Mr. Delaine Bowen, 3496 N. 26 W., appeared to ask the Council to consider several items before annexing this property. He said that the City is fortunate that there are no noise abatement procedures at the Airport. He cautioned that continuation of annexing housing areas that may create noise abatement problems, restrict air flight patterns in the

area, and effect operations such as Reed's Dairy, might create future problems. He asked the City to consider shopping areas rather than housing projects for this area.

SEPTEMBER 23, 1993

Mr. Darrel Kofoed, Intermountain Engineering, appeared to address the fact that all of these things have been addressed and corrective measures taken.

Councilmember Carlson inquired about sewer and water line plans. The Public Works Director reviewed the plans for this area.

There being no further comment, it was moved by Councilmember Mills, seconded by Groberg, that the final plat of The Village, Div. #1 be approved and the Mayor, City Clerk and City Engineer be authorized to sign the plat. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Wood, Groberg and Milam, No, Councilmember Carlson; carried.

It was then moved by Councilmember Mills, seconded by Groberg, that the annexation agreement for The Village, Div. #1 be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmembers Milam, Erickson, Groberg, Mills, and Wood; No, Councilmember Carlson; carried.

The Assistant City Attorney read the following ordinance title:

ORDINANCE NO. 2117

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (THE VILLAGE, DIVISION NO. 1)

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 questions 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 Erickson, Groberg, Milam, Mills, and Wood; No, Councilmember Carlson; 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 Wood, Mills, Milam, Groberg, and Erickson; No, Councilmember Carlson; carried.

The Mayor declared open a public hearing to consider the initial zoning of The Village, Div. #1, be established as R-C 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 zoning maps located in his office. Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Erickson, and Mills; No, Councilmember Carlson; carried.

Mr. Rue Stears, 1235 Bannock, appeared to question previous action of the Mayor and Council in accepting and extension of the contract with Anderson, Pike and Bush. The Mayor and Assistant Attorney explained that all legal requirements had been met in accepting this proposal.

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

From the Director of Planning and Zoning came this memo:

SEPTEMBER 23, 1993

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT - THE CHEESE FACTORY, DIVISION NO. 1

Attached is a copy of the final plat of the above described property. This is a one lot subdivision currently within City limits and zoned I & M-1. The final plat is required inasmuch as this property has not been previously subdivided and is now being parceled off for the purpose of resale. No development agreement is necessary inasmuch as the improvements are all installed.

The Planning Commission recently considered this matter and recommended approval of the final plat. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

S/ Rod Gilchrist

The Director of Planning & Zoning located the subject area on a map on the wall and further explained the request. It was moved by Councilmember Mills, seconded by Groberg, that the final plat of The Cheese Factory, Div. #1, be approved and the Mayor, City Clerk and City Engineer be authorized to sign the plat. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

From the Electric Department Manager came this memo:

City of Idaho Falls
September 21, 1993

MEMORANDUM

TO: Mayor and Council
FROM: G.S. Harrison
SUBJECT: YORK STATION SUBSTATION CHANGE ORDER NO. 1

Attached for your consideration is Change Order No. 1 for the York Road Substation contract with Lamb Engineering and Construction. The Change Order is required by the Contract and is necessary to reimburse Lamb for use tax paid to the State. The amount of this change order is \$33,300.00 and represents use tax on all owner furnished equipment. The Electric Division recommends Council approval of this Change Order.

S/ G.S. Harrison

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

The Municipal Services Director submitted the following six memos:

SEPTEMBER 23, 1993

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS: NEW IBM
AS/400 COMPUTER

Municipal Services respectfully requests authorization to advertise and receive bids for a New AS/400 Computer.

S/ S. Craig Lords

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

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION & AWARD OF BID - HVAC SYSTEM FOR
CONTROLLER'S OFFICE

Since no bids were received on the above referenced project, Municipal Services respectfully requests authorization from the Mayor and City Council to contract for the project on the open market.

S/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the Council give authorization to contract on the open market for this project. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, Wood, and Groberg; No, none; carried.

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BIDS - PAINTING CEILING AND
WALLS FOR CIVIC AUDITORIUM

Attached is a tabulation of bids for the above referenced project.

SEPTEMBER 23, 1993

Municipal Services recommends rejecting all bids. The bids were considerably over the budgeted amount.

S/ S. Craig Lords

Councilmember Milam explained that the bids were substantially above the budgeted amount for this project. She said that the Committee feels it advisable to carry over the amount in the current budget and add it to next year's budget to have sufficient monies for the project. It was moved by Councilmember Milam, seconded by Wood, that the Council reject the bids received for this project. Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried.

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-93-44, ELECTRICAL CONDUCTOR

Attached is the tabulation for Bid IF-93-44, Electrical Conductor. Municipal Services recommends the bid be divided between the two low bidders as each bid the dollar amount and the exact same conductor manufactured by Southwire. The summary attached indicates the exact breakdown as near 50% each as possible, allowing for 6,940 feet per reel. It was determined to award General Pacific the larger amount because they were bidder #5 and Royal Wholesale was bidder #6.

S/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the bid be divided between the two low bidders as requested. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, Groberg, and Milam; No, none; carried.

City of Idaho Falls
September 20, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SALARY AND BENEFIT INCREASE

Attached for your consideration are wage and benefit increases for the Police Association and the International Association of Firefighters Local #1565.

It is respectfully requested that the Mayor and Council approve said wage and benefit increases.

S/ S. Craig Lords

SEPTEMBER 23, 1993

It was moved by Councilmember Milam, seconded by Wood, that the salary and benefit increases for the Police Association and the International Association of Firefighters Local #1565 be approved. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

City of Idaho Falls
September 7, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: JOINT AGREEMENT BONNEVILLE COUNTY TECHNOLOGY PARK PROJECT

Attached for your consideration is a proposed agreement between Bonneville County, Idaho Innovation Center, Inc. and the City of Idaho Falls, relative to the Bonneville County Technology Park Project. It is requested that the City Council approve said contract pending final review from the City Attorney.

S/ S. Craig Lords

Councilmember Milam explained that this is a proposal that was submitted by the County, the City and the Idaho Innovative Center for an Economic Development Administration Grant. She said that this agreement outlines what will happen after the Grant is received.

Councilmember Groberg stated that he feels that the Council needs to specifically identify a problem which the City Attorney needs to negotiate. That problem being the Conflict of Interest language. He feels that there is a need to reduce those who would be in a position of conflict to the fewest possible allowed under Federal Law. It was moved by Councilmember Milam, seconded by Wood, that the Council approve this joint agreement pending final review by the City Attorney, with instructions that the review include a resolution of the "Conflict of Interest" provision, and that it take into account the reasonableness of those exclusions. 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 Milam, that the meeting adjourn at 8:15 P.M.; carried.

S/ Velma Chandler
CITY CLERK

S/ Thomas Campbell
MAYOR