

FEBRUARY 4, 1993

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, February 4, 1993, in the Council Chamber in Idaho Falls, Idaho. There were present: Mayor Thomas Campbell; Councilmembers Larry Carlson, Melvin Erickson, Joseph Groberg, Linda Milam, and Gary Mills; absent, Councilmember Ralph Wood. Also present: Velma Chandler, City Clerk: Dale Storer, City Attorney and all available Division Directors.

The City Clerk read a summary of the minutes of the last Regular Council Meeting held January 21, 1993. The minutes were approved as amended.

The Mayor declared open a public hearing, as legally advertised, to consider an amendment to the Zoning Ordinance to include Residence Estate Zones. 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
February 2, 1993

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: AMENDMENT TO ZONING ORDINANCE - RESIDENCE
ESTATE ZONE

Attached is a copy of an ordinance establishing a new zone within the City known as the residence estate zone. This proposed zone provides for the keeping of horses and llamas within the City limits, providing certain conditions are met. The Planning Commission previously considered this matter and at that time, recommended approval of the proposals. This Department concurs with that recommendation and it is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Councilmember Mills further explained the proposal. Mills then invited comments from anyone present in the audience or from Councilmembers.

Mr. C. E. White, 3280 Chaparral, appeared briefly to ask the Council to give a lot of consideration before allowing animals in the City. He said there is plenty of room for animals in the County for those people desirous of living where they can have animals. He felt the proposal will be detrimental in future developments.

Councilmember Erickson agreed with Mr. White's comments, even though restrictions and controls would be made. He said that animals in the City will create a difficult policing problem and he is opposed to this action.

Councilmember Groberg stated that this proposal has been reviewed by the Planning Commission who feel that this zoning is needed for the orderly growth of the community as it expands out to accommodate all acceptable uses. He felt that this concept will work, if properly controlled.

The City Attorney read the following ordinance title:

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 1941
OF THE CITY OF IDAHO FALLS, IDAHO, SAID
ORDINANCE BEING KNOWN AS THE RESIDENCE
ESTATE ZONE; SETTING FORTH THE GENERAL

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OBJECTIVES AND CHARACTERISTICS OF SUCH ZONE; STATING PERMITTED USES WITHIN THE ZONE; ESTABLISHING SIZE REQUIREMENTS FOR LOTS; ESTABLISHING MINIMUM REQUIREMENTS OF BUILDING SITES; SETTING FORTH SETBACKS AND SIDE AND REAR YARD RESTRICTIONS; LIMITING HEIGHT OF BUILDINGS WITHIN SUCH ZONE AND RESTRICTING LOT COVERAGE OF LOTS; PROVIDING EFFECTIVE DATE.

It was moved by Councilmember Mills, seconded by Groberg, that this ordinance be passed on it's first reading only. Roll call as follows: Ayes, Councilmembers Groberg, Milam, and Mills; No, Councilmembers Carlson and Erickson; carried. Councilmember Carlson asked who has requested this change? Councilmember Mills answered that the Planning Commission is recommending this change to accommodate orderly growth.

It was noted that de-annexation and annexation of Summerfield Add., Div. #1 have been pulled from consideration at this time.

Bills for the month of January, 1993, were presented 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: \$1,188,042.99	\$ 195,405.92	\$ 199,816.28	\$ 157,166.74
SALARY: <u>843,154.22</u>	<u>67,674.30</u>	<u>24,905.69</u>	<u>99,053.15</u>
TOTAL: \$2,031,197.21	\$ 263,080.22	\$ 224,721.97	\$ 256,219.89
<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>LIBRARY</u>
SERV/MAT: \$2,289,939.74	\$ 29,758.91	\$ 23,937.03	\$ 24,461.67
SALARY: <u>178,490.35</u>	<u>54,639.08</u>	<u>26,963.40</u>	<u>34,276.18</u>
TOTAL: \$2,468,430.09	\$ 84,397.99	\$ 50,900.43	\$ 58,737.85
<u>AMBULANCE</u>	<u>MUN EQUIP</u>	<u>SWIM POOL</u>	<u>MCS</u>
SERV/MAT: \$ 37,872.12	\$ 33,425.00	\$ 140,787.50	\$ 18,525.00
SALARY: <u>41,411.61</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL: \$ 79,283.73	\$ 33,425.00	\$ 140,787.50	\$ 18,525.00

CITY TOTALS

SERV/MAT: \$4,339,138.90
SALARY: 1,370,567.98
TOTAL: \$5,709,706.88

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

Monthly reports from Division and Department Heads were presented and, there being no objections, were accepted by the Mayor and ordered placed on file in the Office of the City Clerk.

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License applications were presented including BEER for Smokehouse and Round Table Pizza; and several other licenses. It was moved by Councilmember Erickson, seconded by Mills, that these licenses be issued. Roll call as follows: Ayes, Councilmembers Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried.

The City Clerk asked for Council authorization to refund several license application fees. It was moved by Councilmember Erickson, seconded by Mills, that these fees be refunded. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, and Mills; No, none; carried.

From the Chief of Police came this memo:

City of Idaho Falls
February 4, 1993

MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Office of the Chief of Police
SUBJECT: DENIAL OF NON-COMMERCIAL KENNEL LICENSE

Attached is an application for a Non-Commercial Kennel License submitted by Mr. William Whipple, 2431 Eastview.

This Department has conducted the required survey of neighbors of Mr. Whipple who live within 100 feet of the Whipple property.

Out investigation reveals that Mr. Whipple does not meet the statutory requirement of 75% affirmative responses among these residences.

For this reason, this license application is respectfully submitted for your consideration with the recommendations that it be denied.

s/ Monty Montague

Mrs. Whipple appeared to state that, in her opinion, their application had not been handled correctly. She feels that the animal control person created problems between them and their neighbors. Councilmember Erickson explained the Code requirements. Chief Montague was instructed to review the actions taken by the control officers. It was moved by Councilmember Erickson, seconded by Mills, that this non-commercial kennel license be denied. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Groberg, Milam and Mills; No, none; carried.

From the Planning and Zoning Director came this memo:

City of Idaho Falls
February 2, 1993

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT - ROSE NIELSEN #107

Attached is a copy of the final plat and the development agreement of Rose Nielsen #107. This is a replat of Lots 4 & 5 of Rose Nielsen #104. This

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property is currently within the City limits and zoned C-1. The original 2 lots are being replatted into 14 lots. The Planning Commission previously considered this matter and at that time recommended approval of the plat. This Department concurs with that recommendation and the matter is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

The Director of Planning 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 Rose Nielsen Add., Div. #107 be accepted and the Mayor, City Clerk and City Engineer be authorized to sign the plat. Roll call as follows: Ayes, Councilmember Groberg, Carlson, Milam, Erickson, and Mills; No, none; carried.

It was then moved by Councilmember Mills, seconded by Groberg, that the Council approve the annexation agreement and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Groberg, Milam, and Carlson; No, none; carried.

The Airport Manager submitted the following two memos:

City of Idaho Falls
February 2, 1993

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Jim Thorsen, Airport Director
SUBJECT: ACCEPTANCE OF FEDERAL GRANTS

The Federal Aviation Administration has offered a grant in the amount of \$2.5 million to cover the federal share of phase three of the runway safety area improvement project.

The grant shall allow completion of Phases I, II, and III this year.

The City Attorney has reviewed the grant offer.

The Airport Division respectfully requests authorization for the Mayor and City Clerk to execute the acceptance of the grant offer.

s/ Jim Thorsen

Councilmember Groberg stated that this grant will allow for completion of this project in one year rather than the anticipated three years. There was Council discussion as to the possible need of re-opening the budget, and the process for the use of users fees. It was moved by Councilmember Groberg, seconded by Mills, that this grant offer be approved and the Mayor and City Clerk be authorized to execute the documents. Roll call as follows: Ayes, Councilmembers Carlson, Mills, Milam, Erickson, and Groberg; No, none; carried.

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City of Idaho Falls
February 2, 1993

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Jim Thorsen, Airport Director
SUBJECT: HANGAR LEASE - JAMES O. ZANE

Mr. James O. Zane has submitted a lease agreement for the lease of land for development of a private aircraft hangar.

The City Attorney has reviewed this agreement.

The Airport Division respectfully requests authorization for the Mayor and City Clerk to execute the agreement.

s/ Jim Thorsen

There being no question, it was moved by Councilmember Groberg, seconded by Mills, that the Mayor and City Clerk be authorized to execute the agreement. Roll call as follows: Ayes, Councilmembers Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried. Councilmember Milam abstaining.

The Municipal Services Director submitted the following nine memos:

City of Idaho Falls
January 27, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AWARD OF ALTERNATES NO. 1 AND NO. 2 - IDAHO FALLS PUBLIC LIBRARY REROOFING PROJECT BASE BID AND ADDITIVE ALTERNATES NO. 1 AND NO. 2

Hughes Roofing Company was the successful low bidder on the base bid for reroofing the lower section of the Idaho Falls Public Library. The bid for the base bid was awarded October 24, 1991.

Hughes Roofing has agreed to honor their bids for alternates No. 1 and No. 2 in the total amount of \$30,647.00 to Hughes Roofing Company.

Attached are copies of the tabulation of the bids, the City Council memo for the award of the base bid, and confirmation from Hughes Roofing to honor the October 22, 1991, bid proposal.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Erickson, that the Council accept the low bid. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Groberg, and Milam; No, none; carried.

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City of Idaho Falls
February 1, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-93-17, ROAD SANDING MATERIALS

Attached is the tabulation for Bid IF-93-17, Road Sanding Materials. It is the recommendation of Municipal Services to accept the low bid of Gunderson Construction for an amount of \$5.10 per cubic yard.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Erickson, that this low bid be accepted as recommended. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, and Mills; No, none; carried.

City of Idaho Falls
February 1, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-93-19, TRAFFIC SIGNALIZATION EQUIPMENT

Attached is the tabulation for Bid IF-93-19, Traffic Signalization Equipment. It is the recommendation of Municipal Services to accept the low bids meeting specifications as listed on Attachment A.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Erickson, that the Council accept the low bid meeting specifications. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Groberg, Milam, and Mills; No, none; carried.

City of Idaho Falls
February 1, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-93-21, ONE (1) NEW 1993 VAN

Attached is the tabulation for Bid IF-93-21, One (1) new 1993 van, small size passenger type.

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It is the recommendation of Municipal Services to accept the low bid of Ron Sayer, Inc. to furnish a new 1993 Plymouth Voyager for an amount of \$14,338.00 without trade-in.

s/ S. Craig Lords

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

City of Idaho Falls
February 1, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-93-22, TWO (2) NEW 1993 AERIAL DEVICES
MOUNTED ON CAB & CHASSIS

Attached is the tabulation for Bid IF-93-22, two (2) new 1993 aerial devices--45' single bucket, knuckle boom design, mounted on a new 1993 cab & chassis.

It is the recommendation of Municipal Services to accept the sole bid of Hirning Truck Center to furnish two (2) time versalift VST 4000 Aerial Devices mounted on a 1996 GMC "Topkick" cab and chassis for a total amount for two (2) units of \$155,192.00 with one (1) trade-in.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Erickson, that the Council accept this sole bid. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Groberg, Milam, and Carlson; No, none; carried.

City of Idaho Falls
February 1, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PHASE II SAGE LAKES GOLF COURSE, IRRIGATION &
PUMP STATION HUPPERT BROTHERS - CHANGE ORDER
NO. 1

Attached is Change Order No. 1 in the amount of (\$4,800.00) for deleting the sod around the sprinkler heads and for changing the pump station motor.

It was determined that the sod around the sprinkler heads was not necessary.

The City of Idaho Falls Electric Department requested that the motor for the pump station be changed to a slow start.

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Municipal Services respectfully requests approval from the Mayor and City Council for said Change Order.

s/ S. Craig Lords

Councilmember Milam explained that this is a savings of \$4,800. It was moved by Councilmember Milam, seconded by Erickson, that this change order be approved and the Mayor authorize to sign same. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, and Groberg; No, none; carried.

City of Idaho Falls
January 28, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BOND COUNSEL AIRPORT REVENUE REFUNDING BONDS

Attached for your consideration is an engagement letter between the City of Idaho Falls and Hawley Troxell Ennis & Hawley, to serve as bond counsel and disclosure counsel to the City for the Airport Refunding Bond issue.

It is the recommendation of Municipal Services to appoint Hawley Troxell Ennis and Hawley as bond and disclosure counsel for the Airport Revenue Refunding Bond issue with a fixed fee of \$21,000.00 plus any out-of-pocket expenses. The fixed fee would be contingent upon issuing of the bonds.

It is respectfully requested that the City Council authorize the Mayor to sign said engagement letter.

s/ S. Craig Lords

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

City of Idaho Falls
January 23, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AND QUITCLAIM DEED FOR REAL PROPERTY

Municipal Services respectfully requests approval of the attached Resolution and Quitclaim Deed and authorization from the Mayor and City Council for the Mayor to sign said documents, in favor of Janice Hammond, for payment in full of a delinquent L.I.D.

s/ S. Craig Lords

FEBRUARY 4, 1993

R E S O L U T I O N (Resolution No. 1993-02)

WHEREAS, the City of Idaho Falls did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by Deed of the City Treasurer, dated this 22nd day of March, 1988, recorder as Instrument No. 746311, in the records of Bonneville County, Idaho, acquired title to and possession of the following described real property situated in the County of Bonneville, State of Idaho, to-wit:

The easterly 125' of the following described property: Beginning at the northwest corner of Section 25, T.2N, R.37, E.B.M. and running thence west a distance of 20.0 feet to the TRUE POINT OF BEGINNING, and running thence S. 89°55' W. a distance of 147.3 feet, to the easterly right-of-way line of the Oregon Short Line Railroad; thence N. 29°15' E. a distance of 302.32 feet along the easterly right-of-way line; thence south a distance of 30.46 feet; thence east a distance of 3.00 feet; thence south a distance of 227.00 feet to the point of beginning.

WHEREAS, Janice Hammond has offered to pay the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereof;

WHEREAS, on November 20, 1992, the City passed a Resolution authorizing the delivery of a Quitclaim Deed to the said Janice Hammond, which Quitclaim Deed was executed by the Mayor and recorded as Instrument No. 840279, records of Bonneville County, Idaho, and whereas, said Quitclaim Deed contained an error in the legal description.

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to execute and deliver to the said Janice Hammond and Amended Quitclaim Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 4 day of February, 1993.

APPROVED BY THE MAYOR this 5 day of February, 1993.

ATTEST: s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor

It was moved by Councilmember Milam, seconded by Erickson, that the Council authorize the Mayor to sign the documents in favor of Janice Hammond for payment in full of a delinquent L.I.D. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Groberg, and Milam; No, none; carried.

FEBRUARY 4, 1993

City of Idaho Falls
January 19, 1993

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CHARGE OFF - UNPAID UTILITY ACCOUNTS 1988

Municipal Services respectfully requests authorization to charge off as uncollectable, all utility accounts that have not had a transaction since 1988, which includes, but is not limited to, bankruptcies, skips, deceased persons and those with no assets. These accounts total \$154,315.57, which is .52% of sales for that year.

It is further requested that authorization be given to charge off the following accounts as uncollectable: Ambulance \$120,720.42, Accounts Receivable \$3,052.35 and returned checks \$363.25.

s/ S. Craig Lords

Councilmember Milam further explained this request. It was moved by Councilmember Milam, seconded by Erickson, that the Council give authorization for the charge off of these accounts. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, and Mills; No, none; carried.

There being no further business, it was moved by Councilmember Erickson, seconded by Groberg, that the meeting adjourn at 8:20 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor