

**DECEMBER 22, 1992**

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Pursuant to a call by the Mayor, the City Council of the City of Idaho Falls met in Special Meeting, Thursday, December 22, 1992, in the City Council Chamber, 140 South Capital Avenue, Idaho Falls, Idaho, to consider all matters of business that would have been considered at the regularly scheduled meeting for December 24th, but changed to the 22nd because of that being Christmas Eve. There were present at said meeting: Mayor Thomas Campbell; Councilmembers Larry Carlson, Melvin Erickson, Linda Milam, Gary Mills, and Ralph Wood; Absent: Councilmember Joe Groberg. 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 December 10, 1992. The minutes were approved by the Mayor and Council.

The Mayor declared open a public hearing, as legally advertised, to consider an appeal from a Board of Adjustment decision concerning a request for a variance for a carport. He asked Councilmember Mills to conduct the hearing. At the request of Councilmember Mills, the City Clerk read the following memo:

City of Idaho Falls  
December 17, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: APPEAL FROM BOARD OF ADJUSTMENT DECISION

Attached is a copy of a request for a variance submitted by Fred and Carol Olsen, to permit construction of a carport within one foot of the side property line. This property is located at 1000 12th Street (Lot 5, Block 4, Tew Addition). This matter was recently considered by the Board of Adjustment and denied as submitted; however, a variance permitting an encroachment of two feet into the required five foot side yard was granted.

The petitioner is appealing this decision inasmuch as a permit was erroneously granted and the carport has been built as planned. The structure cannot remain as constructed. The Uniform Building Code requires the construction of a one-hour fire wall on the carport, and it is within four feet of the neighbor's chimney. The two foot encroachment, as granted by the Board, would not require this and would not adversely affect the neighborhood. This Department concurs with the decision of the Board of Adjustment.

s/ Rod Gilchrist

Councilmember Mills explained the request. Mr. Fred Olsen, the petitioner, appeared to state that he had received a building permit before beginning construction of the carport and he felt he had done everything legally and in order. He said that it would damage his house if he removed the carport. After discussion from the Councilmembers, it was moved by Councilmember Mills, seconded by Wood that the Council approve the variance for Mr. Olsen. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, and Wood; No, none; carried.

Annexation proceedings were then conducted for Sterling Addition, Division No. 1. At the request of Councilmember Mills, the City Clerk read the following explanatory memo from the Director of Planning:



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City of Idaho Falls  
December 18, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: ANNEXATION - STERLING ADDITION, DIVISION NO. 1, ALSO A REPLAT OF LOTS 1 AND 3, BLOCK 2, YELLOWSTONE ADDITION

Attached is a copy of the Final Plat of Sterling Addition, Division No. 1. This is a one-lot subdivision located at the intersection of West Broadway and the on-ramp of I-15. The majority of this property is currently within the City and zoned GC-1. A small portion of it is currently not in the City and is being annexed and platted at this time. The requested zone is GC-1.

The Planning Commission recently considered this matter and at that time recommended approval of the Final Plat, annexation to the City, and initial zoning of GC-1. This department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

It was moved by Councilmember Mills, seconded by Wood, that the Final Plat be approved and the Mayor, City Clerk, and City Engineer be authorized to sign. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Mills, and Wood; No, none; carried.

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

The City Attorney read the following ordinance caption:

**ORDINANCE NO. 2085**

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

The foregoing Ordinance was presented in title. It was moved by Councilmember Mills, seconded by Wood, 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 Erickson, Mills, Wood, Milam, and Carlson; 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 Carlson, Milam, Wood, Mills, and Erickson; No, none; carried.

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The Mayor then declared open a public hearing to consider the initial zoning of the newly annexed area. No one appeared. It was moved by Councilmember Mills, seconded by Wood, that the initial zoning of Sterling Addition, Division No. 1 be established as GC-1 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 Comprehensive Plan and Zoning Maps located in his office. Roll call as follows: Ayes, Councilmembers Mills, Milam, Erickson, Carlson, and Wood; No, none; carried.

The City Clerk presented the following license applications: BEER, Eagles, and El King Kong; and several other licenses. It was moved by Councilmember Erickson, seconded by Mills, that these licenses be approved for issuance. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Mills, and Wood; No, none; carried.

The City Clerk asked for Council ratification of the issuance of BEER to Holiday Market, Sandpiper, Made in Idaho, Pizza Hut, Pizza Hut, Pizza Hut, Morgan's, Circle K, Albertson's, Albertson's, Jiffy Mart, Ritz, Doc's, Garcia's, Ford's, Sizzler, Mi Casa, Common Cents, Common Cents, Common Cents, R & R Bar, Maverick, Maverick, Hall Park Gas, Fred Meyer, Debbie's Brother, Le Baron's, Rafa's and Samoa; BARTENDER, Cindy Matthews, Kelley Cushman, and Jim Krager; and several other licenses. The City Clerk noted that all licenses were issued between the Council Meeting on December 10th and December 22nd, are properly identified, retained in the computer for five years and the application forms are retained on file for at least ten years. It was moved by Councilmember Erickson, seconded by Mills, that the issuance of these licenses be duly ratified. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, 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 January 7, 1993. It was moved by Councilmember Erickson, seconded by Mills, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

The City Attorney read the following Ordinance title:

**ORDINANCE NO. 2086**

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 4-11-1 THROUGH 4-11-4 OF THE CITY CODE OF THE CITY OF IDAHO FALLS; IDAHO; ADOPTING THE 1991 EDITION OF THE UNIFORM BUILDING CODE, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES IN THE CITY; ADOPTING THE 1992 EDITION OF THE ONE AND TWO FAMILY DWELLING CODE; REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, LOCATION AND USE OF DETACHED ONE AND TWO FAMILY DWELLINGS, THEIR APPURTENANCES AND ACCESSORY STRUCTURES IN THE CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES THEREOF; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY,

AND ESTABLISHING THE EFFECTIVE DATE OF  
THE ORDINANCE.

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The foregoing Ordinance was presented in title. It was moved by Councilmember Mills, seconded by Wood, 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 Carlson, Erickson, Milam, Mills, and Wood; 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 Milam, Carlson, Mills, Erickson, and Wood; No, none; carried.

The City Attorney read the following Ordinance title:

**ORDINANCE NO. 2087**

AN ORDINANCE ENACTING SECTIONS 4-24-1 THROUGH 4-24-4 OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE UNIFORM MECHANICAL CODE, 1991 EDITION; REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF HEATING, VENTILATING, COOLING, REFRIGERATION SYSTEMS, INCINERATORS, OR OTHER MISCELLANEOUS HEAT-PRODUCING APPLIANCES; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR PROSECUTION FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented in title. It was moved by Councilmember Mills, seconded by Wood, 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 Wood, 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 Milam, Mills, Carlson, Wood, and Erickson; No, none; carried.

The City Attorney read the following Ordinance title:

**ORDINANCE NO. 2088**

AN ORDINANCE ENACTING SECTIONS 4-25-1 THROUGH 4-25-2 OF THE CITY CODE OF IDAHO FALLS; ADOPTING THE UNIFORM

ADMINISTRATIVE CODE, 1991 EDITION;  
PROVIDING THE ADMINISTRATIVE,

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ORGANIZATIONAL AND ENFORCEMENT RULES AND REGULATIONS FOR THE TECHNICAL CODES REGULATING SITE PREPARATION AND CONSTRUCTION, ALTERATION, MOVING, DEMOLITION, REPAIR, USE AND OCCUPANCY OF BUILDINGS, STRUCTURES AND BUILDING SERVICE EQUIPMENT WITHIN THE CITY; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTION AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing ordinance was presented in title. It was moved by Councilmember Mills, seconded by Wood, 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 Milam, Carlson, Mills, Erickson, and Wood; 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 ON ITS SECOND AND FINAL READING?" Roll call as follows: Ayes, Councilmembers Wood, Erickson, Mills, Carlson, and Milam; No, none; carried.

The City Attorney read the following Ordinance title:

**ORDINANCE NO. 2089**

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 4-12-1 THROUGH 4-12-4, OF THE CITY CODE OF IDAHO FALLS, IDAHO; ADOPTING THE 1991 EDITION OF THE UNIFORM PLUMBING CODE; REGULATING THE ERECTION, INSTALLATION, ALTERATION, ADDITION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING AND PLUMBING SYSTEMS WITHIN THE CITY; REQUIRING PERMITS FOR THE INSTALLATION OR ALTERATION OF PLUMBING WITHIN THE CITY AND ESTABLISHING PERMIT FEES; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCES; PROVIDING FOR THE SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

The foregoing ordinance was presented in title. It was moved by Councilmember Mills, seconded by Wood, 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 Mills, Wood, Milam, Erickson, and Carlson; No, none; carried. The majority of all the members of the Council present having voted in the

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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 ON ITS SECOND AND FINAL READING?" Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

Councilmember Groberg entered the Council Chamber and took his seat at the Council table.

The Airport Manager submitted the following three memos:

City of Idaho Falls  
December 16, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Manager  
SUBJECT: CHANGE ORDER NUMBER ONE TO SECURITY ACCESS CONTROL PROJECT

Arco Electric, the Contractor for the Security Access Control Upgrade Project has submitted Change Order Number One to the Contract. This Change Order is to change the standby generator fuel tank to an above-ground installation. This change has been approved by the Consulting Engineer and the FAA. The change will increase the amount of the contract by \$1,235.30.

The Airport Division respectfully requests authorization for the Mayor and Clerk to execute the change order.

s/ Airport Manager

It was moved by Councilmember Wood, seconded by Erickson, that the Council approve this Change Order and authorize the Mayor and City Clerk to execute same. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, Groberg, and Milam; No, none; carried.

City of Idaho Falls  
December 17, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Manager  
SUBJECT: SUPPLEMENTS 1 & 2 RUNWAY RELOCATION PROJECT AND SUPPLEMENT 1 TO GENERAL AVIATION APRON CONTRACT

Sverdrup Aviation, the City's Consulting Engineers on the Runway relocation and General Aviation apron projects, have submitted Supplement numbers 1 & 2 to the runway project in the amount of \$712,971 for additional design and construction management services. This amount and scope has been approved by the Federal Aviation Administration.

Supplement Number 1 to the Apron project is in the amount of \$16,000 to cover additional environmental work.

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The City Attorney has reviewed the supplements.

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

s/ Airport Division

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

City of Idaho Falls  
December 11, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: AMENDMENT NUMBER ONE - AIRPORT IMPROVEMENT PROGRAM NUMBER 3-16-0018-10 AND 11

The Federal Aviation Administration has submitted Amendment Number One to the grant agreements for the two grants for the runway safety area project.

The Amendments provide for a letter of credit method of payment that is more favorable to the City.

The Amendments have been reviewed by the City Attorney.

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

s/ Airport Committee

It was moved by Councilmember Wood, seconded by Groberg, that the Council approve this amendment and authorize the Mayor and City Clerk to execute same. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, Milam, and Carlson; No, none; carried.

The Municipal Services Director submitted the following four memos:

City of Idaho Falls  
December 8, 1992

MEMORANDUM

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

Municipal Services respectfully requests authorization to advertise and receive bids for a small size, front wheel drive van for use by the Conservation Department.

s/ S. Craig Lords

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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 Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

City of Idaho Falls  
December 2, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-93-10, ONE REEL GRINDER

Attached is the tabulation for BID IF-93-10, One Reel Grinder for sharpening mower reels.

It is the recommendation of Municipal Services to accept the sole bid of Rocky Mountain Turf & Industrial Equipment to furnish a 1993 Ransom Supreme Leader for an amount of \$19,975.00

s/ S. Craig Lords

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

City of Idaho Falls  
December 18, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-12, THREE NEW 1993 CAB & CHASSIS

Attached is the tabulation for Bid IF-93-12, three new 1993 Cab & Chassis. It is the recommendation of Municipal Services to accept the low bid of Hirling Truck Center to furnish three GMC C7H042 "Top Kick" Cab and Chassis for the use with Sanitation Refuse Bodies. The amount for the Cab and Chassis to be mounted with the container refuse bodies \$27,003.00 with trade-in Unit #799 and \$26,533.00 with trade-in Unit #798. The amount for the Cab & Chassis to be mounted with the rear hand load refuse body is \$25,750.00 with trade-in Unit #794.

s/ S. Craig Lords

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

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City of Idaho Falls  
December 18, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-93-14, THREE NEW 1993, REFUSE BODIES

Attached is a tabulation for Bid IF-93-14, two new 1993 sideload refuse container bodies - 20 cubic yard. It is the recommendation of Municipal Services to accept the sole bid of H-K Truck Equipment to furnish two side load refuse containers bodies manufactured by Pak-Mor for an amount of \$33,883.00 each without trade-in. It is also recommended that we accept the low bid of H-K Truck Equipment to furnish one rear hand load refuse body manufactured by Pak-Mor for an amount of \$23,982.00 each without trade-in.

s/ S. Craig Lords

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

The Mayor appointed Bob Berlin and Ross Farmer to the Sandy Downs Advisory Board. It was moved by Councilmember Erickson, seconded by Wood, that these appointments be duly confirmed. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

There being no further business, it was moved by Councilmember Mills, seconded by Erickson, that the meeting adjourn at 8:00 P.M.; carried.

Velma Chandler  
CITY CLERK

Thomas Campbell  
MAYOR