

**SEPTEMBER 10, 1992**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 10, 1992, in the Council Chamber in Idaho Falls, Idaho. There were present: Mayor Tom Campbell; Councilmembers Melvin Erickson, Larry Carlson, Joe Groberg, Linda Milam, Gary Mills, and 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 August 20, 1992. The minutes were approved.

The Mayor introduced Police Officer Richard Anderson and Detective Patrol Dog K9-3, Robby.

The Mayor and Council honored Eagle Scouts Daniel Wells and Justin Mathewson for having earned the Eagle Scout Award.

The Mayor then declared open a public hearing to consider the extension of Conditional Use Permits permitting mobile classrooms at different school locations within the City. 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 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Director of Planning  
SUBJECT: ONE YEAR EXTENSION OF MOBILE CLASSROOMS AT VARIOUS LOCATIONS

Attached is a copy of requests for extension of Conditional Use Permits permitting mobile classrooms at 10 different locations within the City of Idaho Falls. This request is being submitted by School District No. 91 for extension for one calendar year. This Department recommends the approval of the requests as submitted.

s/ Rod Gilchrist

Superintendent Mattocks appeared to ask the Council for favorable consideration of these requests. It was moved by Councilmember Mills, seconded by Groberg, that these extensions be approved for one calendar year. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

The Mayor then declared open a public hearing to consider a request to vacate an easement in Lot 10, Block 16, Rose Nielsen Addition, Division No. 14. 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  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Director of Planning  
SUBJECT: VACATION OF EASEMENT - ROSE NIELSEN ADDITION

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This Department has received a request to vacate an easement through a residential lot (Lot 10, Block 16, Rose Nielsen Addition, Division No. 14). This easement was previously established at a public hearing considering the annexation of this property. The easement was established to provide pedestrian access from within the development to within Sunnyside Park. The current owner of Lot 10 is requesting vacation of the easement. The Council Committee requested a public hearing of this matter inasmuch as the easement was established at a public hearing. This matter is being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Councilmember Mills then invited Mrs. Jill Ferguson, the requester, to come forward and explain the request.

Mrs. Jo Ferguson, 2970 Balboa, appeared before the Mayor and Council. She distributed copies of her presentation to the Mayor and Councilmembers. Her proposal was that the five-foot easement on her property be either abandoned or vacated. She said that the present walkway is unsafe, not wide enough, an insurance risk, not lighted, and a haven for robbers or muggers. She said that a better alternative exists for a recreational path on the Eastern Idaho Regional Medical Center property. She reviewed items which she feels are advantages of the alternate path. She asked the Council to abandon the existing easement and work with the Hospital to develop a recreational path that will be a benefit to the entire community.

Mr. James Wolf, 1915 Coronado, appeared representing himself and his neighbors. He said that they are opposed to the vacation of this easement as it is the only neighborhood access to the park. He said that this matter was thoroughly covered during the annexation of this area. The area residents and developer approved this walkway at that time and it would be unfair to them to change it now. He urged the Council to leave the access as it is. The alternate route will be an unsafe route to take.

"Chip" Krantz, 2811 Brentwood, appeared to state that he plans to annex his property that is located in this area at a later date. His plans were predicated on the previous Agreement, and changes may adversely affect him. He has met with Hospital Officials and they have been working together on future plans for this area. He asked the Council to deny this request.

Mrs. Louise Krantz, appeared to express disappointment that Mrs. Ferguson had not approached the area residents to work things out before making this unfair request.

Ms. Sherry Hanks, 2633 Glenwood, appeared to state that she is opposed to the alternate route.

Ms. Virginia Krenshaw, 2931 Balboa Drive, also appeared in opposition to this request.

Mr. Jim Ferguson appeared to state that the motion made at the Annexation Meeting provided for, and encouraged, alternate routes. It was moved by Councilmember Mills, seconded by Groberg, that the Council deny this request. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, Groberg, and Milam; No, none; carried.

Annexation proceedings were then conducted for Lot 9, Block 6, Hodson Addition. The Mayor asked Councilmember Mills to conduct the proceedings. At the request of Councilmember Mills, the City Clerk read the following memo:

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City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Director of Planning  
SUBJECT: HODSON ADDITION, LOT 9, BLOCK 6

Attached is a copy of an Annexation Ordinance and Annexation Agreement of Hodson Addition, Lot 9, Block 6. This is a lot in a recorded County Subdivision. The owner wishes to annex the property to the City. It is currently zoned I & M-1 in the County, and the owner is requesting the same zoning within the City. This matter was recently considered by the Planning Commission and at that time they recommended annexation to the City and initial zoning of HC-1. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The Assistant Planning Director located the subject area on a map and further explained the request.

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

The City Attorney read the following ordinance title:

**ORDINANCE NO. 2077**

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. (HODSON ADDITION, LOT 9, BLOCK 6)

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.

The Mayor then declared open a public hearing to consider the initial zoning for the newly annexed area. No one appeared. It was moved by Councilmember Mills, seconded by Groberg, that the initial zoning of Lot 9, Block 6, Hodson Addition be established as HC-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

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comprehensive plan on the comprehensive plan and zoning maps located in his office. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, Milam, and Carlson; No, none; carried.

Annexation Proceedings were then conducted for Canterbury Park Addition, Division No. 2. The Mayor called upon Councilmember Mills to conduct the proceedings. At the request of Councilmember Mills, the City Clerk read the following memo:

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Director of Planning  
SUBJECT: CANTERBURY PARK ADDITION, DIVISION NO. 2

Attached is a copy of a Final Plat, Annexation Ordinance, and Annexation Agreement for the above-mentioned Plat. This is a 29-lot single-family subdivision located south of Sunnyside adjacent to and on the west side of Holmes Avenue. The lots average approximately .75 of an acre in size. The requested zoning is RP-A. The Planning Commission, earlier this year, considered this matter and at that time recommended annexation to the City, approval of the Final Plat, and initial zoning of RP-A. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Assistant Planning Director Renee Magee located the subject area on the map on the wall and further explained the request. Councilmembers Groberg and Mills both declared conflict of interest in this matter, therefore, they would be abstaining from action on these proceedings.

Mr. Kay Christensen, Co-Developer with Gilman Gardner, appeared to explain the request and ask for Council approval. No one appeared. It was moved by Councilmember Milam, seconded by Wood, that the Final Plat be accepted and the Mayor, City Clerk, and City Engineer authorized to sign the Plat. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, and Erickson; No, none; carried. Councilmembers Groberg and Mills abstaining.

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

The City Attorney read the following ordinance title:

**ORDINANCE NO. 2078**

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. (CANTERBURY PARK ADDITION, DIVISION NO. 2)

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

Monthly bills were presented after having been audited by the Fiscal Committee and paid by the City Controller:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>	<u>ELECTRIC</u>
SERV/MAT:	\$ 736,277.53	\$ 83,229.46	\$ 56,343.52	\$ 280,787.26	\$1,537,196.44
SALARY:	<u>814,498.95</u>	<u>44,403.52</u>	<u>23,236.27</u>	<u>93,766.73</u>	<u>172,394.53</u>
TOTAL:	\$1,550,776.48	\$127,632.98	\$ 79,579.79	\$ 374,553.99	\$1,709,590.97

	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMPR</u>	<u>LIBRARY</u>	<u>AMBULANCE</u>
SERV/MAT:	\$ 25,704.35	\$ 25,979.50	\$ 35,150.00	\$ 19,368.02	\$ 33,357.42
SALARY:	<u>47,599.20</u>	<u>33,992.54</u>	<u>.00</u>	<u>33,483.85</u>	<u>41,032.91</u>
TOTAL:	\$ 73,303.55	\$ 59,972.04	\$ 35,150.00	\$ 52,851.87	\$ 74,390.33

	<u>MUN EQUIP REPL</u>	<u>GENERAL</u>	<u>MCS</u>	<u>TOTAL</u>
SERV/MAT:	\$ 1,640.00	\$ 16,187.50	\$ 50,540.00	\$2,901,761.00
SALARY:	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>1,304,408.50</u>
TOTAL:	\$ 1,640.00	\$ 16,187.50	\$ 50,540.00	\$4,206,169.50

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

Monthly reports were presented and, there being no questions nor objections, were ordered placed on file in the Office of the City Clerk.

The following license applications were presented: BARTENDER, Betty Jo Bowe, Mary Ellen Johnson, and Diana Lynn McEnroe; COMMERCIAL KENNEL, Pretty Pets Grooming Salon, and TAXI OPERATOR, Robert R. Farris. It was noted that these applications carried all required approvals. It was moved by Councilmember Erickson, seconded by Mills, that these licenses be issued. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, Wood, and Groberg; No, none; carried.

The City Clerk asked for Council ratification of the issuance of a NTBCOP BEER LICENSE TRANSFER for Boozer Quick Stop; BARTENDER, Robert K. Clark, William H. Craig, Joanne C. Fredrickson, Karen Jean Howard, Jacqueline J. Kolbet, Brett Clifford Lewis, Dwayne Rod Lewis, Robert Allyn Riplinger, Joe Sterling, Kenneth Stockemer, Timothy S. Walsh, and Melissa Anne Warner; GROCERY STORE, Boozer's Quick Stop; ITINERANT MERCHANT, Allstate Enterprises; KENNEL, Jim and Jackie Bastar, and Martha Sarfaty; LIQUOR CATERING, Eagle's; PUBLIC RIGHTS OF WAY, CM of North Dakota; RESTAURANT, Cathay; SNACK BAR, Boozer's Quick Stop; WINE RETAIL, Boozer's Quick Stop; BUILDING CONTRACTOR, D. W. Remodel; ELECTRICAL CONTRACTOR, Warrior Electric; ELECTRICAL

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JOURNEYMAN, Thomas Comstock, David A. Paulk, ELECTRICAL JOURNEYMAN (TEMPORARY), John Zarada; ELECTRICAL APPRENTICE, Karl David Ehlert; SPRINKLING SYSTEM INSTALLER, Town and Country Gardens; and, SPRINKLING SYSTEM JOURNEYMAN, Brent A. Smith. It was moved by Councilmember Erickson, seconded by Mills, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried.

From the Chief of Police came this memo:

City of Idaho Falls  
September 1, 1992

MEMORANDUM

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

It is recommended that the request of Mr. Robert E. Ragan, 340 So. Fanning, for a non-commercial kennel license be denied.

The basis for recommending denial is that Mr., Ragan does not meet the requirement of seventy-five percent (75%) of those premises within one hundred feet (100') of his property approving of same, as required by City Ordinance.

s/ Monty G. Montague

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

The City Clerk asked for authorization to refund the application fees paid for the following licenses: Heating and Cooling Contractor, \$35.00; Heating and Cooling Journeyman, \$40.00, and Restaurant, \$20.00. It was moved by Councilmember Erickson, seconded by Mills, that these fees be refunded. 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 publishing of legal notices calling for public hearings on September 10 and 24, 1992. It was moved by Councilmember Groberg, seconded by Mills, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

From the Chief of Police came this memo:

City of Idaho Falls  
September 4, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Office of the Chief of Police  
SUBJECT: AGREEMENT BETWEEN THE CITY OF IDAHO FALLS AND THE WACKENHUT CORPORATION

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Attached is an agreement with the Wackenhut Corporation to furnish school crossing guards at different locations throughout the City of Idaho Falls to commence August 26, 1992.

It is requested the Council approve this agreement and authorize the Mayor to execute same.

s/ Monty G. Montague

Councilmember Erickson explained the minor changes in the lease from previous leases. It was moved by Councilmember Erickson, seconded by Mills, that this agreement be approved and the Mayor and City Clerk authorized to execute same. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, Milam, and Carlson; No, none; carried.

From the Director of Planning came this memo:

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Director of Planning  
SUBJECT: COUNTY PLAT

Attached is a copy of the county plat of the Carlyle-Erma Subdivision No. 1. This is a four-lot plat adjacent to and on the east side of Woodruff Avenue. It is currently zoned commercial in the county and has been platted in preparation for development. It is being submitted to the City Council inasmuch as it is within one mile of the City limits. The Planning Commission recently considered this matter and at that time recommended approval of the county 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 Assistant Director of Planning located the subject area on a map on the wall and further explained the request.

The City Attorney asked what the plat indicates for access to Woodruff Avenue and if Woodruff Avenue would be the controlled access? No one was able to answer these questions. Councilmember Mills expressed concerns for future planning of the area. Councilmember Groberg asked why the property owner did not request annexation? Marvin Olson, the property owner, said that the preferred to remain in the County.

Mr. Olson stated that the County has approved his proposal and that, in his opinion, he has met all City requirements. The City Attorney said that he felt it would be appropriate for City Officials to review the plat before the Council approves it. It was moved by Councilmember Mills, seconded by Groberg, that this matter be recessed until the next Regular Council Meeting on September 24, 1992. Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried.

The Airport Manager submitted the following three memos:

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City of Idaho Falls  
September 4, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: ACCEPTANCE OF GRANT

The Federal Aviation Administration has offered a grant in the amount of \$2,195,285.00 for Federal share of phase one of the Runway Safety Area Project.

This grant is anticipated in the budget.

The City Attorney has reviewed the Grant Offer.

The Airport Division respectfully requests authorization for the Mayor and Clerk to execute the Acceptance Grant Offer.

s/ James Thorsen

The Airport Manager explained that this project has been under way since the 1988 Airport Master Plan. This project will bring the Airport into total compliance with the very latest Airport Safety Standards. It was moved by Councilmember Wood, seconded by Groberg, that the Mayor and City Clerk be authorized to execute the Acceptance of Grant Offer. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, Groberg, and Milam; No, none; carried.

City of Idaho Falls  
September 4, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: TABULATION ON BIDS AND RECOMMENDATION OF AWARD

Bids were opened August 18, 1992, for the runway Safety Area Project. Three bids were received. The low bidder, Burggraf Construction, was determined to be responsive and the City's consulting engineers, Sverdrup Aviation, recommends award to Burggraf Construction.

The City Attorney has reviewed the contract documents.

The Airport Division respectfully requests authorization to award the bid to Burggraf Construction and authorize Burggraf to proceed with Phase I of the Project.

s/ James Thorsen

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It was moved by Councilmember Wood, seconded by Groberg, that the bid be awarded to Burggraf Construction and authorization given for Burggraf to proceed with Phase I of the project. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

City of Idaho Falls  
September 9, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: TABULATION OF BIDS AND RECOMMENDATION OF AWARD

Bids were opened on the Airport Security Upgrade Project August 18, 1992.

The apparent low bidder was Fox Construction of Salt Lake in the amount of \$652,721. The engineer's estimate was \$769,443. However, Fox failed to indicate both a commitment to and specific subcontractors as required in the bid specifications for disadvantaged business enterprises. Fox also failed to adequately document any good faith effort to secure D.B.E. participation. D.B.E. goals and procedures are required for all federally-aided projects.

The City's consulting engineer firm, Sverdrup Aviation recommends the bid of Fox Construction be rejected as non-responsive and the second low bid of Arco Electric in the amount of \$677,235 be accepted. The Federal Aviation Administration and the City Attorney concur in the recommendation.

The Airport Division respectfully recommends award of the Bid to Arco, and authorization for the Mayor and City Clerk to execute the agreement.

s/ James Thorsen

Attorney Curtis Feltman appeared representing Fox Construction. He said that Fox Construction has made a good faith effort to comply with bidding requirements for minority business enterprises, and they feel that the D.B.E. problems can be resolved post bid opening in order for Fox Construction to be awarded the bid.

Mr. Clark Richins, representative of Fox Construction, said that they had only four working days before bid opening date, after they learned of the D.B.E. requirements. They applied immediately and have now met D.B.E. certification.

Attorney Feltman re-appeared to state that, in his opinion, under Federal Regulations, Fox Construction should be awarded the Contract. He reviewed statutory requirements for bidding.

Mr. Flint Fox appeared to state that, in his opinion, Fox Construction has met all bidding requirements and should be awarded the contract. He said that the City Airport Manager had told him that the City did not have a list of D.B.E. qualified contractors. He said that they were instructed by the Airport Manager, at the time of the pre-bid conference, to document with their bid that they had made a good faith effort to contact D.B.E.'s in the area.

The Airport Manager stated that FAA has submitted an advisory statement that Fox Construction did not document that they had made a good faith effort.

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Councilmember Groberg stated that the entire funding for this project is tied into FAA criteria for the bid and that he felt Federal Regulations are too complex and often result in the rejection of otherwise good bids.

Councilmember Wood stated that the City Officials dislike having to award the bid to the second low bidder, but, Legal Counsel advises that the low bidder was not responsive. Although the second low bid was about \$25,000.00 higher than the low, the second low bidder did not complete the D.B.E. requirements as called for in the bid documents and, if the bid is awarded to the low bidder, then he would have a reason to complain. It was moved by Councilmember Wood, seconded by Groberg, that the bid be awarded to the second low bidder, Arco Electric, and authorization given for the Mayor and City Clerk to execute the Agreement. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

The Traffic Safety Committee submitted nine traffic recommendations. These were considered separately:

1. Recommend the request to reduce the speed limit on 9th Street, east of Holmes Avenue, from 35 MPH to 25 MPH be denied.

Councilmember Erickson reviewed the criteria used by the Traffic Safety Committee in making recommendations. He said that he, personally, feels that the density and unsafe situation on 9th Street warrants the lowering of the speed limit to 25 MPH. He asked that the City Clerk make a matter of record the names of those calling in a request to lower the speed limit on 9th Street.

Councilmember Wood said that he travels 9th Street daily and 35 MPH is too fast for that street, 25 MPH would be more reasonable.

Councilmember Groberg said that he feels that the Traffic Safety Committee recommendation is a valid decision. He said that the Council, only about a year ago, made the general decision to maintain some streets at 35 MPH. He feared a general unraveling of 35 MPH designated streets if the Council starts changing them.

Councilmember Carlson stated that the speed limit should be lowered due to the amount of children in the area. It was moved by Councilmember Erickson, seconded by Carlson, that the 35 MPH speed limit on 9th Street, East of Holmes Avenue, be reduced to 25 MPH. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, Councilmember Groberg; carried.

2. Recommend the request to make 14th Street one way westbound between Holmes Avenue and South Boulevard be approved.

Councilmember Erickson explained this request.

Ms. Stephanie Cox, 190 East 14th Street, appeared to state that 14th Street is too narrow, cars can't pass, and there is a dangerous situation on 14th Street. She supported the change of speed on 14th Street.

Mrs. Larry Dausin, 153 East 14th Street, appeared in support of one-way traffic for 14th Street.

Councilmember Mills expressed support of two-way streets.

There being no further comment, it was moved by Councilmember Erickson, seconded by Groberg, that 14th Street be designated as one-way west, between Holmes Avenue and South Boulevard. Roll call as follows: Ayes, Councilmembers Erickson, Wood, Groberg, Milam, and Carlson; No, Councilmember Mills; carried.

3. Recommend the request to lengthen the turn bay for southbound traffic on South Boulevard, north of 17th Street be approved.

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

4. Recommend the request for a handicapped parking space in the 500 block of 2<sup>nd</sup> Street in front of the Shiloh Christian Center be approved.

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

5. Recommend the request for a right-turn lane at 17th Street and Woodruff Avenue for westbound traffic be denied.

Councilmember Erickson explained the reason for this recommendation. It was moved by Councilmember Erickson, seconded by Mills, that this request be denied. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

6. Recommend the request for "No Parking" on the east side of Grizzly Avenue, north to Pancheri, and from Grizzly Avenue to the entry way to Blue Sky Drive on the south side of Pancheri be approved.

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

7. Recommend the request for a mid-block crossing on Energy Drive be denied.

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

8. Recommend the request for a 4-way stop at Bellin and Mill Roads be denied.

It was moved by Councilmember Erickson, seconded by Mills, that the request for a four-way stop at Bellin and Mill Roads be denied. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, Wood, and Groberg; No, none; carried.

9. Recommend the request to raise the speed limit on John Adams Parkway from 25 MPH to 35 MPH be denied.

It was moved by Councilmember Erickson, seconded by Mills, that the request to raise the speed limit on John Adams Parkway from 25 MPH to 35 MPH be denied. Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried.

The Public Works Director submitted the following memos:

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City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION - WOODRUFF AVENUE  
IMPROVEMENTS

Public Works requests authorization to advertise to receive bids to Woodruff Avenue Street Improvements, from 9th Street to John Adams Parkway.

s/ Chad Stanger

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

City of Idaho Falls  
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MEMORANDUM

TO: Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: ANDERSON/LEWISVILLE IMPROVEMENTS

Attached is a Resolution prepared by the Idaho Transportation Department approving a Cooperative Agreement between the City and the State for construction of improvements at the intersection of U. S. Highway 20 Business (Lewisville Highway) and Anderson Street.

The Idaho Transportation Department, concurrent with a pavement improvement project at this location, is constructing improvements which are the responsibility of the City of Idaho Falls amounting to \$60,100.00.

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

s/ Chad Stanger

**R E S O L U T I O N (Resolution No. 1992-06)**

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Agreement stating obligations of the STATE and the City of Idaho Falls, hereafter called the CITY, for the construction of improvements to Anderson Street concurrent with a pavement improvement project at the intersection of U. S. Highway 20 Business and Anderson Street; and

WHEREAS, the STATE can only pay for work associated with the State Highway System; and

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WHEREAS, certain functions to be performed by the STATE involve the expenditure of funds as set forth in the Agreement; and

WHEREAS, the CITY is fully responsible for its share of project costs: and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for State Highway {project ST-7316(600) is hereby approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.

3. That duly certified copies of the Resolution shall be furnished to the STATE.

s/ Velma Chandler  
CITY CLERK

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

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Chad Stanger, Public Works  
SUBJECT: CHANGE ORDER NO. 1 - SANITARY SEWER REPLACEMENT, 1992, PHASE I

Attached is proposed Change Order No. 1 to the Sanitary Sewer Replacement, 1992, Phase I, extending the contract time by fifteen (15) calendar days. This time extension request is the result of additional work which was not included in the plans.

Public Works recommends approval of this change order and authorization for the Mayor to sign the necessary documents.

s/ Chad Stanger

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

**SEPTEMBER 10, 1992**

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City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: Chad Stanger, Public Works  
SUBJECT: PANCHERI DRIVE PROJECT ENGINEERING SERVICES

Public Works has completed interviews in selecting an engineering firm for the purpose of providing design services for the Pancheri Drive Project. Evaluation forms and a recommendation were forwarded to the Idaho Department of Transportation for review and approval.

Idaho Department of Transportation concurs with Public Works' recommendation that the firm of Harper-Leavitt Engineering be selected to perform these services. Public Works requests City Council approval of this recommendation and authorization to proceed with negotiating an engineering services agreement between the City and Harper-Leavitt Engineering.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Milam, that authorization be given to proceed with negotiations between the City and Harper-Leavitt for engineering services for the Pancheri Drive Project. Roll call as follows: Ayes, Councilmembers Groberg, Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

The Municipal Services Director submitted the following eight memos:

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-92-43, FOR ONE (1) 1992 NEWER RECIRCULATING AIR SWEEPER

Attached is the tabulation for Bid IF-92-43, for one (1) 1992 newer Recirculating Air Sweeper.

It is the recommendation of Municipal Services to accept the low bid meeting specifications of Municipal Machinery, Inc. for an amount of \$95,948.00 without trade-in, to furnish a 1992 Schwarze Aaplex 7000T Sweeper, mounted on a 1993 Ford CF7000.

It is further recommended that we sell the trade-in Unit #32 outright to Bingham County, as is, for an amount of \$2,500.00.

s/ S. Craig Lords

**SEPTEMBER 10, 1992**

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It was moved by Councilmember Milam, seconded by Wood, that the bid be awarded as recommended and that the trade-in Unit #32 be sold to Bingham County for \$2,500.00. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, Milam, and Carlson; No, none; carried.

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Clerk  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PRIMATE DISCOVERY CENTER - PHASE I PROJECT

Shippen Brothers Construction, Inc. has returned the contract, for the above referenced project, unsigned. Therefore, it is respectfully requested by Municipal Services that authorization be given to rebid this project.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Erickson, that authorization be given to re-bid the Primate Discover-Center - Phase I Project. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, Wood, and Groberg; No, none; carried.

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ST. CLAIR & WOODRUFF DRAINAGE PARK  
DEVELOPMENT - RIVERSIDE LANDSCAPE, CHANGE  
ORDER NO. 1

Attached for your consideration is Change Order #1 in the amount of \$929.00 for twelve (12) additional sprinkler heads, additional topsoil for the retaining wall, a change in the gates and a fifteen (15) day time extension.

Municipal Services respectfully requests said change order be approved and that the Mayor be authorized to execute the document.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that this Change Order #1 be approved. Roll call as follows: Ayes, Councilmembers Wood, Groberg, Mills, Milam, Carlson, and Erickson; No, none; carried.

**SEPTEMBER 10, 1992**

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City of Idaho Falls  
August 24, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: RESOLUTION AND QUITCLAIM DEED FOR REAL  
PROPERTY DESCRIBED AS LOTS 23 & 24, HIGHLAND  
PARK ADDITION

The Municipal Services Division 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 Keith O. Waters for payment in full of a delinquent L.I.D.

s/ S. Craig Lords

**RESOLUTION (Resolution No. 1992-07)**

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 the 27th day of January, 1988, recorded as Instrument No. 805725, 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:

Lots 23 and 24, Block 10, Highland Park Addition to the City of Idaho Falls, Bonneville County, Idaho, per the recorded plat thereof.

WHEREAS, Keith O. Waters has offered to pay to 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;

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 Keith O. Waters a Quitclaim Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 10th day of September, 1992.

APPROVED BY THE Mayor this 11th day of September, 1992.

s/ Thomas Campbell  
Mayor

Attest:

s/ Velma Chandler  
City Clerk

**SEPTEMBER 10, 1992**

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

City of Idaho Falls  
September 8, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: DRUG FREE POLICY

Attached for your consideration is a drug-free policy which complies with the Federal Drug Free Workplace Act.

It is the recommendation of Municipal Services that the City adopt the attached policy as a supplement to the City's Personnel Policy.

s/ S. Craig Lords

Councilmember Milam explained the need for this Drug Free Policy. It was moved by Councilmember Milam, seconded by Wood, that the Council adopt the Drug Free Policy as a supplement to the City's Personnel Policy, subject to the review and approval of the City Attorney. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Groberg, Mills, and Wood; No, none; carried.

City of Idaho Falls  
September 10, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: RATIFICATION OF EMPLOYEE WAGE AND SALARY PACKAGE FOR THE 1992-1993 BUDGET YEAR

Attached are Wage and Salary Agreements with the International Association of Firefighters Local 1565, Idaho Falls Police Association, Municipal Employees Association, and all other non-covered employees.

It is respectfully requested that the Mayor and Council ratify the various Wage and Salary Agreements.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the Council ratify these various Wage and Salary Agreements. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Groberg, Milam, Mills, and Wood; No, none; carried.

**SEPTEMBER 10, 1992**

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City of Idaho Falls  
September 10, 1992

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: 1992-1993 LEGAL SERVICES RETAINER AGREEMENT

Attached for your consideration is a proposal from Anderson, Pike, and Bush, for Legal Services for a one-year period beginning October 1, 1992. It is the recommendation of Municipal Services that the Council approve the proposal and authorize the Mayor to sign said retainer.

s/ S. Craig Lords

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

City of Idaho Falls  
September 8, 1992

MEMORANDUM

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

It is respectfully requested that the Mayor and Council authorize a 4% increase for the City Physicians and the Employee Assistance Program.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that authorization be given to increase the City Physicians and the Employee Assistance Program by four percent. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Groberg, Milam, and Carlson; No, none; carried.

There being no further business, it was moved by Councilmember Erickson, seconded by Wood, that the meeting adjourn at 10:00 p.m.; carried.

s/ Velma Chandler  
City Clerk

s/ Thomas Campbell  
Mayor