

**DECEMBER 19, 1991**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 19, 1991, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Aaron Martin 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 Erickson; Councilmen Wood, Chandler, Deist, Groberg, and Sakaguchi; Absent: Mayor Tom Campbell. 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 5, 1991. The minutes were approved.

Years of Service pins were presented as follows: 40 Years Service, Jim Staggie and Grant Gallup; 30 Years Service, Monty Montague, and Wayne Lanier; 25 Years Service, Tom Hall, Rod Gilchrist, Byron Stommel, Bruce Jones, Harold Foster, Leonard Likes, and Roy Kay; 20 Years Service, James Coddling, Burniss Decker, Janelle Montague, Frank Hudson, Dick Hahn, Terry Edwards, Dennis Sievers, Don Gosswiller, Tommy Jorgensen, Jay Packer, Nyra Ferguson, and Dennis Johnson. City Employee Retirees Gene Packer, Roy Kay, Harold Foster, Leonard Likes, Sam Sakaguchi, Wes Deist, and Art Chandler were honored. A letter of recognition for Paramedic Roy Kay, from the Idaho Falls Fire Department was read and Mr. Alder presented a plaque and letter of response from Governor Andrus.

The Mayor declared open a public hearing, as legally advertised, to consider the rezoning and amendment to the Comprehensive Plan for Shopko Acres. He called upon Councilman Groberg to conduct the hearing. At the request of Councilman Groberg, the City Clerk read the following explanatory memo:

City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: REZONING PORTION OF SHOPKO ACRES

Attached is a copy of a request to rezone a parcel of property located adjacent to and on the west side of Jennie Lee Drive. The request is to rezone from R-3A to C-1. This property was recently considered by the Planning Commission and at that time the Planning Commission recommended denial of the request. Since the hearing held in front of the Planning Commission, some additional information has been brought to our attention. The westerly portion of this property is currently zoned C-1 and the developer has indicated there is enough commercial zoning to permit construction of the building and utilize the existing R-3A for parking. However, he is appealing the decision of the Planning Commission inasmuch as he feels if the building could be located in the center of the parcel it would be a much more pleasant development.

This matter is now being submitted to the Mayor and City Council for your consideration.

If this rezoning request is approved, the Comprehensive Plan needs to be amended from Multi-Family Residential to Commercial in this area.

s/ Rod Gilchrist

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At the request of Councilman Groberg, the Director of Planning located the subject area on a map on the wall and reviewed the plat plans as proposed by the developer on the new proposal.

The City Attorney asked if there has been any changes in the conditions of the area since the Comprehensive Plan was put in place. The Director of Planning explained the changes that have been made.

Councilman Groberg then opened the hearing and invited those in favor of this request to come forward and be heard at this time.

Mr. Gary Voigt, 1277 E. 17th Street, the developer, appeared to explain the proposal and the benefits of having the building in the center of the property, rather than on the end as previously proposed.

Mr. James Bauchman, appeared to state that, in his opinion, this proposal would be a more amiable situation and would provide better access.

There being no one further to speak in favor, Councilman Groberg invited those in opposition to this request to be heard at this time.

Mr. Don Alexander, 1802 Tiffany, appeared to express concern that this will down-grade the prime residential area. He feels threatened by this proposal.

Mr. Ralph Halsted, 2045 Tiffany, appeared to state that he represents others who oppose this proposal. He read a letter from Dr. Klinger. They do not want C-1 zoning near this residential property.

Mr. Burt Barnes appeared briefly to state that there is already a race track in this area and asked the Council to deny this request.

Mr. Doug Filmore appeared to oppose this proposal because of the increase of traffic.

Mr. James Bauchman re-appeared to state that he appreciates the adjoining landowners concerns. He said that they are trying to eliminate future problems in the area and he feels that this proposal is good for the area.

Councilmembers asked questions as to landscaping and curb cuts. Councilman Erickson asked the developer to review the traffic flow pattern and locate it on the map. Councilman Groberg then closed the hearing. Councilman Groberg asked the planner if the developer would be entitled to any different access if the property is re-zoned. Gilchrist answered that there would be no different requirement. Councilman Chandler asked if the Planning Commission was aware that the building could be constructed even without the re-zoning? Gilchrist answered that the Commission was not aware of this fact. This was discovered after the Planning Commission hearing.

Councilman Deist stated that he does not believe that the Planning Commission is being consistent in their rulings on this property. He made reference to the minutes of May 10, 1988, Planning Commission Meeting, where C-1 zoning was promised to be considered.

Councilman Groberg stated that he thinks it important that the neighbors understand that, with the existing R-3A zoning, parking is allowed adjacent to a commercial use. Also, he does not feel it relevant that the Planning Commission felt that no commercial building would be allowed in the area. Groberg said that he feels the Council is bound by the precedent that has been set in zoning issues. It was moved by Councilman Groberg that the decision of the Planning Commission be upheld and the request denied. This motion died for lack of a second.

Councilman Chandler stated that he has reviewed the area and he feels that, if the building is going to be built, it would be better as now proposed. He agreed that a zone change would open up the opportunity for further requests and, if there are speeding problems, these need to be addressed. It was moved by Councilman Chandler, seconded by Deist, that the comprehensive plan be amended, that the re-zoning be granted, and that the City Planner be instructed to reflect said amendment and zoning change on the

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comprehensive plan and official zoning map located in his office. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Sakaguchi, and Wood; No, Councilman Groberg; carried.

Annexation proceedings were then conducted for Burlwood Subdivision #3. At the request of Councilman Groberg, the City Clerk read the following memo:

City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Division of Planning & Zoning  
SUBJECT: FINAL PLAT, ANNEXATION AND INITIAL ZONING OF  
BURLWOOD NO. 3

Attached is a copy of the Final Plat and Annexation Ordinance of Burlwood Division No. 3. This is a single-family subdivision located adjacent to and on the easterly side of Bellin Road. The Planning Commission, earlier, had a public hearing on this matter and at that time, recommended approval of the plat, annexation to the City, and initial zoning of R-1. This department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

At the request of Councilman Groberg, the Director of Planning located the subject area on a map on the wall and further explained the request.

Councilman Groberg then invited comments from the floor.

Mrs. DeAnn Chick, 2032 South Bellin Road, appeared representing Mr. Radcliff whose property joins this area. She addressed concerns to buffer zones, and traffic and roads not being adequate. She suggested an alternative design for the traffic flow for Genevieve Way. It was noted that this alternative design had been considered by the Planning Commission.

Mr. Darrell Kofoed, Mountain River Engineering, appeared representing Rosewood Development, the developer. He said that this road plan as proposed has been well thought out and considered and he feels very comfortable with the road layout.

Mr. Lee Gagner appeared to endorse the proposal and asked for favorable consideration by the Council.

There being no further comment, it was moved by Councilman Groberg, seconded by Chandler, that the annexation agreement of Burlwood Subdivision, No. 3 be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Deist, Groberg, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The City Attorney read the following ordinance title:

**ORDINANCE NO. 2043**

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. (BURLWOOD ADDITION, DIVISION NO. 3)

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The foregoing ordinance was presented in title. It was moved by Councilman Groberg, seconded by Chandler, that the provisions of Section 50-902 of the Idaho Code requiring all ordinance to be fully read on three several says be dispensed with. The question being "SHALL THE PROVISIONS OR 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, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist and Groberg, 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, Councilmen Groberg, Deist, Erickson, Chandler, Wood and Sakaguchi; No, none; carried.

The Mayor then declared open a public hearing to consider the initial zoning of the newly annexed area. No one appeared either for or against this re-zoning. It was moved by Councilman Groberg, seconded by Chandler, that the initial zoning of Burlwood Subdivision, No. 3 be established as R-1, and that the City Planner be instructed to reflect said zoning change on the official zoning map located in his office. Roll call as follows: Ayes, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; no, none; carried.

The Mayor then declared open a public hearing to consider the initial zoning of the newly annexed area. No one appeared either for or against this re-zoning. It was moved by Councilman Groberg, seconded by Chandler, that the initial zoning of Burlwood Subdivision, No. 3, be established as R-1, and that the City Planner be instructed to reflect said zoning change on the official zoning map located in his office. Roll call as follows: Ayes, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; no, none; carried.

Annexation proceedings were then conducted for Fairway Estates, Division No. 1: Sage Lakes Golf Course and unplatted property. At the request of Councilman Groberg, the City Clerk read the following explanatory memo from the Director of Planning:

City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist. Division of Building & Zoning  
SUBJECT: ANNEXATION, FINAL PLAT - FAIRWAY ESTATES,  
DIVISION NO. 1; SAGE LAKES GOLF COURSE

Attached is a copy of the Final Plat of Division No. 1 of Fairway Estates, the Golf Course, and the legal description for the property to be annexed in order to make this property contiguous to the City. The Planning Commission has considered this matter at a public hearing and at that time recommended annexation of Fairway Estates, Division No. 1, with the initial zoning of R-PA; annexation of the Golf Course, approval of the final plat, and initial zoning of R-1; and annexation of the unplatted property and initial zoning of I & M-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 Director of Planning located the areas and further explained the requests.

Councilman Groberg then invited those in favor of this proposal to come forward and be heard at this time.

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Mr. Dale Mickelson appeared to explain the agreement and plans for residential housing for this area.

Mr. Gary Wight appeared to compliment the Council for their choice of this area. He asked for Council approval.

Mr. Lee Gagner appeared to state that he is excited to see this fine proposal.

Mr. Linden Butikofer appeared briefly to ask if all the area from Tower Road to East River road is being annexed. He was told that this area is not being annexed at this time.

Mr. Jack Hamilton appeared to state that he much prefers houses to the landfill.

Councilman Groberg stated that he has been concerned about a policy that the City has had about annexing unplatted property, therefore, he would prefer to not make a motion on this matter.

Councilman Chandler stated that, at the time the Council determined that the Golf Course would be built, it was also determined that it should be included in the City. Therefore, it was moved by Councilman Chandler, seconded by Wood, that the annexation agreement of the unplatted properties be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Erickson, Deist, Sakaguchi, Wood, and Chandler; No, Councilman Groberg; carried.

The City Attorney read the following ordinance title:

**ORDINANCE NO. 2044**

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. (SECTION 6,  
SECTION 7, SECTION 31)

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, 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, Councilmen Wood, Chandler, Erickson, Deist, and Sakaguchi; No, Councilman Groberg; 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, Councilmen Sakaguchi, Deist, Erickson, Chandler, and Wood; No, Councilman Groberg; carried.

The Mayor declared open a public hearing to consider the initial zoning for the unplatted property just annexed. No one appeared either for or against this zoning. It was moved by Councilman Groberg, seconded by Chandler, that the initial zoning be established as I & M-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, Councilmen Erickson, Deist, Groberg, Sakaguchi, Wood, and Chandler; No, none; carried.

Annexation proceedings were then conducted for Fairway Estates Subdivision, Division No. 1. Councilman Chandler conducted the meeting. The Director of Planning located this area. No one appeared. It was moved by Councilman Chandler, seconded by Wood, that the Final Plat of Fairway Estates Subdivision, Division No. 1 be accepted and the Mayor, City Clerk, and City Engineer be authorized to sign the Plat. Roll call as follows:

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Ayes, Councilmen Deist, Groberg, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

It was then moved by Councilman Chandler, seconded by Wood, that the Council accept the Annexation Agreement and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried.

The City Attorney read the following ordinance title:

**ORDINANCE NO. 2045**

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. (FAIRWAY ESTATES SUBDIVISION, DIVISION NO. 1)

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, 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, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; 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, Councilmen Deist, Erickson, Chandler, Wood, Sakaguchi, and Groberg; No, none; carried.

The Mayor then opened a public hearing to consider the initial zoning of Fairway Estates Subdivision, Division No. 1. No one appeared. It was moved by Councilmen Chandler, seconded by Wood, that the initial zoning of Fairway Estates Subdivision, Division No. 1 be established as RP-A 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, Councilmen Chandler, Erickson, Deist, Groberg, Sakaguchi, and Wood; No, none; carried.

The Final Plat for Sage Lakes Golf Course was presented. No one appeared. It was moved by Councilman Chandler, seconded by Wood, that the Final Plat be accepted and the Mayor, City Clerk, and City Engineer be authorized to sign the plat. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Groberg, and Sakaguchi; No, none; carried.

The City Attorney then read the following ordinance title:

**ORDINANCE NO. 2046**

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. (SAGE LAKES GOLF COURSE)

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, seconded by Wood, that the provisions of Section 50-902 of the Idaho Code requiring all

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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, Councilmen Erickson, Deist, Groberg, Sakaguchi, Wood, and Chandler; 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, Councilmen Deist, Groberg, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The City Clerk read the following letter:

December 17, 1991  
656 11th Street  
Idaho Falls, Idaho

The Mayor and City Council:

May I take this opportunity to congratulate the Mayor and City Council for their untiring, dedicated effort to make this City the outstanding successful city that is second to none in the entire State.

To those retiring Councilmen, I commend you for a job "well done." You exemplify the spirit of America, and I join many other citizens in a personal "thank you."

Best wishes in your future endeavors.

I would like to have told you this in a public council meeting, but am unable to attend.

s/ Alex D. Creek

License applications were presented as follows: BEER NOT TO BE CONSUMED ON PREMISES, Buckies and Circle K Convenience Stores; CONCESSION, Rio Theatre and Yellowstone Triplex Theatre; GROCERY STORE, Yuko's Gift Shop, Buckies, Circle K Convenience Stores, Quality Produce and Giving Basket, Inc.; MOTEL, Motel 6; MOVIE THEATRE, Yellowstone Triplex Theatre, and Rio Theatre; PAWN BROKER, Ski's House of Guns; PUBLIC RIGHTS OF WAY, H K Contractors, Ferguson 4T Construction, Bateman-Hall Inc., Hunziker Construction Co., R.W. Utterbeck Construction, Asphalt Maintenance, Inc. and Ormond Builders, Inc.; RESTAURANT, Hong Kong Restaurant, Taco John's, Burger King, Yellowstone Burger King, 17th, Little Caesar's Pizza, Broadway, and Andy's Cafe; RETAIL WINE, Circle K Convenience Stores; SNACK BAR, Circle K Convenience Stores and Giving Basket; BUILDING CONTRACTOR, Hancock Construction, John Long, Merritt Construction and Merritt Construction (1991); ELECTRICAL JOURNEYMAN, Boyd J. Emery, David P. Mitani, and Ray Mortenson (1991); HEATING AND COOLING JOURNEYMAN, John F. Cutler, and Mike Bushong. It as noted that these applications carried all required approvals. It was moved by Councilman Chandler, seconded by Wood, that these licenses be issued. Roll call as follows: Ayes, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

The City Clerk asked for Council ratification of the issuance of the following licenses: BEER NOT TO BE CONSUMED ON PREMISES, Albertson's (17th Street), Albertson's (Broadway), Common Cents Food Store (Boulevard), Common Cents Food Store

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(Broadway), Common Cents Food Stores, (17th Street), Flying J, Fred Meyers, Holiday Market, Kwik Shops, Inc., Midget Market, Nave's Sinclair, Payless Drug Store (Broadway), Payless Drug Store (Northgate Mile), Save Fast Gas (Broadway), Save Fast Gas (First Street), Smith's Food and Drug, and Elm Street Jiffy Market; BEER TO BE CONSUMED ON PREMISES, Samoa Club, The Ritz, Pocket's, Kingston's Restaurant, Golden Crown Lounge, Bonneville Lounge, Doc's Broadway Lounge, Elk's Lodge, Sizzler Family Steak House, Skyline Lanes, R & R Bar, Plaza Lanes and Melina's Fine Mexican Food; BARTENDER PERMITS, Kathryn Anderson, Chris Berg, Kerry Davies, Shere Hill, Mary Jenkins, Donald Miley, Ercel Monsen, James Morrow, Janet Rock, Linda Sanda, and Sharon Oldrich; BAKERY, Smith's Food and Drug, Albertson's (Broadway), and Albertson's (17th Street); BOWLING ALLEY, Plaza Lanes, Skyline Lanes, and Elk's Lodge; CAFETERIA, Rosie's Grapevine; COFFEE SHOP, Espresso Bar; CONCESSION, Health and Racquet Club, and United Artists Cinema 1 & 2; DAIRY, Cream o' Weber and Cream o' Weber (1991); DANCE HALL, Elk's Lodge, and The Ritz; DELICATESSEN, Albertson's (17th Street), Albertson's (Broadway), and Smith's Food and Drug; GROCERY STORE, Albertson's (Broadway), Albertson's (17th Street), Common Cents Food Stores (17th Street), Common Cents Food Stores (Boulevard), Common Cents Food Stores (Broadway), Elm Street Jiffy Market, Flying J, Fred Meyers, Holiday Market, King B. Cold Storage, Kwik Shops, Inc., Land and Sea Food Company, Inc., Midget Market, Ole's Sea Food, Payless Drug Store (Broadway), Payless Drug Store (Northgate Mile), Save Gas and Grocery (First Street), Save Fast Gas (Broadway), Smith's Food and Drug, and Tramp's Car Wash; KENNEL, NON-COMMERCIAL, Kyle Jensen, and Bill and Beppy Motes; LIQUOR, Bonneville Lounge, Doc's Broadway Lounge, Elk's Lodge, Golden Crown Lounge, Kingston's Restaurant, Pocket's, The Ritz, and Samoa Club; MEAT MARKET, King B Cold Storage, Albertson's (Broadway), and Albertson's (17th Street); MOBILE RESTAURANT, LaAguilila, and Smith's Food and Drug; MOTEL, Motel West, and Super 8; MOVIE THEATRE, United Artists Cinema 1 and 2; PHOTOGRAPHER, Bell Photographers, Fine Line Photographies, and Photo One Studios; POOL HALL, Doc's Broadway Lounge, Elk's Lodge, Golden Crown Lounge, Pockets, R & R Bar, The Ritz, and Samoa Club; RESTAURANT, A & W Family Restaurant, All American Frozen Yogurt, Arctic Circle (Anne's), Bonneville Restaurant, Domino's Pizza (17th Street), Domino's Pizza (Elm Street), Elk's Lodge, Hogi Yogi, Home Town Kitchen, Kingston's Restaurant, Little Deli, Melina's Fine Mexican Food, Mr. Deli, Mrs. Powell's, Papa Kelsey's Pizza and Subs, Plaza Lanes, Picket's, R & R Bar, The Ritz, Sizzler Family Steak House, Skyline Lanes, Steak 'N Stuff, Wrangler Roast Beef, and Mr. Deli (1991); SECONDHAND STORE, Musical Instrument Service Center, and Owen's; SNACK BAR, Kwik Shops, Inc., Common Cents Food Store (Broadway), Common Cents Food Store (Boulevard), Common Cents Food Store (17th Street), Flying J, Save Fast Gas and Grocery (First Street), and Save Fast Gas and Grocery (Broadway); WINE BY THE DRINK, Melina's Fine Mexican Food, and R & R Bar; WINE RETAIL, Albertson's (Broadway), Albertson's (17th Street), Common Cents Food Store (Boulevard), Common Cents Food Store (Broadway), Common Cents Food Store (17th Street), Elm Street Jiffy Market, Fred Meyers, Kwik Shops, Inc., Midget Market, Payless Drug Store (Broadway), Payless Drug Stores (Northgate Mile), Sizzler Family Steak House, and Smith's Food and Drug; BUILDING CONTRACTOR, R. Hill Construction, G.H.G. Investment, Homestead Construction, Merrill Construction, Keller Construction, Jay D. Thornley Construction, Shook Construction, Millar Construction, Pur-Con Builders, Lynn T. Reiman Construction, Hughes Roofing Company, Zimmerman Construction, Kelley Construction (Richard), Ran D. Olsen Construction, Wallcraft Construction Company, Skidmore, Inc., B & W Construction, Jolley Building and Supply, Murri Construction, Hanson Building and Remodeling, Palmer Construction, Ugaki and Associates, Custom Construction, Inc., Hanks Construction (Richard), Olsen/Sayer Construction, Bill's Carpentry, Max Ker and Son Lumber, Murdock Construction, Cherry Glass and Aluminum, Inc., Eagle Construction, Reed's Cabinet Shop, Mitchell and Associates (Duane), Clark Construction (Larry), Hobbs

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Construction, Hanson Construction, Gillespie Construction, Arave Construction Company, Inc., Mason's Home Improvement, Krah Cabinets (Robert), Wright Roofing Company, Batton Construction (Roy), American Heritage Builders, Inc., Pacific West Construction, Voigt Construction (G. L.), Building Concepts West, Inc., Duncan Roofing, Ormond Builders, Inc., Pro-Tech Roofing, Q-Span Builders, Inc., and Pro-Tech Roofing (1991); ELECTRICAL APPRENTICE, Joseph D. Cox, Jerry Weverka, Ray Murdock, Daniel R. Cox, Jr., Tony Gardner, Bret Daw Sommer, Clair D. Munns, Corey J. Hall, and Dale S. Johnson; ELECTRICAL CONTRACTOR, Twins Electric, Lewis Contractors, Field Electric, Superior Electric, Morgan Electric, Mountain West Electric, Inc., Curtis Electric, Davis Electric, Inc., C & C Electric, Packer Electric, Leonard Petroleum Equipment, Jolley Electric, G & R Electric, Inc., Smith Electric, Inc., Purser Electric and J & R Electric; ELECTRIC JOURNEYMAN, Rodney K. Saunderson, Jim Schriener, Richard Judy, John D. Katri, Rex Rolfe, D. Kim Lewis, Rodney Tirrell, Phil Coleman, Arden Ricks, Ivan Jolley, Paul H. Field, Curt Stephens, John C. Morgan, Monte Packer, Kim Grover, Ramon Curtis, Scott J. Davis, Jay S. Waters, Allen G. Landon, Delbert Gene Parry, Todd Campbell, Clair Packer, Joseph A. Browning, G. C. Bird, Max J. Storer, David G. Martin, Steve Bailey, Stacey K. Smith, Steven Purser and Dale E. Woolery; HEATING & COOLING APPRENTICE, Travis Hall; HEATING & COOLING CONTRACTOR, Conan Heating, Luxaire Heating & Air Conditioning, J & R Plumbing & Heating Co., Inc., Modern Plumbing & Heating, Natural Energy Systems, Atlas Mechanical, Inc., TML, Inc. And First Street Plumbing; HEATING & COOLING JOURNEYMAN, Horman Conan, David G. Wright, Don R. Cammack, Michael V. Jackson, B. W. Siqueiros, Rex Rolfe, Randy Madsen, Larall D. Kent, Gary Park, James N. Conan, Brent Hall, Vern C. Hutchens, Allen H. Barlow, Howard G. Hill, and Ron D. Summers; PLUMBING APPRENTICE, Rodney Harris, Joseph McMurtrey, and Dale S. Johnson (1991); PLUMBING CONTRACTOR, J & R Plumbing and Heating, Modern Plumbing and Heating, Atlas Mechanical, C & S Plumbing and First Street Plumbing; PLUMBING JOURNEYMAN, B. W. Siqueiros, Randy Rolfe, Kent Rolfe, Gary Park, Earl C. Stewart, Vern C. Hutchens, Allen H. Barlow, Howard G. Hill, and Ron D. Summers; SIGN COMPANY, Fred's Sign and Arts; SPECIALTY INSTALLER SPRINKLING SYSTEMS CONTRACTOR, Superior Landscape; SPECIALTY INSTALLER SPRINKLING SYSTEMS JOURNEYMAN, Wayne Wells, and Travis Wells; SPECIALTY INSTALLER WATER CONDITIONER CONTRACTOR, Hyde Water Conditioning, and Culligan Water Conditioning, Inc.; SPECIALTY INSTALLER WATER CONDITIONER JOURNEYMAN, LaMoyné Hyde, and SPECIALTY INSTALLER WATER SOFTENER JOURNEYMAN, Brent Hall. It was moved by Councilman Chandler, seconded by Wood, that the Council ratify this action. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Groberg, Sakaguchi, and Wood; No, none; carried.

At the request of Councilman Chandler, the City Attorney read the following ordinance title:

**ORDINANCE NO. 2047**

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 5-6-1 THROUGH 5-6-9 AND ENACTING SECTIONS 5-24-1 THROUGH 5-24-13, CITY CODE OF IDAHO FALLS, IDAHO; DEFINING TERMS USED IN THE ORDINANCE: REQUIRING LICENSES FOR PAWNBROKERS, SECONDHAND PRECIOUS METALS DEALERS AND SECONDHAND STORES; ESTABLISHING LICENSE FEES; REGULATING PAWNBROKERS, SECONDHAND PRECIOUS METALS DEALERS AND SECONDHAND STORES; REQUIRING LICENSES FOR SCRAP DEALERS;

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ESTABLISHING A LICENSE FEE; REGULATING SCRAP DEALERS; REGULATING THE STORAGE OF SCRAP BY SCRAP DEALERS; PRESERVING PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THIS ORDINANCE; AND SETTING FORTH THE EFFECTIVE DATE OF THIS ORDINANCE. (PAWNBROKERS, SECONDHAND PRECIOUS METALS DEALERS, SECONDHAND STORES & SCRAP DEALERS)

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, 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, Councilmen Erickson, Deist, Groberg, Sakaguchi, Wood, and Chandler; No, none; carried. The majority of 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 THIRD AND FINAL READING?" Roll call as follows: Ayes, Councilmen Chandler, Wood, Sakaguchi, Groberg, Deist, and Erickson; No, none; carried.

**ORDINANCE NO. 2048**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, RELATING TO THE OPENING AND CLOSING OF ELECTION POLLS; PROVIDING THAT POLLS SHALL BE OPENED AT 8:00 A.M. AND SHALL CLOSE AT 8:00 P.M. FOR ANY GENERAL ELECTION; PROVIDING THAT THE OPENING AND CLOSING OF POLLS FOR SPECIAL ELECTIONS SHALL BE DETERMINED BY ORDINANCE; ESTABLISHING EFFECTIVE DATE OF ORDINANCE.

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, 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, Councilmen Deist, Sakaguchi, Wood, Chandler, and Erickson; No, Councilman Groberg; carried. The majority of 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 THIRD AND FINAL READING?" Roll call as follows: Ayes, Councilmen Erickson, Chandler, Wood, Sakaguchi, Deist, and Erickson; No, Councilman Groberg; carried.

The Director of Planning submitted the following three memos:

**DECEMBER 19, 1991**

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City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Division of Building and Zoning  
SUBJECT: CORRECTED LEGAL DESCRIPTION - SPRING CREEK  
ADDITION, DIVISION NO. 3

Attached is a copy of an Annexation Ordinance for Spring Creek Addition, Division No. 3. This corrected legal description is necessary inasmuch as the original description on the Ordinance includes a portion of St. Clair Road. The State Law requires that you cannot annex a portion of a street. The corrected legal description deletes that portion of the street.

We respectfully request you approve this Ordinance on all three (3) readings.

s/ Rod Gilchrist

The City Attorney read the following ordinance title:

**ORDINANCE NO. 2049**

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. (SPRING CREEK  
ADDITION, DIVISION NO. 3)

The foregoing ordinance was presented in title. It was moved by Councilman Groberg, seconded by Chandler, 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, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried. The majority of 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, Councilmen Groberg, Deist, Erickson, Chandler, Wood, and Sakaguchi; No, none; carried.

Mayor ProTem Erickson announced that the Mayor has re-appointed John Beins, Dick Wiemer, Darwin Mathews, Mark Goyen, Craig Jenkins, and Jim Alldridge, to the Plumbing & Heating Board. It was moved by Councilman Groberg, seconded by Chandler, that these re-appointments be duly confirmed. Roll call as follows: Ayes, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist, Division of Building & Zoning  
SUBJECT: THREE-PARTY AGREEMENT REGARDING STORM WATER

**DECEMBER 19, 1991**

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Attached is an agreement between JM&S Farms, the City of Idaho Falls and the Progressive Irrigation District. This Agreement provides for conveyance of storm water from the Sage Lakes Golf Course and Fairway Estates Subdivision into the canal system. The City Attorney reviewed and approved the Agreement.

We respectfully request the Mayor and City Council's approval.

s/ Rod Gilchrist

Councilman Groberg asked the City Attorney to explain the purpose of this agreement. It was moved by Councilman Groberg, seconded by Chandler, that this three-party agreement be approved and the Mayor and City Clerk authorized to sign. Roll call as follows: Ayes: Councilmen Chandler, Erickson, Deist, Groberg, Sakaguchi, and Wood; No, none; carried.

The Electric Department Manager submitted the following three memos:

City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Steve Harrison, Electric Department Manager  
SUBJECT: PROPOSED AMENDMENT TO KAISER AGREEMENT

Attached is a proposed amendment to our consulting agreement with Kaiser Engineers for work on the Shelley Project License. The current budget contains funding for this project and the Electric Division recommends that the Mayor be authorized to execute this \$90,000 amendment.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Groberg, that this amendment to the Kaiser Agreement be approved and the Mayor authorized to execute the amendment. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Groberg, and Sakaguchi; No, none; carried.

City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Steve Harrison, Electric Department Manager  
SUBJECT: IBEW AMENDMENT TO AGREEMENT

Attached is a proposed amendment to the City/IBEW Agreement regarding the Electrical bargaining unit's health and accident insurance and dental plan. This amendment allows the City to make payments to the Eighth District Electrical Benefit Fund for distribution to the insurance carrier.

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The City has agreed by contract to provide funding for this benefit as noted on the attached addendum. The City Attorney has reviewed this arrangement and the Electric Division recommends approval of this document.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Groberg, that the Council approve this document. Roll call as follows: Ayes, Councilmen Erickson, Deist, Groberg, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls  
December 16, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Steve Harrison, Electric Department Manager  
SUBJECT: BPA'S RESIDENTIAL CONSERVATION AGREEMENT

Attached is the Bonneville Power Administration's new Residential Conservation Agreement. This umbrella agreement will extend through June 30, 2001, and will allow utilities to select conservation programs offered now, or in the future.

Implementation of any of these programs will exempt the City from any MCS surcharge for the Residential sector. The Electric Division recommends the City implement the Long-term Super Good Cents Program (which is essentially a continuation of the current Super Good Cents Program), the Appliance Efficiency Program, and the Manufactured Homes Program.

The City Attorney has reviewed this Agreement and the Electric Department recommends Council approval and authorization for the Mayor to sign this document.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Groberg, that the Council approve this BPA Residential Conservation Agreement and authorize the Mayor to sign the document. Roll call as follows: Ayes, Councilmen Deist, Groberg, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The Public Works Director submitted the following three memos:

City of Idaho Falls  
December 17, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: SANITATION DEPARTMENT, PAINT & WELD FACILITY -  
ARCHITECT & ENGINEERING SERVICES

**DECEMBER 19, 1991**

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The current Sanitation Department budget includes funding for a building needed by the Sanitation Department to repair and refurbish the refuse containers.

Public Works requests authorization to engage Alderson and Karst to provide architectural and engineering services related to the construction of this facility.

s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that authorization be given to engage Alderson & Karst to provide the services as requested. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried.

City of Idaho Falls  
December 16, 1991

MEMORANDUM

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

Attached is a resolution and cooperative agreement between the City of Idaho Falls and the State of Idaho, setting forth concessions for construction of the Ash and Elm Street Railroad Crossings under a Federal Aid Highway Project.

Public Works requests approval of both the resolution and the cooperative 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. 1991-12)**

WHEREAS, the Idaho Transportation Department, Division of Highways, hereafter called the State, has submitted an Agreement stating obligations of the State and the City of Idaho Falls, Idaho, for the construction of Ash Street Railroad Crossing; and

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and

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

WHEREAS, it is intended that the project shall be developed and constructed so as to receive federal participation;

**DECEMBER 19, 1991**

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NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal-Aid Highway Project RRP-7326(100) 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 the Idaho Transportation Department, Division of Highways.

s/ Velma Chandler, City Clerk

It was moved by Councilman Sakaguchi, seconded by Deist, that the Council approve the resolution and cooperative agreement and authorize the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

City of Idaho Falls  
December 16, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: WELL #16, WELL & BOOSTER PUMP STATION – CHANGE ORDER #2

Attached is a proposed Change Order #2 to Well #16, Booster Pump Station Contract. This change order, in the amount of \$9,210.00, provides for some modification to controls, additional instrumentation and programming services to interface with the City's telemetry system.

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

s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that this change order be approved and the Mayor authorized to sign the necessary documents. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Groberg, Sakaguchi, and Wood; No, none; carried.

The Municipal Services Director submitted the following nine memos:

City of Idaho Falls  
December 19, 1991

MEMORANDUM

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

**DECEMBER 19, 1991**

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The Municipal Services Division respectfully requests authorization to advertise and receive bids for four (4) each, thirty (30) cubic yard roll-off refuse containers and twenty (20) each, three (3) yard refuse containers.

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Groberg, and Sakaguchi; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION OF BIDS FOR BID NO. IF-92-7, THREE (3)  
NEW 1992 REFUSE CONTAINER BODIES

Attached is the Tabulation of Bids for Bid No. IF-92-7, One (1) New 1992 Side Load Refuse Container Body (29 Cubic Yard) and Two (2) New 1992 Rear Hand Load Refuse Bodies (20 Cubic Yard). It is the recommendation of the Municipal Services Division to accept the sole bid of H & K Truck Equipment to furnish One (1) Side Load Refuse Container Body manufactured by Pak-Mor for an amount of \$32,736.00 without trade-in. It is also recommended that we accept the low bid meeting specifications of Metroquip, Inc., to furnish two (2) Rear Hand Load Refuse Bodies manufactured by Leach for an amount of \$25,620.00 each with trade-in.

The last recommendation is that we accept McCafferty's Refuse proposal for trade-ins at the following amounts: Unit No. 795 for \$8,500.00 and Unit No. 786 for \$8,000.00.

s/ S. Craig Lords

There being no question nor comment, it was moved by Councilman Chandler, seconded by Wood, that these bids be awarded. Roll call as follows: Ayes, Councilmen Erickson, Deist, Groberg, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION OF BIDS FOR BID NO. IF-92-6, THREE (3)  
NEW 1992 CAB AND CHASSIS

Attached is the Tabulation of Bids for Bid No. IF-92-6 for three (3) New 1992 Cab and Chassis. It is the recommendation of the Municipal Services Division to accept the low bid of Hirning Truck Center to furnish one (1) new 1992 Cab

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and Chassis, to be mounted with a refuse container body, at a unit price of \$34,847.00 each without trade-in and two (2) new 1992 Cab and Chassis, to be mounted with rear hand load refuse bodies, at a unit price of \$34,779.00 each without trade-ins.

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that these bids be awarded as recommended. Roll call as follows: Ayes, Councilmen Deist, Groberg, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION OF BIDS FOR BID NO. IF-92-8, MOTOR FUEL AND LUBRICANTS

Attached is the Tabulation of Bids for Bid No. IF-92-8, Motor Fuels and Lubricants, and the Service and Fuels obtained through a computerized fuel dispensing system. It is the recommendation of the Municipal Services Division that all low bids be accepted and awarded as follows:

SECTION I:

Group A - Fuel Picked up by City Truck Wright Oil and Tire  
Less Than Tanker Truck Lots  
Unleaded Gas, Diesel No. 1 and No. 2

Group B - Less Than Tanker Truck Lots Delivered Bowen-Hall Petroleum  
Unleaded and Regular Gas  
Diesel No. 1 and No. 2

Group C - Motor Oil Wright Oil and Tire

SECTION II:

Service and Fuel Obtained Through  
Computerized Fuel Dispensing System Wright Oil and Tire  
Unleaded and Regular Gas  
Diesel No. 1 and No. 2

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that these bids be awarded. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried.

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City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION OF BIDS FOR BID NO. IF-92-4,  
DISTRIBUTION TRANSFORMERS

Attached is the Tabulation of Bids for Bid No. IF-92-4, Distribution Transformers. It is the recommendation of the Municipal Services Division to accept the lowest evaluated bid meeting specifications per Attachment A. It is also recommended that the lowest evaluated bid for Item No. 25 be rejected per Section 4.5 Physical Dimensions of the polemount transformer specifications. Therefore, it is recommended that the award go to Royal Wholesale, the second lowest evaluated bidder.

s/ S. Craig Lords

There being no questions, it was moved by Councilman Chandler, seconded by Wood, that the bids be awarded as recommended. Roll call as follows: Ayes, Councilmen Groberg, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION AND AWARD OF BID - DEHUMIDIFICATION  
SYSTEM FOR AQUATIC CENTER

Attached is the Tabulation of Bids for a new dehumidification system at the Aquatic Center.

The Municipal Services Division recommends awarding the bid to 4-E Construction in the amount of \$212,700.00, which includes Alternate No. 1 for furnishing and installing a DH-2 unit for the pool equipment room.

The Municipal Services Division respectfully requests authorization from the Mayor and City Council for the Mayor to execute said Contract.

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that the Council award this bid to 4-E Construction in the amount of \$212,700.00. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Groberg, Sakaguchi and Wood; No, none; carried.

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City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION AND AWARD OF BID - SAGE LAKES GOLF  
COURSE CONSTRUCTION, PHASE II

Attached is the Tabulation of Bids for the above-referenced project.

The Municipal Services Division recommends awarding Bid Schedule I - Basic Bid No. 1, No. 2, and No. 3, in the amount of \$454,567.00, for the finish grading and seeding and \$10,150.00 for Alternate No. 6 for sodding (around bunkers, paths, etc.) to Millcreek Gardens of Salt Lake City, Utah, for a total amount of \$464,717.00. The Municipal Services Division also recommends awarding Bid Schedule II, No. 8C and No. 9 for the irrigation and pump station in the amount of \$872,600.00 and \$10,000.00 for F-Sod/ Alternate to Huppert Brothers Construction for a total of \$882,600.00.

The Municipal Services Division respectfully requests approval from the Mayor and City Council and authorization for the Mayor to execute said Contracts.

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that the bids be awarded and the Mayor authorized to execute the contracts. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Groberg, and Sakaguchi; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: FIRE STATION NO. 4 - PACIFIC WEST CONSTRUCTION  
CHANGE ORDERS NO. 5 AND 6

Attached are two change orders from Pacific West Construction. Change Order No. 5, in the amount of \$5,535.20, is for furnishing and installing a handrail around the window wells and for miscellaneous electrical changes as itemized on attached Change Order No. 5. Change Order No. 6, in the amount of \$2,206.15, is for changing exhaust fans to run automatically when the overhead doors open.

The Municipal Services Division recommends approval of these Change Orders and respectfully requests authorization for the Mayor to execute documents.

s/ S. Craig Lords

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It was moved by Councilman Chandler, seconded by Wood, that this Change Order be approved and the Mayor authorized to execute the documents. Roll call as follows: Ayes, Councilmen Erickson, Deist, Groberg, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls  
December 19, 1991

MEMORANDUM

TO: Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BLUE SHIELD RETIREE INSURANCE

During recent labor negotiations, the Mayor and City Council authorized a Retiree Health Insurance Program. The Municipal Services Division has negotiated a Retiree Program with Medical Service Bureau Blue Shield of Idaho. Attached for your consideration is a Resolution and Contract providing Retiree Insurance. It is respectfully requested that the Mayor and City Council adopt said Resolution and authorize the Mayor to sign said Contract.

s/ S. Craig Lords

**RESOLUTION (Resolution No. 1991-13)**

A RESOLUTION REGARDING THE ESTABLISHMENT OF A PROGRAM FOR PROVIDING GROUP HEALTH INSURANCE FOR RETIRED EMPLOYEES OF THE CITY WHO WISH TO MAKE VOLUNTARY CONTRIBUTIONS FOR THE PREMIUMS THEREFORE.

WHEREAS, the creation, maintenance and establishment of a qualified and experienced work force is vital to the best interests of the City;

WHEREAS, it has become increasingly difficult and expensive for retiring employees of the City to obtain health insurance in lieu of benefits available by virtue of the Consolidated Omnibus Budget Reconciliation Act of 1985, Public Law 99-272 ("COBRA");

WHEREAS, many employees of the City desires to take early retirement under the Public Employee Retirement System of the State of Idaho ("PERS"), but defer exercising such right because they are unable to obtain health insurance;

WHEREAS, the establishment of a group health plan for such employees who desire to take early retirement will provide an attractive employment benefit whereby such persons may qualify for health insurance;

WHEREAS, having such employment benefit available will attract qualified employees and will encourage continued employment of existing experienced employees;

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NOW, THEREFORE, be it hereby resolved as follows:

1. Establishment of Group Health Plan. A group health plan (hereafter referred to as the "Plan") is hereby adopted in substantially the form as set forth in that certain Group Contract dated December 1, 1991, between the Medical Service Bureau of Idaho, Inc., Blue Shield of Idaho, a non-profit Idaho corporation (hereafter call the "Bureau") and the City of Idaho Falls (hereafter referred to as "Employer").

2. Definitions. All defined terms used herein shall have the same meaning ascribed in the Group Contract.

3. Premium Payments by Employer. Each month after the retirement of a Subscriber, Employer will pay a portion of the premium dues established by the Bureau to provide health care benefits under the Plan to Subscriber. The amount of such premium dues contribution for Employer's 1991/92 fiscal year shall be \$100.00 per month per Subscriber, and the amount of such contribution thereafter, if any, shall be determined by further resolution of the City Council of Employer. Employer shall pay such portion of the premium dues for a period commencing upon Subscriber's retirement to and until the date Subscriber reaches sixty-five (65) years of age or at the expiration of ten (10) years from the date of Subscriber's retirement, whichever first occurs. Employer may decrease or increase such premium dues contribution or otherwise contribute to the administrative costs of the Plan or make other non-premium dues contributions to the Plan, provided, however, in no event shall the amount of Employer's premium dues contribution during such period be decreased below the amount of the premium dues contribution in effect at the time a Subscriber retires. Subscriber shall pay all monthly premium dues for his or her coverage in excess of the premium dues contribution by Employer, and all premium dues charged or due on account of coverage for Subscriber's Dependents. In the event the tenth anniversary of Subscriber's retirement occurs before Subscriber's sixty-fifth (65th) birthday and Subscriber elects to continue coverage until he or she reaches age sixty-five (65), then Subscriber shall pay all premium dues for Subscriber and his or her Dependents.

4. Payment of Subscriber's/Dependents' Premiums. In the event Subscriber and Subscriber's Dependents apply for and are enrolled under the Plan, Subscriber shall pay to Employer on or before his or her retirement date an amount equal to Subscriber's share of the premium dues for a two-month period and the premium dues for his or her Dependents' coverage for a two-month period. Subscriber shall thereafter pay the monthly premium dues for Subscriber and his or her Dependents on the first day of each and every succeeding month following the date of his or her retirement. Such two-month advance premium dues for the month immediately following Subscriber's enrollment and secondly against the last month of coverage for the period during which Subscriber's enrollment and secondly against the last month of coverage for the period during which Subscriber and/or Subscriber's Dependents are eligible for coverage.

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5. Determination of Benefits. Employer reserves the sole and exclusive right to determine the terms and conditions of the Plan or any amendments thereto or to select other insurance carriers or other plans to provide health care benefits during the period in which Employer will make premium dues contributions under the terms of paragraph 4 hereof. Nothing herein shall obligate Employer to obtain or maintain any level or type of coverage under the Plan or to otherwise participate in any other way in the maintenance or administration of the Plan.

6. Application Procedures. Subscriber shall make application for and shall otherwise satisfy all conditions and qualifications for eligibility for Subscriber and Deponent coverage under the Plan, prior to the date of Subscriber's retirement. In the Event Subscriber fails to satisfy such conditions or make application prior to such date, Subscriber and his or her Dependents shall lose all eligibility to participate as members under the Plan.

7. Limitations. Nothing herein shall create any right, duty, benefit, obligation or liability of any kind, with respect to any present or future employee of the City who has not retired while this Resolution is in effect, or with respect to any employee of the City who retired prior to the effective date of this Resolution or with respect to any Dependents of such past, present or future employees of the City.

8. Incorporation of Plan. All terms, covenants and conditions of the Plan are hereby incorporated herein by reference and shall govern the terms and conditions under which benefits are provided under the Plan, except to the extent such terms and conditions are inconsistent with the provisions of this Resolution.

9. Term. This Resolution shall be effective retroactively to December 1, 1992, and shall remain in effect until terminated by Employer's City Council. Nothing herein shall grant, convey or otherwise establish or vest any right or benefit in favor of any Employee who has retired prior to the effective date hereof or convey or grant any vested benefit or right to future Plan benefits in favor of any Employee who retires after the termination of this Resolution.

s/ Thomas Campbell  
Mayor

Councilman Chandler and Municipal Services Director, Craig Lords explained the process on this item. It was moved by Councilman Chandler, seconded by Wood, that the resolution be adopted and the Mayor authorized to sign the resolution and contract. Roll call as follows: Ayes, Councilmen Deist, Groberg, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Mayor Protem Erickson stated that he respects Mayor Campbell for the job that he does for the City of Idaho Falls. Erickson said that he had received several questions about snow removal and he remembered critique after last year's snow removal. He asked Public Works Director Stanger to review the snow removal plans for this winter. Stanger stated that the Mayor had asked that monies be budgeted to allow for the clearing of

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driveways, on a trial basis, for the upcoming snow season. This will be done by front-end loaders.

A standing ovation was given for the three retiring Councilmen.

There being no further business, it was moved by Councilman Chandler, seconded by Deist, that the meeting adjourn at 10:20 P.M.; carried.

s/ Velma Chandler  
CITY CLERK

s/Melvin Erickson  
MAYOR PROTEM

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