

**FEBRUARY 22, 1990**

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The City Council of the City of Idaho Falls, met in Regular Council Meeting, Thursday, February 22, 1990, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Sam Groberg 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 Thomas Campbell, Councilmen Mel Erickson, Wes Deist, Joe Groberg, Ralph Wood, and Art Chandler. Councilman Sam Sakaguchi was absent. 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 February 8, 1990. The minutes were approved by the Mayor and Council.

The Mayor and Council honored City Employee Retiree Bill Anderson; Eagle Scouts David Scoville, Kirby Nebeker, Jonathan Thompson, and Kenton Lane; and Girl Scout Silver Award recipients Michelle Patton and Tonya Perez.

Dean and Bonnie Burt appeared and presented a "Centennial Work of Art" to the Mayor.

The Mayor declared open a public hearing to consider a request to place a modular office unit adjacent to the existing Idaho Transportation Department office building on Foote Drive. He asked Councilman Groberg to conduct the hearing. At the request of Councilman Groberg, the City Clerk read this explanatory memo from the Director of Planning:

City of Idaho Falls  
February 21, 1990

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: CONDITIONAL USE PERMIT

Attached is a copy of a request to place a modular office unit adjacent to the existing Idaho Transportation Department office building on Foote Drive. This request has been submitted by District 6 of the Idaho Transportation Department for temporary use of a mobile home. It is proposing the mobile home will be placed adjacent to the north end of the existing office building.

This Department recommends approval of the request for a period not to exceed one (1) year. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

No one appeared either for or against this request. It was moved by Councilman Groberg, seconded by Chandler, that this conditional use permit be approved for a period not to exceed one year. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Groberg, and Wood; No, none; carried.

The following license applications were presented carrying all required department approvals: BARTENDER, Kathleen Mallane, Catherine Davies, Steven Richard, Irene Herrera, Gaye Freemonth, Shirley Coddling, Glenda Bates, Ermal Monson, and Laurie Johnson; CATERING, Gourmet Delights and Choices Plus; DAY CARE FIRE INSPECTION, Lord's Daycare, Safety Kids, Michele Mills, and VIP Daycare; GROCERY STORE, Choices Plus; NON-COMMERCIAL KENNEL, Dean Hallan, Michael Schmid, Ellen Campbell, William

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Janes, and Kent Peterson; PAWN BROKER, Dave's Trading Post; PUBLIC RIGHTS OF WAY, G.H.G. Investment Company, R. Hill Construction, Ruskal Construction, Inc., Andrew Well Drilling Contractors; and Woolf & Hawley Concrete; SECOND HAND STORE, Dave's Trading Post; SIGN COMPANY, Great Western Sign Company; SPRAYING PERMIT, Paint-n-Place, Darald & Dan's Body Shop, Rocky Mountain Toyota Lincoln/Mercury, Quality Auto Body, and Smith Chevrolet Co.; BUILDING CONTRACTOR, B & M Remodeling, Gary Ricks Construction, Elder-Jones, Inc., Poulter Construction, and Pro Builders; ELECTRICAL CONTRACTOR, Merkley Electric; ELECTRICAL JOURNEYMAN, Hal D. Merkley, Mike L. Henrie, Charles Burk, and David Harold Austin (temp); ELECTRICAL APPRENTICE, Gregory Day and Robert Scott Fisher; CLASS B HEATING & COOLING CONTRACTOR, M & M Plumbing. It was moved by Councilman Erickson, seconded by Chandler, that these licenses be issued. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried.

The City Clerk presented a NOT TO BE CONSUMED ON PREMISES BEER license application for the Classic Bar. It was moved by Councilman Erickson, seconded by Chandler, that this beer license be issued. Roll call as follows: Ayes, Councilmen Erickson, Deist, Groberg, Wood, and Chandler; No, none; carried.

The City Clerk asked for Council ratification of the issuance of the following licenses: AMUSEMENT CENTER, Boulders; BARTENDER, Bonnie Newman. Michale McDonald, Patricia Burnside, and Nicole Johnson; SNACK BAR, Cattle Baron Gift Shop; ELECTRICAL CONTRACTOR, Harvey's Lustrolite; ELECTRICAL JOURNEYMAN, Wayne A. Gray, John L. Harvey, Douglas Frugoli, and Scott Scherbinske; ELECTRICAL APPRENTICE, Joe Zavala, Greg Williams, and Mark Reed; CLASS D HEATING & COOLING CONTRACTOR, Crown Plumbing; AND CLASS D HEATING & COOLING JOURNEYMAN, Robert Livesay. It was moved by Councilman Erickson, seconded by Chandler, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Deist, Groberg, Wood, Chandler, and Erickson; No, none; carried.

The City Clerk requested Council authorization to refund the application fee paid by Allen Thiel for a non-commercial kennel license. Mr. Thiel has failed to remit the required signatures of approval. It was moved by Councilman Chandler, seconded by Erickson, that this license application fee be refunded. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried.

From the Parks and Recreation Director came this memo:

City of Idaho Falls  
February 12, 1990

MEMORANDUM

TO: Mayor and City Council  
FROM: John Johnson, Director, Parks & Recreation  
SUBJECT: REQUEST FOR AUTHORIZATION FOR BID

The Parks and Recreation Division respectfully requests authorization to let bids for sprinkling system for Community Park.

s/ John Johnson

Councilman Deist explained this request. There being no questions nor comment, it was moved by Councilman Deist, seconded by Erickson, that the Parks and Recreation Director be authorized to advertise for bids as requested. Roll call as follows: Ayes, Councilmen Groberg, Wood, Chandler Erickson, and Deist; No, none; carried.

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The Electrical Department Manager presented the following memo, accompanied by an ordinance:

City of Idaho Falls  
February 20, 1990

MEMORANDUM

TO: Mayor and Council  
FROM: Steve Harrison  
SUBJECT: RETAIL RATE ADJUSTMENT

The Electric Committee recommends that the City Council consider the implementation of a retail electric rate adjustment effective for all billings after March 1, 1990.

The City Attorney has prepared an ordinance for your consideration.

s/ Steve Harrison

Councilman Wood explained the reasons and need for this ordinance. The City Attorney then read the following ordinance caption:

**ORDINANCE NO. 1964**

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 4-4-10, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR SCHEDULE OF RATES FOR ALL COMMERCIAL, INDUSTRIAL, RESIDENTIAL AND PUBLIC CUSTOMERS AND FOR SECURITY LIGHTING, CONSTRUCTION SERVICE AND TRAILER COURT SERVICE; ESTABLISHING A POWER FACTOR PENALTY FOR COMMERCIAL AND INDUSTRIAL CUSTOMERS; PROVIDING FOR ROUNDING OFF OF BILLING CHARGES AND ESTABLISHING RESPONSIBILITY OF CUSTOMERS FOR SELECTION OF RATE SCHEDULE; PROVIDING FOR EFFECTIVE DATE.

The foregoing ordinance was presented in title. It was moved by Councilman Wood, 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 BE FULLY READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Groberg, and Wood; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, Councilmen Erickson, Deist, Groberg, Wood, and Chandler; No, none; carried.

The Public Works Director presented the following memo and resolution:

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City of Idaho Falls  
February 20, 1990

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: HOLMES AVENUE - RESOLUTION AND CONSTRUCTION AGREEMENT

Attached are copies of a resolution and a construction agreement for the Holmes Avenue Project. Both have been reviewed and approved by the Engineering Department and the City Attorney.

Public Works recommends approval by the City Council 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. 1990-01)**

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 Holmes Avenue (17th Street to 9th Street); 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;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal-Aid Highway Project M-7316(006) 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.

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

The Municipal Services Director submitted the following six memos:

City of Idaho Falls  
February 22, 1990

MEMORANDUM

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

Municipal Services respectfully requests authorization to advertise and receive bids for an electronic, programmable, hand-held meter reading system.

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that authorization be given to advertise to receive bids for an electronic, programmable, hand-held meter reading system. Roll call as follows: Ayes, Councilmen Erickson, Deist, Groberg, Wood, and Chandler; No, none; carried.

City of Idaho Falls  
February 22, 1990

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID NO. IF-90-16, 795 MCM ACSR "DRAKE" CONDUCTOR  
AND BID NO. IF-90-16A, SALE OF SCRAP CONDUCTOR

It is the recommendation of Municipal Services and the Electric Division in concurrence with BPA to reject all bids for Bid No. IF-90-16. It has been determined that the City will recompense BPA with a cash amount calculated according to the low evaluated bid received, instead of actually replacing the conductor used.

It is also recommended by Municipal Services and the Electric Division, that the Mayor and City Council ratify award of Bid No. IF-90-16A, Sale of Scrap Conductor (927.2 MCM ACSR) to high bid of Pacific Recycling of Idaho Falls at the unit bid price of \$.501 per pound. Pacific Recycling has received the scrap wire in the full amount of 67,510 pounds for a total price of \$33,822.51.

s/ S. Craig Lords

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

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City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-90-12, LEASE-PURCHASE OPTION/COMPUTER  
SYSTEM FOR IDAHO FALLS PUBLIC LIBRARY (EILS)

Attached is the tabulation for Bid IF-90-12, Lease Purchase Option for furnishing a Computer System for Idaho Falls Public Library (Eastern Idaho Library System). It is the recommendation of Municipal Services and the Idaho Falls Public Library in concurrence with the City Attorney, to accept Bid No. 1 of Dynix, Inc., Provo, Utah. They will furnish an IBM RT 135, at a Total Initial Cost-Cash Purchase of \$87,450.00 for Equipment, Software, and Start-Up Costs. The annual lease payment will be \$20,182.90 per year for a period of five years. The lease provides that the City shall have the option to renew the lease each year subject to the appropriation of the funds by the City Council for that fiscal year.

Also, please find attached a copy of the revised Dynix Purchase Agreement and West One Bank's Municipal Equipment Financing Agreement (Lease).

s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that this Lease-Purchase Option be approved. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, and Groberg; No, none; carried.

City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: LEASE EXTENSION AGREEMENT - RICHARD OTTLEY

Attached are copies of a proposed lease extension agreement with Richard Ottley for farm ground located adjacent to Fielding Memorial Park Cemetery. Said documents have been approved by the Assistant City Attorney.

Municipal Services respectfully requests City Council approval of said Agreement and authorization for the Mayor to execute the Agreement.

s/ S. Craig Lords

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

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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ORDINANCE FOR THE EXCHANGE OF CITY-OWNED  
SURPLUS REAL PROPERTY FOR OTHER REAL PROPERTY  
OWNED BY THE CHURCH OF JESUS CHRIST OF LATTER-  
DAY SAINTS

Attached is a copy of a proposed ordinance prepared by the City Attorney providing for the exchange of certain City-owned real property for other real property owned by The Church of Jesus Christ of Latter-Day Saints.

Municipal Services respectfully requests that said ordinance be adopted by the Mayor and City Council.

s/ S. Craig Lords

The City Attorney read the following ordinance title:

**ORDINANCE NO. 1965**

AN ORDINANCE DECLARING AN INTENTION TO EXCHANGE PROPERTY OWNED BY THE CITY OF Idaho FALLS, Idaho FOR OTHER PROPERTY OWNED BY THE CHURCH OF JESUS CHRIST OF LATTER SAINTS; DESCRIBING EACH OF THE PROPERTIES TO BE EXCHANGED; SETTING A DATE AND TIME FOR A PUBLIC HEARING THEREON AND AUTHORIZING THE MAYOR TO EXECUTE DEEDS AND OTHER DOCUMENTS NECESSARY TO ACCOMPLISH SUCH EXCHANGE; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

Councilman Chandler located the subject properties on a map on the wall and further explained the exchange. The foregoing ordinance having been presented in title, 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, 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, Wood, Chandler, and Erickson; No, none; carried.

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City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: FIRE STATION ARCHITECTS

Municipal Services and the Fire Division recommend awarding contracts for architectural services for two (2) new fire stations to the firms of Alderson and Karst for the new airport fire station and Prestwich Associates for the new fire station on St. Clair and Sunnyside.

Municipal Services and the Fire Division respectfully request approval from the City Council and authorization for the Mayor to execute contracts with the two firms.

s/ S. Craig Lords

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

Mayor Campbell then re-appointed Charles Kelly to the Board of Adjustment. It was moved by Councilman Chandler, seconded by Deist, that the Council ratify this re-appointment. Roll call as follows: Ayes, Councilmen Deist, Groberg, Wood, Chandler, and Erickson; No, none; carried.

There being no further business, it was moved by Councilman Erickson, seconded by Groberg, that the meeting adjourn at 8:10 P.M., carried.

s/ Velma Chandler  
CITY CLERK

s/ Thomas Campbell  
MAYOR

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