

JULY 6, 1989

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 6, 1989, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Scout Brian Kump 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: Art Chandler, Jr., Mel Erickson, Wes Deist, Paul Hovey, Sam Sakaguchi, 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 June 22, 1989. The minutes were approved by the Mayor and Councilmembers.

Mayor Campbell honored Eagle Scouts Brandt Behunin, Kirk Korenke, Bryan Kump, and Adam Winter. He congratulated these fine young men for having obtained this award and said that they are a step ahead of an ordinary boy for reaching this award. Each Scout then received a Certificate of Appreciation, a handshake from all City Officials around the Council Table, and a round of applause from all those present in the Council Chambers.

The Mayor then declared open a public hearing, as legally advertised, to consider a request for rezoning of property located in International Plaza. He asked Councilman Wood to conduct the hearing. At the request of Councilman Wood, the City Clerk read the following explanatory memo from the City Planning and Building Administrator:

City of Idaho Falls
June 27, 1989

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING - INTERNATIONAL PLAZA

Attached is a copy of a rezoning request for Lots 2 & 3, Block 1; Lot 1, Block 2 of International Plaza. This property is located on the south side of International Way and south of the airport property. The request is to change the zone from R-3A to M-1.

The petitioner originally submitted a request to rezone the entire property to M-1 and then changed his request to provide R-1 and R-3A property on the southerly portion to provide buffering to the existing R-1 residences adjacent to Olympia Drive. After a lengthy public hearing, and hearing testimony from a number of citizens in the area, it appeared the majority of people in the area preferred M-1 zoning on the entire parcel.

The Planning Commission recommended a rezoning to M-1 with some landscaped buffering installed along the southerly boundary of the property. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Councilman Wood asked the Planning and Zoning Administrator to locate the subject area on a map on the wall and further explain the request.

Councilman Wood then invited the developer, Dick Clayton, Jr., to make a statement at this time.

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Mr. Clayton stated that the drawing being submitted this night is different than those previously presented to the Planning Commission. Major changes include, the elimination of Borah Avenue as a through street; added buffers and berms which will be thirty feet from the property line; included a one hundred foot setback requirement from the rear yard; buildings will be limited to two story; large two to three acre lots: cul-de-sacs and PUD type building. This revised proposal includes all items as requested by area residents at the Planning Commission hearing.

The Mayor and Councilmembers asked several questions of Mr. Clayton.

Janene Larson, 1406 Washburn, appeared to agree with Mr. Clayton's remarks. The three main issues that have been raised by the neighborhood residents are the need for a buffer zone; the need for Borah Avenue to be abandoned; and the assurance that the M-1 zoning regulations will be adhered to. She said that she had met with Mr. Clayton to obtain more details of his proposal. She presented the following petition with approximately seventy-one signatures:

PETITION

The undersigned residents of the John Heights Subdivision request that the Idaho Falls City Council adhere to the recommendation of the Planning and Zoning Commission with regard to establishing a 100-foot landscaped buffer between the existing R-1 and the proposed M-1 development. This 100 feet would be landscaped only - no parking, buildings, etc. would be allowed in this buffer. We feel this is a minimum requirement for a transitional buffer given the proposed zoning change. Mrs. Larson said that, at the time the petition was prepared, it was her understanding that the Planning Commission had made the recommendation for a one hundred foot landscaped buffer, but she has since found out that this was Mr. Clayton's proposal. She suggested that blue spruce be planted in front of the Russian Olive Trees as they would be better for allergies. Mrs. Larson asked that height restrictions be made and that Borah Avenue be abandoned. She supports PUD development of this area. Councilman Wood presented the following letter to be made a matter of record:

June 30, 1989

Ralph Wood
Idaho Falls City Council
1302 Homer
Idaho Falls, Idaho 83401

Dear Mr. Wood,

My family and I live on Olympia and have been concerned about some aspects of the proposed zoning change south of the airport between Olympia and International Way.

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We have been concerned about the possibility of increased “business” traffic on our residential area streets if Borah Street is opened from the rezoned industrial park. We have also been concerned about a potential loss of property value if an occupant incompatible with a close proximity to a residential area is placed in the residential park.

We don't oppose the idea of the industrial park if it can be done right. We believe that the Idaho Falls Planning Commission's recommendation of rezoning the property to M-1 along with recommendations of a landscaped buffer between the M-1 and adjoining R-1 area on Olympia and posting of Borah, Olympia and Washburn streets to “no thru truck traffic” is a good one. If the M-1 zoning is strictly enforced, that area should be compatible with our residential area.

The area around the airport is a “first impression” many visitors, business travelers and potential residents get of Idaho Falls. The current immediate area buildings of Industrial Contractors and Scientech certainly add to the beauty of the airport. If the occupants of the proposed industrial park were to be consistent with these sites, we would have no worries about our property value and, indeed the value of Idaho Falls as a whole would be increased.

We are counting on you and the rest of the City Council to do what is right July 6th in representing our area by making sure that the rezoning is accompanied by: (1) strict enforcement of the M-1 restrictions, (2) a landscaped buffer between M-1 and R-1 areas and (3) the nearby residential streets are posted for “no thru truck traffic”.

Sincerely,
s/Clayton S. Miller
1725 Olympia
Idaho Falls, Idaho 83402

Mr. Jay Bates, 1991 Olympia, appeared to state this is the third meeting he had attended on this matter. This plan is better, but he encouraged the Council to defer action until a plat is presented.

Mr. Clayton re-appeared to state that he is trying to work to please the residents. He feels that this is a good plan for all concerned and the PUD requirements would provide for good control.

Mayor Campbell questioned the feasibility of zoning prior to preparation of a plat and suggested that this be presented back to the Planning Commission for approval of a plat before Council consideration. Mr. Clayton was not opposed to this procedure, as he is just trying to make this a workable project.

Mr. John Melling, 2022 Olympia appeared briefly to ask the Council to insure that there is a good buffer between the homes and this development. A thirty foot buffer is not sufficient and it would de-value his property if this were allowed. He asked the Council to make sure that these concerns are covered in the final plat. They want assurance that any restrictive covenants placed on those buildings will be enforced.

Councilman Hovey asked the City Attorney to explain the way that these concerns may be addressed.

City Attorney Storer said that, usually, recorded restrictive covenants are only enforceable by those people that are located within the plat or sub-division. Another approach, which would make more sense in his opinion, would be to include the setback and restrictions in the application for a PUD or, perhaps a development agreement.

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It was moved by Councilman Wood, seconded by Chandler, that this be referred back to the Planning Commission. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The Mayor then declared open a public hearing to consider the re-zoning of Lots 7 through 11, Block 1, Linden Park Addition. He called upon Councilman Wood to conduct this hearing. At the request of Councilman Wood, the City Clerk read the following memo:

City of Idaho Falls
June 27, 1989

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING - LOTS 7-11, BLOCK 1, LINDEN PARK ADDITION

This office has received a request for a rezoning of the above described property, which is adjacent to and on the south side of Lincoln Drive, adjacent to the Lincoln Court Retirement Center. The request is to rezone from R-2 to R-3A in order to facilitate an addition to the retirement center.

The Planning Commission, at their June meeting, considered this matter and unanimously recommended approval of this request. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The City Planner further explained the request. No one appeared either for or against this request. It was moved by Councilman Wood, seconded by Chandler, that the zoning of this area be changed from R-2 to R-3A as requested. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The Mayor then declared open a public hearing to consider re-zoning in the South Park Addition and called upon Councilman Wood to conduct the hearing. Councilman Wood, asked the City Clerk to read the following memo:

City of Idaho Falls
June 27, 1989

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING - SOUTH PARK ADDITION, BLOCK 12

The subject property is located on the north side of 17th Street between 17th Street, 16th Street, Rollandet, and Curtis. This property was recently rezoned from GC-1 to PT-2 (Planned Transition Zone). Several property owners in the area have contacted this office and have stated that, because of existing businesses and ownership configurations, it is not possible to develop according to the Planned Transition criteria. Because of these circumstances,

the Planning Department initiated a rezoning of this Block to return to its original zone.

The Planning Commission considered this matter at a public hearing in June and at that time recommended approval of the request. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Councilman Wood then asked the City Planner to further explain the request.

Mr. Ray Hall, 2405 South Charlotte Drive, appeared to point out that the property under consideration at this time was zoned GC-1 approximately thirty years ago and he purchased the property eighteen years ago in anticipation of selling it at an opportune time. There was no problem in the GC-1 zone and he asked the Council to return this to the original zoning.

Mr. Gary Mills, 484 W. 19th Street, appeared briefly to protect the zoning change because of the noise and precedent setting potential.

Mr. Gaylen Stucki, owner of near-by property, appeared to state that the residents are unaware of the change to PT zoning. He asked the Council to revert back to original zoning and place a signal light at the intersection. It was moved by Councilman Wood, seconded by Chandler, that the Council approve the zoning change back to GC-1. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

The Mayor then declared open a public hearing, as legally advertised, to consider amendments to the Comprehensive Plan, Subdivision Ordinance and Zoning Ordinance. It was moved by Councilman Wood, seconded by Chandler, that this matter be recessed until July 20, 1989. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Mayor Campbell called open a public hearing to consider the de-annexation of a portion of Mill Road adjacent to the Mill Run Subdivision. The City Clerk read the following memo:

City of Idaho Falls
June 27, 1989

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: DE-ANNEXATION OF A PORTION OF MILL ROAD

Attached is a copy of an Ordinance de-annexing the northerly portion of Mill Road adjacent to the Mill Run Subdivision.

This portion of the road was inadvertently annexed when the Mill Run Subdivision was annexed to the City. State law prohibits annexation of a portion of a street.

The City Planning Commission unanimously recommended approval of this Ordinance. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The City Attorney read the following ordinance caption:

JULY 6, 1989

ORDINANCE NO. 1945

AN ORDINANCE EXCLUDING CERTAIN LANDS FROM THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID LANDS; ORDERING THE FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE COUNTY RECORDER; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE. (De-Annexation of Mill Road)

The foregoing ordinance was presented in title. It was moved by Councilman Wood, seconded by Chandler, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISION OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, 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 Erickson, Deist, Hovey, Sakaguchi, Wood and Chandler; No, none; carried.

It was then moved by Councilman Wood, seconded by Chandler, that the zoning of this property be deleted, that the comprehensive plan be amended to include the area de-annexed herewith, and that the City Planner be instructed to reflect said de-annexation, zoning change 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, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The Mayor then declared open a public hearing to consider the proposed amendment to the 1988-1989 Fiscal Year Budget. He asked Councilman Chandler to conduct this hearing.

Councilman Chandler asked the City Clerk to read the following memo from the Municipal Services Director:

City of Idaho Falls
July 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ADOPTION OF THE AMENDED 1988-1989 FISCAL YEAR BUDGET

Attached is a copy of the proposed amended 1988-1989 Fiscal Year Budget that was tentatively approved on June 22, 1988, by the Mayor and City Council and has been advertised as required by Idaho Code.

The Municipal Services Division respectfully request the adoption of this amended 1988-1989 Fiscal Year Budget in the amount of \$61,068,234.00 and the attached Appropriation Ordinance appropriating and apportioning the monies to and among the various funds. Dale Storer, City Attorney, has reviewed the Appropriation Ordinance.

Respectfully submitted,
s/ S. Craig Lords

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Councilman Chandler stated that, by law, the City cannot spend more money than is budgeted. Due to increased revenues received this year from, principally, a grant through the airport, it is found to be necessary to re-open the budget in order to spend these revenues. The additional revenues will go to the Airport, Street and Electric funds. Chandler asked the City Attorney to read the following ordinance caption:

ORDINANCE NO. 1946

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO AMENDING ORDINANCE NO. 1914, BEING THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1988, AND ENDING SEPTEMBER 30, 1989; APPROPRIATING ADDITIONAL MONIES RECEIVED BY THE CITY IN THE FORM OF FEDERAL GRANTS, AND ADDITIONAL REVENUES RECEIVED FROM THE OPERATION ON THE ELECTRIC LIGHT AND STREET FUNDS, AND FROM PREVIOUSLY UNAPPROPRIATED RESERVES; PROVIDING FOR EFFECTIVE DATE.

The foregoing Ordinance was presented in title. It was moved by Councilman Chandler, seconded by Hovey, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly 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 READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; 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 Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Councilman Erickson then asked the City Attorney to read the following ordinance caption:

ORDINANCE NO. _____

AN ORDINANCE ENACTING A NEW CHAPTER OF THE CITY CODE REGULATING THE BUSINESS OF MASSAGE ESTABLISHMENTS; DEFINING TERMS; REQUIRING LICENSES FOR ALL PERSONS OPERATING A MASSAGE ESTABLISHMENT OR ACTING AS MASSAGIST; ESTABLISHING CERTAIN EXCEPTIONS; ESTABLISHING A PROCEDURES FOR FILING OF APPLICATIONS AND INVESTIGATION OF APPLICANTS; PROVIDING FOR INVESTIGATION OF APPLICANTS; ESTABLISHING A LICENSE FEE, ESTABLISHING QUALIFICATIONS FOR LICENSES; REQUIRING REPORTING OF CHANGES OF ADDRESS; ESTABLISHING CERTAIN OPERATING AND SANITARY REQUIREMENTS; PROVIDING FOR INSPECTIONS OF MASSAGE ESTABLISHMENTS; PROHIBITING OPERATION DURING CERTAIN HOURS; PROHIBITING COMMISSION OF CERTAIN UNLAWFUL ACTS WITHIN A MASSAGE

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ESTABLISHMENT; ESTABLISHING PENALTIES;
PROVIDING FOR SEVERABILITY; AND
ESTABLISHING EFFECTIVE DATE.

Councilman Erickson noted that this ordinance had been passed on its first reading only at the last Council meeting. He invited comments from the floor in this regard.

Ms. Gayla Nickel, 1125 Syringa, appeared to state that she is supportive of the licensing of massage establishments, but would prefer to have State rather than City licensing. She said that she has operated a massage business in her home for several years and she feels that this ordinance casts a shadow on her profession. She suggested that the Council pass a local ordinance restricting prostitution and those profiting from it. The massage therapy business should not suffer because of a prostitution problem in the City.

Councilman Erickson stated that the Council had passed this ordinance on one reading only to allow for input and he felt that Ms. Nickel had raised some good points. It was moved by Councilman Erickson, seconded by Chandler, that this matter be referred to the Police Council Committee who will work with the local massage establishments to find a workable solution to this problem.

Linda Hoopes, Linda Smith, Paula Hayes, Sheldon Hanson and David Smith, all local massagists, appeared to approve licensing, but to object to such things as police involvement, verbiage in the ordinance, hours of operation and negative attitudes. They complimented the Council for agreeing to work with them and for inviting their involvement in the writing of a workable ordinance.

Councilman Erickson asked that a spokesperson be named for him to work with rather than his need to call all persons in this profession regarding meetings. He was informed that one would be appointed and he would be notified. The Mayor called for a roll call to the previously made motion, the results being as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Mayor Campbell stated that Deputy Fire Chief Richard Hahn has been preparing the budget for the Fire Department for the Fiscal Year 1989-1990. He announced that he has appointed Richard Hahn to be the new Fire Chief upon Doug Call's departure on July 30, 1989. It was moved by Councilman Erickson, seconded by Chandler, that this appointment be confirmed. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Bills for the month of June, 1989, were presented after having been audited by the Fiscal Committee:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>	<u>ELECTRIC</u>
SERV/MAT:	\$ 580,074.93	\$ 58,264.75	\$ 92,787.13	\$ 123,153.86	\$1,431,502.89
SALARY:	<u>624,38.019</u>	<u>39,836.89</u>	<u>15,507.54</u>	<u>85,186.69</u>	<u>139,630.18</u>
TOTAL:	\$1,204,455.12	\$ 98,101.64	\$108,294.67	\$ 208,340.55	\$1,571,133.07

	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP</u>	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>
SERV/MAT:	\$ 57,985.17	\$ 18,824.95	\$ 100.00	\$ 46,719.95	\$ 11,743.50
SALARY:	<u>43,130.14</u>	<u>28,164.36</u>	<u>.00</u>	<u>27,275.81</u>	<u>.00</u>
TOTAL:	\$ 101,115.31	\$ 46,989.31	\$ 100.00	\$ 73,995.76	\$ 11,743.50

	<u>WAT CAP</u>	<u>AMBULANCE</u>	<u>MUN EQUIP</u>	<u>MCS</u>	<u>TOTAL</u>
SERV/MAT:	\$ 22,768.06	\$ 23,395.79	\$ 152,233.31	\$ 81,900.00	\$2,701,454.29
SALARY:	<u>.00</u>	<u>26,021.91</u>	<u>.00</u>	<u>.00</u>	<u>1,029,133.71</u>
TOTAL:	\$ 22,768.06	\$ 49,417.70	\$ 152,233.31	\$ 81,900.00	\$3,730,588.00

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There being no questions, it was moved by Councilman Chandler, seconded by Erickson, that the Controller be authorized to pay the bills. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Monthly reports were presented for June, 1989, from all Division and Department Heads. These were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for BARTENDER, Kenneth Wayne Schnelke, Bobbie Lee Knight, Joy Sandra LePage, Edward T. Jones; FIREWORKS, Payless Drug Store, Boy Scout Troop No. 330, Golden Dragon, Trenton Gladwin, Slusser Wholesale Company, Shopko; WHOLESALE FIREWORKS, Slusser Wholesale Company; SPRAYING PERMIT, Idaho Lumber, Inc.; FRUIT AND VEGETABLE STAND, Gary L. Mills; RESTAURANT, Town Square Coffee Shop, Subby's; SIGN COMPANY, Lynn Walker Sign Company; ELECTRICAL CONTRACTOR, Montgomery Elevator Company; JOURNEYMAN ELECTRICIAN, Mike A. Sperry, F. Robert Wetherbee; SPRINKLING SYSTEM CONTRACTOR, T. J. Services, Lawrence Lawn Services; JOURNEYMAN SPRINKLING SYSTEM INSTALLER, Tim James, David W. Lawrence; and, BUILDING CONTRACTOR, Dave's Roofing, were presented, carrying all required approvals. It was moved by Councilman Erickson, seconded by Sakaguchi, that these licenses be issued. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The City Clerk asked for Council ratification of the issuance of BARTENDER PERMITS to John Lloyd Gilbert, Renee Lynne Marsh, Woodena M. Summers; CONCESSION LICENSES to Idaho Young Republicans, Cub Scout Troop No. 20, Idaho Falls Kiwanis Club, Idaho Falls 11th Ward, Chamber of Commerce; RESTAURANT license to Freedom Birds. It was moved by Councilman Erickson, seconded by Wood, that the Council ratify the previous action. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Clerk asked for Council ratification of the publishing of legal notices calling for hearings on July 20, 1989. It was moved by Councilman Wood, seconded by Chandler, that the Council ratify this action. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The Municipal Services Director presented the following four memos:

City of Idaho Falls
July 6, 1989

MEMORANDUM

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

The Public Works Division and Municipal Services respectfully requests authorization to advertise and receive bids for the needed components to upgrade television equipment used by the Sewer Department.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; 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: AUTHORIZATION TO BID

The Public Works Division and Municipal Services respectfully requests authorization to advertise and receive bids for the required coating and repairs on the roof at the Sewer Department Building, 3916 South Yellowstone.

Respectfully submitted,
s/ S. Craig Lords

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

City of Idaho Falls
July 6, 1989

MEMORANDUM

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

The Public Works Division and Municipal Services respectfully requests authorization to advertise and receive bids for Sewer Material and Equipment for the Broadway Extension Project.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council authorize the advertising for bids as requested. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

City of Idaho Falls
July 6, 1989

MEMORANDUM

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

Attached is a copy of a lease extension agreement with Lonnie and Peggy Brown for property located at Noise Park. Said document has been approved by Joe Burgess, Assistant City Attorney. Parks and Recreation Division and Municipal Services recommend approval of the lease extension agreement.

Respectfully submitted,
s/ S. Craig Lords

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It was moved by Councilman Chandler, seconded by Sakaguchi, that this lease extension agreement be approved and the Mayor authorized to sign same. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Wood, and Sakaguchi; No, none; carried.

The Public Works Director submitted the following five memos:

City of Idaho Falls
July 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: IRONWOOD STORM LINE TO I-15 PONDS

On June 26, 1989, bids were received and opened for the Ironwood Storm Line to I-15 Ponds as follows:

H-K Contractors, Inc.	\$110,872.00
A & J Construction Company, Inc.	\$144,566.00
Engineer's Estimate	\$110,100.00

Public Works recommends City Council acceptance of the low bid of H-K Contractors, Inc. in the amount of \$110,872.00 and authorization for the Mayor to sign the necessary documents.

Respectfully,
s/ Chad Stanger

There being no questions, it was moved by Councilman Sakaguchi, seconded by Deist, that the bid for Ironwood Storm Line to I-15 Ponds be awarded to H-K Contractors, Inc. in the amount of \$110,872.00 and the Mayor be authorized to sign the necessary documents. Roll call as follows: Ayes, Councilman Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls
July 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SANITARY SEWER PROJECT - LEE AVENUE TO EMERSON AVENUE, BETWEEN 23RD AND 24TH STREETS

On May 18, 1989, the City Council awarded a bid to Echeco Construction and Associates to install a sanitary sewer line from Lee Avenue to Emerson Avenue, between 23rd and 24th Streets. Echeco Construction and Associates did not execute the Contract Documents within the time specified. Public Works recommends acceptance of the next lowest bid to H-K Contractors, Inc. in the amount of \$36,634.50 and authorization for the Mayor to sign the Contract Documents.

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Public Works requests authorization to make claim against the bid security posted by Echeco Construction and Associates in the amount of \$1,000.00 and authorization to apply this amount against additional costs incurred in the project.

Respectfully,
s/ Chad Stanger

Councilman Sakaguchi explained this request. It was moved by Councilman Sakaguchi, seconded by Deist, that the bid be awarded to H-K Contractors, in the amount of \$36,634.50 and authorization given to retain the \$1,000.00 bid security posted by Echeco and apply this amount against the additional costs incurred in this project. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
July 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: LEASE AGREEMENT - ROBERT J. AND MARTHA P. DALLMAN, NEW SWEDEN ESTATES PEDESTRIAN WALKWAY

Attached are copies of a proposed lease agreement between the City and Robert J. and Martha P. Dallman for the south six (6) feet of the pedestrian walkway located between Lots 14 and 15, Block 5, New Sweden Estates, Division No. 4 to the City of Idaho Falls. The proposed agreement allows the Dallmans to lease the described property for a period of ten (10) years with option for renewal and the City the right to terminate the lease if the property is needed for public use or good.

Public Works recommends City approval of the proposed lease agreement and authorization for the Mayor to sign the necessary documents.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that this lease agreement be approved and authorization given for the Mayor to sign the agreement. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

City of Idaho Falls
July 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: LEASE AGREEMENT - ALFRED W. AND CATHERINE E. BURNETT, NEW SWEDEN ESTATES PEDESTRIAN WALKWAY

JULY 6, 1989

Attached are copies of a proposed lease agreement between the City and Alfred W. and Catherine E. Burnett for the north six (6) feet of the pedestrian walkway located between Lots 14 and 15, Block 5, New Sweden Estates, Division No. 4 to the City of Idaho Falls. The proposed agreement allows the Burnetts to lease the described property for a period of ten (10) years with option for renewal and the City the right to terminate the lease if the property is needed for public use or good.

Public Works recommends City Council approval of the proposed lease agreement and authorization for the Mayor to sign the necessary documents.

Respectfully,
s/ Chad Stanger

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

City of Idaho Falls
July 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: REQUEST TO VACATE AN EASEMENT - SMITH FOOD KING

Smiths Food King has requested the City vacate an easement on their property located north of John Adams Parkway. Smiths is constructing a new building which will encroach into the existing easement.

All utilities have been contacted regarding the proposed vacation and offer no opposition to same.

It is the recommendation of Public Works that the City Council authorize the Attorney to prepare the necessary ordinance and documents to allow for this vacation.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Attorney be authorized to prepare an ordinance for the vacation of this easement. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Deist, and Erickson; No, none; carried.

The City Attorney presented and explained the following resolution:

RESOLUTION (Resolution No. 1989-06)

A RESOLUTION AUTHORIZING AN ADVANCE OF AN ADDITIONAL SUM OF \$5,000 TO THE IDAHO FALLS REDEVELOPMENT AGENCY TO DEFRAY PROJECT COSTS INCURRED FOR THE PREPARATION OF A PLAN FOR A REVENUE ALLOCATION AREA ALONG LINDSAY BOULEVARD.

JULY 6, 1989

WHEREAS, on July 6, 1966, the City of Idaho Falls created an Urban Renewal Agency, pursuant to Chapter 47, Title 50, Idaho Code (now codified as Chapter 20, Title 50, Idaho Code);

WHEREAS, on October 21, 1988, the City passed a resolution authorizing an advance of the sum of \$20,000 to the Idaho Falls Redevelopment Agency for the purpose of securing professional planning and legal services necessary for the establishment of a revenue allocation area and plan for the vicinity of Lindsay Boulevard;

WHEREAS, on December 23, 1988, the City held a public hearing and enacted an ordinance adopting the Lindsay Boulevard Urban Renewal Project, pursuant to Section 50-2906, Idaho Code;

WHEREAS, the Redevelopment Agency has undertaken certain actions to proceed with the issuance of bonds to finance the construction of improvements within the Lindsay Boulevard Urban Renewal Project and in conjunction therewith has incurred, and will in the future incur, expenses for professional planning and legal services in conjunction therewith;

WHEREAS, it appears desirable to continue with efforts to issue bonds to finance the construction of such improvements and to proceed with efforts to issue such bonds;

NOW, THEREFORE, it is hereby resolved that the Mayor and Controller are authorized to advance an additional sum of \$5,000 to the Idaho Falls Redevelopment Agency for the purpose of paying for professional planning and legal services incurred in preparation for the issuance of bonds for the construction of improvements within the Lindsay Boulevard Urban Renewal Project. Such advance is made upon the condition that such amount shall be considered as project costs as defined in Idaho Code Section 50-2903, in the event bonds are issued to finance the construction of such improvements.

APPROVED, this 6th day of July, 1989.

s/ Thomas Campbell

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

There being no further business, it was moved by Councilman Wood, seconded by Erickson, that the meeting adjourn at 9:15 P.M.; carried.

Velma Chandler
CITY CLERK

Thomas Campbell
MAYOR

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