

MAY 27, 2010

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 27, 2010, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Jared D. Fuhriman
Councilmember Ken Taylor
Councilmember Michael Lehto
Councilmember Sharon D. Parry
Councilmember Karen Cornwell
Councilmember Ida Hardcastle

Absent was:

Councilmember Thomas Hally

Also present:

Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Fuhriman requested Jackie Hardcastle (Councilmember Hardcastle's Granddaughter) to lead those present in the Pledge of Allegiance.

Mayor Fuhriman requested those to come forward who had issues for the City Council that were not otherwise listed on the Council Agenda. No one appeared.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the May 11, 2010 Council Work Session and the May 13, 2010 Regular Council Meeting.

The City Clerk presented several license applications, all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on May 27, 2010.

The Public Works Director submitted the following memo:

City of Idaho Falls
May 21, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – ASPHALT OVERLAY PROJECT, 2010

Public Works requests authorization to advertise to receive bids for Asphalt Overlay Project, 2010.

s/ Chad Stanger

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It was moved by Councilmember Taylor, seconded by Councilmember Parry, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

REGULAR AGENDA

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
May 24, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg, Assistant Idaho Falls Power Director
SUBJECT: RENEWABLE ENERGY CERTIFICATE PURCHASE AGREEMENT

Attached for your consideration is an Agreement with Sterling Planet to purchase the Renewable Energy Certificates associated with the Gem State Project. Sterling Planet desires to purchase the Renewable Energy Certificates generated from January 2010 through September 2010. It is estimated Gem State Project will generate 91,000 megawatt hours during this time period thus producing 91,000 Renewable Energy Certificates. Sterling Planet has offered \$.30 per Certificate for an estimated total value of \$27,300.00. Certificates sold will be based on actual generation.

The Purchase Agreement has been reviewed by the City Attorney. Idaho Falls Power respectfully requests approval of the Agreement and authorization for the Mayor to sign.

s/ Jo Elg

Following a brief explanation of this Purchase Agreement, it was moved by Councilmember Lehto, seconded by Councilmember Parry, to approve the Agreement with Sterling Planet to purchase the Renewable Energy Certificates associated with the Gem State Project generated from January 2010 through September 2010 as recommended and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Taylor
Councilmember Hardcastle

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Councilmember Cornwell
Councilmember Parry

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
May 21, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-11, PROVIDE AN ELECTRICAL EQUIPMENT ENCLOSURE/BUILDING FURNISHED WITH ALL THE REQUIRED CONTROL EQUIPMENT INSTALLED

Attached for your consideration is the tabulation for the above subject bid.

It is the recommendation of Municipal Services to accept the low bid of Codale Electric Supply Company, Inc. They will provide for the 15th Street Substation a prefab electrical equipment enclosure/building and required equipment for a lump sum total amount of \$125,779.00.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to accept the low bid of Codale Electric Supply Company, Inc. to provide a prefab electrical equipment enclosure/building and required equipment for the 15th Street Substation for a total amount of \$125,779.00. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

City of Idaho Falls
May 20, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-18, ELECTRICAL CONDUCTOR

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Attached for your consideration is the tabulation for Electrical Conductor. It is the recommendation of Municipal Services to accept the low evaluated bid of the HD Supply Utilities to furnish all items for a total amount of \$59,862.00. HD Supply Utilities submitted their bid as "all or none"; their total bid price for all items is less than if the bid items were awarded on an individual basis. A complete breakdown of quantity and bid amounts is listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to accept the low evaluated bid from HD Supply Utilities to furnish all items under the Electrical Conductor Bid for a total amount of \$59,862.00. Roll call as follows:

Aye: Councilmember Taylor
Councilmember Lehto
Councilmember Parry
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
May 27, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: TAUTPHAUS PARK ICE RINK RENOVATION PROJECT
RESOLUTION

Attached for your consideration is a Resolution authorizing the Mayor and Director of Parks and Recreation to execute and approve change orders for the Tautphaus Park Ice Rink Renovation Project. The purpose of this Resolution is to ensure the project moves forward on a timely basis.

The Resolution is therefore submitted for your approval.

s/ David J. Christiansen

RESOLUTION NO. 2010-13

WHEREAS, the City Council previously authorized and approved the construction and the renovation of the Tautphaus Park Ice Rink Renovation Project, and has awarded a construction contract with respect thereto;

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WHEREAS, time is of the essence in order to ensure the Project is completed before the commencement of the skating season in 2010/2011;

WHEREAS, from time to time change orders may become necessary in order to deal with unanticipated circumstances and contingencies and to otherwise ensure the project continues to move forward on a timely basis;

NOW, THEREFORE, be it hereby resolved that the City Council authorize the Mayor and Director of Parks and Recreation to execute and approve change orders without further Council approval, with respect to such project, provided each change order shall not exceed the amount of twenty-five thousand dollars (\$25,000.00), and the sum of such change orders shall not exceed sixty-five thousand dollars (\$65,000.00) in aggregate, and provided further that all such change orders are first reviewed and approved by the City Attorney.

APPROVED BY THE CITY COUNCIL the 27th day of May, 2010, and executed by the Mayor the 27th day of May, 2010.

CITY OF IDAHO FALLS

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

(SEAL)

It was moved by Councilmember Hardcastle, seconded by Councilmember Hally, to approve the Resolution authorizing the Mayor and Director of Parks and Recreation to execute and approve change orders for the Tautphaus Park Ice Rink Renovation Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Parry
Councilmember Lehto
Councilmember Taylor
Councilmember Cornwell

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
May 25, 2010

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – NORTHGATE ADDITION, DIVISION NO. 1

MAY 27, 2010

Attached is the Final Plat entitled Northgate Addition, Division No. 1. This Final Plat of 0.589 Acres is located north of the intersection of Holmes Avenue and Yellowstone Highway (U. S. 191). The Planning Commission considered this Final Plat at its May 4, 2010 Meeting and recommended approval. The Department concurs with this recommendation. This request is being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

It was moved by Councilmember Parry, seconded by Councilmember Taylor, to accept the Final Plat entitled Northgate Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Parry
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
May 19, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: UTILITY EASEMENT VACATION – EASTERN IDAHO REGIONAL MEDICAL CENTER

Eastern Idaho Regional Medical Center is requesting vacation of certain existing utility easements located near their facility to accommodate an addition to the hospital. New easements are being provided to replace those vacated.

Public Works requests authorization for the City Attorney to prepare documents necessary to vacate these easements.

s/ Chad Stanger

Councilmember Parry stated that she would abstain from any discussion or decision on this item as she is a member of the Eastern Regional Medical Center Board of Directors.

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to give authorization for the City Attorney to prepare the necessary documents to vacate certain existing utility easements located near Eastern Idaho Regional Medical Center to accommodate an addition to the hospital. Roll call as follows:

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Aye: Councilmember Cornwell
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Abstain: Councilmember Parry

Motion Carried.

City of Idaho Falls
May 12, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – LEE AVENUE STORM DRAIN REPLACEMENT

On May 11, 2010, bids were received and opened for the Lee Avenue Storm Drain Replacement Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the firm providing the low bid, Landon Excavating, Inc., in the amount of \$68,836.65; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to approve the plans and specifications for the Lee Avenue Storm Drain Replacement Project; accept the low bid from Landon Excavating, Inc. in the amount of \$68,836.65 to complete the project; and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Taylor
Councilmember Hardcastle
Councilmember Cornwell
Councilmember Parry

Nay: None

Motion Carried.

City of Idaho Falls
May 20, 2010

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: STATE REVOLVING LOAN FUND APPLICATIONS -
WASTEWATER AND DRINKING WATER PROJECTS

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The Public Works Division earlier made fund requests to the Idaho Department of Environmental Quality for wastewater and drinking water projects through the State Revolving Loan Fund. Notice has been received that the City's projects are ranked 8th, 27th, and 30th for wastewater and two (2) drinking water projects, respectively. Staff evaluations have concluded the City would benefit from receiving loan funds for the wastewater project, and the drinking water projects are better served through Water Fund balances.

Public Works recommends authorization be granted to submit an application for the wastewater project and decline funding offers for the drinking water projects.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to give authorization for the Public Works Division to submit an application for the wastewater project and decline funding offers for the drinking water projects. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

Mayor Fuhrman requested Councilmember Parry conduct Annexation Proceedings for a Metes and Bounds Legal Description of 0.44 Acres in the Southeast Quarter of Section 24, Township 2 North, Range 37, East of the Boise Meridian – Portion of Crane Drive. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 25, 2010

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: ANNEXATION AND INITIAL ZONING OF C-1 – 0.44 ACRES OF CRANE DRIVE

Attached is the Ordinance to annex the northern 0.44 acres of Crane Drive immediately south of Pancheri Drive. The requested initial zoning is C-1, Limited Retail. The Planning Commission considered this annexation request at its May 4, 2010 Meeting and recommended approval. The Department concurs with this recommendation. This annexation request is being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

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The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Aerial Photo – Close up
Exhibit 1	Planning Commission Minutes dated May 4, 2010
Exhibit 2	Staff Report dated May 4, 2010
Exhibit 3	Aerial Photo
Exhibit 4	Vicinity Map

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Fuhrman closed the public hearing.

At the request of Councilmember Parry, the City Clerk read the following Ordinance by title only:

ORDINANCE NO. 2839

A PORTION OF CRANE DRIVE

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Taylor seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Parry
Councilmember Lehto
Councilmember Taylor
Councilmember Cornwell

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Parry, seconded by Councilmember Lehto, to establish the initial zoning for 0.44 Acres in the Southeast Quarter of Section 24, Township 2 North, Range 37, East of the Boise Meridian – Portion of

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Crane Drive as C-1 (Limited Retail) Zoning as presented, 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 the Planning Office. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Parry
Councilmember Taylor
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Cornwell, that the meeting adjourn at 7:45 p.m.

CITY CLERK

MAYOR
