

**FEBRUARY 25, 2010**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, February 25, 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 Sharon D. Parry  
Councilmember Karen Cornwell  
Councilmember Thomas Hally  
Councilmember Ken Taylor  
Councilmember Ida Hardcastle

Absent was:

Councilmember Michael Lehto

Also present:

Dale Storer, City Attorney  
Rosemarie Anderson, City Clerk  
All available Division Directors

Mayor Fuhriman requested Boy Scout Kaiden Porter 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**

Mayor Fuhriman requested Council approval for the Appointment of David Bishop to serve on the Golf Advisory Board (Term to Expire in December, 2012).

The City Clerk requested approval of the Minutes for the February 11, 2010 Regular Council Meeting.

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

The Public Works Director submitted the following memos:

City of Idaho Falls  
February 17, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION – PAVING EQUIPMENT RENTAL, 2010

Public Works requests authorization to advertise to receive bids for Paving Equipment Rental, 2010.

s/ Chad Stanger

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City of Idaho Falls  
January 20, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AUTHORIZATION – ADJUSTMENT OF MANHOLES, WATER VALVE BOXES AND STREET MONUMENTS, 2010

Public Works requests authorization to advertise to receive bids for Adjustment of Manholes, Water Valve Boxes, and Street Monuments.

s/ Chad Stanger

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 Taylor  
Councilmember Hally  
Councilmember Parry  
Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

**REGULAR AGENDA**

The Airport Director submitted the following memos:

City of Idaho Falls  
February 18, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Len Nelson, Airport Director  
SUBJECT: GRANT AGREEMENT AND CITY RESOLUTION

To authorize the Mayor to sign a Resolution and Grant Agreement from the State of Idaho in support of projects at the Idaho Falls Regional Airport in the amount of \$20,000.00.

s/ Len Nelson

**CITY RESOLUTION NO. 2010-08**

**Exact from the Minutes of a Regular Meeting  
Of the City Council of the City of Idaho Falls, Idaho  
Held on February 25, 2010**

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The following Resolution was introduced by Councilmember Cornwell, read in full, considered and adopted:

Resolution Number 2010-08 of the City of Idaho Falls, Idaho accepting the Grant Offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$20,000.00 to be used under the Idaho Airport Aid Program, Program Number: LNS8IDA, Project Number: IDA-2010 (3-16-0018-031/032/033) in the development of the Idaho Falls Regional Airport; and,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO (herein referred to as the "City") as follows:

Section 1. That the City shall accept the Grant Offer of the State of Idaho in the amount of \$20,000.00, for the purpose of obtaining State Aid under Program Number: LNS8IDA, Project Number: IDA-2010 (3-16-0018-031/032/033) in the development of the Idaho Falls Regional Airport; and,

Section 2. That the Mayor of the City of Idaho Falls is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Acceptance) on behalf of the City. The City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City on the aforesaid statement of Acceptance; and,

Section 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the City Council and approved by the Mayor this 25<sup>th</sup> day of February, 2010.

s/ Jared D. Fuhriman  
Jared D. Fuhriman  
Mayor

ATTEST:

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

(SEAL)

CERTIFICATE

I, Rosemarie Anderson, City Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 2010-08 adopted at a regular meeting of the City Council held on the 25<sup>th</sup> day of February, 2010, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this 25<sup>th</sup> day of February, 2010.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

(SEAL)

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It was moved by Councilmember Cornwell, seconded by Councilmember Parry, to approve the Resolution and Grant Agreement from the Idaho Airport Aid Program through the Idaho Transportation Department and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Hardcastle  
Councilmember Parry  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls  
February 18, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Len Nelson, Airport Director  
SUBJECT: 2010 LOAN AGREEMENT FOR F86L AIRCRAFT DISPLAY

To authorize the Mayor to sign the 2010 Loan Agreement from the National Museum of the United States Air Force (NMUSAF) Static Display Program on the loaned property of the F86L Aircraft located at the Idaho Falls Regional Airport.

s/ Len Nelson

It was moved by Councilmember Cornwell, seconded by Councilmember Parry, to approve the 2010 Loan Agreement from the National Museum of the United States Air Force (NMUSAF) Static Display Program on the loaned property of the F86L Aircraft located at the Idaho Falls Regional Airport and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Parry  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Hally

Nay: None

Motion Carried.

The Human Resources Director submitted the following memo:

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City of Idaho Falls  
February 17, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Brian J. Sagendorf, Director of Human Resources  
SUBJECT: IDAHO FALLS MUNICIPAL LEADERSHIP ACADEMY TRAINING AGREEMENT

It is respectfully requested the Council approve the decision to enter into a Training Agreement with the James Madison Group, Inc. and to authorize the Mayor to sign the related Service Agreement. Attached for your consideration is the agreement to deliver a Municipal Leadership Academy which will focus leadership training for City senior management; this agreement has been reviewed by legal counsel. The Municipal Leadership Academy is designed to develop organizational leaders that will build the local government and community through professional management practices. This item was budgeted for in the current fiscal year.

s/ Brian J. Sagendorf

The Human Resources Director appeared to explain that this Leadership Academy is designed to deliver training to senior managers in the City, focusing on ethical leadership, how to be a effective municipal leader, and communicating as a leader. The James Madison Group is located in Salt Lake City and has been praised for their work in leadership training.

It was moved by Councilmember Hally, seconded by Councilmember Hardcastle, to approve the Training Agreement with the James Madison Group, Inc. to provide leadership training for City senior management and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Taylor  
Councilmember Hardcastle

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
February 17, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: CHARGE OFF – UNPAID UTILITY ACCOUNTS 2005

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Municipal Services respectfully requests authorization to charge off as uncollectable, all utility accounts that have not had a transaction since 2005, which includes, but not limited to, bankruptcies, skips, deceased persons, and those with no assets. These accounts total \$315,043.64, which is .55% of sales for that year.

It is further requested that authorization be given to charge off the following accounts as uncollectible: Ambulance \$337,163.69, Accounts Receivable \$291.93, and Returned Checks \$5,270.82.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to charge off as uncollectible, all utility accounts that have not had a transaction since 2005, which includes, but not limited to, bankruptcies, skips, deceased persons, and those with no assets in the amount of \$315,043.64; Ambulance in the amount of \$337,163.69; Accounts Receivable in the amount of \$291.93; and, Returned Checks in the amount of \$5,270.82, as presented. Roll call as follows:

Aye: Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls  
February 25, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: David J. Christiansen, Parks and Recreation Director  
SUBJECT: CITY ORDINANCE – SPECIAL ASSESSMENTS AMENDMENT  
(SECTION 5-26-13)

Attached for your consideration is an Amendment to Section 5-26-13 of the City Code relating to special assessments. The amendments made to the existing Ordinance and section are the addition of the term “weeds” and the manner in which the city will serve notice to those private property owners who are in non-compliance with said Ordinance.

The proposed revisions were prepared and reviewed by the Assistant City Attorney and are therefore submitted for your approval.

s/ David J. Christiansen

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The Parks and Recreation Director appeared to state that the Department used to require Certified, Return Receipt Requested postal service to deliver these notices. Now, the Postal Service will provide notification that an item has been delivered at a specific address, so that the Department does not have wait for a "Return Receipt" before beginning proceedings for clean-up of weeds and refuse. Oftentimes, the homeowner would just ignore the Certified, Return Receipt Required notification, making it difficult to determine whether notification had indeed been provided. The new process will eliminate a great deal of time from the notification process.

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

**ORDINANCE NO. 2831**

AN ORDINANCE AMENDING SECTION 5-26-13 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; RELATING TO SPECIAL ASSESSMENTS; PROVIDING FOR METHODOLOGY; PROVIDING FOR SEVERABILITY; PRESERVING PRIOR ORDINANCE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Hally 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 Cornwell  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls  
February 17, 2010

MEMORANDUM

TO: Mayor and City Council  
FROM: Steve Roos, Chief of Police  
SUBJECT: CITY COUNCIL AGENDA ITEM

Please review the attached draft of an Ordinance amending sections 5-1-3 and 5-17-1 of the City Code of the City of Idaho Falls. These changes relate to punishment for crimes and to placing debris on streets. These minor changes

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have been initiated by Shan Perry, Assistant City Attorney, to bring this Ordinance in line with the State Code.

I respectfully request approval of these changes at the City Council Meeting of February 25, 2010.

s/ Steve Roos

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

**ORDINANCE NO. 2832**

AN ORDINANCE AMENDING SECTIONS 5-1-3 AND 5-17-1 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; RELATING TO PUNISHMENT FOR CRIMES; RELATING TO PLACING DEBRIS ON STREETS; PROVIDING FOR METHODOLOGY; PROVIDING FOR SEVERABILITY; PRESERVING PRIOR ORDINANCE; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Cornwell 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 Taylor  
Councilmember Hally  
Councilmember Parry  
Councilmember Cornwell  
Councilmember Hardcastle

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls  
February 18, 2010

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: ENCROACHMENT RIGHT-OF-WAY AGREEMENT – KINSWOOD/  
IDAHO CANAL PEDESTRIAN BRIDGE

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Attached is an Agreement between the City and the Idaho Irrigation District granting the City an encroachment right-of-way for construction of a footbridge across the Idaho Canal at Kinswood Street.

Public Works requests approval of this Agreement; and, ratification of the Mayor's signature on same.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Encroachment Right-of-Way Agreement with the Idaho Irrigation District granting the City an encroachment right-of-way for construction of a footbridge across the Idaho Canal at Kinswood Street and, further, ratify the Mayor's signature on the same document. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Hardcastle  
Councilmember Parry  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Motion Carried.

Mayor Fuhriman requested Preston Bateman to recite the Boy Scout Law and Ethan Monson to recite the Boy Scout Oath.

There being no further business, it was moved by Councilmember Cornwell, seconded by Councilmember Taylor, that the meeting adjourn at 8:15 p.m.

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CITY CLERK

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MAYOR PROTEM

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